

FILED

Case No.: DC-CR-21-90

2021 OCT 12 PM 2:45

Dept. No.: 1

ELKO CO DISTRICT COURT

Electronically Filed
Oct 22 2021 11:09 a.m.

CLERK: Elizabeth A. Brown
Clerk of Supreme Court

**IN THE FOURTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA**

BO DWIGHT HEGGE,

Appellant,

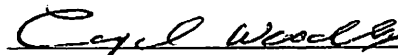
NOTICE OF APPEAL

THE STATE OF NEVADA,

Respondent.

NOTICE is hereby given that BO DWIGHT HEGGE, Appellant above named, hereby appeals to the Supreme Court of Nevada from the final judgment entered in this action on the 4th day of OCTOBER 2021.

Dated this 12 day of OCTOBER 2021.



GARY D. WOODBURY
Attorney for Defendant
1053 Idaho St.
Elko, NV 89801

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By Delivering to:

AND

Kimberly Dawson
KIMBERLY DAWSON

FILED

Case No.: DC-CR-21-90

2021 OCT 12 PM 2:46

Dept. No.: 1

ELKO CO DISTRICT COURT

CLERK _____ DEPUTY 187

**IN THE FOURTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA**

BO DWIGHT HEGGE,

Appellant,

THE STATE OF NEVADA,

Respondent.

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement: *Bo Dwight Hegge*
2. Identify the judge issuing the decision, judgment or order appealed from: *Honorable Kriston Hill.*
3. Identify each appellant and the name and address of counsel for each appellant: *Bo Dwight Hegge is the Appellant. Trial Counsel is Gary D. Woodbury. 1053 Idaho St. Elko, Nevada, 89801. Appellate Counsel has not yet been appointed.*
4. Identify each respondent and the name and address of appellant counsel, if known for each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and provide the name and address of that respondent's trial counsel): *The State of Nevada is the respondent. Counsel is Elko County District Attorney, Tyler Ingram. 540 Court Street, 2nd Floor. Elko, Nevada 89801. Elko, NV 89802*
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): *All involved attorneys are licensed to practice law in Nevada.*

6. Indicate whether appellant was represented by appointed or retained counsel in the district court: *Appellant was represented by appointed counsel.*

7. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave: *No order to proceed in forma pauperis was requested or granted.*

8. Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed): *Information filed in the Fourth Judicial District Court on March 18, 2021.*

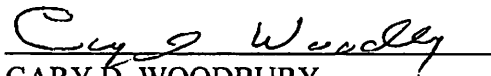
9. Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court: *Defendant entered into a plea agreement. Subsequently, based on the receipt of additional information and appellant's misunderstanding of defenses potentially available to him at the time of his entry of the plea of No Contest, Defendant sought by motion to withdraw from the plea agreement. The trial court declined to allow him to withdraw his plea.*

10. Indicate whether the case has previously been the subject of an appeal to or original writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the prior proceeding: *It has not been the subject of an appeal or of a writ proceeding.*

11. Indicate whether this appeal involves child custody or visitation: *Child custody is not involved.*

12. If this is a civil case, indicate whether this appeal involves the possibility of settlement: *This is a criminal case.*

Dated this 12 day of OCTOBER 2021.


GARY D. WOODBURY
Nevada State Bar # 1915
Attorney for Defendant
1053 Idaho St.
Elko, NV 89801
775-738-8006

1
2 **CERTIFICATE OF SERVICE**

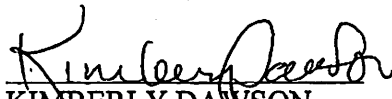
3 Pursuant to NRCP 5(b), I certify that I, KIMBERLY DAWSON, on the 12 day of
4 October 2021 served the foregoing CASE APPEAL STATEMENT by delivering,
5 mailing or by facsimile transmission or causing to be delivered, mailed, or transmitted by
6 facsimile transmission, a copy of said document to the following:

7
8 By Delivering to:

9 THE HONORABLE KRISTON N. HILL
10 FOURTH JUDICIAL DISTRICT COURT
11 ELKO COUNTY COURTHOUSE
12 ELKO, NV 89801

13 AND

14 ELKO COUNTY DEPUTY DISTRICT ATTORNEY
15 540 COURT ST, 2ND FLOOR
16 ELKO, NV 89801

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FILED

Case No.: DC-CR-21-90

2021 OCT 12 PM 2:46

Dept. No.: 1

ELKO DISTRICT COURT

CLERK _____ DEPUTY KB

IN THE FOURTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA

BO DWIGHT HEGGE,
Appellant,

Vs.

REQUEST FOR ROUGH
DRAFT TRANSCRIPT

THE STATE OF NEVADA,
Respondent

CERTIFICATE THAT NO TRANSCRIPT IS BEING REQUESTED

Notice is hereby given that appellant Bo Dwight Hegge is not requesting
the preparation of transcripts for this appeal.

Dated this 12 day of OCTOBER, 2021.

Gary D. Woodbury
GARY D. WOODBURY
Attorney for Defendant
1053 Idaho St.

1
2 **CERTIFICATE OF SERVICE**

3 Pursuant to NRCP 5(b), I certify that I, KIMBERLY DAWSON, on the 12 day of
4 OCTOBER 2021 served the foregoing REQUEST FOR ROUGH DRAFT TRANSCRIPT by
5 delivering, mailing or by facsimile transmission or causing to be delivered, mailed, or
6 transmitted by facsimile transmission, a copy of said document to the following:

7 By mailing to:

8
9 Elko County District Attorney
10 540 Court Street, 2nd Floor
11 Elko, NV 89801
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15 Dated this 12th day of October 2021.

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17 Kimberly Dawson
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Case Summary

DC-CR-21-90 - STATE OF NEVADA VS. HEGGE, BO DWIGHT

Court: DC-CR-21-90

Agency: Elko County Clerk's Office

Type: Criminal

CaseID: 21-512

Status: Closed

Received Date: 3/16/2021

Status Date: 10/4/2021

Age: 213 days Active Age: 213 days

Involvements

HILL, KRISTON Judge

SLADE, JEFFREY Prosecution Attorney

HEGGE, BO Defendant

WOODBURY, GARY Court Appointed Attorney, Inactive

Filed Charge - Criminal Information

1. NRS 202.360.1 - Own Or Possess Firearm By Prohibited Person Occurred: 2/13/2021

Felony Felony - Weapons Category B 3/18/2021 12:00:00 PM

Plea: Nolo Contendere (No Contest) Plea Date: 4/12/2021 Disposition: Guilty Plea (Before Trial) Dispo Date: 10/4/2021

Notes: EL-JC-CR-F-21-836 COUNT 1

Notes: PCN: NVELSO4009181C

Case History

Date	Event Type Desc	Status
	Awaiting Charging Decision - Case Status	
	Case Status Change	
	Pending - Case Status	
	CRIMINAL INFO FILED	
	Awaiting Return of Original Warrant - Task	
	Arraignment Hearing - Event	
	4/12/ 4/12/2021 3:00 PM	4/12/2021 3:00:00 PM
	2021 3:00:00 PM	
	Sentencing Hearing - Event	
	6/28/ 6/28/2021 3:00 PM	6/28/2021 3:00:00 PM
	2021 3:00:00 PM	

Case Summary

	Sentencing Hearing - Event	8/30/ 8/30/2021 2021 3:00: 00 PM	3:00 PM	8/30/2021 3:00:00 PM
	Sentencing Hearing - Event	9/27/ 9/27/2021 2021 3:00: 00 PM	3:00 PM	9/27/2021 3:00:00 PM
	Closed - Case Status			
	JOC FILED			
2/16/2021	BOOKING SHEET BOOKED 2.13.21 - Document			
	REDACTED			
2/16/2021	DECLARATION OF PROBABLE CAUSE - Document			
	DATE OF ARREST: 2/13/21			
2/16/2021	NPRA QUESTIONNAIRE - Document			
2/16/2021	NPR ASSESSMENT - Document			
2/16/2021	APPLICATION FOR APPOINTMENT OF ATTORNEY - Document			
2/17/2021	ORDER APPOINTING ATTORNEY OTHER THAN OFFICE OF THE ELKO COUNTY PUBLIC DEFENDER TO REPRESENT DEFENDANT - Document			
2/23/2021	CRIMINAL COMPLAINT - Document			
2/24/2021	BOOKING SHEET REVISED - Document			
2/24/2021	BOOKING SHEET, BOOKED 2.13.21, CONTAINS SS NUMBER AND NV ID NUMBER - Document			
3/1/2021	SCHEDULE COURT APPEARANCE NOTIFICATION - Document			
	FOR 03/11/21 AT 9:30 AM			
3/11/2021	WAIVER OF PRELIMINARY HEARING OIN THE ADVICE OF COUNSEL - Document			

Case Summary

3/11/2021	ORDER BINDING DEFENDANT OVER TO FOURTH JUDICIAL DISTRICT COURT ON WAIVER OF PRELIMINARY HEARING - Document	
3/16/2021	EJC CASE SUMMARY - Document	
3/18/2021	CRIMINAL INFORMATION - Document	
4/2/2021	MEMORANDUM OF PLEA AGREEMENT - Document	
4/12/2021	04.12.21 HRG - ARRAIGNMENT - NO CONTEST - Document EMAILED TO P&P 04/13/21	
4/12/2021	DC PSI Request - Document	
4/12/2021	PSI REFERRAL - FAX CONFIRMATION - Document FAXED TO P&P 04/12/21	
6/24/2021	SUBMISSION OF STIPULATION AND ORDER TO CONTINUE SENTENCING TO BRIEF THE DEFENDANT'S DESIRE TO WITHDRAW HIS PLEA - Document 3 COPIES PROVIDED BY THE DA'S OFFICE FILE CHECKED OUT PROPOSED STIP & ORD PLACED IN DC1 P/U BOX	Order Filed
6/25/2021	STIPULATION AND ORDER TO CONTINUE SENTENCING TO BRIEF DEFENDANT ON PLEA WITHDRAWAL - Document COPIES PLACED IN DISTRICT ATTORNEY'S PICKUP BOX FILE CHECKED OUT; PLACED IN DC1 PICKUP BOX	
6/25/2021	MOTION TO WITHDRAW PLEA OF NO CONTEST - Document FILE CHECKED OUT MOTION PLACED IN DC1 P/U BOX	
7/2/2021	OPPOSITION TO MOTION TO WITHDRAW PLEA OF NO CONTEST - Document FILE CHECKED OUT DOCUMENT PLACED IN DC1 P/U BOX	
7/15/2021	REPLY TO OPPOSITION TO MOTION TO WITHDRAW PLEA OF NO CONTEST - Document PLACED IN DC1'S PICK UP BOX	

Case Summary

7/15/2021	TRANSCRIPT OF PROCEEDING ARRAIGNMENT APRIL 12, 2021 - Document	
	FILE CHECKED OUT TRANSCRIPT PLACED IN DC1 P/U BOX	
7/16/2021	REQUEST FOR REVIEW RE DEFENDENT'S MOTION TO WITHDRAW PLEA OF NO CONTEST - Document	Order Filed
	FILE CHECKED OUT DOCUMENT PLACED IN DC1 P/U BOX	
8/9/2021	ORDER DENYING MOTION TO WITHDRAW PLEA OF NO CONTEST - Document	
8/30/2021	8.30.21 DC1 SENTENCING MINUTES - CONTINUED - Document	
	EMAILED TO P&P	
9/27/2021	9.27.21 SENTENCING HEARING - Document	
10/4/2021	JUDGMENT OF CONVICTION (NO CONTEST PLEA) - Document	
	COUNT 1: POSSESSION OF A FIREARM BY A PROHIBITED PERSON, A CATEGORY B FELONY AS DEFINED BY NRS 202.360.1 (NOC 51460); \$25 ADMIN FEE; \$3 GENETIC ADMIN ASSESSMENT; TO SERVE 12 TO 30 MOS IN NDOC WITH CREDIT FOR 13 DAYS SERVED. 3 PGS	
10/12/2021	MR. WOODBURY HOUR SEGMENTS - Document	
10/12/2021	MOTION FOR PAYMENT OF ATTORNEY FEES - Document	
10/12/2021	SUBMISSION OF ORDER FOR PAYMENT OF ATTORNEY FEES- Document	
	1 COPY PROVIDED BY WOODBURY'S OFFICE	
10/12/2021	MOTION TO WITHDRAW - Document	
10/12/2021	WITHDRAWAL OF ATTORNEY- Document	
10/12/2021	REQUEST FOR ROUGH DRAFT TRANSCRIPT - Document	
10/12/2021	CASE APPEAL STATEMENT- Document	
10/12/2021	NOTICE OF APPEAL - Document	

Case Summary

10/12/2021 TRANS CONF RPT - DPS - Document

BOOKING SHEET, CRIMINAL INFORMATION AND JOC FAXED TO DPS

10/14/2021 SUBMISSION BY THE STATE OF THE
MOTION TO WITHDRAW - Document

PLACED IN DC1 BOX

10/15/2021 CLERK'S CERTIFICATE - Document

SIGNED AND SEALED. FILED WITH THE SUPREME COURT. COPIES EMAILED TO DA AND TO
WOODBURY. MAILED TO THE ATTORNEY GENERAL

Case Obligations

Obligation	Pay By	Due Date	Obligation Amount	Amount Paid	Balance Due
DC1 Admin Assessment Fee: NRS 176.062 \$20	1--HEGGE, BO-NRS 202.360.1	11/11/2021	\$20.00	\$0.00	\$20.00
DC1 Admin Assessment Fee: NRS 176.062 \$5	1--HEGGE, BO-NRS 202.360.1	11/11/2021	\$5.00	\$0.00	\$5.00
DC1 Genetic Admin Assessment Fee: NRS 176.0623 \$3	1--HEGGE, BO-NRS 202.360.1	11/11/2021	\$3.00	\$0.00	\$3.00
Total Personal Obligation(s):			\$28.00	\$0.00	\$28.00
Total Case Obligation(s):			\$28.00	\$0.00	\$28.00

CASE: EL-JC-CR-F-21-836

DEPT: A

**IN THE JUSTICE COURT OF ELKO TOWNSHIP
COUNTY OF ELKO, STATE OF NEVADA**

THE STATE OF NEVADA,

Plaintiff,

vs.

BO DWIGHT HEGGE,

Defendant.

**ORDER APPOINTING ATTORNEY
OTHER THAN OFFICE OF THE ELKO
COUNTY PUBLIC DEFENDER TO
REPRESENT DEFENDANT**

Having taken an oral request for the appointment of an attorney and considered the accompanying affidavit of the above-named Defendant in support of his/her written Application for Appointment of Attorney in the above-captioned case, and having conducted any inquiry regarding that Application as deemed necessary by the Court, and it appearing to the Court that the Defendant is without means of employing an attorney and has provided facts with sufficient particularity, definiteness and certainty concerning his/her financial disability, the Court hereby appoints GARY DONOVAN WOODBURY, Attorney-at-Law, to represent the Defendant in this case pursuant to NRS 171.188.

The Court specifically finds that the Defendant is without means of employing an attorney, meets the standard for determining indigency set forth in the Nevada Supreme Court Order entered January 4, 2008 under ADKT 411, and otherwise determines that representation is required.

Per that Nevada Supreme Court Order: "A person will be deemed 'indigent' who is unable, without substantial hardship to himself or his dependents, to obtain competent, qualified legal counsel on his or her own. 'Substantial hardship' is presumptively determined to include all defendants who receive public assistance, such as Food Stamps, Temporary Assistance for Needy Families, Medicaid, Disability Insurance, reside in public housing, or earn less than 200 percent of the Federal Poverty Guideline.¹ A defendant is presumed to have a substantial hardship if he or

¹

Persons in Family	Federal Poverty Guideline
1	\$12,760
2	\$17,240
3	\$21,720
4	\$26,200
5	\$30,680
6	\$35,160
7	\$39,640
8	\$44,120

she is currently serving a sentence in a correctional institution or housed in a mental health facility. Defendants not falling below the presumptive threshold will be subjected to a more rigorous screening process to determine if their particular circumstances, including seriousness of charges being faced, monthly expenses and local private counsel rates, would result in a substantial hardship were they to seek to retain private counsel.


Further, the Court specifically found that no attorney employed by the Elko County Public Defender's Office is able to represent the Defendant in compliance with the Nevada Rules of Professional Conduct and/or other good cause appears to appoint another attorney to represent the Defendant in this case. Id.

The reason or reasons for the disqualification of the Office of the Elko County Public Defender is as follows (See NRS 7.115): GENERAL CONFLICT.

The Court will not permit the withdrawal of the attorney appointed herein unless: (a) at the conclusion of this case, a Notice of Withdrawal is filed; (b) the Defendant employs another attorney to represent him/her in this case and that attorney files with the Court a paper providing that the Defendant, the attorney appointed herein, and the new attorney consent by their respective signatures to substitution of the new attorney in place of the appointed attorney; or (c) the Court issues a written Order Granting Motion to Withdraw as Attorney of Record or a stipulation thereto.

No Order Granting Motion to Withdraw as Attorney of Record shall be issued except upon a finding of good cause following the Court's review of a written Motion to Withdraw as Attorney of Record, or a stipulation thereto.

DATED this 17 day of February, 2021.



RANDALL SODERQUIST
JUSTICE OF THE PEACE

1 CASE NO. DC-CR-21-90

2 DEPT. NO. 1

FILED

2021 OCT -4 AM 10:18

4th JUDICIAL DISTRICT COURT
CLERK DEPUTY

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6 IN THE FOURTH JUDICIAL DISTRICT COURT
7 OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF ELKO
8

9 THE STATE OF NEVADA,

JUDGMENT OF CONVICTION

10 Plaintiff,

11 V.

12 BO DWIGHT HEGGE,

13 Defendant.
14 _____/

15 On April 12, 2021, above-named Defendant, BO DWIGHT HEGGE [who is further
16 described as follows: Date of birth: 05/24/1986; Place of birth: Spokane, WA] was arraigned and
17 entered a plea of no contest to the crime(s) of **COUNT I: POSSESSION OF A FIREARM BY A**
18 **PROHIBITED PERSON, A CATEGORY B FELONY AS DEFINED BY NRS 202.360.1 (NOC**
19 **51460)**, which crime occurred on or about the 13th day of February, 2021. The court accepted the
20 plea as entered knowingly, intelligently and voluntarily. The court held a sentencing hearing on
21 September 27, 2021 and sentenced Defendant as follows:

22 **IT IS ORDERED that Defendant shall pay a genetic administrative assessment**
fee of \$3.00.

23 **IT IS FURTHER ORDERED that Defendant pay an administrative fee of**
\$25.00.

24 **For Count 1, Defendant shall be sentenced to a maximum term of thirty (30)**
25 **months with minimum parole eligibility after twelve (12) months in the Nevada**
26 **Department of Corrections. Defendant shall receive credit for thirteen (13) days**
heretofore served as computed to and including the date of this sentencing
(September 27, 2021).

1 IT IS HEREBY ORDERED that any bail bond previously posted for said Defendant shall
2 be exonerated. Any cash bail posted for said Defendant shall be applied first to fines and/or costs
3 due pursuant to this judgment and, unless otherwise agreed to by the parties, any amount remaining
4 shall be returned by the clerk to the person who posed said cash bail.

5 At the time Defendant entered his plea of no contest, and at the time he was sentenced, he
6 was represented by Gary D. Woodbury, Esq.

7 THEREFORE, the Clerk of the Court is directed to enter this Judgment of Conviction as part
8 of the record in the above-entitled matter.

9 SO ORDERED this 15th day of October, 2021.

10
11 
12 KRISTON N. HILL
13 DISTRICT JUDGE - DEPARTMENT 1

14 **CERTIFICATE OF HAND DELIVERY**

15 Pursuant to NRCP 5(b), I certify that I am an employee of the Fourth Judicial District Court,
16 Department 1, and that on this 4th day of October, 2021, I personally hand delivered a file
17 stamped copy of the foregoing **JUDGMENT OF CONVICTION** addressed to:

18 Dept. of Parole and Probation
19 3920 E. Idaho Street
20 Elko, NV 89801
[Box in Clerk's Office]

Elko County Sheriff's Office
775 W. Silver Street
Elko, NV 89801
[Box in Clerk's Office]

21 Tyler J. Ingram, Esq.
22 Elko County District Attorney
540 Court Street, 2nd Floor
Elko, NV 89801
[Box in Clerk's Office]

Gary D. Woodbury, Esq.
1053 Idaho Street
Elko, NV 89801
[Box in Clerk's Office]


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CERTIFICATE OF ELECTRONIC SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am employee of the Fourth Judicial District Court, Department 1, Elko, Nevada, and that on the 4th day of October, 2021, I caused to be delivered via electronic-mail, a file stamped copy of the foregoing **JUDGMENT OF CONVICTION**, along with a copy of the Defendant's Pre-Sentence Investigation Report addressed to:

Nevada Department of Corrections
Offender Management Division, Sentence Management
Attn: Michael Johnson
E-mail: micjohnson@doc.nv.gov
Attn: Mary Gourlay
E-mail: mgourlay@doc.nv.gov



**IN THE FOURTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA**

RECORD OF COURT PROCEEDINGS

Present - Honorable KRISTON N. HILL, District Judge,
and Officers of the Court.

STATE OF NEVADA,

Plaintiff,

Date: April 12, 2021

VS.

Case No.: DC-CR-21-90

Dept: 1 – (Dept. 3 Courtroom)

BO DWIGHT HEGGE,

Defendant.

State of Nevada represented by Daniel Roche, Esq.
Defendant present, not in custody, and represented by
Gary D. Woodbury, Esq.
Court Clerk, Darla Malotte, present.
Tonja Lemich present as Court Reporter.

ARRAIGNMENT – NO CONTEST PLEA AGREEMENT

Court convened at 3:02 p.m.

The Court noted the presence of the parties.

This was the date and time set for an arraignment on the Criminal Information filed March 18, 2021 charging COUNT 1: POSSESSION OF A FIREARM BY A PROHIBITED PERSON, A CATEGORY B FELONY AS DEFINED BY NRS 202.360.1. (NOC 51460).

A certified copy of the Criminal Information was presented to the Defendant.

The name of the Defendant was correctly stated.

The Court canvassed the Defendant regarding his personal information.

The Defendant advised that he was satisfied with legal representation to date.

Defense counsel waived the formal reading of the Criminal Information.

The Court read the charging portion of the Criminal Information and asked the Defendant to enter a plea.

The Defendant entered a plea of no contest to the charge.

The Court noted that a 6-page Memorandum of Plea Agreement was filed April 2, 2021, and canvassed the Defendant concerning the agreement.

The Court canvassed the Defendant regarding the elements of the crime, the potential defenses, and his constitutional rights.

Defense counsel placed the terms of the Plea Agreement on the record. All parties concurred.

The State cited the elements of the crime and the potential penalties involved.

The Court advised the Defendant that sentencing was wholly within the discretion of the Court.

The Defendant advised that he was hesitant to enter a plea and inquired regarding his prior conviction.

Defense counsel presented a statement.

The Defendant requested additional time to discuss the matter with Defense counsel.

Court recessed for break at 3:09 p.m.

Court reconvened at 3:34 p.m.

The Court inquired of the Defendant if he had sufficient time to speak with Defense counsel.

The Defendant advised that he had discussed matters with his attorney and was ready to proceed.

Defense counsel advised that this matter would continue with the No Contest Plea Agreement.

The Defendant agreed.

The Court reviewed the Defendant's Constitutional Rights and the Defendant waived the same.

The Court noted the Offer of Proof in the Memorandum of Plea Agreement and canvassed the Defendant further.

The Defendant advised that he understood and requested the Court accept his no contest plea.

The Court found that the Defendant's plea was offered voluntarily, knowledgeably, and intelligently, with full knowledge of his Constitutional Rights, and there was a factual basis for the plea, and the Defendant understood the consequences of his plea.

The Court **ORDERED** sentencing be scheduled on June 28, 2021 at 3:00 p.m. and a Presentence Investigation Report due on or before June 14, 2021.

Defense counsel advised that house arrest was a condition of the Defendants release on his own and requested that the Defendant be allowed to appear at the Division of Parole and Probation to conduct the presentence investigation.

The Court granted the request.

The Defendant was continued released on his own recognizance.

Court adjourned at 3:37 p.m.

**IN THE FOURTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA**

RECORD OF COURT PROCEEDINGS

Present - Honorable KRISTON N. HILL, District Judge,
and Officers of the Court.

STATE OF NEVADA,

VS.

Plaintiff,

Date: August 30, 2021

Case No.: DC-CR-21-90

Dept.: 1

BO DWIGHT HEGGE,

Defendant.

State of Nevada represented by Chad B. Thompson, Esq.
Defendant not present, out of custody, and represented by
Gary Woodbury, Esq.
Court Clerk, Lani Broxson, present.
Tonja Lemich present as Court Reporter.

SENTENCING HEARING - CONTINUED

Court convened at 3:03 p.m.

The Court noted the presence of the parties.

The Court advised that it had been informed by counsel as to a possible medical condition of the Defendant and **ORDERED** the matter continued due to the Defendants health concern.

Defense counsel expounded upon the Defendant's medical concern.

The Court **ORDERED** a sentencing hearing set for September 27, 2021, at 3:00 p.m.

Court adjourned at 3:00 p.m.

**IN THE FOURTH JUDICIAL DISTRICT COURT
IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA**

RECORD OF COURT PROCEEDINGS

Present - Honorable KRISTON N. HILL, District Judge,
and Officers of the Court.

STATE OF NEVADA,

VS.

Plaintiff,

Date: September 27, 2021

Case No.: DC-CR-21-90

Dept: 1

BO DWIGHT HEGGE,

Defendant.

State of Nevada represented by Mercedes Martinez, Esq.

Defendant present, out of custody, and represented by

Gary Woodbury, Esq.

Court Clerk, Brandi McConnell, present.

Tonja Lemich present as Court Reporter.

SENTENCING HEARING

Court convened at 3:24 p.m.

The Court noted the presence of the parties.

This was the date and time set for the entry of judgment and imposition of sentencing.

The Court inquired if there were any corrections to the Presentence Investigation Report.

Defense counsel did not make any corrections to the report.

The Defendant did not make any corrections to the report.

The State did not make any corrections to the report.

The Court inquired if either party had evidence to present for sentencing.

The State presented its position for sentencing.

Defense counsel presented a recommendation on behalf of the Defendant.

The Court advised the Defendant of his right to make a statement on his own behalf.

The Defendant addressed the Court.

The Court **ORDERED** a Judgment of Conviction be entered against the Defendant finding the Defendant guilty of COUNT 1: POSSESSION OF A FIREARM BY A PROHIBITED PERSON, A CATEGORY B FELONY AS DEFINED BY NRS 202.360, by no contest plea.

The matter being submitted;

The Court **ORDERED** the Defendant to pay a \$25.00 administrative assessment fee, \$3.00 genetic administrative assessment fee, and be sentenced to serve a maximum of 30 months in the Nevada Department of Corrections with minimum parole eligibility after 12 months

Court adjourned at 3:42 p.m.

Case No. DC-CR-21-90

Dept. No. 1

2021 OCT 15 PM 3:46

ELKO CO DISTRICT COURT

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT

IN AND FOR THE COUNTY OF ELKO, STATE OF NEVADA

CLERK DEPUTY am

BO DWIGHT HEGGE,

Appellant,

vs.

CLERK'S CERTIFICATION

THE STATE OF NEVADA,

Respondent,

I, KRISTINE JAKEMAN, the duly elected, acting and qualified County Clerk and Ex-Officio Clerk of the District Court of the Fourth Judicial District of the State of Nevada, in and for the County of Elko, do hereby certify that the annexed are true, full and correct copies of certain documents in Case No. DC-CR-21-90, Dept. 1, BO DWIGHT HEGGE, Appellant, vs. THE STATE OF NEVADA, Respondent, as appears on file and of record in my office.

WITNESS My Hand and Seal of said Court on October 15, 2021.

KRISTINE JAKEMAN, ELKO COUNTY CLERK

By

Annette Marshall
Annette Marshall, DEPUTY CLERK

CERTIFICATE OF SERVICE

I hereby certify that I caused to be sent electronically and/or mailed a certified copy of the annexed documents in Case No. DC-CR-21-90, Dept. 1, BO DWIGHT HEGGE Appellant, vs. THE STATE OF NEVADA, Respondent, as appears on file and of record in this Court, to the following:

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DATED this 15th, day of October, 2021.



Annette Marshall, Deputy Clerk