

1 NOASC  
2 Michael W. Sanft (8245)  
3 **SANFT LAW**  
4 726 S. Casino Center Blvd, Ste. 211  
5 Las Vegas, Nevada 89101  
6 (702) 497-8008 (office)  
7 (702) 297-6582 (facsimile)  
8 michael@sanftlaw.com  
9 Attorney for Defendant Aaron Medina

Electronically Filed  
Sep 21 2021 02:10 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

STATE OF NEVADA,

Plaintiff,

vs.

Case No.: C-20-349446-1

Dept. No.: XI

AARON MEDINA,

Defendant.

**NOTICE OF APPEAL**

Notice is hereby given that Defendant AARON MEDINA in the above-entitled action,  
appeals to the Supreme Court of Nevada from the Judgment of Conviction filed August 23, 2021.

DATED this 16th day of September, 2021.

SANFT LAW

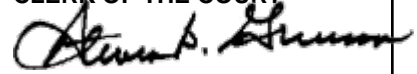
\_\_\_\_s/s Michael W. Sanft\_\_\_\_\_  
MICHAEL W. SANFT  
Attorney for Defendant Aaron Medina

**CERTIFICATE OF SERVICE**

I hereby certify that I am a person competent to serve papers, that I am not a party to the above-entitled action, and that on September 16, 2021, I served the foregoing document via electronic filing on:

Clark County District Attorney's Office  
200 Lewis Avenue  
Las Vegas, Nevada 89155

s/s Megan Hampton  
Employee of SANFT LAW



ASTA  
MICHAEL W. SANFT, ESQ.  
Nevada Bar No. 8245  
SANFT LAW  
726 S. Casino Center Blvd. Ste. 211  
Las Vegas, NV 89101  
Tel. (702) 497-8008  
Fax. (702) 297-6582  
michael@sanftlaw.com  
Attorney for Aaron Medina

IN THE EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

AARON MEDINA,

Defendant.

Case No.

C-20-349446-1

Dept No.

XI

CASE APPEAL STATEMENT

- 1) **Name of appellant filing this case appeal statement:** Aaron Medina
- 2) **Identify the judge issuing the decision, judgment, or order appealed from:** Mary Kay Holthus, Department XVIII, Eighth Judicial District Court
- 3) **Identify each appellant and the name and address of counsel for each appellant:** Appellant Aaron Medina; Counsel Michael W. Sanft, 726 S. Casino Center Blvd., Suite 211, Las Vegas, NV 89101
- 4) **Identify each respondent and the name and address of appellate counsel for each:** Respondent State of Nevada, Counsel Steven B. Wolfson, Esq., Clark County District Attorney, 200 Lewis Ave., Las Vegas, NV 89155; Adam Laxalt, Esq., Nevada State Attorney General, 100 N. Carson St., Carson City, NV 89701
- 5) **Indicate whether any attorney identified above in response to question 3 or 4 is not licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission to appear under SCR 42 (attach a copy of any district court order granting such permission):** No

- 1 **6) Indicate whether appellant was represented by appointed or retained counsel in the district**  
2 **court:** Appointed
- 3 **7) Indicate whether appellant is represented by appointed or retained counsel on appeal:**  
4 Appointed
- 5 **8) Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of**  
6 **entry of the district court order granting such leave:** Indigency determination and appointment  
7 of counsel granted January 11, 2020
- 8 **9) Indicate the date the proceedings commenced in the district court (e.g., date complaint,**  
9 **indictment, information, or petition was filed):** July 17, 2020
- 10 **10) Provide a brief description of the nature of the action and result in the district court,**  
11 **including the type of judgment or order being appealed and the relief granted by the district**  
12 **court:** Judgment of conviction following a guilty plea agreement on counts of Attempted Sexual  
13 Assault with a Minor under Fourteen Years of age and Attempted Lewdness with a Child under  
14 the age of fourteen
- 15 **11) Indicate whether the case has previously been the subject of an appeal to or original writ**  
16 **proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number**  
17 **of the prior proceeding:** No
- 18 **12) Indicate whether this appeal involves child custody or visitation:** No
- 19 **13) If this is a civil case, indicate whether this appeal involves the possibility of settlement:** N/A

21 DATED this 16<sup>th</sup> day of September, 2021

22 /s/ Michael Sanft

23 MICHAEL W. SANFT, ESQ.

24 Nevada Bar No. 8245

25 **SANFT LAW**

26 726 S. Casino Center Blvd. Ste. 211

27 Las Vegas, NV 89101

28 Tel. (702) 497-8008

Fax. (702) 297-6582

*Attorney for Aaron Medina*

**CERTIFICATE OF SERVICE**

I hereby certify that I am a person competent to serve papers, that I am not a party to the above-entitled action, and that on September 16, 2021, I served the foregoing document on:

Steven B. Wolfson, Esq.  
Alex Chen, Esq.  
Clark County District Attorney's Office

200 Lewis Avenue  
Las Vegas, NV 89155  
Via e-mail: motions@clarkcountyda.com

DATED this 16<sup>th</sup> day of September, 2021

/s/ Michael Sanft

MICHAEL W. SANFT, ESQ.  
Nevada Bar No. 8245

**SANFT LAW**  
726 S. Casino Center Blvd. Ste. 211  
Las Vegas, NV 89101  
Tel. (702) 497-8008  
Fax. (702) 297-6582  
*Attorney for Aaron Medina*

**AFFIRMATION**

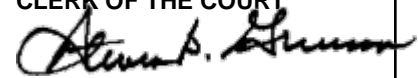
Pursuant to NRS 239B.030, this document contains no social security numbers.

/s/ Michael Sanft

Michael W. Sanft, Esq.

09/16/2021

Date



**REQT**

MICHAEL W. SANFT, ESQ.  
Nevada Bar No. 8245  
**SANFT LAW**  
411 E. Bonneville Ave., Suite 330  
Las Vegas, NV 89101  
Tel. (702) 497-8008  
Fax. (702) 297-6582  
michael@sanftlaw.com  
*Attorney for Aaron Medina*

**IN THE EIGHTH JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,

Plaintiff,

vs.

AARON MEDINA,

Defendant.

Case No. C-20-349446-1

Dept No. XVIII

**TRANSCRIPT REQUEST**

TO: Yvette Sison  
Court Recorder  
Department XVIII  
Eighth Judicial District Court  
200 Lewis Ave.  
Las Vegas, NV 89155  
(702) 671-4462

Please take notice that AARON MEDINA, the Defendant in the above-entitled case, by and through counsel Michael Sanft, and having been found indigent March 25, 2020, requests the preparation of transcripts of certain portions of the proceedings held in the Eighth Judicial District Court, as follows:

JUDGE: Hon. Mary Kay Holthus, Department XVIII

DATES: October 6, 2020 (Entry of Plea); November 19, 2020 (Sentencing); May 27, 2021 (Motion to Withdraw Plea); July 8, 2021 (Motion to Withdraw Plea).

PORTIONS: All

COPIES: 2 (1 original, 2 to counsel, certificate of service with Nevada Supreme Court pursuant to NRAP 9(c)(2)).

1 This notice requests a transcript of only those portions of the district court proceedings that  
2 counsel reasonably and in good faith believes are necessary to determine whether appellate issues are  
3 present. Voir dire examination of jurors, opening statements, and closing arguments of trial counsel,  
4 and the reading of jury instructions shall not be transcribed unless specifically requested above.

5 I certify that the Defendant is indigent and exempt from paying a deposit for the production of  
6 these transcripts.

7  
8 DATED this 16 of September, 2021.

9 /s/ Michael Sanft

10 MICHAEL W. SANFT, ESQ.

Nevada Bar No. 8245

**SANFT LAW**

411 E. Bonneville Ave., Suite 330

Las Vegas, NV 89101

Tel. (702) 497-8008

Fax. (702) 297-6582

*Attorney for Aaron Medina*

**CERTIFICATE OF SERVICE**

I hereby certify that I am a person competent to serve papers, that I am not a party to the above-entitled action, and that on September 16, 2021, I served the foregoing document on:

Yvette Sison  
Court Recorder  
Eighth Judicial District Court

District Court Department XVIII  
200 Lewis Avenue  
Las Vegas, NV 89155  
Via email: [sisony@clarkcountycourts.us](mailto:sisony@clarkcountycourts.us)

Steven B. Wolfson, Esq.  
Alex Chen, Esq.  
Clark County District Attorney's Office

200 Lewis Avenue  
Las Vegas, NV 89155  
Via email: [motions@clarkcountyda.com](mailto:motions@clarkcountyda.com)

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

/s/ Michael Sanft

MICHAEL W. SANFT, ESQ.  
Nevada Bar No. 8245

**SANFT LAW**  
411 E. Bonneville Ave., Suite 330  
Las Vegas, NV 89101  
Tel. (702) 497-8008  
Fax. (702) 297-6582  
*Attorney for Aaron Medina*

**AFFIRMATION**

Pursuant to NRS 239B.030, this document contains no social security numbers.

/s/ Michael Sanft

Michael W. Sanft, Esq.

9/16/2021

Date

## EIGHTH JUDICIAL DISTRICT COURT

# CASE SUMMARY

## CASE NO. C-20-349446-1

State of Nevada  
vs  
Aaron Medina

§  
§  
§  
§  
§  
§  
§  
§

Location: **Department 6**  
Judicial Officer: **Bluth, Jacqueline M.**  
Filed on: **07/17/2020**  
Case Number History:  
Cross-Reference Case Number: **C349446**  
Defendant's Scope ID #: **2596004**  
Grand Jury Case Number: **19BGJ153x**  
ITAG Case ID: **2238539**

### CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. ATTEMPT SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	200.366.3c	F	10/10/2017	Case Status:	<b>09/05/2021 Closed</b>
<i>Filed As:</i> LEWDNESS WITH A CHILD UNDER THE AGE OF 14	F	7/17/2020			
<i>Arrest:</i> 07/17/2020					
2. ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF 14	201.230.1B	F	10/10/2017		
<i>Filed As:</i> LEWDNESS WITH A CHILD UNDER THE AGE OF 14	F	7/17/2020			
3. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	200.366.3c	F	10/10/2017		
4. LEWDNESS WITH A CHILD UNDER THE AGE OF 14	201.230.2	F	10/10/2017		
5. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE	200.366.3c	F	12/20/2019		

### Statistical Closures

09/05/2021 Guilty Plea with Sentence (before trial) (CR)

### Warrants

Indictment Warrant - Medina, Aaron Mario (Judicial Officer: Bell, Linda Marie )

07/30/2020 5:22 PM Returned - Served

07/17/2020 11:00 AM Active

Fine: \$0

Bond: **\$75,000.00** Any

### DATE

### CASE ASSIGNMENT

#### Current Case Assignment

Case Number C-20-349446-1  
Court Department 6  
Date Assigned 09/07/2021  
Judicial Officer Bluth, Jacqueline M.

### PARTY INFORMATION
















<b>Defendant</b>	<b>Medina, Aaron Mario</b>	<i>Lead Attorneys</i> <b>Sanft, Michael W.</b> <i>Court Appointed</i> 702-497-8008(W)
<b>Plaintiff</b>	<b>State of Nevada</b>	<b>Wolfson, Steven B</b> 702-671-2700(W)

### DATE
















### EVENTS & ORDERS OF THE COURT

### INDEX

**CASE SUMMARY****CASE NO. C-20-349446-1****EVENTS**








07/17/2020	 Indictment <i>[1] Indictment</i>	<i>Index #1</i>
07/20/2020	 Warrant <i>[2] Indictment Warrant (Medina)</i>	<i>Index #2</i>
07/25/2020	 Reporters Transcript Filed By: Plaintiff State of Nevada <i>[3] Reporter's Transcript of Proceedings - Grand Jury - Hearing - 07/15/20 - Volume 2</i>	<i>Index #3</i>
08/06/2020	 Transcript of Proceedings <i>[4] Reporter's Transcript of Proceedings, Volume 1 July 8, 2020</i>	<i>Index #4</i>
08/25/2020	 Ex Parte Motion <i>[5] Ex Parte Motion and Order for Release of CPS/DFS Records and Order to File Under Seal</i>	<i>Index #5</i>
08/27/2020	 Receipt of Copy Filed by: Plaintiff State of Nevada <i>[6] Receipt of Copy for Discovery Provided</i>	<i>Index #6</i>
09/04/2020	 Notice of Witnesses and/or Expert Witnesses Filed By: Defendant Medina, Aaron Mario <i>[8] State's Notice of Witnesses and/or Expert Witnesses</i>	<i>Index #8</i>
09/04/2020	 Motion Filed By: Plaintiff State of Nevada <i>[9] State's Notice of Motion and Motion for Discovery</i>	<i>Index #9</i>
09/04/2020	 Clerk's Notice of Hearing <i>[10] Notice of Hearing</i>	<i>Index #10</i>
09/08/2020	 Supplemental Witness List Filed by: Plaintiff State of Nevada <i>[11] State's Supplemental Notice of Witnesses and/or Expert Witnesses</i>	<i>Index #11</i>
09/08/2020	 Motion to Admit Evidence Filed By: Plaintiff State of Nevada <i>[12] State's Notice of Motion and Motion to Admit Evidence of Other Crimes, Wrongs or Acts</i>	<i>Index #12</i>
09/08/2020	 Clerk's Notice of Hearing <i>[13] Notice of Hearing</i>	<i>Index #13</i>
09/08/2020	 Clerk's Notice of Hearing <i>[14] Notice of Hearing</i>	<i>Index #14</i>
09/14/2020	 Receipt of Copy <i>[15] Receipt of Copy</i>	<i>Index #15</i>
09/16/2020	 Order <i>[16] Notice of Communication to the Court</i>	<i>Index #16</i>

**CASE SUMMARY**  
**CASE NO. C-20-349446-1**

09/21/2020	 Opposition to Motion Filed By: Defendant Medina, Aaron Mario <i>[17] Opposition to State's Motion to Admit Evidence of Other Crimes, Wrongs or Acts</i>	Index #17
10/06/2020	 Acknowledgment <i>[18] Settlement Conference Acknowledgment</i>	Index #18
10/06/2020	 Guilty Plea Agreement <i>[19] Guilty Plea Agreement</i>	Index #19
10/06/2020	 Amended Indictment <i>[20] Amended Indictment</i>	Index #20
10/07/2020	 Order Granting Motion Filed By: Plaintiff State of Nevada <i>[21] Order Granting State's Motion to Admit Evidence of Other Crimes, Wrongs or Acts</i>	Index #21
11/17/2020	 PSI <i>[22]</i>	Index #22
11/18/2020	 PSI <i>[23]</i>	Index #23
01/04/2021	Case Reassigned to Department 18 <i>Judicial Reassignment to Judge Mary Kay Holthus</i>	
01/05/2021	 Notice of Change of Hearing <i>[24] Notice of Change of Hearing</i>	Index #24
04/27/2021	 Motion to Withdraw Plea Filed By: Defendant Medina, Aaron Mario <i>[25] Motion to Withdraw Plea</i>	Index #25
04/27/2021	 Clerk's Notice of Hearing <i>[26] Notice of Hearing</i>	Index #26
04/27/2021	 Order <i>[27] 202006611C-ORDR-(MEDINA AARON TXT 10 06 2020)-001</i>	Index #27
06/03/2021	 Order <i>[28] 202006611C-ORDR-(MEDINA AARON TXT 10 06 2020)-001</i>	Index #28
06/03/2021	 Recorders Transcript of Hearing <i>[29] Recorders Transcript of Hearing Re:</i>	Index #29
07/06/2021	 Opposition <i>[30] State s Opposition to Defendant s Motion to Withdraw Guilty Plea</i>	Index #30
07/17/2021	 Order <i>[31] Order Denying Defendant's Motion to Withdraw Plea</i>	Index #31
		Index #32

# CASE SUMMARY

CASE NO. C-20-349446-1

08/23/2021	 Judgment of Conviction <i>[32] C349446-1 MEDINA AARON</i>	
09/07/2021	Case Reassigned to Department 6 <i>From Judge Mary Kay Holthus to Judge Jacqueline Bluth</i>	
09/16/2021	 Notice of Appeal (Criminal) Party: Defendant Medina, Aaron Mario <i>[33] Notice of Appeal</i>	Index #33
09/16/2021	 Case Appeal Statement Filed By: Defendant Medina, Aaron Mario <i>[34] Case Appeal Statement</i>	Index #34
09/16/2021	 Request Filed by: Defendant Medina, Aaron Mario <i>[35] Transcript Request</i>	Index #35
	<b><u>DISPOSITIONS</u></b>	
10/06/2020	<b>Disposition</b> (Judicial Officer: Hardy, Joe) 3. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE Amended Information Filed/Charges Not Addressed PCN: Sequence:  4. LEWDNESS WITH A CHILD UNDER THE AGE OF 14 Amended Information Filed/Charges Not Addressed PCN: Sequence:  5. SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE Amended Information Filed/Charges Not Addressed PCN: Sequence:	
	<b><u>HEARINGS</u></b>	
07/17/2020	 <b>Grand Jury Indictment</b> (11:00 AM) (Judicial Officer: Bell, Linda Marie)  <b>MINUTES</b> <b>Warrant</b> 07/17/2020 Inactive Indictment Warrant Matter Heard; Journal Entry Details: <i>Steve Lurvey, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 19BGJ153X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-20-349446-1, Department XV. State requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, \$75,000.00 BAIL, with High Level Electronic Monitoring, no contact with victim and no unsupervised contact with minors; INDICTMENT WARRANT ISSUED, and matter SET for Arraignment. Upon Court's inquiry, the State advised there are no material witness warrants to quash. COURT FURTHER ORDERED, Exhibits 1-3 to be lodged with the Clerk of the Court; Las Vegas Justice Court case no. 20FM0005X DISMISSED per the State's request. In addition, a Pre-Trial Risk Assessment will be prepared if one was not previously done. I.W. (CUSTODY) 07/23/20 1:45 P.M. INITIAL ARRAIGNMENT (DEPT XV) ;</i>  <b>SCHEDULED HEARINGS</b>  <b>Initial Arraignment</b> (07/23/2020 at 1:45 PM) (Judicial Officer: Hardy, Joe)	
07/23/2020	 <b>Initial Arraignment</b> (1:45 PM) (Judicial Officer: Hardy, Joe) Continued;	

# CASE SUMMARY

CASE NO. C-20-349446-1

## Journal Entry Details:

*Due to time constraints, COURT ORDERED the initial arraignment, was hereby CONTINUED. B.W. (CUSTODY) 7/30/20 1:45 PM ARRAIGNMENT CONTINUED ;*

07/30/2020



### **Arraignment Continued (1:45 PM)** (Judicial Officer: Hardy, Joe)

Plea Entered;

## Journal Entry Details:

*Violet Radosta, DPD and Defendant present via Blue Jeans. DEFT. MEDINA ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. Due to the back-log of criminal trials, COURT ORDERED, matter REFERRED to the Central Trial Readiness Calendar, in order to have a trial date set; Central Trial Readiness hearing date to be determined. At the request of Ms. Radosta, COURT ORDERED, counsel has 21 days from the date of filing the Grand Jury Transcript to file a Writ. The State requested that Sandra DiGiacomo, DDA, be notified of any upcoming dates. CUSTODY;*

08/25/2020



### **Status Check (1:45 PM)** (Judicial Officer: Hardy, Joe)

*Status Check: Trial Readiness*

Matter Heard;

## Journal Entry Details:

*All parties (including the Defendant) present via Blue Jeans. Ms. Radosta advised that she was informed of the August 26, 2020, Central Trial Readiness Conference setting, on August 24, 2020, and would be unable to discuss anything with the Defendant prior to the CTR Conference. Additionally, Ms. Radosta stated that the Defendant wished for her to be prepared to proceed to trial on September 28, 2020, even though trials may not be going forward at that time. Furthermore, Ms. Radosta represented that she reached out to the State regarding missing discovery, and submitted an Order to the Court for the CPS records to be reviewed in camera. The State affirmed Ms. Radosta's statements, adding that the instant trial setting was the first setting. Additionally, the State noted that the parties were communicating regarding discovery, and it had everything it needed, with the exception of a transcript that had yet to be prepared. The Court noted that the instant case initiated in 2020, and many older cases comprised the jury trial backlog. Additionally, the Court advised that the currently set calendar call and trial date, may be subject to change; however, they would stand for the time being. CUSTODY ;*

08/26/2020



### **Central Trial Readiness Conference (2:00 PM)** (Judicial Officer: Barker, David)

## MINUTES

Trial Date Set;

## Journal Entry Details:

*Ms. Radosta announced ready however there is some outstanding discovery. State advised discovery was sent yesterday, State will be filing a bad acts motion, and estimates 7-14 days for trial with 20 state witnesses. Colloquy regarding settlement conference. COURT ORDERED, matter SET for settlement conference and central trial date, department trial date VACATED, and department calendar call STANDS for parties to check in with trial Judge. CUSTODY 10/06/20 8:00 AM SETTLEMENT CONFERENCE (LLA) 09/23/20 2:00 PM CENTRAL CALENDAR CALL (LLA) 09/28/20 8:00 AM CENTRAL JURY TRIAL (LLA);*

## SCHEDULED HEARINGS



### **Central Calendar Call (09/23/2020 at 2:00 PM)** (Judicial Officer: Barker, David)

**CANCELED Central Jury Trial (09/28/2020 at 8:00 AM)** (Judicial Officer: Bell, Linda Marie)

*Vacated*

09/08/2020



### **Minute Order (3:00 AM)** (Judicial Officer: Hardy, Joe)

*Minute Order: Striking the State's Notice of Witnesses and/or Expert Witnesses - Filed 9/4/2020 12:35 PM*

Minute Order - No Hearing Held;

## Journal Entry Details:

*It having been brought to the Court's attention that the State's Notice of Witnesses and/or Expert Witnesses, filed on September 4, 2020, at 12:35 PM, was filed into the instant case erroneously, COURT ORDERED that said document was hereby STRICKEN.;*

**CASE SUMMARY**  
**CASE NO. C-20-349446-1**

09/22/2020	<p><b>Motion</b> (1:45 PM) (Judicial Officer: Hardy, Joe) <i>State's Notice of Motion and Motion for Discovery</i> Motion Granted;</p>
09/22/2020	<p><b>Motion to Admit Evidence</b> (1:45 PM) (Judicial Officer: Hardy, Joe) <i>State's Motion to Admit Evidence of Other Crimes, Wrongs or Acts</i> Motion Granted;</p>
09/22/2020	<p> <b>All Pending Motions</b> (1:45 PM) (Judicial Officer: Hardy, Joe) Matter Heard; Journal Entry Details: <i>All parties (including the Defendant) present via Blue Jeans. The Court noted that the parties were set to appear on the Central Trial Readiness calendar on September 23, 2020. Ms. Radosta noted that the Court received an e-mail from the Clark County School District, related to subpoenas she issued. The Court affirmed that it received said e-mail, noting that it would address it during the instant hearing. STATE'S NOTICE OF MOTION AND MOTION FOR DISCOVERY There being no Opposition, COURT ORDERED the instant Motion was hereby GRANTED. The State to prepare the written Order. STATE'S MOTION TO ADMIT EVIDENCE OF OTHER CRIMES, WRONGS OR ACTS The Court noted that it reviewed the instant Motion, along with the Defendant's Opposition. The State argued in support of the Motion, stating that evidence that the Defendant had a propensity for committing sexual crimes against children was more probative, than prejudicial. Ms. Radosta argued in opposition, stating that the details of the two incidents were not similar, and the information was more prejudicial than probative. COURT ORDERED the instant Motion was hereby GRANTED for all of the reasons set forth in the State's Motion, with the exception of the alleged prison calls, as those did not play any part in the Court's decision, FINDING the following: (1) the Court followed NRS 48.045(3), the Franks vs. State, and the United States vs. LeMay case, in reaching its decision; (2) the prior bad acts were relevant to the crimes charged in the instant case; (3) the prior acts were proven by a preponderance of the evidence, as set forth in great detail in the Motion; (4) the Court weighed the prior bad act, and its probative value was not outweighed by unfair prejudice; and (5) the factors in the LeMay case supported the granting of the Motion, as the acts were very similar, the acts were close enough in time, and the Defendant was placed in custody soon after the first act, and committed the acts alleged in the instant case soon after being released from custody. The Court to prepare the written Order, and forward it to Ms. Radosta for approval as to form and content. Mr. Radosta noted that she did not have a copy of Yvette Womack's statement, and had only recently received a copy of it attached to the instant Motion. The State noted that the statement was provided to Ms. Radosta on September 10, 2020. Ms. Radosta confirmed that she did have an audio version of the statement. The State noted that it would e-mail another copy of the statement to Ms. Radosta The Court noted that it received a small set of documents from the Clark County School District, and received a large set of records from CPS, and inquired as to what the parties wished for the Court to do. The State requested that the Court review the CPS records in camera, and determine which records needed to be turned over to either side. Regarding the CCSD records, the State noted that there needed to be a proffer of evidence as to why those records would be relevant. Ms. Radosta stated that the CCSD records were relevant because the alleged acts were first disclosed to a social worker at school. Additionally, Ms. Radosta advised that the CCSD records were relevant as they related to the alleged victim's performance in school. The Court advised that it had not been able to review any of the records as of the instant hearing, noting that it would address the records at the September 24, 2020, Calendar Call hearing. CUSTODY;</i></p>
09/23/2020	<p> <b>Central Calendar Call</b> (2:00 PM) (Judicial Officer: Barker, David) Matter Heard; Journal Entry Details: <i>Ms. Radosta advised Judge Hardy has just received records and is currently conducting an in camera review therefore parties are not ready to proceed with trial. Colloquy regarding scheduling. COURT ORDERED, matter SET for trial readiness after the settlement conference and trial date VACATED. CUSTODY 10/07/20 11:30 AM CENTRAL TRIAL READINESS CONFERENCE (LLA);</i></p>
09/24/2020	<p> <b>Calendar Call</b> (1:45 PM) (Judicial Officer: Hardy, Joe) Matter Heard; Journal Entry Details:</p>


# CASE SUMMARY

CASE NO. C-20-349446-1


All parties (including the Defendant) present via Blue Jeans. In light of the fact that the instant case was recently heard on the Central Trial Readiness (CTR) calendar, as well as the fact that the Court had documents to review, Ms. Radosta announced that she was no ready to proceed to trial on September 28, 2020. The State affirmed Ms. Radosta's representations. Ms. Radosta advised that the CTR calendar set a settlement conference in the instant case on October 6, 2020, and referred them back to this department for a trial date. Regarding the school records sent over by the Clark County School District (CCSD), Ms. Radosta argued that they were relevant because the accusation began at school, and it would be helpful to see the school performance of the alleged victim. The State argued that the school records belonging to the alleged victim's younger sibling, were in no way relevant to the instant case. The Court opined that the younger sibling's records were irrelevant, and it saw nothing in the alleged victim's school records that seemed relevant; however, the matter could be discussed further, at a later date, when the Court had also been able to review the CPS records. Regarding the trial date, the State deferred to defense counsel, as the Defendant remained in invoked status. Colloquy regarding scheduling. COURT ORDERED a status check regarding the records review was hereby SET. COURT FURTHER ORDERED a trial date was hereby SET. CUSTODY 10/13/20 8:30 AM STATUS CHECK: RECORDS REVIEW 10/27/20 8:30 AM STATUS CHECK: TRIAL READINESS 11/24/20 8:30 AM CALENDAR CALL 11/30/20 10:30 AM JURY TRIAL ;

09/28/2020 CANCELED Central Jury Trial (8:00 AM) (Judicial Officer: Bell, Linda Marie)  
Vacated

09/28/2020 CANCELED Jury Trial (10:30 AM) (Judicial Officer: Hardy, Joe)  
Vacated

10/06/2020  Settlement Conference (8:00 AM) (Judicial Officer: Barker, David)

Matter Settled;  
Journal Entry Details:  
Parties participated in a settlement conference with Judge Barker where a settlement was reached. Plea will be entered with Judge Hardy.;

10/06/2020  Entry of Plea (1:45 PM) (Judicial Officer: Hardy, Joe)

Plea Entered;  
Journal Entry Details:  
All parties (including the Defendant) present via Blue Jeans. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED ELECTRONICALLY on October 6, 2020. Amended Indictment FILED ELECTRONICALLY on October 6, 2020. The State affirmed Ms. Radosta's recitation of the negotiations, noting that, since the negotiations were reached during a settlement conference, the Defendant's plea was conditional. Upon Court's inquiry, the Defendant stated that he agreed with the negotiations. DEFT. MEDINA ARRAIGNED AND PLED GUILTY, pursuant to ALFORD, as to COUNT 1 - ATTEMPT SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (F); and as to COUNT 2 - ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (F). The State provided an offer of proof. Court ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing. The State and defense advised that they were WAIVING the Psychosexual Report. COURT ORDERED that all pending hearings, with the exception of the sentencing date, were hereby VACATED. Upon the State's inquiry, the Court advised that a short Order could be prepared regarding the granting of the State's Bad Acts Motion, rather than a detailed Order. CUSTODY 11/19/20 8:30 AM SENTENCING;

10/07/2020 CANCELED Central Trial Readiness Conference (11:30 AM) (Judicial Officer: Togliatti, Jennifer)  
Vacated

10/13/2020 CANCELED Status Check (1:45 PM) (Judicial Officer: Hardy, Joe)  
Vacated  
Status Check: Records Review

10/27/2020 CANCELED Status Check (1:45 PM) (Judicial Officer: Hardy, Joe)  
Vacated  
Status Check: Trial Readiness

**CASE SUMMARY****CASE NO. C-20-349446-1**

11/19/2020

**Sentencing** (1:45 PM) (Judicial Officer: Cherry, Michael A.)

11/19/2020, 08/17/2021

**MINUTES**

Matter Heard;  
 Defendant Sentenced;  
 Journal Entry Details:

*Deft. present via video conference; Ms. DiGiacomo present via Bluejeans. MATTER TRAILED, to allow sentencing to be handled last. MATTER RECALLED, all parties present as before. DEFT MEDINA ADJUDGED GUILTY of COUNT 1, ATTEMPT SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (F) and COUNT 2, ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF FOURTEEN (F). Mr. Sanft noted the stipulated negotiations. Statement by Deft. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee including testing to determine genetic markers, \$250.00 Civil Indigent Defense, and \$3.00 DNA Collection fee, Deft. SENTENCED to COUNT 1, a MINIMUM of EIGHT (8) YEARS and a MAXIMUM of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC) and COUNT 2, a MINIMUM of TWO (2) YEARS and a MAXIMUM of FIVE (5) YEARS in the NDC, for a TOTAL AGGREGATE Sentence of a MINIMUM of TEN (10) YEARS and a MAXIMUM of TWENTY-FIVE (25) YEARS in NDC, with FIVE HUNDRED SEVENTEEN (517) DAYS credit for time served. COURT FURTHER ORDERED, a special SENTENCE OF LIFETIME SUPERVISION is imposed to commence upon release from any term of probation, parole or imprisonment. Deft. to Register as a sex offender in accordance with NRS 179D.460 within 48 hours after sentencing. BOND, if any, EXONERATED. NDC;*

Matter Heard;  
 Defendant Sentenced;  
 Journal Entry Details:

*All parties (including the Defendant) present via Blue Jeans. Upon Court's inquiry, Ms. Radosta advised that the Defendant's Pre-Sentence Investigation Report (PSI) should not be considered a failure to appear report; the Defendant did not fail to appear, as he has been in custody, but he did fail to provide a statement. Defendant indicated he wished to withdraw his guilty plea, and to have Ms. Radosta removed as his counsel of record. Ms. Radosta stated that she spoke to the Defendant prior to the hearing, and he did not indicate that he wished to withdraw his plea, or have her removed as counsel. Due to Defendant's request, Ms. Radosta asked that new counsel be appointed to review the request to withdraw his plea. COURT ORDERED counsel was hereby APPOINTED through the Office of Appointed Counsel, to review the Defendant's request to withdraw his plea. COURT FURTHER ORDERED a status check regarding confirmation of counsel, was hereby SET. Defendant requested that Ms. Radosta provide him with all of his discovery. The Court advised that it would not rule on the Defendant's request at this time, noting that his new counsel would be able to assist him. CUSTODY 12/8/20 1:45 PM STATUS CHECK: CONFIRMATION OF COUNSEL (OFFICE OF APPOINTED COUNSEL) CLERK'S NOTE: Drew Christensen, Esq. notified of the appointment of counsel via e-mail. (KD 11/19/2020);*

11/24/2020

**CANCELED Calendar Call** (8:30 AM) (Judicial Officer: Hardy, Joe)  
*Vacated*

11/30/2020

**CANCELED Jury Trial** (10:30 AM) (Judicial Officer: Hardy, Joe)  
*Vacated*

12/08/2020

**Status Check** (1:45 PM) (Judicial Officer: Hardy, Joe)

*Status Check: Confirmation of Counsel (Office of Appointed Counsel)*  
 Counsel Confirmed;  
 Journal Entry Details:

*All parties (including the Defendant) present via Blue Jeans. Michael Sanft, Esq. CONFIRMED as counsel of record for the Defendant, and requested a status check be set in approximately two weeks, to allow him to review the Defendant's file, and determine whether a Motion to Withdraw Plea should be filed. There being no opposition, COURT ORDERED a status check regarding the Motion to Withdraw, was hereby SET. Mr. Sanft advised that he anticipated filing a Motion to Withdraw pursuant to the Stevenson case. CUSTODY 1/7/21 8:30 AM STATUS CHECK: MOTION TO WITHDRAW PLEA;*

01/21/2021

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

**CASE SUMMARY**  
**CASE NO. C-20-349446-1**

01/21/2021, 01/28/2021, 02/11/2021

Status Check: Motion to Withdraw Plea

Matter Continued;

Matter Continued;

Briefing Schedule Set;

Journal Entry Details:

*Michael Sanft, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference. Upon Court's inquiry, Mr. Sanft indicated he met with Deft. two times, and spoke with a few people as well as Ms. Radosta; therefore, Mr. Sanft advised the Court he would be filing a Motion. Mr. Sanft requested for Motion and the instant matter to be set for a hearing. Court indicated it would give the State an opportunity to file an Opposition. COURT ORDERED the following Briefing Schedule: Mr. Sanft to file Opening Brief by February 16, 2021, State to file Response by March 2, 2021, Mr. Sanft to file Reply by March 9, 2021, and matter CONTINUED for Argument. CUSTODY 3/18/21 11:00 AM ARGUMENT: MOTION TO WITHDRAW GUILTY PLEA AGREEMENT;*

Matter Continued;

Matter Continued;

Briefing Schedule Set;

Journal Entry Details:

*Michael Sanft, Esq. and Sandra Digiacomo, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference. Upon Court's inquiry, Mr. Sanft noted he met with Deft. the previous week and did additional investigation speaking with the State; however, Deft. was requesting another two weeks to make a final decision to withdraw his Guilty Plea Agreement. No objection by Ms. Digiacomo. COURT ORDERED, matter CONTINUED. CUSTODY 2/11/21 11:00 AM CONTINUED: STATUS CHECK: MOTION TO WITHDRAW PLEA;*

Matter Continued;

Matter Continued;

Briefing Schedule Set;

Journal Entry Details:

*Sandra Digiacomo, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference. Court noted the matter was on to see if there was a basis to withdraw. Mr. Sanft indicated he reviewed the file and would request for the matter to be continued for one week, due to the fact he was waiting on the Investigator. COURT SO ORDERED. CUSTODY 1/28/21 11:00 AM CONTINUED: STATUS CHECK: MOTION TO WITHDRAW PLEA;*

03/18/2021



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

03/18/2021, 04/15/2021, 04/27/2021

ARGUMENT: MOTION TO WITHDRAW PLEA

Continued;

Matter Continued;

Matter Continued;

Journal Entry Details:

*Sandra Digiacomo, Esq. and Michael Sanft, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference. Ms. Digiacomo noted the Motion to Withdraw Plea was filed that morning; however, they would need additional time based on allegations it was possible they may need an evidentiary hearing. Additionally, Ms. Digiacomo noted she may need the Transcript of the entry of plea as well. Further, Ms. Digiacomo requested matter be continued for 30 days to get Transcript ordered and Opposition. Upon Court's inquiry, Mr. Sanft indicated he would reply at time of argument. Court requested the Opposition be submitted prior to the hearing. Ms. Digiacomo informed the Court she was in North Las Vegas on May 25, 2021; therefore, requested May 27, 2021. Statements by Deft. COURT DIRECTED Mr. Sanft to get in contact with Deft. Mr. Sanft concurred. COURT ORDERED, matter CONTINUED. CUSTODY 5/27/21 11:00 AM CONTINUED: ARGUMENT: MOTION TO WITHDRAW PLEA;*

Continued;

Matter Continued;

Matter Continued;

Journal Entry Details:

*Sandra Digiacomo, Esq. present via Bluejeans video conference. Mr. Sanft and Deft. not present. Court noted Deft. was being quarantined. Ms. Digiacomo noted briefs had not been filed. Court indicated Deft. was in quarantine and Mr. Sanft was not present; therefore, it couldn't do much at the instant hearing. Court noted it would reach out to Mr. Sanft to see*

# CASE SUMMARY

CASE NO. C-20-349446-1

what he was doing. COURT ORDERED, matter CONTINUED. CUSTODY 4/27/21 11:00 AM CONTINUED: ARGUMENT: MOTION TO WITHDRAW PLEA CLERK'S NOTE: The above minute order has been distributed to: sanftlawgroup@mac.com. //4-20-21/dy;

Continued;

Matter Continued;

Matter Continued;

Journal Entry Details:

The State and Defendant present via Blue Jeans. Michael Sanft, Esq. not present when the case was initially called. The State noted that the instant hearing was set for argument on a Motion to Withdraw Plea; however, the Motion had not yet been filed, and a new date would need to be set. Matter trailed for Mr. Sanft's presence. Matter recalled. Mr. Sanft present. All other parties present as before. Mr. Sanft stated that he would be meeting with the Defendant to go over the Motion to Withdraw Plea on March 19, 2021, and would then file the Motion that same day. COURT ORDERED a BRIEFING SCHEDULE was hereby SET: (1) Motion to Withdraw Plea to be filed by March 25, 2021; and (2) the State's Response to be filed by April 8, 2021. COURT FURTHER ORDERED instant hearing was hereby CONTINUED for arguments on the Motion to Withdraw Plea. CUSTODY CONTINUED TO: 4/15/21 11:00 AM CLERK'S NOTE: Minute Order prepared by Kristin Duncan via JAVS. (KD 3/31/21);

05/27/2021



**Motion to Withdraw Plea (11:00 AM)** (Judicial Officer: Holthus, Mary Kay)

05/27/2021, 07/08/2021

*Defendant's Motion to Withdraw Plea*

Matter Continued;

Denied;

Journal Entry Details:

Deft. present via Video Conference; Ms. DiGiacomo present via Bluejeans. Arguments and colloquy regarding Deft's. Motion to Withdraw Plea, Deft's. appointed counsel, and sentencing dates. Mr. Sanft argued Deft. felt the settlement process was rushed due to the covid pandemic and protocols in place. Ms. Digiacomio argued it was a long conference heard by Senior Judge David Barker; Deft. wants out of the plea due to "buyers remorse." Statement by Deft. regarding conflicting with Public Defender Violet Radosta, Esq. COURT ORDERED, Motion DENIED and STATED FINDINGS. There is no legal basis for Deft. to be allowed to withdraw their plea. . Mr. Sanft will remain as appointed counsel for Sentencing. State to prepare the Order, and SET Sentencing. CUSTODY SENTENCING: 8/17/2021 11:00 AM;

Matter Continued;

Denied;

Journal Entry Details:

Ms. DiGiacomo stated that she received the transcript, therefore, has not filed an opposition. COURT ORDERED, matter CONTINUED. Court advised Ms. DiGiacomo to prepare a new order for the transcript and provide it to the Court Recorder in Department 18. CUSTODY 7/08/21 11:00 AM DEFT'S MOTION TO WITHDRAW PLEA;

*Heather S. Smith*

CLERK OF THE COURT

JOCP

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

AARON MARIO MEDINA  
#2596004

Defendant.

CASE NO. C-20-349446-1

DEPT. NO. XVIII

JUDGMENT OF CONVICTION

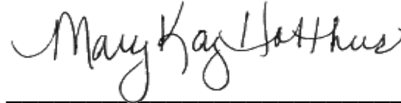
(PLEA OF GUILTY- ALFORD)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty pursuant to North Carolina v. Alford, 400 U.S. 25 (1970), to the crimes of COUNT 1 – ATTEMPT SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (Category B Felony) in violation of NRS 200.364, 200.366, 193.330; and COUNT 2 – ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (Category B Felony) in violation of NRS 201.230(2); thereafter, on the 17<sup>th</sup> day of August, 2021, the Defendant was present in court for sentencing, via Blue jeans, with counsel MICHAEL W. SANFT, and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition to the \$25.00 Administrative Assessment Fee, \$250.00 Indigent Defense Civil Assessment Fee and

1 \$150.00 DNA Analysis Fee including testing to determine genetic markers plus \$3.00 DNA  
2 Collection Fee, the Defendant is sentenced to the Nevada Department of Corrections as follows:  
3 COUNT 1 - a MAXIMUM of TWENTY (20) YEARS with a MINIMUM parole eligibility of  
4 EIGHT (8) YEARS; and COUNT 2 - a MAXIMUM of FIVE (5) YEARS with a MINIMUM  
5 parole eligibility of TWO (2) YEARS, CONSECUTIVE to COUNT 1; with FIVE HUNDRED  
6 SEVENTEEN (517) DAYS credit for time served. The AGGREGATE TOTAL sentence is  
7 TWENTY-FIVE (25) YEARS MAXIMUM with a MINIMUM Parole Eligibility of TEN (10)  
8 YEARS.  
9  
10  
11

12 Dated this 23rd day of August, 2021

13   
14

15 eb

16 **51B 31A FE59 CA4E**  
17 **Mary Kay Holthus**  
18 **District Court Judge**  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 State of Nevada

CASE NO: C-20-349446-1

7 vs

DEPT. NO. Department 18

8 Aaron Medina  
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: 8/23/2021

15 howard conrad

howard.conrad@clarkcountyda.com

16 linda mason

linda.mason@clarkcountyda.com

17 Michael Sanft

michael@sanftlaw.com

18 Mary Bailey

Mary.Bailey@clarkcountyda.com

19 VIOLET DPD

vadostrvr@clarkcountynv.gov

20 ANN PD SECRETARY

mcmahaae@clarkcountynv.gov

21 PUBLIC CLERK

pdclerk@clarkcountynv.gov

22 SANDRA DDA

sandra.digiacomo@clarkcountyda.com

24

25

26

27

28

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 17, 2020**

C-20-349446-1      State of Nevada  
vs  
Aaron Medina

**July 17, 2020      11:00 AM      Grand Jury Indictment**

**HEARD BY:** Bell, Linda Marie      **COURTROOM:** RJC Lower Level Arraignment

**COURT CLERK:** Kimberly Estala

**RECORDER:** Renee Vincent

**REPORTER:**

**PARTIES**

**PRESENT:**      Digiacomo, Sandra K.      Attorney  
                 Radosta, Violet R      Attorney  
                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Steve Lurvey, Grand Jury Foreperson, stated to the Court that at least twelve members had concurred in the return of the true bill during deliberation, but had been excused for presentation to the Court. State presented Grand Jury Case Number 19BGJ153X to the Court. COURT ORDERED, the Indictment may be filed and is assigned Case Number C-20-349446-1, Department XV.

State requested a warrant, argued bail, and advised Deft is in custody. COURT ORDERED, \$75,000.00 BAIL, with High Level Electronic Monitoring, no contact with victim and no unsupervised contact with minors; INDICTMENT WARRANT ISSUED, and matter SET for Arraignment.

Upon Court's inquiry, the State advised there are no material witness warrants to quash. COURT FURTHER ORDERED, Exhibits 1-3 to be lodged with the Clerk of the Court; Las Vegas Justice Court case no. 20FM0005X DISMISSED per the State's request. In addition, a Pre-Trial Risk Assessment will be prepared if one was not previously done.

I.W. (CUSTODY)

PRINT DATE: 09/17/2021

Page 1 of 34

Minutes Date: July 17, 2020

07/23/20 1:45 P.M. INITIAL ARRAIGNMENT (DEPT XV)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

---

<b>Felony/Gross Misdemeanor</b>	<b>COURT MINUTES</b>	<b>July 23, 2020</b>
---------------------------------	----------------------	----------------------

---

C-20-349446-1	State of Nevada vs Aaron Medina
---------------	---------------------------------------

---

July 23, 2020	1:45 PM	Initial Arraignment
---------------	---------	---------------------

HEARD BY: Hardy, Joe	COURTROOM: RJC Courtroom 11D
----------------------	------------------------------

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES  
PRESENT:

**JOURNAL ENTRIES**

- Due to time constraints, COURT ORDERED the initial arraignment, was hereby CONTINUED.

B.W. (CUSTODY)

7/30/20 1:45 PM ARRAIGNMENT CONTINUED

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

## Felony/Gross Misdemeanor

# COURT MINUTES

**July 30, 2020**

C-20-349446-1                      State of Nevada  
vs  
Aaron Medina

**July 30, 2020                      1:45 PM                      Arraignment Continued**

**HEARD BY:** Hardy, Joe

**COURTROOM:** RJC Courtroom 11D

**COURT CLERK:** Kristin Duncan

**RECORDER:** Matt Yarbrough

**REPORTER:**

## PARTIES

<b>PRESENT:</b>	Martinez, Samuel	Attorney
	Medina, Aaron Mario	Defendant
	Radosta, Violet R	Attorney
	State of Nevada	Plaintiff

## JOURNAL ENTRIES

- Violet Radosta, DPD and Defendant present via Blue Jeans.

DEFT. MEDINA ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. Due to the back-log of criminal trials, COURT ORDERED, matter REFERRED to the Central Trial Readiness Calendar, in order to have a trial date set; Central Trial Readiness hearing date to be determined. At the request of Ms. Radosta, COURT ORDERED, counsel has 21 days from the date of filing the Grand Jury Transcript to file a Writ. The State requested that Sandra DiGiacomo, DDA, be notified of any upcoming dates.

## CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****August 25, 2020**

C-20-349446-1      State of Nevada  
vs  
Aaron Medina

**August 25, 2020      1:45 PM      Status Check**

**HEARD BY:** Hardy, Joe      **COURTROOM:** RJC Courtroom 11D

**COURT CLERK:** Kristin Duncan

**RECORDER:** Matt Yarbrough

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Digiacomio, Sandra K.	Attorney
	Medina, Aaron Mario	Defendant
	Radosta, Violet R	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- All parties (including the Defendant) present via Blue Jeans.

Ms. Radosta advised that she was informed of the August 26, 2020, Central Trial Readiness Conference setting, on August 24, 2020, and would be unable to discuss anything with the Defendant prior to the CTR Conference. Additionally, Ms. Radosta stated that the Defendant wished for her to be prepared to proceed to trial on September 28, 2020, even though trials may not be going forward at that time. Furthermore, Ms. Radosta represented that she reached out to the State regarding missing discovery, and submitted an Order to the Court for the CPS records to be reviewed in camera. The State affirmed Ms. Radosta's statements, adding that the instant trial setting was the first setting. Additionally, the State noted that the parties were communicating regarding discovery, and it had everything it needed, with the exception of a transcript that had yet to be prepared. The Court noted that the instant case initiated in 2020, and many older cases comprised the jury trial backlog.

Additionally, the Court advised that the currently set calendar call and trial date, may be subject to change; however, they would stand for the time being.

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 26, 2020**

---

C-20-349446-1      State of Nevada  
                                 vs  
                                 Aaron Medina

---

**August 26, 2020      2:00 PM      Central Trial Readiness  
Conference**

**HEARD BY:** Barker, David      **COURTROOM:** RJC Lower Level Arraignment

**COURT CLERK:** Kimberly Estala

**RECORDER:** Melissa Delgado-Murphy

**REPORTER:**

**PARTIES**

**PRESENT:**      Digiacomo, Sandra K.      Attorney  
                                 Medina, Aaron Mario      Defendant  
                                 Radosta, Violet R      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Ms. Radosta announced ready however there is some outstanding discovery. State advised discovery was sent yesterday, State will be filing a bad acts motion, and estimates 7-14 days for trial with 20 state witnesses. Colloquy regarding settlement conference. COURT ORDERED, matter SET for settlement conference and central trial date, department trial date VACATED, and department calendar call STANDS for parties to check in with trial Judge.

**CUSTODY**

10/06/20 8:00 AM SETTLEMENT CONFERENCE (LLA)  
09/23/20 2:00 PM CENTRAL CALENDAR CALL (LLA)  
09/28/20 8:00 AM CENTRAL JURY TRIAL (LLA)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 08, 2020**

---

C-20-349446-1      State of Nevada  
                                 vs  
                                 Aaron Medina

---

**September 08, 2020      3:00 AM      Minute Order**

**HEARD BY:** Hardy, Joe      **COURTROOM:** Chambers

**COURT CLERK:** Kristin Duncan

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- It having been brought to the Court's attention that the State's Notice of Witnesses and/or Expert Witnesses, filed on September 4, 2020, at 12:35 PM, was filed into the instant case erroneously, COURT ORDERED that said document was hereby STRICKEN.

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

### Felony/Gross Misdemeanor

# COURT MINUTES

September 22, 2020

C-20-349446-1      State of Nevada  
vs  
Aaron Medina

**September 22, 2020      1:45 PM      All Pending Motions**

**HEARD BY:** Hardy, Joe

**COURTROOM:** RJC Courtroom 11D

**COURT CLERK:** Kristin Duncan

**RECORDER:** Matt Yarbrough

**REPORTER:**

## PARTIES

**PRESENT:** Digiacomo, Sandra K. Attorney  
Medina, Aaron Mario Defendant  
Radosta, Violet R Attorney  
State of Nevada Plaintiff

## JOURNAL ENTRIES

- All parties (including the Defendant) present via Blue Jeans.

The Court noted that the parties were set to appear on the Central Trial Readiness calendar on September 23, 2020. Ms. Radosta noted that the Court received an e-mail from the Clark County School District, related to subpoenas she issued. The Court affirmed that it received said e-mail, noting that it would address it during the instant hearing.

## STATE'S NOTICE OF MOTION AND MOTION FOR DISCOVERY

There being no Opposition, COURT ORDERED the instant Motion was hereby GRANTED. The State to prepare the written Order.

## STATE'S MOTION TO ADMIT EVIDENCE OF OTHER CRIMES, WRONGS OR ACTS

The Court noted that it reviewed the instant Motion, along with the Defendant's Opposition. The State argued in support of the Motion, stating that evidence that the Defendant had a propensity for committing sexual crimes against children was more probative, than prejudicial. Ms. Radosta argued in opposition, stating that the details of the two incidents were not similar, and the information was more prejudicial than probative. COURT ORDERED the instant Motion was hereby GRANTED for all of the reasons set forth in the State's Motion, with the exception of the alleged prison calls, as those did not play any part in the Court's decision, FINDING the following: (1) the Court followed NRS 48.045(3), the Franks vs. State, and the United States vs. LeMay case, in reaching its decision; (2) the prior bad acts were relevant to the crimes charged in the instant case; (3) the prior acts were proven by a preponderance of the evidence, as set forth in great detail in the Motion; (4) the Court weighed the prior bad act, and its probative value was not outweighed by unfair prejudice; and (5) the factors in the LeMay case supported the granting of the Motion, as the acts were very similar, the acts were close enough in time, and the Defendant was placed in custody soon after the first act, and committed the acts alleged in the instant case soon after being released from custody. The Court to prepare the written Order, and forward it to Ms. Radosta for approval as to form and content.

Mr. Radosta noted that she did not have a copy of Yvette Womack's statement, and had only recently received a copy of it attached to the instant Motion. The State noted that the statement was provided to Ms. Radosta on September 10, 2020. Ms. Radosta confirmed that she did have an audio version of the statement. The State noted that it would e-mail another copy of the statement to Ms. Radosta

The Court noted that it received a small set of documents from the Clark County School District, and received a large set of records from CPS, and inquired as to what the parties wished for the Court to do. The State requested that the Court review the CPS records in camera, and determine which records needed to be turned over to either side. Regarding the CCSD records, the State noted that there needed to be a proffer of evidence as to why those records would be relevant. Ms. Radosta stated that the CCSD records were relevant because the alleged acts were first disclosed to a social worker at school. Additionally, Ms. Radosta advised that the CCSD records were relevant as they related to the alleged victim's performance in school. The Court advised that it had not been able to review any of the records as of the instant hearing, noting that it would address the records at the September 24, 2020, Calendar Call hearing.

## CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 23, 2020**

---

C-20-349446-1      State of Nevada  
                                 vs  
                                 Aaron Medina

---

**September 23, 2020      2:00 PM      Central Calendar Call**

**HEARD BY:** Barker, David      **COURTROOM:** RJC Lower Level Arraignment

**COURT CLERK:** Kimberly Estala

**RECORDER:** Nancy Maldonado

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Digiacomio, Sandra K.	Attorney
	Medina, Aaron Mario	Defendant
	Radosta, Violet R	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Ms. Radosta advised Judge Hardy has just received records and is currently conducting an in camera review therefore parties are not ready to proceed with trial. Colloquy regarding scheduling. COURT ORDERED, matter SET for trial readiness after the settlement conference and trial date VACATED.

**CUSTODY**

10/07/20 11:30 AM CENTRAL TRIAL READINESS CONFERENCE (LLA)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**September 24, 2020**

---

C-20-349446-1      State of Nevada  
                                 vs  
                                 Aaron Medina

---

**September 24, 2020    1:45 PM      Calendar Call**

**HEARD BY:** Hardy, Joe      **COURTROOM:** RJC Courtroom 11D

**COURT CLERK:** Kristin Duncan

**RECORDER:** Matt Yarbrough

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Digiacomio, Sandra K.	Attorney
	Medina, Aaron Mario	Defendant
	Radosta, Violet R	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- All parties (including the Defendant) present via Blue Jeans.

In light of the fact that the instant case was recently heard on the Central Trial Readiness (CTR) calendar, as well as the fact that the Court had documents to review, Ms. Radosta announced that she was not ready to proceed to trial on September 28, 2020. The State affirmed Ms. Radosta's representations. Ms. Radosta advised that the CTR calendar set a settlement conference in the instant case on October 6, 2020, and referred them back to this department for a trial date.

Regarding the school records sent over by the Clark County School District (CCSD), Ms. Radosta argued that they were relevant because the accusation began at school, and it would be helpful to see the school performance of the alleged victim. The State argued that the school records belonging to the alleged victim's younger sibling, were in no way relevant to the instant case. The Court opined that

the younger sibling's records were irrelevant, and it saw nothing in the alleged victim's school records that seemed relevant; however, the matter could be discussed further, at a later date, when the Court had also been able to review the CPS records.

Regarding the trial date, the State deferred to defense counsel, as the Defendant remained in invoked status. Colloquy regarding scheduling. COURT ORDERED a status check regarding the records review was hereby SET. COURT FURTHER ORDERED a trial date was hereby SET.

#### CUSTODY

10/13/20 8:30 AM STATUS CHECK: RECORDS REVIEW

10/27/20 8:30 AM STATUS CHECK: TRIAL READINESS

11/24/20 8:30 AM CALENDAR CALL

11/30/20 10:30 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 06, 2020**

---

C-20-349446-1      State of Nevada  
                                 vs  
                                 Aaron Medina

---

**October 06, 2020      8:00 AM      Settlement Conference**

**HEARD BY:** Barker, David      **COURTROOM:** No Location

**COURT CLERK:** Kimberly Estala

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Parties participated in a settlement conference with Judge Barker where a settlement was reached.  
Plea will be entered with Judge Hardy.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

C-20-349446-1      State of Nevada  
vs  
Aaron Medina

**October 06, 2020      1:45 PM      Entry of Plea**

**HEARD BY:** Hardy, Joe**COURTROOM:** RJC Courtroom 11D**COURT CLERK:** Kristin Duncan**RECORDER:** Matt Yarbrough**REPORTER:****PARTIES**

<b>PRESENT:</b>	Digiacomio, Sandra K.	Attorney
	Medina, Aaron Mario	Defendant
	Radosta, Violet R	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- All parties (including the Defendant) present via Blue Jeans.

NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED ELECTRONICALLY on October 6, 2020. Amended Indictment FILED ELECTRONICALLY on October 6, 2020. The State affirmed Ms. Radosta's recitation of the negotiations, noting that, since the negotiations were reached during a settlement conference, the Defendant's plea was conditional. Upon Court's inquiry, the Defendant stated that he agreed with the negotiations. DEFT. MEDINA ARRAIGNED AND PLED GUILTY, pursuant to ALFORD, as to COUNT 1 - ATTEMPT SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (F); and as to COUNT 2 - ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF 14 (F). The State provided an offer of proof. Court ACCEPTED plea and ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing. The State and defense advised that they were WAIVING the Psychosexual Report.

COURT ORDERED that all pending hearings, with the exception of the sentencing date, were hereby VACATED.

Upon the State's inquiry, the Court advised that a short Order could be prepared regarding the granting of the State's Bad Acts Motion, rather than a detailed Order.

CUSTODY

11/19/20 8:30 AM SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 19, 2020**

---

C-20-349446-1      State of Nevada  
                                 vs  
                                 Aaron Medina

---

**November 19, 2020      1:45 PM      Sentencing**

**HEARD BY:** Hardy, Joe      **COURTROOM:** RJC Courtroom 11D

**COURT CLERK:** Kristin Duncan

**RECORDER:** Matt Yarbrough

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Digiacomio, Sandra K.	Attorney
	Medina, Aaron Mario	Defendant
	Radosta, Violet R	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- All parties (including the Defendant) present via Blue Jeans.

Upon Court's inquiry, Ms. Radosta advised that the Defendant's Pre-Sentence Investigation Report (PSI) should not be considered a failure to appear report; the Defendant did not fail to appear, as he has been in custody, but he did fail to provide a statement. Defendant indicated he wished to withdraw his guilty plea, and to have Ms. Radosta removed as his counsel of record. Ms. Radosta stated that she spoke to the Defendant prior to the hearing, and he did not indicate that he wished to withdraw his plea, or have her removed as counsel. Due to Defendant's request, Ms. Radosta asked that new counsel be appointed to review the request to withdraw his plea. COURT ORDERED counsel was hereby APPOINTED through the Office of Appointed Counsel, to review the Defendant's request to withdraw his plea. COURT FURTHER ORDERED a status check regarding confirmation of counsel, was hereby SET.

Defendant requested that Ms. Radosta provide him with all of his discovery. The Court advised that it would not rule on the Defendant's request at this time, noting that his new counsel would be able to assist him.

**CUSTODY**

12/8/20 1:45 PM STATUS CHECK: CONFIRMATION OF COUNSEL (OFFICE OF APPOINTED COUNSEL)

CLERK'S NOTE: Drew Christensen, Esq. notified of the appointment of counsel via e-mail. (KD 11/19/2020)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**December 08, 2020**

---

C-20-349446-1      State of Nevada  
                                 vs  
                                 Aaron Medina

---

**December 08, 2020      1:45 PM      Status Check**

**HEARD BY:** Hardy, Joe      **COURTROOM:** RJC Courtroom 11D

**COURT CLERK:** Kristin Duncan

**RECORDER:** Matt Yarbrough

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Digiacomio, Sandra K.	Attorney
	Medina, Aaron Mario	Defendant
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- All parties (including the Defendant) present via Blue Jeans.

Michael Sanft, Esq. CONFIRMED as counsel of record for the Defendant, and requested a status check be set in approximately two weeks, to allow him to review the Defendant's file, and determine whether a Motion to Withdraw Plea should be filed. There being no opposition, COURT ORDERED a status check regarding the Motion to Withdraw, was hereby SET. Mr. Sanft advised that he anticipated filing a Motion to Withdraw pursuant to the Stevenson case.

CUSTODY

1/7/21 8:30 AM STATUS CHECK: MOTION TO WITHDRAW PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 21, 2021**

---

C-20-349446-1      State of Nevada  
                                 vs  
                                 Aaron Medina

---

**January 21, 2021      11:00 AM      Status Check**

**HEARD BY:**    Holthus, Mary Kay

**COURTROOM:**    RJC Courtroom 03F

**COURT CLERK:**    Dara Yorke

**RECORDER:**    Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Digiacoimo, Sandra K.	Attorney
	Medina, Aaron Mario	Defendant
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Sandra Digiacoimo, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference.

Court noted the matter was on to see if there was a basis to withdraw. Mr. Sanft indicated he reviewed the file and would request for the matter to be continued for one week, due to the fact he was waiting on the Investigator. COURT SO ORDERED.

**CUSTODY**

1/28/21 11:00 AM CONTINUED: STATUS CHECK: MOTION TO WITHDRAW PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 28, 2021**

---

C-20-349446-1      State of Nevada  
                                 vs  
                                 Aaron Medina

---

**January 28, 2021      11:00 AM      Status Check**

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

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Digiaco, Sandra K.	Attorney
	Medina, Aaron Mario	Defendant
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Michael Sanft, Esq. and Sandra Digiaco, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference.

Upon Court's inquiry, Mr. Sanft noted he met with Deft. the previous week and did additional investigation speaking with the State; however, Deft. was requesting another two weeks to make a final decision to withdraw his Guilty Plea Agreement. No objection by Ms. Digiaco. COURT ORDERED, matter CONTINUED.

CUSTODY

2/11/21 11:00 AM CONTINUED: STATUS CHECK: MOTION TO WITHDRAW PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**February 11, 2021**

---

C-20-349446-1      State of Nevada  
                                 vs  
                                 Aaron Medina

---

**February 11, 2021      11:00 AM      Status Check**

**HEARD BY:**   Holthus, Mary Kay

**COURTROOM:**   RJC Courtroom 03F

**COURT CLERK:**   Dara Yorke

**RECORDER:**   Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Medina, Aaron Mario	Defendant
	Rhoades, Kristina A.	Attorney
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

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

Upon Court's inquiry, Mr. Sanft indicated he met with Deft. two times, and spoke with a few people as well as Ms. Radosta; therefore, Mr. Sanft advised the Court he would be filing a Motion. Mr. Sanft requested for Motion and the instant matter to be set for a hearing. Court indicated it would give the State an opportunity to file an Opposition. COURT ORDERED the following Briefing Schedule: Mr. Sanft to file Opening Brief by February 16, 2021, State to file Response by March 2, 2021, Mr. Sanft to file Reply by March 9, 2021, and matter CONTINUED for Argument.

CUSTODY

3/18/21 11:00 AM ARGUMENT: MOTION TO WITHDRAW GUILTY PLEA AGREEMENT

PRINT DATE:    09/17/2021

Page 23 of 34

Minutes Date:    July 17, 2020



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 18, 2021**

C-20-349446-1      State of Nevada  
vs  
Aaron Medina

**March 18, 2021      11:00 AM      Argument**

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

<b>PRESENT:</b>	Kollins, Stacey L.	Attorney
	Medina, Aaron Mario	Defendant
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- The State and Defendant present via Blue Jeans.

Michael Sanft, Esq. not present when the case was initially called. The State noted that the instant hearing was set for argument on a Motion to Withdraw Plea; however, the Motion had not yet been filed, and a new date would need to be set. Matter trailed for Mr. Sanft's presence.

Matter recalled. Mr. Sanft present. All other parties present as before. Mr. Sanft stated that he would be meeting with the Defendant to go over the Motion to Withdraw Plea on March 19, 2021, and would then file the Motion that same day. COURT ORDERED a BRIEFING SCHEDULE was hereby SET: (1) Motion to Withdraw Plea to be filed by March 25, 2021; and (2) the State's Response to be filed by April 8, 2021. COURT FURTHER ORDERED instant hearing was hereby CONTINUED for arguments on the Motion to Withdraw Plea.

CUSTODY

CONTINUED TO: 4/15/21 11:00 AM

CLERK'S NOTE: Minute Order prepared by Kristin Duncan via JAVS. (KD 3/31/21)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**April 15, 2021**

---

C-20-349446-1      State of Nevada  
                                 vs  
                                 Aaron Medina

---

**April 15, 2021      11:00 AM      Argument**

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

**COURT CLERK:** Dara Yorke

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

**PRESENT:**      Digiacomo, Sandra K.      Attorney  
                                 State of Nevada      Plaintiff

**JOURNAL ENTRIES**

- Sandra Digiacomo, Esq. present via Bluejeans video conference.

Mr. Sanft and Deft. not present. Court noted Deft. was being quarantined. Ms. Digiacomo noted briefs had not been filed. Court indicated Deft. was in quarantine and Mr. Sanft was not present; therefore, it couldn't do much at the instant hearing. Court noted it would reach out to Mr. Sanft to see what he was doing. COURT ORDERED, matter CONTINUED.

**CUSTODY**

4/27/21 11:00 AM CONTINUED: ARGUMENT: MOTION TO WITHDRAW PLEA

CLERK'S NOTE: The above minute order has been distributed to: sanftlawgroup@mac.com. //4-20-21/dy

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 27, 2021**

C-20-349446-1      State of Nevada  
vs  
Aaron Medina

**April 27, 2021      11:00 AM      Argument**

**HEARD BY:** Holthus, Mary Kay**COURTROOM:** RJC Courtroom 03E**COURT CLERK:** Dara Yorke**RECORDER:** Jill Hawkins**REPORTER:****PARTIES**

<b>PRESENT:</b>	Digiacomio, Sandra K.	Attorney
	Medina, Aaron Mario	Defendant
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Sandra Digiacomio, Esq. and Michael Sanft, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference.

Ms. Digiacomio noted the Motion to Withdraw Plea was filed that morning; however, they would need additional time based on allegations it was possible they may need an evidentiary hearing. Additionally, Ms. Digiacomio noted she may need the Transcript of the entry of plea as well. Further, Ms. Digiacomio requested matter be continued for 30 days to get Transcript ordered and Opposition. Upon Court's inquiry, Mr. Sanft indicated he would reply at time of argument. Court requested the Opposition be submitted prior to the hearing. Ms. Digiacomio informed the Court she was in North Las Vegas on May 25, 2021; therefore, requested May 27, 2021. Statements by Deft. COURT DIRECTED Mr. Sanft to get in contact with Deft. Mr. Sanft concurred. COURT ORDERED, matter CONTINUED.

CUSTODY

5/27/21 11:00 AM CONTINUED: ARGUMENT: MOTION TO WITHDRAW PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**May 27, 2021**

---

C-20-349446-1      State of Nevada  
   vs  
   Aaron Medina

---

**May 27, 2021                      11:00 AM                      Motion to Withdraw Plea**

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

**COURT CLERK:**   Kristen Brown

**RECORDER:**   Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Digiacomio, Sandra K.	Attorney
	Medina, Aaron Mario	Defendant
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Ms. DiGiacomo stated that she received the transcript, therefore, has not filed an opposition.  
COURT ORDERED, matter CONTINUED. Court advised Ms. DiGiacomo to prepare a new order for the transcript and provide it to the Court Recorder in Department 18.

CUSTODY

7/08/21 11:00 AM DEFT'S MOTION TO WITHDRAW PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

C-20-349446-1      State of Nevada  
vs  
Aaron Medina

**July 08, 2021      11:00 AM      Motion to Withdraw Plea**

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

**COURT CLERK:** Erin Burnett  
Shelley Boyle

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

<b>PRESENT:</b>	Digiacomio, Sandra K.	Attorney
	Medina, Aaron Mario	Defendant
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Deft. present via Video Conference; Ms. DiGiacomo present via Bluejeans.

Arguments and colloquy regarding Deft's. Motion to Withdraw Plea, Deft's. appointed counsel, and sentencing dates. Mr. Sanft argued Deft. felt the settlement process was rushed due to the covid pandemic and protocols in place. Ms. Digiacomio argued it was a long conference heard by Senior Judge David Barker; Deft. wants out of the plea due to "buyers remorse." Statement by Deft. regarding conflicting with Public Defender Violet Radosta, Esq. COURT ORDERED, Motion DENIED and STATED FINDINGS. There is no legal basis for Deft. to be allowed to withdraw their plea. . Mr. Sanft will remain as appointed counsel for Sentencing. State to prepare the Order, and SET Sentencing.

**CUSTODY**

PRINT DATE: 09/17/2021

Page 31 of 34

Minutes Date: July 17, 2020

SENTENCING: 8/17/2021 11:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 17, 2021**

---

C-20-349446-1      State of Nevada  
                                 vs  
                                 Aaron Medina

---

**August 17, 2021      11:00 AM      Sentencing**

**HEARD BY:**    Cherry, Michael A.

**COURTROOM:**    RJC Courtroom 03F

**COURT CLERK:**    Erin Burnett

**RECORDER:**    Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Digiacomio, Sandra K.	Attorney
	Medina, Aaron Mario	Defendant
	Sanft, Michael W.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Deft. present via video conference; Ms. DiGiacomo present via Bluejeans.

MATTER TRAILED, to allow sentencing to be handled last.

MATTER RECALLED, all parties present as before. DEFT MEDINA ADJUDGED GUILTY of COUNT 1, ATTEMPT SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN YEARS OF AGE (F) and COUNT 2, ATTEMPT LEWDNESS WITH A CHILD UNDER THE AGE OF FOURTEEN (F). Mr. Sanft noted the stipulated negotiations. Statement by Deft. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, a \$150.00 DNA Analysis fee including testing to determine genetic markers, \$250.00 Civil Indigent Defense, and \$3.00 DNA Collection fee, Deft. SENTENCED to COUNT 1, a MINIMUM of EIGHT (8) YEARS and a MAXIMUM of TWENTY (20) YEARS in the Nevada Department of Corrections (NDC) and COUNT 2, a MINIMUM of TWO (2) YEARS and a MAXIMUM of FIVE (5) YEARS in the NDC, for a TOTAL AGGREGATE Sentence of a MINIMUM of

TEN (10) YEARS and a MAXIMUM of TWENTY-FIVE (25) YEARS in NDC, with FIVE HUNDRED SEVENTEEN (517) DAYS credit for time served. COURT FURTHER ORDERED, a special SENTENCE OF LIFETIME SUPERVISION is imposed to commence upon release from any term of probation, parole or imprisonment. Deft. to Register as a sex offender in accordance with NRS 179D.460 within 48 hours after sentencing. BOND, if any, EXONERATED.

NDC

**GRAND JURY INDICTMENTS RETURNED IN OPEN COURT JULY 17, 2020**

**(From Grand Jury sessions held on July 8, 9 & 16, 2020)**

**JUDGE LINDA MARIE BELL  
FOREPERSON KENNETH DICKINSON**

**CHIEF DEPUTY DISTRICT ATTORNEY SANDRA DIGIACOMO (006204)  
CHIEF DEPUTY DISTRICT ATTORNEY WILLIAM FLINN JR. (013119)  
CHIEF DEPUTY DISTRICT ATTORNEY AGNES M. BOTELHO (011064)  
CHIEF DEPUTY DISTRICT ATTORNEY K. NICHOLAS PORTZ (012473)  
DEPUTY DISTRICT ATTORNEY MICHAEL R. DICKERSON (013476)**

**CASE NO. C-20-349446-1  
DEPT. NO. XV  
CDDA SANDRA DIGIACOMO (SVU)**

**Defendant(s): AARON MARIO MEDINA, #2596004**

**Case No(s): 19BGJ153X (RANDOMLY TRACKS TO DC XV)**

**Charge(s): (3) CTS - LEWDNESS WITH A CHILD UNDER THE AGE OF 14  
(Category A Felony - NRS 201.230 - NOC 50975) and  
(2) CTS - SEXUAL ASSAULT WITH A MINOR UNDER FOURTEEN  
YEARS OF AGE (Category A Felony - NRS 200.364, 200.366 - NOC 50105)**

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

**WARRANT (1 WEEK): 07/22/20 1:45 PM DC 25  
BAIL SET: \$75,000 WITH HIGH LEVEL EMP, NO CONTACT WITH  
VICTIM AND NO UNSUPERVISED CONTACT WITH MINORS UNDER  
18  
PRE-TRIAL RISK ASSESSMENT ORDERED**

**DEFT IN CUSTODY @ CCDC (20FM0005X - PH 7/20 IN JC 14)**

**MOAPA JC CASE TO BE DISM'D: 20FM0005X**

**Exhibits:**

- 1. Proposed Indictment PB**
- 1a. 2<sup>nd</sup> Proposed Indictment PB**
- 2. Jury Instructions PB**
- 3. Photo PB**

**Exhibits 1 - 3 to be lodged with the Clerk of the Court.**

---

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; TRANSCRIPT  
REQUEST; DISTRICT COURT DOCKET ENTRIES; JUDGMENT OF CONVICTION (PLEA OF  
GUILTY (PLEA OF GUILTY – ALFORD); DISTRICT COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

AARON MARIO MEDINA,

Defendant(s).

Case No: C-20-349446-1

Dept No: VI

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 17 day of September 2021.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk