

# IN THE SUPREME COURT OF THE STATE OF NEVADA

GREGORY DELLO MORGAN,  
Appellant(s),

vs.

THE STATE OF NEVADA,  
Respondent(s),

Electronically Filed  
Jul 14 2022 02:16 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

Case No: C-19-344461-1

Docket No: 84898

# RECORD ON APPEAL VOLUME 1

**ATTORNEY FOR APPELLANT**  
GREGORY MORGAN # 1196223,  
PROPER PERSON  
P.O. BOX 208  
INDIAN SPRINGS, NV 89070

**ATTORNEY FOR RESPONDENT**  
STEVEN B. WOLFSON,  
DISTRICT ATTORNEY  
200 LEWIS AVE.  
LAS VEGAS, NV 89155-2212

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WARR

**ORIGINAL**  
DISTRICT COURT  
CLARK COUNTY, NEVADA

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

NOV 01 2019

BY   
KIMBERLY ESTALA, DEPUTY

THE STATE OF NEVADA,

Plaintiff,

-vs-

GREGORY DELLO MORGAN  
ID#2752270

Defendant.

CASE NO: C-19-344461-1

DEPT NO: XX

**WARRANT FOR ARREST**

**INDICTMENT WARRANT**

THE STATE OF NEVADA,

To: Any Sheriff, Constable, Marshall, Policeman, or Peace Officer in This State:

An Indictment having been found on the 1st day of November, 2019, in the above entitled Court, charging Defendant GREGORY DELLO MORGAN, above named, with the crime(s) of: (3) CTS - GRAND LARCENY (Category C Felony - NRS 205.220.1, 205.222.2 - NOC 56004); (2) CTS - CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147); (2) CTS - ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138); (2) CTS - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony - NRS 205.060 - NOC 50426) and (1) CT - BURGLARY (Category B Felony - NRS 205.060 - NOC 50424).

**YOU ARE, THEREFORE, COMMANDED** forthwith to arrest and bring said Defendant before the Court to answer the Indictment. If the Court is not in session, you are to deliver Defendant into the custody of the Sheriff of Clark County, or if requested by Defendant, take Defendant before any Magistrate in the County where arrested that bail may be given to answer to the Indictment. Defendant shall be admitted to bail in the sum of \$ NO BAIL with the following added conditions:

I HEREBY AUTHORIZE THE SERVICE OF THE WITHIN WARRANT BY TELETYPE, PURSUANT TO NRS 171.148. The Warrant may be served at any hour day or night.

GIVEN under my hand this 1st day of November, 2019.

  
LINDA MARIE BELL  
DISTRICT COURT JUDGE VII

DA# 18CGJ163A-B/19F21141A-B/ed  
LVMPD EV#190900115154;  
190900095652; 19109999927  
3/11/1983; BMA; 534-92-7166;  
(TK9)

C-19-344461-1  
WARR  
Warrant  
4873546



DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
Plaintiff,

-vs-

GREGORY DELLO MORGAN,  
ID#2752270  
Defendant.

CASE NO: C-19-344461-1  
DEPT NO: XX

**INDICTMENT WARRANT RETURN**

An Indictment having heretofore been found on the 1st day of November, 2019, in the above entitled Court, charging Defendant GREGORY DELLO MORGAN, above named, with the crime(s) of: (3) CTS - GRAND LARCENY (Category C Felony - NRS 205.220.1, 205.222.2 - NOC 56004); (2) CTS - CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147); (2) CTS - ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138); (2) CTS - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony - NRS 205.060 - NOC 50426) and (1) CT - BURGLARY (Category B Felony - NRS 205.060 - NOC 50424), and upon finding the said Indictment, the court issued a warrant for the arrest of said Defendant.

I hereby certify that I received a certified copy of the Indictment Warrant and served the same by arresting the within Defendant on the \_\_\_\_ day of \_\_\_\_\_ 2019.

JOSEPH LOMBARDO  
Sheriff, Clark County, Nevada

BY: \_\_\_\_\_  
Deputy

ORIGINAL

IND

STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
ASHLEY LACHER  
Deputy District Attorney  
Nevada Bar #014560  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

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

NOV 01 2019

BY,   
KIMBERLY ESTALA, DEPUTY

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

CASE NO: C-19-344461-1

-vs-

DEPT NO: XX

GREGORY DELLO MORGAN,  
#2752270  
ANDRE GRANT SNIPES, #7088448

Defendant(s).

INDICTMENT

STATE OF NEVADA }  
COUNTY OF CLARK } ss.

The Defendant(s) above named, GREGORY DELLO MORGAN, ANDRE GRANT SNIPES, accused by the Clark County Grand Jury of the crime(s) of GRAND LARCENY (Category C Felony - NRS 205.220.1, 205.222.2 - NOC 56004); CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147); ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138); BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony - NRS 205.060 - NOC 50426) and BURGLARY (Category B Felony - NRS 205.060 - NOC 50424), committed at and within the County of Clark, State of Nevada, on or between September 20, 2019 and October 2, 2019, as follows:

COUNT 1 - GRAND LARCENY

Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September 20, 2019, then and there willfully, unlawfully, and feloniously with intent to deprive the owner

C-19-344461-1  
IND  
Indictment  
4873621



1 permanently thereof, steal, take and carry away, lead away or drive away property owned by  
2 FOOTLOCKER, having a value of \$650.00 or more, to wit: merchandise, Defendants being  
3 criminally liable under one or more of the following principles of criminal liability, to-wit: (1)  
4 by directly committing said crime; and/or, (2) by aiding or abetting one another in the  
5 commission of this crime with the intent to commit this crime by providing counsel and/or  
6 encouragement to one another; and/or, (3) pursuant to a conspiracy to commit larceny.

7 COUNT 2 - CONSPIRACY TO COMMIT ROBBERY

8 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
9 20, 2019, willfully, unlawfully, and feloniously conspire with each other to commit a robbery,  
10 by the defendants/conspirators committing the acts as set forth in Count 3, said acts being  
11 incorporated by this reference as though fully set forth herein.

12 COUNT 3 - ROBBERY WITH USE OF A DEADLY WEAPON

13 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
14 20, 2019, willfully, unlawfully, and feloniously take personal property, to wit: merchandise,  
15 from the person of BRYAN LAWS, or in his presence, without the consent and against the  
16 will of BRYAN LAWS, by means of force or violence or fear of injury, immediate or future,  
17 to his person, the person of a member of his family, or of anyone in his company at the time  
18 of the robbery, defendant using force or fear to obtain or retain possession of the property, to  
19 prevent or overcome resistance to the taking of the property, and/or to facilitate escape, with  
20 use of a deadly weapon, to wit: a firearm, Defendants being criminally liable under one or  
21 more of the following principles of criminal liability, to-wit: (1) by directly committing said  
22 crime; and/or, (2) by aiding or abetting one another in the commission of this crime with the  
23 intent to commit this crime by providing counsel and/or encouragement to one another and/or  
24 by Defendant GREGORY MORGAN actually possessing and displaying a firearm and  
25 Defendant ANDRE SNIPES having knowledge of that fact and both defendants escaping with  
26 the merchandise; and/or (3) pursuant to a conspiracy to commit the crimes of burglary and/or  
27 larceny.

28 //

1 COUNT 4 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

2 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
3 20, 2019, willfully, unlawfully, and feloniously enter a retail establishment, owned or occupied  
4 by FOOTLOCKER, located at 3200 South Las Vegas Boulevard, Las Vegas, Clark County,  
5 Nevada, with intent to commit larceny, while in possession of and/or gaining possession of a  
6 firearm, a deadly weapon, during the commission of the crime and/or before leaving the  
7 structure, Defendants being criminally liable under one or more of the following principles of  
8 criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by aiding or  
9 abetting one another in the commission of this crime with the intent to commit this crime by  
10 providing counsel and/or encouragement to one another and/or by Defendant GREGORY  
11 MORGAN actually possessing a firearm and Defendant ANDRE SNIPES having knowledge  
12 of that fact; and/or (3) pursuant to a conspiracy to commit the crime of burglary.

13 COUNT 5 - BURGLARY

14 Defendant ANDRE SNIPES did on or about September 20, 2019, willfully,  
15 unlawfully, and feloniously enter a retail establishment and/or business, owned or occupied by  
16 FOOTLOCKER, located at 4300 MEADOWS LANE SUITE 115, Clark County, Nevada,  
17 with intent to commit a larceny and/or obtain money or property by false pretenses.

18 COUNT 6 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

19 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
20 24, 2019, willfully, unlawfully, and feloniously enter a retail establishment, owned or occupied  
21 by CHAMP'S SPORTS, located at 3200 South Las Vegas Boulevard, Las Vegas, Clark  
22 County, Nevada, with intent to commit larceny, while in possession of and/or gaining  
23 possession of a firearm, a deadly weapon, during the commission of the crime and/or before  
24 leaving the structure, Defendants being criminally liable under one or more of the following  
25 principles of criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by  
26 aiding or abetting one another in the commission of this crime with the intent to commit this  
27 crime by providing counsel and/or encouragement to one another and/or by Defendant  
28

1 GREGORY MORGAN actually possessing a firearm and Defendant ANDRE SNIPES having  
2 knowledge of that fact; and/or (3) pursuant to a conspiracy to commit the crime of burglary.

3 COUNT 7- GRAND LARCENY

4 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
5 24, 2019, then and there willfully, unlawfully, feloniously, and intentionally, with intent to  
6 deprive the owner permanently thereof, steal, take and carry away, lead away or drive away  
7 property owned by CHAAMP'S SPORTS, having a value of \$650.00 or more, to wit:  
8 merchandise, Defendants being criminally liable under one or more of the following principles  
9 of criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by aiding or  
10 abetting one another in the commission of this crime with the intent to commit this crime by  
11 providing counsel and/or encouragement to one another; and/or, (3) pursuant to a conspiracy  
12 to commit larceny.

13 COUNT 8 - CONSPIRACY TO COMMIT ROBBERY

14 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
15 24, 2019, willfully, unlawfully, and feloniously conspire with each other to commit a robbery,  
16 by the defendants/conspirators committing the acts as set forth in Count 9, said acts being  
17 incorporated by this reference as though fully set forth herein.

18 COUNT 9 - ROBBERY WITH USE OF A DEADLY WEAPON

19 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
20 24, 2019, willfully, unlawfully, and feloniously take personal property, to wit: merchandise,  
21 from the person of ABREGO ALDEN, or in his presence, without the consent and against the  
22 will of ABREGO ALDEN, by means of force or violence or fear of injury, immediate or future,  
23 to his person, the person of a member of his family, or of anyone in his company at the time  
24 of the robbery, defendant using force or fear to obtain or retain possession of the property, to  
25 prevent or overcome resistance to the taking of the property, and/or to facilitate escape, with  
26 use of a deadly weapon, to wit: a firearm, Defendants being criminally liable under one or  
27 more of the following principles of criminal liability, to-wit: (1) by directly committing said  
28 crime; and/or, (2) by aiding or abetting one another in the commission of this crime with the

1 intent to commit this crime by providing counsel and/or encouragement to one another and/or  
2 by Defendant GREORY MORGAN actually possessing and displaying a firearm and  
3 Defendant ANDRE SNIPES having knowledge of that fact and both defendants escaping with  
4 the merchandise; and/or (3) pursuant to a conspiracy to commit the crimes of burglary and/or  
5 larceny.

6 COUNT 10 - BURGLARY

7 Defendant ANDRE SNIPES did on or about September 24, 2019, willfully,  
8 unlawfully, and feloniously enter a retail establishment and/or business, owned or occupied by  
9 FOOTLOCKER, located at 4300 MEADOWS LANE SUITE 115, Clark County, Nevada,  
10 with intent to commit a larceny and/or obtain money or property by false pretenses.

11 COUNT 11 - GRAND LARCENY

12 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
13 29, 2019, then and there willfully, unlawfully, feloniously, and intentionally, with intent to  
14 deprive the owner permanently thereof, steal, take and carry away, lead away or drive away  
15 property owned by FOOTLOCKER, located at 2120 Festival Plaza Drive, having a value of  
16 \$650.00 or more, to wit: basketball jerseys and/or other merchandise, Defendants being  
17 criminally liable under one or more of the following principles of criminal liability, to-wit: (1)  
18 by directly committing said crime; and/or, (2) by aiding or abetting one another in the  
19 commission of this crime with the intent to commit this crime by providing counsel and/or  
20 encouragement to one another; and/or, (3) pursuant to a conspiracy to commit larceny.

21 COUNT 12 - BURGLARY

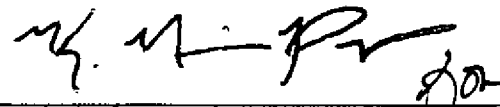
22 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
23 24, 2019, willfully, unlawfully, and feloniously enter a retail establishment, owned or occupied  
24 by FOOTLOCKER, located at 2120 Festival Plaza Drive, Las Vegas, Clark County, Nevada,  
25 with intent to commit larceny, Defendants being criminally liable under one or more of the  
26 following principles of criminal liability, to-wit: (1) by directly committing said crime; and/or,  
27 (2) by aiding or abetting one another in the commission of this crime with the intent to commit  
28 this crime by providing counsel and/or encouragement to one another and/or by Defendant

1 GREGORY MORGAN and/or Defendant ANDRE SNIPES taking merchandise and leaving  
2 the store (3) pursuant to a conspiracy to commit the crime of burglary and/or larceny.

3 DATED this 31 day of October, 2019.

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

7 BY

  
8 ASHLEY LACHER  
9 Deputy District Attorney  
Nevada Bar #014560

10 ENDORSEMENT: A True Bill

11   
12 Foreperson, Clark County Grand Jury  
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Names of Witnesses and testifying before the Grand Jury:

ABREGO, ALDEN – CHAMPS SPORTS – 3200 LAS VEGAS BLVD S, LV NV

ALVAREZ, SAMANTHA – c/o CCDA, 200 Lewis Avenue, LV, NV 89101

CASTILLO, ELVIN – c/o CCDA, 200 Lewis Avenue, LV, NV 89101

LASTER, GEORGE – LVMPD #5658

LAWS, BRYAN – c/o CCDA, 200 Lewis Avenue, LV, NV 89101

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

CUSTODIAN OF RECORDS - CCDC

CUSTODIAN OF RECORDS – FOOTLOCKER – 2120 FESTIVAL PLZ DR., STE 180, LV NV

CUSTODIAN OF RECORDS – FOOTLOCKER – 4300 MEADOWS LN, LV NV

CUSTODIAN OF RECORDS - LVMPD COMMUNICATIONS

CUSTODIAN OF RECORDS - LVMPD RECORDS

CUSTODIAN OF RECORDS – WHITTLESEA BLUE CAB – 2000 S. INDUSTRIAL RD, LV NV

MARU, YOHANNES – WHITTLESEA BLUE CAB – 2000 S. INDUSTRIAL RD., LV NV

PANLILIO, CAMINA – NIKE – 905 S GRAND CENTRAL PKWY, LV NV

SUMMERS, KASHIF – LVMPD #14109

18CGJ163A-B/19F21141A-B/ed-GJ  
LVMPD EV# 190900115154;  
190900095652; 191099999927  
(TK9)



EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA, )  
 )  
Plaintiff, )  
 )  
vs. ) GJ No. 18CGJ163AB  
 ) DC No. C344461  
GREGORY DELLO MORGAN, ANDRE GRANT )  
SNIPES, )  
 )  
Defendants. )

Taken at Las Vegas, Nevada  
Thursday, October 31, 2019  
2:46 p.m.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Reported by: Danette L. Antonacci, C.C.R. No. 222

12:00 1 GRAND JURORS PRESENT ON OCTOBER 31, 2019

2

3 LAWRENCE HOLMES, Foreperson

4 ROBERT KINNIBURGH, Deputy Foreperson

12:00 5 CLAUDIA HUNT, Secretary

6 LINDA MCARTHUR, Assistant Secretary

7 TONI ANDERSON

8 GARLAND BAILEY

9 ANNAMARIE CONKLIN

12:00 10 REGINA CRUNDEN

11 MELISSA HILL

12 MARY KISHMARTON

13 JEANETTE LOMANDO

14 DAVID MILLER

12:00 15 JOHN OLIVE

16 MARY PERKINS

17 ANTHONY SHOR

18

19 Also present at the request of the Grand Jury:

12:00 20 Ashley Lacher, Deputy District Attorney

21 Quanisha Holloway, Deputy District Attorney

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12:00

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	7	4 - RECEIPT	35
	8	5 - RECEIPT	33
	9	6 - PHOTOGRAPH	29
12:00	10	7 - PHOTOGRAPH	29
	11	8 - PHOTO LINE-UP	22
	12	9 - PHOTO LINE-UP	21
	13	10 - PHOTO LINE-UP	12
	14	11 - PHOTO LINE-UP	13
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12:00 1 LAS VEGAS, NEVADA, OCTOBER 31, 2019

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3

4 DANETTE L. ANTONACCI,

12:00 5 having been first duly sworn to faithfully  
6 and accurately transcribe the following  
7 proceedings to the best of her ability.  
8

9 MS. LACHER: Good afternoon ladies and  
02:46 10 gentlemen of the Grand Jury. My name is Ashley Lacher.  
11 With me for today is Quanisha Holloway. We're both  
12 deputy district attorney with the Clark County District  
13 Attorney's Office.

14 Today we'll be presenting to you Grand Jury  
02:46 15 case number 18CGJ163A&B. The defendants Gregory Morgan  
16 and Andre Snipes are charged with multiple counts; grand  
17 larceny, robbery with use of a deadly weapon, burglary  
18 while in use of a deadly weapon, and then burglary as  
19 well. There will be marked as a Grand Jury exhibit a  
02:47 20 copy of the proposed Indictment and that's going to be  
21 marked as Exhibit Number 1 and the record will reflect  
22 that all the grand jurors have a copy of it. In  
23 addition I have marked as Grand Jury Exhibit Number 2 a  
24 copy of the instructions related to each and every one  
02:47 25 of those counts. Have all the grand jurors been

02:47 1 previously instructed on robbery with deadly weapon,  
2 burglary with use of a deadly weapon, grand larceny?  
3 Everybody is indicating that they've been previously  
4 instructed. If you need to refresh your recollection as  
02:47 5 to any of those instructions or have any questions about  
6 those, I'm happy to answer those once I end my  
7 presentation.

8 With that being said, with the permission  
9 of the foreperson I'd like to call my first witness.

02:48 10 THE FOREPERSON: Please.

11 MS. LACHER: The State's first witness is  
12 Bryan Laws, Jr. His testimony will relate to Counts 1,  
13 2 and 3 and I'll probably be adding one count of  
14 conspiracy robbery with that that's not in your current  
02:48 15 Indictment.

16 THE FOREPERSON: Please raise your right  
17 hand.

18 Please stand and raise your right hand.

19 You do solemnly swear the testimony you are  
02:48 20 about to give upon the investigation now pending before  
21 this Grand Jury shall be the truth, the whole truth, and  
22 nothing but the truth, so help you God?

23 THE WITNESS: Yes, sir.

24 THE FOREPERSON: Now be seated please.

02:49 25 THE WITNESS: Thank you.

02:49 1 THE FOREPERSON: You are advised that you  
2 are here today to give testimony in the investigation  
3 pertaining to the offenses of grand larceny, robbery  
4 with use of a deadly weapon, burglary while in  
02:49 5 possession of a deadly weapon, and burglary, involving  
6 Gregory Morgan and Andre Snipes.

7 Do you understand this advisement?

8 THE WITNESS: Yes, sir.

9 THE FOREPERSON: Please state your first  
02:49 10 and last name and spell both slowly for the record.

11 THE WITNESS: Bryan Laws. B-R-Y-A-N,  
12 L-A-W-S.

13 THE FOREPERSON: Thank you.

14 MS. LACHER: May I proceed?

02:49 15 THE FOREPERSON: Please.

16 MS. LACHER: Thank you.

17 BRYAN LAWS,

18 having been first duly sworn by the Foreperson of the  
19 Grand Jury to testify to the truth, the whole truth,  
02:49 20 and nothing but the truth, testified as follows:

21

22 EXAMINATION

23

24 BY MS. LACHER:

02:49 25 Q. Mr. Laws, are you employed as the manager

02:49 1 at the Foot Locker located at 3200 South Las Vegas  
2 Boulevard here in Clark County, Nevada?

3 A. Yes, ma'am.

4 Q. I want to direct your attention to  
02:49 5 September 24, 2019 at approximately 4:00 p.m. that day.  
6 Were you working that day?

7 A. Yes, ma'am.

8 Q. And while you were working at that time did  
9 two individuals enter the Foot Locker that caught your  
02:49 10 attention?

11 A. Yes, ma'am.

12 Q. What did those individuals look like when  
13 they entered?

14 A. Two black middle age men walked in normal,  
02:50 15 came to return clothes.

16 Q. What happened after they tried to return  
17 clothes?

18 A. I warned my team, we basically say pink  
19 laces for that. Pink laces is our code for theft in our  
02:50 20 store. So I called out pink laces on my mic and I told  
21 my team, I had a part timer in the back in HOH where I  
22 keep all my jerseys, he was standing there, he was very  
23 confused, all of a sudden I looked to my right and I see  
24 two gentlemen walking out with at threes 15 of my  
02:50 25 jerseys.

02:50 1 Q. What were they doing though in the store  
2 that caught your attention that made you put out that  
3 call to the rest of your team?

4 A. They returned items from two different  
02:50 5 stores. One store -- one item had a receipt, the other  
6 item didn't, and when I scanned it in my system as all  
7 retail stores, it will tell you that it's not from your  
8 store and that's a red flag right there. So just giving  
9 the best customer service, hey, I can't take this but if  
02:51 10 you find anything else let me know, my name's Bryan.

11 Q. Did you end up giving store credits on that  
12 or were you not, did not complete those returns?

13 A. No, I did not complete those.

14 Q. The return transactions were not completed?

02:51 15 A. Yes, ma'am.

16 Q. Is that a yes?

17 A. Yes, ma'am.

18 Q. So you said that multiple jerseys were  
19 taken by the two individuals who entered your store.

02:51 20 How many jerseys were taken from your store on that day?

21 A. At least 15.

22 Q. And what's the approximate value of those  
23 jerseys?

24 A. A hundred and ten each.

02:51 25 Q. And does that matter what type of jersey or

02:51 1 are they all 110?

2 A. It doesn't matter. It's an NBA official  
3 jersey so.

4 Q. Did both of the men take jerseys or just  
02:51 5 one?

6 A. Both of them.

7 Q. Do you recall what type of jerseys you  
8 recall the two men taking?

9 A. Anthony Davis, which he plays for Los  
02:52 10 Angeles Lakers. LeBron James, which he plays for the  
11 Los Angeles Lakers. And the new rookie in the NBA  
12 league, Zion Williamson, and he plays for the New  
13 Orleans Pelicans.

14 Q. Did you try to confront them to stop them  
02:52 15 from taking the items from the store?

16 A. No, ma'am. There was another key holder,  
17 Sui Yow (phonetic), he's been working there for years, I  
18 ordered him to stop him, give him customer service, he  
19 didn't want to, he's a very old man, so he backed off,  
02:52 20 as soon as I seen that I got on the phone with Metro.

21 Q. When the two men were leaving did either  
22 one of the men show something to you?

23 A. Yes, ma'am.

24 Q. What did they show, what did that  
02:52 25 individual show you?

02:52 1 A. He had his gun tucked in his, it was a gun,  
2 but he had it tucked in his pants, so when he lifted his  
3 shirt all I seen was a handle. I'm a carrier so I know  
4 what a gun looks like.

02:53 5 Q. Did either of them say anything to you  
6 while the gun was being shown?

7 A. No, ma'am. He turned around, flashed it, I  
8 backed up, and they kept on running wherever they were  
9 running to.

02:53 10 Q. Which of the two men was the man who showed  
11 you the gun?

12 A. The heavier set gentleman, he had an Afro.

13 Q. And then backtracking a little bit. The  
14 value of the jerseys taken is well over \$650; correct?

02:53 15 A. Oh, of course.

16 Q. When the individual flashed the gun at you,  
17 was it because you were trying to stop?

18 A. No. I was actually on the phone with Metro  
19 helping them out, giving them descriptions of what they  
02:53 20 looked like, what they were wearing, where they were  
21 going, and once he flashed it in the parking garage, I  
22 want to say it's the south parking garage closest to the  
23 freeway, I turned around and I went back to my store.

24 Q. Because you were afraid of --

02:54 25 A. Yeah.

02:54 1 Q. -- what they were flashing at you?

2 A. Oh yeah, of course.

3 Q. And those two men entered the store

4 together and left the store together; correct?

02:54 5 A. Yes, ma'am.

6 Q. After you got off the phone with Metro, did

7 you meet with detectives to do a line-up?

8 A. Yes, ma'am.

9 Q. I'm showing you Grand Jury Exhibit

02:54 10 Number 10. Do you recognize that?

11 A. Yes, ma'am.

12 Q. Do you recognize the first page as your

13 handwriting?

14 A. Yes, ma'am.

02:54 15 Q. And it's photo line-up 48535?

16 A. Yes, ma'am.

17 Q. Okay. And then were you shown a six pack

18 of different individuals?

19 A. Yes.

02:54 20 Q. And you circled and initialed the person in

21 position number 5; correct?

22 A. Yes, ma'am.

23 Q. There was a second photo line-up done with

24 detectives; correct?

02:55 25 A. Yes.

02:55 1 Q. I'm showing you Grand Jury Exhibit  
2 Number 11. Do you recognize that?  
3 A. Yes, ma'am.  
4 Q. Based upon your handwriting and signature;  
02:55 5 correct?  
6 A. Yes, ma'am.  
7 Q. And that's photo line-up 48580; correct?  
8 A. Yes.  
9 Q. You were given the six pack photo line-up  
02:55 10 of different individuals; correct?  
11 A. Yes, ma'am.  
12 Q. And you circled and initialed the  
13 individual in position number 2?  
14 A. Yes.  
02:55 15 Q. And was the person in position number 2 the  
16 individual who flashed the gun?  
17 A. Yes, ma'am.  
18 MS. LACHER: I don't have anymore questions  
19 for this witness. Do any of the grand jurors?  
02:55 20 BY A JUROR:  
21 Q. Mr. Laws, I just need a clarification.  
22 When you asked your other key holder to I guess  
23 intervene, he decided not to, so you left the store and  
24 followed these two individuals?  
02:56 25 A. Yes, sir.

02:56 1 Q. As far as the parking structure?  
2 A. Yes, sir.  
3 Q. Okay. And then returned to your store?  
4 A. Yes, sir.  
02:56 5 Q. Thank you.  
6 THE FOREPERSON: Any other questions?  
7 BY A JUROR:  
8 Q. Mr. Law --  
9 A. Yes, sir.  
02:56 10 Q. -- you said you know guns.  
11 A. Yes.  
12 Q. Was that a semi-automatic or a revolver?  
13 A. Semi-automatic.  
14 Q. Thank you.  
02:56 15 A. Yes, sir.  
16 THE FOREPERSON: Any other questions?  
17 Seeing no further questions.  
18 By law, these proceedings are secret and  
19 you are prohibited from disclosing to anyone anything  
02:56 20 that has transpired before us, including evidence and  
21 statements presented to the Grand Jury, any event  
22 occurring or statement made in the presence of the Grand  
23 Jury, and information obtained by the Grand Jury.  
24 Failure to comply with this admonition is a  
02:56 25 gross misdemeanor punishable by up to 364 days in the

02:56 1 Clark County Detention Center and a \$2,000 fine. In  
2 addition, you may be held in contempt of court  
3 punishable by an additional \$500 fine and 25 days in the  
4 Clark County Detention Center.

02:56 5 Do you understand this admonition?

6 THE WITNESS: Yes, sir.

7 THE FOREPERSON: Thank you. You're  
8 excused.

9 THE WITNESS: Thank you.

02:57 10 MS. LACHER: The State's next witness will  
11 be Alden Abrego and his testimony will relate to the  
12 Champs Sports, those being Count 5, Count 6, Count 7,  
13 and I do anticipate adding one count of conspiracy to  
14 commit robbery which is not contained in the Indictment.

02:58 15 THE FOREPERSON: Please stand and raise  
16 your right hand.

17 You do solemnly swear the testimony you are  
18 about to give upon the investigation now pending before  
19 this Grand Jury shall be the truth, the whole truth, and  
02:58 20 nothing but the truth, so help you God?

21 THE WITNESS: Yes, sir.

22 THE FOREPERSON: Please be seated.

23 You are advised that you are here today to  
24 give testimony in the investigation pertaining to the  
02:58 25 offenses of grand larceny, robbery with use of a deadly

02:58 1 weapon, burglary while in possession of a deadly weapon,  
2 and burglary, involving Gregory Morgan and Andre Snipes.

3 Do you understand this advisement?

4 THE WITNESS: Yes, sir.

02:58 5 THE FOREPERSON: Please state your first  
6 and last name and spell both slowly for the record.

7 THE WITNESS: My name is Alden, A-L-D-E-N,  
8 Abrego, A-B-R-E-G-O.

9 MS. LACHER: May I proceed?

02:58 10 THE FOREPERSON: Please.

11 MS. LACHER: Thank you.

12 ALDEN ABREGO,

13 having been first duly sworn by the Foreperson of the  
14 Grand Jury to testify to the truth, the whole truth,  
02:58 15 and nothing but the truth, testified as follows:

16

17 EXAMINATION

18

19 BY MS. LACHER:

02:58 20 Q. Alden, are you employed at the Champs store  
21 at 3200 South Las Vegas Boulevard in the Fashion Show  
22 Mall?

23 A. Yes, ma'am.

24 Q. Are you the manager of that store?

02:58 25 A. Yes, ma'am.

02:58 1 Q. That store is here in Clark County, Nevada;  
2 correct.

3 A. Yes, ma'am.

4 Q. I want to direct your attention to the date  
02:59 5 of September 24, 2019. Were you working in your  
6 capacity as a manager at the store on that day?

7 A. Yes, ma'am.

8 Q. Specifically around the time frame of 12:15  
9 in the afternoon, did two individuals enter your store  
02:59 10 that caught your attention?

11 A. Yes, ma'am.

12 Q. What did they look like?

13 A. They were two African American men, about  
14 like 5'9" or so, one was wearing a brown T-shirt, the  
02:59 15 other one was wearing a white wife beater.

16 Q. What did they do when they entered the  
17 store?

18 A. As soon as they walked in, the gentleman  
19 with the, the skinnier gentleman with the brown T-shirt  
02:59 20 approached the front, one of our front tables that we  
21 have with a couple of Jordan merchandise, as the other  
22 guy with the white tank top headed towards the jerseys.

23 Q. Did you interact with either of them?

24 A. I did. I interacted with the guy with the  
03:00 25 brown T-shirt as he walked in and headed straight to the

03:00 1 table in the front. I asked him how he was doing and he  
2 said oh, I'm just looking, everything's too expensive.

3 Q. Do you continue to watch the two  
4 individuals?

03:00 5 A. Yes, ma'am. As I was talking to him I was  
6 also keeping my eye on the other gentleman with the  
7 white tank top.

8 Q. And what did the other gentleman with the  
9 white tank top, what was he doing?

03:00 10 A. As I was talking briefly for about 30  
11 seconds with the gentleman with the brown T-shirt, he  
12 was just scoping the jerseys, then he started putting  
13 them around his hand and was about to, or was making his  
14 way towards the door, and that's when the guy with the  
03:00 15 brown also went and got the shirts or jerseys.

16 Q. How many jerseys were taken from the store?

17 A. A total of 14.

18 Q. And how much are those jerseys worth?

19 A. About 1700.

03:00 20 Q. And do you know that based upon being a  
21 manager at the store?

22 A. Yes, ma'am.

23 Q. Do you recall the types of jerseys that  
24 were taken and their color?

03:01 25 A. There was a couple, there was, it was three

03:01 1 different type of LeBron James jerseys, a purple and  
2 yellow one, a white and purple, and a black and purple.  
3 And then there was a Kobe Bryant jersey which was  
4 yellow. There was two Curry jerseys, I believe those  
03:01 5 were gray, and a Mike Bibby jersey, that's like a teal  
6 color, and a Kyle Kuzma jersey in the purple.

7 Q. And it's fair to say that the total value  
8 of those jerseys exceeded \$650?

9 A. Yes, ma'am.

03:01 10 Q. While you're confronting the two  
11 individuals as they're leaving the store with the  
12 jerseys, what do you see happen?

13 A. As they're walking out, cause as soon as  
14 they walked in I called security, and as they're walking  
03:02 15 out, the gentleman with the brown T-shirt says "oh trust  
16 me, you don't want to do this," and walks out. And as  
17 the second guy is walking out, the guy with the tank  
18 top, kind of tugs his shirt and lifts it up a little and  
19 you could see the back end of a gun.

03:02 20 Q. What color was it?

21 A. Black. Black, rigid black, so you could  
22 only see the handle.

23 Q. Did that put you in fear, in a fearful  
24 position?

03:02 25 A. At the moment cause everything happened

03:02 1 just so fast, it was like oh, I don't know what's going  
2 on.

3 Q. Did either of those men -- I'll rephrase  
4 that. Both of those men left the store without paying  
03:02 5 for any of those items?

6 A. Correct.

7 Q. Without any permission to take those items  
8 from the store; correct?

9 A. Yes, ma'am.

03:02 10 Q. The store has surveillance video; correct?

11 A. Correct.

12 Q. And it's kept in the ordinary course and  
13 scope of business for security purposes?

14 A. Correct.

03:03 15 Q. I'm showing you what's been marked as Grand  
16 Jury Exhibit Number 3. Do you recognize this?

17 A. Yes, ma'am.

18 Q. And how do you recognize it?

19 A. It has my initials.

03:03 20 Q. And is this the surveillance video from the  
21 front exit/entrance area of the Champs store that you  
22 work at?

23 A. Yes, ma'am.

24 Q. And you have access to this kind of

03:03 25 surveillance video as manager of the store; correct?

03:03 1 A. Yes, ma'am.

2 Q. Is that date and time stamped for the  
3 incident of September 24, 2019 about 12:15 p.m.?

4 A. Yes, ma'am.

03:03 5 Q. And it shows the individual that you  
6 described in the tan shirt as well as the individual in  
7 the white shirt and you trying to stop them; correct?

8 A. Yes, ma'am.

9 Q. Also after you called police do they  
03:04 10 respond?

11 A. Yes, ma'am.

12 Q. And when they respond do you later meet  
13 with detectives?

14 A. Yes, ma'am.

03:04 15 Q. I'm showing you what's been marked as Grand  
16 Jury Exhibit Number 9. Do you recognize this?

17 A. Yes, ma'am.

18 Q. And do you recognize it based upon your  
19 handwriting and signature?

03:04 20 A. Yes, ma'am.

21 Q. Did you review the instructions indicated  
22 on that and indicate a person on the second page?

23 A. Yes, ma'am.

24 Q. And this is photo line-up 48580; correct?

03:04 25 A. Yes, ma'am.

03:04 1 Q. And you indicated the person in position  
2 number 2 and initialed by that person; correct?

3 A. Yes, ma'am.

4 Q. I'm showing you Grand Jury Exhibit  
03:04 5 Number 8. Do you recognize this as one of the other  
6 photo line-ups that you did with detectives?

7 A. Yes, ma'am.

8 Q. And that's photo line-up 48535; correct?

9 A. Yes, ma'am.

03:05 10 Q. And you initialed that and that's your  
11 handwriting?

12 A. Yes, ma'am.

13 Q. On the second page you selected the person  
14 in position number 5 by indicating your initials A.A. as  
03:05 15 the other individual that entered your store and stole  
16 items; correct?

17 A. Yes, ma'am.

18 MS. LACHER: I don't have anymore questions  
19 for this witness. Do any of the grand jurors?

03:05 20 THE FOREPERSON: Seeing -- we've got one  
21 hand.

22 BY A JUROR:

23 Q. Just so that I'm clear, all of the jerseys  
24 were MBA jerseys?

03:05 25 A. Yes, sir.

03:05 1 Q. Thank you.

2 THE FOREPERSON: Any other questions?

3 Seeing no additional questions.

4 By law, these proceedings are secret and

03:05 5 you are prohibited from disclosing to anyone anything

6 that has transpired before us, including evidence and

7 statements presented to the Grand Jury, any event

8 occurring or statement made in the presence of the Grand

9 Jury, and information obtained by the Grand Jury.

03:05 10 Failure to comply with this admonition is a

11 gross misdemeanor punishable by up to 364 days in the

12 Clark County Detention Center and a \$2,000 fine. In

13 addition, you may be held in contempt of court

14 punishable by an additional \$500 fine and 25 days in the

03:05 15 Clark County Detention Center.

16 Do you understand this admonition?

17 THE WITNESS: Yes, sir.

18 THE FOREPERSON: Thank you. You're

19 excused.

03:06 20 THE WITNESS: Thank you.

21 MS. LACHER: Our next witness will be

22 Samantha Alvarez. Her testimony will relate to Count

23 10, burglary, and the State also anticipates adding a

24 grand larceny to that count that's not currently in the

03:06 25 Indictment.

03:07 1 THE FOREPERSON: Please raise your right  
2 hand.

3 You do solemnly swear the testimony you are  
4 about to give upon the investigation now pending before  
03:07 5 this Grand Jury shall be the truth, the whole truth, and  
6 nothing but the truth, so help you God?

7 THE WITNESS: Yes.

8 THE FOREPERSON: Please be seated.

9 You are advised that you are here today to  
03:07 10 give testimony in the investigation pertaining to the  
11 offenses of grand larceny, robbery with use of a deadly  
12 weapon, burglary while in possession of a deadly weapon,  
13 and burglary, involving Gregory Morgan and Andre Snipes.

14 Do you understand this advisement?

03:07 15 THE WITNESS: Yes.

16 THE FOREPERSON: Please state your first  
17 and last name and spell both for the record.

18 THE WITNESS: Samantha Alvarez.

19 S-A-M-A-N-T-H-A, Alvarez is A-L-V-A-R-E-Z.

03:07 20 MS. LACHER: Ladies and gentlemen, her  
21 testimony will relate to Counts 9 and 10. I did have a  
22 grand larceny already in there that I didn't catch  
23 earlier.

24 May I proceed?

03:08 25 THE FOREPERSON: Please.

03:08 1 MS. LACHER: Thank you.

2 SAMANTHA ALVAREZ,

3 having been first duly sworn by the Foreperson of the  
4 Grand Jury to testify to the truth, the whole truth,

03:08 5 and nothing but the truth, testified as follows:

6

7 EXAMINATION

8

9 BY MS. LACHER:

03:08 10 Q. Ma'am, are you employed as the manager at  
11 the Downtown Summerlin Foot Locker at 2120 Festival  
12 Plaza here in Clark County, Nevada?

13 A. Yes, I am.

14 Q. Directing your attention to September 27th.

03:08 15 Were you working that day?

16 A. Yes, I was.

17 Q. At approximately 2:20 p.m. did two  
18 individuals enter the store that caught your attention?

19 A. Yes.

03:08 20 Q. Why did they catch your attention?

21 A. They fit the description of the two males  
22 that were, the two males that had robbed the Fashion  
23 Show Foot Locker.

24 Q. And I'm going to instruct the ladies and

03:08 25 gentlemen of the Grand Jury to disregard that statement

03:08 1 as it is hearsay. Does everybody understand that  
2 admonition?

3 Everyone is indicating that they understand  
4 and can comply with that admonition.

03:09 5 So is it fair to say that you were in  
6 communications with other Foot Locker managers?

7 A. Yes.

8 Q. And you had kind of like a group text;  
9 correct?

03:09 10 A. Yes.

11 Q. And so without saying what anybody said,  
12 were you aware of, to be on the lookout for, as always,  
13 for certain thefts related to stores?

14 A. Yes.

03:09 15 Q. So when these two individuals entered into  
16 the store, what did they look like to you?

17 A. One was a dark male wearing glasses with a  
18 short Afro, and the other one was, he was a little  
19 lighter complexion than the dark male but he had like a  
03:09 20 low fade, like bald head.

21 Q. And what were they doing when they entered  
22 the store?

23 A. So they both walked, came right in, they  
24 went straight to the jersey area, they were looking at

03:10 25 the jerseys, and then they just grabbed them. One of

03:10 1 the defendants, I mean one of the guys went, the one  
2 with the bald head went towards the exit of Foot Locker  
3 and the one with the Afro was heading towards our other  
4 exit through HOH and then he had told him hey, this  
03:10 5 door's open over here, and then he ran right back with  
6 him on the other side.

7 Q. And so the two black males that you  
8 described being together were communicating with each  
9 other?

03:10 10 A. Yes.

11 Q. About where to go and leave?

12 A. Yes.

13 Q. Were they taking anything in the store?

14 A. They had jerseys, they both had jerseys in  
03:10 15 their hands.

16 Q. How many jerseys were taken on  
17 September 27th?

18 A. Twenty-one jerseys.

19 Q. And what's the value of those jerseys?

03:10 20 A. \$110.

21 Q. And do you know that based upon being the  
22 manager at Foot Locker?

23 A. Yes.

24 Q. And do you recall the types of jerseys that  
03:10 25 were taken?

03:11 1 A. Yes. It was two different jerseys that had  
2 two different colors in them. It was about ten LeBron  
3 jerseys, white and yellow and the other one was purple  
4 and black, and then there was another one and it was a  
03:11 5 Wilson jersey, it was navy blue and gold.

6 Q. Did either of those men make any attempts  
7 to pay for the items, those jerseys that were taken?

8 A. No.

9 Q. And they didn't have any permission to do  
03:11 10 that; correct?

11 A. No.

12 Q. Did they say anything else during taking  
13 the items other than what you already said?

14 A. There was another associate, he was a  
03:11 15 little bit closer to them, and he just, the one with the  
16 low Afro had told him "you better not touch me."

17 Q. Was that during the process of the store  
18 personnel trying to confront him to prevent them from  
19 leaving?

03:12 20 A. Yes.

21 Q. And you personally witnessed them, the two  
22 individuals taking jerseys; correct?

23 A. Yes.

24 Q. And leaving without paying for them?

03:12 25 A. Yes.

03:12 1 Q. I'm going to show you Grand Jury Exhibit  
2 Number 7. Do you recognize this person?

3 A. Yes.

4 Q. And how do you recognize him?

03:12 5 A. He was the one that was running the  
6 opposite way before he was told to go through the second  
7 exit.

8 Q. I'm going to show you Grand Jury Exhibit  
9 Number 6. Do you recognize that person?

03:12 10 A. Yes.

11 Q. And how do you recognize that person?

12 A. He was the one that was basically talking  
13 back to the other gentleman telling him which way to go.

14 Q. The other gentleman in Grand Jury Exhibit  
03:12 15 Number 7; correct?

16 A. Yes.

17 MS. LACHER: I don't have anymore questions  
18 for this witness. Do any of the grand jurors?

19 THE FOREPERSON: Seeing no additional  
03:13 20 questions.

21 By law, these proceedings are secret and  
22 you are prohibited from disclosing to anyone anything  
23 that has transpired before us, including evidence and  
24 statements presented to the Grand Jury, any event  
03:13 25 occurring or statement made in the presence of the Grand

03:13 1 Jury, and information obtained by the Grand Jury.

2 Failure to comply with this admonition is a

3 gross misdemeanor punishable by up to 364 days in the

4 Clark County Detention Center and a \$2,000 fine. In

03:13 5 addition, you may be held in contempt of court

6 punishable by an additional \$500 fine and 25 days in the

7 Clark County Detention Center.

8 Do you understand this admonition?

9 THE WITNESS: Yes.

03:13 10 THE FOREPERSON: Thank you. You're

11 excused.

12 THE WITNESS: Thank you.

13 MS. LACHER: The State's next witness is

14 going to be Elvin Castillo. His testimony will relate

03:13 15 to Count 4, Count 8 -- and that is all at this point.

16 THE FOREPERSON: Please stand and raise

17 your right hand.

18 You do solemnly swear the testimony you are

19 about to give upon the investigation now pending before

03:14 20 this Grand Jury shall be the truth, the whole truth, and

21 nothing but the truth, so help you God?

22 THE WITNESS: Yes, sir.

23 THE FOREPERSON: Please be seated.

24 You are advised that you are here today to

03:14 25 give testimony in the investigation pertaining to the

03:14 1 offenses of grand larceny, robbery with use of a deadly  
2 weapon, burglary while in possession of a deadly weapon,  
3 and burglary, involving Gregory Morgan and Andre Snipes.

4 Do you understand this advisement?

03:15 5 THE WITNESS: Yes, sir.

6 THE FOREPERSON: Please state your first  
7 and last name and spell both slowly for the record.

8 THE WITNESS: Elvin Castillo. E-L-V-I-N,  
9 C-A-S-T-I-L-L-O.

03:15 10 THE FOREPERSON: Thank you.

11 MS. LACHER: May I proceed?

12 THE FOREPERSON: Please.

13 ELVIN CASTILLO,

14 having been first duly sworn by the Foreperson of the  
03:15 15 Grand Jury to testify to the truth, the whole truth,  
16 and nothing but the truth, testified as follows:

17

18 EXAMINATION

19

03:15 20 BY MS. LACHER:

21 Q. Sir, where do you work?

22 A. I work at Foot Locker inside the Meadows  
23 Mall, 4300 Meadows Lane.

24 Q. Is that here in Clark County, Nevada?

03:15 25 A. Yes.

03:15 1 Q. And are you the manager of that location?

2 A. Yes.

3 Q. I want to direct your attention

4 specifically to September 20, 2019. Were you working as

03:15 5 the manager that day?

6 A. Yes.

7 Q. And did an individual enter the store that

8 kind of caught your attention as a manager?

9 A. Yes.

03:15 10 Q. Who was that individual?

11 A. After I got his information from, cause I  
12 signed him up for the membership program, his name was  
13 Andre Snipes.

14 Q. And why were you signing him up for the  
03:16 15 membership program?

16 A. Because the individual wanted to make a  
17 return. It was a pretty heavy return, about four or  
18 \$500, and it was just kind of a shady situation for me  
19 so I got his ID and I signed him up for the program and  
03:16 20 I ended up giving him like store credit cards. Like  
21 store credit, so merchandise return card.

22 Q. And is that the store policy when somebody  
23 tries to return something and they don't have a receipt?

24 A. Yes. So the individual knew the policy, he  
03:16 25 ended up bringing it up during the conversation, told us

03:16 1 we needed to take care of him, so we did, and we split  
2 up the gift cards cause the gift cards have like a 200  
3 cap. So he brought in four jerseys with no receipt, he  
4 knew the policy, we took care of him.

03:17 5 Q. I want to show you Grand Jury Exhibit  
6 Number 7. Do you recognize that person?

7 A. Yes.

8 Q. And who is that?

9 A. That's Andre Snipes.

03:17 10 Q. And that's the person who on September 20th  
11 you interacted with and tried to make a return?

12 A. That's correct.

13 Q. I'm showing you now Grand Jury Exhibit  
14 Number 5. Do you recognize that?

03:17 15 A. Yes.

16 Q. Is that the receipt from September 20, 2019  
17 that you made the transaction on?

18 A. Yes.

19 Q. And does that indicate that the defendant

03:17 20 Andre Snipes was returning a A. Davis jersey, two of  
21 them, both of them being yellow and white?

22 A. That is correct.

23 Q. As well the defendant was returning a gold,  
24 two Williamson jerseys; correct?

03:18 25 A. Yes.

03:18 1 Q. And so you gave him a store credit card in  
2 the amount of \$476.32?

3 A. Yes.

4 Q. Did you later learn about an investigation  
03:18 5 of other Foot Locker stores and some thefts related to  
6 that?

7 A. Yes, I had got a call earlier --

8 Q. Wait. That question -- I'm not trying to  
9 ask you what other people told you.

03:18 10 A. Uh-huh.

11 Q. But just that you learned that other stores  
12 had been hit and that when you looked back at this event  
13 that urged you to kind of let law enforcement know.

14 A. Yes, that's correct.

03:18 15 Q. Okay. And this wasn't later until after  
16 sometime in October; correct?

17 A. Yes.

18 Q. So when this first September 20th event  
19 occurred, you weren't aware of that?

03:18 20 A. That is correct.

21 Q. There was another event where, on  
22 September 24th, were you working at the store that day  
23 at Meadows Mall?

24 A. Yes.

03:18 25 Q. And did the same individual enter that

03:19 1 store?

2 A. Yes.

3 Q. And what happened when he entered the store  
4 on September 24th?

03:19 5 A. He had some jerseys as well and we ended up  
6 just giving him credit for one jersey I believe, even  
7 though he had like three jerseys. Two of the jerseys  
8 wasn't scanning in our system meaning they could have  
9 been like a cross divisional merchandise, so we just  
03:19 10 took care of him for the one jersey that scanned in our  
11 system.

12 Q. What does cross divisional mean?

13 A. It could have perhaps been like a Nike unit  
14 or maybe like a Champs unit.

03:19 15 Q. From another store?

16 A. Yep, the SKU wasn't recognizable, it wasn't  
17 scanning.

18 Q. And this was just Andre Snipes coming in by  
19 himself?

03:19 20 A. That is correct.

21 Q. I want to show you Grand Jury Exhibit  
22 Number 4. Do you recognize that?

23 A. Yes.

24 Q. Is that a receipt from the transaction that  
03:19 25 you were explaining about on being only one item that

03:19 1 you were doing the store credit return for?

2 A. Yes.

3 Q. And was that store credit return for a  
4 yellow Kobe Bryant jersey?

03:20 5 A. Yes.

6 Q. And similar thing, did you later learn that  
7 other stores may have had losses for that particular  
8 jersey?

9 A. Yes.

03:20 10 Q. And that store credit that you gave him on  
11 September 24th before you knew about the other events  
12 was for 100, almost \$100, specifically \$97.41?

13 A. Yes.

14 Q. And so he left the store with a store  
03:20 15 credit for that amount?

16 A. Yes.

17 Q. And you were not present for any other  
18 exchanges; correct?

19 A. That is correct.

03:20 20 MS. LACHER: I don't have anymore questions  
21 for this witness. Do any of the grand jurors?

22 THE FOREPERSON: Seeing no further  
23 questions.

24 By law, these proceedings are secret and

03:21 25 you are prohibited from disclosing to anyone anything

03:21 1 that has transpired before us, including evidence and  
2 statements presented to the Grand Jury, any event  
3 occurring or statement made in the presence of the Grand  
4 Jury, and information obtained by the Grand Jury. .

03:21 5 Failure to comply with this admonition is a  
6 gross misdemeanor punishable by up to 364 days in the  
7 Clark County Detention Center and a \$2,000 fine. In  
8 addition, you may be held in contempt of court  
9 punishable by an additional \$500 fine and 25 days in the  
03:21 10 Clark County Detention Center.

11 Do you understand this admonition?

12 THE WITNESS: Yes, sir.

13 THE FOREPERSON: Thank you. You're  
14 excused.

03:21 15 THE WITNESS: Thank you.

16 MS. LACHER: The State's next witness and  
17 the last witness is Detective George Laster.

18 THE FOREPERSON: Please stand in front  
19 there and raise your right hand please.

03:22 20 You do solemnly swear the testimony you are  
21 about to give upon the investigation now pending before  
22 this Grand Jury shall be the truth, the whole truth, and  
23 nothing but the truth, so help you God?

24 THE WITNESS: I do.

03:22 25 THE FOREPERSON: Please be seated.

03:22 1 You are advised that you are here today to  
2 give testimony in the investigation pertaining to the  
3 offenses of grand larceny, robbery with use of a deadly  
4 weapon, burglary while in possession of a deadly weapon,  
03:22 5 and burglary, involving Gregory Morgan and Andre Snipes.

6 Do you understand this advisement?

7 THE WITNESS: Yes, sir.

8 THE FOREPERSON: Please state your first  
9 and last name and spell both slowly for the record.

03:22 10 THE WITNESS: George Laster. G-E-O-R-G-E,  
11 L-A-S-T-E-R.

12 MS. LACHER: May I proceed?

13 THE FOREPERSON: Please.

14 GEORGE LASTER,

03:22 15 having been first duly sworn by the Foreperson of the  
16 Grand Jury to testify to the truth, the whole truth,  
17 and nothing but the truth, testified as follows:

18

19 EXAMINATION

03:22 20

21 BY MS. LACHER:

22 Q. Sir, where do you work?

23 A. I work for Las Vegas Metro Police  
24 Department.

03:22 25 Q. And what's your current assignment?

03:23 1 A. I'm currently assigned to Convention Area  
2 Command as a patrol detective.

3 Q. I want to direct your attention to a series  
4 of events in September and October at the Foot Locker  
03:23 5 Champs and also a Nike. Were you assigned to  
6 investigate a series of thefts in those areas?

7 A. Yes, ma'am.

8 Q. And in the course of your investigation did  
9 you develop two potential suspects?

03:23 10 A. Yes, ma'am.

11 Q. Did you develop those suspects based upon  
12 reviewing surveillance video in addition to interviewing  
13 witnesses?

14 A. Yes, ma'am.

03:23 15 Q. And in the course of doing that, who were  
16 the two suspects that you determined to be involved in  
17 those events?

18 A. It would be Andre Snipes and Morgan --  
19 actually what's his first name? I forget his first  
03:24 20 name, but his last name is Morgan.

21 Q. Did you meet with one of the witnesses from  
22 a Foot Locker event by the name of Alden Abrego as one  
23 of the potential witnesses in this case?

24 A. Yes, ma'am.

03:24 25 Q. I'm showing you what has been marked as

03:24 1 Grand Jury Exhibit Number 8. Do you recognize that as  
2 the photo line-up that you did with Alden Abrego?

3 A. Yes, ma'am.

4 Q. And you recognize that based upon your name  
03:24 5 and P number being indicated on the first page?

6 A. Yes, ma'am.

7 Q. Did you read that witness the instructions  
8 before giving him the photo line-up?

9 A. Yes, ma'am, I did.

03:24 10 Q. And did he indicate to you that he  
11 understood that?

12 A. Yes, ma'am.

13 Q. Did Alden Abrego select an individual  
14 within the six pack photo line-up that you created?

03:24 15 A. Yes, he did.

16 Q. And he selected the individual in position  
17 number 5; correct?

18 A. Yes, ma'am.

19 Q. And who is the person in position number 5?

03:24 20 A. That person is Andre Snipes.

21 Q. You also did another photo line-up with him  
22 regarding the second suspect; correct?

23 A. Yes, ma'am.

24 Q. I'm showing you Grand Jury Exhibit 9. Do

03:25 25 you recognize that?

03:25 1 A. Yes, ma'am.

2 Q. Did you follow the same procedure of  
3 reading that witness the instructions?

4 A. Yes, I did.

03:25 5 Q. And he indicated that he could follow those  
6 instructions; correct?

7 A. Yes, ma'am.

8 Q. And Alden Abrego did identify a person,  
9 correct, in this line-up on page 2 of that exhibit?

03:25 10 A. Yes, ma'am.

11 Q. He circled the individual in position  
12 number 2; correct?

13 A. Yes, ma'am.

14 Q. And the person in position number 2 is  
03:25 15 Gregory Morgan; correct?

16 A. That's right, Gregory Morgan.

17 Q. As well you did a photo line-up with  
18 another witness Bryan Laws; correct?

19 A. Yes, ma'am.

03:25 20 Q. Showing you Grand Jury Exhibit Number 11.  
21 Do you recognize this photo line-up on sheet one?

22 A. Yes, ma'am.

23 Q. Recognize it based upon your P number and  
24 initials on the page?

03:26 25 A. Yes, ma'am.

03:26 1 Q. Same process as described earlier to the  
2 witness; correct?

3 A. Yes, ma'am.

4 Q. And that witness did indicate a person  
03:26 5 located in position number 2; correct?

6 A. Yes, ma'am.

7 Q. And within Grand Jury Exhibit Number 11  
8 that witness indicated Gregory Morgan as one of your  
9 potential suspects; correct?

03:26 10 A. Yes, ma'am.

11 Q. You did the same for the other suspect.  
12 I'm showing you Grand Jury Exhibit Number 10. Do you  
13 recognize that?

14 A. Yes, ma'am.

03:26 15 Q. Same policies and procedures as followed  
16 before; correct?

17 A. Yes, ma'am.

18 Q. And the witness Bryan Laws found or circled  
19 and initialed the person in position number 5 as one of  
03:26 20 the other potential suspects in your case; correct?

21 A. Yes, ma'am.

22 Q. And that person is Andre Snipes; correct?

23 A. Yes, ma'am.

24 Q. And those were the only photo line-ups

03:26 25 you've done in this case so far; correct?

03:27 1 A. Yes, ma'am.

2 Q. I'm going to show you Grand Jury Exhibit

3 Number 6. Who is that?

4 A. That is Gregory Morgan.

03:27 5 Q. Okay. And you recognize this photo;

6 correct?

7 A. Yes, ma'am.

8 Q. Within the investigations of all the

9 events, did you work on compiling and still are

03:27 10 compiling surveillance video; correct?

11 A. Yes, ma'am.

12 Q. And you work with another detective on a

13 Nike event to work on formulating the suspects in this

14 case?

03:27 15 A. Yes, ma'am.

16 Q. Ultimately as part of your investigation

17 did you set, did you work with other detectives in

18 setting up a controlled, or a buy for shoes online?

19 A. It was actually, it was another detective

03:28 20 but it was police officers on a different squad.

21 Q. You worked on coordinating --

22 A. Yes.

23 Q. -- that to happen?

24 A. Yes, ma'am.

03:28 25 Q. And once that happened both of those

03:28 1 suspects, Andre Morgan and Gregory, I'm sorry, Andre  
2 Snipes and Gregory Morgan were apprehended together at  
3 that buy?

4 A. Yes, ma'am.

03:28 5 MS. LACHER: Okay. I don't have anymore  
6 questions for this witness. Do any of the grand jurors?

7 THE FOREPERSON: Seeing no additional  
8 questions.

9 By law, these proceedings are secret and  
03:28 10 you are prohibited from disclosing to anyone anything  
11 that has transpired before us, including evidence and  
12 statements presented to the Grand Jury, any event  
13 occurring or statement made in the presence of the Grand  
14 Jury, and information obtained by the Grand Jury.

03:28 15 Failure to comply with this admonition is a  
16 gross misdemeanor punishable by up to 364 days in the  
17 Clark County Detention Center and a \$2,000 fine. In  
18 addition, you may be held in contempt of court  
19 punishable by an additional \$500 fine and 25 days in the  
03:28 20 Clark County Detention Center.

21 Do you understand this admonition?

22 THE WITNESS: Yes, sir, I do.

23 THE FOREPERSON: Thank you. You're  
24 excused.

03:29 25 THE WITNESS: Thank you.

03:29 1 MS. LACHER: Okay. That's going to  
2 conclude our testimony for today. I am going to be  
3 making some changes. I'm going to add one count of  
4 conspiracy robbery for the events at September 20, 2019  
03:29 5 at the Foot Locker, as well as a conspiracy robbery at  
6 the Champs Sports on September 24th.

7 I do need to make a correction to the date  
8 on Counts 9 and 10 for the Summerlin Foot Locker. That  
9 date should be September 24th.

03:30 10 I do not want you to deliberate on page 5,  
11 count 11, or page 6, Count 12 or 13, do not deliberate.

12 A JUROR: We don't have those on the  
13 Indictment.

14 A JUROR: We don't have them in here.

03:30 15 MS. LACHER: Oh, then she didn't include  
16 those for me for a reason. Okay. I'll be coming back  
17 for additional counts later then. So I will be asking  
18 you to deliberate on Count 1, grand larceny; Count 2,  
19 robbery with use of a deadly weapon; Count 3, burglary  
03:31 20 while in possession of firearm; Count 4, burglary; Count  
21 5, burglary while in possession of a firearm; Count 6,  
22 grand larceny; Count 7, robbery with use of a deadly  
23 weapon; Count 8, burglary; Count 9, grand larceny; Count  
24 10, burglary, and then adding the two conspiracy  
03:31 25 robberies.

03:31 1 THE FOREPERSON: So where are we going to  
2 add those?

3 MS. LACHER: We'll add them at the end. So  
4 Counts 11 and 12.

03:31 5 THE FOREPERSON: Can you give me the  
6 appropriate wording for those?

7 MS. LACHER: Yes. It will be conspiracy  
8 robbery for the September 20th at the Foot Locker for  
9 Count 11, and then Count 12, conspiracy robbery,  
03:32 10 September 24th at Champs.

11 THE FOREPERSON: What was the date on the  
12 second one please?

13 MS. LACHER: September 24th.

14 THE FOREPERSON: Champs.

03:32 15 MS. LACHER: And with that being said,  
16 we'll be outside for any questions that you have. And  
17 also I left a laptop. If any of you would like or need  
18 help with that we'll be outside and can help you. Are  
19 there any questions?

03:33 20 Seeing no questions, we'll be right  
21 outside. Thank you.

22 (At this time, all persons, other than  
23 members of the Grand Jury, exit the room at 3:33 p.m.  
24 and return at 3:39 p.m.)

03:39 25 THE FOREPERSON: Madame District Attorney,

03:39 1 by a vote of 12 or more grand jurors a true bill has  
2 been returned against defendants Gregory Morgan and  
3 Andre Snipes charging the crimes of grand larceny,  
4 robbery with use of a deadly weapon, burglary while in  
03:40 5 possession of a deadly weapon, burglary, and conspiracy  
6 robbery, in Grand Jury case number 18CGJ163AB. We  
7 instruct you to prepare an Indictment in conformance  
8 with the amended Indictment previously submitted to us.

9 MS. LACHER: Thank you.

03:40 10 THE FOREPERSON: Adding the two additional  
11 charges.

12 (Proceedings concluded.)

13 --oo0oo--

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03:40

1

**REPORTER'S CERTIFICATE**

2

3

**STATE OF NEVADA** )

: ss

4

**COUNTY OF CLARK** )

03:40

5

6

I, Danette L. Antonacci, C.C.R. 222, do

7

hereby certify that I took down in Shorthand (Stenotype)

8

all of the proceedings had in the before-entitled matter

9

at the time and place indicated and thereafter said

03:40

10

shorthand notes were transcribed at and under my

11

direction and supervision and that the foregoing

12

transcript constitutes a full, true, and accurate record

13

of the proceedings had.

14

Dated at Las Vegas, Nevada,

03:40

15

November 12, 2019.

16

17

/s/ Danette L. Antonacci

18

19

---

Danette L. Antonacci, C.C.R. 222

03:40

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03:40

1

## AFFIRMATION

2

Pursuant to NRS 239B.030

3

4

The undersigned does hereby affirm that the  
preceding TRANSCRIPT filed in GRAND JURY CASE NUMBER  
18CGJ163AB:

03:40

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6

7

8

X Does not contain the social security number of any  
person,

9

03:40

10

-OR-

11

     Contains the social security number of a person as  
required by:

12

13

A. A specific state or federal law, to-  
wit: NRS 656.250.

14

-OR-

03:40

15

16

B. For the administration of a public program  
or for an application for a federal or  
state grant.

17

18

/s/ Danette L. Antonacci

19

Signature

11-12-19

Date

03:40

20

21

Danette L. Antonacci

Print Name

22

23

Official Court Reporter

Title

24

25

<b>A JUROR: [2]</b> 45/11 45/13	<b>11 [6]</b> 13/2 41/20 42/7 45/11 46/4 46/9	30/6 37/9 44/19
<b>BY A JUROR: [3]</b> 13/19 14/6 22/21	<b>11-12-19 [1]</b> 49/18	<b>27th [2]</b> 25/14 27/17
<b>BY MS. LACHER:</b> <b>[5]</b> 7/22 16/17 25/7 31/18 38/19	<b>110 [1]</b> 10/1	<b>2:20 p.m [1]</b> 25/17
<b>MS. LACHER: [26]</b>	<b>12 [5]</b> 45/11 46/4 46/9 47/1 48/15	<b>2:46 [1]</b> 1/15
<b>THE FOREPERSON:</b> <b>[42]</b>	<b>12:15 [1]</b> 17/8	<b>3</b>
<b>THE WITNESS: [26]</b>	<b>12:15 p.m [1]</b> 21/3	<b>30 [1]</b> 18/10
	<b>13 [1]</b> 45/11	<b>31 [3]</b> 1/14 2/1 5/1
	<b>14 [1]</b> 18/17	<b>3200 [2]</b> 8/1 16/21
	<b>15 [2]</b> 8/24 9/21	<b>364 [5]</b> 14/25 23/11 30/3 37/6 44/16
<b>\$</b>	<b>1700 [1]</b> 18/19	<b>3:33 [1]</b> 46/23
<b>\$100 [1]</b> 36/12	<b>18CGJ163A [1]</b> 5/15	<b>3:39 [1]</b> 46/24
<b>\$110 [1]</b> 27/20	<b>18CGJ163AB [3]</b> 1/7 47/6 49/5	<b>4</b>
<b>\$2,000 [5]</b> 15/1 23/12 30/4 37/7 44/17	<b>19 [1]</b> 49/18	<b>4300 [1]</b> 31/23
<b>\$476.32 [1]</b> 34/2	<b>2</b>	<b>48535 [2]</b> 12/15 22/8
<b>\$500 [6]</b> 15/3 23/14 30/6 32/18 37/9 44/19	<b>20 [3]</b> 32/4 33/16 45/4	<b>48580 [2]</b> 13/7 21/24
<b>\$650 [2]</b> 11/14 19/8	<b>200 [1]</b> 33/2	<b>4:00 p.m [1]</b> 8/5
<b>\$97.41 [1]</b> 36/12	<b>2019 [10]</b> 1/14 2/1 5/1 8/5 17/5 21/3 32/4 33/16 45/4 48/15	<b>5</b>
<b>—</b>	<b>20th [3]</b> 33/10 34/18 46/8	<b>5'9 [1]</b> 17/14
<b>--oo0oo [1]</b> 47/13	<b>2120 [1]</b> 25/11	<b>6</b>
<b>-OR [2]</b> 49/10 49/14	<b>222 [3]</b> 1/25 48/6 48/18	<b>656.250 [1]</b> 49/13
<b>/</b>	<b>239B.030 [1]</b> 49/2	<b>A</b>
<b>/s [2]</b> 48/17 49/18	<b>24 [3]</b> 8/5 17/5 21/3	<b>A-B-R-E-G-O [1]</b> 16/8
<b>1</b>	<b>24th [7]</b> 34/22 35/4 36/11 45/6 45/9 46/10 46/13	<b>A-L-D-E-N [1]</b> 16/7
<b>10 [6]</b> 12/10 23/23 24/21 42/12 45/8 45/24	<b>25 [5]</b> 15/3 23/14	<b>A-L-V-A-R-E-Z [1]</b> 24/19
<b>100 [1]</b> 36/12		<b>A.A [1]</b> 22/14
		<b>ability [1]</b> 5/7
		<b>about [17]</b>

<b>A</b>	<b>African [1]</b> 17/13	<b>another [9]</b> 10/16
<b>Abrego [7]</b> 15/11	<b>Afro [4]</b> 11/12	28/4 28/14 34/21
16/8 16/12 39/22	26/18 27/3 28/16	35/15 40/21 41/18
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<b>semi-automatic</b> [2]	25/23 29/1 29/8	<b>somebody</b> [1]
14/12 14/13	33/5 35/21 43/2	32/22
<b>September</b> [19]	<b>showed</b> [1] 11/10	<b>something</b> [2]
<b>September 20</b> [3]	<b>showing</b> [10] 12/9	10/22 32/23

<b>S</b>	<b>stop [4]</b> 10/14 10/18 11/17 21/7	<b>take [4]</b> 9/9 10/4 20/7 33/1
<b>sometime [1]</b> 34/16	<b>store [47]</b>	<b>taken [9]</b> 1/13 9/19 9/20 11/14 18/16 18/24 27/16 27/25 28/7
<b>soon [3]</b> 10/20 17/18 19/13	<b>stores [6]</b> 9/5 9/7 26/13 34/5 34/11 36/7	<b>taking [5]</b> 10/8 10/15 27/13 28/12 28/22
<b>sorry [1]</b> 44/1	<b>straight [2]</b> 17/25 26/24	<b>talking [3]</b> 18/5 18/10 29/12
<b>south [3]</b> 8/1 11/22 16/21	<b>structure [1]</b> 14/1	<b>tan [1]</b> 21/6
<b>specific [1]</b> 49/12	<b>submitted [1]</b> 47/8	<b>tank [4]</b> 17/22 18/7 18/9 19/17
<b>specifically [3]</b> 17/8 32/4 36/12	<b>sudden [1]</b> 8/23	<b>teal [1]</b> 19/5
<b>spell [5]</b> 7/10 16/6 24/17 31/7 38/9	<b>Sui [1]</b> 10/17	<b>team [3]</b> 8/18 8/21 9/3
<b>split [1]</b> 33/1	<b>Summerlin [2]</b> 25/11 45/8	<b>tell [1]</b> 9/7
<b>Sports [2]</b> 15/12 45/6	<b>supervision [1]</b> 48/11	<b>telling [1]</b> 29/13
<b>squad [1]</b> 43/20	<b>surveillance [6]</b> 4/6 20/10 20/20 20/25 39/12 43/10	<b>ten [2]</b> 9/24 28/2
<b>ss [1]</b> 48/3	<b>suspect [2]</b> 40/22 42/11	<b>testified [5]</b> 7/20 16/15 25/5 31/16 38/17
<b>stamped [1]</b> 21/2	<b>suspects [7]</b> 39/9 39/11 39/16 42/9 42/20 43/13 44/1	<b>testify [5]</b> 7/19 16/14 25/4 31/15 38/16
<b>stand [4]</b> 6/18 15/15 30/16 37/18	<b>swear [5]</b> 6/19 15/17 24/3 30/18 37/20	<b>testimony [16]</b> 6/12 6/19 7/2 15/11 15/17 15/24 23/22 24/3 24/10 24/21 30/14 30/18 30/25 37/20 38/2 45/2
<b>standing [1]</b> 8/22	<b>sworn [6]</b> 5/5 7/18 16/13 25/3 31/14 38/15	<b>text [1]</b> 26/8
<b>started [1]</b> 18/12	<b>system [3]</b> 9/6 35/8 35/11	<b>than [3]</b> 26/19 28/13 46/22
<b>state [10]</b> 1/5 7/9 16/5 23/23 24/16 31/6 38/8 48/3 49/12 49/16	<b>T</b>	<b>Thank [21]</b>
<b>State's [4]</b> 6/11 15/10 30/13 37/16	<b>T-shirt [5]</b> 17/14 17/19 17/25 18/11 19/15	<b>that [142]</b>
<b>statement [6]</b> 14/22 23/8 25/25 29/25 37/3 44/13	<b>table [1]</b> 18/1	<b>that's [15]</b> 5/20 6/14 9/8 13/7 18/14 19/5 22/8
<b>statements [5]</b> 14/21 23/7 29/24 37/2 44/12	<b>tables [1]</b> 17/20	
<b>Stenotype [1]</b> 48/7		
<b>still [1]</b> 43/9		
<b>stole [1]</b> 22/15		

<b>T</b>	29/6	<b>tries</b> [1] 32/23
<b>that's...</b> [8]	<b>Thursday</b> [1] 1/14	<b>true</b> [2] 47/1
22/10 23/24 33/9	<b>time</b> [5] 8/8 17/8	48/12
33/10 33/12 34/14	21/2 46/22 48/9	<b>trust</b> [1] 19/15
41/16 45/1	<b>timer</b> [1] 8/21	<b>truth</b> [30]
<b>theft</b> [1] 8/19	<b>Title</b> [1] 49/23	<b>try</b> [1] 10/14
<b>thefts</b> [3] 26/13	<b>today</b> [8] 5/11	<b>trying</b> [4] 11/17
34/5 39/6	5/14 7/2 15/23	21/7 28/18 34/8
<b>their</b> [2] 18/24	24/9 30/24 38/1	<b>tucked</b> [2] 11/1
27/15	45/2	11/2
<b>them</b> [19]	<b>together</b> [4] 12/4	<b>tugs</b> [1] 19/18
<b>then</b> [14] 5/18	12/4 27/8 44/2	<b>turned</b> [2] 11/7
11/13 12/17 14/3	<b>told</b> [6] 8/20	11/23
18/12 19/3 26/25	27/4 28/16 29/6	<b>Twenty</b> [1] 27/18
27/4 27/5 28/4	32/25 34/9	<b>Twenty-one</b> [1]
45/15 45/17 45/24	<b>TONI</b> [1] 2/7	27/18
46/9	<b>too</b> [1] 18/2	<b>two</b> [30]
<b>there</b> [16] 5/19	<b>took</b> [3] 33/4	<b>type</b> [3] 9/25
8/22 9/8 10/16	35/10 48/7	10/7 19/1
10/17 12/23 18/25	<b>top</b> [4] 17/22	<b>types</b> [2] 18/23
18/25 19/3 19/4	18/7 18/9 19/18	27/24
24/22 28/4 28/14	<b>total</b> [2] 18/17	
34/21 37/19 46/19	19/7	<b>U</b>
<b>thereafter</b> [1]	<b>touch</b> [1] 28/16	<b>Uh</b> [1] 34/10
48/9	<b>towards</b> [4] 17/22	<b>Uh-huh</b> [1] 34/10
<b>these</b> [7] 13/24	18/14 27/2 27/3	<b>Ultimately</b> [1]
14/18 23/4 26/15	<b>transaction</b> [2]	43/16
29/21 36/24 44/9	33/17 35/24	<b>under</b> [1] 48/10
<b>they</b> [37]	<b>transactions</b> [1]	<b>undersigned</b> [1]
<b>they're</b> [3] 19/11	9/14	49/4
19/13 19/14	<b>transcribe</b> [1]	<b>understand</b> [12]
<b>they've</b> [1] 6/3	5/6	7/7 15/5 16/3
<b>thing</b> [1] 36/6	<b>transcribed</b> [1]	23/16 24/14 26/1
<b>this</b> [47]	48/10	26/3 30/8 31/4
<b>those</b> [30]	<b>transcript</b> [3]	37/11 38/6 44/21
<b>though</b> [2] 9/1	1/19 48/12 49/4	<b>understood</b> [1]
35/7	<b>transpired</b> [5]	40/11
<b>three</b> [2] 18/25	14/20 23/6 29/23	<b>unit</b> [2] 35/13
35/7	37/1 44/11	35/14
<b>threes</b> [1] 8/24	<b>tried</b> [2] 8/16	<b>until</b> [1] 34/15
<b>through</b> [2] 27/4	33/11	<b>up</b> [35]

<b>U</b>	19/16 32/3 33/5 35/21 39/3 45/10	<b>where [7]</b> 8/21 11/20 27/11 31/21 34/21 38/22 46/1
<b>upon [12]</b> 6/20 13/4 15/18 18/20 21/18 24/4 27/21 30/19 37/21 39/11 40/4 41/23	<b>wanted [1]</b> 32/16 <b>warned [1]</b> 8/18 <b>was [63]</b> <b>wasn't [4]</b> 34/15 35/8 35/16 35/16	<b>wherever [1]</b> 11/8 <b>which [6]</b> 10/9 10/10 11/10 15/14 19/3 29/13
<b>ups [2]</b> 22/6 42/24	<b>watch [1]</b> 18/3 <b>way [3]</b> 18/14 29/6 29/13	<b>while [12]</b> 5/18 7/4 8/8 11/6 16/1 19/10 24/12 31/2 38/4 45/20 45/21 47/4
<b>urged [1]</b> 34/13	<b>we [12]</b> 8/18 17/20 33/1 33/1 33/1 33/4 35/5 35/9 45/12 45/14 46/1 47/6	<b>white [8]</b> 17/15 17/22 18/7 18/9 19/2 21/7 28/3 33/21
<b>us [7]</b> 14/20 23/6 29/23 32/25 37/1 44/11 47/8	<b>we'll [5]</b> 5/14 46/3 46/16 46/18 46/20	<b>who [9]</b> 9/19 11/10 13/16 32/10 33/8 33/10 39/15 40/19 43/3
<b>use [11]</b> 5/17 5/18 6/2 7/4 15/25 24/11 31/1 38/3 45/19 45/22 47/4	<b>We're [1]</b> 5/11 <b>we've [1]</b> 22/20 <b>weapon [18]</b> <b>wearing [4]</b> 11/20 17/14 17/15 26/17	<b>whole [10]</b> 6/21 7/19 15/19 16/14 24/5 25/4 30/20 31/15 37/22 38/16
<b>V</b>	<b>well [7]</b> 5/19 11/14 21/6 33/23 35/5 41/17 45/5	<b>why [2]</b> 25/20 32/14
<b>value [4]</b> 9/22 11/14 19/7 27/19	<b>went [5]</b> 11/23 18/15 26/24 27/1 27/2	<b>wife [1]</b> 17/15
<b>Vegas [6]</b> 1/13 5/1 8/1 16/21 38/23 48/14	<b>were [44]</b> <b>weren't [1]</b> 34/19	<b>will [12]</b> 5/19 5/21 6/12 9/7 15/10 15/11 23/21 23/22 24/21 30/14 45/17 46/7
<b>very [2]</b> 8/22 10/19	<b>what [26]</b> <b>what's [7]</b> 9/22 20/1 20/15 21/15 27/19 38/25 39/19	<b>Williamson [2]</b> 10/12 33/24
<b>video [6]</b> 4/6 20/10 20/20 20/25 39/12 43/10	<b>when [15]</b> 8/12 9/6 10/21 11/2 11/16 13/22 17/16 18/14 21/12 26/15 26/21 32/22 34/12 34/18 35/3	<b>Wilson [1]</b> 28/5 <b>wit [1]</b> 49/13 <b>within [3]</b> 40/14 42/7 43/8
<b>vote [1]</b> 47/1		<b>without [4]</b> 20/4 20/7 26/11 28/24
<b>W</b>		<b>witness [19]</b>
<b>Wait [1]</b> 34/8		
<b>walked [5]</b> 8/14 17/18 17/25 19/14 26/23		
<b>walking [4]</b> 8/24 19/13 19/14 19/17		
<b>walks [1]</b> 19/16		
<b>want [10]</b> 8/4 10/19 11/22 17/4		

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**W**
**witnessed [1]**

28/21

**witnesses [4]** 3/1

39/13 39/21 39/23

**wording [1]** 46/6

**work [9]** 20/22

31/21 31/22 38/22

38/23 43/9 43/12

43/13 43/17

**worked [1]** 43/21

**working [7]** 8/6

8/8 10/17 17/5

25/15 32/4 34/22

**worth [1]** 18/18

**would [2]** 39/18

46/17

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**Y**
**yeah [2]** 11/25

12/2

**years [1]** 10/17

**yellow [5]** 19/2

19/4 28/3 33/21

36/4

**Yep [1]** 35/16

**yes [138]**
**you [216]**
**you're [6]** 15/7

19/10 23/18 30/10

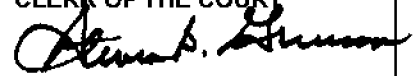
37/13 44/23

**you've [1]** 42/25

**your [45]**
**Yow [1]** 10/17

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**Z**
**Zion [1]** 10/12



OPI  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
JOHN T. JONES, JR.  
Chief Deputy District Attorney  
Nevada Bar #009598  
200 Lewis Avenue  
Las Vegas, Nevada, 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
Plaintiff,

-vs-

GREGORY DELLO MORGAN,  
#2752270

Defendant.

CASE NO. C-19-344461-1

DEPT NO. LLA/XX

**ORDER FOR PRODUCTION OF INMATE  
GREGORY DELLO MORGAN, BAC #1196223**

DATE OF HEARING: December 3, 2019  
TIME OF HEARING: 8:30 AM

TO: NEVADA DEPARTMENT OF CORRECTIONS; and

TO: JOSEPH LOMBARDO, Sheriff of Clark County, Nevada:

Upon the ex parte application of THE STATE OF NEVADA, Plaintiff, by STEVEN B. WOLFSON, District Attorney, through JOHN T. JONES, JR., Chief Deputy District Attorney, and good cause appearing therefor,

IT IS HEREBY ORDERED that NEVADA DEPARTMENT OF CORRECTIONS shall be, and is, hereby directed to produce GREGORY DELLO MORGAN, Defendant in Case Number C-19-344461-1, wherein THE STATE OF NEVADA is the Plaintiff, inasmuch as the said GREGORY DELLO MORGAN is currently incarcerated in the NEVADA DEPARTMENT OF CORRECTIONS located in Clark County, Nevada, and his presence will be required in Las Vegas, Nevada, commencing on December 3, 2019, at the hour of 8:30

1 o'clock AM and continuing until completion of the prosecution's case against the said  
2 Defendant.

3 IT IS FURTHER ORDERED that JOSEPH LOMBARDO, Sheriff of Clark County,  
4 Nevada, shall accept and retain custody of the said GREGORY DELLO MORGAN in the  
5 Clark County Detention Center, Las Vegas, Nevada, pending completion of said matter in  
6 Clark County, or until the further Order of this Court; or in the alternative shall make all  
7 arrangements for the transportation of the said GREGORY DELLO MORGAN to and from  
8 the Nevada Department of Corrections facility which are necessary to insure the GREGORY  
9 DELLO MORGAN'S appearance in Clark County pending completion of said matter, or until  
10 further Order of this Court.

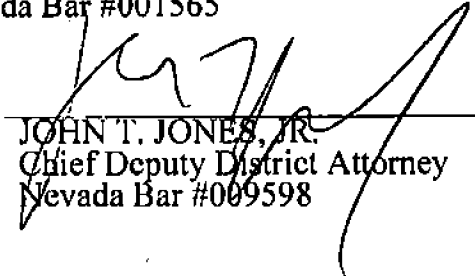
11 DATED this 18 day of November, 2019.

12   
13 \_\_\_\_\_  
14 DISTRICT JUDGE

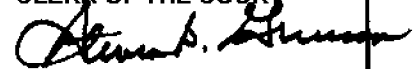
ERIC JOHNSON *KM*

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

18 BY

  
19 JOHN T. JONES, JR.  
20 Chief Deputy District Attorney  
21 Nevada Bar #009598

22  
23  
24  
25  
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NWEW  
STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565  
ASHLEY LACHER  
Deputy District Attorney  
Nevada Bar #014560  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,  
  
Plaintiff,

-vs-

GREGORY DELLO MORGAN,  
#2752270

Defendant.

CASE NO: C-19-344461-1

DEPT NO: XX

**STATE'S NOTICE OF WITNESSES AND/OR EXPERT WITNESSES**  
**[NRS 174.234]**

TO: GREGORY DELLO MORGAN, Defendant; and

TO: ALEXANDER BASSETT, Deputy Public Defender, Counsel of Record:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF  
NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:

BEVERIDGE, J. - LVMPD P#6707 - With the Las Vegas Metropolitan Police  
Department. An expert in the area of organized retail theft investigations, and will give related  
opinions thereto.

LASTER, G. - LVMPD P#5658 - A Detective with the Las Vegas Metropolitan Police  
Department.

SUMMERS, K. - LVMPD P#14109 - A Detective with the Las Vegas Metropolitan  
Police Department as a Detective and Facial Recognition. An expert in the area of organized  
retail theft investigations, and will give related opinions thereto.

W:\2019\2019F211\41\19F21141-NWEW-(MORGAN\_\_GREGORY)-001.DOCX

	<u>NAME</u>	<u>ADDRESS</u>
1	ALDEN, ABREGO	C/O DISTRICT ATTORNEY'S OFFICE
2	ALVAREZ, SAMANTHA	ADDRESS UNKNOWN
3	AYLA, MICHELLE	ADDRESS UNKNOWN
4	BEVERIDGE, J.	LVMPD P#6707
5	CASTILLO, ELVIN	ADDRESS UNKNOWN
6	CLARK, J.	LVMPD P#13952
7	COURTLEY, K.	LVMPD P#15762
8	CUSTODIAN OF RECORDS	CCDC
9	CUSTODIAN OF RECORDS	CHAMPS SPORTS, 3200 S Las Vegas Blvd, LVN
10	CUSTODIAN OF RECORDS	FASHION SHOW MALL
11	CUSTODIAN OF RECORDS	Foot Locker, 4300 Meadows Lane Ste 115, LVN
12	CUSTODIAN OF RECORDS	LVMPD – DISPATCH/COMMUNICATIONS
13	CUSTODIAN OF RECORDS	LVMPD – RECORDS
14	CUSTODIAN OF RECORDS	NIKE
15	CUSTODIAN OF RECORDS	WHITTLESEA BLUE CAB
16	CUSTODIAN OF RECORDS	WYNN HOTEL
17	CUSTODIAN OF RECORDS	WYNN HOTEL SECURITY
18	DENSON, A.	LVMPD P#15763
19	DOUGHERTY, EDWARD	DA INVESTIGATOR AND/OR DESIGNEE
20	FISCHER, E.	LVMPD P#16456
21	FLORES, ARMANDO	ADDRESS UNKNOWN
22	GARCIA, C.	LVMPD P#13130
23	JACOBITZ, J.	LVMPD P#9398
24	LASTER, G.	LVMPD P#5658
25	LAWS, JR., BRYAN	C/O DISTRICT ATTORNEY'S OFFICE
26	LNU, RUBY	FOOTLOCKER SUMMERLIN
27	LNU, STEVE	FASHION SHOW FOOTLOCKER
28		

MARU, YOHANNES ADDRESS UNKNOWN  
MIKALONIS, S. LVMPD P#15903  
MILLS, P. LVMPD P#15854  
MONTALVO, DANIELLA ADDRESS UNKNOWN  
PANLILLO, CARMINA ADDRESS UNKNOWN  
SUMMERS, K. LVMPD P#14109  
WEBB, T. LVMPD P#15851

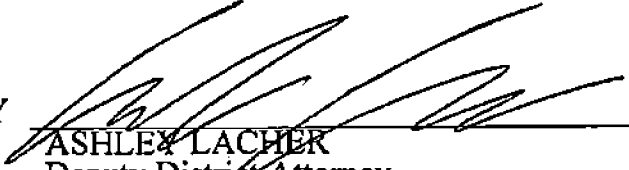
These witnesses are in addition to those witnesses endorsed on the Information or Indictment and any other witness for which a separate Notice of Witnesses and/or Expert Witnesses has been filed.

The substance of each expert witness' testimony and copy of all reports made by or at the direction of the expert witness will be provided in discovery.

A copy of each expert witness' curriculum vitae, if available, is attached hereto.

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

BY

  
ASHLEY LACHER  
Deputy District Attorney  
Nevada Bar #014560

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that service of the above and foregoing was made this 21<sup>st</sup> day of December, 2019, by Electronic Filing to:

ALEXANDER BASSETT, Deputy Public Defender  
Email: [alexander.bassett@clarkcountynv.gov](mailto:alexander.bassett@clarkcountynv.gov)

BY:

  
Secretary for the District Attorney's Office

19F21141A/ckb/L4

WARR

ORIGINAL

DISTRICT COURT  
CLARK COUNTY, NEVADA

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

THE STATE OF NEVADA,

Plaintiff,

-vs-

GREGORY DELLO MORGAN  
ID#2752270

Defendant.

JAN 10 2020

BY 

CASE NO: C-19-344461-1  
DEPT NO: XX 344461-1

WARRANT FOR ARREST

C-19-344461-1  
WARR  
Warrant  
4887315



**SUPERSEDING INDICTMENT WARRANT**

THE STATE OF NEVADA,

To: Any Sheriff, Constable, Marshall, Policeman, or Peace Officer in This State:

A Superseding Indictment having been found on the 10th day of January, 2020, in the above entitled Court, charging Defendant GREGORY DELLO MORGAN, above named, with the crime(s) of: (3) CTS - BURGLARY (Category B Felony - NRS 205.060 - NOC 50424); (5) CTS - GRAND LARCENY (Category C Felony - NRS 205.220.1, 205.222.2 - NOC 56004); (2) CTS - CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147); (2) CTS - ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138); (2) CTS - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony - NRS 205.060 - NOC 50426) and (1) CT - PARTICIPATION IN ORGANIZED RETAIL THEFT (Category B Felony - NRS 205.08345 - NOC 55986).

**YOU ARE, THEREFORE, COMMANDED** forthwith to arrest and bring said Defendant before the Court to answer the Indictment. If the Court is not in session, you are to deliver Defendant into the custody of the Sheriff of Clark County, or if requested by Defendant, take Defendant before any Magistrate in the County where arrested that bail may be given to answer to the Indictment. Defendant shall be admitted to bail in the sum of \$ NO BAIL with the following added conditions:

I HEREBY AUTHORIZE THE SERVICE OF THE WITHIN WARRANT BY TELETYPE, PURSUANT TO NRS 171.148. The Warrant may be served at any hour day or night.

GIVEN under my hand this 10th day of January, 2020.

  
LINDA MARIE BELL  
DISTRICT COURT JUDGE VII

DA# 18CGJ163A-B/19F21141A-B/ed  
LVMPD EV#190900115154;  
190900095652; 19109999927  
3/11/1983; BMA; 534-92-7166;  
(TK9)

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-VS-

GREGORY DELLO MORGAN,  
ID#2752270

Defendant.

CASE NO: C-19-344461-1  
DEPT NO: XX

**SUPERSEDING INDICTMENT WARRANT RETURN**

A Superseding Indictment having heretofore been found on the 10th day of January, 2020, in the above entitled Court, charging Defendant GREGORY DELLO MORGAN, above named, with the crime(s) of: (3) CTS - BURGLARY (Category B Felony - NRS 205.060 - NOC 50424); (5) CTS - GRAND LARCENY (Category C Felony - NRS 205.220.1, 205.222.2 - NOC 56004); (2) CTS - CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147); (2) CTS - ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138); (2) CTS - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony - NRS 205.060 - NOC 50426) and (1) CT - PARTICIPATION IN ORGANIZED RETAIL THEFT (Category B Felony - NRS 205.08345 - NOC 55986), and upon finding the said Superseding Indictment, the court issued a warrant for the arrest of said Defendant.

I hereby certify that I received a certified copy of the Superseding Indictment Warrant and served the same by arresting the within Defendant on the \_\_\_\_ day of \_\_\_\_\_ 2020.

JOSEPH LOMBARDO  
Sheriff, Clark County, Nevada

BY: \_\_\_\_\_

Deputy

ORIGINAL

1 IND

2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 ASHLEY LACHER  
6 Deputy District Attorney  
7 Nevada Bar #014560  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

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

JAN 10 2020

BY,   
KIM ESTALA, DEPUTY

DISTRICT COURT  
CLARK COUNTY, NEVADA

C-19-344461-1  
SIND  
Superseding Indictment  
4887316



9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 GREGORY DELLO MORGAN,  
13 #2752270  
14 ANDRE GRANT SNIPES, #7088448

Defendant(s).

CASE NO: C-19-344461-1

DEPT NO: XX

SUPERSEDING  
INDICTMENT

15 STATE OF NEVADA )  
16 COUNTY OF CLARK ) ss.

17 The Defendant(s) above named, GREGORY DELLO MORGAN, ANDRE GRANT  
18 SNIPES, accused by the Clark County Grand Jury of the crime(s) of BURGLARY (Category  
19 B Felony - NRS 205.060 - NOC 50424); GRAND LARCENY (Category C Felony - NRS  
20 205.220.1, 205.222.2 - NOC 56004); CONSPIRACY TO COMMIT ROBBERY (Category B  
21 Felony - NRS 200.380, 199.480 - NOC 50147); ROBBERY WITH USE OF A DEADLY  
22 WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138); BURGLARY WHILE  
23 IN POSSESSION OF A DEADLY WEAPON (Category B Felony - NRS 205.060 - NOC  
24 50426) and PARTICIPATION IN ORGANIZED RETAIL THEFT (Category B Felony - NRS  
25 205.08345 - NOC 55986), committed at and within the County of Clark, State of Nevada, on  
26 or between July 4, 2019 and October 6, 2019, as follows:

27 //

28 //

1 COUNT 1 - BURGLARY

2 Defendant GREGORY MORGAN and/or unknown co-conspirators did on or about  
3 July 4, 2019, willfully, unlawfully, and feloniously enter a building, owned or occupied by  
4 NIKE, located at 9851 S. Eastern Avenue, Las Vegas, Clark County, Nevada, with intent to  
5 commit larceny, Defendants being criminally liable under one or more of the following  
6 principles of criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by  
7 aiding or abetting one another in the commission of this crime with the intent to commit this  
8 crime by providing counsel and/or encouragement to one another; and/or (3) pursuant to a  
9 conspiracy to commit the crime of burglary.

10 COUNT 2 – GRAND LARCENY

11 Defendant GREGORY MORGAN and/ or unknown co-conspirators did on or about  
12 July 4, 2019, then and there willfully, unlawfully, and feloniously with intent to deprive the  
13 owner permanently thereof, steal, take and carry away, lead away or drive away property  
14 owned by NIKE, located at 9851 S. EASTERN AVENUE, having a value of \$650.00 or more,  
15 to wit: merchandise, Defendants being criminally liable under one or more of the following  
16 principles of criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by  
17 aiding or abetting one another in the commission of this crime with the intent to commit this  
18 crime by providing counsel and/or encouragement to one another; and/or, (3) pursuant to a  
19 conspiracy to commit larceny.

20 COUNT 3 - GRAND LARCENY

21 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
22 20, 2019, then and there willfully, unlawfully, and feloniously with intent to deprive the owner  
23 permanently thereof, steal, take and carry away, lead away or drive away property owned by  
24 FOOTLOCKER, having a value of \$650.00 or more, to wit: merchandise, Defendants being  
25 criminally liable under one or more of the following principles of criminal liability, to-wit: (1)  
26 by directly committing said crime; and/or, (2) by aiding or abetting one another in the  
27 commission of this crime with the intent to commit this crime by providing counsel and/or  
28 encouragement to one another; and/or, (3) pursuant to a conspiracy to commit larceny.

1 COUNT 4 - CONSPIRACY TO COMMIT ROBBERY

2 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
3 20, 2019, willfully, unlawfully, and feloniously conspire with each other to commit a robbery,  
4 by the defendants/conspirators committing the acts as set forth in Count 5, said acts being  
5 incorporated by this reference as though fully set forth herein.

6 COUNT 5 - ROBBERY WITH USE OF A DEADLY WEAPON

7 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
8 20, 2019, willfully, unlawfully, and feloniously take personal property, to wit: merchandise,  
9 from the person of BRYAN LAWS, or in his presence, without the consent and against the  
10 will of BRYAN LAWS, by means of force or violence or fear of injury, immediate or future,  
11 to his person, the person of a member of his family, or of anyone in his company at the time  
12 of the robbery, defendant using force or fear to obtain or retain possession of the property, to  
13 prevent or overcome resistance to the taking of the property, and/or to facilitate escape, with  
14 use of a deadly weapon, to wit: a firearm, Defendants being criminally liable under one or  
15 more of the following principles of criminal liability, to-wit: (1) by directly committing said  
16 crime; and/or, (2) by aiding or abetting one another in the commission of this crime with the  
17 intent to commit this crime by providing counsel and/or encouragement to one another and/or  
18 by Defendant GREGORY MORGAN actually possessing and displaying a firearm and  
19 Defendant ANDRE SNIPES having knowledge of that fact and both defendants escaping with  
20 the merchandise; and/or (3) pursuant to a conspiracy to commit the crimes of burglary and/or  
21 larceny.

22 COUNT 6- BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

23 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
24 20, 2019, willfully, unlawfully, and feloniously enter a retail establishment, owned or occupied  
25 by FOOTLOCKER, located at 3200 South Las Vegas Boulevard, Las Vegas, Clark County,  
26 Nevada, with intent to commit larceny, while in possession of and/or gaining possession of a  
27 firearm, a deadly weapon, during the commission of the crime and/or before leaving the  
28 structure, Defendants being criminally liable under one or more of the following principles of

1 criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by aiding or  
2 abetting one another in the commission of this crime with the intent to commit this crime by  
3 providing counsel and/or encouragement to one another and/or by Defendant GREGORY  
4 MORGAN actually possessing a firearm and Defendant ANDRE SNIPES having knowledge  
5 of that fact; and/or (3) pursuant to a conspiracy to commit the crime of burglary.

6 COUNT 7 - BURGLARY

7 Defendant ANDRE SNIPES did on or about September 20, 2019, willfully,  
8 unlawfully, and feloniously enter a retail establishment and/or business, owned or occupied by  
9 FOOTLOCKER, located at 4300 MEADOWS LANE SUITE 115, Clark County, Nevada,  
10 with intent to commit a larceny and/or obtain money or property by false pretenses.

11 COUNT 6 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

12 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
13 24, 2019, willfully, unlawfully, and feloniously enter a retail establishment, owned or occupied  
14 by CHAMP'S SPORTS, located at 3200 South Las Vegas Boulevard, Las Vegas, Clark  
15 County, Nevada, with intent to commit larceny, while in possession of and/or gaining  
16 possession of a firearm, a deadly weapon, during the commission of the crime and/or before  
17 leaving the structure, Defendants being criminally liable under one or more of the following  
18 principles of criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by  
19 aiding or abetting one another in the commission of this crime with the intent to commit this  
20 crime by providing counsel and/or encouragement to one another and/or by Defendant  
21 GREGORY MORGAN actually possessing a firearm and Defendant ANDRE SNIPES having  
22 knowledge of that fact; and/or (3) pursuant to a conspiracy to commit the crime of burglary.

23 COUNT 8- GRAND LARCENY

24 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
25 24, 2019, then and there willfully, unlawfully, feloniously, and intentionally, with intent to  
26 deprive the owner permanently thereof, steal, take and carry away, lead away or drive away  
27 property owned by CHAAMP'S SPORTS, having a value of \$650.00 or more, to wit:  
28 merchandise, Defendants being criminally liable under one or more of the following principles

of criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by aiding or abetting one another in the commission of this crime with the intent to commit this crime by providing counsel and/or encouragement to one another; and/or, (3) pursuant to a conspiracy to commit larceny.

COUNT 9 - CONSPIRACY TO COMMIT ROBBERY

Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September 24, 2019, willfully, unlawfully, and feloniously conspire with each other to commit a robbery, by the defendants/conspirators committing the acts as set forth in Count 10, said acts being incorporated by this reference as though fully set forth herein.

COUNT 10 - ROBBERY WITH USE OF A DEADLY WEAPON

Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September 24, 2019, willfully, unlawfully, and feloniously take personal property, to wit: merchandise, from the person of ABREGO ALDEN, or in his presence, without the consent and against the will of ABREGO ALDEN, by means of force or violence or fear of injury, immediate or future, to his person, the person of a member of his family, or of anyone in his company at the time of the robbery, defendant using force or fear to obtain or retain possession of the property, to prevent or overcome resistance to the taking of the property, and/or to facilitate escape, with use of a deadly weapon, to wit: a firearm, Defendants being criminally liable under one or more of the following principles of criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by aiding or abetting one another in the commission of this crime with the intent to commit this crime by providing counsel and/or encouragement to one another and/or by Defendant GREORY MORGAN actually possessing and displaying a firearm and Defendant ANDRE SNIPES having knowledge of that fact and both defendants escaping with the merchandise; and/or (3) pursuant to a conspiracy to commit the crimes of burglary and/or larceny.

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1 COUNT 11 - BURGLARY

2 Defendant ANDRE SNIPES did on or about September 24, 2019, willfully,  
3 unlawfully, and feloniously enter a retail establishment and/or business, owned or occupied by  
4 FOOTLOCKER, located at 4300 MEADOWS LANE SUITE 115, Clark County, Nevada,  
5 with intent to commit a larceny and/or obtain money or property by false pretenses.

6 COUNT 12 - GRAND LARCENY

7 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
8 29, 2019, then and there willfully, unlawfully, feloniously, and intentionally, with intent to  
9 deprive the owner permanently thereof, steal, take and carry away, lead away or drive away  
10 property owned by FOOTLOCKER, located at 2120 Festival Plaza Drive, having a value of  
11 \$650.00 or more, to wit: basketball jerseys and/or other merchandise, Defendants being  
12 criminally liable under one or more of the following principles of criminal liability, to-wit: (1)  
13 by directly committing said crime; and/or, (2) by aiding or abetting one another in the  
14 commission of this crime with the intent to commit this crime by providing counsel and/or  
15 encouragement to one another; and/or, (3) pursuant to a conspiracy to commit larceny.

16 COUNT 13 - BURGLARY

17 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
18 24, 2019, willfully, unlawfully, and feloniously enter a retail establishment, owned or occupied  
19 by FOOTLOCKER, located at 2120 Festival Plaza Drive, Las Vegas, Clark County, Nevada,  
20 with intent to commit larceny, Defendants being criminally liable under one or more of the  
21 following principles of criminal liability, to-wit: (1) by directly committing said crime; and/or,  
22 (2) by aiding or abetting one another in the commission of this crime with the intent to commit  
23 this crime by providing counsel and/or encouragement to one another and/or by Defendant  
24 GREGORY MORGAN and/or Defendant ANDRE SNIPES taking merchandise and leaving  
25 the store (3) pursuant to a conspiracy to commit the crime of burglary and/or larceny.

26 //

27 //

28 //

1 COUNT 14 - BURGLARY

2 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about October 2,  
3 2019, willfully, unlawfully, and feloniously enter a building, owned or occupied by NIKE,  
4 located at 9851 S. Eastern Avenue, Las Vegas, Clark County, Nevada, with intent to commit  
5 larceny, Defendants being criminally liable under one or more of the following principles of  
6 criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by aiding or  
7 abetting one another in the commission of this crime with the intent to commit this crime by  
8 providing counsel and/or encouragement to one another; and/or (3) pursuant to a conspiracy  
9 to commit the crime of burglary.

10 COUNT 15 - GRAND LARCENY

11 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about October 2,  
12 2019, then and there willfully, unlawfully, and feloniously with intent to deprive the owner  
13 permanently thereof, steal, take and carry away, lead away or drive away property owned by  
14 NIKE, having a value of \$650.00 or more, to wit: merchandise, Defendants being criminally  
15 liable under one or more of the following principles of criminal liability, to-wit: (1) by directly  
16 committing said crime; and/or, (2) by aiding or abetting one another in the commission of this  
17 crime with the intent to commit this crime by providing counsel and/or encouragement to one  
18 another; and/or, (3) pursuant to a conspiracy to commit larceny.

19 COUNT 16 - BURGLARY

20 Defendant ANDRE SNIPES did on or about October 6, 2019, willfully, unlawfully,  
21 and feloniously enter a retail establishment and/or business, owned or occupied by  
22 FOOTLOCKER, located at 4300 MEADOWS LANE SUITE 115, Clark County, Nevada,  
23 with intent to commit a larceny and/or obtain money or property by false pretenses.

24 COUNT 17 - PARTICIPATION IN ORGANIZED RETAIL THEFT

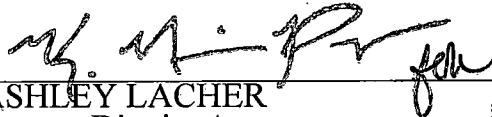
25 Defendants GREGORY MORGAN and ANDRE SNIPES and/or unknown co-  
26 conspirators did on or between July 4, 2019 and October 2, 2019 willfully, unlawfully, and  
27 feloniously participate in organized retail theft, the aggregated value of the property in all the  
28 thefts committed in the organized retail theft in this State during a period of 90 days, being at

1 least \$3,500.00, but less than \$10,000.00, by entering and making exchanges for gift cards  
2 and/or taking merchandise from NIKE and/or FOOTLOCKER and/or CHAMPS'S SPORTS.

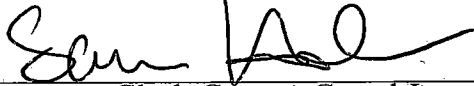
3 DATED this 9<sup>th</sup> day of January, 2020.

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

7 BY

  
8 ASHLEY LACHER  
9 Deputy District Attorney  
10 Nevada Bar #014560

11 ENDORSEMENT: A True Bill

12   
13 Foreperson, Clark County Grand Jury  
14  
15  
16  
17  
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22  
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26  
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28

Names of Witnesses and testifying before the Grand Jury:

ABREGO, ALDEN – CHAMPS SPORTS – 3200 LAS VEGAS BLVD S, LV NV

ALVAREZ, SAMANTHA – c/o CCDA, 200 Lewis Avenue, LV, NV 89101

CASTILLO, ELVIN – c/o CCDA, 200 Lewis Avenue, LV, NV 89101

LASTER, GEORGE – LVMPD #5658

LAWS, BRYAN – c/o CCDA, 200 Lewis Avenue, LV, NV 89101

MONTALVO, DANIELA – c/o CCDA, 200 Lewis Avenue, LV, NV 89101

PANLILIO, CAMINA – NIKE – 905 S GRAND CENTRAL PKWY, LV NV

SUMMERS, KASHIF – LVMPD #14109

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

CUSTODIAN OF RECORDS - CCDC

CUSTODIAN OF RECORDS – FOOTLOCKER – 2120 FESTIVAL PLZ DR., STE 180, LV NV

CUSTODIAN OF RECORDS – FOOTLOCKER – 4300 MEADOWS LN, LV NV

CUSTODIAN OF RECORDS - LVMPD COMMUNICATIONS

CUSTODIAN OF RECORDS - LVMPD RECORDS

CUSTODIAN OF RECORDS – WHITTLESEA BLUE CAB – 2000 S. INDUSTRIAL RD, LV NV

MARU, YOHANNES – WHITTLESEA BLUE CAB – 2000 S. INDUSTRIAL RD., LV NV

18CGJ163A-B/19F21141A-B/ed-GJ

LVMPD EV# 190900115154;

190900095652; 191099999927

(TK9)



EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

BEFORE THE GRAND JURY IMPANELED BY THE AFORESAID

DISTRICT COURT

THE STATE OF NEVADA,

Plaintiff,

vs.

GREGORY DELLO MORGAN, ANDRE GRAND  
SNIPES,

Defendants.

GJ No. 18CGJ163A-B  
DC No. C344461-1

Taken at Las Vegas, Nevada

Thursday, November 14, 2019

11:00 a.m.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

SUPERSEDING INDICTMENT

VOLUME 1

Reported by: Lisa Brenske, C.C.R. No. 186

12:00AM 1 GRAND JURORS PRESENT ON NOVEMBER 14, 2019  
2 LAWRENCE HOLMES, Foreperson  
3 ROBERT KINNIBURGH, Deputy Foreperson  
4 CLAUDIA HUNT, Secretary  
12:00AM 5 LINDA MCARTHUR, Assistant Secretary  
6 GARLAND BAILEY  
7 ANNAMARIE CONKLIN  
8 NATHAN CONRAD  
9 REGINA CRUNDEN  
12:00AM 10 MELISSA HILL  
11 MARY KISHMARTON  
12 JEANETTE LOMANDO  
13 DAVID MILLER  
14 JOHN ORR  
12:00AM 15 MARY PERKINS  
16 ANTHONY SHOR  
17  
18 Also present at the request of the Grand Jury:  
19 Ashley Lacher, Deputy District Attorney  
12:00AM 20  
21  
22  
23  
24  
25

12:00AM

1

INDEX OF WITNESSES

2

Examined

3

4

DANIELA MONTALVO

7

12:00AM

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CARMINA PANLILIO

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KASHIF SUMMERS

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12:00AM	1	<u>INDEX OF EXHIBITS</u>	
	2		
	3	<u>Grand Jury Exhibits</u>	<u>Identified</u>
	4	1A - PROPOSED INDICTMENT	6
12:00AM	5	12 - RECEIPT	9
	6	13 - RECEIPT	9
	7	14 - PHOTOGRAPH	8
	8	15 - PHOTOGRAPH	18
	9	16 - PHOTOGRAPH	18
12:00AM	10	17 - PHOTOGRAPHS	23
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12:00AM 1 LAS VEGAS, NEVADA, NOVEMBER 14, 2019

2 \* \* \* \* \*

3

4 LISA BRENSKE,

12:00AM 5 having been first duly sworn to faithfully

6 and accurately transcribe the following

7 proceedings to the best of her ability.

8

9 MS. LACHER: Good morning, ladies and

11:00AM 10 gentlemen of the Grand Jury. My name is Deputy

11 District Attorney Ashley Lacher. I'm presenting the

12 case of State of Nevada versus Gregory Dello Morgan and

13 State of Nevada versus Andre Snipes. That's Grand Jury

14 Case Number 18CGJ163A and B. Each of you should have a

11:01AM 15 copy of the superseding Indictment. You've already

16 previously deliberated on Counts 1 through 12 and we'll

17 get a copy of that superseding Indictment marked as an

18 exhibit here soon.

19 With the permission of the foreperson my

11:01AM 20 first witness will be Daniela Montalvo and her

21 testimony will relate to Count 15.

22 THE FOREPERSON: Please raise your right

23 hand.

24 You do solemnly swear the testimony you

11:02AM 25 are about to give upon the investigation now pending

11:02AM 1 before this Grand Jury shall be the truth, the whole  
2 truth, and nothing but the truth, so help you God?  
3 THE WITNESS: Yes.  
4 THE FOREPERSON: You are advised that you  
11:02AM 5 are here today to give testimony in the investigation  
6 pertaining to the offenses of grand larceny, conspiracy  
7 to commit robbery, robbery with use of a deadly weapon,  
8 burglary while in possession of a deadly weapon and  
9 burglary involving Gregory Morgan and Andre Snipes.  
11:02AM 10 Do you understand this advisement?  
11 THE WITNESS: Yes.  
12 THE FOREPERSON: Please state your first  
13 and last name and spell both slowly for the record.  
14 THE WITNESS: Daniela Montalvo.  
11:02AM 15 D-A-N-I-E-L-A M-O-N-T-A-L-V-O.  
16 MS. LACHER: And just before I begin the  
17 superseding Indictment was marked as Grand Jury  
18 Exhibit 1A and the record will reflect that everybody  
19 has a copy of it.  
11:03AM 20 And with that may I proceed?  
21 THE FOREPERSON: Please.  
22 MS. LACHER: Thank you.  
23  
24  
11:03AM 25

11:03AM 1 DANIELA MONTALVO,  
2 having been first duly sworn by the Foreperson of the  
3 Grand Jury to testify to the truth, the whole truth,  
4 and nothing but the truth, testified as follows:

11:03AM 5  
6 EXAMINATION

7 BY MS. LACHER:

8 Q. Ma'am, where do you work?

9 A. Foot Locker.

11:03AM 10 Q. Is that the one located at the Meadows  
11 Mall at 4300 Meadows Mall Lane?

12 A. Yes.

13 Q. What is your formal title at the Foot  
14 Locker?

11:03AM 15 A. Assistant Manager.

16 Q. And I want to direct your attention to  
17 October 6, 2019. Were you working that day at the Foot  
18 Locker?

19 A. Yes.

11:03AM 20 Q. And is that Foot Locker located here in  
21 Clark County, Nevada?

22 A. Yes.

23 Q. On that date did an individual enter your  
24 store that caught your attention?

11:03AM 25 A. Yes.

11:03AM 1 Q. What was that person's name?

2 A. Andre.

3 Q. And how did you learn that his name was

4 Andre?

11:03AM 5 A. He had previously been there to return a

6 couple of jerseys.

7 Q. Showing you what's been marked as Grand

8 Jury Exhibit Number 14 do you recognize this person?

9 A. Yes.

11:04AM 10 Q. Who is that?

11 A. Andre.

12 Q. And that's the person who came into your

13 store, correct?

14 A. Yes.

11:04AM 15 Q. What did Andre say to you when he entered

16 the store?

17 A. That he wanted to return those two shoes

18 he was bringing in for a merchandise return card, a

19 gift card.

11:04AM 20 Q. Did you do that transaction for him?

21 A. Yes.

22 Q. He didn't have a receipt or anything

23 for --

24 A. No proof of purchase.

11:04AM 25 Q. But is it part of Foot Locker's policy to

11:04AM 1 still try and do the return regardless of that?

2 A. Yes.

3 Q. And so you did that in this case, correct?

4 A. Yes.

11:04AM 5 Q. I'm showing you Grand Jury Exhibit Number

6 12. Do you recognize that?

7 A. Yes.

8 Q. And is that the receipt from one of the

9 two transactions you did that day?

11:04AM 10 A. Yes.

11 Q. And that transaction was with Andre

12 Snipes, correct?

13 A. Yes.

14 Q. And one of the two transactions was for --

11:05AM 15 what was the first -- what's this transaction for?

16 A. It was for Jordan Team II is the name of

17 the shoe for 140.

18 Q. And you gave him a gift card for the

19 amount of 140?

11:05AM 20 A. Yes.

21 Q. And then now showing you Grand Jury

22 Exhibit Number 13 do you recognize that?

23 A. Yes.

24 Q. What is that?

11:05AM 25 A. That was the Proto-Max 720.

11:05AM 1 Q. That's the other transaction you did with  
2 Andre Snipes?

3 A. Yes.

4 Q. Where you gave him a gift card for \$216 in  
11:05AM 5 exchange for the shoes?

6 A. Yes.

7 Q. And do these two receipts fairly and  
8 accurately depict the transactions that you did that  
9 day?

11:05AM 10 A. Yes.

11 Q. And you had access to them as an Assistant  
12 Manager and gave them to me for testimony today?

13 A. Yes.

14 Q. Did you later learn that this was part of  
11:05AM 15 other transactions that Andre Snipes did at your store?

16 A. Yes. Well, we had -- the jerseys came  
17 first and then the shoes. That's how I recognized him  
18 from the jerseys.

19 Q. And then you later got law enforcement  
11:06AM 20 involved with the incidents related to the jerseys as  
21 well as the shoes that you were present for?

22 A. Yes.

23 Q. And Andre Snipes didn't have any  
24 permission to return items that he never paid for with  
11:06AM 25 your store, correct?

11:06AM 1 A. Can you rephrase that.

2 Q. Sure. He never had permission -- you

3 would never have given him permission had you known

4 about other events to do this transaction?

11:06AM 5 A. No.

6 Q. It was only until later that you learned

7 and reported it, correct?

8 A. Yes.

9 MS. LACHER: I don't have any more

11:06AM 10 questions for this witness. Do any of the Grand

11 Jurors?

12 BY A JUROR:

13 Q. I'm just curious. Within your system of

14 tracking merchandise, if something is stolen it doesn't

11:07AM 15 automatically pop up because of its SKU or whatever as

16 an item that had been not purchased at another store?

17 A. It doesn't --

18 MS. LACHER: Let me kind of maybe ask a

19 different way to keep it cleaner.

11:07AM 20 BY A JUROR:

21 Q. In other words, if I steal a shirt and

22 then bring it into a store to return it, the stolen

23 shirt isn't marked some way in your system as having

24 been stolen and then when you put it in for refund it

11:07AM 25 pops up as a stolen item?

11:07AM 1 A. No. But we have a really good connection  
2 with other managers. So I believe when they first  
3 stole from Fashion Show, the managers there reported it  
4 to all the managers in the area. So we were able to  
11:07AM 5 recognize him -- when he provided us with his ID we  
6 were able to track that it was the same person.

7 BY MS. LACHER:

8 Q. When you scan an initial item, do you know  
9 initially where that item came from?

11:08AM 10 A. No.

11 Q. So somebody could be trying to return an  
12 item from let's say any other store, not a Foot Locker  
13 store, and you wouldn't necessarily know that just  
14 because you scanned it, correct?

11:08AM 15 A. Correct. As long as it scans in the  
16 system we're able to take it in.

17 Q. When it scans in the system that just  
18 means that Foot Locker carries that brand?

19 A. In general.

11:08AM 20 Q. Not necessarily that it's from that store?

21 A. Yes.

22 MS. LACHER: Anything else based upon  
23 that?

24 THE FOREPERSON: Seeing no further  
11:08AM 25 questions.

11:08AM 1 By law these proceedings are secret and  
2 you are prohibited from disclosing to anyone anything  
3 that transpired before us including evidence presented  
4 to the Grand Jury, any event occurring or statement  
11:08AM 5 made in the presence of the Grand Jury or any  
6 information obtained by the Grand Jury.

7 Failure to comply with this admonition is  
8 a gross misdemeanor punishable up to 364 days in the  
9 Clark County Detention Center and a 2000-dollar fine.

11:08AM 10 In addition you may be held in contempt of court which  
11 is punishable by an additional 500-dollar fine and 25  
12 days in the Clark County Detention Center.

13 Do you understand this admonition?

14 THE WITNESS: Yes.

11:09AM 15 THE FOREPERSON: Thank you. You're  
16 excused.

17 MS. LACHER: State's next witness is  
18 Carmina Panlilio and her testimony will relate to  
19 Counts 13 and 14.

11:09AM 20 THE FOREPERSON: Please raise your right  
21 hand.

22 You do solemnly swear the testimony you  
23 are about to give upon the investigation now pending  
24 before this Grand Jury shall be the truth, the whole  
11:10AM 25 truth, and nothing but the truth, so help you God?

11:10AM 1 THE WITNESS: Yes, sir.

2 THE FOREPERSON: Please be seated.

3 You are advised that you are here today to

4 give testimony in the investigation pertaining to the

11:10AM 5 offenses of grand larceny, conspiracy to commit

6 robbery, robbery with use of a deadly weapon, burglary

7 while in possession of a deadly weapon and burglary

8 involving Gregory Morgan and Andre Snipes.

9 Do you understand this advisement?

11:10AM 10 THE WITNESS: Yes, sir.

11 THE FOREPERSON: Please state your first

12 and last name and spell both slowly for the record.

13 THE WITNESS: Carmina Panlilio.

14 C-A-R-M-I-N-A. Last name is P-A-N-L-I-L-I-O.

11:10AM 15 MS. LACHER: May I proceed?

16 THE FOREPERSON: Please.

17 MS. LACHER: Thank you.

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11:10AM 20

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11:10AM 25

11:10AM 1 CARMINA PANLILIO,  
2 having been first duly sworn by the Foreperson of the  
3 Grand Jury to testify to the truth, the whole truth,  
4 and nothing but the truth, testified as follows:

11:10AM 5  
6 EXAMINATION

7 BY MS. LACHER:

8 Q. Ma'am, where do you work?

9 A. At the Nike Henderson Factory store.

11:10AM 10 Q. And is that the Nike store located at 9851  
11 South Eastern here in Clark County, Nevada?

12 A. Yes, it is.

13 Q. I want to direct your attention  
14 specifically to October 2<sup>nd</sup>, 2019. Were you working  
11:11AM 15 that day?

16 A. Yes, I was.

17 Q. And when you were working that day did two  
18 individuals enter the store that caught your attention?

19 A. Yes.

11:11AM 20 Q. Could you describe for me what they looked  
21 like.

22 A. Two African American males. One of them  
23 had a darker complexion and a goatee and the other one  
24 was a lighter skinned African American also had a  
11:11AM 25 goatee but not as long.

11:11AM 1 Q. And what were they doing that caught your  
2 attention?

3 A. The first one that caught my attention was  
4 the one with the longer goatee. He had a Foot Locker  
11:11AM 5 bag and it was very flat as he was walking around our  
6 store.

7 Q. And why did that Foot Locker bag catch  
8 your attention?

9 A. We're trained as managers to observe those  
11:11AM 10 kind of things because there's no Foot Lockers around  
11 our vicinity or in our shopping center.

12 Q. And what were those two males doing that  
13 you personally observed?

14 A. So they entered the store. They walked  
11:11AM 15 around. After I serviced them that's when they started  
16 to observe me and started to grab mesh bags, select  
17 product, put it in the mesh bags and then exit the  
18 store.

19 Q. What did they say to you, if anything?

11:12AM 20 A. So I approached, I was like hi, how are  
21 you guys today and the guy in the white tank top, the  
22 one with the longer goatee, was like I'm good and just  
23 proceeded to walk around.

24 Q. What items did they take?

11:12AM 25 A. Jordan Retros.

11:12AM 1 Q. How many shoes each did they take?

2 A. Three pairs each.

3 Q. And what were the value of those shoes?

4 A. About 220 each.

11:12AM 5 Q. And do you know that based upon being the

6 manager at the store?

7 A. Yeah. So I'm the loss prevention liaison

8 for the district. So after the incidents occur I will

9 watch the videos, approach the product that they took,

11:12AM 10 get those numbers and figures and add them all up.

11 Q. And what was the total value of the items

12 taken from your store estimate?

13 A. About 12 or 1300.

14 Q. When they were exiting the store did

11:13AM 15 anybody try to confront them?

16 A. So once they passed like the point of sale

17 I was already standing by the door because I was

18 already aware of what they were going to be doing. So

19 I asked if they were ready to check out, they just

11:13AM 20 looked at me, ignored me and proceeded to walk out.

21 Q. And they made no efforts to pay?

22 A. No, ma'am.

23 Q. Are you certain that all of the shoes

24 taken were all of one variety?

11:13AM 25 A. All of one variety.

11:13AM 1 Q. And so it's fair to say that these two  
2 individuals entered the store together, were  
3 communicating with each other while they were in the  
4 store and then also left together without paying?

11:13AM 5 A. Yes, ma'am. It'll show that on the video  
6 too.

7 Q. I want to talk about as a manager do you  
8 have -- you mentioned that you had access to the  
9 surveillance video from that date in the ordinary  
11:14AM 10 course and scope of your duties as a manager, correct?

11 A. Yes.

12 Q. And that's kept by Nike for surveillance  
13 video purposes?

14 A. Yes.

11:14AM 15 Q. And you accessed those and gave them to  
16 law enforcement, correct?

17 A. Yes.

18 Q. I'm showing you what's been marked as  
19 Grand Jury Exhibits 15 and 16. Do you recognize those?

11:14AM 20 A. Yes.

21 Q. What are those? Let's start with 15,  
22 Grand Jury Exhibit 15. What is that?

23 A. So those are the two gentlemen that walked  
24 out of the store without paying for the merchandise,  
11:14AM 25 both with Nike mesh shopping bags that our consumers

11:14AM 1 use in the store for shopping.

2 Q. And those were the two individuals that  
3 you had came into contact with and came and left  
4 without paying for those shoes?

11:15AM 5 A. Yes, ma'am.

6 Q. And Grand Jury Exhibits 15 and 16 fairly  
7 and accurately depict the still photographs from the  
8 surveillance video that you were able to pull from that  
9 day, correct?

11:15AM 10 A. Yes.

11 Q. And they're date and time stamped at the  
12 bottom, correct?

13 A. Correct.

14 MS. LACHER: I don't have any more

11:15AM 15 questions for this witness. Do any of the Grand  
16 Jurors?

17 BY A JUROR:

18 Q. I'm sorry. Would you spell your first  
19 name again?

11:15AM 20 A. C-A-R-M-I-N-A.

21 A JUROR: Great. Thank you so much.

22 THE FOREPERSON: By law these proceedings  
23 are secret and you are prohibited from disclosing to  
24 anyone anything that transpired before us including

11:15AM 25 evidence presented to the Grand Jury, any event

11:15AM 1 occurring or statement made in the presence of the  
2 Grand Jury or any information obtained by the Grand  
3 Jury.  
4 Failure to comply with this admonition is  
11:15AM 5 a gross misdemeanor punishable up to 364 days in the  
6 Clark County Detention Center and a 2000-dollar fine.  
7 In addition you may be held in contempt of court which  
8 is punishable by an additional 500-dollar fine and 25  
9 days in the Clark County Detention Center.  
11:15AM 10 Do you understand this admonition?  
11 THE WITNESS: Yes, sir.  
12 THE FOREPERSON: Thank you. You're  
13 excused.  
14 THE WITNESS: Thank you.  
11:16AM 15 THE FOREPERSON: Please raise your right  
16 hand.  
17 You do solemnly swear the testimony you  
18 are about to give upon the investigation now pending  
19 before this Grand Jury shall be the truth, the whole  
11:16AM 20 truth, and nothing but the truth, so help you God?  
21 THE WITNESS: Yes, sir.  
22 THE FOREPERSON: Please be seated.  
23 You are advised that you are here today to  
24 give testimony in the investigation pertaining to the  
11:16AM 25 offenses of grand larceny, conspiracy to commit

11:16AM 1 robbery, robbery with use of a deadly weapon, burglary  
2 while in possession of a deadly weapon and burglary  
3 involving Gregory Morgan and Andre Snipes.

4 Do you understand this advisement?

11:16AM 5 THE WITNESS: Yes, sir.

6 THE FOREPERSON: Please state your first  
7 and last name and spell both slowly for the record.

8 THE WITNESS: My name is Kashif Summers.  
9 That's K-A-S-H-I-F. Last name Summers, S-U-M-M-E-R-S.

11:17AM 10 MS. LACHER: May I proceed?

11 THE FOREPERSON: Please.

12 MS. LACHER: Thank you.

13

14 **KASHIF SUMMERS,**

11:17AM 15 having been first duly sworn by the Foreperson of the  
16 Grand Jury to testify to the truth, the whole truth,  
17 and nothing but the truth, testified as follows:

18

19 **EXAMINATION**

11:17AM 20 BY MS. LACHER:

21 Q. Sir, where do you work?

22 A. I'm a detective with the Las Vegas  
23 Metropolitan Police Department.

24 Q. And how long have you worked there?

11:17AM 25 A. I've worked with Metro in total of 10

11:17AM 1 years. I've been a detective in that unit for the past  
2 two years.

3 Q. What's your current assignment?

4 A. The organized retail theft unit.

11:17AM 5 Q. Do you have any specialized training or  
6 experience that assigns you to that department?

7 A. Yes, ma'am.

8 Q. What's that?

9 A. I've underwent detective school,  
11:17AM 10 surveillance classes, confidential informant classes.  
11 All the required classes to become a detective within  
12 that unit.

13 Q. Around that time period of October 2<sup>nd</sup>,  
14 2019 were you assigned to an investigation related to a  
11:17AM 15 Nike store at the 9851 South Eastern Avenue location?

16 A. Yes, ma'am.

17 Q. And what was your involvement with that  
18 investigation?

19 A. I was the detective assigned to conduct  
11:18AM 20 followup.

21 Q. And what was that?

22 A. To determine who the suspects were  
23 involved in the crime.

24 Q. What kind of tools did you use to  
11:18AM 25 determine the identity of the suspects?

11:18AM 1 A. I utilized our facial recognition program  
2 that's operated by our Fusion Watch Center.

3 Q. Tell us about that and what that involves.

4 A. Facial recognition is a new tool that  
11:18AM 5 we've encompassed over the last year and a half. You  
6 basically submit a photo of your suspect to the Fusion  
7 Watch. They're able to input that photo into our  
8 facial recognition system and it gives us a possible  
9 match for a suspect based off of DMV photos or other  
11:18AM 10 booking photos or other law enforcement tools.

11 Q. In this case did you review the  
12 surveillance video from Nike as well as interviewing  
13 witnesses and speaking with other law enforcement  
14 detectives?

11:19AM 15 A. Yes, I did.

16 Q. I'm going to show you Grand Jury Exhibit  
17 Number 17. Do you recognize that exhibit?

18 A. Yes, I do.

19 Q. And what are we looking at at Grand Jury  
11:19AM 20 Exhibit Number 17?

21 A. So the top photos here are still photos of  
22 the incident at Nike. The below photos are taken from  
23 up top and then with a photo of each suspect that was  
24 obtained through law enforcement programs.

11:19AM 25 Q. And I'm going to direct your attention to

11:19AM 1 the middle photograph in the series of three. Were you  
2 able to determine the identity of that individual from  
3 the Nike incident based upon your investigation?

4 A. Yes. Based upon my investigation I  
11:20AM 5 determined that individual to be Andre Snipes --  
6 Gregory Morgan. I apologize.

7 Q. And that's the middle --

8 A. The middle one, yes.

9 Q. And the photograph on the bottom were you  
11:20AM 10 able to use your investigation as well to determine the  
11 identity of that individual?

12 A. Yes, ma'am.

13 Q. And who was the individual that you  
14 determined to be at the last photograph at the bottom  
11:20AM 15 of the page?

16 A. That would be Andre Snipes.

17 Q. And in conjunction you were working with  
18 Detective Laster in his investigation as well as  
19 determining the suspects' identity, correct?

11:20AM 20 A. That is correct.

21 Q. And not just using facial recognition, you  
22 also worked with him in this case?

23 A. That is correct.

24 MS. LACHER: I don't have any more  
11:20AM 25 questions for this witness. Do any of the Grand

11:21AM 1 Jurors?

2 THE FOREPERSON: Seeing no further

3 questions.

4 By law these proceedings are secret and

11:21AM 5 you are prohibited from disclosing to anyone anything

6 that transpired before us including evidence presented

7 to the Grand Jury, any event occurring or statement

8 made in the presence of the Grand Jury or any

9 information obtained by the Grand Jury.

11:21AM 10 Failure to comply with this admonition is

11 a gross misdemeanor punishable up to 364 days in the

12 Clark County Detention Center and a 2000-dollar fine.

13 In addition you may be held in contempt of court which

14 is punishable by an additional 500-dollar fine and 25

11:21AM 15 days in the Clark County Detention Center.

16 Do you understand this admonition?

17 THE WITNESS: I do.

18 THE FOREPERSON: Thank you. You're

19 excused.

11:21AM 20 MS. LACHER: Ladies and gentlemen, that'll

21 conclude the testimony here today. I don't have any

22 more witnesses. I'm not going to ask you to

23 deliberate. When you come back next time I will have

24 the transcripts from the first presentment as well as

11:21AM 25 the presentment here today. Thank you for your time.

11:21AM

1 (Proceedings continued to an undetermined date.)

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**REPORTER'S CERTIFICATE**

**STATE OF NEVADA**       )  
                                  :   SS  
**COUNTY OF CLARK**       )

I, Lisa Brenske, C.C.R. 186, do hereby  
certify that I took down in Shorthand (Stenotype) all  
of the proceedings had in the before-entitled matter at  
the time and place indicated and thereafter said  
shorthand notes were transcribed at and under my  
direction and supervision and that the foregoing  
transcript constitutes a full, true, and accurate  
record of the proceedings had.

Dated at Las Vegas, Nevada,  
November 18, 2019.

/S/LISA BRENSKE

\_\_\_\_\_  
Lisa Brenske, C.C.R. 186

11:21AM 1 AFFIRMATION

2 Pursuant to NRS 239B.030

3

4 The undersigned does hereby affirm that the

11:21AM 5 preceding TRANSCRIPT filed in GRAND JURY CASE NUMBER  
18CGJ163A-B:

6

7

8 X Does not contain the social security number of any  
person,

9

11:21AM 10 -OR-

11 \_\_\_ Contains the social security number of a person as  
required by:

12

13 A. A specific state or federal law, to-  
wit: NRS 656.250.

14 -OR-

11:21AM 15 B. For the administration of a public program  
or for an application for a federal or  
16 state grant.

17

18 /S/LISA BRENSKE

19 \_\_\_\_\_ November 18, 2019  
Signature Date

11:21AM 20

21 Lisa Brenske  
Print Name

22

23 Official Court Reporter  
Title

24

25



1 **IND**  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 ASHLEY LACHER  
6 Deputy District Attorney  
7 Nevada Bar #014560  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

7 DISTRICT COURT  
8 CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 GREGORY DELLO MORGAN,  
13 #2752270  
14 ANDRE GRANT SNIPES, #7088448

15 Defendant(s).

CASE NO: C-19-344461-1, -2

DEPT NO: XX

AMENDED  
SUPERSEDING  
INDICTMENT

15 STATE OF NEVADA }  
16 COUNTY OF CLARK } ss.

17 The Defendant(s) above named, GREGORY DELLO MORGAN, ANDRE GRANT  
18 SNIPES, accused by the Clark County Grand Jury of the crime(s) of BURGLARY (Category  
19 B Felony - NRS 205.060 - NOC 50424); GRAND LARCENY (Category C Felony - NRS  
20 205.220.1, 205.222.2 - NOC 56004); CONSPIRACY TO COMMIT ROBBERY (Category B  
21 Felony - NRS 200.380, 199.480 - NOC 50147); ROBBERY WITH USE OF A DEADLY  
22 WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138); BURGLARY WHILE  
23 IN POSSESSION OF A DEADLY WEAPON (Category B Felony - NRS 205.060 - NOC  
24 50426) and PARTICIPATION IN ORGANIZED RETAIL THEFT (Category B Felony - NRS  
25 205.08345 - NOC 55986), committed at and within the County of Clark, State of Nevada, on  
26 or between July 4, 2019 and October 6, 2019, as follows:

27 //

28 //

1 COUNT 1 - BURGLARY

2 Defendant GREGORY MORGAN and/or unknown co-conspirators did on or about  
3 July 4, 2019, willfully, unlawfully, and feloniously enter a building, owned or occupied by  
4 NIKE, located at 9851 S. Eastern Avenue, Las Vegas, Clark County, Nevada, with intent to  
5 commit larceny, Defendants being criminally liable under one or more of the following  
6 principles of criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by  
7 aiding or abetting one another in the commission of this crime with the intent to commit this  
8 crime by providing counsel and/or encouragement to one another; and/or (3) pursuant to a  
9 conspiracy to commit the crime of burglary.

10 COUNT 2 – GRAND LARCENY

11 Defendant GREGORY MORGAN and/ or unknown co-conspirators did on or about  
12 July 4, 2019, then and there willfully, unlawfully, and feloniously with intent to deprive the  
13 owner permanently thereof, steal, take and carry away, lead away or drive away property  
14 owned by NIKE, located at 9851 S. EASTERN AVENUE, having a value of \$650.00 or more,  
15 to wit: merchandise, Defendants being criminally liable under one or more of the following  
16 principles of criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by  
17 aiding or abetting one another in the commission of this crime with the intent to commit this  
18 crime by providing counsel and/or encouragement to one another; and/or, (3) pursuant to a  
19 conspiracy to commit larceny.

20 COUNT 3 - GRAND LARCENY

21 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
22 20, 2019, then and there willfully, unlawfully, and feloniously with intent to deprive the owner  
23 permanently thereof, steal, take and carry away, lead away or drive away property owned by  
24 FOOTLOCKER, having a value of \$650.00 or more, to wit: merchandise, Defendants being  
25 criminally liable under one or more of the following principles of criminal liability, to-wit: (1)  
26 by directly committing said crime; and/or, (2) by aiding or abetting one another in the  
27 commission of this crime with the intent to commit this crime by providing counsel and/or  
28 encouragement to one another; and/or, (3) pursuant to a conspiracy to commit larceny.

1 COUNT 4 - CONSPIRACY TO COMMIT ROBBERY

2 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
3 20, 2019, willfully, unlawfully, and feloniously conspire with each other to commit a robbery,  
4 by the defendants/conspirators committing the acts as set forth in Count 5, said acts being  
5 incorporated by this reference as though fully set forth herein.

6 COUNT 5 - ROBBERY WITH USE OF A DEADLY WEAPON

7 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
8 20, 2019, willfully, unlawfully, and feloniously take personal property, to wit: merchandise,  
9 from the person of BRYAN LAWS, or in his presence, without the consent and against the  
10 will of BRYAN LAWS, by means of force or violence or fear of injury, immediate or future,  
11 to his person, the person of a member of his family, or of anyone in his company at the time  
12 of the robbery, defendant using force or fear to obtain or retain possession of the property, to  
13 prevent or overcome resistance to the taking of the property, and/or to facilitate escape, with  
14 use of a deadly weapon, to wit: a firearm, Defendants being criminally liable under one or  
15 more of the following principles of criminal liability, to-wit: (1) by directly committing said  
16 crime; and/or, (2) by aiding or abetting one another in the commission of this crime with the  
17 intent to commit this crime by providing counsel and/or encouragement to one another and/or  
18 by Defendant GREGORY MORGAN actually possessing and displaying a firearm and  
19 Defendant ANDRE SNIPES having knowledge of that fact and both defendants escaping with  
20 the merchandise; and/or (3) pursuant to a conspiracy to commit the crimes of burglary and/or  
21 larceny.

22 COUNT 6- BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

23 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
24 20, 2019, willfully, unlawfully, and feloniously enter a retail establishment, owned or occupied  
25 by FOOTLOCKER, located at 3200 South Las Vegas Boulevard, Las Vegas, Clark County,  
26 Nevada, with intent to commit larceny, while in possession of and/or gaining possession of a  
27 firearm, a deadly weapon, during the commission of the crime and/or before leaving the  
28 structure, Defendants being criminally liable under one or more of the following principles of

1 criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by aiding or  
2 abetting one another in the commission of this crime with the intent to commit this crime by  
3 providing counsel and/or encouragement to one another and/or by Defendant GREGORY  
4 MORGAN actually possessing a firearm and Defendant ANDRE SNIPES having knowledge  
5 of that fact; and/or (3) pursuant to a conspiracy to commit the crime of burglary.

6 COUNT 7 - BURGLARY

7 Defendant ANDRE SNIPES did on or about September 20, 2019, willfully,  
8 unlawfully, and feloniously enter a retail establishment and/or business, owned or occupied by  
9 FOOTLOCKER, located at 4300 MEADOWS LANE SUITE 115, Clark County, Nevada,  
10 with intent to commit a larceny and/or obtain money or property by false pretenses.

11 COUNT 8 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

12 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
13 24, 2019, willfully, unlawfully, and feloniously enter a retail establishment, owned or occupied  
14 by CHAMP'S SPORTS, located at 3200 South Las Vegas Boulevard, Las Vegas, Clark  
15 County, Nevada, with intent to commit larceny, while in possession of and/or gaining  
16 possession of a firearm, a deadly weapon, during the commission of the crime and/or before  
17 leaving the structure, Defendants being criminally liable under one or more of the following  
18 principles of criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by  
19 aiding or abetting one another in the commission of this crime with the intent to commit this  
20 crime by providing counsel and/or encouragement to one another and/or by Defendant  
21 GREGORY MORGAN actually possessing a firearm and Defendant ANDRE SNIPES having  
22 knowledge of that fact; and/or (3) pursuant to a conspiracy to commit the crime of burglary.

23 COUNT 9 - GRAND LARCENY

24 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
25 24, 2019, then and there willfully, unlawfully, feloniously, and intentionally, with intent to  
26 deprive the owner permanently thereof, steal, take and carry away, lead away or drive away  
27 property owned by CHAAMP'S SPORTS, having a value of \$650.00 or more, to wit:  
28 merchandise, Defendants being criminally liable under one or more of the following principles

1 of criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by aiding or  
2 abetting one another in the commission of this crime with the intent to commit this crime by  
3 providing counsel and/or encouragement to one another; and/or, (3) pursuant to a conspiracy  
4 to commit larceny.

5 COUNT 10 - CONSPIRACY TO COMMIT ROBBERY

6 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
7 24, 2019, willfully, unlawfully, and feloniously conspire with each other to commit a robbery,  
8 by the defendants/conspirators committing the acts as set forth in Count 10, said acts being  
9 incorporated by this reference as though fully set forth herein.

10 COUNT 11 - ROBBERY WITH USE OF A DEADLY WEAPON

11 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
12 24, 2019, willfully, unlawfully, and feloniously take personal property, to wit: merchandise,  
13 from the person of ABREGO ALDEN, or in his presence, without the consent and against the  
14 will of ABREGO ALDEN, by means of force or violence or fear of injury, immediate or future,  
15 to his person, the person of a member of his family, or of anyone in his company at the time  
16 of the robbery, defendant using force or fear to obtain or retain possession of the property, to  
17 prevent or overcome resistance to the taking of the property, and/or to facilitate escape, with  
18 use of a deadly weapon, to wit: a firearm, Defendants being criminally liable under one or  
19 more of the following principles of criminal liability, to-wit: (1) by directly committing said  
20 crime; and/or, (2) by aiding or abetting one another in the commission of this crime with the  
21 intent to commit this crime by providing counsel and/or encouragement to one another and/or  
22 by Defendant GREORY MORGAN actually possessing and displaying a firearm and  
23 Defendant ANDRE SNIPES having knowledge of that fact and both defendants escaping with  
24 the merchandise; and/or (3) pursuant to a conspiracy to commit the crimes of burglary and/or  
25 larceny.

26 //

27 //

28 //

1 COUNT 12 - BURGLARY

2 Defendant ANDRE SNIPES did on or about September 24, 2019, willfully,  
3 unlawfully, and feloniously enter a retail establishment and/or business, owned or occupied by  
4 FOOTLOCKER, located at 4300 MEADOWS LANE SUITE 115, Clark County, Nevada,  
5 with intent to commit a larceny and/or obtain money or property by false pretenses.

6 COUNT 13 - GRAND LARCENY

7 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
8 29, 2019, then and there willfully, unlawfully, feloniously, and intentionally, with intent to  
9 deprive the owner permanently thereof, steal, take and carry away, lead away or drive away  
10 property owned by FOOTLOCKER, located at 2120 Festival Plaza Drive, having a value of  
11 \$650.00 or more, to wit: basketball jerseys and/or other merchandise, Defendants being  
12 criminally liable under one or more of the following principles of criminal liability, to-wit: (1)  
13 by directly committing said crime; and/or, (2) by aiding or abetting one another in the  
14 commission of this crime with the intent to commit this crime by providing counsel and/or  
15 encouragement to one another; and/or, (3) pursuant to a conspiracy to commit larceny.

16 COUNT 14 - BURGLARY

17 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September  
18 24, 2019, willfully, unlawfully, and feloniously enter a retail establishment, owned or occupied  
19 by FOOTLOCKER, located at 2120 Festival Plaza Drive, Las Vegas, Clark County, Nevada,  
20 with intent to commit larceny, Defendants being criminally liable under one or more of the  
21 following principles of criminal liability, to-wit: (1) by directly committing said crime; and/or,  
22 (2) by aiding or abetting one another in the commission of this crime with the intent to commit  
23 this crime by providing counsel and/or encouragement to one another and/or by Defendant  
24 GREGORY MORGAN and/or Defendant ANDRE SNIPES taking merchandise and leaving  
25 the store (3) pursuant to a conspiracy to commit the crime of burglary and/or larceny.

26 //

27 //

28 //

1 COUNT 15 - BURGLARY

2 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about October 2,  
3 2019, willfully, unlawfully, and feloniously enter a building, owned or occupied by NIKE,  
4 located at 9851 S. Eastern Avenue, Las Vegas, Clark County, Nevada, with intent to commit  
5 larceny, Defendants being criminally liable under one or more of the following principles of  
6 criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by aiding or  
7 abetting one another in the commission of this crime with the intent to commit this crime by  
8 providing counsel and/or encouragement to one another; and/or (3) pursuant to a conspiracy  
9 to commit the crime of burglary.

10 COUNT 16 - GRAND LARCENY

11 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about October 2,  
12 2019, then and there willfully, unlawfully, and feloniously with intent to deprive the owner  
13 permanently thereof, steal, take and carry away, lead away or drive away property owned by  
14 NIKE, having a value of \$650.00 or more, to wit: merchandise, Defendants being criminally  
15 liable under one or more of the following principles of criminal liability, to-wit: (1) by directly  
16 committing said crime; and/or, (2) by aiding or abetting one another in the commission of this  
17 crime with the intent to commit this crime by providing counsel and/or encouragement to one  
18 another; and/or, (3) pursuant to a conspiracy to commit larceny.

19 COUNT 17 – BURGLARY

20 Defendant ANDRE SNIPES did on or about October 6, 2019, willfully, unlawfully,  
21 and feloniously enter a retail establishment and/or business, owned or occupied by  
22 FOOTLOCKER, located at 4300 MEADOWS LANE SUITE 115, Clark County, Nevada,  
23 with intent to commit a larceny and/or obtain money or property by false pretenses.

24 COUNT 18 - PARTICIPATION IN ORGANIZED RETAIL THEFT

25 Defendants GREGORY MORGAN and ANDRE SNIPES and/or unknown co-  
26 conspirators did on or between July 4, 2019 and October 2, 2019 willfully, unlawfully, and  
27 feloniously participate in organized retail theft, the aggregated value of the property in all the  
28 thefts committed in the organized retail theft in this State during a period of 90 days, being at

1 least \$3,500.00, but less than \$10,000.00, by entering and making exchanges for gift cards  
2 and/or taking merchandise from NIKE and/or FOOTLOCKER and/or CHAMPS'S SPORTS.

3 DATED this 14th day of January, 2020.

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

7 BY /s// ASHLEY LACHER  
8 ASHLEY LACHER  
9 Deputy District Attorney  
10 Nevada Bar #014560  
11  
12  
13  
14  
15  
16  
17  
18  
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26  
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28

Names of Witnesses and testifying before the Grand Jury:

ABREGO, ALDEN – CHAMPS SPORTS – 3200 LAS VEGAS BLVD S, LV NV

ALVAREZ, SAMANTHA – c/o CCDA, 200 Lewis Avenue, LV, NV 89101

CASTILLO, ELVIN – c/o CCDA, 200 Lewis Avenue, LV, NV 89101

LASTER, GEORGE – LVMPD #5658

LAWS, BRYAN – c/o CCDA, 200 Lewis Avenue, LV, NV 89101

MONTALVO, DANIELA – c/o CCDA, 200 Lewis Avenue, LV, NV 89101

PANLILIO, CAMINA – NIKE – 905 S GRAND CENTRAL PKWY, LV NV

SUMMERS, KASHIF – LVMPD #14109

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

CUSTODIAN OF RECORDS - CCDC

CUSTODIAN OF RECORDS – FOOTLOCKER – 2120 FESTIVAL PLZ DR., STE 180, LV NV

CUSTODIAN OF RECORDS – FOOTLOCKER – 4300 MEADOWS LN, LV NV

CUSTODIAN OF RECORDS - LVMPD COMMUNICATIONS

CUSTODIAN OF RECORDS - LVMPD RECORDS

CUSTODIAN OF RECORDS – WHITTLESEA BLUE CAB – 2000 S. INDUSTRIAL RD, LV NV

MARU, YOHANNES – WHITTLESEA BLUE CAB – 2000 S. INDUSTRIAL RD., LV NV

18CGJ163A-B/19F21141A-B/ed-GJ

LVMPD EV# 190900115154;

190900095652; 191099999927

(TK9)

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

BEFORE THE GRAND JURY IMPANELED BY THE AFORESAID

DISTRICT COURT

THE STATE OF NEVADA,

Plaintiff,

VS.

GREGORY DELLO MORGAN,  
ANDRE GRANT SNIPES,

Defendants.

GJ Case No. 18CGJ163A-B  
DC Case No. C344461

**Taken at Las Vegas, Nevada**

Thursday, January 9, 2020

9:28 a.m.

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Superseding Indictment - Volume 2

Reported by: Donna J. McCord, C.C.R. No. 337

00:00:59 1 GRAND JURORS PRESENT ON JANUARY 9, 2020:  
2  
3 LAWRENCE HOLMES, Foreperson,  
4 ROBERT KINNIBURGH, Deputy Foreperson  
00:00:59 5 CLAUDIA HUNT, Secretary  
6 LINDA MCARTHUR, Assistant Secretary  
7 TONI ANDERSON  
8 GARLAND BAILEY  
9 ANNAMARIE CONKLIN  
00:00:00 10 NATHAN CONRAD  
11 REGINA CRUNDEN  
12 MELISSA HILL  
13 MARY KISHMARTON  
14 JEANETTE LOMANDO  
00:00:00 15 DAVID MILLER  
16 JOHN ORR  
17 MARY PERKINS  
18 ANTHONY SHOR  
19  
00:00:00 20  
21 Also present at the request of the Grand Jury:  
22 Ashley Lacher  
23 Deputy District Attorney  
24  
00:00:00 25



<u>00:00:01</u>	1	<u>INDEX OF EXHIBITS</u>	
	2		
	3	<u>GRAND JURY EXHIBITS</u>	<u>IDENTIFIED</u>
	4	EXHIBIT 1B - SUPERSEDING INDICTMENT	5
<u>00:00:01</u>	5	EXHIBIT 2A - INSTRUCTIONS	6
	6	EXHIBIT 17 - PHOTOGRAPH	11
	7	EXHIBIT 18 - TRANSCRIPT	5
	8	EXHIBIT 19 - TRANSCRIPT	5
	9	EXHIBIT 20 - PHOTOGRAPH	9
<u>00:00:01</u>	10	EXHIBIT 21 - PHOTOGRAPH	9
	11	EXHIBIT 22 - PHOTOGRAPH	9
	12		
	13		
	14		
<u>00:00:01</u>	15		
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<u>00:00:01</u>	20		
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	25		

00:00:02

1

LAS VEGAS, NEVADA, JANUARY 9, 2020

2

\* \* \* \* \*

3

4

DONNA J. McCORD,

00:00:02

5

having been first duly sworn to faithfully

6

and accurately transcribe the following

7

proceedings to the best of her ability.

8

9

MS. LACHER: Good morning, ladies and

09:28:39

10

gentlemen. My name is Ashley Lacher. I'm the Deputy

11

District Attorney assigned to the case. I'll be

12

presenting the superseding Indictment in the case of the

13

State of Nevada versus Gregory Morgan and Andre Snipes.

14

A copy of the superseding Indictment has been given to

09:28:57

15

all of the Grand Jurors and --

16

A JUROR: It should be 2 --

17

MS. LACHER: And the superseding Indictment

18

is going to be marked as Grand Jury Exhibit 1B and the

19

case number is 18CGJ163A and B. Additionally if any of

09:29:34

20

the Grand Jurors were not here for the previous two

21

presentments I have copies of the transcripts from those

22

dates. That's Grand Jury Exhibits 19 and 18 as well.

23

Before we get started I would just like to

24

make you aware of a couple of changes that I anticipate.

09:29:54

25

On Counts 1 and 2 on page 2 of the superseding

09:29:57 1 Indictment, the only defendant that will be listed will  
2 be Defendant Gregory Morgan and/or other unknown  
3 co-conspirators. That will be page 2, line 2 and line  
4 11. Additionally at the end I'll be adding Count 17.  
09:30:18 5 That will be the charge of organized retail theft and  
6 the language of that will be that Gregory Morgan and/or  
7 Andre Snipes or other unknown co-conspirators did  
8 willfully, unlawfully, feloniously participate in  
9 organized retail theft, the aggregated value of the  
09:30:40 10 property in all the thefts being committed in the  
11 organized retail theft in this state during a period of  
12 90 days at least \$3,500 but less than \$10,000 by  
13 entering and taking either gift card refunds,  
14 merchandise from all the named victims in this case,  
09:30:59 15 Nike, Foot Locker and Champs, in the time period from  
16 July 4th, 2019, to October 2nd, 2019.

17 There's been an updated jury instruction as  
18 well and that's marked for that charge that I just  
19 discussed as Grand Jury Exhibit 2A. With that and the  
09:31:22 20 permission of the Foreperson I would like to call my  
21 final witness in this case, Carmina Panlilio and her  
22 testimony will relate to Count 22.

23 THE FOREPERSON: Please stand and raise  
24 your right hand.

09:31:55 25 You do solemnly swear that the testimony

09:31:55 1 that you're about to give upon the investigation now  
2 pending before this Grand Jury shall be the truth, the  
3 whole truth, and nothing but the truth, so help you God?

4 THE WITNESS: Yes, sir.

09:32:03 5 THE FOREPERSON: Please be seated.

6 You're advised you're here today to give  
7 testimony in the investigation pertaining to the  
8 offenses of burglary, grand larceny, conspiracy to  
9 commit robbery, robbery with use of a deadly weapon and  
09:32:18 10 burglary while in possession of a deadly weapon  
11 involving Gregory Morgan and Andre Snipes.

12 Do you understand this advisement?

13 THE WITNESS: Yes, sir.

14 THE FOREPERSON: Please state your first  
09:32:27 15 and last name and spell both slowly for the record.

16 THE WITNESS: Carmina Panlilio,  
17 C-A-R-M-I-N-A, last name P-A-N-L-I-L-I-O.

18 MS. LACHER: May I proceed?

19 THE FOREPERSON: Please.

09:32:42 20 MS. LACHER: Thank you.

21 **CARMINA PANLILIO,**

22 having been first duly sworn by the Foreperson of the  
23 Grand Jury to testify to the truth, the whole truth  
24 and nothing but the truth, testified as follows:

09:32:42 25 ///

09:32:42

1

EXAMINATION

2

BY MS. LACHER:

3

Q Ma'am, you previously testified at this

4

Grand Jury. You're employed at the Nike store, correct?

09:32:49

5

A Correct.

6

Q And which location is that?

7

A 9851 South Eastern Avenue.

8

Q That's here in Clark County, Nevada,

9

correct?

09:32:56

10

A Yes.

11

Q And what is your formal title there?

12

A So I am the consumer experience manager but

13

I'm also the district loss prevention liaison.

14

Q I want to direct your attention to

09:33:09

15

July 4th, 2019. Were you working at the Nike store that

16

day?

17

A Yes.

18

Q Specifically around the time period of 3:00

19

p.m. that day, did you notice some individuals that

09:33:21

20

caught your attention?

21

A Yeah.

22

Q Could you explain what they did that caught

23

your attention?

24

A So three African-American males walked in,

09:33:30

25

they were greeted. They immediately approached the mesh

09:33:35 1 shopping bags. We began to service them, asked them if  
2 there's anything we can help them find. They became a  
3 bit evasive and kind of just ignored our questions and  
4 they began to select footwear, place it in mesh bags and  
09:33:49 5 then they proceeded to walk out of the store.

6 Q I'm going to show you Grand Jury  
7 Exhibits 20, 21 and 22. Do you recognize those stills?

8 A Yes.

9 Q And are those stills of the surveillance  
09:34:02 10 video that's date and timestamped from July 4th, 2019,  
11 the date that we're discussing?

12 A Yes.

13 Q And those are the individuals that had  
14 entered the store, correct?

09:34:19 15 A Correct.

16 Q I want to start first with Grand Jury  
17 Exhibit Number 20. That individual in the gray hoodie  
18 and red Nike checkmark, what did that individual take?

19 A So he took six pairs of shoes; two pairs of  
09:34:41 20 Air Force 1s and three pairs of, or four pairs of Jordan  
21 Retros.

22 Q Now, collectively the total value of all of  
23 the merchandise taken by all three individuals, what is  
24 the value of that?

09:34:55 25 A About 2100.

09:34:57 1 Q Okay. And the total amount of shoes and  
2 merchandise taken?

3 A Ten pairs of shoes, one package of socks.

4 Q Okay. These individuals entered together  
09:35:12 5 and left together, right?

6 A Correct.

7 Q They took merchandise without paying and  
8 they didn't have permission to do that, correct?

9 A Correct.

09:35:18 10 Q The alarm sounded when they exited and they  
11 made no efforts to pay or stop, correct?

12 A Yes. The AIS system did trigger when they  
13 all exited and they were asked to pay for the  
14 merchandise and they proceeded to just walk out.

09:35:31 15 Q These three photographs that we were just  
16 discussing, Grand Jury Exhibits 20, 21 and 22, are true  
17 and fair and accurate depictions of the surveillance  
18 video that you have access to in your manager capacity,  
19 correct?

09:35:44 20 A Correct.

21 Q I want to go back to Grand Jury Exhibit  
22 Number 20. That individual, was he the same individual  
23 that you had testified previously related to the  
24 October 2nd, 2019 event at your store?

09:36:01 25 A Yes, he's a repeat offender.

09:36:02 1 Q Okay. And showing you Grand Jury  
2 Exhibit 17, do you recognize that as a still from your  
3 surveillance video at the Nike store on the October 2nd,  
4 2019 event with that individual in it?

09:36:23 5 A That's correct.

6 MS. LACHER: I don't have anymore questions  
7 for this witness. Do any of the Grand Jurors?

8 THE FOREPERSON: Seeing no questions by the  
9 Grand Jury.

09:36:33 10 By law these proceedings are secret and you  
11 are prohibited from disclosing to anyone anything that  
12 transpired before us including any evidence presented to  
13 the Grand Jury, any event occurring or a statement made  
14 in the presence of the Grand Jury or any information  
09:36:33 15 obtained by the Grand Jury.

16 Failure to comply with this admonition is a  
17 gross misdemeanor punishable up to 364 days in the Clark  
18 County Detention Center and a \$2,000 fine. In addition  
19 you may be held in contempt of court punishable by an  
09:36:33 20 additional \$500 fine and 25 days in the Clark County  
21 Detention Center.

22 Do you understand this admonition?

23 THE WITNESS: Yes, sir.

24 THE FOREPERSON: Thank you. You're  
09:37:01 25 excused.

09:37:01 1 THE WITNESS: Thank you.

2 MS. LACHER: With that, ladies and  
3 gentlemen, this matter is going to be submitted for your  
4 deliberation on the superseding Indictment with the  
09:37:14 5 amendments that I had added before this witness  
6 testified. If you have any questions regarding the  
7 elements or the law on this case, please let me know.  
8 Additionally I have the Grand Jury transcripts for your  
9 review if you were not here for those presentments as  
09:37:32 10 well as a laptop if you need to review any of the  
11 exhibits. I've brought down the exhibits and made sure  
12 they were here from the first two presentments as well  
13 in case you need to look at any of that. And with that  
14 I'll submit it to your deliberation.

09:37:47 15 (At this time, all persons, except the  
16 members of the Grand Jury, exited the room at 9:37 and  
17 returned at 9:42.)

18 THE FOREPERSON: Madam District Attorney,  
19 by a vote of 12 or more Grand Jurors a true bill has  
09:42:17 20 been returned against defendants Gregory Morgan and  
21 Andre Snipes charging the crimes of burglary, grand  
22 larceny, conspiracy to commit robbery, robbery with use  
23 of a deadly weapon and burglary while in possession of a  
24 deadly weapon and organized retail theft in Grand Jury  
09:42:40 25 case number 18CGJ163A and B.

09:42:46

1           We instruct you to prepare an Indictment in  
2 conformance with the amended proposed Indictment  
3 previously submitted to us.

4           MS. LACHER: Thank you.

09:42:54

5           (Proceedings concluded.)

6                       --oo0oo--

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09:42:54

1

**REPORTER'S CERTIFICATE**

2

3

**STATE OF NEVADA** )

: ss

4

**COUNTY OF CLARK** )09:42:54

5

6

I, Donna J. McCord, C.C.R. 337, do hereby

7

certify that I took down in Shorthand (Stenotype) all of

8

the proceedings had in the before-entitled matter at the

9

time and place indicated and thereafter said shorthand

09:42:54

10

notes were transcribed at and under my direction and

11

supervision and that the foregoing transcript

12

constitutes a full, true, and accurate record of the

13

proceedings had.

14

Dated at Las Vegas, Nevada,

09:42:54

15

January 14, 2020.

16

17

/S/DONNA J. MCCORD

18

Donna J. McCord, CCR 337

19

09:42:54

20

21

22

23

24

09:42:54

25

09:42:54

1

## AFFIRMATION

2

Pursuant to NRS 239B.030

3

4

The undersigned does hereby affirm that the preceding

09:42:54

5

TRANSCRIPT filed in GRAND JURY CASE NUMBER 18CGJ163A-B:

6

7

8

  X   Does not contain the social security number of any  
person,

9

09:42:54

10

-OR-

11

       Contains the social security number of a person as  
required by:

12

13

A. A specific state or federal law, to-wit:  
NRS 656.250.

14

-OR-

09:42:54

15

B. For the administration of a public program  
or for an application for a federal or  
state grant.

16

17

18

/S/DONNA J. MCCORD  
Signature

January 14, 2020  
Date

19

09:42:54

20

Donna J. McCord  
Print Name

21

22

Official Court Reporter  
Title

23

24

25

<p><b>A JUROR:</b> [1] 5/15  <b>BY MS. LACHER:</b> [1] 8/1  <b>MS. LACHER:</b> [7] 5/7 5/16 7/17 7/19 11/5 12/1 13/3  <b>THE FOREPERSON:</b> [7] 6/22 7/4 7/13 7/18 11/7 11/23 12/17  <b>THE WITNESS:</b> [5] 7/3 7/12 7/15 11/22 11/25</p> <p><b>\$</b></p> <p><b>\$10,000</b> [1] 6/12  <b>\$2,000</b> [1] 11/18  <b>\$3,500</b> [1] 6/12  <b>\$500</b> [1] 11/20</p> <p>-</p> <p>--oo0oo [1] 13/6  <b>-OR</b> [2] 15/10 15/14</p> <p>/</p> <p><b>/S/DONNA</b> [2] 14/17 15/18</p> <p><b>1</b></p> <p><b>11</b> [2] 4/6 6/4  <b>12</b> [1] 12/19  <b>14</b> [2] 14/15 15/18  <b>17</b> [3] 4/6 6/4 11/2  <b>18</b> [2] 4/7 5/22  <b>18CGJ163A</b> [2] 5/19 12/25  <b>18CGJ163A-B</b> [2] 1/9 15/5  <b>19</b> [2] 4/8 5/22  <b>1B</b> [2] 4/4 5/18  <b>1s</b> [1] 9/20</p> <p><b>2</b></p> <p><b>20</b> [5] 4/9 9/7 9/17 10/16 10/22  <b>2019</b> [6] 6/16 6/16 8/15 9/10 10/24 11/4  <b>2020</b> [5] 1/16 2/1 5/1 14/15 15/18  <b>21</b> [3] 4/10 9/7 10/16  <b>2100</b> [1] 9/25  <b>22</b> [4] 4/11 6/22 9/7 10/16  <b>239B.030</b> [1] 15/2  <b>25</b> [1] 11/20  <b>2A</b> [2] 4/5 6/19  <b>2nd</b> [3] 6/16 10/24 11/3</p> <p><b>3</b></p> <p><b>337</b> [3] 1/25 14/6 14/18  <b>364</b> [1] 11/17  <b>3:00</b> [1] 8/18</p> <p><b>4</b></p> <p><b>4th</b> [3] 6/16 8/15 9/10</p> <p><b>6</b></p> <p><b>656.250</b> [1] 15/13</p>	<p><b>9</b></p> <p><b>90</b> [1] 6/12  <b>9851</b> [1] 8/7  <b>9:28</b> [1] 1/17  <b>9:37</b> [1] 12/16  <b>9:42</b> [1] 12/17</p> <p><b>A</b></p> <p><b>a.m</b> [1] 1/17  <b>ability</b> [1] 5/7  <b>about</b> [2] 7/1 9/25  <b>access</b> [1] 10/18  <b>accurate</b> [2] 10/17 14/12  <b>accurately</b> [1] 5/6  <b>added</b> [1] 12/5  <b>adding</b> [1] 6/4  <b>addition</b> [1] 11/18  <b>additional</b> [1] 11/20  <b>Additionally</b> [3] 5/19 6/4 12/8  <b>administration</b> [1] 15/15  <b>admonition</b> [2] 11/16 11/22  <b>advised</b> [1] 7/6  <b>advisement</b> [1] 7/12  <b>affirm</b> [1] 15/4  <b>AFFIRMATION</b> [1] 15/1  <b>AFORESAID</b> [1] 1/4  <b>African</b> [1] 8/24  <b>African-American</b> [1] 8/24  <b>against</b> [1] 12/20  <b>aggregated</b> [1] 6/9  <b>Air</b> [1] 9/20  <b>AIS</b> [1] 10/12  <b>alarm</b> [1] 10/10  <b>all</b> [8] 5/15 6/10 6/14 9/22 9/23 10/13 12/15 14/7  <b>also</b> [2] 2/21 8/13  <b>am</b> [1] 8/12  <b>amended</b> [1] 13/2  <b>amendments</b> [1] 12/5  <b>American</b> [1] 8/24  <b>amount</b> [1] 10/1  <b>and/or</b> [2] 6/2 6/6  <b>ANDERSON</b> [1] 2/7  <b>ANDRE</b> [5] 1/10 5/13 6/7 7/11 12/21  <b>ANNAMARIE</b> [1] 2/9  <b>ANTHONY</b> [1] 2/18  <b>anticipate</b> [1] 5/24  <b>any</b> [9] 5/19 11/7 11/12 11/13 11/14 12/6 12/10 12/13 15/8  <b>anymore</b> [1] 11/6  <b>anyone</b> [1] 11/11  <b>anything</b> [2] 9/2 11/11  <b>application</b> [1] 15/15  <b>approached</b> [1] 8/25  <b>are</b> [5] 9/9 9/13 10/16 11/10 11/11  <b>around</b> [1] 8/18  <b>Ashley</b> [2] 2/22 5/10  <b>asked</b> [2] 9/1 10/13  <b>assigned</b> [1] 5/11</p>	<p><b>Assistant</b> [1] 2/6  <b>attention</b> [3] 8/14 8/20 8/23  <b>Attorney</b> [3] 2/22 5/11 12/18  <b>Avenue</b> [1] 8/7  <b>aware</b> [1] 5/24</p> <p><b>B</b></p> <p><b>back</b> [1] 10/21  <b>bags</b> 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		<b>R</b> raise [1] 6/23 recognize [2] 9/7 11/2 record [2] 7/15 14/12 red [1] 9/18 refunds [1] 6/13 regarding [1] 12/6 REGINA [1] 2/11 relate [1] 6/22 related [1] 10/23 repeat [1] 10/25 Reported [1] 1/25 Reporter [1] 15/22 REPORTER'S [2] 1/21 14/1		

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<p><b>S</b></p> <p><b>superseding...</b> [1] 12/4</p> <p><b>supervision</b> [1] 14/11</p> <p><b>sure</b> [1] 12/11</p> <p><b>surveillance</b> [3] 9/9 10/17 11/3</p> <p><b>swear</b> [1] 6/25</p> <p><b>sworn</b> [2] 5/5 7/22</p> <p><b>system</b> [1] 10/12</p> <hr/> <p><b>T</b></p> <p><b>take</b> [1] 9/18</p> <p><b>taken</b> [3] 1/15 9/23 10/2</p> <p><b>taking</b> [1] 6/13</p> <p><b>Ten</b> [1] 10/3</p> <p><b>testified</b> [4] 7/24 8/3 10/23 12/6</p> <p><b>testify</b> [1] 7/23</p> <p><b>testimony</b> [3] 6/22 6/25 7/7</p> <p><b>than</b> [1] 6/12</p> <p><b>Thank</b> [4] 7/20 11/24 12/1 13/4</p> <p><b>that's</b> [5] 5/22 6/18 8/8 9/10 11/5</p> <p><b>theft</b> [4] 6/5 6/9 6/11 12/24</p> <p><b>thefts</b> [1] 6/10</p> <p><b>them</b> [3] 9/1 9/1 9/2</p> <p><b>then</b> [1] 9/5</p> <p><b>there</b> [1] 8/11</p> <p><b>there's</b> [2] 6/17 9/2</p> <p><b>thereafter</b> [1] 14/9</p> <p><b>these</b> [3] 10/4 10/15 11/10</p> <p><b>those</b> [5] 5/21 9/7 9/9 9/13 12/9</p> <p><b>three</b> [4] 8/24 9/20 9/23 10/15</p> <p><b>Thursday</b> [1] 1/16</p> <p><b>time</b> [4] 6/15 8/18 12/15 14/9</p> <p><b>timestamped</b> [1] 9/10</p> <p><b>title</b> [2] 8/11 15/22</p> <p><b>to-wit</b> [1] 15/13</p> <p><b>today</b> [1] 7/6</p> <p><b>together</b> [2] 10/4 10/5</p> <p><b>TONI</b> [1] 2/7</p> <p><b>took</b> [3] 9/19 10/7 14/7</p> <p><b>total</b> [2] 9/22 10/1</p> <p><b>transcribe</b> [1] 5/6</p> <p><b>transcribed</b> [1] 14/10</p> <p><b>transcript</b> [5] 1/21 4/7 4/8 14/11 15/5</p> <p><b>transcripts</b> [2] 5/21 12/8</p> <p><b>transpired</b> [1] 11/12</p> <p><b>trigger</b> [1] 10/12</p> <p><b>true</b> [3] 10/16 12/19 14/12</p> <p><b>truth</b> [6] 7/2 7/3 7/3 7/23 7/23 7/24</p> <p><b>two</b> [3] 5/20 9/19 12/12</p> <hr/> <p><b>U</b></p> <p><b>under</b> [1] 14/10</p> <p><b>undersigned</b> [1] 15/4</p>	<p><b>understand</b> [2] 7/12 11/22</p> <p><b>unknown</b> [2] 6/2 6/7</p> <p><b>unlawfully</b> [1] 6/8</p> <p><b>up</b> [1] 11/17</p> <p><b>updated</b> [1] 6/17</p> <p><b>upon</b> [1] 7/1</p> <p><b>us</b> [2] 11/12 13/3</p> <p><b>use</b> [2] 7/9 12/22</p> <hr/> <p><b>V</b></p> <p><b>value</b> [3] 6/9 9/22 9/24</p> <p><b>Vegas</b> [3] 1/15 5/1 14/14</p> <p><b>versus</b> [1] 5/13</p> <p><b>victims</b> [1] 6/14</p> <p><b>video</b> [3] 9/10 10/18 11/3</p> <p><b>Volume</b> [1] 1/22</p> <p><b>vote</b> [1] 12/19</p> <hr/> <p><b>W</b></p> <p><b>walk</b> [2] 9/5 10/14</p> <p><b>walked</b> [1] 8/24</p> <p><b>want</b> [3] 8/14 9/16 10/21</p> <p><b>we're</b> [1] 9/11</p> <p><b>weapon</b> [4] 7/9 7/10 12/23 12/24</p> <p><b>well</b> [4] 5/22 6/18 12/10 12/12</p> <p><b>were</b> [8] 5/20 8/15 8/25 10/13 10/15 12/9 12/12 14/10</p> <p><b>when</b> [2] 10/10 10/12</p> <p><b>which</b> [1] 8/6</p> <p><b>while</b> [2] 7/10 12/23</p> <p><b>whole</b> [2] 7/3 7/23</p> <p><b>will</b> [6] 6/1 6/1 6/3 6/5 6/6 6/22</p> <p><b>willfully</b> [1] 6/8</p> <p><b>wit</b> [1] 15/13</p> <p><b>without</b> [1] 10/7</p> <p><b>witness</b> [3] 6/21 11/7 12/5</p> <p><b>WITNESSES</b> [1] 3/1</p> <p><b>working</b> [1] 8/15</p> <hr/> <p><b>Y</b></p> <p><b>Yeah</b> [1] 8/21</p> <p><b>Yes</b> [9] 7/4 7/13 8/10 8/17 9/8 9/12 10/12 10/25 11/23</p> <p><b>you</b> [26]</p> <p><b>you're</b> [5] 7/1 7/6 7/6 8/4 11/24</p> <p><b>your</b> [12] 6/24 7/14 8/11 8/14 8/20 8/23 10/18 10/24 11/2 12/3 12/8 12/14</p>			
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**MOT**  
**STEVEN B. WOLFSON**  
Clark County District Attorney  
Nevada Bar #001565  
**ASHLEY ANNE LACHER**  
Deputy District Attorney  
Nevada Bar #014560  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,  
  
Plaintiff,

-vs-

**GREGORY DELLO MORGAN,**  
**#2752270**  
**ANDRE GRANT SNIPES**  
**#7088448**

Defendant (s).

CASE NO: **C-19-344461-1**

DEPT NO: **XX**

**STATE'S NOTICE OF MOTION IN LIMINE DEFENDANTS STATEMENTS  
AND MOTION TO ADMIT EVIDENCE OF OTHER BAD ACTS OR IN THE  
ALTERNATIVE TO PUT DEFENDANTS ON NOTICE OF THE STATE'S  
INTENTION TO ADMIT PRIOR JUDGEMENT OF CONVICTION**

DATE OF HEARING: MARCH 3, 2020

TIME OF HEARING: 8:30 AM

**HEARING REQUESTED**

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through ASHLEY ANNE LACHER, Deputy District Attorney, and files this Notice of Motion and Motion to Admit Evidence of Other Bad Acts/Motion in Limine.

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

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DATED this 19<sup>th</sup> day of February, 2020.

BY

### STATEMENT OF CASE

On January 14, 2020, an Amended Superseding Indictment was filed charging Defendants as follows: COUNT 1: BURGLARY (Category B Felony - NRS 205.060 - NOC 50424), COUNT 2: GRAND LARCENY (Category C Felony - NRS 205.220.1, 205.222.2 - NOC 56004), COUNT 3: GRAND LARCENY (Category C Felony - NRS 205.220.1, 205.222.2 - NOC 56004), COUNT 4: CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147), COUNT 5: ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138), COUNT

6: BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony - NRS 205.060 - NOC 50426), COUNT 7 applies only to co-defendant Snipes, COUNT 8 : BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony - NRS 205.060 - NOC 50426), COUNT 9: GRAND LARCENY (Category C Felony - NRS 205.220.1, 205.222.2 - NOC 56004), COUNT 10: CONSPIRACY TO COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147), COUNT 11: ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138), COUNT 12: applies only to co-defendant Snipes, COUNT 13: GRAND LARCENY (Category C Felony - NRS 205.220.1, 205.222.2 - NOC 56004), COUNT 14: BURGLARY (Category B Felony - NRS 205.060 - NOC 50424), COUNT 15: BURGLARY (Category B Felony - NRS 205.060 - NOC 50424), COUNT 16: GRAND LARCENY (Category C Felony - NRS 205.220.1, 205.222.2 - NOC 56004), COUNT 17: applies only to co-defendant Snipes, and COUNT 18: PARTICIPATION IN ORGANIZED RETAIL THEFT (Category B Felony - NRS 205.08345 - NOC 55986).

On January 30, 2020, Defendant's plead not guilty. Calendar Call is scheduled for March 3, 2020. Trial is currently scheduled for March 9, 2020.

#### **STATEMENT OF FACTS**

From July 4, 2019, to October 6, 2019, Defendants engaged in a spree of crime stealing from multiple retail organizations involving Champs, Footlockers, and Nike. The total value of their thefts was over \$3,500. Defendants would enter the stores, grab basketball jerseys and shoes and/or seek to return stolen goods in exchange for gift cards. Almost all events are captured on video. Several events involved threats to loss prevention agents and the use of a firearm.

#### **NIKE 9851 S. EASTERN – COUNTS 1 AND 2**

On July 4, 2019, Defendant Gregory Morgan entered the Nike store located at 9851 S. Eastern Ave. Along with his co-conspirators, Defendant Morgan grabbed merchandise including shoes and NBA basketball jerseys. Defendant and his co-conspirators left the store without paying for the items and evaded loss prevention agents.

1           FOOTLOCKER FASHION SHOW MALL – COUNTS 3,4,5, and 6

2           On September 20, 2019, Defendant Morgan and Defendant Snipes entered the  
3 Footlocker at the Fashion Show Mall. Employees of the store attempted to speak with  
4 Defendants after noticing unusual behavior. Store employee Bryan Laws Jr. attempted to stop  
5 the Defendants from leaving the store with unpaid for NBA Basketball Jerseys. As Bryan  
6 Laws attempted to stop the Defendants, Defendant Morgan flashed what Bryan Laws Jr.  
7 recognized to be a pistol and both Defendants fled with the stolen items.

8           FOOTLOCKER MEADOWS MALL – COUNT 7

9           Defendant Snipes entered the Meadows Mall Footlocker on September 20, 2019.  
10 Snipes brought in stolen merchandise to “return” and received a gift card. A search of the  
11 Footlocker database revealed Defendant had not purchased the items he sought to return.

12           CHAMPS – FASHION SHOW MALL – COUNTS 8, 9, 10, and 11

13           On September 24, 2019, Defendant Morgan and Defendant Snipes entered the Champs  
14 at the Fashion Show Mall. Defendants grabbed approximately 14 NBA Basketball Jerseys and  
15 attempted to leave the store. Manager Alden Abrego attempted to stop Defendant from leaving  
16 the store with unpaid merchandise. When Alden Abrego contacted Defendants, Defendant  
17 Morgan tugged at his shirt revealing the black handle of a firearm. Defendant Snipes stated  
18 “you don’t want to do that” as Defendant Morgan was flashing the firearm.

19           FOOTLOCKER MEADOWS MALL – COUNT 12

20           Defendant Snipes entered the Meadows Mall Footlocker on September 24, 2019.  
21 Snipes brought in stolen merchandise to “return” and received a gift card. A search of the  
22 Footlocker database revealed Defendant had not purchased the items he sought to return.

23           FOOTLOCKER – 2120 FESTIVAL PLAZA - COUNTS 13-14

24           On September 24, 2019, Defendants Morgan and Snipes entered the Footlocker located  
25 at Downtown Summerlin. Both Defendants took various pieces of merchandise from the store  
26 without paying and fled the scene.

27        //

28        //

1            NIKE – 9851 S. EASTERN AVE – COUNTS 15-16

2            On October 2, 2019, Defendant took shoes and other merchandise from the Nike store.  
3 Defendant's left the store without paying for the merchandise after being asked to stop by  
4 employees at the store.

5            FOOTLOCKER MEADOWS MALL – COUNT 17

6            Defendant Snipes entered the Meadows Mall Footlocker on October 6, 2019. Snipes  
7 brought in stolen merchandise to "return" and received a gift card. A search of the database  
8 revealed Defendant had not purchased the items he sought to return.

9            ARGUMENT

10          **I.        DEFENDANT'S STATEMENTS**

11            NRS 51.035(3)(a) provides:

12                    Hearsay means a statement offered in evidence to prove the truth  
13                    of the matter asserted unless:

14                    (3) The statement is offered against a party and is:

15                    (a) The party's own statement, in either the party's individual or  
                      representative capacity.

16            Under NRS 51.035(3)(a), the State is the only party who can admit the statements made by  
17 Defendant during his interview with police. The State does not anticipate introducing  
18 Defendant's statements and requests the Court to make a ruling that precludes Defendant from  
19 attempting to introduce that statement by any other means.

20            Since the State does not intend to introduce the Defendants interviews, the State  
21 anticipates that Defendants may take the stand in their own Defense. If the Defendants elect  
22 to take the stand, the State seeks to introduce evidence of prior bad acts to rebut possible claims  
23 Defendants may make during his testimony.

24            //

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1           **II.     DEFENDANT MORGAN'S CONVICTION 2017 ORGANIZED RETAIL**  
2           **THEFT SHOULD BE ADMITTED**

3                     NRS 48.045 states,

4                     Evidence of other crimes, wrongs or acts is not admissible to prove  
5                     the character of a person in order to show that he acted in  
6                     conformity therewith. It may, however, be admissible for other  
7                     purposes, such as proof of motive, opportunity, intent,  
8                     preparation, plan, knowledge, identity, or absence of mistake or  
9                     accident.

10                    To be admissible, the District Court must find that the evidence of the other bad act is  
11                    admitted for a non-propensity purpose, the evidence of the bad act is proved by clear and  
12                    convincing evidence, and the probative value is not substantially outweighed by risk of unfair  
13                    prejudice. Tinch v. State, 113 Nev. 1170, 1176, 946 P.2d 1061, 1065 (1997)

14                    The Nevada Supreme Court has specifically approved the procedure of holding a  
15                    hearing outside the presence of the jury in which the State must present its reasons why the  
16                    other offense is admissible under NRS 48.045(2) and apprising the trial judge of the quantum  
17                    and quality of its evidence proving that the defendant committed the other offense. Petrocelli  
18                    v. State, 101 Nev. 46, 51-52, 692 P.2d 503, 508 (1985).

19           **C-17-327775-1 – FELONY CONVICTION FOR ORGANIZED RETAIL THEFT –**  
20           **GREGORY MORGAN**

21                    In case 17F17746A-B aka C-17-327775-1, Defendant was charged with three counts  
22                    of Burglary and Grand Larceny for crimes that occurred on August 27, 2017, August 28, 2017,  
23                    August 30, 2017. Many of the events in C-17-327775-1 occurred at Nike located at 9851 S.  
24                    Eastern Avenue. See **EXHIBIT 1** - Criminal Complaint in 17F17746A-B. Defendant plead  
25                    guilty to Participation Organized Retail Theft in C-17-327775-1 of Nike and Home Depot on  
26                    November 13, 2017.

27                    The exact same Nike store location of 9851 S. Eastern Avenue that was targeted in the  
28                    instant case was also targeted in C-17-327775-1. The State seeks to admit this prior Judgement  
                      of Conviction to show intent, motive, identity, plan, and knowledge in the instant case. In C-  
                      17-327775-1, Defendant and his co-conspirator entered Nike took clothing and shoes without

1 paying and rushed past loss prevention agents fleeing the scene. Similarly, identical conduct  
2 occurred at the Nike events as well as the other retail establishments involved in the instant  
3 case.

#### 4 **RELEVANCE**

5 The prosecution has the burden to prove all elements of the charged offenses, and prior  
6 bad act evidence may be probative of an essential element of the criminal offense. See Estelle  
7 v. McGuire, 502 U.S. 62, 69, 112 S. Ct. 475 (1991). By pleading not guilty, a defendant puts  
8 all elements of the offense at issue. Doyle v. State, 116 Nev. 148 (2000).

9 The Nevada Supreme Court held in Hubbard v. State, 422 P.3d 1260, 1262 (2018),  
10 Defense need not place intent or absence of mistake at issue before the State may seek  
11 admission of prior act evidence if the evidence is relevant to prove an element of the offense  
12 such as intent for the specific intent crime of burglary.

13 Defendant Morgan is charged with the crimes of Burglary, Grand Larceny, and  
14 Robbery with Use of a Deadly Weapon which require that the State prove specific intent and/or  
15 knowledge of value. Defendant has committed theft crimes in the same Nike Store and is  
16 familiar with the layout of the Nike store, items to steal, and/or the value of the items.  
17 Additionally, in the instant case, employees of the store recognize Defendant Morgan from  
18 the 2017 case. Moreover, Defendant recruits the assistance of a co-conspirator in both cases  
19 to plan to steal and later resell and/or return the stolen goods. Therefore, Defendant's prior  
20 conviction of Participation in Organized Retail Theft is relevant.

#### 21 **CLEAR AND CONVINCING EVIDENCE**

22 Prior to the admission of evidence of other bad acts, the State must show, by plain, clear  
23 and convincing evidence that Defendant committed the offenses. Tinch, 113 Nev. at 1176, 946  
24 P.2d at 1064-1065; Tucker v. State, 82 Nev. 127, 131, 412 P.2d 970, 972 (1966). Under  
25 Petrocelli, clear and convincing proof of collateral acts may be established by an offer of proof  
26 outside the presence of the jury combined with quality of evidence presented to the jury.  
27 Salgado v. State, 114 Nev. 1039, 1043, 968 P.2d 324, 327 (1998).

1 Attached is Defendant Morgan's Judgment of Conviction in case C-17-327775-1 as  
2 well as the police reports from that case. See **Exhibit 1**. The State will produce additional  
3 evidence regarding the facts should the Court grant a hearing.

4 **PROBATIVE VALUE**

5 All evidence against a defendant is in some respect prejudicial. State v. Eighth Jud.  
6 Ct. 267 P.3d 777 (2011). The court in Tucker explained the balancing test of "probative vs.  
7 prejudicial" as follows:

8 The reception of such evidence is justified by necessity and, if  
9 other evidence has substantially established the element of the  
10 crime involved (motive, intent, identity, absence of mistake, etc.),  
11 the probative value of showing another offense is diminished, and  
the trial court should rule it inadmissible even though relevant and  
within an exception to the rule of exclusion.

12 Tucker, 8 Nev. 127, 130.

13 In United States v. Parker, 549 F.2d 1217 (CA9 1977) defendants were convicted of  
14 armed bank robbery and one defendant was convicted of bank larceny. During the course of  
15 the trial evidence was adduced that the defendant had been addicted to heroin for  
16 approximately ten years and had been involved in drug counseling during most of that period.  
17 The court held that the evidence of defendant's narcotics dealing was admissible to show his  
18 motive to commit a robbery. Defendant argued that the prejudicial effect of the extrinsic  
19 offense substantially outweighed its probative value. The court stated, cited United States v.  
20 Mahler, 452 F.2d 547 (CA9 1971), in 549 F.2d at 1222:

21 . . . Evidence relevant to defendant's motive is not rendered  
22 inadmissible because of its highly prejudicial nature . . . The best  
23 evidence often is!

24 In United States v. Harrison, 679 F.2d 942 (D.C.C.A. 1982), defendant was convicted  
25 of possession of controlled substance with intent to distribute. The prosecution presented  
26 evidence that defendant had been engaged in past drug dealings over a period of time to  
27 show proof of motive, intent, preparation, plan, knowledge, identity and absence of mistake.  
28

1 The court held evidence of the extrinsic offenses was admissible for those purposes stated in  
2 679 F.2d at 948:

3 . . . There is nothing "unfair" in admitting direct evidence of the  
4 defendant's past acts by an eyewitness thereto that constituted  
5 substantive proof of the relevant intent alleged in the indictment.  
6 The intent with which a person commits an act on a given occasion  
can many times be best proven by testimony or evidence of his  
acts over a period of time prior thereto . . .

7 Defendant Morgan's prior Judgement for Conviction is relevant to show his mental  
8 state at the time of the thefts as well as how he planned with a co-conspirator to organized  
9 retail theft in the instant case. See argument infra on relevance.

### 10 III. NOTICE TO DEFENDANTS

11 The State recognizes the fine line with regards to the admissibility of this prior bad act.  
12 However, in the event that this Court denies the State's instant motion, the State would ask the  
13 Court to put the Defendants on notice that certain lines of questions of witnesses, certain  
14 arguments during opening statements, or other factors that may come up at trial would "open  
15 the door" to enable the State to present the desired evidence in this motion. This is especially  
16 so, considering that the defense has now been made aware of the State's intention for which  
17 that evidence would be used, and the people involved in that event have been noticed as  
18 witnesses for this trial.

### 19 CONCLUSION

20 Based upon the foregoing, the State respectfully requests the Court grant this motion  
21 and order any future evidentiary hearings the Court deems necessary.

22 DATED this 19<sup>th</sup> day of February, 2020.

23 STEVEN B. WOLFSON  
24 Clark County District Attorney  
Nevada Bar #001565

25 BY

26 ASHLEY ANNE LACHER  
27 Deputy District Attorney  
28 Nevada Bar #014560

CERTIFICATE OF ELECTRONIC MAIL

I hereby certify that service of Notice of Motion and Motion To Admit Evidence Of  
Other Bad Acts was made this 19th day of February, 2020, by e-mail to:

ALEXANDER BASSETT, Deputy Public Defender


E-Mail: [Alexander.Bassett@clarkcountynv.gov](mailto:Alexander.Bassett@clarkcountynv.gov)

(ATTORNEY FOR GREGORY MORGAN)

JAMES RUGGEROLI, ESQ.

E-Mail: [ruggeroli@icloud.com](mailto:ruggeroli@icloud.com)

(ATTORNEY FOR ANDRE SNIPES)

BY:   
J. ROBERTSON  
Secretary for the District Attorney's Office

19F21141A-B/AAL/jr/L-1

# EXHIBIT “1”

*Steven D. Grierson*

JOCP

DISTRICT COURT  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

GREGORY DELLO MORGAN  
#2752270

Defendant.

CASE NO. C-17-327775-1

DEPT. NO. XXIII

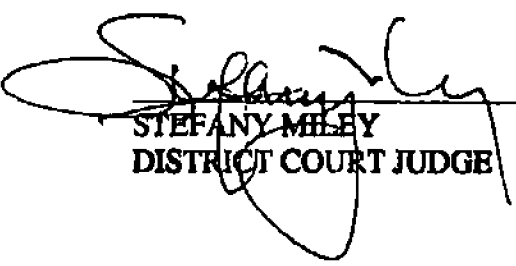
JUDGMENT OF CONVICTION  
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime of PARTICIPATION IN ORGANIZED RETAIL THEFT (Category B Felony) in violation of NRS 205.08345; thereafter, on the 28<sup>th</sup> day of March, 2018, the Defendant was present in court for sentencing with counsel Caesar Almase, Esq., and good cause appearing.

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense and, in addition to the \$25.00 Administrative Assessment Fee, \$2,808.88 Restitution to Nike, \$498.00 Restitution to Home Depot #3316, \$856.00 Restitution to Home Depot #3305,

1 to be paid Jointly and Severally and \$150.00 DNA Analysis Fee including testing to  
2 determine genetic markers plus \$3.00 DNA Collection Fee, the Defendant is sentenced  
3 as follows: a MAXIMUM of SIXTY (60) MONTHS with a MINIMUM parole  
4 eligibility of SIXTEEN (16) MONTHS in the Nevada Department of Corrections  
5 (NDC); with ONE HUNDRED AND EIGHTY (180) DAYS credit for time served.  
6

7 DATED this 6<sup>th</sup> day of April, 2018  
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11 STEFANY MILEY  
12 DISTRICT COURT JUDGE  
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CLERK OF THE COURT

**JUSTICE COURT, LAS VEGAS TOWNSHIP**  
**CLARK COUNTY, NEVADA**

STATE OF NEVADA,

Plaintiff,

vs.

Gregory Morgan,

Defendant

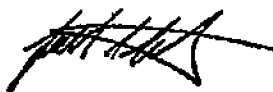
District Court Case No.: C-17-327775-1  
Dept.: XXIII

Justice Court Case No.: 17F17746A

**CERTIFICATE**

I hereby certify the foregoing to be a full, true and correct copy of the proceedings as  
the same appear in the above case.

Dated this 8th day of November, 2017



Justice of the Peace, Las Vegas Township

1  
2 **JUSTICE COURT, LAS VEGAS TOWNSHIP**  
3 **CLARK COUNTY, NEVADA**

4 STATE OF NEVADA,

5 Plaintiff,

6 vs.

7 Gregory Morgan

8 Defendant  
9

District Court Case No..

Justice Court Case No.: 17F17746A

10 **BINDOVER and ORDER TO APPEAR**

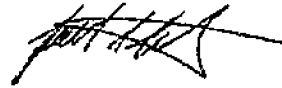
11 An Order having been made this day by me that Gregory Morgan be held to answer  
12 before the Eighth Judicial District Court, upon the charge(s) of Burglary, (1st) [50424];  
13 Burglary, (1st) [50424]; Burglary, (1st) [50424]; Burglary, (1st) [50424]; Robbery  
14 [50137]; Burglary, (1st) [50424]; Burglary, (1st) [50424]; Burglary, (1st) [50424];  
15 Grand larceny, < \$3500 [56004]; Burglary, (1st) [50424]; Part organized retail theft  
16 ring, \$3500 - \$10000 [55986]; Burglary, (1st) [50424]; Burglary, (1st) [50424]; Grand  
17 larceny, < \$3500 [56004]; Grand larceny, < \$3500 [56004] committed in said Township  
and County, on August 27, 2017 .

18 **IT IS FURTHER ORDERED** that said defendant is commanded to appear in the  
19 Eighth Judicial District Court, Regional Justice Center, Lower Level Arraignment  
20 Courtroom "A", Las Vegas, Nevada on November 13, 2017 at 10:00 AM for arraignment  
and further proceedings on the within charge(s).

21 **IT IS FURTHER ORDERED** that the Sheriff of the County of Clark is hereby  
22 commanded to receive the above named defendant(s) into custody, and detain said  
23 defendant(s) until he/she can be legally discharged, and be committed to the custody of the  
24 Sheriff of said County, until bail is given in the sum of 30,000/30,000.

25 Dated this 8th day of November, 2017  
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Justice of the Peace, Las Vegas Township

ORIGINAL

LAS VEGAS JUSTICE COURT  
FILED IN OPEN COURT

OCT 17 2017

JUSTICE COURT, LAS VEGAS TOWNSHIP,  
CLARK COUNTY, NEVADA

CLERK

THE STATE OF NEVADA,

Plaintiff,

-VS-

GREGORY DELLO MORGAN #2752270,  
STEVEN EDWARD HALE, aka  
Steven Edward Hale, Jr.,  
#1975802

Defendant.

CASE NO: 17F17746A-B

DEPT NO: 2

AMENDED  
CRIMINAL COMPLAINT

The Defendant above named having committed the crime of BURGLARY (Category B Felony - NRS 205.060 - NOC 50424); ROBBERY (Category B Felony - NRS 200.380 - NOC 50137); GRAND LARCENY (Category C Felony - NRS 205.220.1, 205.222.2 - NOC 56004); and PARTICIPATION IN ORGANIZED RETAIL THEFT (Category B Felony - NRS 205.08345 - NOC 55986), in the manner following, to-wit: That the said Defendant, on or between August 29, 2017 and September 30, 2017 at and within the County of Clark, State of Nevada,

COUNT 1 - BURGLARY

Defendant GREGORY DELLO MORGAN, did on or about August 27, 2017, willfully, unlawfully, and feloniously enter, with intent to commit larceny, that certain building occupied by NIKE, located at 9851 South Eastern Avenue, Las Vegas, Clark County, Nevada.

COUNT 2 - BURGLARY

Defendant GREGORY DELLO MORGAN, did on or about August 28, 2017, willfully, unlawfully, and feloniously enter, with intent to commit larceny, that certain building occupied by NIKE, located at 9851 South Eastern Avenue, Las Vegas, Clark County, Nevada.

COUNT 3 - BURGLARY

Defendant GREGORY DELLO MORGAN, did on or about August 28, 2017, willfully, unlawfully, and feloniously enter, with intent to commit larceny, that certain building occupied

17F17746A  
ACRM  
Amended Criminal Complaint  
8838210



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1 by NIKE, located at 7400 South Las Vegas Boulevard, Las Vegas, Clark County, Nevada.

2 COUNT 4 - BURGLARY

3 Defendants GREGORY MORGAN, aka, Gregory Dello Morgan and STEVEN HALE,  
4 aka, Steven Edward Hale, Jr., did on or about August 29, 2017, willfully, unlawfully, and  
5 feloniously enter, with intent to commit larceny, that certain building occupied by HOME  
6 DEPOT, located at 5025 South Pecos Road, Las Vegas, Clark County, Nevada.

7 COUNT 5 - ROBBERY

8 Defendant GREGORY MORGAN, aka, Gregory Dello Morgan, did on or about August  
9 29, 2017, willfully, unlawfully, and feloniously take personal property, to wit: power tools,  
10 from the person of STEVE ASHMORE, or in his presence, by means of force or violence, or  
11 fear of injury to, and without the consent and against the will of STEVE ASHMORE,  
12 defendant using force or fear to obtain or retain possession of the property, to prevent or  
13 overcome resistance to the taking of the property, and/or to facilitate escape.

14 COUNT 6 - BURGLARY

15 Defendant STEVEN HALE, aka, Steven Edward Hale, Jr., did on or about August 30,  
16 2017, willfully, unlawfully, and feloniously enter, with intent to commit larceny, that certain  
17 building occupied by HOME DEPOT, located at 7881 West Tropical Parkway, Las Vegas,  
18 Clark County, Nevada.

19 COUNT 7 - GRAND LARCENY

20 Defendant STEVEN HALE, aka, Steven Edward Hale, Jr., did on or about August 30,  
21 2017, then and there willfully, unlawfully, and feloniously with intent to deprive the owner  
22 permanently thereof, steal, take and carry away, lead away or drive away property owned by  
23 HOME DEPOT, having a value of \$650.00 or more, to wit: power tools.

24 COUNT 8 - BURGLARY

25 Defendant GREGORY MORGAN, aka, Gregory Dello Morgan, did on or about  
26 September 23, 2017, willfully, unlawfully, and feloniously enter, with intent to commit  
27 larceny, that certain building occupied by NIKE, located at 7400 South Las Vegas Boulevard,  
28 Las Vegas, Clark County, Nevada.

1 COUNT 9 - BURGLARY

2 Defendant GREGORY MORGAN, aka, Gregory Dello Morgan, did on or about  
3 September 24, 2017, willfully, unlawfully, and feloniously enter, with intent to commit  
4 larceny, that certain building occupied by NIKE, located at 905 South Grand Central Parkway,  
5 Las Vegas, Clark County, Nevada.

6 COUNT 10 - BURGLARY

7 Defendant GREGORY MORGAN, aka, Gregory Dello Morgan, did on or about  
8 September 28, 2017, willfully, unlawfully, and feloniously enter, with intent to commit  
9 larceny, that certain building occupied by NIKE, located at 7400 South Las Vegas Boulevard,  
10 Las Vegas, Clark County, Nevada.

11 COUNT 11 - GRAND LARCENY

12 Defendant GREGORY MORGAN, aka, Gregory Dello Morgan, did on or about  
13 September 28, 2017, then and there willfully, unlawfully, and feloniously with intent to  
14 deprive the owner permanently thereof, steal, take and carry away, lead away or drive away  
15 property owned by NIKE, having a value of \$650.00 or more, to wit: SHOES, the  
16 Defendant(s) being criminally liable under one or more of the following principles of criminal  
17 liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the  
18 commission of this crime, with the intent that this crime be committed, by counseling,  
19 encouraging, hiring, commanding, inducing and/or otherwise procuring the other to commit  
20 the crime; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that this  
21 crime be committed, Defendant and/or unknown co-conspirators aiding or abetting and/or  
22 conspiring by Defendant and/or unknown co-conspirators acting in concert throughout.

23 COUNT 12 - BURGLARY

24 Defendants GREGORY MORGAN, aka, Gregory Dello Morgan and STEVEN HALE,  
25 aka, Steven Edward Hale, Jr., did on or about September 29, 2017, willfully, unlawfully, and  
26 feloniously enter, with intent to commit larceny, that certain building occupied by NIKE,  
27 located at 905 South Grand Central Parkway, Las Vegas, Clark County, Nevada, the  
28 Defendant(s) being criminally liable under one or more of the following principles of criminal

1 liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the  
2 commission of this crime, with the intent that this crime be committed, by counseling,  
3 encouraging, hiring, commanding, inducing and/or otherwise procuring the other to commit  
4 the crime; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that this  
5 crime be committed, Defendant and/or unknown co-conspirators aiding or abetting and/or  
6 conspiring by Defendant and/or unknown co-conspirators acting in concert throughout.

7 **COUNT 13 - PARTICIPATION IN ORGANIZED RETAIL THEFT**

8 Defendant GREGORY MORGAN, aka, Gregory Dello Morgan, did on or between  
9 August 27, 2017 and September 30, 2017, willfully, unlawfully, and feloniously participate in  
10 organized retail theft, the aggregated value of the property in all the thefts committed in the  
11 organized retail theft in this State during a period of 90 days, being at least \$3,500.00, but less  
12 than \$10,000.00, by taking merchandise from multiple retailers to fill specific orders for resale.

13 **COUNT 14 - BURGLARY**

14 Defendants GREGORY DELLO MORGAN and STEVEN EDWARD HALE, aka,  
15 Steven Edward Hale, Jr., did on or about September 30, 2017, willfully, unlawfully, and  
16 feloniously enter, with intent to commit larceny, that certain building occupied by NIKE,  
17 located at 9851 South Eastern Avenue, Las Vegas, Clark County, Nevada.

18 **COUNT 15 - BURGLARY**

19 Defendants GREGORY DELLO MORGAN and STEVEN EDWARD HALE, aka,  
20 Steven Edward Hale, Jr., did on or about September 30, 2017, willfully, unlawfully, and  
21 feloniously enter, with intent to commit larceny, that certain building occupied by NIKE,  
22 located at 7400 South Las Vegas Boulevard, Las Vegas, Clark County, Nevada.

23 **COUNT 16 - GRAND LARCENY**


24 Defendants GREGORY DELLO MORGAN and STEVEN EDWARD HALE, aka,  
25 Steven Edward Hale, Jr., did on or about September 30, 2017 then and there willfully,  
26 unlawfully, and feloniously with intent to deprive the owner permanently thereof, steal, take  
27 and carry away, lead away or drive away property owned by NIKE, having a value of \$650.00  
28 or more, to wit: shoes and clothing, the Defendant(s) being criminally liable under one or

1 more of the following principles of criminal liability, to wit: (1) by directly committing this  
2 crime; and/or (2) by aiding or abetting in the commission of this crime; with the intent that this  
3 crime be committed, by counseling, encouraging, hiring, commanding, inducing and/or  
4 otherwise procuring the other to commit the crime; and/or (3) pursuant to a conspiracy to  
5 commit this crime, with the intent that this crime be committed, Defendants aiding or abetting  
6 and/or conspiring by Defendants acting in concert throughout.

7 COUNT 17 - GRAND LARCENY

8 Defendants GREGORY DELLO MORGAN and STEVEN EDWARD HALE, aka,  
9 Steven Edward Hale, Jr., did on or about September 30, 2017, then and there willfully,  
10 unlawfully, and feloniously with intent to deprive the owner permanently thereof, steal, take  
11 and carry away, lead away or drive away property owned by NIKE, having a value of \$650.00  
12 or more, to wit: shoes and clothing, the Defendant(s) being criminally liable under one or  
13 more of the following principles of criminal liability, to wit: (1) by directly committing this  
14 crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that this  
15 crime be committed, by counseling, encouraging, hiring, commanding, inducing and/or  
16 otherwise procuring the other to commit the crime; and/or (3) pursuant to a conspiracy to  
17 commit this crime, with the intent that this crime be committed, Defendants aiding or abetting  
18 and/or conspiring by Defendants acting in concert throughout.

19 All of which is contrary to the form, force and effect of Statutes in such cases made and  
20 provided and against the peace and dignity of the State of Nevada. Said Complainant makes  
21 this declaration subject to the penalty of perjury.

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23 \_\_\_\_\_  
24 10/12/17

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26 17F17746A-B/cg/L3  
27 LVMPD EV#1708311400,  
1709302957; 1708311528;  
28 1708311600  
(TK2)

JUSTICE COURT, LAS VEGAS TOWNSHIP  
CLARK COUNTY, NEVADA

THE STATE OF NEVADA, 2017 OCT -3 P 12:18

Plaintiff,

JUSTICE COURT  
LAS VEGAS NEVADA

CASE NO: 17F17746A-B

-vs-

BY GEG  
DEPUTY

DEPT NO: 2

GREGORY DELLO MORGAN #2752270,  
STEVEN EDWARD HALE, aka,  
Steven Edward Hale, Jr. #1975802,

CRIMINAL COMPLAINT

Defendants.

The Defendants above named having committed the crimes of BURGLARY (Category B Felony - NRS 205.060 - NOC 50424) and GRAND LARCENY (Category C Felony - NRS 205.220.1, 205.222.2 - NOC 56004), in the manner following, to-wit: That the said Defendants, on or between August 27, 2017 and September 30, 2017, at and within the County of Clark, State of Nevada,

COUNT 1 - BURGLARY

Defendant GREGORY DELLO MORGAN, did on or about August 27, 2017, willfully, unlawfully, and feloniously enter, with intent to commit larceny, that certain building occupied by NIKE, located at 9851 South Eastern Avenue, Las Vegas, Clark County, Nevada.

COUNT 2 - BURGLARY

Defendant GREGORY DELLO MORGAN, did on or about August 28, 2017, willfully, unlawfully, and feloniously enter, with intent to commit larceny, that certain building occupied by NIKE, located at 9851 South Eastern Avenue, Las Vegas, Clark County, Nevada.

COUNT 3 - BURGLARY

Defendant GREGORY DELLO MORGAN, did on or about August 28, 2017, willfully, unlawfully, and feloniously enter, with intent to commit larceny, that certain building occupied by NIKE, located at 7400 South Las Vegas Boulevard, Las Vegas, Clark County, Nevada.

COUNT 4 - BURGLARY

Defendants GREGORY DELLO MORGAN and STEVEN EDWARD HALE, aka,

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1 Steven Edward Hale, Jr., did on or about September 30, 2017, willfully, unlawfully, and  
2 feloniously enter, with intent to commit larceny, that certain building occupied by NIKE,  
3 located at 9851 South Eastern Avenue, Las Vegas, Clark County, Nevada.

4 COUNT 5 - BURGLARY

5 Defendants GREGORY DELLO MORGAN and STEVEN EDWARD HALE, aka,  
6 Steven Edward Hale, Jr., did on or about September 30, 2017, willfully, unlawfully, and  
7 feloniously enter, with intent to commit larceny, that certain building occupied by NIKE,  
8 located at 7400 South Las Vegas Boulevard, Las Vegas, Clark County, Nevada.

9 COUNT 6 - GRAND LARCENY

10 Defendants GREGORY DELLO MORGAN and STEVEN EDWARD HALE, aka,  
11 Steven Edward Hale, Jr., did on or about September 30, 2017 then and there willfully,  
12 unlawfully, and feloniously with intent to deprive the owner permanently thereof, steal, take  
13 and carry away, lead away or drive away property owned by NIKE, having a value of \$650.00  
14 or more, to wit: shoes and clothing, the Defendant(s) being criminally liable under one or  
15 more of the following principles of criminal liability, to wit: (1) by directly committing this  
16 crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that  
17 this crime be committed, by counseling, encouraging, hiring, commanding, inducing and/or  
18 otherwise procuring the other to commit the crime; and/or (3) pursuant to a conspiracy to  
19 commit this crime, with the intent that this crime be committed, Defendants aiding or abetting  
20 and/or conspiring by Defendants acting in concert throughout.

21 COUNT 7 - GRAND LARCENY

22 Defendants GREGORY DELLO MORGAN and STEVEN EDWARD HALE, aka,  
23 Steven Edward Hale, Jr., did on or about September 30, 2017, then and there willfully,  
24 unlawfully, and feloniously with intent to deprive the owner permanently thereof, steal, take  
25 and carry away, lead away or drive away property owned by NIKE, having a value of \$650.00  
26 or more, to wit: shoes and clothing, the Defendant(s) being criminally liable under one or  
27 more of the following principles of criminal liability, to wit: (1) by directly committing this  
28 crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that

1 this crime be committed, by counseling, encouraging, hiring, commanding, inducing and/or  
2 otherwise procuring the other to commit the crime; and/or (3) pursuant to a conspiracy to  
3 commit this crime, with the intent that this crime be committed, Defendants aiding or abetting  
4 and/or conspiring by Defendants acting in concert throughout.

5 All of which is contrary to the form, force and effect of Statutes in such cases made and  
6 provided and against the peace and dignity of the State of Nevada. Said Complainant makes  
7 this declaration subject to the penalty of perjury.

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9 Rubia Schifalacqua  
10 10/03/17

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26 17F17746A-B/1a1  
27 LVMPD EV# 1708311400;  
1709302957; 1708311528;  
28 1708311600  
(TK2)

## NEVADA PRETRIAL RISK (NPR) ASSESSMENT

Assessment Date: 10/2/2017

Assessor: T. Reddick

County: Clark

Defendant's Name: Gregory Morgan

DOB: [REDACTED]

AGE: 34

Case/Booking #: 17F17746A

Dept. #: 2

Address: UNABLE TO VERIFY PER  
CONTACT.

Contact Phone #:

# of Current Charges: 4

City:

State: Zip:

Most Serious Charge: Burglary, (1st)

Initial Total Bail Set: \$30,000

### SCORING ITEMS

SCORE

1. Does the Defendant Have a Pending Pretrial Case at Booking?

Yes If yes, list case # and jurisdiction: 17F17750X

2

2. Age at First Arrest (Include juvenile arrests)  
20 yrs and under

First Arrest Date 6/28/97

2

3. Prior Misdemeanor Convictions (past 10 years)  
None

0

4. Prior Felony/Gross Misd. Convictions (past 10 years)  
One or more

PC17F17746A  
NPR  
Nevada Risk Assessment Tool  
0574565

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5. Prior Violent Crime Convictions (past 10 years)  
One

1

6. Prior FTAs (past 24 months)  
Two or more FTA Warrants

2

7. Substance Abuse (past 10 years)  
Other

0

8. Mitigating Verified Stability Factors (limit of -2 pts. total deduction)  
If 1, 2 and 3 not applicable

0

**TOTAL SCORE:**

8

Risk Level: Moderate Risk, 8 Points

OVERRIDE?: ☐ Yes ☒ No

Override Reason(s):

If Other, explain:

Final Recommended Risk Level:

☐ LOW ☒ MODERATE ☐ HIGHER

Supervisor/Designee Signature \_\_\_\_\_

Date: 10/2/2017

Revised 8.2017

**Felony convictions:**

YEAR	STATE	CHARGE
13	WA	ASSLT
13	WA	THEFT
12	WA	THEFT
08	WA	OBST LAW ENF
04	WA	BDV
04	WA	ASSLT
04	WA	MAL MISCHF
04	WA	ASSLT
04	WA	FALSE STMT TO PUBLIC SRVNT
00	WA	ASSLT
99	WA	SCHOOL PROP AND PERSONNEL VIOL
98	WA	TVWOOC
98	WA	TVWOOC
98	WA	ATT ELUDE
00	WA	ATT ELUDE
97	WA	TVWOOC
97	WA	TVWOOC

**Misdemeanor Convictions: 9**

**FTAS: 3**

**Detainers: ALSO I/C 1 TRAF BW**

**Pending Cases: REBOOKING 17F17750X JC3**

Revised 8/2017

**DECLARATION OF ARREST**

"Click here to add/edit Event# and ID# on all pages"

Event #: 170930-2967I.D. #: 2752270**"PRINT"**True Name: MORGAN, GREGORYDate of Arrest: 09/30/17Time of Arrest: 1801**OTHER CHARGES RECOMMENDED FOR CONSIDERATION:**

Other Charges

THE UNDERSIGNED MAKES THE FOLLOWING DECLARATIONS SUBJECT TO THE PENALTY FOR PERJURY AND SAYS: That I am a peace officer with the Las Vegas Metropolitan Police Department, Clark County, Nevada, being so employed for a period of 11 years.

That I learned the following facts and circumstances which lead me to believe that the above named subject committed (or was committing) the offense(s) of Burglary/Grand Larceny Shoplifting <\$3500 at the location of 7400 S Las Vegas BLVD Las Vegas, NV 89123, and that the offense(s) occurred at approximately 1739 hours on the 30 day of September, 2017, in the:

☒ County of Clark☐ City of Las Vegas**DETAILS FOR PROBABLE CAUSE:**

On 09/30/17 at about 1739hrs, I officer J. Burns 9805 with Officer J. Headley 14873, was dispatched to the Nike outlet store located at 7400 S Las Vegas BLVD. The call was for an in-progress larceny that was occurring with a subject that is known to the store loss prevention employees as a person that has been stealing from their store for months.

Earlier in the day I responded to event 170930-2424 which was a similar call where two males were in a Nike outlet store that is located at 9851 S Eastern. The same details were given on these males, specifically that they are habitually stealing from the Nike stores.

On both events, the males were described as black male adults, both about 5' 10" tall with a medium build. One male was wearing jeans and a red plaid shirt, the other was wearing all black with red shoes and a red hat.

On the first event I was unable to make it to the store in time to stop the males prior to them fleeing the area. Loss prevention employees at the S Eastern store were able to show me video of the suspects so that knew who I was looking for. I was also informed that it is the practice of these two males to hit this store first, then

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Declarant must sign all page(s)  
with an original signature.

**J. BURNS**

Print Declarant's Name



Declarant's Signature

**9805**

P#

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**CONTINUATION REPORT**

Event #: 170930-2957

ID#: 2752270

within a few hours they will hit the outlet store at 7400 S Las Vegas BLVD.

When I arrived at 7400 S Las Vegas BLVD dispatch was able to advise me via radio that the male wearing all black with the red hat and shoes was in the store and that the second male was in a vehicle in the parking lot waiting. Shortly after arriving I was informed by radio that the male had exited the store and was now in the vehicle and the vehicle was pulling onto Warm Springs headed west. I was able to pull behind the vehicle and initiate a vehicle stop at 7200 S Las Vegas BLVD. When the vehicle stopped, I could see that the passenger was wearing a red hat and black shirt and he then remove the hat and threw it into the back seat.

I approached the vehicle and ordered the driver out. He was wearing a red plaid shirt and jeans and identified himself as Gregory Morgan. Morgan was placed in handcuffs and then sat on a curb. I then ordered the passenger out of the vehicle and he was placed in handcuffs. He identified himself as Steven Hale. Hale was placed in the back of my patrol car, Morgan in the back of Officer Headley's.

The original caller on both calls was Frank Dara who is the regional Loss Prevention manager for Nike. Dara stated that he has been building a case against both Morgan and Hale with the assistance of Metro RAPP detective Beveridge. Det Beveridge contacted me via phone and asked what was happening and I informed him of the call. He then stated that he was going to come to the scene of the stop to interview both Morgan and Hale and that he would be there in about 25 minutes.

While looking into the car I could see a large pile of Nike boxes and clothing in the back seat of the car. Dara arrived at the scene of the stop and stated that the items that were in the back seat were the items that Hale had taken from 7400 S Las Vegas BLVD. Officer Headley then started to complete an impound form for the vehicle and while completing an inventory search that he started at the trunk, he located more Nike boxes and clothing there. The items in the trunk matched the items that were taken from the 9851 S Eastern call. Officer Headley called out crime scene specialists to document the position of the items in pictures. The items were then removed from the vehicle and returned to Dara and he was able to get us a total cost for the items that were taken.

\$735.98 worth of Nike Merchandise was taken from the 7400 S Las Vegas BLVD event, and \$709.91 was

Declarant must sign all page(s)  
with an original signature:

**J. BURNS**

*Print Declarant's Name*

*J. Burns*

*Declarant's Signature*

**9805**

*PH*

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**CONTINUATION REPORT**

Event #: 170930-2957

ID#: 2752270

taken from the 9851 S Eastern.

Det Beveridge stated that he had a further 7 events that have been documented in the past that he has to write up involving both Morgan and Hale stealing items from the same stores.

As a result of Morgan participating in the theft of property from two separate Nike stores, he was arrested for 2 counts of Burglary. Because the total amount of the property was over \$650 but less than \$3500 at each location, he was also charged with 2 counts of Grand Larceny Shoplifting <\$3500.

Morgan was transported to and booked at CCDC.

Declarant must sign all page(s)  
with an original signature.

**J. BURNS**

Print Declarant's Name

*J. Burns*

Declarant's Signature

**9805**

P#

17F17716A/02

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
**ARREST REPORT**

☐ City ☒ County ☐ Adult ☐ Juvenile Sector/Beat 11

ID/EVENT# <b>2752270</b>	ARRESTEE'S NAME (Last) (First) (Middle) <b>Morgan Gregory Dello</b>			S.S.# <b>534927166</b>
ARRESTEE'S ADDRESS (Number, Street, City, State, Zip Code) <b>4555 N Las Vegas BLVD # 3008 Las Vegas, NV 89155</b>				
CHARGES <b>Burglary (2CTS), Grand Theft Shoplifting &lt;\$3500 (2 CTS)</b>				
OCCURRED <b>09/30/17</b>	DATE	DAY OF WEEK <b>Sat</b>	TIME <b>1739</b>	LOCATION OF ARREST (Number, Street, City, State, Zip Code) <b>7200 S Las Vegas BLVD Las Vegas, NV 89119</b>
RACE <b>B</b>	SEX <b>M</b>	D.O.B. <b>08/11/1979</b>	HT. <b>5' 11"</b>	WT. <b>202</b>
		HAIR <b>BLK</b>	EYES <b>BRO</b>	PLACE OF BIRTH <b>Seattle, WA</b>
ARRESTING OFFICER #1: <b>J. Burns</b>		P#: <b>9805</b>	ARRESTING OFFICER #2: <b></b>	
CONNECTING REPORTS (Type or Event Number) <b>Felony Packet 170930-2957</b>				

APPROVED BY (PRINTED NAME): \_\_\_\_\_

**CIRCUMSTANCES OF ARREST:**

Event # 170930-2957  
(related event #170930-2424)

Event Type: Burglary

CONFIDENTIAL

Location:  
Nike Outlet  
7400 S Las Vegas BLVD LV,NV 89123  
Nike Outlet  
9851 S Eastern LV,NV 89123

Suspects:  
Morgan, Gregory ID# 2752270  
Hale, Steven ID#1975802

Officers Involved:  
J. Burns 9805  
J. Headley 14873  
J. Beveridge 6707

Property recovered:  
(7400 S Las Vegas BLVD)  
5 pairs of Nike shoes  
3 pairs of Nike Pants  
1 Nike Hoodie  
Total Price: \$735.98

LAS VEGAS METROPOLITAN POLICE DEPARTMENT  
**CONTINUATION REPORT**

ID/EVENT #: 170930-2957

(9851 S Eastern)  
8 Pairs of Nike shoes  
1 Nike shirt  
1 Nike hoodie  
Total: \$709.91

On 09/30/17 at about 1739hrs, I officer J. Burns 9805 with Officer J. Headley 14873, was dispatched to the Nike outlet store located at 7400 S Las Vegas BLVD. The call was for an in-progress larceny that was occurring with a subject that is known to the store loss prevention employees as a person that has been stealing from their store for months.

Earlier in the day I responded to event 170930-2424 which was a similar call where two males were in a Nike outlet store that is located at 9851 S Eastern. The same details were given on these males, specifically that they are habitually stealing from the Nike stores.

On both events, the males were described as black male adults, both about 5' 10" tall with a medium build. One male was wearing jeans and a red plaid shirt, the other was wearing all black with red shoes and a red hat.

On the first event I was unable to make it to the store in time to stop the males prior to them fleeing the area. Loss prevention employees at the S Eastern store were able to show me video of the suspects so that knew who I was looking for. I was also informed that it is the practice of these two males to hit this store first, then within a few hours they will hit the outlet store at 7400 S Las Vegas BLVD.

When I arrived at 7400 S Las Vegas BLVD dispatch was able to advise me via radio that the male wearing all black with the red hat and shoes was in the store and that the second male was in a vehicle in the parking lot waiting. Shortly after arriving I was informed by radio that the male had exited the store and was now in the vehicle and the vehicle was pulling onto Warm Springs headed west. I was able to pull behind the vehicle and initiate a vehicle stop at 7200 S Las Vegas BLVD. When the vehicle stopped, I could see that the passenger was wearing a red hat and black shirt and he then remove the hat and threw it into the back seat.

I approached the vehicle and ordered the driver out. He was wearing a red plaid shirt and jeans and identified himself as Gregory Morgan. Morgan was placed in handcuffs and then sat on a curb. I then ordered the passenger out of the vehicle and he was placed in handcuffs. He identified himself as Steven Hale. Hale was placed in the back of my patrol car, Morgan in the back of Officer Headley's.

The original caller on both calls was Frank Dara who is the regional Loss Prevention manager for Nike. Dara stated that he has been building a case against both Morgan and Hale with the assistance of Metro RAPP detective Beveridge. Det Beveridge contacted me via phone and asked what was happening and I informed him of the call. He then stated that he was going to come to the scene of the stop to interview both Morgan and Hale and that he would be there in about 25 minutes.

While looking into the car I could see a large pile of Nike boxes and clothing in the back seat of the car. Dara arrived at the scene of the stop and stated that the items that were in the back seat were the items that Hale had taken from 7400 S Las Vegas BLVD. Officer Headley then started to complete an impound form for the

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT**  
**CONTINUATION REPORT**

ID/EVENT #: 170930-2957

vehicle and while completing an inventory search that he started at the trunk, he located more Nike boxes and clothing there. The items in the trunk matched the items that were taken from the 9851 S Eastern call. Officer Headley called out crime scene specialists to document the position of the items in pictures. The items were then removed from the vehicle and returned to Dara and he was able to get us a total cost for the items that were taken.

\$735.98 worth of Nike Merchandise was taken from the 7400 S Las Vegas BLVD event, and \$709.91 was taken from the 9851 S Eastern.

Det Beveridge stated that he had a further 7 events that have been documented in the past that he has to write up involving both Morgan and Hale stealing items from the same stores.

As a result of Morgan participating in the theft of property from two separate Nike stores, he was arrested for 2 counts of Burglary. Because the total amount of the property was over \$650 but less than \$3500 at each location, he was also charged with 2 counts of Grand Larceny Shoplifting <\$3500.

Morgan was transported to and booked at CCDC.



## **PRESENTENCE INVESTIGATION REPORT**

**The Honorable Stefany A. Miley  
Department XXIII, Clark County  
Eighth Judicial District Court**

**Date Report Prepared: December 7, 2017**

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**Prosecutor: Samuel R. Kern, DDA  
Defense Attorney: Caesar V. Almase, Appointed**

**PSI: 534526**

### **I. CASE INFORMATION**

**Defendant:** Gregory Dello Morgan  
**Case:** C-17-327775-1  
**ID:** 2752270  
**P&P Bin:** 1004520496

**PCN:** 25711597  
**Offense Date:** On or between 08-27-17  
and 09-30-17  
**Arrest Date:** 09-30-17  
**Plea Date:** 11-13-17, Guilty  
**Sentencing Date:** 01-03-18

### **II. CHARGE INFORMATION**

**Offense:** Participation in Organized Retail Theft (F)  
**NRS:** 205.08345 **Category:** B  
**NOC:** 55986  
**Penalty:** By imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, and by a fine of not more than \$10,000.

III. DEFENDANT INFORMATION

Address: None reported  
City/State/Zip: Las Vegas, Nevada  
NV Resident: Yes  
SSN: [REDACTED]  
POB: Seattle, Washington  
Date of Birth: [REDACTED]  
Age: 34  
Phone: [REDACTED] (cell)  
Driver's License: [REDACTED]  
State: Nevada  
Status: N/A

FBI: [REDACTED]  
SID: [REDACTED]  
Aliases: Gregory D. Morgan; Gregory Morgan; Antonio Deshawn Antonio; Dwane E. Butler; Gregory Dello Morgan Jr.; Greg Dello Morgan; Gregory D. Morgan Jr.; Gregory Dello Moran Jr.; Greg D. Morgen; Dwane Elliott Butley; Greg Morgan; Greg Dello Morgan Jr.; Gregory Morgan Jr.  
Additional SSNs: None  
Additional DOBs: [REDACTED]  
Additional POB: None  
Alien Registration: N/A  
US Citizen: Yes  
Notification Required per NRS 630.307: N/A

**Identifiers:**

Sex: M                      Race: B                      Height: 5'11"                      Weight: 202  
Hair: Black (SCOPE reflects Brown)                      Eyes: Brown  
Scars: Right knee scar  
Tattoos (type and location): Right arm - "Greg," "29"; Right shoulder - "Sharnei"; Left arm - "Daja"; Left shoulder - "Sharmleyn Wallace," "Caroline C. Morgan"

**Social History:** The following social history is as related by the defendant and is unverified unless otherwise noted:

**Childhood/Family:** Mr. Morgan was eight years old when he became a ward of the state as a result of his parent's being on drugs and incarcerated. The defendant and his siblings then went to reside with their paternal grandparents for the remainder of their childhood. After age eight, Mr. Morgan did not experience any abuse or neglect.

**Marital Status:** Married - 2008

**Children:** (8) Three adult females, one adult male and four males ages 17, 17, 16 and six.

**Custody Status of Children:** The three oldest males reside with their respective mother's in Atlanta, Washington and Louisiana and the youngest male resides with the defendant and his wife in Las Vegas.

**Monthly Child Support Obligation:** \$100.00 monthly; currently in arrears \$14,000.00.

**Employment Status:** Mr. Morgan has been employed off and on for the past two to three years. In 2015 and 2016 he worked part time through staffing agencies in warehouses. He has previous work experience at Target and the Dollar Tree.

**Number of Months Employed Full Time in 12 months Prior to Commission of Instant Offense:** 0

Age at first arrest: 19 or younger ☒                      20- 23 ☐                      24 or older ☐

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**PRESENTENCE INVESTIGATION REPORT  
GREGORY DELLO MORGAN  
CC#: C-17-327775-1**

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**PRIOR TERMS:**

<b>Probation-</b>	<b>Revoked: 2</b>	<b>Discharged:</b>	<b>Honorable: 0</b>	<b>Other: 0</b>
<b>Parole-</b>	<b>Revoked: 0</b>	<b>Discharged:</b>	<b>Honorable: 0</b>	<b>Other: 0</b>

**Adult:**

<b>Arrest Date:</b>	<b>Offense:</b>	<b>Disposition:</b>
09-26-02 Seattle, WA Seattle PD	1. Assault Domestic Violence (M) 2. Interfering with Reporting of Domestic Violence (GM) 3. Assault (M)	<b>427360</b> 10-14-02: Convicted of Count 1 - Assault Domestic Violence (M), sentenced to 365 days jail and 175 days jail suspended; Count 2 - Interfering with Reporting of Domestic Violence (M), sentenced to 365 days jail with 305 days jail suspended; Count 3 - Domestic Violence Assault (M), sentenced to 365 days jail with 175 days suspended
10-21-03 King County, WA King County S.O.	WA: Residential Burglary (F) WA: 07-28-06	<b>03-0108478-2</b> 05-28-04: Convicted of Count 1 - Malicious Mischief Domestic Violence (F), sentenced to 6 months jail and 24 months supervision; Charge 2 - Assault Domestic Violence (GM), sentenced to 2 months jail suspended with 12 months supervision, concurrent 08-21-08: Probation supervision terminated, 4 months jail
02-04-04 King County, WA King County S.O.	WA: 1. Residential Burglary (F) 2. Assault Domestic Violence (GM) 3. Making False or Misleading Statement to a Public Servant (GM)	<b>Y40035892</b> 03-23-04: Convicted of Count 2 - Assault Domestic Violence (GM), sentence unknown; Count 3 - Making False or Misleading Statement to a Public Servant (GM), sentenced to 365 days jail with 90 days jail suspended

**PRESENTENCE INVESTIGATION REPORT**  
**GREGORY DELLO MORGAN**  
**CC#: C-17-327775-1**

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09-19-06  
King County, WA  
King County S.O.

Domestic Violence Court Order  
Violation (F) (9 counts)  
WA: 07-28-06

**4100001940**

08-10-04: Convicted of Count 1 -  
Domestic Violence Court Order  
Violation (F), sentenced to 43 months  
prison; Counts 2-9 - Violence Court  
Order Violation (GM), sentenced to 9-  
18 months community custody and 12  
months jail suspended and 24 months  
of probation, concurrent with each  
other and consecutive with Count 1,  
Case #03-0108478-2 and Case  
#Y40035892

08-21-08: Probation supervision  
terminated in counts 2-9, sentenced to  
4 months jail

07-28-08  
King County, WA  
King County S.O.

Obstruct Law Enforcement Officer  
(GM)

**CR0046294**

09-11-08: Convicted of Obstruct Law  
Enforcement Officer (GM), sentenced  
to 365 days jail suspended and fine

05-30-13  
Kent, WA  
Kent PD

Theft 3 (GM)

**K00089563**

05-31-13: Convicted of Theft (GM),  
sentenced to 364 days jail and fine

06-13-13  
South Correctional  
Washington

Theft 3<sup>rd</sup>/Fail to Comply (GM)

**CACPI2027**

08-06-12: Convicted of Theft-3 (GM),  
sentenced to 364 days jail with 334  
days suspended and fine

09-18-13  
King County, WA  
King County S.O.

1. Unlawful Imprisonment (F)  
2. Assault (M)

**13100128621**

10-28-13: Convicted of Assault  
Domestic Violence (GM), sentenced  
to 364 days jail suspended, 18 days  
jail and 12 months of unsupervised  
probation

09-30-17  
Las Vegas, NV  
LVMPD

Burglary (1<sup>st</sup>) (F) (3 counts)

**17F17750X**

Consolidated with C-17-327775-1

**PRESENTENCE INVESTIGATION REPORT  
GREGORY DELLO MORGAN  
CC#: C-17-327775-1**

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09-30-17  
Las Vegas, NV  
LVMPD

1. Burglary (1<sup>st</sup>) (F) (2 counts)
2. Grand Larceny < \$3,500 (F)  
RMD: 10-04-17
3. Burglary (1<sup>st</sup>) (F) (3 counts)  
RMD: 10-18-17
4. Burglary (1<sup>st</sup>) (F) (6 counts)
5. Grand Larceny < \$3,500 (F)  
(3 counts)
6. Participate in Organized Retail  
Theft Ring \$3,500-\$10,000 (F)

**Instant Offense,  
CC#: C-17-327775-1**

10-05-17  
Las Vegas, NV  
LVMPD

1. Burglary (1<sup>st</sup>) (F) (5 counts)
2. Robbery (F)
3. Grand Larceny < \$3,500 (F)
4. Participate in Organized Retail  
Theft Ring \$3,500-\$10,000 (F)

**17F18011A  
Consolidated with C-17-327775-1**

**The defendant has also been convicted in Nevada of the following misdemeanor offense: Disorderly Conduct (2017), CTS.**

**Additionally, the defendant was arrested, detained or cited in Nevada and Washington between March 11, 2008 and September 13, 2014 for the following offenses for which no disposition is noted, prosecution was not pursued or charges were dismissed: Battery Domestic Violence, Fugitive Escape, Controlled Substance (2), Assault-4, Theft-3**

Additionally, the defendant's criminal history consists of several instances of failure to appear, failure to comply, and/or failure to pay traffic citations.

**Supplemental Information: N/A**

**Institutional/Supervision Adjustment:** There is no information available regarding Mr. Morgan's performance while under supervision in the community or institutions for his convictions in Washington.

**V. OFFENSE SYNOPSIS**

Records provided by the Las Vegas Metropolitan Police Department and the Clark County District Attorney's Office reflect that the instant offense occurred substantially as follows:

Between August 29, 2017 and September 30, 2017, the defendant, Gregory Morgan and the co-defendant, Steven Hale, attended two Home Depot stores and three Nike stores a total of 11 times. The defendant and co-defendant would enter the stores, select specific merchandise and leave the stores without paying for the items. In the two Home Depot incidents, the total amount of merchandise stolen was \$1,354.00. In the nine Nike incidents, the total amount of merchandise stolen was \$3,858.78.

On September 30, 2017, officers responded to a call from the Loss Prevention employee stating that the defendant and co-defendant had just stolen items from one Nike store and were now in a different Nike location about to commit another theft. Once the defendant and co-defendant began driving away from the Nike store, officers conducted a traffic stop. The defendant and co-defendant were taken into custody at that

**PRESENTENCE INVESTIGATION REPORT  
GREGORY DELLO MORGAN  
CC#: C-17-327775-1**

**Page 7**

time. The loss prevention employee attended the scene and identified numerous Nike merchandise in the vehicle that were stolen from the two Nike locations earlier.

A detective also attended the scene and spoke with the defendant and co-defendant. Mr. Morgan admitted that he had been stealing and selling the items on the street. He would take "orders" from people and steal specific items to fill the orders. Mr. Hales admitted to the thefts that occurred that day, and indicated he committed the thefts in order to get money.

Mr. Morgan was arrested, transported to the Clark County Detention Center and booked accordingly.

**Co-Defendant/Offender Information:** Co-defendant Steven Edward Hale pleaded guilty to Participation in Organized Retail Theft (F) and is scheduled to appear in the Eighth Judicial District Court Department XXIII on January 3, 2018 for sentencing.

**VI. DEFENDANT'S STATEMENT**

☒ See Attached      ☐ Defendant interviewed, no statement submitted      ☐ Defendant not interviewed

**VII. VICTIM INFORMATION/STATEMENT**

Telephone contact was made with the Loss Prevention officer at Nike (VC2249570). According to the Loss Prevention officer, the amount of merchandise listed in the police reports is accurate. \$3,858.78 worth of merchandise was stolen from three separate Nike stores at nine separate times; however, following the arrest of the defendant and co-defendant, the Nike loss prevention officer was able to recover merchandise totaling \$1,049.90 at the scene. As such, restitution is being requested for the remainder of the merchandise that was stolen and not recovered: \$2,808.88.

Telephone contact was made with the Asset Protection Specialist for Home Depot, who provided the Division with a restitution request as followed: To Home Depot Store #3316 (VC2248829), restitution requested is \$498.00; to Home Depot Store #3305 (VC2214257), restitution requested is \$856.00.

Based on the above information, the Division recommends restitution in the amount of \$4,162.88, jointly and severally with co-defendant.

**VIII. CUSTODY STATUS/CREDIT FOR TIME SERVED**

**Custody Status:** In Custody, CCDC

**CTS:** 96 DAYS: 09-30-17 to 01-03-18 (CCDC)

**IX. PLEA NEGOTIATIONS**

The State will retain the right to argue; but no habitual. Both parties agree to include all of the victims and Defendant agrees to pay restitution to all of the victims. The State will not oppose dismissal of remaining counts.

**X. RECOMMENDATIONS**

Based on information obtained and provided in this report, the following recommendations are submitted.

**190 Day Regimental Discipline Program: N/A      Deferred Sentence Per NRS 453.3363, 458.300,  
458A.200, 176A.250, 176A.280: N/A**

**FEES**

<b>Administrative Assessment: \$25.00</b>	<b>Chemical/Drug Analysis: N/A</b>	<b>DNA: \$150.00</b>
<b>DNA Admin Assessment: \$3.00</b>		
<b>Domestic Violence Fee: N/A</b>	<b>Extradition: N/A</b>	<b>Psychosexual Fee: N/A</b>

**SENTENCE**

<b>Minimum Term: 16 months</b>	<b>Maximum Term: 72 months</b>	<b>Location: NDOC</b>
<b>Consecutive to/Concurrent With: N/A</b>	<b>Probation Recommended: No</b>	<b>Probation Term: N/A</b>
<b>Fine: \$5,000.00</b>	<b>Restitution: \$4,162.88 jointly and severally</b>	<b>Mandatory Probation/ Prison: N/A</b>

☒ Pursuant to NRS 239B.030, the undersigned hereby affirms this document contains the social security number of a person as required by NRS 176.145.

☐ Pursuant to NRS 239B.030, the undersigned hereby affirms this document does not contain the social security number of any person.

Per the Nevada Revised Statutes, any changes to factual allegations in the Presentence Investigation Report may be ordered by the court within 180 days of the entry of Judgement of Conviction. The prosecuting attorney and defendant must agree to correct the contents.

The information used in the Presentence Investigation Report may be utilized reviewed by federal, state and/or local agencies for the purpose of prison classification, program eligibility and parole consideration.

In accordance with current Interstate Commission for Adult Offender Supervision rules and requirements, all felony convictions and certain [gross] misdemeanants are offense eligible for compact consideration. Due to Interstate Compact standards, this conviction may or may not be offense eligible for courtesy supervision in the defendant's state of residence. If not offense eligible, the Division may still authorize the offender to relocate to their home state and report by mail until the term of probation is complete and/or the case has been completely resolved.

**PRESENTENCE INVESTIGATION REPORT  
GREGORY DELLO MORGAN  
CC#: C-17-327775-1**

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Respectfully Submitted,

Natalie A. Wood, Chief

Report prepared by: L. Halter  
DPS Parole and Probation, Specialist III  
sccourtservices@dps.state.nv.us

Approved by:

A handwritten signature in black ink, appearing to read "Ladrea LaBranche", is written over a horizontal line.

Ladrea LaBranche, DPS Parole and Probation Supervisor  
Southern Command, Las Vegas  
sccourtservices@dps.state.nv.us

Original signature on file

**STANDARD PROBATION AGREEMENT AND RULES IF THE COURT CHOOSES TO GRANT PROBATION:**

1. **Reporting:** You are to report in person to the Division of Parole and Probation as instructed by the Division or its agent. You are required to submit a written report each month on forms supplied by the Division. This report shall be true and correct in all respects.
2. **Residence:** You shall not change your place of residence without first obtaining permission from the Division of Parole and Probation, in each instance.
3. **Intoxicants:** You shall not consume any alcoholic beverages (whatsoever) (to excess). Upon order of the Division of Parole and Probation or its agent, you shall submit to a medically recognized test for blood/breath alcohol content. Test results of .08 blood alcohol content or higher shall be sufficient proof of excess.
4. **Controlled Substances:** You shall not use, purchase or possess any illegal drugs, or any prescription drugs, unless first prescribed by a licensed medical professional. You shall immediately notify the Division of Parole and Probation of any prescription received. You shall submit to drug testing as required by the Division or its agent.
5. **Weapons:** You shall not possess, have access to, or have under your control, any type of weapon.
6. **Search:** You shall submit your person, property, place of residence, vehicle or areas under your control to search including electronic surveillance or monitoring of your location, at any time, with or without a search warrant or warrant of arrest, for evidence of a crime or violation of probation by the Division of Parole and Probation or its agent.
7. **Associates:** You must have prior approval by the Division of Parole and Probation to associate with any person convicted of a felony, or any person on probation or parole supervision. You shall not have any contact with persons confined in a correctional institution unless specific written permission has been granted by the Division and the correctional institution.
8. **Directives and Conduct:** You shall follow the directives of the Division of Parole and Probation and your conduct shall justify the opportunity granted to you by this community supervision.
9. **Laws:** You shall comply with all municipal, county, state, and federal laws and ordinances.
10. **Out-of-State Travel:** You shall not leave the state without first obtaining written permission from the Division of Parole and Probation.
11. **Employment/Program:** You shall seek and maintain legal employment, or maintain a program approved by the Division of Parole and Probation and not change such employment or program without first obtaining permission. All terminations of employment or program shall be immediately reported to the Division.
12. **Financial Obligation:** You shall pay fees, fines, and restitution on a schedule approved by the Division of Parole and Probation. Any excess monies paid will be applied to any other outstanding fees, fines, and/or restitution, even if it is discovered after your discharge.
13. **Special Conditions: As Determined By the Court**



## DIVISION OF PAROLE AND PROBATION

December 11, 2017

### PROBATION SUCCESS PROBABILITY (PSP) SCORE

Offender:	MORGAN, GREGORY	Offense Score Total:	24
PSI # :	534526	Social Score Total:	20
BIN #:	1004520496	Raw Score Total:	20
Case #:	C327775	Total PSP Score:	44

#### Prior Criminal History:

Felony Convictions:	-1 = 2 or More	Jail Sentences:	0 = 3 or more
Misdemeanor Convictions:	0 = 4 or more	Juvenile Commitments:	2 = None/or over 24
Pending, unrelated cases:	2 = None	Years free of Conv:	0 = Less than 3
Subsequent Crim Hist:	1 = Arrest/Pending	Prior Formal Suprv:	0 = More than 1
Prior Incarcerations:	1 = One	Criminal Pattern:	-2 = History of Violence

#### Present Offense:

Circumstances of Arrest:	2 = Non-prob.	Sophistication/Premeditation:	1 = Moderate
Type of Offense:	2 = Property	Plea Bargain Benefits:	1 = Somewhat
Psych or Medical Impact:	3 = N/A	Financial Impact:	1 = Moderate
Weapon:	3 = N/A	CoOffender:	1 = Equal Responsibility
Controlled Substances:	3 = N/A	Motive:	0 = Deliberate

**Raw Score x 1.2 = Offense Score Total: 24**

#### Social History:

Age:	2 = 25 - 39	Family Situation:	2 = Moderately Supportive
Employment/Program:	2 = Sporadic	Education:	1 = Incomplete
Financial:	2 = Could be developed	Military:	1 = Hon Discharge/No Mil Ser
Employability:	1 = Could be developed		

#### Pre Sentence Adjustment:

Commitment/Ties:	2 = Local/In State	Resource Availability:	2 = Available
Program Participation:	1 = Planned/Current	Substance Drug:	-2 = Serious Abuser/Addict
Honesty/Cooperation:	2 = Candid	Substance Alcohol:	0 = Excessive
Attitude/Supervision:	2 = Positive	Attitude/Offense:	2 = Contrue

**Social Score Total: 20**

**Offense Score + Social Score = PSP TOTAL SCORE: 44**

**DEPARTMENT OF PUBLIC SAFETY  
DIVISION OF PAROLE AND PROBATION**

☒ Felony

**SENTENCE RECOMMENDATION SELECTION SCALE**

☐ GM

Defendant's Name: Gregory Dello Morgan

CC# C-17-327775-1

CT: 1	Offense: Participation in Organized Retail Theft	NRS: 205.08345	Category: B
Recommendation: 16-72 months NDOC		<input type="checkbox"/> Probation Only  <input type="checkbox"/> Non-Probation	
CT:	Offense:	NRS:	Category:
Recommendation:		<input type="checkbox"/> Probation Only  <input type="checkbox"/> Non-Probation	
CT:	Offense:	NRS:	Category:
Recommendation:		<input type="checkbox"/> Probation Only  <input type="checkbox"/> Non-Probation	
CT:	Offense:	NRS:	Category:
Recommendation:		<input type="checkbox"/> Probation Only  <input type="checkbox"/> Non-Probation	
CT:	Offense:	NRS:	Category:
Recommendation:		<input type="checkbox"/> Probation Only  <input type="checkbox"/> Non-Probation	

PSP TOTAL SCORE: 44      0-54 = Denial ☒      55-64 = Borderline ☐      65-100 = Probation ☐

DEVIATION JUSTIFICATION: In to OR Out to Probation      ☐ In / Prison      ☐ Out / Probation

Raw Score (Offense): 20      Diversion Recommended: 453 ☐      458 ☐      Veterans ☐      Mental Health ☐      Other ☐

(transfer score to corresponding risk range below)

SENTENCE STRUCTURE	CATEGORY Score	LOW RANGE 39-49 <input type="checkbox"/>	LOW - MEDIUM 28-38 <input type="checkbox"/>	MEDIUM RANGE 17-27 <input checked="" type="checkbox"/>	MEDIUM - HIGH 6-16 <input type="checkbox"/>	MAXIMUM ≤ 5 (or less) <input type="checkbox"/>
364 days Begin sentence consideration at midpoint six month sentence and adjust based on factors delineated	Gross Misdemeanor (GM)	Factors to justify greater sentence: Prior criminal history, harm to victim, issues can be addressed via probation, restitution will be ordered. Factors to justify lesser sentence and/or fine only: Minimal/no financial loss, minimal/no prior criminal history, age of offender, out of state offender, no issues to be addressed via probation, time in custody prior to sentencing, contemplated in plea negotiations				
1 - 4 years <input type="checkbox"/>	Category E Category D	12-30 months <input type="checkbox"/>	12-32 months <input type="checkbox"/>	12-34 months <input type="checkbox"/>	12-48 months <input type="checkbox"/>	19-48 months <input type="checkbox"/>
1 - 5 years <input type="checkbox"/>	Category C	12-32 months <input type="checkbox"/>	12-34 months <input type="checkbox"/>	12-36 months <input type="checkbox"/>	18-60 months <input type="checkbox"/>	24-60 months <input type="checkbox"/>
1 - 6 years <input type="checkbox"/>	Category B	12-36 months <input type="checkbox"/>	12-36 months <input type="checkbox"/>	12-48 months <input type="checkbox"/>	24-72 months <input type="checkbox"/>	28-72 months <input type="checkbox"/>
1 - 10 years <input checked="" type="checkbox"/>	Category B	12-36 months <input type="checkbox"/>	12-48 months <input type="checkbox"/>	16-72 months <input checked="" type="checkbox"/>	36-120 months <input type="checkbox"/>	48-120 months <input type="checkbox"/>
1 - 15 years <input type="checkbox"/>	Category B Enhancement	12-48 months <input type="checkbox"/>	24-60 months <input type="checkbox"/>	36-96 months <input type="checkbox"/>	48-180 months <input type="checkbox"/>	60-180 months <input type="checkbox"/>
2 - 10 years <input type="checkbox"/>	Category B	24-60 months <input type="checkbox"/>	28-72 months <input type="checkbox"/>	32-84 months <input type="checkbox"/>	36-120 months <input type="checkbox"/>	48-120 months <input type="checkbox"/>
2 - 15 years <input type="checkbox"/>	Category B	24-72 months <input type="checkbox"/>	32-84 months <input type="checkbox"/>	36-120 months <input type="checkbox"/>	48-180 months <input type="checkbox"/>	66-180 months <input type="checkbox"/>
3 - 10 years <input type="checkbox"/>	Category B	36-90 months <input type="checkbox"/>	40-100 months <input type="checkbox"/>	42-110 months <input type="checkbox"/>	44-120 months <input type="checkbox"/>	48-120 months <input type="checkbox"/>
3 - 15 years <input type="checkbox"/>	Category B	36-96 months <input type="checkbox"/>	42-120 months <input type="checkbox"/>	48-120 months <input type="checkbox"/>	60-180 months <input type="checkbox"/>	72-180 months <input type="checkbox"/>
5 - 15 years <input type="checkbox"/>	Category B	60-150 months <input type="checkbox"/>	64-162 months <input type="checkbox"/>	68-174 months <input type="checkbox"/>	72-180 months <input type="checkbox"/>	72-180 months <input type="checkbox"/>
1 - 20 years <input type="checkbox"/>	Category B	12-48 months <input type="checkbox"/>	18-96 months <input type="checkbox"/>	24-120 months <input type="checkbox"/>	36-240 months <input type="checkbox"/>	72-240 months <input type="checkbox"/>
2 - 20 years <input type="checkbox"/>	Category B	24-60 months <input type="checkbox"/>	30-96 months <input type="checkbox"/>	36-120 months <input type="checkbox"/>	48-240 months <input type="checkbox"/>	84-240 months <input type="checkbox"/>
3 - 20 years <input type="checkbox"/>	Category B	36-72 months <input type="checkbox"/>	42-108 months <input type="checkbox"/>	54-144 months <input type="checkbox"/>	66-240 months <input type="checkbox"/>	96-240 months <input type="checkbox"/>
5 - 20 years <input type="checkbox"/>	Category B & habitual offender	60-150 months <input type="checkbox"/>	64-162 months <input type="checkbox"/>	72-174 months <input type="checkbox"/>	84-240 months <input type="checkbox"/>	96-240 months <input type="checkbox"/>
Life w/o without parole <input type="checkbox"/>	Category A & habitual offender	Life/possibility of parole after 20 years <input type="checkbox"/>	Life/possibility of parole after 20 years <input type="checkbox"/>	Life w/possibility of parole <input type="checkbox"/>	Life w/possibility of parole <input type="checkbox"/>	Life with no possibility of parole <input type="checkbox"/>

Other Areas of Concern (Check all that apply):

- ☐ Low Intelligence / Cognitive Difficulties      ☐ Physical Handicap      ☐ Mental Health Issues
- ☐ Reading and Writing Limitations / Significant Learning Disabilities
- ☐ Other: \_\_\_\_\_

**IMPORTANT:** The factors and areas of concern identified above should not result in a negative impact when formulating a sentencing recommendation. If any of these factors apply to an offender, a downward sentence deviation towards leniency may be appropriate.

ANY RECOMMENDATION THAT DEVIATES FROM SUGGESTED SENTENCE MUST INCLUDE JUSTIFICATION (+) OR (-)

DEVIATION JUSTIFICATION:

Leanne Halter      Digitally signed by Leanne Halter  
Date: 2017.12.06 14:02:27 -0800

Specialist:

5068

12-06-17

CID #

Date

Ladrea LaBranche, Supervisor

Digitally signed by Ladrea LaBranche, Supervisor  
Date: 2017.12.11 12:11:29 -0800

3134

12-11-17

CID #

Date

Supervisor:

Lock All Fields

Page \_\_\_\_ of \_\_\_\_

# DEPENDANT STATEMENT

C-17-32775-1

Write in your own words the circumstances of your offense, why you committed the offense, your present feelings about your situation, and why you may be suitable for probation if eligible. A copy of this statement will be sent to the judge. Write or print clearly. If using a pencil, please write as dark as possible. If you do not want to submit a written statement, still initial that you acknowledge all changes to the PSI must be made prior to sentencing.

I am writing this statement to explain in some detail the nature of my offense, reasons for committing the offense, my feeling about my situation, and why I would be suitable for probation. The offense I was charged with was Participation in ORGANIZED Retail theft, which stemmed from me stealing from multiple retail stores. Most of the stores were clothing or shoe stores/home depot within malls where I would steal shoes, clothes, accessories and other merchandise that I could use and have using cocaine since the age 11 yrs old which was the major reason for committing my offense. I've been addicted to cocaine for many years and instead of working or borrowing from others I sold ~~items~~ items I stole to help support my addiction. In fact every time I would steal from these stores I was high on cocaine and eager to sell the items to score some more drugs. Although I am incarcerated now which I wouldn't prefer to be I am glad because this situation in many ways have helped me and could benefit even more. Not only have I been clean and had time to really reflect on my personal issues, but I can also receive further help with my addiction. This situation has not only effected me but also the ones who also love and care for me so its time to make changes for the better. I know that what I did was wrong but I can honestly say that my ~~decisions~~ decisions were made while being high and not having a clear state of ~~mind~~ mind. I would like to receive further help from a drug program so I can completely shake my addiction and show that I am ready to put that problem in my past.

Signature Maryjane Morgan Jr.

Date 11-30-17

Cont to Next page (16)

I would be suitable for probation because although I committed a crime it was not one that make me a danger to society and I am willing to receive help for my addiction that caused me to commit my offense. If given probation I will show that can not only be a better man for myself and my family but also a better man in society by becoming clean and leaving crime alone.  
Thank you for your time, thank you for seeking an underlined understanding also.

Yours Truly,

Mr. Gregory Dello Morgow Jr.

DISTRICT COURT  
CLARK COUNTY, NEVADA

\*\*\*\*

Electronically Filed  
2/19/2020 10:34 AM  
Steven D. Grierson  
CLERK OF THE COURT



State of Nevada  
vs  
Gregory Morgan

Case No.: C-19-344461-1

Department 20

**NOTICE OF HEARING**

Please be advised that the State's Notice of Motion in Limine Defendants Statements and Motion to Admit Evidence of Other Bad Acts or in the Alternative to Put Defendants on Notice of the State's Intention to Admit Prior Judgment of Conviction in the above-entitled matter is set for hearing as follows:

**Date:** March 03, 2020

**Time:** 8:30 AM

**Location:** RJC Courtroom 12A  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89101

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

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Marie Kramer  
Deputy Clerk of the Court

**CERTIFICATE OF SERVICE**

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

By: /s/ Marie Kramer  
Deputy Clerk of the Court



**SLOW**  
**STEVEN B. WOLFSON**  
Clark County District Attorney  
Nevada Bar #001565  
**ASHLEY LACHER**  
Deputy District Attorney  
Nevada Bar #014560  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

**THE STATE OF NEVADA,**  
  
**Plaintiff,**

**-vs-**

**GREGORY DELLO MORGAN,**  
**#2752270**

**Defendant.**

**CASE NO: C-19-344461-1**

**DEPT NO: XX**

**STATE'S SUPPLEMENTAL NOTICE OF WITNESSES**  
**AND/OR EXPERT WITNESSES**  
**[NRS 174.234]**

**TO: GREGORY DELLO MORGAN, Defendant; and**

**TO: ALEXANDER BASSETT, Deputy Public Defender, Counsel of Record:**

**YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF**  
**NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:**

**\*DENOTES ADDITION AND/OR CHANGES:**

**BEVERIDGE, J. - LVMPD P#6707 - With the Las Vegas Metropolitan Police**  
**Department. An expert in the area of organized retail theft investigations, and will give related**  
**opinions thereto.**

**LASTER, G. - LVMPD P#5658 - A Detective with the Las Vegas Metropolitan Police**  
**Department.**

**//**

**//**

SUMMERS, K. - LVMPD P#14109 - A Detective with the Las Vegas Metropolitan Police Department as a Detective and Facial Recognition. An expert in the area of organized retail theft investigations, and will give related opinions thereto.

<u>NAME</u>	<u>ADDRESS</u>
ALDEN, ABREGO	C/O DISTRICT ATTORNEY'S OFFICE
ALVAREZ, SAMANTHA	ADDRESS UNKNOWN
*AYLA, MICHELLE	FASHION SHOW FOOT LOCKER
BEVERIDGE, J.	LVMPD P#6707
*CABRERA, ABRAHAM	LVMPD P#15669
CASTILLO, ELVIN	ADDRESS UNKNOWN
CLARK, J.	LVMPD P#13952
*COURTLEY, KEATON	LVMPD P#15762
CUSTODIAN OF RECORDS	CCDC
CUSTODIAN OF RECORDS	CHAMPS SPORTS, 3200 S Las Vegas Blvd, LVN
CUSTODIAN OF RECORDS	FASHION SHOW MALL
CUSTODIAN OF RECORDS	Foot Locker, 4300 Meadows Lane Ste 115, LVN
CUSTODIAN OF RECORDS	LVMPD - DISPATCH/COMMUNICATIONS
CUSTODIAN OF RECORDS	LVMPD - RECORDS
CUSTODIAN OF RECORDS	NIKE
CUSTODIAN OF RECORDS	WHITTLESEA BLUE CAB
CUSTODIAN OF RECORDS	WYNN HOTEL
CUSTODIAN OF RECORDS	WYNN HOTEL SECURITY
*DAVIS, ALICIA SGT.	DIVISION OF PAROLE AND PROBATION
*DENSON, AARON	LVMPD P#15763
DOUGHERTY, EDWARD	DA INVESTIGATOR AND/OR DESIGNEE
FISCHER, E.	LVMPD P#16456
FLORES, ARMANDO	ADDRESS UNKNOWN
GARCIA, C.	LVMPD P#13130

1 JACOBITZ, J. LVMPD P#9398  
2 \*JOHNSON, JOHN LVMPD P#8546  
3 \*KOFFORD, JORDAN LVMPD P#15662  
4 LASTER, G. LVMPD P#5658  
5 LAWS, JR., BRYAN C/O DISTRICT ATTORNEY'S OFFICE  
6 LNU, RUBY FOOTLOCKER SUMMERLIN  
7 \*LNU, STEVE (MANAGER) FASHION SHOW FOOTLOCKER  
8 MARU, YOHANNES ADDRESS UNKNOWN  
9 \*MIKALONIS, SHAY LVMPD P#15903  
10 \*MILLS, PHILIP LVMPD P#15854  
11 MONTALVO, DANIELLA ADDRESS UNKNOWN  
12 PANLILLO, CARMINA ADDRESS UNKNOWN  
13 \*PERKETT, ERIK LVMPD P#14152  
14 \*QUIMIRO, KYLE LVMPD P#17390  
15 SUMMERS, K. LVMPD P#14109  
16 \*WEBB, TAYLOR LVMPD P#15851

17 These witnesses are in addition to those witnesses endorsed on the Information or  
18 Indictment and any other witness for which a separate Notice of Witnesses and/or Expert  
19 Witnesses has been filed.

20 The substance of each expert witness' testimony and copy of all reports made by or at  
21 the direction of the expert witness will be provided in discovery.

22 A copy of each expert witness' curriculum vitae, if available, is attached hereto.

23  
24 STEVEN B. WOLFSON  
Clark County District Attorney  
Nevada Bar #001565

25  
26  
27 BY

  
28 ASHLEY LACHER  
Deputy District Attorney  
Nevada Bar #014560

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that service of the above and foregoing was made this 24<sup>th</sup> day of February, 2020, by Electronic Filing to:

ALEXANDER BASSETT, Deputy Public Defender  
Email: alexander.bassett@clarkcountynv.gov

BY:   
Secretary for the District Attorney's Office

19F21141A/ckb/L4



1 NOTC  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 ASHLEY LACHER  
6 Deputy District Attorney  
7 Nevada Bar #014560  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

7 DISTRICT COURT  
8 CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,

10 Plaintiff,

11 -vs-

12 GREGORY DELLO MORGAN,  
13 #2752270

14 Defendant.

CASE NO: C-19-344461-1

DEPT NO: XX

15 STATE'S NOTICE OF INTENT TO SEEK PUNISHMENT AS  
16 A HABITUAL CRIMINAL

17 TO: GREGORY DELLO MORGAN, Defendant; and

18 TO: ALEXANDER BASSETT, Deputy Public Defender, Counsel of Record:

19 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that pursuant to NRS  
20 207.010, the STATE OF NEVADA will seek punishment of Defendant GREGORY DELLO  
21 MORGAN, as a habitual criminal in the event of a felony conviction in the above-entitled  
22 action.

23 That in the event of a felony conviction in the above-entitled action, the STATE OF  
24 NEVADA will ask the court to sentence Defendant GREGORY DELLO MORGAN as a  
25 habitual criminal based upon the following felony convictions, to-wit:

26 1. That in 2018, the Defendant was convicted in the State of Nevada, for the  
27 crime of Organized Retail Theft (felony) in Case No. C-17-327775-1.

28 //

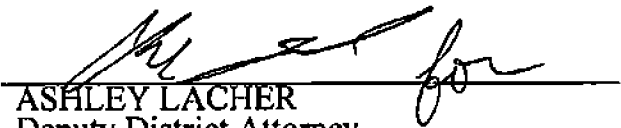
//

1           2.     That in 2004, the Defendant was convicted in the State of Washington,  
2 for the crime of Domestic Violence Felony Violation of a Court Order (felony) in Case No.  
3 04-1-00194-1.

4           3.     That in 2000, the Defendant was convicted in the State of Washington,  
5 for the crime of Assault in the Second Degree (felony) in Case No. 00-1-03081-5.

6                   STEVEN B. WOLFSON  
7                   Clark County District Attorney  
8                   Nevada Bar #001565

9                   BY

  
10                   ASHLEY LACHER  
11                   Deputy District Attorney  
12                   Nevada Bar #014560

13                   CERTIFICATE OF SERVICE

14           I certify that on the 3rd day of March, 2020, I mailed a copy of the foregoing Notice

15   to:

16                   ALEXANDER BASSETT, Deputy Public Defender  
17                   Email: [Alexander.Bassett@clarkcountynv.gov](mailto:Alexander.Bassett@clarkcountynv.gov)

18  
19                   BY

  
20                   Secretary for the District Attorney's Office

21  
22  
23  
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25  
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27  
28   19F21141A/ckb/L4



0071  
DARIN F. IMLAY, PUBLIC DEFENDER  
NEVADA BAR NO. 5674  
ALEXANDER BASSETT, DEPUTY PUBLIC DEFENDER  
NEVADA BAR NO. 14344  
**PUBLIC DEFENDERS OFFICE**  
309 South Third Street, Suite 226  
Las Vegas, Nevada 89155  
Telephone: (702) 455-3183  
Facsimile: (702) 455-5112  
Alexander.Bassett@clarkcountynv.gov  
*Attorneys for Defendant*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,	)	
	)	
Plaintiff,	)	CASE NO. C-19-344461-1
	)	
v.	)	DEPT. NO. XX
	)	
GREGORY DELLO MORGAN,	)	
	)	
Defendant,	)	
_____	)	

**DEFENDANT'S OPPOSITION TO STATE'S MOTION TO ADMIT PRIOR BAD ACTS**

COMES NOW, the Defendant, GREGORY DELLO MORGAN, by and through  
ALEXANDER B. BASSETT, Deputy Public Defender, and hereby moves this Court to deny the  
State's Motion in Limine to Admit Prior Bad Acts

This Motion is made and based upon all the papers and pleadings on file herein,  
the attached Declaration of Counsel, Memorandum of Points and Authorities in support hereof,  
and oral argument at the time set for hearing this Motion.

DATED this 4th day of March, 2020.

DARIN F. IMLAY  
CLARK COUNTY PUBLIC DEFENDER

By: /s/Alexander Bassett  
ALEXANDER BASSETT, #14344  
Deputy Public Defender

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TYLER C. GASTON makes the following declaration:

1. I am an attorney duly licensed to practice law in the State of Nevada; I am  
Public Defender assigned to represent the Defendant in the instant matter, and I am  
the facts and circumstances of this case.

I declare under penalty of perjury that the foregoing is true and correct. (NRS

EXECUTED this 4th day of March, 2020.

By: /s/Tyler C. Gaston  
 TYLER C. GASTON, #13488

## POINTS AND AUTHORITIES

### RELEVANT FACTS

On October 9, 2019, the Defendant was arrested as part of an ongoing investigation by Las Vegas police. On October 31 and November 14, 2019, a grand jury heard arguments from the State in relation to this case. An initial indictment was filed by the State on November 1, 2019. On December 3, 2019, the Defendant was arraigned in this Court and his speedy trial right was invoked. An amended superseding indictment, adding several felony counts, was filed by the State on January 14, 2020. That same day, due to Mr. Morgan's stated desire to find a resolution before trial and because of ongoing negotiations with the State, Mr. Morgan waived his speedy trial right; his trial was reset to March 9, 2020. The State filed a motion to admit prior bad acts on February 19, 2020. With permission from the court granted on March 3, this response is now filed.

### ARGUMENT

#### **I. NEVADA LAW HEAVILY DISFAVORS THE ADMISSION OF BAD ACTS EVIDENCE**

The law in Nevada is very clear on this well litigated issue: **uncharged bad acts are presumed inadmissible.** It is an axiom of evidentiary law that an individual's similar past behavior is not admissible to show that individual engaged in, or is predisposed to engage in a particular course of conduct. This precept of law is codified in N.R.S. § 48.045(1), which states, "Evidence of a person's character or a trait of his/her character is not admissible for the purpose of proving that person acted in conformity therewith on a particular occasion." Moreover, a presumption of inadmissibility attaches to all prior bad act evidence. Ledbetter v. State, 122 Nev. 252, 260, 129 P.3d 671, 677, (2006) (quoting Rosky v. State, 121 Nev. 184, 195, 111 P.3d, 690, 697 (2005)). The use of specific conduct to show a propensity to commit the crime is

1 clearly prohibited and is commonly regarded as sufficient grounds for reversal. N.R.S. §  
2 44.045(1); Berner v. State, 104 Nev. 695, 697, 765 P.2d 1144, 1145-46 (1988). The Nevada  
3 Supreme Court emphasizes caution and concern when it comes to the use of other act evidence.  
4 “The use of uncharged bad acts to convict a defendant is *heavily disfavored* in our system of  
5 criminal justice...Evidence of uncharged misconduct may unduly influence the jury, and result  
6 in a conviction of the accused because the jury believes he/she is a bad person.” Armstrong v.  
7 State, 110 Nev. 1322 (1994) (quoting Berner v. State, 104 Nev. 695 (1988) (internal citations  
8 omitted) (emphasis added).

9 Nearly two decades ago, the Nevada Supreme Court articulated and mandated a  
10 determinative test to be applied to all bad act evidence offered by the State for use in trial.  
11 Petrocelli v. State, 101 Nev. 46, 692 P.2d 503 (1985). Since that time, all cases involving the use  
12 of bad act evidence have been reviewed using the standard enunciated in Petrocelli:

13 “Before admitting evidence of a prior bad act or collateral offense, the district court must  
14 conduct a hearing outside of the presence of the jury. During the hearing, the State must  
15 present it’s justification for admission of the evidence...[and] prove by clear and  
16 convincing evidence that the defendant committed the collateral offense, and the district  
17 court must weigh the probative value of the proffered evidence against its prejudicial  
18 effect.”

19 Thus, the State bears the burden of requesting admission of the evidence and establishing  
20 at a hearing outside the jury’s presence that: 1) the incident is relevant to the crime charged for a  
21 non-propensity purpose; 2) the act is proven by clear and convincing evidence; and 3) the  
22 probative value of the evidence is not substantially outweighed by the danger of unfair prejudice.  
23 Tinch v. State, 113 Nev. 1170, 1176, 946 P.2d 1061, 1065 (1997).

24 The State’s theory of the case is that Mr. Morgan intentionally went into these stores and  
25 buildings for the purpose of committing theft and then did, in fact, commit theft. According to  
26 the State’s motion, it does not precisely enumerate the reasons it feels that Mr. Morgan’s prior  
27 conviction for organized retail theft is relevant for a non-propensity purpose. However, in the  
28 State’s motion it seems to indicate that it is relevant for knowledge, intent, absence of mistake,

1 and to show that Defendant likes to use conspirators when he commits crimes, or at least theft-  
2 type crimes.

3  
4 **II. THE PRIOR FELONY CONVICTION IS ONLY RELEVANT AS**  
5 **PROPENSITY EVIDENCE.**

6 By seeking admission of Mr. Morgan's prior felony theft offense the State is attempting  
7 to circumvent the well-established rule of exclusion. The State claims this conviction is offered  
8 as relevant evidence to explain Mr. Morgan's knowledge, intent, absence of accident, and/or the  
9 Defendant's tendency to use a co-conspirator when he commits theft-related crimes.

10 The State offers little in way of analysis as to exactly why the prior conviction is relevant  
11 for the non-propensity purposes other than to continually talk about the similarities in the prior  
12 bad act to the current offense. Such evidence is only intended to convince the jury that simply  
13 because Mr. Morgan behaved in a certain manner in the past, he *must have* behaved in that same  
14 illicit manner in the instance case. This tactic is a ploy designed to introduce non-admissible  
15 propensity evidence disguised as evidence of knowledge, intent, absence of accident, or  
16 Defendant's tendency to use a co-conspirator when committing theft-related crimes.

17 **a) The prior felony conviction is not relevant to show Mr. Morgan's knowledge in**  
18 **the current case.**

19 The State cannot demonstrate how the prior convictions are relevant to this case.  
20 "Relevant evidence" is evidence having any tendency to make the existence of any fact that is of  
21 consequence to the determination of the action more or less probable than it would be without  
22 the evidence. NRS 48.015.

23 First, looking at the actual facts of the case, the State's theory is that Mr. Morgan and Mr.  
24 Snipes stole items from a series of stores. If this is the State's theory, then of course Mr. Morgan  
25 would have knowledge that the items were stolen if he were the one who stole it. The admission  
26 of the prior felony conviction does not change a thing with respect to Mr. Morgan's knowledge  
27 and is, instead, an attempt at coming up with a justification in order to get the fact of the prior  
28

1 felony conviction in front of the jury. The purpose of raising the prior conviction appears to be  
2 solely to try and convince the jury to convict Mr. Morgan on the basis of that past conviction—as  
3 opposed to listening to the evidence being presented in the instant case and making their decision  
4 based on that. This is precisely the risk of unfair prejudice that the heavy presumption in disfavor  
5 of the admission of prior bad acts is intended and designed to prevent.

6 The State may not merely impute the accused with ridiculous defenses in order to rebut  
7 them. Taylor v. State, 858 P.2d 843 (1993) (Evidence concerning prior incident in which girl sat  
8 on defendant's lap was not admissible, in prosecution for lewdness with a child under the age of  
9 14, to rebut claim of accident or mistake when defendant had not raised that defense.) Put  
10 simply, the prior felony conviction does not have any probative value towards establishing  
11 whether Mr. Morgan had knowledge that the items he allegedly carried past points of sale in the  
12 present case were stolen or not; his lack of knowledge is not a defense being asserted here.  
13 Additionally, the State seems to argue that because one of the stores in the instant case's series of  
14 thefts was similar to the prior conviction—in that both stores sell similar types of merchandise—  
15 then that makes his prior “knowledge” of a Nike store more relevant. However, that has nothing  
16 to do with this case. The Defendant in this case did not do anything when allegedly stealing from  
17 Nike that would require any specialized knowledge of the Nike store—particularly and sort of  
18 knowledge that Mr. Morgan might have obtained from a prior felony conviction.

19  
20 **B. The prior felony conviction is not relevant to show Mr. Morgan's intent.**

21 Intent is not automatically relevant; allowing similar prior theft convictions to be  
22 admissible simply because the State has charged Mr. Morgan with burglary—which has an intent  
23 element—is not a proper basis to allow the admission of prior bad acts. The Defendant needs to  
24 raise lack of intent as a defense before the State can rebut it. Regardless, the prior felony  
25 convictions do not speak to whether the current charges more or less likely to have been  
26 committed, unless ones relies upon propensity reasoning. An excellent comparison of two cases  
27 that illustrate the proper way to use prior bad act evidence to show intent can be found by  
28

1 comparing United States v. Thomas, 835 F.2d 219 (9<sup>th</sup> Cir. 1987) *cert. denied*, 108 S. Ct. 1741  
2 (1988) with United States v. Manafzadeh, 592 F.2d 81 (2d Cir. 1979).

3 In Thomas, the Court admitted evidence of the defendant having previously passed bad  
4 checks; intent was very much at issue in that case due to the defendant's claim that he could not  
5 transport a security he owned, and the Government's assertion that he obtained such security by  
6 fraud. 835 F.2d 219 (9<sup>th</sup> Cir. 1987). The Court relied upon the fact that the prior bad act occurred  
7 one year prior, and was closely related to the current incident. *Id.* The Court distinguished the  
8 facts of that case from United States v. Manafzadeh, 592 F.2d 81 (2d Cir. 1979) based on the  
9 issue that the dispute did not involve the defendant's *actions*—but rather whether he knew the  
10 checks were fraudulent when he wrote them. *Id.* In Manafzadeh, it was error to admit evidence  
11 of similar crimes in a bad check prosecution because the defendant's defense had nothing to do  
12 with the creation of the fraudulent checks. That stood in contrast to a hypothetical defense in  
13 which the defendant *did* pass the check but he did not know that it was fraudulent—a situation in  
14 which intent would be much more relevant. *Id.*

15 The Defendant has not put on a defense like the one presented in Thomas. It would be  
16 inadmissible to allow the State to present the bad act evidence at this point to prove intent. Thus,  
17 the State should not be able to admit the prior conviction. *See also* United States v. DeLoach,  
18 645 F2d. 763 (D.C.C.A. 1980) (holding that prior incidents of submitting false applications for  
19 labor certificates of alien workers were admissible where intent was the only real issue, **and**  
20 **where the appellant predictably raised the defense of mistake**, the admissible bad acts need  
21 not be identical to the events charged so long as they are closely related to the offense **and tend**  
22 **to rebut the defense of mistake**).

23 As presented in the State's motion, that is not an intent argument, but is a propensity  
24 argument. There is simply no way for the State to use Mr. Morgan's prior conviction to show his  
25 intent in the current case without relying on propensity reasoning.

1           **C. The prior conviction is not relevant to prove absence of accident or lack of**  
2           **mistake.**

3  
4           Once again, the State may not merely impute the accused as making unasserted defenses  
5 in order to rebut them. Taylor v. State, 858 P.2d 843 (1993) (Evidence concerning prior incident  
6 in which girl sat on defendant's lap was not admissible, in prosecution for lewdness with a child  
7 under the age of 14, to rebut claim of accident or mistake when defendant had not raised that  
8 defense.)

9           Mr. Morgan is not claiming the incident was an accident or a mistake. If Mr. Morgan  
10 were to go to trial and claim that he took the jerseys because he thought they were his or that he  
11 simply forgot to pay as he left the store, then the State would be able to introduce his prior felony  
12 conviction in order to show a lack of a mistake. But the key thing to remember is that the prior  
13 bad acts are used to **rebut** a defense of absence of accident or mistake. The State does not get to  
14 bring in the prior bad acts on the off chance that the Defense makes an argument that suddenly  
15 renders the prior bad act relevant. Since the Defendant is not asserting a claim of accident or  
16 mistake then the prior felony convictions are not admissible to rebut that defense.

17  
18           **D. The prior conviction cannot be used to show that Defendant has a pattern of**  
19           **using conspirators when he commits crimes because that is propensity evidence.**

20  
21           The State's argument that this evidence is admissible to show that the Defendant tends to  
22 use conspirators when he commits crimes is propensity reasoning. The State's argument seems to  
23 be that because Mr. Morgan had a co-conspirator when he committed the prior offense, then one  
24 could assume it is more likely that he used a conspirator when he committed the instant offenses  
25 as well. This is an excellent example of propensity reasoning; moreover, it does not even rely on  
26 sound logic. The co-conspirators in the prior and current cases are not alleged to be the same  
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28

1 person or to have any relation to each other. This is blatant propensity reasoning and should not  
2 be allowed.

3 Furthermore, it is demonstrable that Defendant does not always use a co-conspirator  
4 when he commits crimes—his prior convictions. other than his single organized retail theft  
5 charge, do not have co-conspirators at all. Allowing admission of the one conviction to show  
6 this point would likely necessitate introduction of *other* convictions to rebut that point,  
7 something which is obviously prejudicial. In that situation, the Defendant would have to choose  
8 to live with an invalid and incorrect assumption or to rebut it by introducing clearly inadmissible  
9 prior convictions. This should not be allowed.

### 10 11 CONCLUSION

12  
13 The State's motion in limine should be denied because it is blatant propensity reasoning,  
14 the unfair prejudice substantially outweighs any probative value the State gains from admission,  
15 and many of the State's arguments are predicated on certain defenses the Defendant would need  
16 to raise first, making the granting of the State's motion at this time premature.

17 DATED this 4th day of March, 2020.

18 DARIN F. IMLAY  
19 CLARK COUNTY PUBLIC DEFENDER

20 By: /s/Alexander Bassett  
21 ALEXANDER BASSETT, #14344  
22 Deputy Public Defender  
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By: /s/ Erin Prisbrey  
An employee of the  
Clark County Public Defender's Office



0071  
DARIN F. IMLAY, PUBLIC DEFENDER  
NEVADA BAR NO. 5674  
ALEXANDER BASSETT, DEPUTY PUBLIC DEFENDER  
NEVADA BAR NO. 14344  
**PUBLIC DEFENDERS OFFICE**  
309 South Third Street, Suite 226  
Las Vegas, Nevada 89155  
Telephone: (702) 455-3183  
Facsimile: (702) 455-5112  
Tyler.Gastont@clarkcountynv.gov  
*Attorneys for Defendant*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,	)	
	)	
Plaintiff,	)	CASE NO. C-19-344461-1
	)	
v.	)	DEPT. NO. XX
	)	
GREGORY DELLO MORGAN,	)	
	)	
Defendant,	)	DATE: March 5, 2020
	)	TIME: 9:00 a.m.
	)	(DATE ALREADY SET)

**MOTION TO SEVER CO-DEFENDANTS**

COMES NOW, the Defendant, GREGORY DELLO MORGAN, by and through  
ALEXANDER B. BASSETT, Deputy Public Defender, and hereby moves this Court to Motion  
to Sever Co-Defendants.

This Motion is made and based upon all the papers and pleadings on file herein,  
the attached Declaration of Counsel, Memorandum of Points and Authorities in support hereof,  
and oral argument at the time set for hearing this Motion.

DATED this 4th day of March, 2020.

DARIN F. IMLAY  
CLARK COUNTY PUBLIC DEFENDER

By /s/Alexander Bassett  
ALEXANDER BASSETT, #14344  
Deputy Public Defender

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**ALEXANDER B. BASSETT** makes the following declaration:

1. I am an attorney duly licensed to practice law in the State of Nevada; I am the Deputy Public Defender assigned to represent the Defendant in the instant matter, and I am familiar with the facts and circumstances of this case.

I declare under penalty of perjury that the foregoing is true and correct. (NRS 53.045).

EXECUTED this 4th day of March, 2020.

/s/Alexander B. Bassett  
ALEXANDER B. BASSETT

1 **POINTS AND AUTHORITIES**

2  
3 **RELEVANT FACTS**

4  
5 On October 9, 2019, the Defendant was arrested as part of an ongoing investigation by  
6 Las Vegas police. Co-Defendant Andre Snipes was arrested the same day; on that day Snipes  
7 gave a short interview with police after being placed into custody. On October 31 and  
8 November 14, 2019, a grand jury heard arguments from the State in relation to this case. An  
9 initial indictment was filed by the State on November 1, 2019. On December 3, 2019, the  
10 Defendant and Codefendant were arraigned in this Court and his speedy trial right was invoked.  
11 An amended superseding indictment, adding several felony counts, was filed by the State on  
12 January 14, 2020. That same day, due to Mr. Morgan's stated desire to find a resolution before  
13 trial and because of ongoing negotiations with the State, Mr. Morgan waived his speedy trial  
14 right; his trial was reset to March 9, 2020. Mr. Snipes did not waive his speedy trial right. On  
15 March 3, 2020, Defendant orally requested an additional continuance for a variety of reasons.  
16 Mr. Snipes opposed such a continuance, and his continued assertion of his speedy trial right was  
17 the primary reason cited by the Court in ruling against an additional continuance of the trial.  
18  
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20

21 **ARGUMENT**

22 To ensure Defendant's Due Process right to a fair trial, Mr. Morgan's case must be  
23 severed from that of his codefendant, Mr. Snipes. Due process mandates severance in cases  
24 where codefendants intend to assert antagonistic defenses; or where one codefendant's  
25 confession incriminates the other. As will be addressed below, all three of these issues are  
26 present in the case at bar. Severance is the only viable way to avoid the prejudice that will  
27  
28

1 unavoidably taint Mr. Morgan's trial if he is forced to present a defense alongside codefendant  
2 Mr. Snipes.

3  
4 **1. Codefendant Snipe's Statements Requires Severance under Bruton v. United States.**

5  
6 In Bruton v. United States, the United States Supreme Court held that in a joint trial,  
7 evidence of an incriminating out-of-court statement by one defendant which expressly refers to  
8 the other defendant violates the Confrontation Clause of the Sixth Amendment, and that a  
9 limiting instruction to the jury is not sufficient to overcome the prejudice. Bruton, 391 U.S. 123  
10 at 127-28.

11  
12 In this case, shortly after arrest, Codefendant spontaneously told police, "There wasn't a  
13 weapon." He goes on to ask about getting a deal and explains that his desire is to just get a deal.  
14 These statements clearly identify and link Codefendant to the criminal conduct and seem like a  
15 confession with respect to the conspiracy and the plan to commit these thefts. The introduction  
16 of the Codefendant's statement possesses a "substantial threat to [Mr. Morgan's] right to confront  
17 the witnesses against him." Id. at 137.

18  
19 Furthermore, Las Vegas Metro Police Detective George Laster, the officer who  
20 conducted the interview with Codefendant Snipes, created contemporaneous notes about the  
21 interview after it was completed. Detective Laster wrote that Mr. Snipes asked "why he was  
22 being charged with a Robbery when the other person committed the major part of the crime."  
23 Though Mr. Morgan would offer an alternative interpretation of Mr. Snipe's interview, Detective  
24 Laster's comments indicate how the State might attempt to construe the Codefendant's  
25 statements as an incriminating out-of-court statement against Mr. Morgan were they to be  
26 brought into trial. This is precisely the scenario Bruton demands must be avoided.

1 Mr. Morgan's right to confront and cross-examine the witnesses against him is  
2 guaranteed by the Sixth Amendment of the United States Constitution. Mr. Snipes' right against  
3 self-incrimination is guaranteed by the Fifth Amendment of the same. Given the background of  
4 this case it is impossible for these men to be tried together without one of these rights violated.

5 The State has indicated that it is not going to try to introduce Mr. Snipes' statement into  
6 evidence unless Defendant opens the door. However, Counsel should not have to argue as to  
7 what opens the door or not to Mr. Snipes' statement being introduced—because Mr. Morgan has  
8 the fundamental right to confront witnesses against him. The mere possibility that the State could  
9 try and introduce Mr. Snipes' statement to police into evidence against Mr. Morgan necessitates  
10 a severance.  
11

12 As to Mr. Snipes, it is Mr. Morgan's position that Mr. Morgan's texts to police officers  
13 while officers were setting up their sting operation are inadmissible hearsay. Were the court to  
14 disagree, however, any use of those statements against Mr. Snipes would violate *Mr. Snipes'*  
15 Sixth Amendment right to confront and cross-examine the witnesses against him, and be a  
16 further violation of the Bruton ruling. This problem cannot be remedied by compelling Mr.  
17 Morgan to testify, because any such action would violate Mr. Morgan's Fifth Amendment right  
18 against self-incrimination.  
19

20 The only appropriate way to protect the rights of both Mr. Morgan and Mr. Snipes is for  
21 the Court to sever the trials of these two co-defendants, a power granted to this Court under NRS  
22 174.165. Furthermore, if Mr. Morgan were to testify, it is possible that his prior convictions  
23 could be introduced into evidence, including one for organized retail theft. That would result in  
24 the distinct likelihood of prejudicing Mr. Snipes' defense, given the substantial risk that the jury  
25 would bootstrap that prior conviction and evidence against Mr. Morgan when evaluating the  
26 evidence against Mr. Snipes.  
27  
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1 Quite simply, introduction or even the possibility of introduction of Mr. Snipes'  
2 extrajudicial statements against Mr. Morgan or vice versa violates the Confrontation Clause of  
3 the Sixth Amendment and the fundamental principle underlying Bruton. Since limiting  
4 instructions will not adequately protect Mr. Morgan's Constitutional rights, severance is the only  
5 viable alternative.

## 6 7 8 **2. Defendants' Antagonistic and Mutually Exclusive Defenses Requires Severance**

9 To be entitled to severance on the basis of mutually antagonistic defenses, a defendant  
10 must show "that the core of the codefendant's defense is so irreconcilable with the core of his  
11 own defense that the acceptance of the codefendant's theory be the jury precludes acquittal of the  
12 defendant." United States v. Throckmorton, 87 F.3d 1069, 1072 (9<sup>th</sup> Cir. 1996). In short,  
13 "defenses must be antagonistic to the point that they are 'mutually exclusive' before they are to  
14 be considered prejudicial," requiring severance. Rowalnd, v. State, 118 Nev. 31, 45 (2002).

15 Antagonistic defenses require severance where the moving defendant shows that the  
16 codefendants have "conflicting and irreconcilable defenses and there is danger that the jury will  
17 unjustifiably infer that this conflict alone demonstrates that both are guilty." Chartier v. State,  
18 191 P.3d 1182,1185 -1186 (internal citations omitted). The Court in Escalante listed the lack of  
19 opportunity to present an individual defense by reason of a joint trial as one of the possible  
20 violations of a defendant's substantive rights. U.S. v. Escalante, 637 F.2d 1197, 1201 (9<sup>th</sup> Cir.  
21 1980).

22 Such is the case here. In this case, Counsel for Mr. Morgan has been in contact with  
23 Counsel for Codefendant Snipes. Our defenses are going to be wholly antagonistic and  
24 inconsistent with one another. The parties can and will be happy to provide an in-depth  
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1 explanation as to the antagonistic defenses, should the Court wish us to do so. However, it is the  
2 request of Counsel that the explanations of these separate and mutually exclusive defenses be  
3 made to the Court in an ex-parte fashion so as not to give prior notice to the State about our  
4 intended approaches to the trial. A sealed affidavit filed by Mr. Morgan's Counsel also provides  
5 an overview of the antagonistic defenses each Codefendant intends to present.

6 If a single jury were to hear both of these defenses, it would be impossible for them to  
7 find credibility in each. If the jury were to believe Mr. Morgan's theory of the case, then the  
8 situation would be one where "the acceptance of the defendant's theory [Morgan] by the jury  
9 precludes acquittal of the co-defendant [Snipes]." Rowland, 118 Nev. at 45. The same would be  
10 true in the reverse. Since the acceptance of one party's defense precludes the acquittal of the  
11 other, severance is required.

12  
13 Beyond the basic antagonistic nature of these defense, prejudice is further increased  
14 stemming from the "danger that the jury will unjustifiably infer that this conflict alone  
15 demonstrates that both are guilty." Jones v. State, 111 Nev. 848, 854 (1995). Forcing a single  
16 jury to hear both defenses will create the possibility that the jury will discount both defenses as  
17 improbable. The assertion of each defense makes the other seem less likely. Their defenses are  
18 "so contradictory as to raise an appreciable danger that the jury would convict because of the  
19 inconsistency." United States v. Wright, 783 F.2d 1091, 1095 (D.C. Cir. 1986). Thus, under  
20 these circumstances there is a substantial probability that the jury will unjustifiably infer that this  
21 conflict alone demonstrates that both Mr. Morgan and Mr. Snipes are guilty.  
22  
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24

- 25 3. The Co-Defendant is invoking his right to a speedy trial, but the Defendant  
26 cannot be ready to proceed at the scheduled trial date and be effective defense  
27 counsel.  
28

1 The Codefendant has the right to a speedy trial and wishes to proceed on the scheduled  
2 trial date. However, guaranteeing the Codefendant his right to proceed with a speedy trial does  
3 not necessitate ignoring Mr. Morgan's right to have effective defense counsel. As laid out in  
4 Defendant's written Motion for Reconsideration on Defendant's Request for a Continuance,  
5 Defense counsel is not ready to proceed and is in no way going to be effective without having a  
6 continuance. Instead of laying out the reasons put forth in the continuance motion again here,  
7 Defendant would simply incorporate those arguments here by reference.  
8

9 Defendant's argument regarding the importance of a continuance in ensuring the  
10 Defendant's right to effective defense counsel and his due process rights—and the Codefendant's  
11 contradictory assertion that he is ready for trial and does not wish to waive his speedy trial  
12 right—necessitates that a severance is the only way to ensure that both Defendants are being  
13 treated fairly and accorded their full rights entitled to them under the United States and the  
14 Nevada constitutions.  
15

## 16 17 CONCLUSION 18

19 Counsel is well aware of this Court's interests in judicial economy and efficiency.  
20 However, in certain cases those interests must give way to the rights of the individual  
21 defendants. Mr. Morgan, like any other individual accused of a crime, has a due process right to  
22 a fair trial. To ensure that right, this Court must provide an unbiased and fair jury. If Mr.  
23 Morgan is forced to defend along side Mr. Snipes then this Court cannot guarantee that Morgan's  
24 Constitutional rights will be realized. To the contrary, codefendant Mr. Snipes' statements, the  
25 antagonistic defenses, and the different positions between Defendant and Codefendant on the  
26 issue of trial readiness will all but ensure that Mr. Morgan will not receive an equitable result.  
27  
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1 Two trials that afford due process protections will always be more efficient than a single  
2 unconstitutional trial. Based on the foregoing, Mr. Morgan requests that his case be severed  
3 from that of codefendant Mr. Snipes so that his due process rights to a fair trial can be realized.  
4

5 DATED this 4th day of March, 2020.  
6

7 DARIN F. IMLAY  
8 CLARK COUNTY PUBLIC DEFENDER  
9

10 By /s/Alexander Bassett  
11 ALEXANDER BASSETT, #14344  
12 Deputy Public Defender  
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YOU WILL PLEASE TAKE NOTICE that the foregoing MOTION TO SEVER  
will be heard on March 9, 2020, at 9:00 a.m. in District Court, Department XX.

DARIN F. IMLAY  
CLARK COUNTY PUBLIC DEFENDER

By /s/Alexander Bassett  
ALEXANDER BASSETT, #14344  
Deputy Public Defender

I hereby certify that service of the above and forgoing MOTION was served via electronic e-filing to the Clark County District Attorney's Office at [motions@clarkcountynyda.com](mailto:motions@clarkcountynyda.com) on this 4th day of March, 2020.

By: /s/ Erin Prisbrey  
An employee of the  
Clark County Public Defender's Office

DISTRICT COURT  
CLARK COUNTY, NEVADA

\*\*\*\*

Electronically Filed  
3/4/2020 3:15 PM  
Steven D. Grierson  
CLERK OF THE COURT



State of Nevada  
vs  
Gregory Morgan

Case No.: C-19-344461-1  
Department 20

**NOTICE OF HEARING**

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

**Date:** March 17, 2020  
**Time:** 8:30 AM  
**Location:** RJC Courtroom 12A  
Regional Justice Center  
200 Lewis Ave.  
Las Vegas, NV 89101

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

STEVEN D. GRIERSON, CEO/Clerk of the Court

By: /s/ Ondina Amos  
Deputy Clerk of the Court

**CERTIFICATE OF SERVICE**

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

By: /s/ Ondina Amos  
Deputy Clerk of the Court



**ORDR**  
**STEVEN B. WOLFSON**  
Clark County District Attorney  
Nevada Bar #001565  
**JORY SCARBOROUGH**  
Deputy District Attorney  
Nevada Bar #014265  
200 Lewis Avenue  
Las Vegas, NV 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**THE STATE OF NEVADA,**  
  
**Plaintiff,**

**-vs-**

**GREGORY DELLO MORGAN,**  
**#2752270**  
  
**Defendant.**

**CASE NO: C-19-344461-1**

**DEPT NO: XX**

**ORDER DENYING DEFENDANT'S MOTION TO SEVER CO-DEFENDANT'S  
AND STATE'S MOTION AND THE INTRODUCTION OF THE 2017  
CONVICTION FOR DEFENDANT**

**DATE OF HEARING: March 5, 2020**  
**TIME OF HEARING: 8:30 A.M.**

**THIS MATTER** having come on for hearing before the above entitled Court on the  
5th day of March, 2020, the Defendant being present, Represented by, TYLER GASTON,  
Deputy Public Defender and ALEXANDER BASSETT, Deputy Public Defender, the  
Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through JORY  
SCARBOROUGH, Deputy District Attorney, and the Court having heard the arguments of  
counsel and good cause appearing therefor,

**///**

**///**

**///**

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1 IT IS HEREBY ORDERED that the Defendant's Motion to Sever Co-Defendant's,  
2 shall be, and it is DENIED.

3 IT IS HEREBY ORDERED that the State's Motion and the Introduction of the 2017  
4 Conviction for Defendant, shall be, and it is DENIED WITHOUT PREJUDICE.


5 DATED this 7 day of April, 2020.

6  
7   
DISTRICT JUDGE

8 STEVEN B. WOLFSON  
9 Clark County District Attorney  
Nevada Bar #001565

ERIC JOHNSON 

10  
11 BY

  
12 JORY SCARBOROUGH  
13 Deputy District Attorney  
14 Nevada Bar #014265  
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Electronically Filed  
09/21/2020

*Heather J. Smith*  
CLERK OF THE COURT

MDC

Name: Gregory Della Morgan  
Address: 930 S. Casino Center Dr.  
City/State/Zip: Las Vegas NV 89101  
Phone: N/A

DEFENDANT IN PROPER PERSON

EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA

The State of Nevada

Plaintiff,

vs.

Gregory Della Morgan

Defendant

Case No.: C-19-344461-1

Dept. No.: XX

10/13/20

12:00 p.m.

**MOTION TO DISMISS COUNSEL AND APPOINT ALTERNATE COUNSEL**

COMES NOW, the Defendant Gregory Della Morgan and moves this Honorable Court to dismiss Defendant's counsel, Alex Bassett, and appoint alternate counsel to represent Defendant.

This Motion is based upon all papers, pleadings, and documents on file.

**POINTS AND AUTHORITIES**

It is respectfully requested of this court to grant this Motion to Dismiss Counsel and Appoint Alternate Counsel for the reasons listed below:

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SEP 10 2020

CLERK OF THE COURT

I. PROCEDURAL BACKGROUND AND FACTUAL SUMMARY

Since Alex Bassett was appointed as counsel on N/A, Defendant

has been prejudiced and suffered manifest injustice based on counsel's refusal or failure to:

Been unresponsive to me, Has Not Come to See me, I have Had only one Visit with him In 11 months. Has not filed any motions on my behalf. I Do not Believe he takes my case Serious. I Spoke with Mr. Bassett More than 3 weeks ago via Phone Call I placed to his office, at which time He told me he was coming to See me because of the latest "Discovery" he had in my case that he wanted to give to me. Not only He never Showed up, I haven't spoken with him since. I myself and my wife has left messages for him none were answered. For Reasons Stated above I have Conflict of Interest with Mr. Bassett & His office And I Don't trust Him Nor do I Believe He has my Best Interest at Heart. Him lying to me Shows ineffective assistance of counsel.

II. ARGUMENT

Defendant, Gregory Dello Morgan, asserts that he/she is being denied his/her right to effective representation due to wholly inadequate actions of his/her court-appointed counsel. Further, counsel's actions constitute a violation of the Defendant's due process rights under the following cases, statutes, and/or rules of professional conduct:

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WHEREFORE, the undersigned prays that the court grant Defendant's Motion to Dismiss Counsel and Appoint Alternate Counsel.

DATED THIS 7<sup>th</sup> day of Sept, 2020.

Respectfully submitted,

Gregory D Morgan  
Defendant

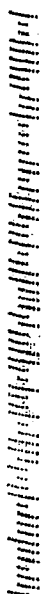
Gregory Morgan # 275227D  
C.C.D.C.  
330 S. Casino Center Dr.  
Las Vegas NV, 89101

Attn:

Court Clerk  
200 Lewis Ave.  
Las Vegas, NV 89155

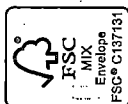
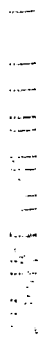
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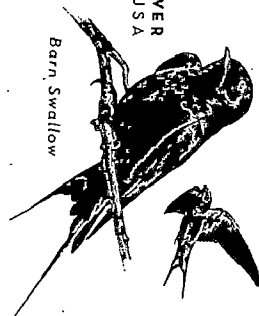
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Barn Swallow



1 **SLOW**  
2 STEVEN B. WOLFSON  
3 Clark County District Attorney  
4 Nevada Bar #001565  
5 ASHLEY LACHER  
6 Deputy District Attorney  
7 Nevada Bar #014560  
8 200 Lewis Avenue  
9 Las Vegas, Nevada 89155-2212  
10 (702) 671-2500  
11 Attorney for Plaintiff

DISTRICT COURT  
CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,  
10 Plaintiff,

11 -vs-

12 GREGORY DELLO MORGAN,  
13 #2752270

14 Defendant.

CASE NO: C-19-344461-1

DEPT NO: XX

15 **STATE'S SECOND SUPPLEMENTAL NOTICE OF WITNESSES**  
16 **AND/OR EXPERT WITNESSES**  
17 **[NRS 174.234]**

17 TO: GREGORY DELLO MORGAN, Defendant; and

18 TO: ALEXANDER BASSETT, Deputy Public Defender, Counsel of Record:

19 YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF  
20 NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:

21 \*DENOTES ADDITION AND/OR CHANGES:

22 BEVERIDGE, J. - LVMPD P#6707 - With the Las Vegas Metropolitan Police  
23 Department. An expert in the area of organized retail theft investigations, and will give related  
24 opinions thereto.

25 LASTER, G. - LVMPD P#5658 - A Detective with the Las Vegas Metropolitan Police  
26 Department.

27 //

28 //

SUMMERS, K. - LVMPD P#14109 - A Detective with the Las Vegas Metropolitan Police Department as a Detective and Facial Recognition. An expert in the area of organized retail theft investigations, and will give related opinions thereto.

<u>NAME</u>	<u>ADDRESS</u>
ALDEN, ABREGO	C/O DISTRICT ATTORNEY'S OFFICE
ALVAREZ, SAMANTHA	ADDRESS UNKNOWN
AYLA, MICHELLE	FASHION SHOW FOOT LOCKER
BEVERIDGE, J.	LVMPD P#6707
CABRERA, ABRAHAM	LVMPD P#15669
*CASTANEDA, RUBY	Downton Summerlin Footlocker
CASTILLO, ELVIN	ADDRESS UNKNOWN
CLARK, J.	LVMPD P#13952
COURTLEY, KEATON	LVMPD P#15762
CUSTODIAN OF RECORDS	CCDC
CUSTODIAN OF RECORDS	CHAMPS SPORTS, 3200 S Las Vegas Blvd, LVN
*CUSTODIAN OF RECORDS	Downtown Summerlin Footlocker, 2120 Festival Plaza, Las Vegas, NV
*CUSTODIAN OF RECORDS	Foot Locker, 3200 Las Vegas Blvd., LVNV
CUSTODIAN OF RECORDS	FASHION SHOW MALL
*CUSTODIAN OF RECORDS	FACEBOOK
CUSTODIAN OF RECORDS	Foot Locker, 4300 Meadows Lane Ste 115, LVN
CUSTODIAN OF RECORDS	LVMPD - DISPATCH/COMMUNICATIONS
CUSTODIAN OF RECORDS	LVMPD - RECORDS
*CUSTODIAN OF RECORDS	NIKE, 9851 S. Eastern Ave., Las Vegas, NV
CUSTODIAN OF RECORDS	NIKE
CUSTODIAN OF RECORDS	WHITTLESEA BLUE CAB
CUSTODIAN OF RECORDS	WYNN HOTEL
CUSTODIAN OF RECORDS	WYNN HOTEL SECURITY

1	DAVIS, ALICIA SGT.	DIVISION OF PAROLE AND PROBATION
2	DENSON, AARON	LVMPD P#15763
3	DOUGHERTY, EDWARD	DA INVESTIGATOR AND/OR DESIGNEE
4	FISCHER, E.	LVMPD P#16456
5	FLORES, ARMANDO	ADDRESS UNKNOWN
6	GARCIA, C.	LVMPD P#13130
7	JACOBITZ, J.	LVMPD P#9398
8	JOHNSON, JOHN	LVMPD P#8546
9	KOFFORD, JORDAN	LVMPD P#15662
10	*KOOP, D.	LVMPD #4882
11	LASTER, G.	LVMPD P#5658
12	LAWS, JR., BRYAN	C/O DISTRICT ATTORNEY'S OFFICE
13	LNU, RUBY	FOOTLOCKER SUMMERLIN
14	LNU, STEVE (MANAGER)	FASHION SHOW FOOTLOCKER
15	MARU, YOHANNES	ADDRESS UNKNOWN
16	MIKALONIS, SHAY	LVMPD P#15903
17	MILLS, PHILIP	LVMPD P#15854
18	MONTALVO, DANIELLA	ADDRESS UNKNOWN
19	PANLILLO, CARMINA	ADDRESS UNKNOWN
20	PERKETT, ERIK	LVMPD P#14152
21	QUIMIRO, KYLE	LVMPD P#17390
22	SUMMERS, K.	LVMPD P#14109
23	WEBB, TAYLOR	LVMPD P#15851

24        These witnesses are in addition to those witnesses endorsed on the Information or  
25        Indictment and any other witness for which a separate Notice of Witnesses and/or Expert  
26        Witnesses has been filed.

27        //

28        //

1 The substance of each expert witness' testimony and copy of all reports made by or at  
2 the direction of the expert witness will be provided in discovery.

3 A copy of each expert witness' curriculum vitae, if available, is attached hereto.

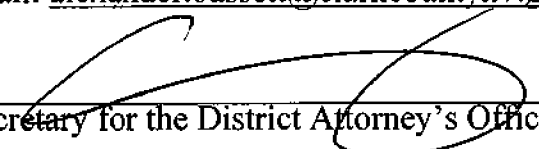
4 STEVEN B. WOLFSON  
5 Clark County District Attorney  
6 Nevada Bar #001565

7 BY /s/ASHLEY LACHER  
8 ASHLEY LACHER  
9 Deputy District Attorney  
10 Nevada Bar #014560

11  
12  
13  
14 CERTIFICATE OF ELECTRONIC FILING

15 I hereby certify that service of the above and foregoing was made this 26<sup>th</sup> day of  
16 October, 2020, by Electronic Filing to:

17  
18 ALEXANDER BASSETT, Deputy Public Defender  
19 Email: alexander.bassett@clarkcountynv.gov

20 BY:   
21 Secretary for the District Attorney's Office

22  
23  
24  
25  
26  
27 19F21141A/cmj/L1  
28



NOTC  
DARIN F. IMLAY, PUBLIC DEFENDER  
NEVADA BAR NO. 5674  
ALEXANDER B. BASSETT, DEPUTY PUBLIC DEFENDER  
NEVADA BAR NO. 14344  
**PUBLIC DEFENDERS OFFICE**  
309 South Third Street, Suite 226  
Las Vegas, Nevada 89155  
Telephone: (702) 455-4685  
Facsimile: (702) 455-5112  
Alexander.Bassett@clarkcountynv.gov  
*Attorneys for Defendant*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,	)	
	)	
Plaintiff,	)	CASE NO. C-19-344461-1
	)	
v.	)	DEPT. NO. XX
	)	
GREGORY DELLO MORGAN,	)	
	)	
Defendant,	)	
_____	)	

**DEFENDANT'S SUPPLEMENTAL NOTICE OF WITNESSES, PURSUANT TO NRS  
174.234**

TO: CLARK COUNTY DISTRICT ATTORNEY:

You, and each of you, will please take notice that the Defendant, GREGORY  
DELLO MORGAN, intends to call the following witness in his case in chief:

\*DENOTES ADDITION

BROWN, SHARNEI 3645 Palos Verde St., Apt. 108, Las Vegas, NV, 89119

\*MARTIN, ALEXANDER Nevada Parole and Probation, 215 E Bonanza Rd, Las  
Vegas, NV 89101

NELLIS, ANA Clark County Public Defender's Office

DATED this 29th day of October, 2020.

DARIN F. IMLAY  
CLARK COUNTY PUBLIC DEFENDER

By: /s/Alexander B. Bassett  
ALEXANDER B. BASSETT, #14344  
Deputy Public Defender

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that service of the above and forgoing NOTICE was served via electronic e-filing to the Clark County District Attorney's Office at [motions@clarkcountynyda.com](mailto:motions@clarkcountynyda.com) on this 29th day of October, 2020.

By: /s/ Erin Prisbrey

An employee of the  
Clark County Public Defender's Office

Case Name: Gregory Dello Morgan

Case No.: C-19-344461-1

Dept. No.: District Court, Department XX



**SLOW**  
**STEVEN B. WOLFSON**  
Clark County District Attorney  
Nevada Bar #001565  
**ASHLEY LACHER**  
Deputy District Attorney  
Nevada Bar #014560  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2212  
(702) 671-2500  
Attorney for Plaintiff

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

**THE STATE OF NEVADA,**  
  
**Plaintiff,**

**-vs-**

**GREGORY DELLO MORGAN,**  
**#2752270**  
  
**Defendant.**

**CASE NO: C-19-344461-1**

**DEPT NO: XX**

**STATE'S THIRD SUPPLEMENTAL NOTICE OF WITNESSES**  
**AND/OR EXPERT WITNESSES**  
**[NRS 174.234]**

**TO: GREGORY DELLO MORGAN, Defendant; and**

**TO: ALEXANDER BASSETT, Deputy Public Defender, Counsel of Record:**

**YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the STATE OF**  
**NEVADA intends to call the following witnesses and/or expert witnesses in its case in chief:**

**BEVERIDGE, J. - LVMPD P#6707 - With the Las Vegas Metropolitan Police**  
**Department. An expert in the area of organized retail theft investigations, and will give related**  
**opinions thereto.**

**LASTER, G. - LVMPD P#5658 - A Detective with the Las Vegas Metropolitan Police**  
**Department.**

**//**

**//**

**//**

SUMMERS, K. - LVMPD P#14109 - A Detective with the Las Vegas Metropolitan Police Department as a Detective and Facial Recognition. An expert in the area of organized retail theft investigations, and will give related opinions thereto.

<u>NAME</u>	<u>ADDRESS</u>
ALDEN, ABREGO	C/O DISTRICT ATTORNEY'S OFFICE
ALVAREZ, SAMANTHA	ADDRESS UNKNOWN
AYLA, MICHELLE	FASHION SHOW FOOT LOCKER
BEVERIDGE, J.	LVMPD P#6707
CABRERA, ABRAHAM	LVMPD P#15669
CASTANEDA, RUBY	Downton Summerlin Footlocker
CASTILLO, ELVIN	ADDRESS UNKNOWN
CLARK, J.	LVMPD P#13952
COURTLEY, KEATON	LVMPD P#15762
CUSTODIAN OF RECORDS	CCDC
CUSTODIAN OF RECORDS	CHAMPS SPORTS, 3200 S Las Vegas Blvd, LVN
CUSTODIAN OF RECORDS	Downtown Summerlin Footlocker, 2120 Festival Plaza, Las Vegas, NV
CUSTODIAN OF RECORDS	Foot Locker, 3200 Las Vegas Blvd., LVNV
CUSTODIAN OF RECORDS	FASHION SHOW MALL
CUSTODIAN OF RECORDS	FACEBOOK
CUSTODIAN OF RECORDS	Foot Locker, 4300 Meadows Lane Ste 115, LVN
CUSTODIAN OF RECORDS	LVMPD – DISPATCH/COMMUNICATIONS
CUSTODIAN OF RECORDS	LVMPD – RECORDS
CUSTODIAN OF RECORDS	NIKE, 9851 S. Eastern Ave., Las Vegas, NV
CUSTODIAN OF RECORDS	NIKE
CUSTODIAN OF RECORDS	WHITTLESEA BLUE CAB
CUSTODIAN OF RECORDS	WYNN HOTEL
CUSTODIAN OF RECORDS	WYNN HOTEL SECURITY

1	DAVIS, ALICIA SGT.	DIVISION OF PAROLE AND PROBATION
2	DENSON, AARON	LVMPD P#15763
3	DOUGHERTY, EDWARD	DA INVESTIGATOR AND/OR DESIGNEE
4	FISCHER, E.	LVMPD P#16456
5	FLORES, ARMANDO	ADDRESS UNKNOWN
6	GARCIA, C.	LVMPD P#13130
7	JACOBITZ, J.	LVMPD P#9398
8	JOHNSON, JOHN	LVMPD P#8546
9	KOFFORD, JORDAN	LVMPD P#15662
10	KOOP, D.	LVMPD #4882
11	LASTER, G.	LVMPD P#5658
12	LAWS, JR., BRYAN	C/O DISTRICT ATTORNEY'S OFFICE
13	LNU, RUBY	FOOTLOCKER SUMMERLIN
14	LNU, STEVE (MANAGER)	FASHION SHOW FOOTLOCKER
15	MARU, YOHANNES	ADDRESS UNKNOWN
16	MIKALONIS, SHAY	LVMPD P#15903
17	MILLS, PHILIP	LVMPD P#15854
18	MONTALVO, DANIELLA	ADDRESS UNKNOWN
19	PANLILLO, CARMINA	ADDRESS UNKNOWN
20	PERKETT, ERIK	LVMPD P#14152
21	QUIMIRO, KYLE	LVMPD P#17390
22	SUMMERS, K.	LVMPD P#14109
23	VARGAS, ELIZABETH	LVMPD P#8595
24	WEBB, TAYLOR	LVMPD P#15851

25        These witnesses are in addition to those witnesses endorsed on the Information or  
26        Indictment and any other witness for which a separate Notice of Witnesses and/or Expert  
27        Witnesses has been filed.

28        //

1 The substance of each expert witness' testimony and copy of all reports made by or at  
2 the direction of the expert witness will be provided in discovery.

3 A copy of each expert witness' curriculum vitae, if available, is attached hereto.

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

8 BY

  
9 ASHLEY LACHER  
10 Deputy District Attorney  
11 Nevada Bar #014560

12  
13  
14  
15 **CERTIFICATE OF ELECTRONIC FILING**

16 I hereby certify that service of the above and foregoing was made this 2<sup>nd</sup> day of  
17 November, 2020, by Electronic Filing to:

18  
19 ALEXANDER BASSETT, Deputy Public Defender  
20 Email: [alexander.bassett@clarkcountynv.gov](mailto:alexander.bassett@clarkcountynv.gov)

21 BY:

  
22 Secretary for the District Attorney's Office  
23  
24  
25  
26  
27

28 19F21141A/ckb/L4



1 **GPA**  
2 **STEVEN B. WOLFSON**  
3 **Clark County District Attorney**  
4 **Nevada Bar #001565**  
5 **CHAD N. LEXIS**  
6 **Chief Deputy District Attorney**  
7 **Nevada Bar #010391**  
8 **200 Lewis Avenue**  
9 **Las Vegas, NV 89155-2212**  
10 **(702) 671-2500**  
11 **Attorney for Plaintiff**

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

9 **THE STATE OF NEVADA,**

10 **Plaintiff,**

11 **-vs-**

**CASE NO: C-19-344461-1**

12 **GREGORY DELLO MORGAN,**  
13 **#2752270**

**DEPT NO: XX**

14 **Defendant.**

15 **GUILTY PLEA AGREEMENT**

16 I hereby agree to plead guilty to: **COUNT 1 - CONSPIRACY TO COMMIT**  
17 **ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147); COUNT 2 -**  
18 **ROBBERY (Category B Felony - NRS 200.380 - NOC 50137) and COUNT 3 -**  
19 **BURGLARY (Category B Felony - NRS 205.060 - NOC 50424), as more fully alleged in**  
20 **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 on Count 1, to twenty four (24) month to sixty (60) months, on  
24 Count 2, thirty six (36) months to one hundred twenty (120) months and Count 3, twenty four  
25 (24) months to sixty (60) months in the Nevada Department of Corrections. Count 2, to run  
26 consecutive to Count 1, and Count 3 to run concurrent to Count 2. Further, the State agrees  
27 not to seek habitual criminal treatment.

28 //

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

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

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

#### CONSEQUENCES OF THE PLEA

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

As to Count 1, I understand that as a consequence of my plea of guilty the Court must sentence me to imprisonment in the Nevada Department of Corrections for a minimum term of not less than ONE (1) year and a maximum term of not more than SIX (6) years. The minimum term of imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment. I understand that I may also be fined up to \$10,000.00.

As to Count 2, I understand that as a consequence of my plea of guilty the Court must sentence me to imprisonment in the Nevada Department of Corrections for a minimum term of not less than TWO (2) years and a maximum term of not more than FIFTEEN (15) years. The minimum term of imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment.

//

1       **As to Count 3**, I understand that as a consequence of my plea of guilty the Court must  
2 sentence me to imprisonment in the Nevada Department of Corrections for a minimum term  
3 of not less than ONE (1) year and a maximum term of not more than TEN (10) years. The  
4 minimum term of imprisonment may not exceed forty percent (40%) of the maximum term of  
5 imprisonment. I understand that I may also be fined up to \$10,000.00. I understand that the  
6 law requires me to pay an Administrative Assessment Fee.

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

11       **As to Counts 1, 2 & 3**, I understand that I am eligible for probation for the offense to  
12 which I am pleading guilty. I understand that, except as otherwise provided by statute, the  
13 question of whether I receive probation is in the discretion of the sentencing judge.

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.

**PLEADING  
CONTINUES  
IN NEXT  
VOLUME**