

*Steven D. Grierson*

District Court  
Eighth Judicial District Court  
Clark County, Nevada

THE STATE OF NEVADA,

Plaintiff

NOTICE OF APPEAL

Electronically Filed  
Jul 20 2022 09:05 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

-vs-

TYLER FLEMING,  
#5386237  
Defendant.

You will please take notice of this appeal in  
the above named case at bar.

Complete Indigent file Stamped copy requested

By: Tyler Daniel Fleming  
ID #5386237

NDOC ID#: 1166088

*X Tyler Daniel Fleming*

Certificate of service

The Defendant mailed this notice of Appeal  
on July 10, 2022

RECEIVED

JUL 13 2022

CLERK OF THE COURT

TO Clark County District  
Court Clerk  
200 LEWIS AVENUE  
Las Vegas, NV. 89101

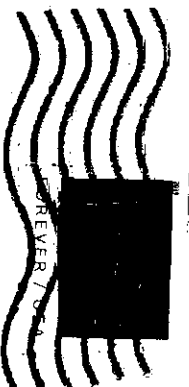
DATE: 7-10-22

C.O.: *X [Signature]*

copy made on

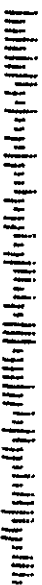
Tyler D. Fleming #1166088  
Southern Desert Correctional Center  
P.O. Box 1208  
Indian Springs, NV.  
89070

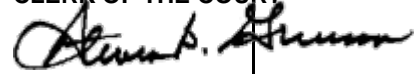
LAS VEGAS NV 890  
11 JUL 2022 PM 4 L



District Court Clerk  
Las Vegas District Court  
200 Lewis Avenue  
Las Vegas, NV  
89155-2212

69101-630000





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

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 TYLER FLEMING,

14 Defendant(s),  
15

Case No: C-21-353205-1

Dept No: XVIII

16  
17 **CASE APPEAL STATEMENT**  
18

19 1. Appellant(s): Tyler Fleming

20 2. Judge: Mary Kay Holthus

21 3. Appellant(s): Tyler Fleming

22 Counsel:

23 Tyler Fleming #1166088  
24 P.O. Box 208  
Indian Springs, NV 89070

25 4. Respondent: The State of Nevada

26 Counsel:

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

(702) 671-2700

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

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

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

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

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

9. Date Commenced in District Court: January 20, 2021

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

Type of Judgment or Order Being Appealed: Unknown

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 14 day of July 2022.

Steven D. Grierson, Clerk of the Court

/s/ Heather Ungermann

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

cc: Tyler Fleming

## EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY****CASE NO. C-21-353205-1**

State of Nevada  
vs  
Tyler Fleming

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Location: **Department 18**  
Judicial Officer: **Holthus, Mary Kay**  
Filed on: **01/20/2021**  
Case Number History:  
Cross-Reference Case Number: **C353205**  
Defendant's Scope ID #: **5386237**  
ITAG Case ID: **2311921**  
Lower Court Case Number: **20CR037456**

**CASE INFORMATION**

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. ROBBERY	200.380	F	09/02/2020		
Filed As: BURGLARY OF A BUSINESS	F	1/20/2021		Case Status:	11/19/2021 Closed
Arrest: 01/20/2021					
2. BURGLARY OF A BUSINESS	205.060.1B	F	09/17/2020		
3. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	09/27/2020		
4. CONSPIRACY TO COMMIT ROBBERY	200.380	F	09/27/2020		
5. BURGLARY OF A BUSINESS	205.060.1B	F	09/27/2020		
6. BURGLARY OF A BUSINESS	205.060.1B	F	09/27/2020		
7. BURGLARY OF A BUSINESS	205.060.1B	F	09/27/2020		
8. BURGLARY OF A BUSINESS WHILE IN POSSESSION OF A DEADLY WEAPON	205.060.4	F	11/25/2020		
9. ROBBERY WITH USE OF A DEADLY WEAPON	200.380	F	11/25/2020		
10. CONSPIRACY TO COMMIT ROBBERY	200.380	F	11/25/2020		

**Statistical Closures**

11/19/2021 Guilty Plea with Sentence (before trial) (CR)

**Bonds**

Surety #SV25-5112505 \$25,000.00  
5/20/2021 Surrendered  
1/20/2021 Active  
Counts: 1, 10, 2, 3, 4, 5, 6, 7, 8, 9

**DATE****CASE ASSIGNMENT****Current Case Assignment**



Case Number C-21-353205-1  
Court Department 18  
Date Assigned 09/07/2021  
Judicial Officer Holthus, Mary Kay

**PARTY INFORMATION**

<b>Defendant</b>	<b>Fleming, Tyler</b>	<i>Lead Attorneys</i> <b>Nguyen, Rochelle T.</b> <i>Retained</i> 702-383-3200(W)
<b>Plaintiff</b>	<b>State of Nevada</b>	<b>Wolfson, Steven B</b> 702-671-2700(W)

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

**CASE SUMMARY**  
**CASE NO. C-21-353205-1**

01/20/2021	 Criminal Bindover [1]	In #1
01/20/2021	 Criminal Bindover - Confidential [2]	In #2
01/20/2021	 Information [3] Information	In #3
01/20/2021	 Bail Bond [4] Aladdin Bail NV, Inc for \$25,000 PW# SV25-5112505	In #4
05/27/2021	 Bond [5] Bond exonerated; bonding company notified via mail". SV25-5112505	In #5
07/09/2021	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada [6] State's Notice of Expert Witnesses	In #6
07/22/2021	 Amended Information [7] Amended Information	In #7
07/23/2021	 Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada [8] State's First Supplemental Notice of Witnesses and/or Expert Witnesses	In #8
08/16/2021	 Guilty Plea Agreement Party: Defendant Fleming, Tyler [9] Guilty Plea Agreement	In #9
09/07/2021	Case Reassigned to Department 18 From Judge Cristina Silva to Judge Mary Kay Holthus	
10/11/2021	 PSI [10]	In #10
11/18/2021	 Judgment of Conviction [11] Judgment of Conviction (Plea of Guilty)	In #11
07/13/2022	 Notice of Appeal (Criminal) [12] Notice of Appeal	In #12
07/14/2022	 Case Appeal Statement Case Appeal Statement	In #13
<b><u>DISPOSITIONS</u></b>		
07/22/2021	<b>Disposition</b> (Judicial Officer: Silva, Cristina D.) 3. ROBBERY WITH USE OF A DEADLY WEAPON Amended Information Filed/Charges Not Addressed	

**CASE SUMMARY**  
**CASE NO. C-21-353205-1**

PCN: Sequence:

4. CONSPIRACY TO COMMIT ROBBERY

Amended Information Filed/Charges Not Addressed

PCN: Sequence:

5. BURGLARY OF A BUSINESS

Amended Information Filed/Charges Not Addressed

PCN: Sequence:

6. BURGLARY OF A BUSINESS

Amended Information Filed/Charges Not Addressed

PCN: Sequence:

7. BURGLARY OF A BUSINESS

Amended Information Filed/Charges Not Addressed

PCN: Sequence:

8. BURGLARY OF A BUSINESS WHILE IN POSSESSION OF A DEADLY WEAPON

Amended Information Filed/Charges Not Addressed

PCN: Sequence:

9. ROBBERY WITH USE OF A DEADLY WEAPON

Amended Information Filed/Charges Not Addressed

PCN: Sequence:

10. CONSPIRACY TO COMMIT ROBBERY

Amended Information Filed/Charges Not Addressed

PCN: Sequence:

08/30/2021 **Plea** (Judicial Officer: Holthus, Mary Kay)

1. ROBBERY

Guilty

PCN: Sequence:

2. BURGLARY OF A BUSINESS

Guilty

PCN: Sequence:

11/10/2021 **Disposition** (Judicial Officer: Holthus, Mary Kay)

1. ROBBERY

Guilty

PCN: Sequence:

2. BURGLARY OF A BUSINESS

Guilty

PCN: Sequence:

11/10/2021 **Adult Adjudication** (Judicial Officer: Holthus, Mary Kay)

2. BURGLARY OF A BUSINESS

09/17/2020 (F) 205.060.1B (DC61938)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum:2 Years, Maximum:5 Years

Concurrent: Charge 1

Credit for Time Served: 285 Days

Fee Totals:

Administrative


**CASE SUMMARY****CASE NO. C-21-353205-1**

Assessment Fee	25.00
\$25	
DNA Analysis Fee	150.00
\$150	
Genetic Marker	
Analysis AA Fee	3.00
\$3	
Indigent Defense	
Civil Assessment	250.00
Fee - ASK	
Fee Totals \$	428.00

11/19/2021 **Adult Adjudication** (Judicial Officer: Holthus, Mary Kay)

1. ROBBERY  
09/02/2020 (F) 200.380 (DC50137)  
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections  
Term: Minimum:4 Years, Maximum:15 Years

**HEARINGS**01/21/2021  **Initial Arraignment** (8:00 AM) (Judicial Officer: Ballou, Erika)

Plea Entered;

Journal Entry Details:

*Deputized Law Clerk, Ronald Evans, appearing on behalf of the State and Rochelle Nguyen, Esq. present via Bluejeans video conference. Deft. present in-custody. DEFT. FLEMING ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. COURT ORDERED, matter SET for status check; FURTHER ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript. CUSTODY 07.28.2021 8:30 AM CALENDAR CALL 08.02.2021 9:30 AM JURY TRIAL (DEPT. 9);*

07/26/2021  **Calendar Call** (11:00 AM) (Judicial Officer: Silva, Cristina D.)

COVID


Set Status Check;

Journal Entry Details:

*Ms. Nguyen stated she received a Guilty Plea Agreement in this case, and she mailed a copy to the defendant, however does not think the Defendant received it, pointing out the negotiations contemplate dismissal of four other cases, and the Defendant might want to speak to his other attorney's. Upon Court's inquiry, Defendant confirmed he would like to speak with his other attorneys and discuss the offer, and that he is willing to vacate the trial date. COURT ORDERED, trial date VACATED and status check SET. BOND (COC) 8/30/2021 11:00 A.M. ENTRY OF PLEA;*

08/02/2021 **CANCELED Jury Trial** (9:30 AM) (Judicial Officer: Silva, Cristina D.)


Vacated - per Judge

08/30/2021  **Change of Plea** (11:00 AM) (Judicial Officer: Silva, Cristina D.)

Plea Entered;

Journal Entry Details:

*NEGOTIATIONS are as contained in the Guilty Plea Agreement PREVIOUSLY FILED. DEFENDANT FLEMING ARRAIGNED AND PLED GUILTY TO COUNT 1 - ROBBERY (F), and COUNT 2 - BURGLARY OF A BUSINESS (F). COURT ACCEPTED plea, and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing. Ms. Nguyen informed the Court she has already been in contact with Salvation Army. COURT SO NOTED. BOND (COC) 10/25/2021 11:00 A.M. SENTENCING ;*

10/25/2021  **Sentencing** (11:00 AM) (Judicial Officer: Holthus, Mary Kay)**10/25/2021, 11/10/2021**

Matter Continued;

Defendant Sentenced;

Journal Entry Details:

*DEFT FLEMING ADJUDGED GUILTY of COUNT 1 - ROBBERY (F) and COUNT 2 - BURGLARY OF A BUSINESS (F). Arguments by counsel and statement by the Deft. Court reviewed the Deft.'s brother's Presentence Investigation*

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. C-21-353205-1**

*Report. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, a \$3.00 DNA Collection fee, and a \$250.00 Indigent Defense Civil Assessment Fee, Deft. SENTENCED as to COUNT 1 - to a MAXIMUM of FIFTEEN (15) YEARS and MINIMUM of FOUR (4) YEARS in the Nevada Department of Corrections (NDC) and as to COUNT 2 - to a MAXIMUM of FIVE (5) YEARS and MINIMUM of TWO (2) YEARS in NDC, CONCURRENT WITH COUNT 1 with TWO HUNDRED EIGHTY-FIVE (285) DAYS credit for time served. COURT FURTHER RECOMMENDS, the Deft. for the 184 Program. BOND, if any, EXONERATED. NDC;*

**MINUTES**

Matter Continued;

Defendant Sentenced;

Journal Entry Details:

*Deft. present via video conference; Counsel present via Bluejeans. Colloquy regarding Deft. reviewing Pre-Sentence Investigation (PSI) Report. Statement by Deft. Ms. Nguyen requested a continuance to allow Deft. to review PSI Report prior to sentencing. State requested Deft. be sentenced on November 10, 2021. COURT ORDERED, matter CONTINUED. BOND (COC) CONTINUED TO: 11/10/2021 11:00 AM;*

**DATE**

**FINANCIAL INFORMATION**

**Defendant** Fleming, Tyler

Total Charges

428.00

Total Payments and Credits

0.00

**Balance Due as of 7/14/2022**

**428.00**

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**January 21, 2021**

C-21-353205-1      State of Nevada  
vs  
Tyler Fleming

**January 21, 2021      8:00 AM      Initial Arraignment**

**HEARD BY:** Ballou, Erika

**COURTROOM:** RJC Lower Level Arraignment

**COURT CLERK:** Ro'Shell Hurtado

**RECORDER:** Susan Schofield

**REPORTER:**

**PARTIES**

**PRESENT:** Fleming, Tyler      Defendant  
Nguyen, Rochelle T.      Attorney

**JOURNAL ENTRIES**

- Deputized Law Clerk, Ronald Evans, appearing on behalf of the State and Rochelle Nguyen, Esq. present via Bluejeans video conference. Deft. present in-custody.

DEFT. FLEMING ARRAIGNED, PLED NOT GUILTY, and WAIVED the 60-DAY RULE. COURT ORDERED, matter SET for status check; FURTHER ORDERED, pursuant to Statute, Counsel has 21 days from today for the filing of any Writs; if the Preliminary Hearing Transcript has not been filed as of today, Counsel has 21 days from the filing of the Transcript.

CUSTODY

07.28.2021 8:30 AM CALENDAR CALL

08.02.2021 9:30 AM JURY TRIAL (DEPT. 9)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**July 26, 2021**

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C-21-353205-1      State of Nevada  
vs  
Tyler Fleming

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**July 26, 2021      11:00 AM      Calendar Call**

**HEARD BY:** Silva, Cristina D.

**COURTROOM:** RJC Courtroom 11B

**COURT CLERK:** Kory Schlitz

**RECORDER:** Gina Villani

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Fleming, Tyler	Defendant
	Nguyen, Rochelle T.	Attorney
	State of Nevada	Plaintiff
	Torre, John T.	Attorney

**JOURNAL ENTRIES**

- Ms. Nguyen stated she received a Guilty Plea Agreement in this case, and she mailed a copy to the defendant, however does not think the Defendant received it, pointing out the negotiations contemplate dismissal of four other cases, and the Defendant might want to speak to his other attorney's. Upon Court's inquiry, Defendant confirmed he would like to speak with his other attorneys and discuss the offer, and that he is willing to vacate the trial date. COURT ORDERED, trial date VACATED and status check SET.

BOND (COC)

8/30/2021 11:00 A.M. ENTRY OF PLEA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**August 30, 2021**

C-21-353205-1      State of Nevada  
vs  
Tyler Fleming

**August 30, 2021      11:00 AM      Change of Plea**

**HEARD BY:** Silva, Cristina D.

**COURTROOM:** RJC Courtroom 11B

**COURT CLERK:** Kory Schlitz

**RECORDER:** Gina Villani

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Clemons, Jennifer M.	Attorney
	Fleming, Tyler	Defendant
	Nguyen, Rochelle T.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- NEGOTIATIONS are as contained in the Guilty Plea Agreement PREVIOUSLY FILED.  
DEFENDANT FLEMING ARRAIGNED AND PLED GUILTY TO COUNT 1 - ROBBERY (F), and  
COUNT 2 - BURGLARY OF A BUSINESS (F). COURT ACCEPTED plea, and, ORDERED, matter  
referred to the Division of Parole and Probation (P & P) and SET for sentencing. Ms. Nguyen  
informed the Court she has already been in contact with Salvation Army. COURT SO NOTED.

BOND (COC)

10/25/2021 11:00 A.M. SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**October 25, 2021**

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C-21-353205-1      State of Nevada  
vs  
Tyler Fleming

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

**HEARD BY:** Holthus, Mary Kay

**COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Erin Burnett

**RECORDER:** Angelica Michaux

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Fleming, Tyler	Defendant
	Nguyen, Rochelle T.	Attorney
	Rinetti, Dena I.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- Deft. present via video conference; Counsel present via Bluejeans.

Colloquy regarding Deft. reviewing Pre-Sentence Investigation (PSI) Report. Statement by Deft. Ms. Nguyen requested a continuance to allow Deft. to review PSI Report prior to sentencing. State requested Deft. be sentenced on November 10, 2021. COURT ORDERED, matter CONTINUED.

BOND (COC)

CONTINUED TO: 11/10/2021 11:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor**

**COURT MINUTES**

**November 10, 2021**

C-21-353205-1      State of Nevada  
vs  
Tyler Fleming

**November 10, 2021      11:00 AM      Sentencing**

**HEARD BY:** Holthus, Mary Kay

**COURTROOM:** RJC Courtroom 03F

**COURT CLERK:** Kathryn Hansen-McDowell

**RECORDER:** Yvette G. Sison

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Fleming, Tyler	Defendant
	Nguyen, Rochelle T.	Attorney
	Rinetti, Dena I.	Attorney
	State of Nevada	Plaintiff

**JOURNAL ENTRIES**

- DEFT FLEMING ADJUDGED GUILTY of COUNT 1 - ROBBERY (F) and COUNT 2 - BURGLARY OF A BUSINESS (F). Arguments by counsel and statement by the Deft. Court reviewed the Deft.'s brother's Presentence Investigation Report. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, a \$3.00 DNA Collection fee, and a \$250.00 Indigent Defense Civil Assessment Fee, Deft. SENTENCED as to COUNT 1 - to a MAXIMUM of FIFTEEN (15) YEARS and MINIMUM of FOUR (4) YEARS in the Nevada Department of Corrections (NDC) and as to COUNT 2 - to a MAXIMUM of FIVE (5) YEARS and MINIMUM of TWO (2) YEARS in NDC, CONCURRENT WITH COUNT 1 with TWO HUNDRED EIGHTY-FIVE (285) DAYS credit for time served.

COURT FURTHER RECOMMENDS, the Deft. for the 184 Program.

BOND, if any, EXONERATED.

NDC





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

TYLER FLEMING #1166088  
P.O. BOX 208  
INDIAN SPRINGS, NV 89070

DATE: July 14, 2022  
CASE: C-21-353205-1

**RE CASE:** STATE OF NEVADA vs. TYLER FLEMING

NOTICE OF APPEAL FILED: July 13, 2022

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

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

☐

Case Appeal Statement

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

☒

Order

☒

Notice of Entry of Order

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

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

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

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT  
DOCKET ENTRIES; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

TYLER FLEMING,

Defendant(s).

Case No: C-21-353205-1

Dept No: XVIII

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 14 day of July 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

