

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 02:21 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Case No: C-19-344461-1

Docket No: 84898

RECORD ON APPEAL VOLUME 3

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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1 THE COURT: Do you need me to -- do you need me to read
2 out loud here in court today the indictment to you again?

3 THE DEFENDANT: No, sir.

4 THE COURT: Okay. Now, before accepting your guilty plea,
5 there are a number of questions I'm going to have to ask you to assure
6 myself you're entering a valid plea. If you do not understand any of the
7 questions, will you please let me know so I can rephrase the question?

8 THE DEFENDANT: Yes, sir.

9 [Pause in proceeding]

10 THE COURT: And then -- if at any time you wish to take a
11 break in the proceedings so you can discuss matters in private with your
12 attorney, will you let me know that, so I can give you the opportunity to
13 do so?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Okay. How old are you?

16 THE DEFENDANT: Thirty-seven years old, sir.

17 THE COURT: And where were you born?

18 THE DEFENDANT: Seattle, Washington.

19 THE COURT: How far did you go in school?

20 THE DEFENDANT: Twelfth grade.

21 THE COURT: Have you taken any drugs, medicine, pills of
22 any kind or drunk any alcoholic beverages in the past 24 hours?

23 THE DEFENDANT: High blood pressure medicine.

24 THE COURT: What is it? Do you know?

25 THE DEFENDANT: Lisinopril.

1 THE COURT: Does that affect in any way your ability to read
2 or to hear or to understand what's going on around you?

3 THE DEFENDANT: Not at all, sir.

4 THE COURT: All right. When was the last time you took
5 that?

6 THE DEFENDANT: About 10 o'clock last night.

7 THE COURT: All right. Now, are you on any other
8 medications over at the jail?

9 THE DEFENDANT: No, sir.

10 THE COURT: All right. Have you ever been treated for any
11 mental illness or addiction to narcotic drugs of any kind?

12 THE DEFENDANT: No, sir.

13 THE COURT: Do you understand what's happening here
14 today?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Tell me in your own words what's happening
17 here today.

18 THE DEFENDANT: Pleading guilty to a count of robbery,
19 burglary; conspiracy to commit robbery.

20 THE COURT: Does either Counsel have any doubts as to the
21 defendant's competence to plead at this time?

22 MR. BASSETT: No, sir.

23 THE COURT: Mr. Lexis?

24 MR. LEXIS: No, sir.

25 THE COURT: Okay. Well based on Counsel's

1 representation, and the court's own observation of the defendant, I find
2 the defendant is competent to plead in this matter. Now, have you had
3 ample opportunity to discuss your case with your attorney?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Have you discussed with him any possible
6 defenses, defense strategies and circumstances which might be in your
7 favor?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: Are you satisfied to have him as your attorney
10 and the advice he's given you?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Do you understand that, under the Constitution
13 laws of the United States; the State of Nevada, you're entitled to have an
14 attorney represent you at every stage and proceedings against you?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: Do you understand under the Constitution laws
17 of the United States; the State of Nevada, you're entitled to a trial by jury
18 on the charges contained in the indictment?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: Do you understand that, in order to convict you,
21 all of the jurors would have to agree that you are guilty?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: Do you understand that, at trial, you would be
24 presumed to be innocent and the State would have to overcome that
25 presumption and prove you guilty beyond a reasonable doubt by

1 competent evidence, and you would not --

2 THE DEFENDANT: Yes, sir.

3 THE COURT: -- have to prove that you were innocent?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Do you understand that, in the course of the
6 trial, the witnesses for the State would have to come to court and testify
7 in your presence and your attorney could cross-examine those
8 witnesses and could object to evidence offered by the State?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Do you understand that, at trial, your attorney
11 would have the right to call witnesses and present evidence on your
12 behalf?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Do you understand that, at trial, while you
15 would have a right to testify if you chose to do so, you would also have
16 the right not to testify, and if you decided not to testify at your trial, the
17 State would not be able to use the fact you didn't testify against you in
18 any way to prove the State's case?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: If I accept your guilty plea, do you understand
21 that you'll be waiving; that is giving up your right to a jury trial and all of
22 the other rights I've just discussed?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: In pleading guilty, do you understand you'll also
25 have to waive your right not to testify against yourself because you'll

1 have to admit you committed the crimes charged in the indictment, and I
2 am going to have to ask you some questions about what you did to
3 satisfy myself that you are guilty as charged?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: Now, you've been charged in Count 1 of the
6 amended indictment with conspiracy to commit robbery. Do you
7 understand that, for you to be guilty of this crime, the State would have
8 to prove beyond a reasonable doubt that you were in Clark County,
9 Nevada, between July 4, 2019 and September 24, 2019 and during that
10 period of time and in Clark County, in this instance between Sept. 20,
11 2019 and September 24, 2019, you did willfully and unlawfully conspire,
12 that is reach an agreement with Andre Snipes to commit a robbery; by
13 you committing the acts as set forth in Count 2 of the indictment against
14 you? Do you understand the State would have to prove all of those facts
15 beyond a reasonable doubt for you to be guilty of Count 1, conspiracy to
16 commit robbery?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Do you understand that Count 2, robbery, for
19 you to be guilty of this crime, the State would have to prove beyond a
20 reasonable doubt that you were in Clark County, Nevada on September
21 20, 2019 and on that date and in Clark County, you did willfully and
22 unlawfully take personal property, that being merchandise, from the
23 person or in the presence of Bryan Laws, and on September 24, 2019
24 that you willfully and unlawfully took personal property, that being
25 merchandise, from the person or in the presence of Abrego Alden and

1 that you did this without the consent and against the will of either Bryan
2 Laws or Abrego Alden and that you did this by means of force or
3 violence or fear of injury, immediate or in the future, to their person, a
4 person of a member of their family or anyone in their company at the
5 time of the robbery and that you did this using force or fear to obtain or
6 retain the property -- the possession of the property to prevent or
7 overcome resistance of taking the property and/or to facilitate escape
8 with you either doing these acts directly in committing the crime or by
9 aiding and abetting another in the commission of this crime, with the
10 intention that the crime be committed, or pursuant to a conspiracy to
11 commit this crime with the intent that the crime could be committed
12 with -- do you understand the State would have to prove all of those
13 facts beyond a reasonable doubt for you to be found guilty of robbery?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Now, as to Count 3, burglary, do you
16 understand that for you to be guilty of this crime, the State would have to
17 prove beyond a reasonable doubt that, you were in Clark County
18 Nevada, between July 4, 2019 and October 2nd, 2019, and during this
19 time and while in Clark County, that on -- about on -- on or about July 4,
20 2019, you entered a building owned or occupied by Nike, located on
21 South Eastern Avenue, Clark County, and that on September 20, 2019,
22 you entered a building owned or occupied by Footlocker, located on
23 South Las Vegas Boulevard in Clark County, and that on or about
24 September 24, 2019, you entered a building occupied -- owned or
25 occupied by Champs Sports, located on South Las Vegas Boulevard,

1 and then on or about Sept. 29, 2019, you entered a building owned or
2 occupied by Footlocker, located on Festival Plaza Drive, and on or about
3 October 2nd, 2019, that you entered a building owned or occupied by
4 Nike, located on South Eastern Boulevard [sic], and that in doing these
5 various entries, you entered with the intent to commit larceny; you being
6 either being criminally responsible either by directly doing the crimes
7 yourself or aiding and abetting the commission of these crimes, with the
8 intent that the crimes be committed, or pursuant to a conspiracy to
9 commit the crime with the intent that the crime be committed. Do you
10 understand the State would have to prove all of these facts beyond a
11 reasonable doubt for you to be guilty of burglary?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: All right. Do you understand that, as to Count
14 1, conspiracy to commit robbery that, the penalty for this crime is a
15 minimum of one year and a maximum of six years in the Nevada
16 Department of Corrections?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: Do you understand that, in addition to or
19 separate for any term of imprisonment on Count 1, you can be fined up
20 to ten thousand dollars?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: As to Count 2, robbery, do you understand that
23 the penalty for this crime is a minimum sentence of two years to a
24 maximum sentence of 15 years imprisonment in the Nevada Department
25 of Corrections?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: As to Count 3, burglary, do you understand
3 that the penalty for this crime is a minimum of one year to a maximum of
4 10 years imprisonment in the Nevada Department of Corrections?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: And as to burglary, do you understand that in
7 addition to or separate from any sentence of imprisonment, you can be
8 fined up to ten thousand dollars?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: Do you also understand that an assessment
11 fee of \$25, a DNA assessment fee of \$3, and if you're not already been
12 tested, a DNA testing fee of \$150 will be imposed at the time of
13 sentencing?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Do you understand that, if you're not previously
16 been tested, you'll be ordered to be tested for DNA at the time of
17 sentencing?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Now, pursuant to the statutes to which you are
20 pleading guilty, you are eligible for probation. Do you understand that
21 the decision whether to grant you probation on any count is my decision
22 as the sentencing judge regardless of any recommendation or
23 stipulation of your attorney and the prosecutor; if I decline or decide not
24 to sentence you to probation and you're not happy with my sentence, do
25 you understand that you cannot withdraw your plea?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: Do you also understand if I was to sentence
3 you to probation, you would be required to abide by conditions specified
4 by the court and that probation can be revoked if you've violated any of
5 those conditions?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: Do you also understand if probation is revoked
8 for any reason, you can be in prison for the full term of any suspended
9 sentence I might give in this matter?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Do you also understand the Court may order
12 you to make any restitution to any victim of the offenses to which you
13 are pleading guilty?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Do you understand the offenses to which you
16 are pleading guilty are felony offenses?

17 THE DEFENDANT: Yes, sir.

18 THE COURT: If your pleas are accepted, you'll be adjudged
19 guilty of a felony and that may deprive you a valuable civil right, such as:
20 a right to vote, the right to serve on a jury, the right to possess any kind
21 of firearm, the ability to apply to a foreign government for a Visa, or the
22 ability to travel freely and internationally. Do you understand that?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: Now, has anyone threatened you or forced you
25 to be plead guilty?

1 THE DEFENDANT: No, sir.

2 THE COURT: Has anyone told you if you do not plead guilty,
3 some other adverse action will be taken against you?

4 THE DEFENDANT: No, sir.

5 THE COURT: Now, have you through your attorney entered
6 into a plea agreement with the State?

7 THE DEFENDANT: Yes, sir.

8 THE COURT: I'm holding in my hand a document entitled,
9 Guilty Plea Agreement, which at page 6 shows the signature for you and
10 it shows that it was signed by Mr. Bassett on your behalf. Is that
11 correct?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: And did you do this -- did you direct Mr.
14 Bassett to sign your signature on your behalf?

15 THE DEFENDANT: Yes, sir.

16 THE COURT: All right. And before directing your attorney to
17 sign the plea agreement for you, did you have the plea agreement read
18 to you?

19 THE DEFENDANT: Yes, sir.

20 THE COURT: And before directing your attorney to sign the
21 plea agreement for you, did you talk with your attorney about the terms
22 of the guilty plea agreement?

23 THE DEFENDANT: Yes, sir.

24 THE COURT: And did your attorney discuss with you that he
25 signing your name at your direction to the guilty plea agreement will be

1 treated the same as if you actually signed the guilty plea agreement?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: Now, you're here today to enter your actual
4 plea of guilty to the three charges in the superseding indictment. I want
5 to make clear for the record that the signature that's been placed on the
6 guilty plea agreement in front of me, by your attorney, is to be treated by
7 the same as if you've signed the plea agreement. Is that correct?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: All right. And you do this knowingly, willingly
10 and voluntarily?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Now, do you feel you understand the plea
13 agreement?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: Do you understand that your attorney, at the
16 start of this proceeding, went through the substance or the primary
17 terms of your plea agreement with the State that this written plea
18 agreement contains in writing everything you and the State are agreeing
19 to?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: Do you understand that, even if your attorney
22 did not mention a term or understanding with the State orally at the
23 beginning of the proceedings, if it's in your plea agreement and in
24 writing, you are also agreeing to these terms?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: Now, has anyone made any promise to you
2 other than what's set forth in the plea agreement to induce you or cause
3 you to plead guilty?

4 THE DEFENDANT: No, sir.

5 THE COURT: Do you understand that any request,
6 recommendation or stipulation of sentence made by or agreed by your
7 attorney or an attorney for the State is not binding on the Court and that
8 you might on the basis of your guilty plea receive a more severe
9 sentence than that requested, recommended or stipulated?

10 THE DEFENDANT: Yes, sir.

11 THE COURT: Do you understand that, if that was to happen,
12 you would not have the right to withdraw your guilty plea?

13 THE DEFENDANT: Yes, sir.

14 THE COURT: Other than what's set forth in the plea
15 agreement, has anyone made any prediction or promise to you as to
16 what your sentence will be?

17 THE DEFENDANT: No, sir.

18 THE COURT: Do you understand that, under your agreement
19 with the State, if you failed to interview with the Department of Parole
20 and Probation, failed to appear at any subsequent hearings in this case
21 or an independent magistrate by affidavit review confirms probable
22 cause you committed new criminal charges, including reckless driving or
23 DUI but excluding minor traffic violations, the State will have a right to
24 argue for any legal sentence in term of confinement allowable for the
25 crimes to which you are pleading?

1 THE DEFENDANT: Yes, sir.

2 THE COURT: Do you have any questions about what you are
3 alleged to have done in the second amended superseding indictment?

4 THE DEFENDANT: No, sir.

5 THE COURT: How then do you plead to the charge in Count
6 1 of the second superseding indictment, conspiracy to commit robbery,
7 guilty or not guilty?

8 THE DEFENDANT: Guilty, sir.

9 THE COURT: How do you plead to Count 2, robbery, guilty or
10 not guilty?

11 THE DEFENDANT: Guilty.

12 THE COURT: How do you plead to Count 3, burglary, guilty
13 or not guilty?

14 THE DEFENDANT: Guilty.

15 THE COURT: All right. Let me ask you as to Count 2, I'm
16 going to go there first, robbery. Were you in Clark County, Nevada, on
17 or about September 20, 2019 and September 24, 2019?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: And on September 20, 2019, did you willfully
20 and unlawfully take personal property, that being merchandise from the
21 person of Bryan Laws?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: And on -- from the person or in the presence of
24 Bryan Laws?

25 THE DEFENDANT: Yes, sir.

1 THE COURT: And on September 24, 2019, did you willfully
2 and unlawfully take personal property, that being merchandise from the
3 person or in the presence of Abrego Alden?

4 THE DEFENDANT: You said that I take personal property? I
5 don't understand that verse.

6 THE COURT: I said, did you willfully or unlawfully take
7 personal property, that being merchandise from the person or in the
8 presence of Abrego Alden?

9 THE DEFENDANT: That's where I don't understand you
10 because – can I talk to my attorney?

11 THE COURT: All right. Do you have the number?

12 MR. BASSETT: Yep.

13 THE COURT: Okay, we'll have him give you a call.

14 [Proceeding ended at 2:36 p.m.]

15 [Proceeding resumed at 3:02 p.m.]

16 THE COURT: All right.

17 Mr. Morgan, are you still there?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: All right. Let's go over your charges.

20 Now, Mr. Morgan, were you in Clark County, Nevada,
21 on September 20, 2019 and September 24, 2019?

22 THE DEFENDANT: Yes, sir.

23 THE COURT: And I'm talking about Count 2, your robbery
24 count. On September 20, 2019, did you willfully and unlawfully take
25 personal property, that being merchandise from the person or in the

1 presence of Bryan Laws?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: And then on September 24, 2019, did you
4 willfully and unlawfully take personal property, that being merchandise
5 from the person or in the presence of Abrego Alden?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: And did you do this without the consent and
8 against the will of Bryan Laws and Abrego Alden?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: And did you do this by means of force or
11 violence or fear of injury, either immediate or in the future, to their
12 person, the person of a member of their family, or of anyone in their
13 company at the time of the robbery?

14 THE DEFENDANT: Yes, sir.

15 THE COURT: And did you do this using force or fear to obtain
16 or retain possession of the property to prevent or overcome resistance
17 of taking of the property or to facilitate estate?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Now, did you personally do these acts directly
20 to commit the crime? Or did you aid and abet in the commission of the
21 crime with the intent that the crime be committed? Or did you participate
22 in a conspiracy to commit the crimes with the intent the crimes be
23 committed?

24 THE DEFENDANT: No, I personally did it.

25 THE COURT: Okay, very good.

1 Then as to Count 1, conspiracy to commit property [sic],
2 were you in Clark County, Nevada, on or between September 20, 2019
3 and September 24, 2019?

4 THE DEFENDANT: Yes, sir.

5 THE COURT: And did you willfully and unlawfully conspire,
6 that is reach an agreement with Andre Snipes to commit robbery by
7 committing the acts that I just described in Count 2 concerning robbery?

8 THE DEFENDANT: Yes, sir.

9 THE COURT: And then as to Count 3, burglary, were you in -
10 - let's see. Did you -- were you on January 4, 20 --

11 MR. BASSETT: July 4th.

12 MS. ROSE-GOODMAN: July 4th.

13 THE COURT: Yeah, July 4th, 2019. Did you willfully enter a
14 building owned or occupied by Nike and located on South Eastern
15 Avenue?

16 THE DEFENDANT: Yes, sir.

17 THE COURT: And on September 20, 2019, did you enter a
18 building owned or occupied by Footlocker on South Las Vegas
19 Boulevard?

20 THE DEFENDANT: Yes, sir.

21 THE COURT: And on September 24, 2019, did you enter a
22 building owned or occupied by Champs Sports on South Las Vegas
23 Boulevard?

24 THE DEFENDANT: Yes, sir.

25 THE COURT: And on September 29, 2019, did you enter a

1 building owned or occupied by Footlocker on Festival Plaza Drive?

2 THE DEFENDANT: Yes, sir.

3 THE COURT: And on October 2, 2019, did you enter a
4 building owned or occupied by Nike and located on South Eastern
5 Avenue?

6 THE DEFENDANT: Yes, sir.

7 THE COURT: And were all these buildings in Clark County,
8 Nevada?

9 THE DEFENDANT: Yes, sir.

10 THE COURT: And did you enter these buildings with the
11 intent to commit larceny?

12 THE DEFENDANT: Yes, sir.

13 THE COURT: And did you enter the buildings directly in
14 committing the crimes or aiding and abetting another in a commission of
15 the crimes with the intent the crimes be committed, or pursuant to a
16 conspiracy to commit the crimes with the intent the crimes be
17 committed?

18 THE DEFENDANT: Yes, sir.

19 THE COURT: Is that sufficient for the State?

20 MS. ROSE-GOODMAN: Yes, Your Honor.

21 THE COURT: All right. Since you -- since you acknowledge
22 that you are in fact guilty as charged, since you know your right to trial,
23 what the maximum possible punishment is, since you're voluntarily
24 pleading guilty, I will conditionally accept your guilty plea. It's the finding
25 of court, the defendant is fully competent and capable of entering an

1 informed plea. The plea of guilty is knowingly and voluntary supported
2 by an independent basis. In fact, the essential elements of the offense
3 charged. Again, his plea is therefore accepted. Let's set a sentencing
4 date.

5 THE CLERK: December 22nd, at 1:45.

6 THE COURT: Okay.

7 MR. BASSETT: Thank you.

8 [Hearing concluded at 3:07 p.m.]

9
10 ATTEST: I do hereby certify that I have truly and correctly transcribed the
11 audio/video proceedings in the above-entitled case to the best of my ability.

12 

13 Angie Calvillo
14 Court Recorder/Transcriber
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VERF
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. XXXII
)	
GREGORY DELLO MORGAN,)	
)	
Defendant,)	
_____)	

VERIFICATION OF PROVIDING DISCOVERY
MATERIALS TO DEFENDANT

Pursuant to this Honorable Court's directive after granting Defendant's Motion for Withdrawal of Attorney of Record and Delivery of Records, the undersigned counsel hereby files this written acknowledgment of having provided all discovery materials in Defendant's file to Defendant, either via mail or via hand delivery in Court. Out of an abundance of caution, counsel has once again sent a full copy of the discovery in this case to Defendant via mail on September 23, 2021.

DATED this 28th day of September, 2021.

DARIN F. IMLAY
CLARK COUNTY PUBLIC DEFENDER

By: /s/Alexander B. Bassett
ALEXANDER B. BASSETT, #14344
Deputy Public Defender

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Gregory Dello Morgan, #1196223
Southern Desert Correctional Center
P.O. Box 208
Indian Springs, NV 89070

By: /s/Melissa Boudreault
Clark County Public Defender Employee

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that service of the foregoing, was made this 28th day of September, 2021

to:

Clark County District Attorney's Office
motions@clarkcountyda.com

District Court, Department XXXII
Judge Christy Craig

By: /s/Melissa Boudreault
Clark County Public Defender Employee

DOCUMENTS ENCLOSED

- Letter to Defendant from Deputy Public Defender, Alexander Bassett
- Judgment of Conviction dated January 21, 2021
- Letter to Defendant from Deputy Public Defender, Alexander Bassett
- Presentence Investigation Report
- Guilty Plea Agreement
- State's Third Supplemental Notice of Witnesses and/or Expert Witnesses
- State's Second Supplemental Notice of Witnesses and/or Expert Witnesses
- Motion to Sever Co-Defendants
- Amended Superseding Indictment
- Indictment
- Court Minutes from November 5, 2019
- Criminal Complaint
- Las Vegas Metropolitan Police Department Temporary Custody Record
- Las Vegas Metropolitan Police Department Declaration of Arrest Report
- Las Vegas Metropolitan Police Department Voluntary Statement
- Motion to Continue Trial Date – Filed Under Seal
- Defendant's Opposition to State's Motion to Admit Prior Bad Acts
- Request and Order to File Motion To Continue Trial Date Under Seal
- State's Notice of Motion in Limine Defendant's Statements and Motion to Admit
Evidence of Other Bad Acts or in the Alternative to Put Defendant's Notice of the State's
Intention to Admit Prior Judgement of Conviction
- Las Vegas Metropolitan Police Department Summary Incident Report
- Email from Natosha Ringel to Ashley Lacher dated Wednesday, October 23, 2019
- Indictment Warrant
- Court Minutes Dated November 1, 2019

- Reporter's Transcript of Proceedings dated October 31, 2019
- Presentence Investigation Report dated December 7, 2017
- Las Vegas Metropolitan Police Department Dispatch Logs from the dates and times of incidents
- Copies of the Text Messages between Police and Defendant about sale of merchandise
- Las Vegas Metropolitan Police Department Reports/Documents/Statements

Heather S. Hume

CLERK OF THE COURT

ORDR

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
RONALD JAMES EVANS
Deputy District Attorney
Nevada Bar #15218
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: XXXII

ORDER DENYING DEFENDANT'S MOTION TO WITHDRAW PLEA

DATE OF HEARING: September 21, 2021
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 21st day of September, 2021, the Defendant not being present, IN PROPER PERSON, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through RONALD JAMES EVANS, Deputy District Attorney, and the Court without argument, based on the pleadings and good cause appearing therefor,

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1 IT IS HEREBY ORDERED that the Defendant's Motion to Withdraw Plea, shall be,
2 and it is DENIED. COURT NOTED, this was a stipulated sentence and any discussion about
3 presenting exculpatory evidence or expert testimony at sentencing did not make sense, and
4 the Defendant's points did not make sense as to why it would impact a stipulated sentence.

5 COURT FURTHER NOTED, a post-conviction petition for writ of habeas corpus was
6 the proper remedy to challenge the validity of the sentence. ^{Dated this 1st day of October, 2021}

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

9F8 B16 78D3 BCEC
Christy Craig
District Court Judge

BY /s/ RONALD JAMES EVANS
RONALD JAMES EVANS
Deputy District Attorney
Nevada Bar #15218

CERTIFICATE OF SERVICE

I certify that on the _____ day of September, 2021, I mailed a copy of the foregoing
Order to:

GREGORY DELLO MORGAN, BAC #1196223
SDCC
P. O. BOX 208
INDIAN SPRINGS, NEVADA 89070-0208

BY /s/ J. HAYES
Secretary for the District Attorney's Office

19F21141A/jh/GCU

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-19-344461-1

7 vs

DEPT. NO. Department 32

8 Gregory Morgan
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 10/1/2021

15 Dept 20 Law Clerk

Dept20LC@clarkcountycourts.us

16 Melissa Boudreault

mezama@clarkcountynv.gov

17 Erin Prisbrey

erin.prisbrey@clarkcountynv.gov

18 DeLois Williams

Delois.Williams@clarkcountynv.gov

19 Cynthia Bush

cynthia.bush@clarkcountyda.com

20 Alexander Bassett

alexander.bassett@clarkcountynv.gov

21 Michael Wilfong

WilfonMH@clarkcountynv.gov

22 Janet Robertson

Janet.Robertson@clarkcountyda.com

23 Brett Spratt

Brett.Spratt@clarkcountynv.gov

24 Department XXXII

Dept32LC@clarkcountycourts.us

25 DA .

Motions@ClarkCountyDA.com

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Recopy

FILED

OCT 05 2021

John L. Blum
CLERK OF COURT

1 Gregory D. Morgan, #1196223
2 Defendant In Propria Personam
3 SDC, Post Office Box-208
4 Indian Springs, Nevada-89070-0208.

DISTRICT COURT

CLARK COUNTY, NEVADA

5
6
7 The State of Nevada,)
8 Plaintiff,)
9 Vs.)
10 Gregory D. Morgan,)
11 Defendant.)

Case No. # C-19-344461-1
Dept. No. # 32
Docket No. #

October 26, 2021
8:30 AM

MOTION TO APPOINT COUNSEL

Date Of Hearing: _____

Time Of Hearing: _____

17 COMES NOW the Defendant Gregory D. Morgan in proper person and
18 hereby moves this Honorable Court for an ORDER granting him Counsel in the herein
19 proceeding action.

20 This Motion is made and based upon all papers and pleadings on File herein
21 and attached Points and Authorities.

22
23 Dated: This 26 Day of September, 2021.

Respectfully Submitted,

26 BY: Gregory D. Morgan
27 Gregory D. Morgan #119622
28 Defendant, In Forma Pauperis:

PP
DA

RECEIVED
OCT 04 2021
CLERK OF THE COURT

POINTS AND AUTHORITIES

NRS.34.750 Appointment of Counsel for indigents;pleading sipplemental to
petition;response to dismiss:

"If the Court is satisfied that the allegation of indigency is True and the
petition is Not dismissed summarily,the Court may appoint counsel to represent
the-"petitioner/defendant."

NRS.171.188 Procedure for appointment of attorney for indigent defendant:

"Any defendant charged with a public offense who is an indigent may, by oral
statement to the District Judge,justice of the peace,municipal judge or master,
request the appointment of an attorney to represent him."

NRS 178.397 Assignment of counsel;

"Every defendant accused of a gross misdemeanor or felony who is financially
unable to obtain counsel is entitled to have counsel assigned to represent him at
every stage of the proceedings from his initial appearance before a magistrate or
the court through appeal,unless he waives such appointment."

WHEREFORE ,petitioner/defendant,prays this Honorable Court will grant his
motion for the appointment of counsel to allow him the assistance that is needed
to insure that justice is served.

Dated:This 26 Day of September, 2021.

Respectfully Submitted,

BY: Gregory D Morgan
Gregory D Morgan #1196223
Defendant, In Forma Pauperis:

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ADDITIONAL FACTS OF THE CASE:

1 I am ask the court to Appoint Counsel
2 On my behalf. I filed a Motion to withdraw
3 Counsel which was granted on 7-22-21
4 At which time within my Motion I ask for
5 the court to Appoint Counsel and that never
6 happen. I am Seeking Relief in my Case
7 and I am in need of help from legal Counsel.

8 Amendment VI [1791] Have the Assistance of
9 Counsel for his Defence.
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AFFIDAVIT OF: Gregory D. Morgan

STATE OF NEVADA)
COUNTY OF CLARK) ss:

TO WHOM IT MAY CONCERN:

I, Gregory D. Morgan the undersigned, do hereby swear that all statements, facts and events within my foregoing Affidavit are true and correct of my own knowledge, information and belief, and as to those, I believe them to be True and Correct. Signed under the penalty of perjury, pursuant to, NRS. 29.010; 53.045; 208.165, and state the following:

- 1) I am currently incarcerated at Southern Desert Correctional Center;
- 2) This Motion is not intended to Impede the course of Justice but it is in the furtherance of justice.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

EXECUTED At: Indian Springs, Nevada, this 26 Day of September.

20__.

BY: Gregory D. Morgan
Gregory D. Morgan # 1196223
Post Office Box 203 (SDCC)
Indian Springs, Nevada 89070
Affiant, In Propria Personam:

CERTIFICATE OF SERVICE BY MAILING

I, Gregory D Morgan, hereby certify, pursuant to NRCP 5(b), that on this 26
day of September, 2021, I mailed a true and correct copy of the foregoing, "Motion
to Appoint Counsel"
by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

Steven D. Grierson
Clerk of the Court
200 Lewis Avenue 3rd floor
Las Vegas, NV
89155-1160

Steve Wolfson
Distic Attorney
200 Lewis Ave
Las Vegas NV
89155-2212

CC:FILE

DATED: this 26 day of September, 2021.

Gregory D. Morgan
Gregory D Morgan #1196223
/In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding _____

Motion to Appoint Counsel
(Title of Document)

filed in District Court Case number _____

☒ Does not contain the social security number of any person.

-OR-

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

A. A specific state or federal law, to wit:

(State specific law)

-or-

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

Gregory D. Morgan
Signature

9/26/21
Date

Gregory D. Morgan
Print Name

Defendant
Title

Gregory Morgan # 2223
S.D.C.
P.O. Box 208
Indian Springs NV 89070

c/o Clerk of the Court
Steven Grier
200 Lewis Avenue 3rd Floor
Las Vegas, NV 89155-1160

5400 0003310169

Southern
Correctional Center
SEP 27 2021
OUTGOING MAIL

Southern
Correctional Center
SEP 30 2021
OUTGOING MAIL

5-AM



OPPS
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney
Nevada Bar #006528
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: XXXII

**STATE'S OPPOSITION TO DEFENDANT'S
MOTION TO APPOINT COUNSEL**

DATE OF HEARING: OCTOBER 26, 2021
TIME OF HEARING: 8:30 AM

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through JONATHAN E. VANBOSKERCK, Chief Deputy District Attorney, and hereby submits the attached Points and Authorities in Opposition to Defendant's Motion to Withdraw Plea.

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

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1 **POINTS AND AUTHORITIES**

2 **STATEMENT OF THE CASE**

3 On November 1, 2019, the Grand Jury indicted Gregory Dello Morgan (“Defendant”)
4 with Count One: Grand Larceny (Category C Felony – NRS 205.220.1, 205.222.2); Count
5 Two: Conspiracy to Commit Robbery (Category B Felony – NRS 200.380, 199.480); Count
6 Three: Robbery with Use of a Deadly Weapon (Category B Felony – NRS 200.380, 193.165);
7 Count Four: Burglary While in Possession of a Deadly Weapon (Category B Felony – NRS
8 206.060); Count Five: Burglary (Category B Felony – NRS 205.060); Count Six: Burglary
9 While in Possession of a Deadly Weapon (Category B Felony – NRS 206.060); Count Seven:
10 Grand Larceny (Category C Felony – NRS 205.220.1, 205.222.2); Count Eight: Conspiracy to
11 Commit Robbery (Category B Felony – NRS 200.380, 199.480); Count Nine: Robbery with
12 Use of a Deadly Weapon (Category B Felony – NRS 200.380, 193.165); Count Ten: Burglary
13 (Category B Felony – NRS 205.060); Count Eleven: Grand Larceny (Category C Felony –
14 NRS 205.220.1, 205.222.2); and Count Twelve: Burglary (Category B Felony – NRS
15 205.060). Indictment filed 11/1/19 (“Indictment”) at 1-5. These events occurred between
16 September 20, 2019, and October 2, 2019. Indictment at 1.

17 On January 10, 2020, the State filed a superseding indictment adding additional counts
18 of Grand Larceny and burglary, as well as a charge of Participation in Organized Retail Theft
19 (Category B Felony – NRS 205.08345). Superseding Indictment filed 1/10/20. This was
20 amended on January 14, 2020, to add an additional count for a total of eighteen (18) counts.
21 Amended Superseding Indictment filed 1/14/20.

22 The State filed a motion to admit Defendant’s prior bad acts and previous convictions.
23 State’s Notice of Motion in Limine Defendants Statements and Motion to Admit Evidence of
24 Other Bad Acts or in the Alternative to Put Defendants on Notice of the State’s Intention to
25 Admit Prior Judgment of Conviction, filed 2/19/20. The State also filed a motion to seek
26 punishment as a habitual criminal. State’s Notice of Intent to Seek Punishment as a Habitual
27 Criminal, filed 3/3/20. The motion to admit prior bad acts and previous convictions was
28 denied, as was Defendant’s motion to sever his trial from his co-defendants. Minutes filed

1 3/5/20. Defendant moved to dismiss his counsel but in open court withdrew that motion.
2 Motion to Dismiss Counsel and Appoint Alternate Counsel filed 9/21/20; Minutes filed
3 10/13/20.

4 On November 4, 2020, the Court set trial for November 12, 2020. The next day,
5 Defendant entered into a guilty plea agreement. Guilty Plea Agreement (“GPA”) filed 11/5/20.
6 In the GPA, Defendant pled guilty to Count One: Conspiracy to Commit Robbery (Category
7 B Felony – NRS 200.380, 199.480); Count Two: Robbery with Use of a Deadly Weapon
8 (Category B Felony – NRS 200.380); and Count Three: Burglary (Category B Felony – NRS
9 205.060). GPA at 1. The other fifteen (15) felony charges were dropped and Defendant was
10 not sentenced as a habitual criminal. GPA at 1. As a habitual criminal, he risked life without
11 the possibility of parole. GPA at 2.

12 The Judgment of Conviction (“JOC”) was filed January 21, 2021. Defendant was
13 sentenced according to the terms of the GPA to 24-60 months in the Nevada Department of
14 Corrections for count one; 36-120 months for count two, consecutive to count one; and 24-60
15 months for count three, concurrent with count two. JOC at 2; GPA at 1. He received 466 days
16 credit for time served. JOC at 2. His aggregate sentence is 60 to 180 months. JOC at 2. The
17 court recommended drug treatment while in custody. JOC at 2.

18 Defendant did not appeal his conviction. On June 30, 2021, Defendant moved to
19 dismiss his counsel and requested new counsel. Motion to Dismiss Counsel & Appoint
20 Alternate Counsel, filed 6/30/21. The court granted his motion to dismiss his counsel but did
21 not appoint new counsel. Minutes filed 7/22/21.

22 On August 9, 2021, Defendant filed a Motion to Withdraw Plea. The State filed its
23 response on August 24, 2021. The Motion was denied on September 21, 2021.

24 This Motion to Appoint Counsel (“Motion”) was filed October 5, 2021.

25 **STATEMENT OF THE FACTS**

26 The district court relied on the PSI for the facts of the case at sentencing:

27 On September 20, 2019, two males entered the Footlocker store on
28 South Las Vegas Boulevard and began to look around the store. The first male
went to the cashier to return merchandise and was refunded \$70.37 in cash.

1 The other male eventually joined the first male and they continued to walk
2 through out the store. The two males then picked up 23 NBA jerseys worth
3 approximately \$1,300.00 and quickly walked out of the store without paying
4 for the jerseys. The cashier followed the men and called 911. When the one
5 suspect noticed the cashier following them, he pulled up his shirt revealing a
6 semi-automatic pistol in his waistband. The cashier then stopped his pursuit of
7 the men.

8 On September 24, 2019, officers were dispatched to Champs Sports
9 inside the Fashion Show mall. Officers made contact with the manager who
10 explained that two males entered the store and he asked if he could help them.
11 The two subjects began going through the store and picking out jerseys from
12 the racks. When the two men attempted to leave the store without paying, the
13 manager stepped in front of the men and told them they could not do that. One
14 of the men lifted his shirt and brandished a black handgun in his waistband.
15 An estimated total of \$1,732.05 in merchandise was taken from the store.

16 Once detectives reviewed surveillance, they noticed the suspects were
17 the same two suspects from the armed Robbery that occurred at Footlocker
18 four days prior. Foot locker managers advised that over the past few days
19 people have been calling the stores across the valley asking if they could refund
20 jerseys at various locations. One of the men identified himself as the co-
21 defendant, Andre Snipes.

22 On September 29, 2019, two men entered the Footlocker store in
23 Festival Plaza in Downtown Summerlin. On September 30, 2019, the manager
24 of that Footlocker informed detectives of the names and identification
25 information for the two suspects, one being the defendant, Gregory Morgan,
26 and other being co-defendant Andre Snipes.

27 Photo lineups were taken to the Champs and Footlocker stores and both
28 witnesses were positive the defendant and co-defendant were the men who
stole the merchandise from their stores. On October 7, 2019, officers located a
social media website where the defendant was attempting to sell a couple pair
of tennis shoes. A purchase agreement was set up with the defendant, who met
him in a parking lot. Once the suspects arrived at the location of the transaction,
they were taken into custody.

PSI at 7-8.

ARGUMENT

Defendant requests this Court appoint counsel on his behalf. Motion at 3.

Under the U.S. Constitution, the Sixth Amendment provides no right to counsel in post-conviction proceedings. Coleman v. Thompson, 501 U.S. 722, 752, 111 S. Ct. 2546, 2566 (1991). In McKague v. Warden, 112 Nev. 159, 163, 912 P.2d 255, 258 (1996), the Nevada Supreme Court similarly observed “[t]he Nevada Constitution...does not guarantee a right to

1 counsel in post-conviction proceedings, as we interpret the Nevada Constitution’s right to
2 counsel provision as being coextensive with the Sixth Amendment to the United States
3 Constitution.” McKague held that with the exception of NRS 34.820(1)(a) (entitling appointed
4 counsel when petitioner is under a sentence of death), one does not have “any constitutional
5 or statutory right to counsel at all” in post-conviction proceedings. Id. at 164, 912 P.2d at 258.

6 The Nevada Legislature has given courts the *discretion* to appoint post-conviction
7 counsel so long as “the court is satisfied that the allegation of indigency is true and the petition
8 is not dismissed summarily.” NRS 34.750. This statute states in relevant part:

9 1. A petition may allege that the petitioner is unable to pay the costs of the
10 proceedings or to employ counsel. If the court is satisfied that the allegation
11 of indigency is true and the petition is not dismissed summarily, the court
12 may appoint counsel to represent the petitioner. In making its determination,
the court may consider, among other things, the severity of the consequences
facing the petitioner and whether:

- 13 (a) The issues presented are difficult;
14 (b) The petitioner is unable to comprehend the proceedings; or
15 (c) Counsel is necessary to proceed with discovery.

16 NRS 34.750(1).

17 As contemplated by the statute, the court may consider appointing counsel if the
18 defendant is indigent and if the petition is not summarily dismissed.

19 Defendant has not alleged he is indigent. Motion at 4. He has not alleged he has a
20 pending petition. Motion at 4. There are, in fact, no outstanding petitions or motions in
21 Defendant’s case.

22 NRS 34.750(1) requires the Court to determine whether the defendant is indigent and
23 whether a petition should be summarily denied. Here, the Court cannot do so, absent an
24 assertion of indigency to contemplate or a petition to evaluate.

25 Even if a petition were pending, Defendant would not be entitled to appointed counsel
26 at taxpayers’ expense because he fails to meet the statutory requirements of NRS 34.750(1)(a)-
27 (c). Defendant requests counsel to assist with “seeking relief.” Motion at 3.

1 “A petitioner for post-conviction relief cannot rely on conclusory claims for relief but
2 must make specific factual allegations that if true would entitle him to relief.” Colwell v. State,
3 118 Nev. Adv. 807, 813, 59 P.3d 463, 467 (2002) (citing Evans v. State, 117 Nev. 609, 621,
4 28 P.3d 498, 507 (2001)). “Bare” and “naked” allegations are not sufficient to warrant post-
5 conviction relief, nor are those belied and repelled by the record. Hargrove v. State, 100 Nev.
6 498, 502, 686 P.2d 222, 225 (1984).

7 Since Defendant fails to make even conclusory claims for relief, he fails to meet his
8 burden to show the issues are difficult. He also fails to show he is unable to understand the
9 proceedings in his case or that he requires any discovery, much less discovery requiring the
10 assistance of counsel.

11 **CONCLUSION**

12 For the above reasons, the State respectfully requests that this Court deny Defendant’s
13 Motion to Appoint Counsel.

14 DATED this 7th day of October, 2021.

15 Respectfully submitted,

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

19 BY /s/ Jonathan E. Vanboskerck
20 JONATHAN E. VANBOSKERCK
21 Chief Deputy District Attorney
22 Nevada Bar #006528
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Gregory Morgan # 1196223
S.D.C.C.
P.O. BOX 208
INDIAN SPRINGS, NV 89018
PETITIONER - IN PROPER PERSON

FILED
OCT 12 2021
Clerk of Court
CLERK OF COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

P
PA
Petitioner
v.

Respondent

CASE #
C-19-344461-1

DEPT. #
32

November 2, 2021
8:30 AM

MOTION TO COMPEL

COMES NOW, Petitioner Gregory Morgan, in and through
his proper person hereby moves this Honorable Court for an Order compelling: Alex
Bassett

This motion is made and based upon all papers and pleadings on file with the Clerk of
the Court, which are hereby incorporated by this reference, the Points and Authorities
herein, and attached Affidavit of Petitioner.

Dated: this 6th day of Oct, 2021.

RECEIVED
OCT 11 2021
CLERK OF THE COURT

Submitted by: Gregory Morgan
Gregory Morgan # 1196223
Petitioner / In Proper Person

1 On July 22nd 2021 Deft Motion to Dismiss
2 was "Granted" Court Directed Mr Wilfong To
3 Send me my Case file. Mr. Michael Wilfong
4 was present on my Behalf and also for Alex-
5 Bassett who is my Attorney on Record. Today's
6 date is Oct 6, 2021 2½ months and I have yet
7 to Receive my Case file. I have left Mr. Bassett
8 along with Mr. Wilfong Several Messages on this
9 matter. I can not move forward in Seeking Relief
10 Per: Post Conviction Petition for writ of Habeas Corpus
11 with out my paper work & my full case file.
12 I only have 3 months (3) months to file a writ
13 of habeas Corpus on my case before I will be time
14 bared
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POINTS AND AUTHORITIES

On the 22nd day of July, 2021, the Court had granted the
Petitioner's, "Motion to Withdraw Counsel".

However, Alex Bassett has failed to comply with the Order from this
Honorable Court. This Court has the power and duty to enforce its lawful judgment
pursuant to N.R.S. 1.210 which states in pertinent part ;

" Every court shall have power :

- 1. To preserve and enforce order in its immediate presence.*
- 2. To enforce order in the proceedings before a person or persons
empowered to conduct a judicial investigation under its authority.*
- 3. To compel obedience to its lawful judgments, orders and process, and
to the lawful orders of its judge out of court in an action or proceeding
pending therein.*
- 4. To control ,in furtherance of justice, the conduct of its ministerial
offers." (emphasis added)*

Failure to comply with a court's order constitutes contempt under N.R.S. 199.340
which states in pertinent part that:

*" **Every** person who shall commit a contempt of court of any one of the
following kind shall be guilty of a misdemeanor:*

*...4. Willful disobedience to the lawful process or mandate of the court;..."
(emphasis added)*

In closing, by Alex Bassett not adhering to the order of this court

Alex Bassett has displayed contempt. Petitioner cites three cases,

In Re Yount, 93 Ariz. 322, 380 P.2d 780 (1963), State v. Alvey, 215 Kan. 460, 524 P.2d 747 (1974) and In Re Sullivan, 212 Kan. 233 510 P.2d 1199 (1973) that all deal with attorneys that refused to abide by the rulings of their respective courts and were either disbarred or censored. Petitioner prays this honorable Court compel Alex Bassett to comply with the order and find Alex Bassett guilty of contempt for not obeying the lawful order of this Court.

DATED: this 6th day of Oct, 2021.

Submitted by: Gregory Morgan
Gregory Morgan
Petitioner / In Proper Person

///

///

///

1 AFFIDAVIT OF: Gregory Morgan

2 STATE OF NEVADA)
3) ss:
4 COUNTY OF CLARK)

5 TO WHOM IT MAY CONCERN:

6 I, Gregory Morgan the undersigned, do hereby swear that
7 all statements, facts and events within my foregoing Affidavit are
8 true and correct of my own knowledge, information and belief, and
9 as to those, I believe them to be True and Correct. Signed under the
10 penalty of perjury, pursuant to, NRS. 29.010; 53.045; 208.165, and state
11 the following:
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25 FURTHER YOUR AFFIANT SAYETH NAUGHT.

26 EXECUTED At: Indian Springs, Nevada, this 6th Day of Oct

27 2021.

28 BY: Gregory Morgan
Gregory Morgan #1196223
Post Office Box-208(SDCC)
Indian Springs, Nevada. 89070./
Affiant, In Propria Personam:

CERTIFICATE OF SERVICE BY MAILING

I, Gregory Morgan, hereby certify, pursuant to NRCP 5(b), that on this 6th
day of Oct, 2021, I mailed a true and correct copy of the foregoing "Motion
to Compel"

by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

Clerk of the Court
200 Lewis Ave, 3rd Floor
Las Vegas NV 89155 - 1160

CC:FILE

DATED: this 6th day of Oct, 2021.

Gregory Morgan
Gregory Morgan # 1196223
An Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding _____

Motion to Compel
(Title of Document)

filed in District Court Case number C-19-344461-1

☒ Does not contain the social security number of any person.

-OR-

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

A. A specific state or federal law, to wit:

(State specific law)

-or-

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

Gregory Morgan
Signature

10-6-21
Date

Gregory Morgan
Print Name

Motion to Compel
Title

530

Gregory Morgan #1196223
S.D.C.C. 5-A-14
P.O. Box 208
Indian Springs, NV 89070

Legal
Mail

Steven Grierson
C/o Clerk of the Court 3rd Floor
200 Lewis Avenue
Las Vegas NV 89155-1160



ORDR
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
LAURA GOODMAN
Chief Deputy District Attorney
Nevada Bar #13390
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: XXXII

ORDER DENYING DEFENDANT'S MOTION TO APPOINT COUNSEL

DATE OF HEARING: October 26, 2021
TIME OF HEARING: 8:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 26th day of October, 2021, the Defendant not being present, IN PROPER PERSON, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through LAURA GOODMAN, Chief Deputy District Attorney, and the Court without argument, based on the pleadings and good cause appearing therefor,

///

///

///

///

///

1 IT IS HEREBY ORDERED that the Defendant's Motion to Appoint Counsel, shall be,
2 and it is DENIED WITHOUT PREJUDICE.

Dated this 1st day of November, 2021

3
4
5
6


48B 922 ADFC 3462
Christy Craig
District Court Judge

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

10 BY /s/ LAURA GOODMAN
11 LAURA GOODMAN
12 Chief Deputy District Attorney
13 Nevada Bar #13390

14 CERTIFICATE OF SERVICE

15 I certify that on the _____ day of October, 2021, I mailed a copy of the foregoing Order
16 to:

17 GREGORY MORGAN, BAC #1196223
18 S.D.C.C.
19 P. O. BOX 208
20 INDIAN SPRINGS, NEVADA 89070-0208

21 BY /s/ J. HAYES
22 Secretary for the District Attorney's Office
23
24
25
26
27

28 19F21141A/jh/GCU

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-19-344461-1

7 vs

DEPT. NO. Department 32

8 Gregory Morgan
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 11/1/2021

15 Dept 20 Law Clerk

Dept20LC@clarkcountycourts.us

16 Melissa Boudreault

mezama@clarkcountynv.gov

17 Erin Prisbrey

erin.prisbrey@clarkcountynv.gov

18 DeLois Williams

Delois.Williams@clarkcountynv.gov

19 Cynthia Bush

cynthia.bush@clarkcountyda.com

20 Alexander Bassett

alexander.bassett@clarkcountynv.gov

21 Michael Wilfong

WilfonMH@clarkcountynv.gov

22 Janet Robertson

Janet.Robertson@clarkcountyda.com

23 Brett Spratt

Brett.Spratt@clarkcountynv.gov

24 Department XXXII

Dept32LC@clarkcountycourts.us

25 DA .

Motions@ClarkCountyDA.com

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1 Gregory Morgan ID NO. 1196223

2 SOUTHERN DESERT CORRECTIONAL CTN.
3 20825 COLD CREEK RD.
4 P.O. BOX 208
5 INDIAN SPRINGS, NV 89070

FILED

NOV 17 2021

John L. Williams
CLERK OF COURT

6 In the 8th Judicial District Court of
7 the State of Nevada

8 Gregory Morgan
9 Petitioner

10 v.

11 The State of Nevada
12 Respondent

CASE NO.: C-19-344461-1

DEPT. NO.: 32

DOCKET: - **December 9, 2021**
8:30 AM

13 Petitioner's Motion For Clarification on
14 Presentence Investigation Report (P.S.I.)
15

16
17 COMES NOW, Gregory Morgan, herein above respectfully
18 moves this Honorable Court for an Order granting Petitioner's
19 Motion for Clarification on Pre-Sentence
20 Investigation Report (P.S.I.)

21 This Motion is made and based upon the accompanying Memorandum of Points and
22 Authorities,

23 DATED: this 10 day of Nov, 2021

24 BY: Gregory Morgan
25 Gregory Morgan #1196223
26 Defendant In Proper Personum
27
28

CLERK OF THE COURT

RECEIVED
NOV 16 2021

ADDITIONAL FACTS OF THE CASE:

I'm interested in going to the 184 program (Drug Court Re-entry) As ordered by the court in my Judgment of Conviction. However, I've been hindered in the approval Process due to Interpretation of my Robbery case. My case is being interpreted as "Violent" when I was convicted of Robbery, Not Robbery W/UDW. The interpretation my Robbery is "Violent" Is Based on A Statement in my (P.S.I.) Stating

"One of the men lifted his shirt and Brandished a black handgun in his Waistband" (PSI Pg 7)

There was never a gun.

I was Not Convicted of the (Use of Deadly Weapon) But am being Penalized for it by the denial of my Court Request to go the 184 program

Can you Please Look into this matter. Thank you for your time and Consideration.

Conclusion - Remedy Sought Given the truth of the above Petitioner would Respectfully move the Court to please grant Petitioner's Motion for clarification on Pre-sentence Investigation Report (P.S.I.)

Dated This 10th Day of
Nov, 2021

Respectfully Submitted
Gregory Morgan

CERTIFICATE OF SERVICE BY MAILING

I, Gregory Morgan, hereby certify, pursuant to NRCP 5(b), that on this 10th
day of Nov, 2021, I mailed a true and correct copy of the foregoing, "Petitioner's
Motion For Clarification on Presentence Investigation Report (P.S.R.),"
by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

Steven D. Grierson
Clerk of the Court
200 Lewis Avenue, 3rd Floor
Las Vegas, NV 89155-1160

Steven B. Wolfson
District Attorney
200 Lewis Ave
P.O. Box 552212
Las Vegas, NV 89155-2212

CC:FILE

DATED: this 10th day of Nov, 2021.

Gregory Morgan
Gregory Morgan # 176273
/In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding Petitioner's

Motion for Clarification on Presentence Investigation Report (P.S.I.)
(Title of Document)

filed in District Court Case number C-19-344461-1

☒ Does not contain the social security number of any person.

-OR-

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

A. A specific state or federal law, to wit:

(State specific law)

-or-

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

Gregory Morgan
Signature

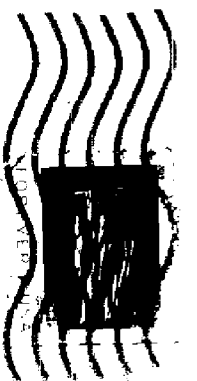
11-10-21
Date

Gregory Morgan
Print Name

Petitioner
Title

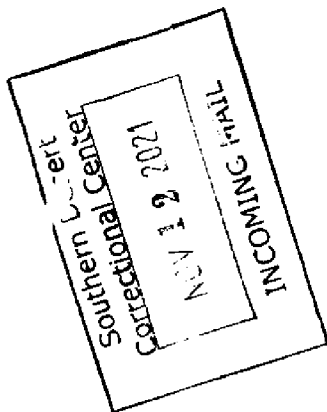
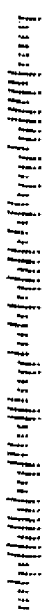
Gregory Mangum #1196225
C.D.C.
P.O. Box 208
Indian Spring NV 89070

LAS VEGAS NV 890
12 NOV 2021 PM 4 1



Steven D. Giersoy
Clerk of the Court
200 Lewis Ave 3rd Floor
Las Vegas NV 89155-1160

89101-630000



1 Gregory Morgan # 1196223
2 Southern Desert Correctional Center
3 Post Office Box 208
4 Indian Springs, Nevada 89070

FILED

NOV 18 2021

John J. Johnson
CLERK OF COURT

5 IN THE 8th JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
6
7 IN AND FOR THE COUNTY OF Clark

8 Gregory Morgan

9 Petitioner,

10 Vs.

11 The State of Nevada

12 Respondent(s).

Case No. # C-19-344461-1

Dept. No. # 32

Docket No. # _____

December 9, 2021
8:30 AM

15 MOTION FOR TRANSCRIPTS AT STATE EXPENSE

16 Date of Hearing: _____

17 Time of Hearing: _____

18 "ORAL ARGUMENT REQUESTED: Yes ___ No ___"

19 COMES NOW, Petitioner Gregory Morgan, proceeding in proper
20 person, and hereby moves this Honorable Court for an Order for the production of all
21 transcripts, papers, and pleadings, also any other document in regards to the above-
22 entitled action.

23 This Motion is made and based upon all papers and pleadings on file with the
24 Clerk of the Court, which are hereby incorporated by this reference, the Memorandum
25 Points and Authorities herein, and attached Affidavit of Petitioner.

CLERK OF THE COURT

NOV 16 2021

RECEIVED

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 The petitioner respectfully requests that this Court Order the production of all
3 transcripts, papers, pleadings and any other documents with regards to the above-
4 entitled case. That these transcribed ... material(s) and documents are to be furnished
5 to the Petitioner at state expense.
6

7 Only with proper review of those transcribed material(s) and documents will
8 petitioner be able to adequately prepare a post-conviction petition or a direct appeal
9 that would allege all issues, and the grounds for relief that he is seeking. Moreover,
10 Petitioner would be prejudiced absent the Court's granting of this motion. See:
11 Peterson v. Warden, 87 Nev. 134, 483 P.2d 204 (1971), holds that:
12

13 "... does not contemplate that a record will be furnished at
14 state expense upon mere unsupported request of a
15 petitioner who is unable to pay for them ... so he must
16 satisfy the points raise that have merit and such merit will
be supported by the record ..."

17 WHEREFORE, Petitioner, Gregory Morgan, prays that this
18 Honorable Court enter an Order directing the reporter to prepare the foregoing
19 requested ... transcripts', also refer to the case of: George v. State, 122 Nev. 1, 127
20 P.3d 1055 (2006), (defendant was entitled to transcripts and trial evidence to prosecute
21 direct appeal). Also see: NRS 177.325; 177.335; and 177.345.
22

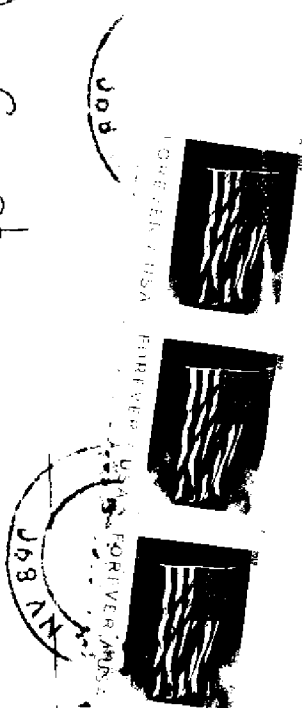
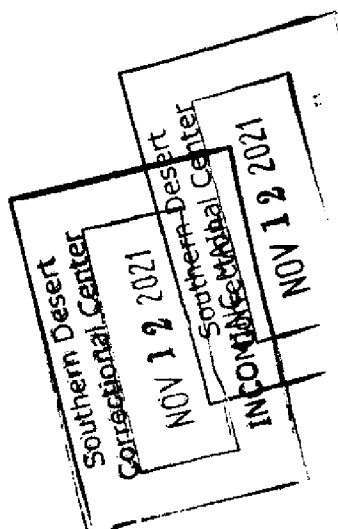
23 DATED this 11th day of Nov, 2021.

24
25 Gregory Morgan
26 Gregory Morgan # 1196223
27 Affiant, In Forma Pauperis

28 CC: File

Gregory Morgan 1196223
C.D.C. 5-4-14
P.O. Box 208
Indian Spring, NV 89070

c/o Clerk of the Court
Steven D. Gnersoff
300 Lewis Ave, 3rd Floor
Las Vegas NV 89155 - 1160



CASE NO. C-19-344461-1
DEPT. NO. 32

FILED
NOV 18 2021
John J. Williams
CLERK OF COURT

Gregory Morgan

Petitioner,

vs.

THE STATE OF NEVADA,

Respondent.

MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
REQUEST FOR TRANSCRIPTS AT
STATE EXPENSE

The Petitioner respectfully request that this Court order the production of the transcripts, papers, pleadings, and any other documents with regard to the above-entitled case. That these documents are to be furnished to the petitioner at State Expense, due to his poverty.

That only with proper review of those documents of the above-entitled case will the petitioner be able to adequately prepare a post-conviction petition, or a discrep appeal, that would allege all issues and grounds for relief that he is seeking. PETERSON vs. WARDEN, 87 Nev. 134, 483 P.2d 204 (1971), holds that:

" . . . does not contemplate that a record will be furnished at State Expense upon mere unsupported request of a petitioner who is unable to pay for them. . . so must he satisfy the

1 points raise merit and such merit
2 will be supported by review of the
record. . . "

3 Moreover, the petitioner would be prejudiced absent the Court's
4 granting of the within motion. Petitioner would not have means
5 necessary to file a proper person petition for writ of habeas
6 corpus, post-conviction or direct appeal to the Nevada Supreme
7 Court, that would allow the petitioner to allege all available
8 issues.

9 WHEREFORE, Petitioner Gregory Morgan prays that this Court
10 enter an order directing the reporter to prepare the foregoing
11 requested transcripts.

12 DATED this 11th day of Nov 2021.

13 Gregory Morgan
14
15

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1 AFFIDAVIT OF: Gregory Morgan

2 STATE OF NEVADA)
3 COUNTY OF CLARK) ss:

4 TO WHOM IT MAY CONCERN:

5 I, Gregory Morgan the undersigned, do hereby swear that
6 all statements, facts and events within my foregoing Affidavit are
7 true and correct of my own knowledge, information and belief, and
8 as to those, I believe them to be True and Correct. Signed under the
9 penalty of perjury, pursuant to, NRS. 29.010; 53.045; 208.165, and state
10 the following:

11 1) I am currently incarcerated at Southern
12 Desert Correction Center;

13
14 2) This Motion for transcripts at state Expense
15 is not intended to impede the Course of justice
16 but rather in the furtherance thereof.
17
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24
25 FURTHER YOUR AFFIANT SAYETH NAUGHT.

26 EXECUTED At: Indian Springs, Nevada, this 11th Day of Nov

27 2021.

28 BY: Gregory Morgan
Gregory Morgan # 1196223
Post Office Box-208 (SDCC)
Indian Springs, Nevada. 89070.
Affiant, In Propria Personam:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding Motion

For Transcripts At State Expense
(Title of Document)

filed in District Court Case number C-19-344461-1



Does not contain the social security number of any person.

-OR-



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

A. A specific state or federal law, to wit:

(State specific law)

-or-

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

Gregory Morgan
Signature

11-11-21
Date

Gregory Morgan
Print Name

Petitioner
Title

CERTIFICATE OF SERVICE BY MAILING

I, Gregory Morgan, hereby certify, pursuant to NRCP 5(b), that on this 11th
day of Nov, 2021, I mailed a true and correct copy of the foregoing, "Motion
For Transcripts At State Expense"
by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

Steven Gerison
Clerk of the Court
200 Lewis Ave 3rd Floor
Las Vegas NV
89155-0160

CC:FILE

DATED: this 11th day of Nov, 2021.

Gregory Morgan
Gregory Morgan #1196223
/In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

Heather Shinn
CLERK OF THE COURT

1 IN THE 8TH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

2 IN AND FOR THE COUNTY OF Clark

3 Gregory Morgan,)
4)

5 Petitioner,)

6 Vs.)

7 The State of Nevada,)
8)

9 Respondent(s).)
10)

Case No. # C-19-344461-1

Dept. No. # 32

Docket No. # _____

11 ORDER

12 Upon reading the motion of Petitioner, Gregory Morgan, requesting
13 transcripts at state expense, and having determined that the Movant has demonstrated
14 good cause pursuant to Peterson v. Warden, 87 Nev. 134, 483 P.2d 204 (1971);

15 IT IS HEREBY ORDERED that the Petitioner's motion for transcripts at state
16 expense is granted.

17
18 IT IS HEREBY FURTHER ORDERED, that the records be transcribed in the
19 case of Gregory Morgan, Case No. # C-19-344461-1 for the rates of
20 _____

21
22 IT IS HEREBY FURTHER ORDERED, the Clerk of the Court is to prepare all of
23 the transcripts, pleadings, papers, and any other documents in regard to the above-
24 entitled action, and forward said papers to Petitioner.

25 DATED This _____ day of _____, 2020. ~~Dated this 22nd day of November, 2021~~

26 CC: File

27
28 *Christy Craig*
DISTRICT JUDGE

63B 839 F3B6 3A80
Christy Craig
District Court Judge

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-19-344461-1

7 vs

DEPT. NO. Department 32

8 Gregory Morgan
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 11/22/2021

15 Dept 20 Law Clerk

Dept20LC@clarkcountycourts.us

16 Melissa Boudreault

mezama@clarkcountynv.gov

17 Cynthia Bush

cynthia.bush@clarkcountyda.com

18 Alexander Bassett

alexander.bassett@clarkcountynv.gov

19 Erin Prisbrey

erin.prisbrey@clarkcountynv.gov

20 DeLois Williams

Delois.Williams@clarkcountynv.gov

21 Janet Robertson

Janet.Robertson@clarkcountyda.com

22 Brett Spratt

Brett.Spratt@clarkcountynv.gov

23 Department XXXII

Dept32LC@clarkcountycourts.us

24 Michael Wilfong

WilfonMH@clarkcountynv.gov

25 DA .

Motions@ClarkCountyDA.com

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DISTRICT COURT
CLARK COUNTY, NEVADA

STATE OF NEVADA,
Plaintiff,

vs.

GREGORY DELLO MORGAN,
Defendant.

CASE NO: C-19-344461-1
DEPT. XXXII

BEFORE THE HONORABLE CHRISTY CRAIG, DISTRICT COURT JUDGE
THURSDAY, JANUARY 14, 2021

**RECORDER'S TRANSCRIPT OF PROCEEDINGS:
SENTENCING**

APPEARANCES:

For the State:

JOHN JONES, ESQ.
Chief Deputy District Attorney

For the Defendant:

ALEXANDER BASSETT, ESQ.
Deputy Public Defender
(via BlueJeans video conferencing)

RECORDED BY: KAIHLA BERNDT, COURT RECORDER

1 Las Vegas, Nevada; Thursday, January 14, 2021

2
3 [Proceeding commenced at 12:09 p.m.]

4 THE COURT: State of Nevada versus Gregory Morgan, page
5 10, C344461. That sounded like Mr. Bassett. Mr. Morgan is present in -
6 -

7 MR. BASSETT: Yes, Your Honor.

8 THE COURT: -- custody. State represented by Mr. Jones.
9 Mr. Bassett, if you could give the Clerk your bar number.

10 MR. BASSETT: Yes, it's bar number 14344.

11 THE COURT: Today is the time set for sentencing. Is there
12 either -- reason why either party isn't ready to proceed?

13 MR. JONES: State's ready, Your Honor.

14 MR. BASSETT: No, Your Honor. I would like to discuss
15 some irregularities in the PSI, but I don't believe it's anything that rises
16 to a *Stockmeier* issue.

17 THE COURT: All right then. Mr. Morgan, are you prepared --

18 MR. BASSETT: Go ahead.

19 THE COURT: -- to go forward?

20 MR. BASSETT: Yes.

21 THE DEFENDANT: No, I wasn't really, but I guess I don't
22 have a say-so in this, I guess.

23 THE COURT: Okay. By virtue of your plea of guilty, you're
24 hereby adjudged guilty of the offense of conspiracy to commit robbery,
25 count 2, robbery, and count 3, burglary. State, do you wish to make

1 arguments?

2 MR. JONES: No, Your Honor. I'm going to submit on the
3 negotiations which is a total aggregate sentence of 60 to 180 days. I
4 show --

5 THE COURT: Days or months?

6 MR. JONES: Months, sorry.

7 THE COURT: Okay.

8 MR. JONES: Thank you for correcting me.

9 THE COURT: You're welcome.

10 MR. JONES: I show 466 days credit for time served.

11 THE COURT: Mr. Bassett, you wanted to address some
12 issues in the PSI?

13 MR. BASSETT: Yes, Your Honor. Specifically, Mr. Morgan
14 has indicated to me that his brother has used his name in the State of
15 Washington, resulting in several of the Washington arrests were not him.
16 He specifically pointed out on page 5 of the PSI, part way down, the
17 arrest on July 28th, 2008, obstructing a law enforcement officer, a gross
18 misdemeanor, he indicates that -- arrest was not him. That was his
19 brother using his name, and that information is inaccurate.

20 He also had a few issues with a couple of other misdemeanor
21 charges. But as I pointed out to him, those were not convictions, and
22 therefore don't rise to a *Stockmeier* issue and shouldn't affect the
23 sentencing today.

24 THE COURT: Is Mr. Morgan prepared to go forward despite
25 that issue of July 28th, 2008 in the PSI?

1 MR. BASSETT: I believe so, Your Honor, but I'd like to hear
2 confirmation from him.

3 THE DEFENDANT: Yes, ma'am.

4 THE COURT: Thank you, Mr. Morgan. Mr. Morgan, did you
5 have anything you wanted to say before your attorney speaks on your
6 behalf?

7 THE DEFENDANT: I had a lot to say. But I mean, I had a
8 phone call where it seems that what I have to say don't -- won't really
9 matter due to the plea agreement, so that's also [indiscernible] I guess.

10 THE COURT: Well, I am inclined to follow what's in the plea
11 agreement. If you have anything you want to say, I'm happy to listen.

12 THE DEFENDANT: I did want to bring up the issue about -- I
13 mean, the current pandemic going on with the COVID. You know what I
14 mean? And my health conditions that I believe that's being taken lightly.
15 As it do say in my PSI, my health is poor. I have asthma, I have high
16 blood pressure, and I have high cholesterol, which I believe puts me in a
17 high-risk category of contracting COVID-19 and putting my life at risk.

18 I been following the numbers in NDOC right now. I believe
19 there's over 3500 confirmed cases in NDOC right now. So, I believe
20 sending me to the Department of Corrections right now would put my life
21 at risk.

22 I do have treatment concerns also. I do accept responsibility
23 for my action, ma'am, due to the cocaine and alcohol addiction that I
24 have, which led me to my current offenses. I was going to ask for some
25 kind of treatment. I asked the jail for it in this case, but somehow that

1 got denied. However, like I said, I just wanted to put that on record,
2 ma'am.

3 THE COURT: I appreciate that, Mr. Morgan. And thank you
4 for your discussion with me. Mr. Bassett, I'm going to of course follow
5 the recommendations. Did you have anything you wanted to say?

6 MR. BASSETT: No, Your Honor, I -- briefly, I suppose. I did
7 want to bring up those issues. Mr. Morgan does have those health
8 concerns. He is under every standard, on multiple counts, high risk to
9 contract COVID. He is concerned about that.

10 We are bound to this deal, which was negotiated before the
11 most recent explosion of COVID cases, particularly within NDOC.

12 THE COURT: Right.

13 MR. BASSETT: I don't know if you might be inclined to
14 perhaps allow him to remain in CCDC for a month or two to hopefully get
15 the transmission rates reduced in NDOC. I think that would go a long
16 way towards alleviating Mr. Morgan's concerns because I think he's just
17 concerned specifically not about being in custody, but about being in
18 High Desert where the rates are highest among all prisons in Nevada at
19 the moment.

20 THE DEFENDANT: It's just --

21 MR. BASSETT: Other than that, Your Honor, I would just note
22 -- Mr. Morgan, am I wrong there, sir?

23 THE DEFENDANT: No, go ahead. [Indiscernible] get done.
24 [Indiscernible] so go ahead.

25 MR. BASSETT: Okay. Other than that, Your Honor, I would

1 just note this case took -- was a year plus in the offing in the
2 negotiations. Mr. Morgan has accepted responsibility from the
3 beginning. The whole reason this wasn't negotiated last January was
4 because of an unreasonable co-Defendant.

5 And so, Mr. Morgan has wanted to accept responsibility, we
6 got to these negotiations. He does have those addiction issues, I would
7 ask you recommend him for the 184 program, so that while he's in
8 custody, he can get that treatment so that he'll have the tools when he
9 makes parole in a few years. He'll have the tools, so that he doesn't
10 relapse.

11 Other than that, Your Honor, if you're inclined to follow the
12 negotiations, I'll submit, unless Mr. Morgan wanted to add one more
13 quick thing.

14 THE COURT: Mr. Morgan?

15 THE DEFENDANT: No, that's all right, go ahead. We can go
16 forward.

17 THE COURT: Thank you. Thank you both for your
18 discussions with me. Mr. Morgan, you are hereby sentenced to a
19 minimum term of 24 months and a maximum term of 60 months on
20 count 1, conspiracy to commit robbery. You are also sentenced to a
21 minimum term of 36 months and a maximum terms -- term, pardon me,
22 of 120 months on count 2, which will be consecutive to count 1. You are
23 sentenced to a minimum term of 24 months and a maximum term of 60
24 months on count 3, the burglary. That will run concurrent with count 2,
25 coming up with an aggregate sentence of 60 to 180 months.

1 I do see credit for time served of 466 days. There is a \$25
2 Administrative Assessment Fee, \$150 DNA Fee if it's not already been
3 collected, and a \$3 DNA Administrative Fee.

4 I do understand your concerns about COVID. It's my
5 understanding that the Governor is in the process of determining when
6 prisoners will be given a vaccine. I'm hoping that that is soon, sooner
7 rather than later. I will not, however, and I don't believe I have the
8 authority to, order you to remain at the Clark County Detention Center
9 for a month.

10 I will recommend that they consider you for the 184 program.
11 I hope that you can get treatment in prison. And if not, I hope that you
12 seek treatment when you're out of custody.

13 Does anybody have anything further?

14 MR. JONES: Nothing from the State.

15 THE COURT: Good luck to you, Mr. Morgan.

16 MR. JONES: Oh, actually yes. Did you --

17 THE COURT: Oh.

18 MR. JONES: -- formally say adjudicate him delinquent of the -
19 - guilty of the three offenses?

20 THE COURT: I did.

21 MR. JONES: Okay, thank you.

22 ///

23 ///

24 ///

1 THE COURT: I went through them one at a time. Thank you,
2 Mr. Bassett, thank you, Mr. Morgan.

3 MR. BASSETT: Thank you, Your Honor.

4 [Proceeding concluded at 12:16 p.m.]

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21 ATTEST: I do hereby certify that I have truly and correctly transcribed
22 the audio/video proceedings in the above-entitled case to the best of my
23 ability.

24 
25 Kaihla Berndt
Court Recorder/Transcriber



RTRAN

DISTRICT COURT
CLARK COUNTY, NEVADA

STATE OF NEVADA,
Plaintiff,

vs.

GREGORY DELLO MORGAN,
Defendant.

CASE NO: C-19-344461-1
DEPT. XXXII

BEFORE THE HONORABLE CHRISTY CRAIG, DISTRICT COURT JUDGE
THURSDAY, JULY 22, 2021

**RECORDER'S TRANSCRIPT OF PROCEEDINGS:
MOTION TO DISMISS COUNSEL AND APPOINT ALTERNATE
COUNSEL**

APPEARANCES:

For the State:

JOHN JONES, ESQ.
Chief Deputy District Attorney

For the Defendant:

MICHAEL H. WILFONG, ESQ.
Deputy Public Defender
(via BlueJeans video conferencing)

RECORDED BY: DE'AWNA TAKAS, COURT RECORDER

1 Las Vegas, Nevada; Thursday, July 22, 2021

2
3 [Proceeding commenced at 12:17 p.m.]

4 THE COURT: State of Nevada versus Gregory Morgan,
5 C344461 on page 5. Is Mr. Morgan on the line?

6 MR. WILFONG: He's in the Department of Corrections, Your
7 Honor.

8 THE COURT: He is?

9 MR. WILFONG: Yes.

10 THE COURT: Oh.

11 THE COURT CLERK: On another case or this one?

12 THE COURT: He must be. He can't be on this one. So, my
13 understanding is, he filed a motion to dismiss his counsel and appoint
14 alternative counsel, therefore I'm willing to do a *Young* hearing. But
15 given that we got to get him here from NDOC -- what's today? Today is
16 the 22nd.

17 MR. WILFONG: Actually, Your Honor.

18 THE COURT: What?

19 MR. WILFONG: He's already been sentenced on this case.

20 MR. JONES: Yeah, he's already been sentenced, Your
21 Honor.

22 THE COURT: Oh, my apologies. I thought we had a trial date
23 --

24 MR. WILFONG: So, I think we --

25 THE COURT: -- coming up. Hold on.

1 MR. WILFONG: Right.

2 THE COURT: So --

3 THE COURT CLERK: There was a stipulation to continue.

4 THE COURT: -- that's what happens when I --

5 [Colloquy between the Court and counsel]

6 THE COURT: All right, Mr. Wilfong. I can't hear you.

7 MR. WILFONG: Yes, Your Honor. Oh, yes, so I'm showing

8 that he was sentenced on January 14th. I did look over his motion very

9 briefly. I'm -- I would assume that he's trying to start some PCR-type

10 action.

11 THE COURT: It does look -- yeah.

12 MR. WILFONG: So, I believe we do need to be withdrawn

13 and go from there. I don't know if Your Honor's inclined to appoint

14 alternate counsel today though.

15 THE COURT: Do you know what he was sentenced to

16 offhand?

17 THE COURT CLERK: I'm looking at the minutes right now.

18 MR. WILFONG: I'm showing it was 60 to 180 months.

19 THE COURT: All right. What?

20 THE COURT CLERK: He was given probation though,

21 according to the minutes, which say I typed them, but I did not. I wasn't

22 here in January.

23 THE COURT: Well, he may have been given probation in this

24 case. It doesn't mean he's not in prison on the other case.

25 THE COURT CLERK: Oh, I thought he was talking about the

1 -- okay the PCS on this. Sorry.

2 THE COURT: Mm-mhmm.

3 THE COURT CLERK: Okay.

4 THE COURT: Yeah, he's -- so, I'm not inclined to grant him
5 an attorney. He can file a motion if he chooses to. I am going to allow
6 the Public Defender to --

7 MR. JONES: Excuse me.

8 THE COURT: -- I mean, I guess I'm granting his motion to
9 dismiss and the Public Defender's alternative motion to withdraw. If you
10 could send him a copy of the -- case file that would be appreciated.

11 MR. WILFONG: Thank you, Your Honor.

12 THE COURT: So, PD's motion to withdraw, granted, and his
13 motion to dismiss, granted. All right, this is now off calendar. Thank
14 you.

15 [Proceeding concluded at 12:21 p.m.]

16 * * * * *

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21 ATTEST: I do hereby certify that I have truly and correctly transcribed
22 the audio/video proceedings in the above-entitled case to the best of my
23 ability.

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25 Kaihla Berndt
Court Recorder/Transcriber



1 RTRAN
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5 DISTRICT COURT
6 CLARK COUNTY, NEVADA
7

8 STATE OF NEVADA,
9 Plaintiff,

CASE NO: C-19-344461-1
DEPT. XXXII

10 vs.

11 GREGORY DELLO MORGAN,
12 Defendant.

13 BEFORE THE HONORABLE CHRISTY CRAIG, DISTRICT COURT JUDGE
14 TUESDAY, SEPTEMBER 21, 2021

15 **RECORDER'S TRANSCRIPT OF PROCEEDINGS:**
16 **MOTION TO WITHDRAW PLEA**
17

18 APPEARANCES:

19 For the State: RONALD J. EVANS, ESQ.
20

21
22 For the Defendant: NO APPEARANCE
23
24

25 RECORDED BY: KAIHLA BERNDT, COURT RECORDER

1 Las Vegas, Nevada; Tuesday, September 21, 2021

2
3 [Proceeding commenced at 10:52 a.m.]

4 THE COURT: C344461, this is on page 8, stand by. It's
5 noted that Mr. Morgan is also in the custody of the Nevada Department
6 of Corrections. He pled guilty on November 5th of 2020. According to
7 the PSI, he's got three prior felonies, having been to prison or jail for an
8 imposed sentence at least twice.

9 It's noted that this was a stipulated sentence and any
10 discussion about presenting some exculpatory evidence or expert
11 testimony at sentencing, not only does not make much sense, given that
12 it was a sentencing argument, which hardly seems appropriate when
13 there's appropriate timing for such information, additionally, it was a
14 stipulated sentence. So, I'm not sure how any information, even if his
15 points made sense, how it would impact a stipulated sentence.

16 And finally, a post-conviction petition for a writ of habeas
17 corpus is the proper remedy to challenge the validity of the GPA post-
18 sentencing. Therefore, this motion is improperly filed and is denied.

19 ///

20 ///

21 ///

1 State, if you could prepare the order and send that and the
2 minutes to Mr. Morgan, I would appreciate it.

3 MR. EVANS: Yes, Your Honor.

4 [Proceeding concluded at 10:54 a.m.]

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21 ATTEST: I do hereby certify that I have truly and correctly transcribed
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23 ability.

24 
25 Kaihla Berndt
Court Recorder/Transcriber



RTRAN

DISTRICT COURT
CLARK COUNTY, NEVADA

STATE OF NEVADA,
Plaintiff,

vs.

GREGORY DELLO MORGAN,
Defendant.

CASE NO: C-19-344461-1
DEPT. XXXII

BEFORE THE HONORABLE CRISTINA D. SILVA, DISTRICT COURT JUDGE
TUESDAY, OCTOBER 26, 2021

**RECORDER'S TRANSCRIPT OF PROCEEDINGS:
MOTION TO APPOINT COUNSEL**

APPEARANCES:

For the State:

LAURA ROSE GOODMAN, ESQ.
Deputy District Attorney

For the Defendant:

NO APPEARANCE

RECORDED BY: KAIHLA BERNDT, COURT RECORDER

1 Las Vegas, Nevada; Tuesday, October 26, 2021

2
3 [Proceeding commenced at 9:26 a.m.]

4 THE COURT: State of Nevada versus Gregory Morgan.

5 MS. ROSE GOODMAN: And Laura Goodman for the State.

6 THE COURT: All right, and good morning to you. This is a
7 pro per filing. One moment here. Mr. Morgan has filed two documents.
8 One -- I'm going to go ahead and address both here today.

9 One is a motion to compel, and we're here today for a motion
10 for appointment of counsel. I'm going to deny the motion for
11 appointment of counsel without prejudice. The Defendant has nothing
12 pending post-conviction or otherwise that would necessitate the
13 appointment of counsel. And I have nothing to consider in order to
14 determine whether or not appointment of counsel is necessary. So, that
15 motion is denied without prejudice.

16 I'll also note that he did file a motion to compel a copy of his
17 file. And I note that was filed on October 12th. A verification was filed by
18 the Public Defender's Office on November -- strike that -- September
19 28th that they had in fact sent a copy of his file to him. Given the short,
20 less than two weeks duration between that verification being filed and
21 that motion to compel being filed, I'm going to guess that maybe some
22 hairs were crossed.

23 So, I'm going to deny the motion to compel without prejudice
24 at this time. If he does not receive the file, he's welcome to refile that
25 motion to compel. He does not have to detail everything, he can just

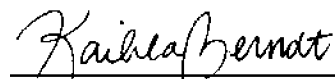
1 incorporate the October 12th filing. But hopefully he has received -- it
2 was sent to him by the Public Defender's Office, making that issue moot.

3 So, I'll also take the November 2nd hearing off calendar as I
4 addressed that here today.


5 [Proceeding concluded at 9:28 a.m.]

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21 ATTEST: I do hereby certify that I have truly and correctly transcribed
22 the audio/video proceedings in the above-entitled case to the best of my
23 ability.

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25 Kaihla Berndt
Court Recorder/Transcriber



RSPN
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
NOREEN DEMONTE
Chief Deputy District Attorney
Nevada Bar #008213
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 MORGAN,
#2752270

Defendant.

CASE NO: C-19-344461-1

DEPT NO: XXXII

**STATE'S RESPONSE TO DEFENDANT'S MOTION FOR CLARIFICATION
ON PRESENTENCE INVESTIGATION REPORT**

DATE OF HEARING: 12/9/2021
TIME OF HEARING: 8:30 AM

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through NOREEN DEMONTE, Chief Deputy District Attorney, and hereby submits the attached Points and Authorities in Response to Defendant's Motion For Clarification On Presentence Investigation Report.

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

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1 **POINTS AND AUTHORITIES**

2 Defendant erroneously claims that his Presentence Investigation Report is inaccurate
3 in listing his robbery conviction as a crime of violence because he was not convicted of the
4 deadly weapon enhancement. Defendant is mistaken on the law. The crime of Robbery is a
5 violent offense regardless of whether or not a deadly weapon was used in the commission of
6 the offense. See NRS 200.033 and NRS 207.012.

7 For the above reasons, his motion should be denied.

8 DATED this 3rd day of December, 2021.

9 Respectfully submitted,

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

12
13 BY /s/ Noreen DeMonte
14 NOREEN DEMONTE
Chief Deputy District Attorney
Nevada Bar #8213

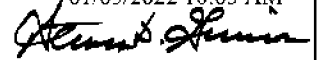
15
16 **CERTIFICATE OF MAILING**

17 I hereby certify that service of the above and foregoing was made this 3rd day of
18 December, 2021, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

19 GREGORY MORGAN, #1196223
20 S.D.C.C.
PO BOX 208
21 INDIAN SPINGS, NV 89070

22 BY /s/ E. Del Padre
23 E. DEL PADRE
Secretary for the District Attorney's Office

24
25
26
27
28 NCD/nd/GCU


CLERK OF THE COURT

ORDR

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
HETTY O. WONG
Chief Deputy District Attorney
Nevada Bar #11324
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: XXXII

**ORDER DENYING DEFENDANT'S MOTION FOR CLARIFICATION ON
PRESENTENCE INVESTIGATION REPORT (PSI)**

DATE OF HEARING: December 09, 2021
TIME OF HEARING: 08:30 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 9th day of December, 2021, the Defendant not being present, IN PROPER PERSON, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through HETTY O. WONG, Chief Deputy District Attorney, and the Court without argument, based on the pleadings and good cause appearing therefor,

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1 IT IS HEREBY ORDERED that the Defendant's Motion for Clarification on
2 Presentence Investigation Report (PSI), shall be, and it is **DENIED**, dated this 1st day of January, 2022

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

A09 303 DE9E 84E2
Christy Craig
District Court Judge

BY /s/ HETTY O. WONG
HETTY O. WONG
Chief Deputy District Attorney
Nevada Bar #11324

CERTIFICATE OF SERVICE

I certify that on the 28th day of December, 2021, I mailed a copy of the foregoing
Order to:

GREGORY DELLO MORGAN, BAC #1196223
SOUTHERN DESERT CORRECTIONAL CENTER
P. O. BOX 208
INDIAN SPRINGS, NEVADA 89070-0208

BY /s/ J. HAYES
Secretary for the District Attorney's Office

19F21141A/jh/GCU

1 **CSERV**

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

5
6 State of Nevada

CASE NO: C-19-344461-1

7 vs

DEPT. NO. Department 32

8 Gregory Morgan
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 1/3/2022

15 Dept 20 Law Clerk

Dept20LC@clarkcountycourts.us

16 Melissa Boudreault

mezama@clarkcountynv.gov

17 Erin Prisbrey

erin.prisbrey@clarkcountynv.gov

18 DeLois Williams

Delois.Williams@clarkcountynv.gov

19 Cynthia Bush

cynthia.bush@clarkcountyda.com

20 Alexander Bassett

alexander.bassett@clarkcountynv.gov

21 Janet Robertson

Janet.Robertson@clarkcountyda.com

22 Brett Spratt

Brett.Spratt@clarkcountynv.gov

23 Department XXXII

Dept32LC@clarkcountycourts.us

24 Michael Wilfong

WilfonMH@clarkcountynv.gov

25 DA .

Motions@ClarkCountyDA.com

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1 Gregory Morgan #1196223
Defendant / In Propria Persona
2 SDCC, Post Office Box-208
Indian Springs, Nevada 89070-0208.

FILED
JAN 31 2022

John J. Flynn
CLERK OF COURT

3
4 DISTRICT COURT
5 CLARK COUNTY, NEVADA

6
7 The State of Nevada,)
Plaintiff,)
8 Vs.)
9 Gregory Morgan,)
10 #1196223,)
Defendant.)

Case No. # C-19-344461-1
Dept. No. # 32
Docket No. # _____

11
12
13 MOTION TO APPOINT COUNSEL

14 Date Of Hearing: _____

15 Time Of Hearing: _____ February 24, 2022
8:30 AM

16
17 COMES NOW the Defendant Gregory Morgan in proper person and
18 hereby moves this Honorable Court for an ORDER granting him Counsel in the herein
19 proceeding action.

20 This Motion is made and based upon all papers and pleadings on File herein
21 and attached Points and Authorities.

22
23 Dated: This 12th Day OF Jan, 20 22.

Respectfully Submitted,

BY: Gregory Morgan
Gregory Morgan #1196223
Defendant, In Forma Pauperis:

CLERK OF THE COURT

JAN 19 2022

PRESENTED

POINTS AND AUTHORITIES

NRS.34.750 Appointment of Counsel for indigents;pleading supplemental to
petition;response to dismiss:

"If the Court is satisfied that the allegation of indigency is True and the
petition is Not dismissed summarily,the Court may appoint counsel to represent
the-"petitioner/defendant."

NRS.171.188 Procedure for appointment of attorney for indigent defendant:

"Any defendant charged with a public offense who is an indigent may, by oral
statement to the District Judge,justice of the peace,municipal judge or master,
request the appointment of an attorney to represent him."

NRS 178.397 Assignment of counsel;

"Every defendant accused of a gross misdemeanor or felony who is financially
unable to obtain counsel is entitled to have counsel assigned to represent him at
every stage of the proceedings from his initial appearance before a magistrate or
the court through appeal,unless he waives such appointment."

WHEREFORE ,petitioner/defendant,prays this Honorable Court will grant his
motion for the appointment of counsel to allow him the assistance that is needed
to insure that justice is served.

Dated:This 12th Day Of Jan ,20 22.

Respectfully Submitted,

BY: Gregory Morgan
Gregory Morgan #119622
Defendant, In Forma Pauperis:

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////

ADDITIONAL FACTS OF THE CASE:

1 I Gregory Morgan who is the defendant in
2 Case number C-19-344461-1 in Propria Personam
3 Ask the Court to Appoint Counsel Per
4 NRS 171.188. Which I am entitled to
5 Per my 6th Amendment Right. I have filed
6 with the Court on my own behalf A Petition
7 for Writ of Habeas Corpus (Post Conviction)
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1 AFFIDAVIT OF: Gregory Morgan

2 STATE OF NEVADA)
3 COUNTY OF CLARK) ss:

4 TO WHOM IT MAY CONCERN:

5 I, Gregory Morgan the undersigned, do hereby swear that
6 all statements, facts and events within my foregoing Affidavit are
7 true and correct of my own knowledge, information and belief, and
8 as to those, I believe them to be True and Correct. Signed under the
9 penalty of perjury, pursuant to, NRS. 29.010; 53.045; 208.165, and state
10 the following:

- 11 1) I am currently incarcerated at Southern
12 Desert Correctional Center;
13
14 2) This motion is not intended to Impede the
15 course of Justice it is in the furtherance
16 of justice.

25 FURTHER YOUR AFFIANT SAYETH NAUGHT.

26 EXECUTED At: Indian Springs, Nevada, this 12th day of Jan

27 20____.
28 BY: Gregory Morgan
Gregory Morgan #1196223
Post Office Box 203 (SDCC)
Indian Springs, Nevada 89070.
Affiant, In Propria Personam:

CERTIFICATE OF SERVICE BY MAILING

I, Gregory Morgan, hereby certify, pursuant to NRCP 5(b), that on this 12th
day of Jan, 2022, I mailed a true and correct copy of the foregoing, "Motion
to Appoint Counsel"
by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

Steven D. Grierson
Clerk of the Court
200 Lewis Ave, 3rd Floor
Las Vegas, NV
89155-5160

CC:FILE

DATED: this 12th day of Jan, 2022

Gregory Morgan
Gregory Morgan # 1196223
/In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding _____

Motion to Appoint Counsel
(Title of Document)

filed in District Court Case number C-19-344461-1

☒ Does not contain the social security number of any person.

-OR-

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

A. A specific state or federal law, to wit:

(State specific law)

-or-

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

Gregory Morgan
Signature

1-12-2022
Date

Gregory Morgan
Print Name

Defendant
Title

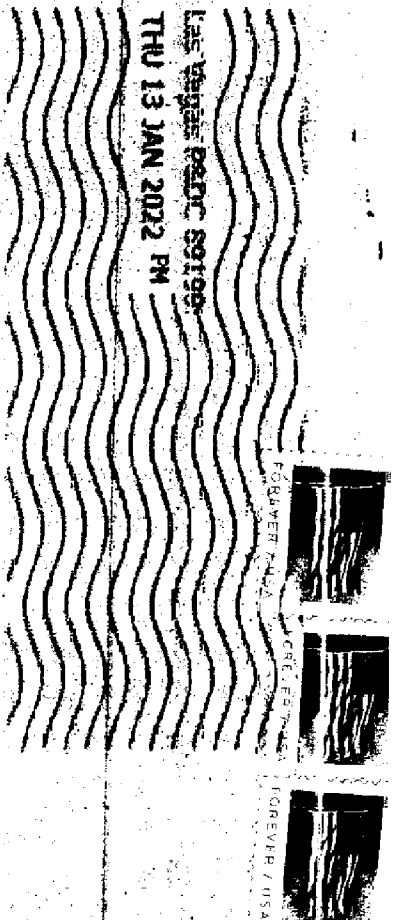
Gregory Morgan #1176243
S.D.C.C.
P.O. Box 208
Inland Springs NV 89070

Legal Mail

Steven D. Grierson
c/o Clerk of the Court
200 Lewis Avenue 3rd Floor
Las Vegas, NV 89155-1160

Legal Mail

Legal Mail





OPPS
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
JONATHAN E. VANBOSKERCK
Chief Deputy District Attorney
Nevada Bar #006528
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: XXXII

**STATE'S OPPOSITION TO DEFENDANT'S
MOTION TO APPOINT COUNSEL**

DATE OF HEARING: February 24, 2022
TIME OF HEARING: 8:30 AM

COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County District Attorney, through JONATHAN E. VANBOSKERCK, Chief Deputy District Attorney, and hereby submits the attached Points and Authorities in Opposition to Defendant's Motion to Appoint Counsel.

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

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1 **POINTS AND AUTHORITIES**

2 **STATEMENT OF THE CASE**

3 On November 1, 2019, the Grand Jury indicted Gregory Dello Morgan (“Defendant”)
4 with Count One: Grand Larceny (Category C Felony – NRS 205.220.1, 205.222.2); Count
5 Two: Conspiracy to Commit Robbery (Category B Felony – NRS 200.380, 199.480); Count
6 Three: Robbery with Use of a Deadly Weapon (Category B Felony – NRS 200.380, 193.165);
7 Count Four: Burglary While in Possession of a Deadly Weapon (Category B Felony – NRS
8 206.060); Count Five: Burglary (Category B Felony – NRS 205.060); Count Six: Burglary
9 While in Possession of a Deadly Weapon (Category B Felony – NRS 206.060); Count Seven:
10 Grand Larceny (Category C Felony – NRS 205.220.1, 205.222.2); Count Eight: Conspiracy to
11 Commit Robbery (Category B Felony – NRS 200.380, 199.480); Count Nine: Robbery with
12 Use of a Deadly Weapon (Category B Felony – NRS 200.380, 193.165); Count Ten: Burglary
13 (Category B Felony – NRS 205.060); Count Eleven: Grand Larceny (Category C Felony –
14 NRS 205.220.1, 205.222.2); and Count Twelve: Burglary (Category B Felony – NRS
15 205.060). Indictment filed 11/1/19 (“Indictment”) at 1-5. These events occurred between
16 September 20, 2019, and October 2, 2019. Indictment at 1.

17 On January 10, 2020, the State filed a superseding indictment adding additional counts
18 of Grand Larceny and burglary, as well as a charge of Participation in Organized Retail Theft
19 (Category B Felony – NRS 205.08345). Superseding Indictment filed 1/10/20. This was
20 amended on January 14, 2020, to add an additional count for a total of eighteen (18) counts.
21 Amended Superseding Indictment filed 1/14/20.

22 The State filed a motion to admit Defendant’s prior bad acts and previous convictions.
23 State’s Notice of Motion in Limine Defendants Statements and Motion to Admit Evidence of
24 Other Bad Acts or in the Alternative to Put Defendants on Notice of the State’s Intention to
25 Admit Prior Judgment of Conviction, filed 2/19/20. The State also filed a motion to seek
26 punishment as a habitual criminal. State’s Notice of Intent to Seek Punishment as a Habitual
27 Criminal, filed 3/3/20. The motion to admit prior bad acts and previous convictions was
28 denied, as was Defendant’s motion to sever his trial from his co-defendants. Minutes filed

1 3/5/20. Defendant moved to dismiss his counsel but in open court withdrew that motion.
2 Motion to Dismiss Counsel and Appoint Alternate Counsel filed 9/21/20; Minutes filed
3 10/13/20.

4 On November 4, 2020, the Court set trial for November 12, 2020. The next day,
5 Defendant entered into a guilty plea agreement. Guilty Plea Agreement (“GPA”) filed 11/5/20.
6 In the GPA, Defendant pled guilty to Count One: Conspiracy to Commit Robbery (Category
7 B Felony – NRS 200.380, 199.480); Count Two: Robbery with Use of a Deadly Weapon
8 (Category B Felony – NRS 200.380); and Count Three: Burglary (Category B Felony – NRS
9 205.060). GPA at 1. The other fifteen (15) felony charges were dropped and Defendant was
10 not sentenced as a habitual criminal. GPA at 1. As a habitual criminal, he risked life without
11 the possibility of parole. GPA at 2.

12 The Judgment of Conviction (“JOC”) was filed January 21, 2021. Defendant was
13 sentenced according to the terms of the GPA to 24-60 months in the Nevada Department of
14 Corrections for count one; 36-120 months for count two, consecutive to count one; and 24-60
15 months for count three, concurrent with count two. JOC at 2; GPA at 1. He received 466 days
16 credit for time served. JOC at 2. His aggregate sentence is 60 to 180 months. JOC at 2. The
17 court recommended drug treatment while in custody. JOC at 2.

18 Defendant did not appeal his conviction. On June 30, 2021, Defendant moved to
19 dismiss his counsel and requested new counsel. Motion to Dismiss Counsel & Appoint
20 Alternate Counsel, filed 6/30/21. The court granted his motion to dismiss his counsel but did
21 not appoint new counsel. Minutes filed 7/22/21.

22 On August 9, 2021, Defendant filed a Motion to Withdraw Plea. The State filed its
23 response on August 24, 2021. The Motion was denied on September 21, 2021.

24 On October 5, 2021, Defendant filed a Motion to Appoint Counsel. This was denied
25 without prejudice on October 26, 2021, because Defendant had no outstanding matters in
26 which an attorney could assist.

27 Defendant filed the instant Motion to Appoint Counsel (“Motion”) on January 31, 2022.
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The Nevada Legislature has given courts the *discretion* to appoint post-conviction counsel so long as “the court is satisfied that the allegation of indigency is true and the petition is not dismissed summarily.” NRS 34.750. This statute states in relevant part:

- (a) The issues presented are difficult;
- (b) The petitioner is unable to comprehend the proceedings; or
- (c) Counsel is necessary to proceed with discovery.

In Renteria-Novoa v. State, 133 Nev. 75, 391 P.3d 760 (2017), the Nevada Supreme Court examined whether a district court appropriately denied a defendant's request for appointment of counsel based upon the factors listed in NRS 34.750. That petitioner had been serving a prison term of eighty-five (85) years to life. Id. at 75, 391 P.3d at 760. After his judgment of conviction was affirmed on direct appeal, the petitioner filed a pro se habeas corpus petition and requested counsel be appointed. Id. The district court ultimately denied

1 both the petition and the request for appointment of counsel. Id. In reviewing the district
2 court's decision, the Supreme Court examined the NRS 34.750 factors and concluded the
3 district court's decision should be reversed and remanded. Id.

4 The Renteria-Novoa Court explained the petitioner was indigent, his petition could not
5 be summarily dismissed, and he had, in fact, satisfied the statutory factors. Id. at 76, 391 P.3d
6 760-61. As for the first factor, the Court concluded that because petitioner represented he had
7 issues with understanding the English language—corroborated by his use of an interpreter at
8 trial—that was enough to indicate the petitioner could not comprehend the proceedings. Id.
9 Moreover, the petitioner had demonstrated that the consequences he faced—a minimum
10 eighty-five (85) year sentence—were severe and his petition may have been the only vehicle
11 for which he could raise his claims. Id. at 76-77, 391 P.3d at 761-62. Finally, the petitioner's
12 ineffective assistance of counsel claims may have required additional discovery and
13 investigation beyond the record. Id.

14 Defendant has not alleged he is indigent. Motion at 4. NRS 34.750(1) requires the Court
15 to determine whether the defendant is indigent and whether a petition should be summarily
16 denied. Here, the Court cannot do so, absent an assertion of indigency to contemplate.

17 Even if indigent, Defendant has not demonstrated counsel should be appointed, as he
18 has failed to meet the additional statutory requirements of NRS 34.750(1)(a)-(c). Defendant
19 asserts a 6th Amendment right to post-conviction counsel without specifying at any level of
20 detail what exactly appointed counsel should do for him. Motion at 3. "A petitioner for post-
21 conviction relief cannot rely on conclusory claims for relief but must make specific factual
22 allegations that if true would entitle him to relief." Colwell v. State, 118 Nev. Adv. 807, 813,
23 59 P.3d 463, 467 (2002) (citing Evans v. State, 117 Nev. 609, 621, 28 P.3d 498, 507 (2001)).
24 "Bare" and "naked" allegations are not sufficient to warrant post-conviction relief, nor are
25 those belied and repelled by the record. Hargrove v. State, 100 Nev. 498, 502, 686 P.2d 222,
26 225 (1984). Here, since Defendant does not even make a conclusory claim as to why he needs
27 counsel, he fails to carry his burden under NRS 34.750.

1 Defendant does not allege his issues are difficult. Defendant filed his pro per habeas
2 petition outlining his complaint. He alleges his rights were violated because he did not receive
3 notice before the Grand Jury began deliberating on his case. He points to no need for further
4 elucidation on this issue. He also does not allege he requires discovery, much less that
5 obtaining discovery would be challenging. Finally, Defendant does not allege that he struggles
6 to understand the proceedings, as the defendant in Renteria-Novoa did.

7 **CONCLUSION**

8 For the above reasons, the State respectfully requests that this Court deny Defendant's
9 Motion to Appoint Counsel.

10 DATED this 2nd day of February, 2022.

11 Respectfully submitted,

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

15 BY /s/ Jonathan E. Vanboskerck
16 JONATHAN E. VANBOSKERCK
17 Chief Deputy District Attorney
18 Nevada Bar #006528

19 **CERTIFICATE OF MAILING**

20 I hereby certify that service of the above and foregoing was made this 2nd day of
21 February, 2022, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

22 GREGORY MORGAN, #1196223
23 S.D.C.C.
24 PO BOX 208
25 INDIAN SPRINGS, NV 89070

26 BY /s/ E. Del Padre
27 E. DEL PADRE
28 Secretary for the District Attorney's Office

Gregory D Morgan ID NO. 1196223

SOUTHERN DESERT CORRECTIONAL CTN.
20825 COLD CREEK RD.
P.O. BOX 208
INDIAN SPRINGS, NV 89070

* File Stamp
Copy FILED

APR 20 2022

CLERK OF COURT

In the Eighth Judicial District Court
for the State of Nevada in and for
the County of Clark

Gregory Dello Morgan
Plaintiff

v.

State of Nevada, NDOC
Defendant

CASE NO.: C-19-344461-1

DEPT. NO.: XXXII

DOCKET:

May 12, 2022
8:30 AM

Motion for modification and/or restructure
of Sentence

COMES NOW, Plaintiff, Gregory Dello Morgan, herein above respectfully
moves this Honorable Court for an Order to change Count 2
from Robbery NRS 200.380, To Read Burglary
NRS 205.060.

This Motion is made and based upon the accompanying Memorandum of Points and
Authorities,

DATED: this 11 day of April, 2022

BY:

Gregory Morgan
Gregory D Morgan #1196223
Defendant In Proper Personam

RECEIVED

APR 14 2022

CLERK OF THE COURT

ADDITIONAL FACTS OF THE CASE:

Mr Gregory Dello Morgan comes before this Honorable Court to ask the following: That Count 2 - Robbery (category B Felony) in violation of N.R.S 200.380, Be changed to read Count 2 - Burglary (category B felony) in violation of N.R.S. 205.060.

On January 14, 2021 in front of this Honorable Court and Judge Mr. Morgan after pleading guilty to 3 counts of a felony "B" class was sentenced to the following: "Defendant is sentenced to the Nevada Department of Corrections (N.D.C.) as follows: Count 1 - a Maximum of Sixty (60) months with a minimum parole eligibility of Twenty-Four months for Conspiracy to Commit Robbery; Count 2 - a Maximum of One Hundred Twenty months with a Minimum Parole eligibility of Thirty-Six months for Robbery to run Consecutive to Count 1; Count 3 - a Maximum of Sixty months with a minimum Parole Eligibility of Twenty-Four months for Burglary. The Aggregate Total sentence is One Hundred Eighty Months maximum with a minimum of Sixty Months. Court recommends Defendant for the 184 Program while incarcerated. (See exhibit A)

Based on the following N.R.S 176.555

1 and Edwards vs State; Motion to modify
2 sentences is based on mistaken assumptions.
3 State vs District Court 100 Nev. 90, 97,
4 677 p 2d 1044, 1048 (1984) and Edwards vs
5 State

6 According to N.R.S 176.555 a motion to
7 modify may be filed at any time.

8 Mr Morgan plead guilty to Counts 1 thru 3
9 in Judgement of Conviction. Based upon the
10 Presentence investigation Report number 606886
11 Prepared on December 8, 2020, on pages 7-8,
12 v. offense Synopsis and Co-Defendant's offender
13 information it is clearly seen that Mr. Morgan
14 did not have any weapon on him nor in
15 any way did he commit any violence. In
16 fact we see that his Co-defendant was
17 found guilty of all the violence. This
18 charge of Robbery could have also been
19 just a theft, no merchandise was taken
20 from a person, just a commercial business.
21 We can plainly see from what the
22 Courts recommend the 184 program in the
23 Judgement of Conviction that this Honorable
24 Court saw this crime as a non-violent
25 offense.

26 N.D.O.C. has classified this offense as a
27 violent crime when we clearly see that

1 N.D.O.C. is mistaken. The Courts when they
2 adjudicated guilty Mr Morgan of said offenses
3 where under the impression that this was
4 a non-violent offense.

5 Because the courts where given or under
6 the impression of the offense being non-violent
7 and N.D.O.C. disregarding the courts finding
8 and under the following points and Authorities:
9 *Staley v State* 787 P.2d 396, 106 Nev 75
10 (1990); *Passansi v State* 831 P.2d 1371, 108 Nev
11 318 (1995); *State v District Court*, 677 P.2d
12 1044, 100 Nev 90 (1988); *Townsend v Burke*
13 736, 741 68 S. Ct. 12552, 1255 92 L Ed 1690
14 (1948);

15 Mr Morgan would ask this Honorable
16 to look how N.D.O.C. has incorrectly
17 read the Probation investigation Report
18 and came up with a completely different
19 understanding than this Honorable Court
20 has. There is no place in the offense
21 synopsis that Mr Morgan is said to have
22 committed any violent Acts against any other
23 person.

24 But we can clearly see as stated in the
25 Substance Abuse History (on page 3 of P.S.I.)
26 that Mr Morgan has had and still has
27 a very serious problem with drugs and is

1 Reaching out for help to get treatment and
2 be able to stop his substance abuse.

3 N.D.O.C. has stated that if the current
4 offense was not classified as violent that he
5 would be able to enroll in the 184 program.

6
7
8 Dated this 11th day of April, 2022

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11
12 Gregory Morgan
13 Gregory Morgan #1196223
14 TLVCL
15 P.O. Box 208
16 Indian Springs New
17 89070
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Conclusion

Mr Morgan comes before this Honorable Court to ask one (1) of the following be ordered:
1) Count 1 Conspiracy to commit Robbery;
Count 2 Robbery; For the word Robbery be changed to theft or Burglary;
2) To Order N.D.C. to enroll Mr Morgan in the 184 program.

Mr Morgan does not ask or expect for any of the sentence structures or minimum or maximum time to be changed, only for the wording to be changed to allow Mr Morgan to enroll in the 184 program and receive the treatment he needs to end his substance abuse.

Dated this 11th Day April, 2022

Gregory Morgan
Gregory D Morgan # 1196223
TLUC
P.O Box 650
Indian Springs Nev
89070

CERTIFICATE OF SERVICE BY MAILING

I, Gregory D Morgan, hereby certify, pursuant to NRCP 5(b), that on this 11
day of April, 2022, I mailed a true and correct copy of the foregoing, "Motion to
modify and/or restructure sentence"
by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

Clerk of Courts
200 Lewis Ave
3rd Floor
Las Vegas Nev
89155

CC:FILE

DATED: this 11 day of April, 2022

Gregory Morgan
Gregory D Morgan #1196223
/In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding Motion to

Modify and for restatement sentence
(Title of Document)

filed in District Court Case number C-19-344461-1

☒ Does not contain the social security number of any person.

-OR-

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

A. A specific state or federal law, to wit:

(State specific law)

-or-

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

Gregory Morgan
Signature

April 11, 2022
Date

Gregory D. Morgan
Print Name

Title

Exhibit A

Judgment of Conviction

Exhibit A

Handwritten Signature
CLERK OF THE COURT

1 JOCP

2
3
4 DISTRICT COURT
5 CLARK COUNTY, NEVADA
6

7 THE STATE OF NEVADA,

8 Plaintiff,

9 -VS-

10 GREGORY DELLO MORGAN
11 #2752270

12 Defendant.

CASE NO. C-19-344461-1

DEPT. NO. XXXII

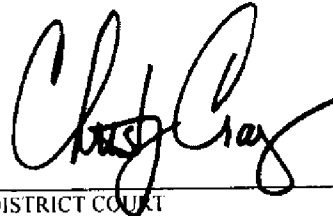
13
14 JUDGMENT OF CONVICTION
15 (PLEA OF GUILTY)
16

17 The Defendant previously appeared before the Court with counsel and entered a plea of
18 guilty to the crimes of COUNT 1 – CONSPIRACY TO COMMIT ROBBERY (Category B
19 Felony) in violation of NRS 200.380, 199.480; COUNT 2 – ROBBERY (Category B Felony) in
20 violation of NRS 200.380; and COUNT 3 – BURGLARY (Category B Felony) in violation of
21 NRS 205.060; thereafter, on the 14th day January, 2021, the Defendant was present in court for
22 sentencing with counsel KEDRIC A. BASSETT, Deputy Public Defender, and good cause
23 appearing,
24

25 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition
26 to the \$25.00 Administrative Assessment and \$150.00 DNA Analysis Fee including testing to
27 determine genetic markers plus \$3.00 DNA Collection Fee, the Defendant is sentenced to the
28

1 Nevada Department of Corrections (NDC) as follows: COUNT 1 - a MAXIMUM of SIXTY
2 (60) MONTHS with a MINIMUM Parole Eligibility of TWENTY-FOUR (24) MONTHS;
3 COUNT 2 - a MAXIMUM of ONE HUNDRED TWENTY (120) MONTHS with a
4 MINIMUM Parole Eligibility of THIRTY-SIX (36) MONTHS, CONSECUTIVE to COUNT 1;
5 and COUNT 3 - a MAXIMUM of SIXTY (60) MONTHS with a MINIMUM Parole Eligibility
6 of TWENTY-FOUR (24) MONTHS, CONCURRENT with COUNT 2; with FOUR
7 HUNDRED SIXTY-SIX (466) DAYS credit for time served. The AGGREGATE TOTAL
8 sentence is ONE HUNDRED EIGHTY (180) MONTHS MAXIMUM with a MINIMUM of
9 SIXTY (60) MONTHS. COURT recommends Defendant for the 184 Program while
10 incarcerated.
11
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13 Dated this 21st day of January, 2021

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DISTRICT COURT

18 3D8 633 0879 7D89
19 Christy Craig
20 District Court Judge
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1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA

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5
6 State of Nevada

CASE NO: C-19-344461-1

7 vs

DEPT. NO. Department 32

8 Gregory Morgan

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 1/21/2021

15 Dept 20 Law Clerk

Dept20LC@clarkcountycourts.us

16 Erin Prisbrey

erin.prisbrey@clarkcountynv.gov

17 DeLois Williams

Delois.Williams@clarkcountynv.gov

18 Cynthia Bush

cynthia.bush@clarkcountyda.com

19 Alexander Bassett

alexander.bassett@clarkcountynv.gov

20 Janet Robertson

Janet.Robertson@clarkcountyda.com

21 Brett Spratt

Brett.Spratt@clarkcountynv.gov

Ms. New 89070

[illegible]

APR 12 2022

OUTGOING MAIL

Southwestern Desert
Correctional Center

ME

211

601

John J. [Signature]
CLERK OF COURT

IN THE Eighth JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR THE
COUNTY OF Clark

Gregory Delio Moschen

May 31, 2022
8:30 AM

Petitioner,)

V.

Case No. C-19-344461-1

State of Nevada NDOC

Dept. No. XXXX 11

Respondent.)

~~* Hearing Requested *~~

**MOTION AND ORDER FOR TRANSPORTATION
OF INMATE FOR COURT APPEARANCE
OR, IN THE ALTERNATIVE,
FOR APPEARANCE BY TELEPHONE OR VIDEO CONFERENCE**

Petitioner, Gregory D Morgan, proceeding pro se, requests that this Honorable Court order transportation for his personal appearance or, in the alternative, that he be made available to appear by telephone or by video conference at the hearing in the instant case that is scheduled for May 12, 2022 at 8:30 AM.

CLERK OF THE COURT

APR 28 2022

RECEIVED

1 In support of this Motion, I allege the following:

2 1. I am an inmate incarcerated at TLVCC
3 My mandatory release date is 4-23-2026.

4
5 2. The Department of Corrections is required to transport offenders to and
6
7 from Court if an inmate is required or requests to appear before a Court in this state.

8
9 NRS 209.274 Transportation of Offender to Appear Before Court states:

10 "1. Except as otherwise provided in this section, when an offender is
11 required or requested to appear before a Court in this state, the
12 Department shall transport the offender to and from Court on the day
13 scheduled for his appearance.

14 2. If notice is not provided within the time set forth in NRS 50.215, the
15 Department shall transport the offender to Court on the date scheduled
16 for his appearance if it is possible to transport the offender in the usual
17 manner for the transportation of offenders by the Department. If it is
18 not possible for the Department to transport the offender in the usual
19 manner:

20 (a) The Department shall make the offender available on the date scheduled
21 for his appearance to provide testimony by telephone or by video conference,
22 if so requested by the Court.

23 (b) The Department shall provide for special transportation of the offender to
24 and from the Court, if the Court so orders. If the Court orders special
25 transportation, it shall order the county in which the Court is located to
26 reimburse the Department for any cost incurred for the special transportation.

27 (c) The Court may order the county sheriff to transport the offender to and
28 from the Court at the expense of the county."

29 3. My presence is required at the hearing because:

1 ☒ I AM NEEDED AS A WITNESS.

2 My petition raises substantial issues of fact concerning events in which I
3 participated and about which only I can testify. *See U.S. v. Hayman*, 342 U.S.
4 205 (1952) (District Court erred when it made findings of fact concerning
5 Hayman's knowledge and consent to his counsel's representation of a witness
6 against Hayman without notice to Hayman or Hayman's presence at the
7 evidentiary hearing).

8 ☐ THE HEARING WILL BE AN EVIDENTIARY HEARING.

9 My petition raises material issues of fact that can be determined only in my
10 presence. *See Walker v. Johnston*, 312 U.S. 275 (1941) (government's contention
11 that allegations are improbable and unbelievable cannot serve to deny the
12 petitioner an opportunity to support them by evidence). The Nevada
13 Supreme Court has held that the presence of the petitioner for habeas corpus
14 relief is required at any evidentiary hearing conducted on the merits of the
15 claim asserted in the petition. *See Gebers v. Nevada*, 118 Nev. 500 (2002).

16 4. The prohibition against ex parte communication requires that I be present
17 at any hearing at which the state is present and at which issues concerning the claims
18 raised in my petition are addressed. U.S. Const. amends. V, VI.

19 5. If a person incarcerated in a state prison is required or is requested to
20 appear as a witness in any action, the Department of Corrections must be notified in
21 writing not less than 7 business days before the date scheduled for his appearance in
22 Court if the inmate is incarcerated in a prison located not more than 40 miles from
23 Las Vegas. NRS 50.215(4). If a person is incarcerated in a prison located 41 miles or
24 more from Las Vegas, the Department of Corrections must be notified in writing not
25 less than 14 business days before the date scheduled for the person's appearance in
26 Court.

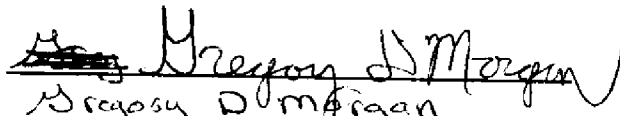
27 6. T.L.U.C.C. is located approximately

28 40 miles from Las Vegas, Nevada.

1 7. If there is insufficient time to provide the required notice to the Department
2 of Corrections for me to be transported to the hearing, I respectfully request that this
3 Honorable Court order the Warden to make me available on the date of the
4 scheduled appearance, by telephone, or video conference, pursuant to NRS
5 209.274(2)(a), so that I may provide relevant testimony and/or be present for the
6 evidentiary hearing.

7 8. The rules of the institution prohibit me from placing telephone calls from
8 the institution, except for collect calls, unless special arrangements are made with
9 prison staff. Nev. Admin. Code DOC 718.01. However, arrangements for my
10 telephone appearance can be made by contacting the following staff member at my
11 institution: AWP Nash, Warden Hutchings
12 whose telephone number is _____

13
14 Dated this 25 day of April, 2022.

15
16 
17 Gregory D Morgan
18 TLVCL
19 PO Box 208
20 213 New 59020
21
22
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CERTIFICATE OF SERVICE BY MAILING

I, Gregory D. Morgan, hereby certify, pursuant to NRCP 5(b), that on this 25
day of April, 2022, I mailed a true and correct copy of the foregoing, "Motion to
transport and order to leave paid or unpaid"
by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

Clerk of Courts
200 Lewis Ave
3rd Floor
Las Vegas 89155

CC:FILE

DATED: this 25 day of April, 2022.

Gregory D. Morgan
Gregory D. Morgan # 196223
In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding Motion and

order to Transferring Prisoners

(Title of Document)

filed in District Court Case number C-19-344961-1

☒ Does not contain the social security number of any person.

-OR-

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

A. A specific state or federal law, to wit:

(State specific law)

-OR-

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

Signature

Margaret D. Morgan

Date

April 25, 2022

Print Name

Margaret D Morgan

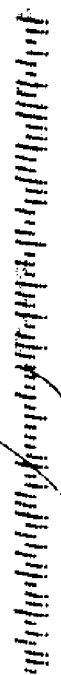
Title

Deborah D Morgan # 1196223
T.L.L.C.
P.O. Box 208
Las Vegas 89070

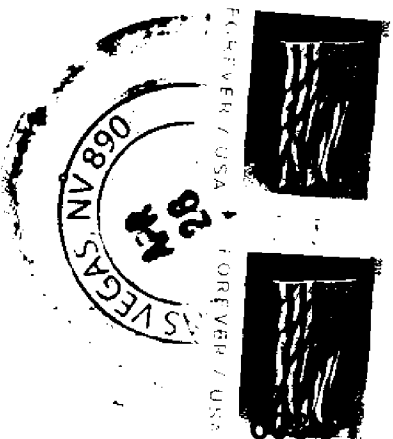
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Clark of Courts
200 Lewis Ave
3rd Floor
Las Vegas 89155

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DISTRICT COURT
CLARK COUNTY, NEVADA

FILED
APR 29 2022

CLERK OF COURT

STATE OF NEVADA
VS
GREGORY MORGAN

CASE NO: C-19-344461-1
Related Case:
DEPARTMENT 32

EXHIBIT B TO MOTION FOR MODIFICATION OF SENTENCE

Submitted by:

Name: Gregory Morgan
Address: TLVC
City/State/Zip Indian Springs, NV 89070

Case Number: C-19-344461-1

Court Date

5-12-22

Exhibit B

Motion for Modification and/or
Restructure of Sentence

Inmate Request Form

To Ms. Lynch CCS II (Caseworker)

Showing I am not eligible Due to
Violence (Robbery ³ Conspiracy to
Commit Robbery)

Exhibit B

RECEIVED

APR 28 2022

CLERK OF THE COURT

INMATE REQUEST FORM

1.) INMATE NAME	DOC #	2.) HOUSING UNIT	3.) DATE
Gregory Morgan	1196223	2-D- 100 B	4-4-22

4.) REQUEST FORM TO: (CHECK BOX)

<input checked="" type="checkbox"/> CASEWORKER	<input type="checkbox"/> MEDICAL	<input type="checkbox"/> MENTAL HEALTH	<input type="checkbox"/> CANTEEN
<input type="checkbox"/> EDUCATION	<input type="checkbox"/> VISITING	<input type="checkbox"/> LAW LIBRARY	<input type="checkbox"/> DENTAL
<input type="checkbox"/> LAUNDRY	<input type="checkbox"/> PROPERTY ROOM	<input type="checkbox"/> SHIFT COMMAND	<input type="checkbox"/> OTHER

5.) NAME OF INDIVIDUAL TO CONTACT: Ms. Lynch

6.) REQUEST: (PRINT BELOW) I am interested in getting into the 184 program as Recommended by my Sentencing Judge in my J.O.C. I am aware that I can't get into the program until Oct-2022. When that time comes, how do I start the process to get into the program?

7.) INMATE SIGNATURE B.D.M. DOC # _____

8.) RECEIVING STAFF SIGNATURE _____ DATE _____

9.) RESPONSE TO INMATE

You are not eligible due to violence.

10.) RESPONDING STAFF SIGNATURE [Signature] DATE 4/22/22

File 5
Cops
Stump. L...

1 Margary Morgan 1196223

2 . In Propria Personam
3 Post Office Box 208, S.D.C.C.
4 Indian Springs, Nevada 89018

5 IN THE Eighth JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

6 IN AND FOR THE COUNTY OF Clark

9 Margary Morgan
10 Plaintiff,

11 vs.

12 State of Nevada N.D.C.
13 Defendant.

Case No. C-19-344461-1

Dept. No. XXXII

Docket _____

* Having Requested

16 **NOTICE OF APPEAL**

17 NOTICE IS HEREBY GIVEN, That the Petitioner/Defendant,
18 Margary Morgan, in and through his proper person, hereby
19 appeals to the Supreme Court of Nevada from the ORDER denying and/or
20 dismissing the

21 Motion for modification and/or restructuring of Sentence

22 _____
23 ruled on the 12 day of May, 2022.

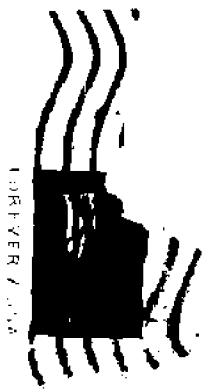
25 Dated this 13 day of June, 2022.

26 Respectfully Submitted,

27 Margary Morgan
28 Margary Morgan # 1196223

Margery Morgan #1196223
7200
P.O. Box 208
Las Vegas 89070

LAS VEGAS NV 890
14 JUN 2022 PM 5 L



Clerk of Courts
200 Lewis Ave
3rd Floor
Las Vegas 89115

95101-630000



Southern Desert
Correctional Center
JUN 14 2022
OUTGOING MAIL

SENT 6-13-22

Gregory Morgan, 1196223
Petitioner/In Propria Persona
Post Office Box 208, SDCC
Indian Springs, Nevada 89070-0208

Electronically Filed
6/16/2022 2:17 PM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

IN THE Eighth JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF Clark

Gregory Morgan
Plaintiff,

vs.

State of Nevada NOCC,
Defendant.

CASE No. C-19-344461-1
DEPT. No. _____

DESIGNATION OF RECORD ON APPEAL

TO: Supreme Court of Nevada
201 S Carson St
Suite 201
Carson City NV 89701

The above-named Plaintiff hereby designates the entire record of the above-entitled case, to include all the papers, documents, pleadings, and transcripts thereof, as and for the Record on Appeal.

DATED this 13th day of June, 2022.

RESPECTFULLY SUBMITTED BY:

Gregory Morgan
Gregory Morgan #1196223
Plaintiff/In Propria Persona

CERTIFICATE OF SERVICE BY MAILING

I, Bergory Morgan, hereby certify, pursuant to NRCP 5(b), that on this 13
day of June, 2022, I mailed a true and correct copy of the foregoing, "Notice
of Appeal"

by placing document in a sealed pre-postage paid envelope and deposited said envelope in the
United State Mail addressed to the following:

Clock of Courts

200 Lewis Ave

3rd floor

LV Nev 89018

CC:FILE

DATED: this 13 day of June, 2022

Bergory Morgan
Bergory Morgan #1194223
/In Propria Personam
Post Office Box 208, S.D.C.C.
Indian Springs, Nevada 89018
IN FORMA PAUPERIS:

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding Notice

of Appeal
(Title of Document)

filed in District Court Case number C19-344461-1

☒ Does not contain the social security number of any person.

-OR-

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

A. A specific state or federal law, to wit:

(State specific law)

-or-

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

Gregory Morgan
Signature

June 13, 2022
Date

Gregory Morgan
Print Name

Title



1 ASTA

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5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**
9

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 GREGORY DELLO MORGAN,

14 Defendant(s),
15

Case No: C-19-344461-1

Dept No: XXXII

16
17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Gregory Morgan

20 2. Judge: Christy Craig

21 3. Appellant(s): Gregory Morgan

22 Counsel:

23 Gregory Morgan #1196223
24 P.O. Box 208
Indian Springs, NV 89070

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney
28 200 Lewis Ave.
Las Vegas, NV 89101

(702) 671-2700

5. Appellant(s)'s Attorney Licensed in Nevada: N/A
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes
Permission Granted: N/A

6. Has Appellant Ever Been Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: November 1, 2019

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Misc. Order

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 16 day of June 2022.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

Heather Ungermann, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Gregory Morgan

Heather L. Hume

CLERK OF THE COURT

ORDR

STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565
KRISTINA A. RHOADES
Chief Deputy District Attorney
Nevada Bar #012480
200 Lewis Avenue
Las Vegas, NV 89155-2212
(702) 671-2500
Attorney for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

C-19-344461-1

-vs-

CASE NO: ~~C-19-344481~~

GREGORY DELLO MORGAN,
#2752270

DEPT NO: XXXII

Defendant.

**ORDER DENYING DEFENDANT'S MOTION FOR MODIFICATION AND
RESTRUCTURE OF SENTENCE**

DATE OF HEARING: May 12, 2022
TIME OF HEARING: 0830 A.M.

THIS MATTER having come on for hearing before the above entitled Court on the 12th day of May, 2022, the Defendant not being present, IN PROPER PERSON, the Plaintiff being represented by STEVEN B. WOLFSON, District Attorney, through KRISTINA A. RHOADES, Chief Deputy District Attorney, and the Court without argument, based on the pleadings and good cause appearing therefor,

///

///

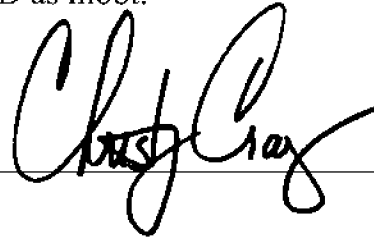
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///

1 IT IS HEREBY ORDERED that the Defendant's Motion for Modification and
2 Restructure of Sentence, shall be, and it is DENIED.

3 COURT FURTHER ORDERED, the Motion and Order for Transportation of Inmate
4 for Court Appearance or in the Alternative for Appearance by Telephone or Video
5 Conference, currently set on 5/31/22 is VACATED as moot. ^{Dated this 5th day of July, 2022}

6
7
8 

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

449 2B3 7114 97D7
Christy Craig
District Court Judge

11
12 BY /s/ KRISTINA A. RHOADES
13 KRISTINA A. RHOADES
14 Chief Deputy District Attorney
Nevada Bar #012480

15 CERTIFICATE OF SERVICE

16 I certify that on the 5th day of July, 2022, I mailed a copy of the foregoing Order to:

17 GREGORY DELLO MORGAN, BAC #1196223
18 SOUTHERN DESERT CORRECTIONAL CENTER
19 P. O. BOX 208
20 INDIAN SPRINGS, NEVADA 89070-0208

21 BY /s/ Janet Hayes
22 Secretary for the District Attorney's Office
23
24
25
26
27

28 19F21141A/jh/GCU

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-19-344461-1

7 vs

DEPT. NO. Department 32

8 Gregory Morgan
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 7/5/2022

15 Dept 20 Law Clerk

Dept20LC@clarkcountycourts.us

16 Melissa Boudreault

mezama@clarkcountynv.gov

17 Erin Prisbrey

erin.prisbrey@clarkcountynv.gov

18 DeLois Williams

Delois.Williams@clarkcountynv.gov

19 Cynthia Bush

cynthia.bush@clarkcountyda.com

20 Alexander Bassett

alexander.bassett@clarkcountynv.gov

21 Janet Robertson

Janet.Robertson@clarkcountyda.com

22 Brett Spratt

Brett.Spratt@clarkcountynv.gov

23 Department XXXII

Dept32LC@clarkcountycourts.us

24 Michael Wilfong

WilfonMH@clarkcountynv.gov

25 DA .

Motions@ClarkCountyDA.com

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DOCUMENTARY EXHIBITS

Grand Jury Case # 18CGJ163A-B

Exhibit # 1

Date 10/31/19

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,

CASE NO:

11 -vs-

DEPT NO:

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

14 Defendant(s).

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 GRAND LARCENY
19 (Category C Felony - NRS 205.220.1, 205.222.2 - NOC 56004); ROBBERY WITH USE OF
20 A DEADLY WEAPON (Category B Felony - NRS 200.380, 193.165 - NOC 50138);
21 BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony -
22 NRS 205.060 - NOC 50426) and BURGLARY (Category B Felony - NRS 205.060 - NOC
23 50424), committed at and within the County of Clark, State of Nevada, on or between
24 September 20, 2019 and October 2, 2019, as follows:

25 COUNT 1 - GRAND LARCENY

26 did on or about September 20, 2019, then and there willfully, unlawfully, and
27 feloniously with intent to deprive the owner permanently thereof, steal, take and carry away,
28 lead away or drive away property owned by FOOTLOCKER, having a value of \$650.00 or

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

6 COUNT 2 - ROBBERY WITH USE OF A DEADLY WEAPON

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

21 COUNT 3 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

22 did on or about September 20, 2019, willfully, unlawfully, and feloniously enter a retail
23 establishment, owned or occupied by FOOTLOCKER, located at 3200 South Las Vegas
24 Boulevard, Las Vegas, Clark County, Nevada, with intent to commit larceny, while in
25 possession of and/or gaining possession of a firearm, a deadly weapon, during the commission
26 of the crime and/or before leaving the structure, Defendants being criminally liable under one
27 or 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 GREGORY MORGAN actually possessing a firearm and Defendant ANDRE
3 SNIPES having knowledge of that fact; and/or (3) pursuant to a conspiracy to commit the
4 crime of burglary.

5 COUNT 4 - BURGLARY

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

10 COUNT 5 - BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON

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

22 COUNT 6- GRAND LARCENY

23 did on or about September 24, 2019, then and there willfully, unlawfully, feloniously,
24 and intentionally, with intent to deprive the owner permanently thereof, steal, take and carry
25 away, lead away or drive away property owned by CHAAMP'S SPORTS, having a value of
26 \$650.00 or more, to wit: merchandise, Defendants being criminally liable under one or more
27 of the following principles of criminal liability, to-wit: (1) by directly committing said crime;
28 and/or, (2) by aiding or abetting one another in the commission of this crime with the intent to

1 commit this crime by providing counsel and/or encouragement to one another; and/or, (3)
2 pursuant to a conspiracy to commit larceny.

3 COUNT 7 - ROBBERY WITH USE OF A DEADLY WEAPON

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

18 COUNT 8 - BURGLARY

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

23 COUNT 9 - GRAND LARCENY

24 did on or about September 29, 2019, then and there willfully, unlawfully, feloniously,
25 and intentionally, with intent to deprive the owner permanently thereof, steal, take and carry
26 away, lead away or drive away property owned by FOOTLOCKER, located at 2120 Festival
27 Plaza Drive, having a value of \$650.00 or more, to wit: basketball jerseys and/or other
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 - BURGLARY

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

15 DATED this ____ day of October, 2019.

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

19 BY

20 ASHLEY LACHER
21 Deputy District Attorney
22 Nevada Bar #014560

23 ENDORSEMENT: A True Bill
24

25 Foreperson, Clark County Grand Jury
26
27
28

1 Names of Witnesses and testifying before the Grand Jury:

2
3 Additional Witnesses known to the District Attorney at time of filing the Indictment:

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

5 CUSTODIAN OF RECORDS - CCDC

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

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

9 CUSTODIAN OF RECORDS - LVMPD COMMUNICATIONS

10 CUSTODIAN OF RECORDS - LVMPD RECORDS

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

13 LASTER, GEORGE – LVMPD #5658

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

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

16 SUMMERS, KASHIF – LVMPD #14109

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26 18CGJ163A-B/19F21141A-B/ed-GJ
27 LVMPD EV# 190900115154;
28 190900095652; 191099999927
(TK9)

18CGJ163A-B

Grand Jury Case # _____

Exhibit # 14

Date 11-14-19

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

12 DISTRICT COURT
13 CLARK COUNTY, NEVADA

14 THE STATE OF NEVADA,

15 Plaintiff,

CASE NO:

16 -vs-

DEPT NO:

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

19 Defendant(s).

SUPERSEDING
INDICTMENT

20 STATE OF NEVADA }
21 COUNTY OF CLARK } ss.

22 The Defendant(s) above named, GREGORY DELLO MORGAN, ANDRE GRANT
23 SNIPES, accused by the Clark County Grand Jury of the crime(s) of GRAND LARCENY
24 (Category C Felony - NRS 205.220.1, 205.222.2 - NOC 56004); CONSPIRACY TO
25 COMMIT ROBBERY (Category B Felony - NRS 200.380, 199.480 - NOC 50147);
26 ROBBERY WITH USE OF A DEADLY WEAPON (Category B Felony - NRS 200.380,
27 193.165 - NOC 50138); BURGLARY WHILE IN POSSESSION OF A DEADLY WEAPON
28 (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 6, 2019, as follows:

//

//

//

1 COUNT 1 - GRAND LARCENY

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

10 COUNT 2 - CONSPIRACY TO COMMIT ROBBERY

11 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September
12 20, 2019, willfully, unlawfully, and feloniously conspire with each other to commit a robbery,
13 by the defendants/conspirators committing the acts as set forth in Count 3, said acts being
14 incorporated by this reference as though fully set forth herein.

15 COUNT 3 - ROBBERY WITH USE OF A DEADLY WEAPON

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

1 the merchandise; and/or (3) pursuant to a conspiracy to commit the crimes of burglary and/or
2 larceny.

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

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

15 COUNT 5 - BURGLARY

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

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

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

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

4 COUNT 7- GRAND LARCENY

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

14 COUNT 8 - CONSPIRACY TO COMMIT ROBBERY

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

19 COUNT 9 - ROBBERY WITH USE OF A DEADLY WEAPON

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

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

7 COUNT 10 - BURGLARY

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

12 COUNT 11 - GRAND LARCENY

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

22 COUNT 12 - BURGLARY

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

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

4 COUNT 13 - BURGLARY

5 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about October 2,
6 2019, willfully, unlawfully, and feloniously enter a building, owned or occupied by NIKE,
7 located at 9851 S. Eastern Avenue, Las Vegas, Clark County, Nevada, with intent to commit
8 larceny, Defendants being criminally liable under one or more of the following principles of
9 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 the crime of burglary.

13 COUNT 14 - GRAND LARCENY

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

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1 COUNT 15 – BURGLARY

2 Defendant ANDRE SNIPES did on or about October 6, 2019, willfully, unlawfully,
3 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 DATED this ____ day of November, 2019.

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

10 BY

11 ASHLEY LACHER
12 Deputy District Attorney
Nevada Bar #014560

13 ENDORSEMENT: A True Bill

14
15 Foreperson, Clark County Grand Jury
16
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21
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23
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25
26
27
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

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)

Grand Jury Case # 18CGJ1634-B
Exhibit # 1B
Date 1/19/2020

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,

CASE NO:

11 -vs-

DEPT NO:

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

14 Defendant(s).

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) and BURGLARY
23 WHILE IN POSSESSION OF A DEADLY WEAPON (Category B Felony - NRS 205.060 -
24 NOC 50426), committed at and within the County of Clark, State of Nevada, on or between
25 July 4, 2019 and October 6, 2019, as follows:

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1 COUNT 1 - BURGLARY

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

10 COUNT 2 - GRAND LARCENY

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

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 9 - 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 10 - 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 COUNT 11 - BURGLARY

27 Defendant ANDRE SNIPES did on or about September 24, 2019, willfully,
28 unlawfully, and feloniously enter a retail establishment and/or business, owned or occupied by

1 FOOTLOCKER, located at 4300 MEADOWS LANE SUITE 115, Clark County, Nevada,
2 with intent to commit a larceny and/or obtain money or property by false pretenses.

3 COUNT 12 - GRAND LARCENY

4 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September
5 29, 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 FOOTLOCKER, located at 2120 Festival Plaza Drive, having a value of
8 \$650.00 or more, to wit: basketball jerseys and/or other merchandise, Defendants being
9 criminally liable under one or more of the following principles of criminal liability, to-wit: (1)
10 by directly committing said crime; and/or, (2) by aiding or abetting one another in the
11 commission of this crime with the intent to commit this crime by providing counsel and/or
12 encouragement to one another; and/or, (3) pursuant to a conspiracy to commit larceny.

13 COUNT 13 - BURGLARY

14 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about September
15 24, 2019, willfully, unlawfully, and feloniously enter a retail establishment, owned or occupied
16 by FOOTLOCKER, located at 2120 Festival Plaza Drive, Las Vegas, Clark County, Nevada,
17 with intent to commit larceny, Defendants being criminally liable under one or more of the
18 following principles of criminal liability, to-wit: (1) by directly committing said crime; and/or,
19 (2) by aiding or abetting one another in the commission of this crime with the intent to commit
20 this crime by providing counsel and/or encouragement to one another and/or by Defendant
21 GREGORY MORGAN and/or Defendant ANDRE SNIPES taking merchandise and leaving
22 the store (3) pursuant to a conspiracy to commit the crime of burglary and/or larceny.

23 COUNT 14 - BURGLARY

24 Defendants GREGORY MORGAN and ANDRE SNIPES did on or about October 2,
25 2019, willfully, unlawfully, and feloniously enter a building, owned or occupied by NIKE,
26 located at 9851 S. Eastern Avenue, Las Vegas, Clark County, Nevada, with intent to commit
27 larceny, Defendants being criminally liable under one or more of the following principles of
28 criminal liability, to-wit: (1) by directly committing said crime; and/or, (2) by aiding or

1 abetting one another in the commission of this crime with the intent to commit this crime by
2 providing counsel and/or encouragement to one another; and/or (3) pursuant to a conspiracy
3 to commit the crime of burglary.

4 COUNT 15 - GRAND LARCENY

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

13 COUNT 16 - BURGLARY

14 Defendant ANDRE SNIPES did on or about October 6, 2019, willfully, unlawfully,
15 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 DATED this ____ day of January, 2020.

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

21 BY

22 ASHLEY LACHER
23 Deputy District Attorney
Nevada Bar #014560

24 ENDORSEMENT: A True Bill

25
26 Foreperson, Clark County Grand Jury

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

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

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

5 LASTER, GEORGE – LVMPD #5658

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

7
8 Additional Witnesses known to the District Attorney at time of filing the Indictment:

9 CUSTODIAN OF RECORDS - CCDC

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

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

13 CUSTODIAN OF RECORDS - LVMPD COMMUNICATIONS

14 CUSTODIAN OF RECORDS - LVMPD RECORDS

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

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

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

19 SUMMERS, KASHIF – LVMPD #14109

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26 18CGJ163A-B/19F21141A-B/ed-GJ
27 LVMPD EV# 190900115154;
28 190900095652; 191099999927
(TK9)

Grand Jury Case # 18CG5 163 A-B
Exhibit # 2
Date 10/31/19

GRAND JURY INSTRUCTIONS

Robbery

Robbery is the unlawful taking of personal property from the person of another, or in his presence, against his will, by means of force or violence or fear of injury, immediate or future, to his person or property, or the person or property of a member of his family, or of anyone in his company at the time of the robbery. Such force or fear must be used to obtain or retain possession of the property, to prevent or overcome resistance to the taking, or to facilitate escape, in either of which cases the degree of force is immaterial if used to compel acquiescence to the taking of or escaping with the property.

Deadly Weapon

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

Co-Conspirator/Aider and Abettor Liability for the Use of a Firearm/Deadly Weapon

If more than one person commits a crime, and one of them uses a deadly weapon in the commission of that crime, each may be convicted of using the deadly weapon even though he did not personally himself use the weapon.

An unarmed offender "uses" a deadly weapon when the unarmed offender is liable for the offense, another person liable for the offense is armed with and uses a deadly weapon in the commission of the offense, and the unarmed offender had knowledge of the use of the deadly weapon.

Firearm

You are instructed that “firearm” includes any firearm that is loaded or unloaded and operable or inoperable. “Firearm” includes any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion.

Burglary

Every person who, by day or night, enters any house, room, apartment, tenement, shop, warehouse, store, mill, barn, stable, outhouse or other building, tent, vessel, vehicle, vehicle trailer, semitrailer or house trailer, airplane, glider, boat or railroad car, with the intent to commit grand or petit larceny, assault or battery on any person or any felony, or to obtain money or property by false pretenses, is guilty of burglary

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

Grand Larceny

Intentionally stealing, taking and carrying away, leading away or driving away: Personal goods or property, with a value of \$650 or more, owned by another person.

Conspiracy

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

Conspiracy is an agreement or mutual understanding between two or more persons to commit a crime. To be guilty of conspiracy, a defendant must intend to commit, or to

aid in the commission of, the specific crime agreed to. The crime is the agreement to do something unlawful; it does not matter whether it was successful or not.

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

Evidence of the commission of an act which furthered the purpose of an alleged conspiracy is not, in itself, sufficient to prove that the person committing the act was a member of such a conspiracy.

If a number of persons enter into an agreement to commit an illegal act then that agreement is known in law as a conspiracy. If a conspiracy is established, and the purpose thereof is to commit a dangerous felony, then each member of the conspiracy is responsible and liable for the acts of the other member or members.

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

A person who knowingly does any act to further the object of a conspiracy, or otherwise participates therein, is criminally liable as a conspirator. However, mere knowledge or approval of, or acquiescence in, the object and purpose of a conspiracy without an agreement to cooperate in achieving such object or purpose does not make one a party to conspiracy.

The act of one conspirator pursuant to or in furtherance of the common design of the conspiracy is the act of all conspirators. Every conspirator is legally responsible for an act of a co-conspirator that follows as one of the probable and natural consequences of the

object of the conspiracy even if it was not intended as part of the original plan and even if he was not present at the time of the commission of such act.

Aiding and Abetting

- Anyone who knowingly & with criminal intent aids and abets in the commission of the crime with the intent that the crime be committed is regarded as a principal in the crime.

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

Co-Conspirator/Aider and Abettor Liability

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

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

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

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

18CGJ 163 A-B
Grand Jury Case # _____
Exhibit # 2A
Date 1-9-2020

ADDED GRAND JURY INSTRUCTION

Organized retail theft" means committing, either alone or with any other person or persons, a series of thefts of retail merchandise against one or more merchants, either on the premises of a merchant or through the use of an Internet or network site, in this State with the intent to:

- (1) Return the merchandise to the merchant for value; or
- (2) Resell, trade or barter the merchandise for value in any manner, including, without limitation, through the use of an Internet or network site

The amount involved in a theft shall be deemed to be the highest value, by any reasonable standard, of the property or services which are obtained. Amounts involved in thefts committed pursuant to a scheme or continuing course of conduct, whether from one or more persons, may be aggregated in determining the grade of the offense.

18 CGJ 163 A-B
Grand Jury Case # _____
Exhibit # 18
Date 1-9-2020

12:00 1 EIGHTH JUDICIAL DISTRICT COURT
2 CLARK COUNTY, NEVADA
3
4
12:00 5 THE STATE OF NEVADA,
6 Plaintiff,
7 vs. GJ No. 18CGJ163AB
8 GREGORY DELLO MORGAN, ANDRE GRANT DC No. C344461
9 SNIPES,
10 Defendants.
11
12
13 Taken at Las Vegas, Nevada
14 Thursday, October 31, 2019
15 2:46 p.m.
16
17
18
19 REPORTER'S TRANSCRIPT OF PROCEEDINGS
20
21
22
23
24
12:00 25 Reported by: Danette L. Antonacci, C.C.R. No. 222

12:00 1 GRAND JURORS PRESENT 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
22
23
24
25

12:00 1 INDEX OF WITNESSES
2
3
4 BRYAN JAWS 7
12:00 5 ALDEN ABREGO 16
6 SAMANTHA ALVAREZ 25
7 ELVIN CASTILLO 31
8 GEORGE LASTER 38
9
10
11
12
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14
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12:00 1 INDEX OF EXHIBITS
2
3 Grand Jury Exhibits Identified
4 1 - PROPOSED INDICTMENT 5
12:00 5 2 - INSTRUCTIONS 5
6 3 - SURVEILLANCE VIDEO 20
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

LAS VEGAS, NEVADA, OCTOBER 31

* * * * *

DANETTE L. ANTONACCI,

having been first duly sworn to faithfully
and accurately transcribe the following
proceedings to the best of her ability.

MS. LACHER: Good afternoon ladies and

gentlemen of the Grand Jury. My name is Ashley Lacher.
With me for today is Quanisha Holloway. We're both
deputy district attorney with the Clark County District
Attorney's Office.

Today we'll be presenting to you Grand Jury
case number 18CGJ16384B. The defendants Gregory Morgan
and Andre Snipes are charged with multiple counts; grand
larceny, robbery with use of a deadly weapon, burglary
while in use of a deadly weapon, and then burglary as
well. There will be marked as a Grand Jury exhibit a
copy of the proposed Indictment and that's going to be
marked as Exhibit Number 1 and the record will reflect
that all the grand jurors have a copy of it. In
addition I have marked as Grand Jury Exhibit Number 2 a
copy of the instructions related to each and every one
of those counts. Have all the grand jurors been

02:47

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

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

THE FOREPERSON: Please.

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

THE FOREPERSON: Please raise your right
hand.

Please stand and raise your right hand.

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

THE WITNESS: Yes, sir.

THE FOREPERSON: Now be seated please.

THE WITNESS: Thank you.

02:49

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

Do you understand this advisement?

THE WITNESS: Yes, sir.

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

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

THE FOREPERSON: Thank you.

MS. LACHER: May I proceed?

THE FOREPERSON: Please.

MS. LACHER: Thank you.

BRYAN LAWS,

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

EXAMINATION

BY MS. LACHER:

Q. Mr. Laws, are you employed as the manager

02:49

at the Foot Locker located at 3200 South Las Vegas
Boulevard here in Clark County, Nevada?

A. Yes, ma'am.

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

A. Yes, ma'am.

Q. And while you were working at that time did
two individuals enter the Foot Locker that caught your
attention?

A. Yes, ma'am.

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

A. Two black middle age men walked in normal,
came to return clothes.

Q. What happened after they tried to return
clothes?

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

02:50 1 Q. What were they doing though 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.

13

02:55 1 Q. I'm showing you Grand Jury it
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.

14

02:56 1 Q. As for 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

15

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

16

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.

17

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

18

03:00 1 table in the front. He 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

19

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

20

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 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. 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 MOR 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. 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.

03:17 19 Q. And does that indicate that the defendant
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 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.

03:19 24 Q. Is that a receipt from the transaction that
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 have 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 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?

41

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.

42

03:26 1 Q. Same 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?

43

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

44

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.

45

03:29 1 MS. LACHER: Okay. That's all 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.

46

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,

47

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--
14
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48

03:40 1 **REPORTER'S CERTIFICATE**
2
3 **STATE OF NEVADA**)
4 **COUNTY OF CLARK**) ss
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 Danette L. Antonacci, C.C.R. 222
19
03:40 20
21
22
23
24
25

AFFIRMATION

Pursuant to NRS 239B.030

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

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

-OR-

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

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

-OR-

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

/s/ Danette L. Antonacci

Signature

11-12-19
DateDanette L. Antonacci
Print NameOfficial Court Reporter
Title

18CGJ163 A-B
Grand Jury Case # _____
Exhibit # 19
Date 1-9-2020

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.

Taken at Las Vegas, Nevada
Thursday, November 14, 2019
11:00 a.m.

REPORTER'S TRANSCRIPT OF PROCEEDINGS
SUPERSEDING INDICTMENT
VOLUME 2

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

GRAND JURORS PRESENT ON NOVEMBER 14, 2019

LAWRENCE HOLMES, Foreperson

ROBERT KINNIBURGH, Deputy Foreperson

CLAUDIA HUNT, Secretary

LINDA MCARTHUR, Assistant Secretary

GARLAND BAILEY

ANNAMARIE CONKLIN

NATHAN CONRAD

REGINA CRUNDEN

MELISSA HILL

MARY KISHMARTON

JEANETTE LOMANDO

DAVID MILLER

JOHN ORR

MARY PERKINS

ANTHONY SHOR

Also present at the request of the Grand Jury:

Ashley Lacher, Deputy District Attorney

INDEX OF WITNESSES

Examined

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CARMINA PANLILIO	15
KASHIF SUMMERS	21

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12 - RECEIPT	9
13 - RECEIPT	9
14 - PHOTOGRAPH	8
15 - PHOTOGRAPH	18
16 - PHOTOGRAPH	18
17 - PHOTOGRAPHS	23

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.

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 EXAMINATION

6 BY MS. LACHER:

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

8 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 2nd, 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,
 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
 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
 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
 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
 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
 20 truth, and nothing but the truth, so help you God?
 11:16AM 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,
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 2nd,
14 2019 were you assigned to an investigation related to a
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
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
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
10:19AM 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
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.

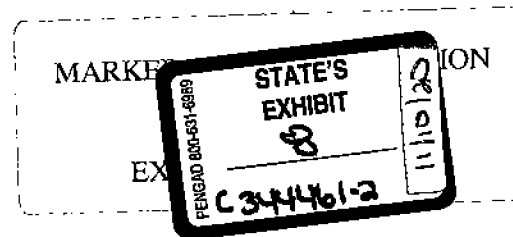
24 MS. LACHER: I don't have any more
11:20AM 25 questions for this witness. Do any of the Grand

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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11:21AM 1 **REPORTER'S CERTIFICATE**
 2
 3 **STATE OF NEVADA** }
 4 **COUNTY OF CLARK** } ss
 11:21AM 5
 6 I, Lisa Brenske, C.C.R. 186, do hereby
 7 certify that I took down in Shorthand (Stenotype) all
 8 of the proceedings had in the before-entitled matter at
 9 the time and place indicated and thereafter said
 11:21AM 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
 13 record of the proceedings had.
 14 Dated at Las Vegas, Nevada,
 11:21AM 15 November 18, 2019.
 16
 17
 18 /S/LISA BRENSKE
 19 Lisa Brenske, C.C.R. 186
 11:21AM 20
 21
 22
 23
 24
 25

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
 6 18CGJ163A-B:
 7
 8 X Does not contain the social security number of any
 9 person,
 11:21AM 10 -OR-
 11 Contains the social security number of a person as
 12 required by:
 13 A. A specific state or federal law, to-
 14 wit: NRS 696.250.
 15 -OR-
 11:21AM 15 B. For the administration of a public program
 16 or for an application for a federal or
 17 state grant.
 18 /S/LISA BRENSKE
 19 Signature November 18, 2019
 20 Date
 11:21AM 21 Lisa Brenske
 22 Print Name
 23 Official Court Reporter
 24 Title
 25



LLV190900115154



FASHION SHOW MALL 3200 LAS VEGAS BLVD S
SPACE 1124
LAS VEGAS, NV 89109
702-893-7745

Visit Us At www.ChampsSports.com

Store: 1814134 Register: 1
Date: 9/24/19 Time: 1:42 PM
Trans: 37778
Cashier: Parilda B.

Suspended

Item	Qty	Price	Amount	Tax%
LAK NK KUZMA PUR ALT SUNGMN JR				
187100910400950	1	\$110.00	\$110.00	8.25%

Sales Associate: Parilda B.

GRZ MN BIBBY RET SUB TEAL JRSY				
187101115900950	1	\$130.00	\$130.00	8.25%

Sales Associate: Parilda B.

LAK NK JAMES WHI SUNGMN JRSY				
187109417100950	1	\$110.00	\$110.00	8.25%

Sales Associate: Parilda B.

LAK NK JAMES WHI SUNGMN JRSY				
187109417100950	1	\$110.00	\$110.00	8.25%

Sales Associate: Parilda B.

LAK NK JAMES WHI SUNGMN JRSY				
187109417100950	1	\$110.00	\$110.00	8.25%

Sales Associate: Parilda B.

LAK NK JAMES WHI SUNGMN JRSY				
187109417100950	1	\$110.00	\$110.00	8.25%

Sales Associate: Parilda B.

LAK NK JAMES PUR CTY SUNGMN JRSY				
187109419700950	1	\$110.00	\$110.00	8.25%

Sales Associate: Parilda B.

LAK NK JAMES PUR CTY SUNGMN JRSY				
187109419700950	1	\$110.00	\$110.00	8.25%

Sales Associate: Parilda B.

LAK NK JAMES PUR CTY SUNGMN JRSY				
187109419700950	1	\$110.00	\$110.00	8.25%

Sales Associate: Parilda B.

JAR NK CURRY GRV ALT SUNGMN JRSY				
187180632300950	1	\$110.00	\$110.00	8.25%

Sales Associate: Parilda B.

LAK NK BRYANT YEL 8 SUNGMN JRSY				
187109514500920	1	\$120.00	\$120.00	8.25%

Sales Associate: Parilda B.

LAK NK BRYANT YEL 8 SUNGMN JRSY				
187109514500920	1	\$120.00	\$120.00	8.25%

Sales Associate: Parilda B.

LAK NK BRYANT YEL 8 SUNGMN JRSY				
187109514500920	1	\$120.00	\$120.00	8.25%

Sales Associate: Parilda B.

LAK NK BRYANT YEL 8 SUNGMN JRSY				
187109514500920	1	\$120.00	\$120.00	8.25%

Sales Associate: Parilda B.

Subtotal	\$1600.00
Tax	\$132.05

Total	\$1732.05
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Today Champs Sports VIPs get member-only savings. Visit www.champsports.com/vip to start enjoying benefits.

SHARE YOUR FEEDBACK

You are eligible to receive an incentive for use on your next purchase in Store or Online.

Go to www.champs.com within 14 days

and tell us about your visit.

Enter Code: 4P78-1112Q-6ECH-R59H-B6KE-RP5G

Can not be used with any other discount offer. Select merchandise excluded. See site for complete details.

Thanks for Shopping Champs Sports!

Sold Item Count = 14

Suspended



Customer Copy

Suspended

MAR

PENSAID 805-831-4688	STATE'S EXHIBIT	CE 1011
	11	
	C344461-2	

TION

THE MEADOWS MALL 4300 MEADOWS LANE SUITE 115
LAS VEGAS, NV 89107
702-878-8226

Visit Us At www.footlocker.com

Store: 307142 Register: 2
Date: 9/20/19 Time: 8:00 PM
Trans: 39835
Cashier: Elvin C.

Customer: Andre Snipes

Loyalty Information

Loyalty #: *****8204
Program Name: Lockers Loyalty
Program Level: Lockers VIP
Points Earned Today: 0
Total Earned Points: 0

Item	Qty	Price	Amount	Tax%
NK LAL YL WT A DAVIS SM JSY				
037101213900930				

1 -\$110.00 -\$110.00 8.25%

999-SALEABLE

Return without Receipt

Sales Associate: Elvin C.

NK LAL YL WT A DAVIS SM JSY

037101213900930

1 -\$110.00 -\$110.00 8.25%

999-SALEABLE

Return without Receipt

Sales Associate: Elvin C.

NK PEL NVY GLD Z WILLIAMSON SWMN JSY

037101196600970

1 -\$110.00 -\$110.00 8.25%

999-SALEABLE

Return without Receipt

Sales Associate: Elvin C.

NK PEL NVY GLD Z WILLIAMSON SWMN JSY

037101196600930

1 -\$110.00 -\$110.00 8.25%

999-SALEABLE

Return without Receipt

Sales Associate: Elvin C.

Subtotal -\$440.00

Tax -\$36.32

Total -\$476.32

Issue Gift Card \$250.00

*****4494

Entry Method: Keyed

Auth #: 767555

Balance: \$250.00

Transaction Type: Refund

Issue Gift Card \$226.32

*****2557

Entry Method: Keyed

Auth #: 710800

Balance: \$226.32

Transaction Type: Refund

Change \$0.00

Today Foot Locker VIPS get member-only savings and
benefits. Visit www.footlocker.com/VIP or the
Footlocker Mobile App to check your status.

SHARE YOUR FEEDBACK

You are eligible to receive an incentive
for use on your next purchase
in Store or Online.

Go to www.flpulse.com

within 14 days

and tell us about your visit.

Enter Code: 4KXC-HMSJ-GBW7-ZAW4-A8DZ-GR4V

Can not be used with any other discount
offer. Select merchandise excluded.
See site for complete details.

Customer Copy

FASHION SHOW MALL 3200 LAS VEGAS BLVD SOUTH STE
1640
LAS VEGAS, NV 891092612
702-369-0401

Visit Us At www.footlocker.com

Store: 308463 Register: 1
Date: 9/21/19 Time: 12:29 PM
Trans: 61379
Cashier: Taylor W.

Customer: Andre Snipes

Loyalty Information

Loyalty #: *****8204
Program Name: Lockers Loyalty
Program Level: Lockers VIP
Points Earned Today: 378
Total Earned Points: 378

Item Qty Price Amount Tax%
X-PLR BK/WT
034219492704120
1 \$85.00 \$85.00 8.25%

Sales Associate: Andres S.

JRDN RETRO 12 (GSB)-BK/BL/SL
036265899104070
1 \$140.00 \$140.00 8.25%

Sales Associate: Andres S.

NK AM PLUS BEACH BALL GS
036370821704070
1 \$125.00 \$99.99 8.25%

Promotion -\$25.01

Sales Associate: Andres S.

NK NSW ESSENTIAL CREW 3PK WT BK
039250547500950
1 \$16.00 \$16.00 8.25%

Sales Associate: Andres S.

AD ROLLER CREW 3PK BLK/WHT 10-13
039252617400950
1 \$9.00 \$9.00 8.25%

Sales Associate: Andres S.

VANS CAMO EASY BOX TEE

037347593800950

1 \$28.00 \$28.00 8.25%

Sales Associate: Andres S.

Subtotal	\$377.99
Tax	\$31.18
Total	\$409.17

Gift Card \$250.00

*****4494

Entry Method: Keyed

Auth #: 507711

Balance: \$0.00

Transaction Type: Sale

Gift Card \$159.17

*****2557

Entry Method: Keyed

Auth #: 508233

Balance: \$67.15

Transaction Type: Sale

Change \$0.00

You have saved \$25.01

Today Foot Locker VIPs get member-only savings and benefits. Visit www.footlocker.com/VIP or the Footlocker Mobile App to check your status.

SHARE YOUR FEEDBACK

You are eligible to receive an incentive for use on your next purchase in Store or Online.

Go to www.flpulse.com

within 14 days

and tell us about your visit.

Enter Code: 4KZV-C1W0-4W8K-8JGK-QYZC-SKR1

Can not be used with any other discount offer. Select merchandise excluded. See site for complete details.

Thanks for Shopping Foot Locker!

Sold Item Count = 6

VIP #:

Customer Copy

Thanks for Shopping Foot Locker!

Returned Item Count = 4

VIP #:

Customer Copy

THE MEADOWS MALL 4300 MEADOWS LANE SUITE 115
LAS VEGAS, NV 89107
702-878-8226

Visit Us At www.footlocker.com

Store: 307142 Register: 2
Date: 9/24/19 Time: 2:54 PM
Trans: 40037
Cashier: Elvin C.

Customer: Andre Snipes

Loyalty Information

Loyalty #: *****8204
Program Name: Lockers Loyalty
Program Level: Lockers Platinum
Points Earned Today: 0
Total Earned Points: 0

Item	Qty	Price	Amount	Tax%
08/24 NK LAL YEL BRYANT #8 JSY				
037100203100950				
	1	-\$120.00	-\$89.99	8.25%

999-SALEABLE

Return without Receipt

Promotion \$30.01

Sales Associate: Elvin C.

Subtotal	-\$89.99
Tax	-\$7.42
Total	-\$97.41..

Issue Gift Card \$97.41

*****5981

Entry Method: Keyed

Auth #: 178433

Balance: \$97.41

Transaction Type: Refund

Returned Item Count = 1

Customer Copy

FASHION SHOW MALL 3200 LAS VEGAS BLVD SOUTH STE
1640
LAS VEGAS, NV 891092612
702-369-0401

Visit Us At www.footlocker.com

Store: 308463 Register: 2
Date: 9/26/19 Time: 10:14 AM
Trans: 354
Cashier: Taylor W.

Customer: Andre Snipes

Loyalty Information

Loyalty #: *****8204
Program Name: Lockers Loyalty
Program Level: Lockers Platinum
Points Earned Today: 220
Total Earned Points: 220

Item	Qty	Price	Amount	Tax%
X-PLR BK/WT				
034219492704120	1	-\$85.00	-\$85.00	8.25%

999-SALEABLE
Verified Return

Return
Store: 308463
Date: 9/21/19
Trans: 61379
Register: 1

Sales Associate: Andres S.

JRDN RETRO 12 (GSB)-BK/BL/SL				
036265899104070	1	-\$140.00	-\$140.00	8.25%

999-SALEABLE
Verified Return

Return
Store: 308463
Date: 9/21/19
Trans: 61379
Register: 1

Sales Associate: Andres S.

AD ROLLER CREW 3PK BLK/WHT 10-13

039252617400950

1 -\$9.00 -\$9.00 8.25%

999-SALEABLE

Verified Return

Return

Store: 308463

Date: 9/21/19

Trans: 61379

Register: 1

Sales Associate: Andres S.

09/23 QS YZY 350 CITRIN

034209437404120

1 \$220.00 \$220.00 8.25%

Sales Associate: Cassandra B.

Subtotal -\$14.00

Tax -\$1.15

Total **-\$15.15**

Issue Gift Card \$15.15

*****1699

Entry Method: Keyed

Auth #: 854844

Balance: \$15.15

Transaction Type: Refund

Change \$0.00

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benefits. Visit www.footlocker.com/VIP or the
Footlocker Mobile App to check your status.

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You are eligible to receive an incentive
for use on your next purchase
in Store or Online.

Go to www.flpulse.com

within 14 days

and tell us about your visit.

Enter Code: 4MC5-S96Q-AFR8-G0SY-RS5J-AN4W

Can not be used with any other discount
offer. Select merchandise excluded.
See site for complete details.

Thanks for Shopping Foot Locker!

Sold Item Count = 1

Returned Item Count = 3

VIP #:

Change

\$0.00

Today Foot Locker VIPS get member-only savings and benefits. Visit www.footlocker.com/VIP or the Footlocker Mobile App to check your status.

SHARE YOUR FEEDBACK

You are eligible to receive an incentive for use on your next purchase in Store or Online.

Go to www.flpulse.com within 14 days

and tell us about your visit.

Enter Code: 4M78-1P3V-F2NV-7CZ8-QBE1-QDEG

Can not be used with any other discount offer. Select merchandise excluded. See site for complete details.

Thanks for Shopping Foot Locker!

Returned Item Count = 1

VIP #:

Customer Copy

THE MEADOWS MALL 4300 MEADOWS LANE SUITE 115
LAS VEGAS, NV 89107
702-878-8226

Visit Us At www.footlocker.com

Store: 307142 Register: 2
Date: 10/6/19 Time: 1:21 PM
Trans: 40445
Cashier: Daniela M.

Customer: Andre Snipes

Loyalty Information

Loyalty #: *****8204
Program Name: Lockers Loyalty
Program Level: Lockers Platinum
Points Earned Today: -200
Total Earned Points: 20

Item	Qty	Price	Amount	Tax%
PROTO MAX 720 WG/BK/VLT				
034101128804110				

1 -\$200.00 -\$200.00 8.25%

999-SALEABLE

Return without Receipt

Sales Associate: Elvin C.

Subtotal	-\$200.00
Tax	-\$16.50
Total	-\$216.50

Issue Gift Card	\$216.50
-----------------	----------

*****3027

Entry Method: Keyed

Auth #: 136011

Balance: \$216.50

Transaction Type: Refund

Change	\$0.00
--------	--------

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in Store or Online.

Go to www.flpulse.com

within 14 days

and tell us about your visit.

Enter Code: 4JTW-W6JT-HKD2-D09W-QFFC-VAKS

Can not be used with any other discount
offer. Select merchandise excluded.
See site for complete details.

Thanks for Shopping Foot Locker!

Returned Item Count = 1

VIP #:

Customer Copy

THE MEADOWS MALL 4300 MEADOWS LANE SUITE 115
LAS VEGAS, NV 89107
702-878-8226

Visit Us At www.footlocker.com

Store: 307142	Register: 2
Date: 10/6/19	Time: 1:23 PM
Trans: 40446	
Cashier: Daniela M.	

Customer: Andre Snipes

Loyalty Information

Loyalty #: *****8204

Program Name: Lockers Loyalty

Program Level: Lockers Platinum

Points Earned Today: -20

Total Earned Points: 0

Item	Qty	Price	Amount	Tax%
JM TEAM 2 NV/WT/GUM				
034101113004100				
	1	-\$140.00	-\$140.00	8.25%

999-SALEABLE

Return without Receipt

Sales Associate: Elvin C.

Subtotal - \$140.00

Tax - \$11.55

Total - \$151.55

Issue Gift Card \$151.55

*****8857

Entry Method: Keyed

Auth #: 347744

Balance: \$151.55

Transaction Type: Refund

Change \$0.00

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within 14 days

and tell us about your visit.

Enter Code: 4JTW-W6QZ-ZHZY-04AP-C7H6-GWFA

Can not be used with any other discount

offer. Select merchandise excluded.

See site for complete details.

Thanks for Shopping Foot Locker!

Returned Item Count = 1

VIP #:

Boltle - Customer Service Application

Welcome: Armando Flores (User) Logout: [Sign Out](#)
Wednesday, October 23, 2019 3:38 PM (EDT)

Customer Search » Search Results » Customer View

[Go Back](#)**Snipes, Andre**

Account: 70300057818204

Signup Store: 307142

Member Since: 8/20/2019

Membership: Lockers Platinum

Gender: M

Birth Date: 4/21/1982

[Edit Notes](#) [Email Print](#)

Opt-In: Mail: Yes | Text: No | Email: No

Last Updated 9/21/2019 by 596141

[Customer Detail](#)[Transaction History \(8\)](#)[Epsilon Transaction History](#)**Address**[Add Address](#)

Primary	Type	Street	City	State	Postal Code	Action
Yes	HOME		LAS VEGAS	NV	89106	Edit

Phone[Add Phone](#)

Primary	Type	Phone Number	Action
Yes	HOME	(702) 619-3264	Edit

Email[Add Email](#)

Primary	Type	Email	Action
Yes	HOME	andregsnipes@yahoo.com	Edit

Account/Card

Status	Account No.	Loyalty Program	Loyalty Level	Expired	Action
Active	70300057818204	Lockers Loyalty Program	Lockers Platinum	No	Edit

[Merge](#)**Notes**

Date	Time	User	Type	Note
09/20/2019	11:01 PM	596141	EVT_SET_AS_PRIMARY	Set as primary account holder's customer card (70300057818204)
09/20/2019	11:01 PM	596141	EVT_ASSOCIATE_CARD	Associated customer card (70300057818204)

[Add New Note](#)

Relate - Customer Service Application

Welcome: Armando Flores (User) Logout
 Wednesday, October 23, 2019 3:49 PM (EDT)

Customer Search - Search Results - Customer View

Go Back

Snipes, Andre

Account: 70300057818204
 Signup Store: 307142 Member Since: 9/20/2019
 Membership: Lockers Platinum
 Gender: M Birth Date: 4/21/1982
 Opt-In: Mail: Yes | Text: No | Email: No
 Last Updated 0/21/2019 by 500141

Edit Notes Email Print

Customer Data Transaction History (9) Epicor Transaction History

Reward Summary

Account	Balance	Lifetime	YTD	Level Move	Last Posted	Last Expire
70300057818204	\$129.00	\$498.00	\$498.00	9/22/2019	10/7/2019	

Transaction History

Account	Date	Store No	Trans No	Invoice No	Loyalty Amt
70300057818204	10/7/2019	308804	000034504		120
70300057818204	10/6/2019	307142	000040446		-20
70300057818204	10/6/2019	307142	000040445		-200
70300057818204	9/26/2019	308463	000000354		220
70300057818204	9/20/2019	307142	000040037		0
70300057818204	9/22/2019	9999999			-376
70300057818204	9/21/2019	308463	000051379		376
70300057818204	9/20/2019	307142	000039835		0
70300057818204		307142			0

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MIRACLE MILE 3663 LAS VEGAS BLVD SOUTH STE 295
 LAS VEGAS, NV 891091909
 702-733-4942

Visit Us At www.footlocker.com

Store: 308804 Register: 2
 Date: 10/7/19 Time: 1:35 PM
 Trans: 34504
 Cashier: Luis I.

Customer: Andre Snipes

 Loyalty Information

Loyalty #: *****8204
 Program Name: Lockers Loyalty
 Program Level: Lockers Platinum
 Points Earned Today: 120
 Total Earned Points: 120

Item	Qty	Price	Amount	Tax%
AF1 LOW PRM OFF NOIR/GUNSMOKE				
034101419104100	1	-\$130.00	-\$130.00	8.25%

Return
Store: 308804
Date: 10/7/19
Trans: 34494
Register: 2

JM TEAM 2 BK/RD/WT
034101099104110

Promotion - \$20.01
Sales Associate: Luis I.

Cash	-\$10.84
Change	\$0.00

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You are eligible to receive an incentive
for use on your next purchase
in Store or Online.

Can not be used with any other discount offer. Select merchandise excluded. See site for complete details.

Sold Item Count = 1
Returned Item Count = 1

Customer Copy

MIRACLE MILE 3663 LAS VEGAS BLVD SOUTH STE 295
LAS VEGAS, NV 891091909
702-733-4942

Visit Us At www.footlocker.com

Store: 308804 Register: 2
Date: 10/7/19 Time: 11:22 AM
Trans: 34494
Cashier: Luis I.

Customer: Andre Snips

Item	Qty	Price	Amount	Tax%
JM TEAM 2 BK/RD/WT				
034101099104110				
	1	-\$140.00	-\$119.99	8.25%

999-SALEABLE

Return without Receipt

Promotion \$20.01

Sales Associate: Luis I.

AF1 LOW PRM OFF NOIR/GUNSMOKE

034101419104100				
	1	\$130.00	\$130.00	8.25%

Sales Associate: Luis I.

Subtotal	\$10.01
Tax	\$0.83
Total	\$10.84

Cash	\$20.00
Change	
Cash	-\$9.16

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Visit www.footlocker.com/vip to start enjoying
benefits.

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within 14 days

and tell us about your visit.

Enter Code: 4JXB-R1VT-XK8G-B0C6-BDJV-BKB9

Can not be used with any other discount
offer. Select merchandise excluded.
See site for complete details.

Thanks for Shopping Foot Locker!

Sold Item Count = 1





THE MEADOWS MALL 4300 MEADOWS LANE SUITE
115
LAS VEGAS, NV 89107
702-878-8226

Visit Us At www.footlocker.com

Store: 307142 Register: 2
Date: 9/20/19 Time: 8:00 PM
Trans: 39835
Cashier: Elvin C.

Customer: Andre Snipes

Loyalty Information

Loyalty #: *****8204
Program Name: Lockers Loyalty
Program Level: Lockers VIP
Points Earned Today: 0
Total Earned Points: 0

Reprint - Reprint - Reprint - Reprint

Item	Qty	Price	Amount	Tax%
NK LAL YL WT A DAVIS SM JSY				
037101213900930	1	-\$110.00	-\$110.00	8.25%

999-SALEABLE
Return without Receipt
Sales Associate: Elvin C.

NK LAL YL WT A DAVIS SM JSY				
037101213900930	1	-\$110.00	-\$110.00	8.25%

999-SALEABLE
Return without Receipt
Sales Associate: Elvin C.

NK PEL NAVY GLD Z WILLIAMSON SUMM JSY				
037101196600970	1	-\$110.00	-\$110.00	8.25%

Total -\$476.32

Issue Gift Card \$250.00
*****4494
Entry Method: Keyed
Auth #: 767555
Balance: \$250.00
Transaction Type: Refund
Issue Gift Card \$226.32
*****2557
Entry Method: Keyed
Auth #: 710800
Balance: \$226.32
Transaction Type: Refund
Change \$0.00

Today Foot Locker VIPs get member-only savings and benefits. Visit www.footlocker.com/VIP or the Footlocker Mobile App to check your status.

SHARE YOUR FEEDBACK

You are eligible to receive an incentive for use on your next purchase In Store or Online.

Go to www.flpulse.com within 14 days and tell us about your visit.
Enter Code: 4KXC-HMSJ-GBW7-2AW4-A8DZ-GR4V

Can not be used with any other discount offer. Select merchandise excluded
See site for complete details

Thanks for Shopping Foot Locker!

Returned Item Count = 4

Reprint - Reprint - Reprint - Reprint



131MHE711414AX64ARJWQ

VIP #:



70300057818204

Customer Copy

Reprint - Reprint - Reprint - Reprint

return card in the amount of the lowest selling order

return card in the amount of the lowest selling price for the last 60 days, which may include special sales and/or multiple offers.

- There are no fees charged for exchanges, refunds or returns.
- A copy of the Return Policy is available upon request.
- Your satisfaction is our concern.
- For questions or comments, call 1-800-991-6682.

FOOT LOCKER PROMISE:

- To give a refund or exchange on unworn merchandise within 45 days **WITH** a receipt.
- Returns **WITHOUT** a receipt for unworn merchandise are exchangeable for merchandise or a merchandise return card in the amount of the lowest selling price for the last 60 days, which may include special sales and/or multiple offers.
- There are no fees charged for exchanges, refunds or returns.
- A copy of the Return Policy is available upon request.
- Your satisfaction is our concern.
- For questions or comments, call 1-800-991-6682.

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- To give a refund or exchange on unworn merchandise within 45 days **WITH** a receipt.
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- There are no fees charged for exchanges, refunds or returns.

we exchange for merchandise or a merchandise return card in the amount of the lowest selling price for the last 60 days, which may include special sales and/or multiple offers.

- There are no fees charged for exchanges, refunds or returns.
- A copy of the Return Policy is available upon request.
- Your satisfaction is our concern.
- For questions or comments, call 1-800-991-6682.

FOOT LOCKER PROMISE:

- To give a refund or exchange on unworn merchandise within 45 days **WITH** a receipt.
- Returns **WITHOUT** a receipt for unworn merchandise are exchangeable for merchandise or a merchandise return card in the amount of the lowest selling price for the last 60 days, which may include special sales and/or multiple offers.
- There are no fees charged for exchanges, refunds or returns.
- A copy of the Return Policy is available upon request.
- Your satisfaction is our concern.
- For questions or comments, call 1-800-991-6682.

FOOT LOCKER PROMISE:

- To give a refund or exchange on unworn merchandise within 45 days **WITH** a receipt.
- Returns **WITHOUT** a receipt for unworn merchandise are exchangeable for merchandise or a merchandise return card in the amount of the lowest selling price for the last 60 days, which may include special sales and/or multiple offers.
- There are no fees charged for exchanges, refunds or returns.
- A copy of the Return Policy is available upon request.
- Your satisfaction is our concern.
- For questions or comments, call 1-800-991-6682.

FOOT LOCKER PROMISE:

- To give a refund or exchange on unworn merchandise within 45 days **WITH** a receipt.
- Returns **WITHOUT** a receipt for unworn merchandise are exchangeable for merchandise or a merchandise return card in the amount of the lowest selling price for the last 60 days, which may include special sales and/or multiple offers.
- There are no fees charged for exchanges, refunds or returns.
- A copy of the Return Policy is available upon request.
- Your satisfaction is our concern.
- For questions or comments, call 1-800-991-6682.

FOOT LOCKER PROMISE:

18CGJ163A-B
Grand Jury Case # _____
Page # 5
Date 10.31.19



THE MEADOWS MALL 4300 MEADOWS LANE SUITE
115
LAS VEGAS, NV 89107
702-878-8226

Visit Us At www.footlocker.com

Store: 307142 Register: 2
Date: 9/24/19 Time: 2:54 PM
Trans: 40037
Cashier: Elvin C.

Customer: Andre Snipes

Loyalty Information

Loyalty #: *****8201
Program Name: Lockers Loyalty
Program Level: Lockers Platinum
Points Earned Today: 0
Total Earned Points: 0

Reprint - Reprint - Reprint - Reprint

Item	Qty	Price	Amount	Tax%
08/24 NK LAL YEL BRYANT #8 JSY				
037100203100950	1	-\$120.00	-\$89.99	8.25%

999-SALEABLE

Return without Receipt

Promotion \$30.01

Sales Associate: Elvin C.

Subtotal -\$89.99
Tax -\$7.42

	Total	-\$97.41
<hr/>		
Issue Gift Card		\$97.41
*****5981		
Entry Method: Keyed		
Auth #: 178433		
Balance: \$97.41		
Transaction Type: Refund		
Change		\$0.00

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SHARE YOUR FEEDBACK

You are eligible to receive an incentive for use on your next purchase in Store or Online.

Go to www.flpulse.com within 14 days and tell us about your visit.
Enter Code: 4N78-1P3V-F2NV-7CZ8-QBE1-QDE6

Can not be used with any other discount offer. Select merchandise excluded. See site for complete details.

Thanks for Shopping Foot Locker!

Returned Item Count = 1

*****Reprint - Reprint - Reprint - Reprint*****



VIP #:



Customer Copy

*****Reprint - Reprint - Reprint - Reprint*****

FOOT LOCKER PROMISE

FOOT LOCKER PROMISE:

- To give a refund or exchange on unworn merchandise within 45 days WITH a receipt.
- Returns WITHOUT a receipt for unworn merchandise are exchangeable for merchandise or a merchandise return card in the amount of the lowest selling price for the last 60 days, which may include special sales and/or multiple offers.
- There are no fees charged for exchanges, refunds or returns.
- A copy of the Return Policy is available upon request.
- Your satisfaction is our concern.
- For questions or comments, call 1-800-991-6682.

FOOT LOCKER PROMISE:

- To give a refund or exchange on unworn merchandise within 45 days WITH a receipt.
- Returns WITHOUT a receipt for unworn merchandise are exchangeable for merchandise or a merchandise return card in the amount of the lowest selling price for the last 60 days, which may include special sales and/or multiple offers.
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- A copy of the Return Policy is available upon request.
- Your satisfaction is our concern.
- For questions or comments, call 1-800-991-6682.

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FOOT LOCKER PROMISE:

- To give a refund or exchange on unworn merchandise within 45 days **WITH** a receipt.
- Returns **WITHOUT** a receipt for unworn merchandise

18CGJ163 A-B
Grand Jury Case # _____
Exhibit # 4
Date 10.31.19



THE MEADOWS MALL 4300 MEADOWS LANE SUITE
115
LAS VEGAS, NV 89107
702-878-8226

Visit Us At www.footlocker.com

Store: 307142 ; Register: 2
Date: 10/6/19 ; Time: 1:21 PM
Trans: 40445
Cashier: Daniela M.

Customer: Andre Snipes

Loyalty Information

Loyalty #: *****8204
Program Name: Lockers Loyalty
Program Level: Lockers Platinum
Points Earned Today: -200
Total Earned Points: 20

Reprint - Reprint - Reprint - Reprint

Item	Qty	Price	Amount	Tax%
PROTO MAX 720 WB/BK/VLT				
034101128804110	1	-\$200.00	-\$200.00	8.25%

999-SALEABLE
Return without Receipt
Sales Associate: Elvin C.

Subtotal - \$200.00
Tax - \$16.50

Total	- \$216.50
Issue Gift Card	\$216.50
*****3027	
Entry Method: Keyed	
Auth #: 136011	
Balance: \$216.50	
Transaction Type: Refund	
Change	\$0.00

Today Foot Locker VIPS get member-only savings and benefits. Visit www.footlocker.com/VIP or the Footlocker Mobile App to check your status.

SHARE YOUR FEEDBACK

You are eligible to receive an incentive for use on your next purchase in Store or Online.

Go to www.flpulse.com within 14 days and tell us about your visit.
Enter Code: 4JTW-W6JT-HKD2-D09W-QFFC-VAKS

Can not be used with any other discount offer. Select merchandise excluded.
See site for complete details

Thanks for Shopping Foot Locker!

Returned Item Count = 1

Grand Jury Case # 18CGJ163AD

Exhibit # 13

Date 11/14/19

Reprint

- Your satisfaction is our concern.
- For questions or comments, call 1-800-991-6682.

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THE MEADOWS MALL 4300 MEADOWS LANE SUITE
115
LAS VEGAS, NV 89107
702-878-8226

Visit Us At www.footlocker.com

Store: 307142 Register: 2
Date: 10/6/19 Time: 1:23 PM
Trans: 40446
Cashier: Daniela M.

Cus mer: Andrye Snipes

Loyalty Information

Loyalty #: *****8209
Program Name: Lockers Loyalty
Program Level: Lockers Platinum
Points Earned Today: -20
Total Earned Points: 0

Reprint - Reprint - Reprint - Reprint

Item	Qty	Price	Amount	Tax%
JM TEAM 2 NV/WT/GUM				
034101113004100	1	-\$140.00	-\$140.00	8.25%

999-SALEABLE
Return without Receipt
Sales Associate: Elvin C.

Subtotal -\$140.00
Tax -\$11.55

Total	-\$151.55
<hr/>	
Issue Gift Card	\$151.55
*****8857	
Entry Method: Keyed	
Auth #: 347744	
Balance: \$151.55	
Transaction Type: Refund	
Change	\$0.00

Today Foot Locker VIPs get member-only savings and benefits. Visit www.footlocker.com/VIP or the Footlocker Mobile App to check your status.

SHARE YOUR FEEDBACK

You are eligible to receive an incentive for use on your next purchase in Store or Online.

Go to www.flpulse.com within 14 days and tell us about your visit.
Enter Code: 4JTW-M6QZ-ZHZY-04AP-C7H6-GWFA

Can not be used with any other discount offer. Select merchandise excluded. See site for complete details.

Thanks for Shopping Foot Locker!

Returned Item Count = 1

18CGJ163A-B

Grand Jury Case # _____

Exhibit # 12

Date 11/14/19

- There are no fees charged for exchanges, returns or returns.
- A copy of the Return Policy is available upon request.
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FOOT LOCKER PROMISE:

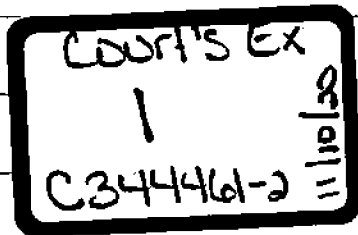
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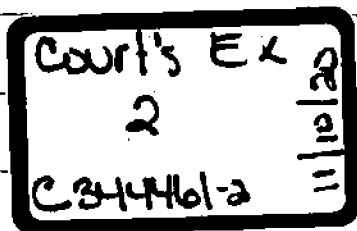
- To give a refund or exchange on unworn merchandise within 45 days WITH a receipt.
- Returns WITHOUT a receipt for unworn merchandise

#2

How do you verify a customer
~~for~~ using their reward
program?

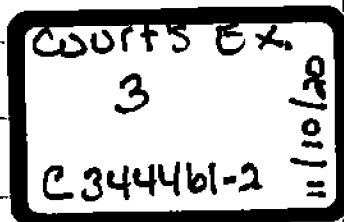


IS THE LOYALTY INFORMATION
OBTAINED FROM IDENTIFICATION
JUROR # 4



6

Do you ask for ID
to enroll a person to
rewards program Flex?
to verify the person

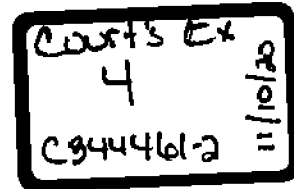


CERTIFIED
COPY

FILED

01 MAY 25 PM 6:00

KING COUNTY
SUPERIOR COURT CLERK
KENT, WA



SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

Vs.

ANDRE G SNIPES

Defendant,

No. 00-1-08805-8 KNT

JUDGMENT AND SENTENCE
FELONY

I. HEARING

I.1 The defendant, the defendant's lawyer, MARK FLORA, and the deputy prosecuting attorney were present at the sentencing hearing conducted today. Others present were: _____

II. FINDINGS

There being no reason why judgment should not be pronounced, the court finds:

2.1 CURRENT OFFENSE(S): The defendant was found guilty on 02/08/2001 by plea of:

Count No.: 1 Crime: CRIMINAL SOLICITATION VUCSA-DELIVERY OF COCAINE
RCW 69.50.401A11 Crime Code: 27319
Date of Crime: 10/19/1999 Incident No. _____

Count No.: _____ Crime: _____
RCW _____ Crime Code: _____
Date of Crime: _____ Incident No. _____

Count No.: _____ Crime: _____
RCW _____ Crime Code: _____
Date of Crime: _____ Incident No. _____

Count No.: _____ Crime: _____
RCW _____ Crime Code: _____
Date of Crime: _____ Incident No. _____

[] Additional current offenses are attached in Appendix A

Rev 07/00 - hsp

PRESENTING STATEMENT & INFORMATION ATTACHED
COPY TO SENTENCING GUIDELINES COMMISSION MAY 29 2001
COMMITMENT ISSUED MAY 29 2001

SPECIAL VERDICT or FINDING(S):

- (a) ☐ While armed with a firearm in count(s) _____ RCW 9.94A.310(3).
(b) ☐ While armed with a deadly weapon other than a firearm in count(s) _____ RCW 9.94A.310(4).
(c) ☐ With a sexual motivation in count(s) _____ RCW 9.94A.127.
(d) ☐ A V.U.C.S.A. offense committed in a protected zone in count(s) _____ RCW 69.50.435.
(e) ☐ Vehicular homicide ☐ Violent traffic offense ☐ DUI ☐ Reckless ☐ Disregard.
(f) ☐ Vehicular homicide by DUI with _____ prior conviction(s) for offense(s) defined in RCW 41.61.5055, RCW 9.94A.310(7).
(g) ☐ Non-parental kidnapping or unlawful imprisonment with a minor victim. RCW 9A.44.130.
(h) ☐ Domestic violence offense as defined in RCW 10.99.020 for count(s) _____.
(i) ☐ Current offenses encompassing the same criminal conduct in this cause are count(s) _____ RCW 9.94A.400(1)(a).

2.2 OTHER CURRENT CONVICTION(S): Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number): _____

2.3 CRIMINAL HISTORY: Prior convictions constituting criminal history for purposes of calculating the offender score are (RCW 9.94A.360):

☒ Criminal history is attached in Appendix B.

☐ Prior convictions counted as one offense in determining the offender score (RCW 9.94A.360(5)) are: _____

☐ One point added for offense(s) committed while under community placement for count(s) _____

2.4 SENTENCING DATA:

Sentencing Data	Offender Score	Seriousness Level	Standard Range	Enhancement	Total Standard Range	Maximum Term
Count 1	0	VIII			15.75 TO 20.25 MONTHS	10 YRS AND/OR \$25,000
Count						
Count						
Count						

☐ Additional current offense sentencing data is attached in Appendix C.

2.5 EXCEPTIONAL SENTENCE:

☐ Substantial and compelling reasons exist which justify a sentence above/below the standard range for Count(s) _____. Findings of Fact and Conclusions of Law are attached in Appendix D. The State ☐ did ☐ did not recommend a similar sentence.

III. JUDGMENT

IT IS ADJUDGED that defendant is guilty of the current offenses set forth in Section 2.1 above and Appendix A.

☐ The Court DISMISSES Count(s) _____

IV. ORDER

IT IS ORDERED that the defendant serve the determinate sentence and abide by the other terms set forth below.

4.1 RESTITUTION AND VICTIM ASSESSMENT:

- ☐ Defendant shall pay restitution to the Clerk of this Court as set forth in attached Appendix E.
☐ Defendant shall not pay restitution because the Court finds that extraordinary circumstances exist, and the court, pursuant to RCW 9.94A.142(2), sets forth those circumstances in attached Appendix E.
☐ Restitution to be determined at future restitution hearing on (Date) _____ at _____ m.
☐ Date to be set.
☐ Defendant waives presence at future restitution hearing(s).
☒ Restitution is not ordered.
Defendant shall pay Victim Penalty Assessment pursuant to RCW 7.68.035 in the amount of \$500.

4.2 OTHER FINANCIAL OBLIGATIONS: Having considered the defendant's present and likely future financial resources, the Court concludes that the defendant has the present or likely future ability to pay the financial obligations imposed. The Court waives financial obligation(s) that are checked below because the defendant lacks the present and future ability to pay them. Defendant shall pay the following to the Clerk of this Court:

- (a) ☐ \$_____, Court costs; ☒ Court costs are waived; (RCW 9.94A.030, 10.01.160)
(b) ☐ \$_____, Recoupment for attorney's fees to King County Public Defense Programs;
☒ Recoupment is waived (RCW 9.94A.030);
(c) ☐ \$_____, Fine; ☐ \$1,000, Fine for VUCSA; ☐ \$2,000, Fine for subsequent VUCSA;
☒ VUCSA fine waived (RCW 69.50.430);
(d) ☐ \$_____, King County Interlocal Drug Fund; ☒ Drug Fund payment is waived;
(RCW 9.94A.030)
(e) ☐ \$_____, State Crime Laboratory Fee; ☒ Laboratory fee waived (RCW 43.43.690);
(f) ☐ \$_____, Incarceration costs; ☒ Incarceration costs waived (RCW 9.94A.145(2));
(g) ☐ \$_____, Other costs for: _____

4.3 PAYMENT SCHEDULE: Defendant's TOTAL FINANCIAL OBLIGATION is: \$ 500.00. The payments shall be made to the King County Superior Court Clerk according to the rules of the Clerk and the following terms: ☐ Not less than \$_____ per month; ☒ On a schedule established by the defendant's Community Corrections Officer. Financial obligations shall bear interest pursuant to RCW 10.82.090. The Defendant shall remain under the Court's jurisdiction and the supervision of the Department of Corrections for up to ten years from the date of sentence or release from confinement to assure payment of financial obligations.

4.4 **1999 EXPANDED SPECIAL DRUG OFFENDER SENTENCING ALTERNATIVE (D.O.S.A.) :**
The Court finds the defendant eligible pursuant to RCW 9.94A.120(6)(a), as amended by CH 197, 1999 LAWS, eff. 7-25-99; [recodified RCW 9.94A.660 eff. 7-1-01] that the defendant and the community will benefit from use of D.O.S.A.; waives imposition of sentence within the standard range and sentences the defendant as follows:

- (a) **TOTAL CONFINEMENT**, RCW 9.94A.120(6)(b): The defendant is sentenced to the following term(s) of commitment in the custody of the DEPT. OF CORRECTIONS to commence ☐ immediately ☒ not later than 6-15-2001 at 4:00 P.M.

9 months on Count No. I; _____ months on Count No. _____
_____ months on Count No. _____; _____ months on Count No. _____
_____ months on Count No. _____; _____ months on Count No. _____

- (b) The above term(s) of confinement represent one half of the midpoint of the standard range.
(c) The terms imposed herein shall be served concurrently.

The term(s) imposed herein shall run concurrent/consecutive with cause No(s) _____

The term(s) imposed herein shall run consecutively to any previously imposed commitment not referred to in this judgment.

- (d) The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause, RCW 9.94A.120(17). The time shall be compiled by the JAIL unless specifically set by the court as follows: _____

- (e) While incarcerated in the Department of Corrections the defendant shall undergo a comprehensive substance abuse assessment and receive, within available resources, appropriate treatment services.

4.5 **COMMUNITY CUSTODY:** The court further imposes 9 months, the remainder(s) of the midpoint(s) of the standard range(s), as a term of community custody during which time the defendant shall comply with the instructions, rules and regulations promulgated by the Department for conduct of the defendant during community custody; shall perform affirmative acts necessary to monitor compliance, shall obey all laws and comply with the following mandatory statutory requirements:

- (1) The defendant shall not own, use or possess any firearm or ammunition. RCW 9.94A.120(16).
- (2) The defendant shall not use illegal controlled substances and shall submit to urinalysis or other testing to monitor compliance. RCW 9.94A.120(6)(b)(ii), and (iii)
- (3) The defendant shall complete appropriate substance abuse treatment in a program approved by D.S.H.S., Division of Alcohol and Substance Abuse. RCW 9.94A.120(6)(b)(i)

The court further imposes the following non-mandatory conditions of Community Custody (if checked):

- (4) ☒ The defendant shall not use any alcohol or controlled substances without prescription and shall undergo testing to monitor compliance.
- (5) ☐ Devote time to a specific employment or training.
- (6) ☐ Remain within prescribed geographical boundaries and notify the court or the community corrections officer of any change in the offender's address or employment.
- (7) ☒ Report as directed to a community corrections officer.
- (8) ☒ Pay all court ordered legal financial obligations.
- (9) ☐ Perform community service work.

(10) ☐ Stay out of designated areas as follows: _____

(11) ☐ Other conditions as set forth in Appendix F _____

- 4.6 **NON-COMPLIANCE RCW 9.94A.120(6)(c)(e):** If the defendant fails to complete the Department's special drug offender sentencing alternative program or is administratively terminated from the program, he/she shall be reclassified by the Department to serve the balance of the unexpired term of sentence. If the defendant fails to comply with the conditions of supervision as defined by the Department, he/she shall be sanctioned. Sanctions may include reclassification by the Department to serve the balance of the unexpired term of sentence.

For offenses committed after 7-1-2000 the court further imposes the following additional terms of Community Custody upon failure to complete or administrative termination from D.O.S.A. program: the entire period of earned early release or for any "crime against person" in section 2.1 herein 9 - 18 months; for any violation of 69.50/52 in section 2.1 herein 9 - 12 months whichever is longer. The defendant in this event shall comply with the conditions of Community Custody set forth in section 4.5 herein.

- 4.7 ☐ **BLOOD TESTING** (Prostitution offense or drug offense associated with the use of hypodermic needles): Appendix G, covering blood testing and counseling, is attached and incorporated by reference into this Judgment and Sentence.
- 4.8 ☐ **OFF-LIMITS ORDER:** The defendant, having been found to be a known drug trafficker, shall neither enter nor remain in the protected against drug trafficking area(s) as described in Appendix I during the term of community supervision. Appendix I is attached and incorporated by reference into this Judgment and Sentence.
- 4.9 ☐ **NO CONTACT:** For the maximum term of _____ years, defendant shall have no contact with _____

Date: 5-25-01

JUDGE

Print Name: _____


JAY V. WHITE

Presented by:


Deputy Prosecuting Attorney, WSBA# 28743
Print Name: Greg Holloway

Approved as to form:

 14026
Attorney for Defendant, WSBA #
Print Name: MARIE FLORES

FINGERPRINTS



RIGHT HAND
FINGERPRINTS OF:

DEFENDANT'S SIGNATURE: + Andre Snipes
DEFENDANT'S ADDRESS: 10912 25th Ave SE

ANDRE GRANT SNIPES

DATED: MAY 25 2001
JAY V. WHITE
JUDGE, KING COUNTY SUPERIOR COURT

ATTESTED BY:
PAUL L. SHERIFF, - SUPERIOR COURT CLERK
BY: Robert L. McLeod
DEPUTY CLERK

CERTIFICATE

I, _____,
CLERK OF THIS COURT, CERTIFY THAT
THE ABOVE IS A TRUE COPY OF THE
JUDGEMENT AND SENTENCE IN THIS
ACTION ON RECORD IN MY OFFICE.
DATED: _____

CLERK

BY: _____
DEPUTY CLERK

OFFENDER IDENTIFICATION

S.I.D. NO.
DATE OF BIRTH: APRIL 21, 1982
SEX: M
RACE: B

Court's Ex 2
6
C34446-2 =

MARK STATE'S EXHIBIT 19 PEN/GAD 800-631-6669 E C34446-2 TION

wld on 11/12/20
+ mark as Court
Ex #6

1 ATEAR

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5 * * *

6
7 The State of Nevada,
8 Plaintiff,
9 vs.

CASE NO. 19344461X

DEPT. NO. DC 20

**Audiovisual Transmission
Equipment Appearance Request**

10
11 Snipes, Andre Grant,
12 Defendants.

13 Pursuant to Rule 4 of the Nevada Supreme Court's RULES GOVERNING
14 APPEARANCE BY AUDIOVISUAL TRANSMISSION EQUIPMENT, (Chad Lexis/Jory
15 Scarborough) requests that (Elvin G. Castillo-Meza) be permitted to testify by remote court
16 appearance via video conference for the trial scheduled to begin on (November 09, 2020).

17 Date: 11/10/2020

18 Time: 09:30 a.m.

19 Courtroom No.:

20
21 (Elvin G. Castillo-Meza) by executing the attached Audiovisual Transmission
22 Equipment Appearance Consent, agrees to be bound by the oath given by the Court Clerk,
23 Eighth Judicial District Court and to be subject to the jurisdiction of this Court for purposes
24 related to this testimony.

25
26 (Chad Lexis/ Jory Scarborough) agrees to provide all exhibits to (Elvin G. Castillo-Meza)
27 in advance in the same form as have been or will be submitted to the Court Clerk.

1 Any objection to this request must be made in writing within two (2) judicial days of
2 service of this request.

3 (Chad Lexis/Jory Scarborough) agrees that by submitting this request, the party and
4 witness (or their respective representatives) will test and verify the functionality of video
5 conference connectivity with the Court's IT department at least two (2) judicial days before the
6 scheduled appearance. Contact information for the test is:
7

8 Name of Counsel/Party: Chad Lexis/ Jory Scarborough

9 Email Address: _____

10 Phone Number: _____

11 Name of Witness: Elvin G. Castillo-Meza

12 Email Address: ELVIN_40P@YAHOO.COM

13 Phone Number: 702-624-1979

14
15 (Chad Lexis/ Jory Scarborough) certifies that the video connection has been successfully
16 tested at http://bluejeans.com/111, prior to submitting this application.

17 Dated this 09 day of November, 2020.

18
19 
20 (Counsel/Party)

21 **Certificate of Service**

22 I hereby certify, that on the date filed, this Audiovisual Transmission
23 Equipment Appearance Request were served on the parties identified on the District Court E-File
24 system e-service list (or alternate method).
25
26
27
28

**PLEADING
CONTINUES
IN NEXT
VOLUME**