

Eight Judicial District
STATE OF NEVADA

Electronically Filed
12/28/2021

Electronically Filed
Jan 05 2022 03:48 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

STATE OF NEVADA

Plaintiff,

vs.

Case No.: C-18-334299-1

Dept. No.: 6

Docket No.: _____

Daniel Saldana
#8435950, CCDC
Defendant

NOTICE OF APPEAL
PURSUANT TO RULE(3), RULE(3)B
RULE(4)

Comes now The Defendant
Daniel Saldana, and pursuant
to RULE(3), (3)B, and RULE(4)
Notifying The District Court
of his right to appeal.

The Defendant is appealing
The Sentence imposed in

CLERK OF THE COURT

RECEIVED
DEC 27 2021

CASE NUMBER C-18-334299-1 From
The SENTENCE imposed ON December
16th, 2021.

The SENTENCE imposed WAS in
VIOLATION OF The CONSTITUTION
OF The UNITED STATES, and in
VIOLATION OF The NEVADA
REVISED STATUTES.

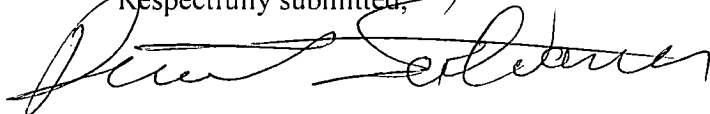
DATED THIS 21 day of DEC, 2021

Daniel Saldana, do

solemnly swear, under the penalty of perjury, that
the above Notice of Appeal is accurate,
correct, and true to the best of my knowledge.

NRS 171.102 and NRS 208.165.

Respectfully submitted,



Defendant

Daniel Saldana
8435950 CCDC

NRS 208.165 A prisoner may execute any instrument by signing his name immediately
following a declaration "under penalty of perjury" with the same legal effect as if he had
acknowledged it or sworn to its truth before a person authorized to administer oaths. As used in
this section, "prisoner" means a person confined in any jail or prison, or any facility for the
detention of juvenile offenders in this state.

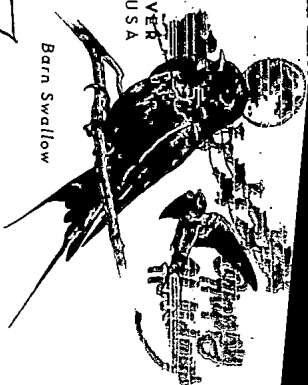
Mr ZF

330 S. Carson Capital Blvd

Let's Veggies, WU 8910/

LAS VEGAS, NV 890

22 DEC 2021 PM 5:1



Barn Swallow

Dear Mr. Cough

200 lbs of
cats cats all

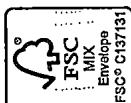
lets
lets

DAVID SEAT #6

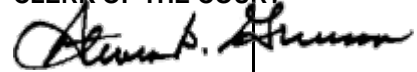
0000000000000000

11/11/11

THIS ENVELOPE IS RECYCLABLE AND MADE WITH



SENT FROM THE
CLARK COUNTY DETENTION CENTER
LAS VEGAS, NEVADA



1 ASTA

2
3
4
5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**
9

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 DANIEL SALDANA,

14 Defendant(s),
15

Case No: C-18-334299-1

Dept No: VII

16
17 **CASE APPEAL STATEMENT**
18

19 1. Appellant(s): Daniel Saldana

20 2. Judge: Mary Kay Holthus

21 3. Appellant(s): Daniel Saldana

22 Counsel:

23 Daniel Saldana #8435950
24 330 S. Casino Center Blvd.
Las Vegas, NV 89101

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: August 22, 2018

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

Type of Judgment or Order Being Appealed: Judgment of Conviction

11. Previous Appeal: No

Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 3 day of January 2022.

Steven D. Grierson, Clerk of the Court

/s/ Amanda Hampton

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

cc: Daniel Saldana

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-18-334299-1

State of Nevada
vs
Daniel Saldana

§ Location: Department 7
§ Judicial Officer: Bell, Linda Marie
§ Filed on: 08/22/2018
§ Case Number History:
§ Cross-Reference Case Number: C334299
§ Defendant's Scope ID #: 8435950
§ ITAG Case ID: 2396335
§ Lower Court Case # Root: 18FH1638
§ Lower Court Case Number: 18FH1638X

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Felony/Gross Misdemeanor
1. BURGLARY	205.060.2	F	07/26/2018		
Arrest: 07/26/2018				Case Status:	02/25/2021 Closed

Statistical Closures

02/25/2021 Guilty Plea with Sentence (before trial) (CR)
01/25/2019 Guilty Plea with Sentence (before trial) (CR)

Warrants

Bench Warrant - Saldana, Daniel (Judicial Officer: Hardy, Joe)

02/02/2021 1:05 PM Returned - Served
10/09/2019 8:22 AM Active
Fine: \$0
Bond: \$0

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number C-18-334299-1
Court Department 7
Date Assigned 03/10/2021
Judicial Officer Bell, Linda Marie

PARTY INFORMATION


Defendant	Saldana, Daniel	<i>Lead Attorneys</i> Scroggins, C. Benjamin <i>Retained</i> 702-328-5550(W)
Plaintiff	State of Nevada	Wolfson, Steven B 702-671-2700(W)


DATE


EVENTS & ORDERS OF THE COURT

INDEX

EVENTS

08/22/2018  Criminal Bindover - Confidential
[1]

08/22/2018  Criminal Bindover
[2]

08/24/2018  Information
Party: Plaintiff State of Nevada

In
#1




In
#2

In
#3

CASE SUMMARY
CASE NO. C-18-334299-1

	<i>[3] Information</i>	
08/27/2018	 Reporters Transcript <i>[4] Reporter's Transcript of Waiver of Preliminary Hearing August 20, 2018</i>	In #4
08/29/2018	 Guilty Plea Agreement <i>[5]</i>	In #5
10/10/2018	 PSI <i>[6]</i>	In #6
01/17/2019	 Order Admitting Defendant to Probation & Fixing Terms Filed By: Plaintiff State of Nevada <i>[7] Probation Agreement and Rules Order Admitting Defendant to Probation and Fixing the Terms Thereof</i>	In #7
01/25/2019	 Judgment of Conviction <i>[8] Judgment of Conviction</i>	In #8
10/01/2019	 Probation Violation Report <i>[9]</i>	In #9
10/09/2019	 Parole & Probation Bench Warrant Filed By: Plaintiff State of Nevada <i>[10] Bench Warrant</i>	In #1
10/09/2019	 Probation Violation Report <i>[11]</i>	In #1
01/04/2021	Case Reassigned to Department 18 <i>Judicial Reassignment to Judge Mary Kay Holthus</i>	
01/19/2021	 Probation Violation Report - Supplemental <i>[12]</i>	In #1
03/30/2021	 Order Revoking Probation <i>[13] C-18-334299-1 ORP.Saldana,Daniel</i>	In #1
11/15/2021	 Substitution of Attorney Filed by: Defendant Saldana, Daniel <i>[14] Substitution of Attorney</i>	In #1
11/19/2021	 Notice Filed By: Defendant Saldana, Daniel <i>[15] Notice of Substitution of Attorney</i>	In #1
12/08/2021	 Probation Violation Report <i>[16]</i>	In #1
		In

CASE SUMMARY**CASE NO. C-18-334299-1**

12/27/2021	 Amended Judgment of Conviction [17] Order for Revocation of Probation and Amended Judgment of Conviction	#1
12/28/2021	 Notice of Appeal (Criminal) Party: Defendant Saldana, Daniel [18] Notice of Appeal	In #1
01/03/2022	 Case Appeal Statement Filed By: Plaintiff State of Nevada [19] Case Appeal Statement	In #1
DISPOSITIONS		
08/29/2018	Plea (Judicial Officer: Hardy, Joe) 1. BURGLARY Guilty PCN: Sequence:	
01/10/2019	Disposition (Judicial Officer: Hardy, Joe) 1. BURGLARY Guilty PCN: Sequence:	
01/10/2019	Adult Adjudication (Judicial Officer: Hardy, Joe) 1. BURGLARY 07/26/2018 (F) 205.060.2 (DC50424) PCN: Sequence:	
<hr/>		
Sentenced to Nevada Dept. of Corrections Term: Minimum:36 Months, Maximum:96 Months Credit for Time Served: 36 Days Suspended-Period of Probation: Indeterminate, Not To Exceed: 5 Years Comment (See Court Clerk's Journal Entries for probation STANDARD CONDITIONS #1-12 imposed as SPECIAL CONDITIONS #1-6 imposed as follow) Condition 1. Intensive Supervision, Defendant to be monitored on INTENSIVE SUPERVISION through P&P; the reduction of the supervision shall be at the discretion of P&P. 2. Additional Condition, Have no use, possession, or control of marijuana, whether medicinal or recreational, even if the Defendant possesses a medical marijuana card. 3. Additional Condition, Do not possess, distribute, inhale or ingest any synthetic cannabinoid, defined as a substance that mimics the effects of cannabis and is applied to plant material, commonly referred to as synthetic marijuana, K2, or Spice, while on probation; have no use, possession, or control of Kratom. 4. Complete a Job Search Program Unless Employed Full-Time, Beginning the week of January 14, 2019, complete thirty (30) hours per week of employment, job training, educational coursework, or community service. 5. Comply With Curfew Imposed By Probation Officer 6. Search Clause, Defendant shall submit their digital storage media or any digital storage media that they have access or use, including computers, handheld communication devices and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agent Fee Totals: Administrative Assessment Fee 25.00 \$25 DNA Analysis Fee 150.00 \$150 Genetic Marker Analysis AA Fee 3.00 \$3 Fee Totals \$ 178.00		

CASE SUMMARY**CASE NO. C-18-334299-1**02/23/2021 **Amended Adult Adjudication** (Judicial Officer: Hardy, Joe) Reason: Probation Reinstated Condition(s) Added

1. BURGLARY

07/26/2018 (F) 205.060.2 (DC50424)

PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum:36 Months, Maximum:96 Months

Credit for Time Served: 36 Days

Suspended-Period of Probation: Indeterminate, Not To Exceed: 5 Years

Comment (See Court Clerk's Journal Entries for probation STANDARD CONDITIONS #1-12 imposed as SPECIAL CONDITIONS #1-6 imposed as follow)

Condition

1. Intensive Supervision, Defendant to be monitored on INTENSIVE SUPERVISION through P&P; the reduction of the supervision shall be at the discretion of P&P.
2. Additional Condition, Have no use, possession, or control of marijuana, whether medicinal or recreational, even if the Defendant possesses a medical marijuana card.
3. Additional Condition, Do not possess, distribute, inhale or ingest any synthetic cannabinoid, defined as a substance that mimics the effects of cannabis and is applied to plant material, commonly referred to as synthetic marijuana, K2, or Spice, while on probation; have no use, possession, or control of Kratom.
4. Complete a Job Search Program Unless Employed Full-Time, Beginning the week of January 14, 2019, complete thirty (30) hours per week of employment, job training, educational coursework, or community service.
5. Comply With Curfew Imposed By Probation Officer
6. Search Clause, Defendant shall submit their digital storage media or any digital storage media that they have access or use, including computers, handheld communication devices and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agent

Fee Totals:

Administrative

Assessment Fee

25.00

\$25

DNA Analysis Fee

150.00

\$150

Genetic Marker

Analysis AA Fee

3.00

\$3

Fee Totals \$

178.00

Comment (Probation Reinstated 02/23/2021)

Condition

1. Drug Court, Enter and complete District Court Drug Court Program; W/ Special Drug Court Conditions
2. Additional Condition, Deft. to remain in custody until his first appearance in Drug Court.

12/16/2021 **Amended Adult Adjudication** (Judicial Officer: Hardy, Joe) Reason: Probation Revoked

1. BURGLARY

07/26/2018 (F) 205.060.2 (DC50424)


PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum:36 Months, Maximum:96 Months

Credit for Time Served: 214 Days

Comments: Probation Revoked 12/16/2021

HEARINGS08/29/2018  **Initial Arraignment** (10:00 AM) (Judicial Officer: De La Garza, Melisa)

Events: 08/22/2018 Criminal Bindover

MINUTES

Criminal Bindover

[2]

Plea Entered;

Journal Entry Details:

In
#2

CASE SUMMARY

CASE NO. C-18-334299-1

Deputized Law Clerk, Melanie Marland appearing for the State. NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. SALDANA ARRAIGNED AND PLED GUILTY TO BURGLARY (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing. Pursuant to negotiations, COURT FURTHER ORDERED, Deft. GRANTED Own Recognizance (OR) Release and DIRECTED Deft. to report to P & P within 48 hours of release. O.R. 1/10/19 8:30 AM SENTENCING (DEPT. 15);

01/10/2019



Sentencing (8:30 AM) (Judicial Officer: Hardy, Joe)

Defendant Sentenced;

Journal Entry Details:

State submitted on the negotiations. Mr. Peterson requested probation. Statements by the Defendant. DEFT SALDANA ADJUDGED GUILTY of BURGLARY(F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment Fee, the \$150.00 DNA Analysis Fee, including testing to determine genetic markers, and the \$3.00 DNA Collection Fee, Deft. SENTENCED to a MAXIMUM of NINETY-SIX (96) MONTHS and a MINIMUM of THIRTY-SIX (36) MONTHS in the Nevada Department of Corrections (NDC), with THIRTY-SIX (36) DAYS credit time served, SUSPENDED; placed on PROBATION for an indeterminate period not to exceed FIVE (5) YEARS. STANDARD CONDITIONS: 1. Reporting: You are to report in person to the Division of Parole and Probation (P&P) as instructed by the Division or its agent. You are required to submit a written report each month on forms supplied by the Division. This report shall be true and correct in all respects. 2. Residence: You shall not change your place of residence without first obtaining permission from P&P, in each instance. 3. Intoxicants: You shall not consume any alcoholic beverages to excess. Upon order of P&P or its agent, you shall submit to a medically recognized test for blood/breath alcohol content. Test results of .08 blood alcohol content or higher shall be sufficient proof of excess. 4. Controlled Substances: You shall not use, purchase or possess any illegal drugs, or any prescription drugs, unless first prescribed by a licensed medical professional. You shall immediately notify P&P of any prescription received. You shall submit to drug testing as required by the Division or its agent. 5. Weapons: You shall not possess, have access to, or have under your control, any type of weapon. 6. Search: You shall submit your person, property (including cellular phones and / or computers), place of residence, vehicle or areas under your control to search at any time, with or without a search warrant or warrant of arrest, for evidence of a crime or violation of probation by P&P or its agent. 7. Associates: You must have prior approval by P&P to associate with any person convicted of a felony, or any person on probation or parole supervision. You shall not have any contact with persons confined in a correctional institution unless specific written permission has been granted by the Division and the correctional institution. 8. Directives and Conduct: You shall follow the directives of P&P and your conduct shall justify the opportunity granted to you by this community supervision. 9. Laws: You shall comply with all municipal, county, state, and federal laws and ordinances. 10. Out-of-State Travel: You shall not leave the state without first obtaining written permission from P&P. 11. Employment/Program: You shall seek and maintain legal employment, or maintain a program approved by P&P and not change such employment or program without first obtaining permission. All terminations of employment or program shall be immediately reported to the Division. 12. Financial Obligation: You shall pay fees, fines, and restitution on a schedule approved by P&P. Any excess monies paid will be applied to any other outstanding fees, fines, and/or restitution, even if it is discovered after your discharge. SPECIAL CONDITIONS: 1. Defendant to be monitored on INTENSIVE SUPERVISION through P&P; the reduction of the supervision shall be at the discretion of P&P. 2. Have no use, possession, or control of marijuana, whether medicinal or recreational, even if the Defendant possesses a medical marijuana card. 3. Do not possess, distribute, inhale or ingest any synthetic cannabinoid, defined as a substance that mimics the effects of cannabis and is applied to plant material, commonly referred to as synthetic marijuana, K2, or Spice, while on probation; have no use, possession, or control of Kratom. 4. Beginning the week of January 14, 2019, complete thirty (30) hours per week of employment, job training, educational coursework, or community service. 5. Abide by any curfew imposed. 6. Defendant shall submit their digital storage media or any digital storage media that they have access or use, including computers, handheld communication devices and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agent. COURT ORDERED the Defendant to REPORT to the Division of Parole & Probation (P&P) IMMEDIATELY, or no later than the close of business on January 11, 2019. BOND, if any, EXONERATED. NIC;

02/02/2021



Revocation of Probation (11:00 AM) (Judicial Officer: Holthus, Mary Kay)

02/02/2021, 02/23/2021

Matter Continued;

Probation Reinstated;

Journal Entry Details:

Victoria Villegas, Esq. and Christopher Peterson, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference; Officer Ariano, present on behalf of Parole and Probation via Bluejeans video conference. Upon Court's inquiry, Mr. Peterson indicated they would be stipulating to the violations and arguing for reinstatement. DEFT. STIPULATED to being in violation of probation; Court ACCEPTED stipulation. Ms. Villegas argued for revocation. Mr. Peterson argued for Drug Court instead of prison. Colloquy between the Court and Deft. Following colloquy, Court noted due to Deft. doing 14 months on the new case, it would defer to Drug Court; additionally, Court FINDS that Deft. was in violation of probation; however, ORDERED, Deft. Saldana is

CASE SUMMARY

CASE NO. C-18-334299-1

REINSTATED on PROBATION with the ADDED CONDITION OF: 1. Deft. to enter and complete Drug Court; further, 2. Deft. to remain in custody until his first appearance in Drug Court. DRUG COURT SPECIAL CONDITIONS: 1. Have no use, possession or control of any alcoholic beverages or marijuana. 2. Do not possess, distribute, inhale or ingest any synthetic cannabinoid, defined as a substance that mimics the effects of cannabis and is applied to plant material, commonly referred to as "synthetic marijuana," "K2," or "Spice," while on probation. 3. Have no use, possession or control of Kratom. 4. Once in phase 3 of Drug Court, Defendant will be required to attend one (1) outside support group meeting each week [Narcotic Anonymous ("NA"), Alcoholics Anonymous ("AA"), or a secular equivalent] for the remainder of Defendant's probation. 5. Cell Phone Probation Conditions: a) Only allowed to have one cell phone at any given time. b) Provide current phone number to P&P, drug court staff and treatment providers at all times. c) Personalize voicemail in your own voice with your full name. d) Don't let anyone use your cell phone and do not use anyone else's cell phone. e) If phone is passcode protected, provide passcode to P&P and unlock phone at any time your probation officer requests to inspect your phone. f) Do not change the password or delete any text messages on your phone without permission and in the presence of your probation officer. g) Do not remove the SIM card from your cell phone at any time. 6. Additional Search Clause Condition: You shall submit your digital storage media or any digital storage media that you have access to or use, including computers, handheld communication devices and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agent. Colloquy between parties regarding Interstate Compact. Following colloquy, Court noted Deft. would need to stay in Nevada to Drug Court. Officer Ariano present. Officer Ariano indicated Deft. was currently being supervised in California. Further colloquy between parties. Following colloquy, Officer Ariano indicated Deft. owed \$237.74 in Extradition fee. COURT DIRECTED Deft. to pay his fees. COURT FURTHER ORDERED, Deft. REFERRED to Drug Court. CUSTODY 2/25/21 1:00 PM FIRST APPEARANCE: DRUG COURT (DEPT. 7);

Matter Continued;

Probation Reinstated;

Journal Entry Details:

Ekaterina Derjavina, Esq. and Christopher Peterson, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference. Mr. Peterson indicated he spoke with Deft. the previous day and he would like time to apply Deft. to a program; therefore, requested matter be continued for two weeks. Ms. Derjavina submitted. Mr. Peterson indicated he didn't know if they were stipulating to the violation and arguing for reinstatement. Court advised it wasn't making any promises and normally wouldn't give time if Deft. wasn't stipulating and arguing; however, it would make this exception. COURT ORDERED, matter CONTINUED. Bench Warrant, RETURNED-SERVED. CUSTODY 2/23/21 11:00 AM CONTINUED: REVOCATION OF PROBATION;

02/25/2021



First Appearance Drug Court (1:00 PM) (Judicial Officer: Bell, Linda Marie)

MINUTES

Accepted into the Program;

Journal Entry Details:

APPEARANCES CONTINUED: Defendant present. Ms. Canfield, Drug Court coordinator, Glen O'Brien, Deputy District Attorney, and Jason Makris, Contract Defense Counsel with Drug Court team also present. COURT ORDERED, Defendant ACCEPTED, ACCESSED and case to be TRANSFERRED to Department VII. COURT FURTHER ORDERED, Defendant RELEASED to Las Vegas City Jail with detainer back to CCDC then release to Freedom House and matter SET for status check. F.H. 03/19/21 9:00 AM STATUS CHECK: DTP;

SCHEDULED HEARINGS



Status Check: DTP (04/09/2021 at 9:00 AM) (Judicial Officer: Bell, Linda Marie)

04/09/2021



Status Check: DTP (9:00 AM) (Judicial Officer: Bell, Linda Marie)

Accepted into the Program;

Journal Entry Details:

APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Jones and Officer Natali, Parole and Probation (P&P), Allison Alegria, Choices Representative, Katie Welgand, Healthy Minds Representative, Codi Lingenfelter and Lindsey Lee, Drug Court Coordinators, present and all appearing via BlueJeans. COURT ORDERED, Defendant ACCEPTED into DRUG COURT, ASSESSED \$1,500.00 and Defendant's case TRANSFERRED to Dept. 7/Adult Drug Court. Upon Court's inquiry, Defendant provided his e-mail address and phone number, to which Court NOTED Defendant would receive an e-mail with all the Drug Court instructions. Ms. Lingenfelter advised all instructions would be e-mailed today. Upon Court's further inquiry, Defendant advised he had reported to American Toxicology, Inc. (ATI), and with Officer Natali. COURT EXPLAINED the Drug Court Program and FURTHER ORDERED, matter SET for a Status Check. NIC 04/21/21 9:00 A.M. STATUS CHECK: DTP;

04/21/2021



Status Check: DTP (1:00 PM) (Judicial Officer: Bell, Linda Marie)

Court Reviewed Defendant's participation in the program;

CASE SUMMARY

CASE NO. C-18-334299-1

Journal Entry Details:

APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Jones and Officer Bolyard, Parole and Probation (P&P), Stephanie Pineda, Healthy Minds Representative, Allison Alegria, Choices Representative, Lindsey Lee, Codi Lingenfelter and Whitney Canfield, Drug Court Coordinators, present and all appearing via BlueJeans. Colloquy regarding Defendant's participation and progress in the drug treatment program (DTP). COURT ORDERED, matter SET for a status check. NIC 05/07/21 9:00 A.M. STATUS CHECK: DTP;

05/07/2021



Status Check: DTP (9:00 AM) (Judicial Officer: Bell, Linda Marie)

Court Reviewed Defendant's participation in the program;

Journal Entry Details:

APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Jones, Officer Natali and Sgt. Morgan, Parole and Probation (P&P), Kathleen Welgand, Healthy Minds Representative, Codi Lingenfelter and Whitney Canfield, Drug Court Coordinator, present and all appearing via BlueJeans. Colloquy regarding job development and F.I.T. Upon Court's inquiry, Defendant advised he would like to move in with his cousin, to which the Court directed Defendant to provide all his cousin's information to Ms. Canfield and his Probation Officer. COURT ORDERED, matter SET for Status Check. NIC 05/21/21 9:00 A.M. STATUS CHECK: DTP;

05/21/2021



Status Check: DTP (9:00 AM) (Judicial Officer: Bell, Linda Marie)

Court Reviewed Defendant's participation in the program;

Journal Entry Details:

APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Jones, Officer Natali, and Sgt. Morgan, Parole and Probation (P&P), and Whitney Canfield AND Codi Lingenfelter, Drug Coordinator, present and all appearing via BlueJeans. Colloquy regarding Defendant's participation and progress in the drug treatment program (DTP). COURT ORDER, matter SET for Status Check. NIC 06/04/21 9:00 A.M. STATUS CHECK: DTP ;

06/04/2021



Status Check: DTP (9:00 AM) (Judicial Officer: Bell, Linda Marie)

Court Reviewed Defendant's participation in the program;

Journal Entry Details:

APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Jones and Sgt. Morgan, Parole and Probation (P&P), and Whitney Canfield AND Codi Lingenfelter, Drug Coordinator, Ms Rebecca Nemec, Healthy Minds representative, present and all appearing via BlueJeans. Colloquy regarding Defendant's participation and progress in the drug treatment program (DTP). COURT ORDER, matter SET for Status Check. NIC 06/18/21 9:00 A.M. STATUS CHECK: DTP ;

06/18/2021



Status Check: DTP (9:00 AM) (Judicial Officer: Bell, Linda Marie)

MINUTES

Court Reviewed Defendant's participation in the program;

Journal Entry Details:

APPEARANCES: Defendant, Jason Makris, Track Attorney, Katie Welgand, Healthy Minds Representative, Robert Banghart, Freedom House Representative, Michele Garrett, Sierra Sage Recovery Services Representative and Whitney Canfield, Drug Court Coordinator, present and appearing via BlueJeans. Colloquy regarding Defendant's participation and progress in the drug treatment program (DTP). COURT ORDER, matter SET for Status Check. NIC 07/02/21 9:00 A.M. STATUS CHECK: DTP;

SCHEDULED HEARINGS



Status Check: DTP (07/02/2021 at 9:00 AM) (Judicial Officer: Bell, Linda Marie)

07/02/2021



Status Check: DTP (9:00 AM) (Judicial Officer: Bell, Linda Marie)

MINUTES

Court Reviewed Defendant's participation in the program;

Journal Entry Details:

APPEARANCES: Defendant, Jason Makris, Track Attorney, Codi Lingenfelter, Drug Court Coordinator, and Whitney Canfield, Drug Court Coordinator, present and appearing via BlueJeans. Colloquy regarding Defendant's participation and progress in the drug treatment program (DTP). COURT ORDER, matter SET for Status Check. NIC 07/23/21 9:00 A.M. STATUS CHECK: DTP;







SCHEDULED HEARINGS



First Appearance Drug Court (07/23/2021 at 9:00 AM) (Judicial Officer: Bell, Linda Marie)

CASE SUMMARY

CASE NO. C-18-334299-1

07/23/2021	 First Appearance Drug Court (9:00 AM) (Judicial Officer: Bell, Linda Marie) Court Reviewed Defendant's participation in the program; Journal Entry Details: <i>APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Natali, Parole and Probation (P&P), and Whitney Canfield, Drug Coordinator, present and all appearing via BlueJeans. COURT NOTED on 7/8 Defendant missed MRT group; to which Defendant stated he dropped his phone and it broke. COURT ORDER, matter SET for Status Check. NIC 08/13/21 9:00 A.M. STATUS CHECK: DTP ;</i>
08/13/2021	 Status Check: DTP (9:00 AM) (Judicial Officer: Bell, Linda Marie) Court Reviewed Defendant's participation in the program; Journal Entry Details: <i>APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Jones, and Officer Natali, Parole and Probation (P&P), and Codi Lingenfelter, Drug Coordinator, Katie Wegland Healthy Minds Representative, present and all appearing via BlueJeans. COURT NOTED on 8/1 Defendant missed an urinalysis (UA) appointment. COURT ORDERED, Defendant PLACED on scheduled UA's every Monday, Wednesday, Friday and Saturday. COURT ADVISED Defendant he MUST attend 2 outside meetings a week and to provide proof. COURT ORDERED, matter SET for Status Check. NIC 08/27/21 9:00 A.M. STATUS CHECK: DTP ;</i>
08/27/2021	CANCELED Status Check: DTP (9:00 AM) (Judicial Officer: Bell, Linda Marie) <i>Vacated</i>
08/27/2021	 Status Check: DTP (9:00 AM) (Hearing Master: Wittenberger, Shannon) Court Reviewed Defendant's participation in the program; Journal Entry Details: <i>APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Jones and Officer Natali, Parole and Probation (P&P), and Codi Lingenfelter, Drug Court Coordinator, present and all appearing via BlueJeans. Colloquy regarding Defendants participation and progress in the drug treatment program (DTP) and status of finding employment. COURT advised Defendant to follow up with F.I.T. COURT ORDERED matter SET for status check. NIC 9/17/2021 9:00 A.M. STATUS CHECK DTP ;</i>
09/03/2021	Status Check: DTP (9:00 AM) (Judicial Officer: Bell, Linda Marie)
09/16/2021	 Status Check (2:00 PM) (Judicial Officer: Bell, Linda Marie) MINUTES Matter Heard; Journal Entry Details: <i>COURT STATED the Defendant is in custody since they allowed another participant to use their vehicle which resulted in a search and drugs were found, and ORDERED, matter SET for termination hearing. CUSTODY 9/30/2021 2:00 P.M. TERMINATION HEARING (DRUG COURT) CLERK'S NOTE: This Minute Order was prepared by listening to the JAVs recording. (12-18-2021 ks);</i> SCHEDULED HEARINGS Termination Hearing (Drug Court) (09/30/2021 at 2:00 PM) (Judicial Officer: Elliott, Jennifer)
09/30/2021	Termination Hearing (Drug Court) (2:00 PM) (Judicial Officer: Elliott, Jennifer) Matter Continued;
10/07/2021	 Termination Hearing (Drug Court) (2:00 PM) (Judicial Officer: Bonaventure, Joseph T.) Matter Continued; Journal Entry Details: <i>Ms. Malkova present via Bluejeans. COURT ORDERED, matter CONTINUED for Judge Bell to hear. CUSTODY 10/14/21 2:00 PM TERMINATION HEARING: DRUG COURT;</i>
10/14/2021	Termination Hearing (Drug Court) (2:00 PM) (Judicial Officer: Bell, Linda Marie)
10/21/2021	Termination Hearing (Drug Court) (2:00 PM) (Judicial Officer: Bonaventure, Joseph T.)
10/28/2021	 Termination Hearing (Drug Court) (2:00 PM) (Judicial Officer: Bell, Linda Marie) Terminated;

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-18-334299-1

Journal Entry Details:

Appearances Continued: Russell Larson, Parole and Probation (P&P) Officer. All parties present via BlueJeans. Deft. present in custody. The State notified the Court that the matter had been continued multiple times to have the witness present. Arguments by State including findings to have Deft. terminated from program. State presented witness, P&P officer Russell Larsen, SWORN AND TESTIFIED; testimony given by Mr. Larsen regarding findings in Deft.'s apartment. Arguments by Counsel for Deft. to remain in the program. COURT NOTED, the evidence presented by the officer are beyond struggles of addiction and therefore ORDERED, Deft. TERMINATED from the Drug Court program, with the case being REFERRED to originating department and SET for revocation of probation. CUSTODY 11/04/21 11:00 AM REVOCATION OF PROBATION: TERMINATED FROM DRUG COURT (DEPT. 06);

11/04/2021



Revocation of Probation (11:00 AM) (Judicial Officer: Holthus, Mary Kay)

11/04/2021, 11/16/2021, 12/09/2021, 12/16/2021

Revocation of Probation: Terminated from Drug Court

MINUTES

Matter Continued;

Matter Continued;

Matter Continued;

Probation Revoked;

Journal Entry Details:

Mr. Scroggins stated he did not receive a copy of the Violation Report. Upon Court's inquiry Deft. STIPULATED to the violations. Arguments by counsel. COURT ACCEPTED Deft.'s. STIPULATION, FOUND Deft. in VIOLATION of their probation conditions, and ORDERED, Deft.'s. PROBATION REVOKED. The ORIGINAL UNDERLYING SENTENCE of a MINIMUM of THIRTY-SIX (36) MONTHS and a MAXIMUM of NINETY-SIX (96) MONTHS in the Nevada Department of Corrections (NDC) IMPOSED, with TWO HUNDRED FOURTEEN (214) DAYS credit for time served. DEFT. ADMONISHED to take advantage of the programming available to him. NDC;

Matter Continued;

Matter Continued;

Matter Continued;

Probation Revoked;

Journal Entry Details:

Mr. Scroggins stated that he hasn't been able to obtain the file from the Public Defender's office and the only thing he has access to is the minute orders which do not provide much information; further, a violation report was filed yesterday but does not have access to that document as well. COURT ORDERED, matter CONTINUED for Mr. Scroggins to obtain the file. Court provided Mr. Scroggins and the State with a copy of the violation report. CUSTODY CONTINUED TO: 12/16/21 11:00 AM;

Matter Continued;

Matter Continued;

Matter Continued;

Probation Revoked;

Journal Entry Details:

Mr. Scroggins stated that he was just retained as counsel and requested the matter be continued as he hasn't received the file from the Public Defender's office. Mr. Raman noted the Deft. was terminated from the Drug Court program. COURT ORDERED, matter CONTINUED. CUSTODY 12/09/21 11:00 AM REVOCATION OF PROBATION;

Matter Continued;

Matter Continued;

Matter Continued;

Probation Revoked;

Journal Entry Details:

Counsel stated that they have not seen an updates violation report. Ms. Smith-Peterson requested the matter be CONTINUED to see why the Deft. was terminated from Drug Court, COURT SO ORDERED. CUSTODY CONTINUED TO: 11/16/21 11:00 AM;

DATE

FINANCIAL INFORMATION

Defendant Saldana, Daniel

Total Charges

1,678.00

Total Payments and Credits

0.00

Balance Due as of 1/3/2022

1,678.00

AJOCP

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

DANIEL SALDANA
#8435950

Defendant.

CASE NO. C-18-334299-1

DEPT. NO. VI

ORDER FOR REVOCATION OF PROBATION AND
AMENDED JUDGMENT OF CONVICTION

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime of BURGLARY (Category B Felony) in violation of NRS 205.060; thereafter, on the 10th day of January, 2019, the Defendant was present in court for sentencing with counsel, wherein the Court did adjudge the Defendant guilty thereof by reason of the plea of guilty, suspended the execution of the sentence imposed and granted probation to the Defendant.

THEREAFTER, a parole and probation officer provided the Court with a written statement setting forth that the Defendant has, in the judgment of the parole and probation officer, violated the conditions of probation; and on the 16th day of December,

1 2021, the Defendant appeared in court with counsel C. BENJAMIN SCROGGINS,
2 ESQ., and pursuant to a probation violation hearing/proceeding and good cause
3 appearing to amend the Judgment of Conviction,
4

5 IT IS HEREBY ORDERED that the probation previously granted to the
6 Defendant is REVOKED; in addition to the original fees, fines and assessments, IT IS
7 FURTHER ORDERED that the underlying sentence is imposed as follows: a
8 MAXIMUM of NINETY-SIX (96) MONTHS with a MINIMUM parole eligibility of THIRTY-
9 SIX (36) MONTHS in the Nevada Department of Corrections (NDC); with TWO
10 HUNDRED-FOURTEEN (214) DAYS credit for time served.
11

12 COURT recommends Defendant for the 184 program while incarcerated.
13

14 Dated this 27th day of December, 2021

15 

16 sb

17 A7B EEB 758B B265
18 Mary Kay Holthus
19 District Court Judge
20
21
22
23
24
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26
27
28

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 State of Nevada

CASE NO: C-18-334299-1

7 vs

DEPT. NO. Department 7

8 Daniel Saldana
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 12/27/2021

15 Clark County District Attorney

motions@clarkcountyda.com

16 Law Firm of C. Benjamin Scroggins, Chtd.

info@cbscrogginslaw.com

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 29, 2018

C-18-334299-1 State of Nevada
vs
Daniel Saldana

August 29, 2018 10:00 AM Initial Arraignment

HEARD BY: De La Garza, Melisa

COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Kristen Brown

RECORDER: Kiara Schmidt

REPORTER:

PARTIES

PRESENT:	Cichoski, Mark D	Attorney
	Public Defender	Attorney
	Saldana, Daniel	Defendant

JOURNAL ENTRIES

- Deputized Law Clerk, Melanie Marland appearing for the State.

NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. SALDANA ARRAIGNED AND PLED GUILTY TO BURGLARY (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing. Pursuant to negotiations, COURT FURTHER ORDERED, Deft. GRANTED Own Recognizance (OR) Release and DIRECTED Deft. to report to P & P within 48 hours of release.

O.R.

1/10/19 8:30 AM SENTENCING (DEPT. 15)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 10, 2019**

C-18-334299-1 State of Nevada
vs
Daniel Saldana

January 10, 2019 8:30 AM Sentencing

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

COURT CLERK: Kristin Duncan

RECORDER: Matt Yarbrough

REPORTER:

PARTIES

PRESENT:	Peterson, Christopher	Attorney
	Saldana, Daniel	Defendant
	State of Nevada	Plaintiff
	Zadrowski, Bernard B.	Attorney

JOURNAL ENTRIES

- State submitted on the negotiations. Mr. Peterson requested probation. Statements by the Defendant. DEFT SALDANA ADJUDGED GUILTY of BURGLARY(F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment Fee, the \$150.00 DNA Analysis Fee, including testing to determine genetic markers, and the \$3.00 DNA Collection Fee, Deft. SENTENCED to a MAXIMUM of NINETY-SIX (96) MONTHS and a MINIMUM of THIRTY-SIX (36) MONTHS in the Nevada Department of Corrections (NDC), with THIRTY-SIX (36) DAYS credit time served, SUSPENDED; placed on PROBATION for an indeterminate period not to exceed FIVE (5) YEARS. STANDARD CONDITIONS:

1. Reporting: You are to report in person to the Division of Parole and Probation (P&P) as instructed by the Division or its agent. You are required to submit a written report each month on forms supplied by the Division. This report shall be true and correct in all respects.
2. Residence: You shall not change your place of residence without first obtaining permission from

P&P, in each instance.

3. Intoxicants: You shall not consume any alcoholic beverages to excess. Upon order of P&P or its agent, you shall submit to a medically recognized test for blood/breath alcohol content. Test results of .08 blood alcohol content or higher shall be sufficient proof of excess.
4. Controlled Substances: You shall not use, purchase or possess any illegal drugs, or any prescription drugs, unless first prescribed by a licensed medical professional. You shall immediately notify P&P of any prescription received. You shall submit to drug testing as required by the Division or its agent.
5. Weapons: You shall not possess, have access to, or have under your control, any type of weapon.
6. Search: You shall submit your person, property (including cellular phones and / or computers), place of residence, vehicle or areas under your control to search at any time, with or without a search warrant or warrant of arrest, for evidence of a crime or violation of probation by P&P or its agent.
7. Associates: You must have prior approval by P&P to associate with any person convicted of a felony, or any person on probation or parole supervision. You shall not have any contact with persons confined in a correctional institution unless specific written permission has been granted by the Division and the correctional institution.
8. Directives and Conduct: You shall follow the directives of P&P and your conduct shall justify the opportunity granted to you by this community supervision.
9. Laws: You shall comply with all municipal, county, state, and federal laws and ordinances.
10. Out-of-State Travel: You shall not leave the state without first obtaining written permission from P&P.
11. Employment/Program: You shall seek and maintain legal employment, or maintain a program approved by P&P and not change such employment or program without first obtaining permission. All terminations of employment or program shall be immediately reported to the Division.
12. Financial Obligation: You shall pay fees, fines, and restitution on a schedule approved by P&P. Any excess monies paid will be applied to any other outstanding fees, fines, and/or restitution, even if it is discovered after your discharge.

SPECIAL CONDITIONS:

1. Defendant to be monitored on INTENSIVE SUPERVISION through P&P; the reduction of the supervision shall be at the discretion of P&P.
2. Have no use, possession, or control of marijuana, whether medicinal or recreational, even if the Defendant possesses a medical marijuana card.
3. Do not possess, distribute, inhale or ingest any synthetic cannabinoid, defined as a substance that mimics the effects of cannabis and is applied to plant material, commonly referred to as synthetic marijuana, K2, or Spice, while on probation; have no use, possession, or control of Kratom.
4. Beginning the week of January 14, 2019, complete thirty (30) hours per week of employment, job training, educational coursework, or community service.
5. Abide by any curfew imposed.
6. Defendant shall submit their digital storage media or any digital storage media that they have access or use, including computers, handheld communication devices and any network applications associated

with
those devices, including social media and remote storage services to a search and shall provide all
passwords, unlock codes and account information associated with those items, with or without a
search
warrant, by the Division of Parole and Probation or its agent.

COURT ORDERED the Defendant to REPORT to the Division of Parole & Probation (P&P)
IMMEDIATELY, or no later than the close of business on January 11, 2019.

BOND, if any, EXONERATED.

NIC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 02, 2021

C-18-334299-1 State of Nevada
 vs
 Daniel Saldana

February 02, 2021 11:00 AM Revocation of Probation

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

COURT CLERK: Dara Yorke

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Derjavina, Ekaterina	Attorney
	Peterson, Christopher	Attorney
	Saldana, Daniel	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Ekaterina Derjavina, Esq. and Christopher Peterson, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference.

Mr. Peterson indicated he spoke with Deft. the previous day and he would like time to apply Deft. to a program; therefore, requested matter be continued for two weeks. Ms. Derjavina submitted. Mr. Peterson indicated he didn't know if they were stipulating to the violation and arguing for reinstatement. Court advised it wasn't making any promises and normally wouldn't give time if Deft. wasn't stipulating and arguing; however, it would make this exception. COURT ORDERED, matter CONTINUED. Bench Warrant, RETURNED-SERVED.

CUSTODY

2/23/21 11:00 AM CONTINUED: REVOCATION OF PROBATION

PRINT DATE: 01/03/2022

Page 5 of 27

Minutes Date: August 29, 2018

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****February 23, 2021**

C-18-334299-1 State of Nevada
vs
Daniel Saldana

February 23, 2021 11:00 AM Revocation of Probation

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

PRESENT:	Peterson, Christopher	Attorney
	Saldana, Daniel	Defendant
	State of Nevada	Plaintiff
	Villegas, Victoria A.	Attorney

JOURNAL ENTRIES

- Victoria Villegas, Esq. and Christopher Peterson, Esq. present via Bluejeans video conference; Deft. present in-custody via Bluejeans video conference; Officer Ariano, present on behalf of Parole and Probation via Bluejeans video conference.

Upon Court's inquiry, Mr. Peterson indicated they would be stipulating to the violations and arguing for reinstatement. DEFT. STIPULATED to being in violation of probation; Court ACCEPTED stipulation. Ms. Villegas argued for revocation. Mr. Peterson argued for Drug Court instead of prison. Colloquy between the Court and Deft. Following colloquy, Court noted due to Deft. doing 14 months on the new case, it would defer to Drug Court; additionally, Court FINDS that Deft. was in violation of probation; however, ORDERED, Deft. Saldana is REINSTATED on PROBATION with the ADDED CONDITION OF:

1. Deft. to enter and complete Drug Court; further,

2. Deft. to remain in custody until his first appearance in Drug Court.

DRUG COURT SPECIAL CONDITIONS:

1. Have no use, possession or control of any alcoholic beverages or marijuana.
2. Do not possess, distribute, inhale or ingest any synthetic cannabinoid, defined as a substance that mimics the effects of cannabis and is applied to plant material, commonly referred to as "synthetic marijuana," "K2," or "Spice," while on probation.
3. Have no use, possession or control of Kratom.
4. Once in phase 3 of Drug Court, Defendant will be required to attend one (1) outside support group meeting each week [Narcotic Anonymous ("NA"), Alcoholics Anonymous ("AA"), or a secular equivalent] for the remainder of Defendant's probation.
5. Cell Phone Probation Conditions:
 - a) Only allowed to have one cell phone at any given time.
 - b) Provide current phone number to P&P, drug court staff and treatment providers at all times.
 - c) Personalize voicemail in your own voice with your full name.
 - d) Don't let anyone use your cell phone and do not use anyone else's cell phone.
 - e) If phone is passcode protected, provide passcode to P&P and unlock phone at any time your probation officer requests to inspect your phone.
 - f) Do not change the password or delete any text messages on your phone without permission and in the presence of your probation officer.
 - g) Do not remove the SIM card from your cell phone at any time.
6. Additional Search Clause Condition: You shall submit your digital storage media or any digital storage media that you have access to or use, including computers, handheld communication devices and any network applications associated with those devices, including social media and remote storage services to a search and shall provide all passwords, unlock codes and account information associated with those items, with or without a search warrant, by the Division of Parole and Probation or its agent.

Colloquy between parties regarding Interstate Compact. Following colloquy, Court noted Deft. would need to stay in Nevada to Drug Court. Officer Ariano present. Officer Ariano indicated Deft. was currently being supervised in California. Further colloquy between parties. Following colloquy, Officer Ariano indicated Deft. owed \$237.74 in Extradition fee. COURT DIRECTED Deft. to pay his fees. COURT FURTHER ORDERED, Deft. REFERRED to Drug Court.

CUSTODY

2/25/21 1:00 PM FIRST APPEARANCE: DRUG COURT (DEPT. 7)

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

February 25, 2021

C-18-334299-1 State of Nevada
vs
Daniel Saldana

February 25, 2021	1:00 PM	First Appearance Drug Court
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HEARD BY: Bell, Linda Marie

COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Kimberly Estala

RECORDER: Vanessa Medina

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES CONTINUED: Defendant present. Ms. Canfield, Drug Court coordinator, Glen O'Brien, Deputy District Attorney, and Jason Makris, Contract Defense Counsel with Drug Court team also present.

COURT ORDERED, Defendant ACCEPTED, ACCESSED and case to be TRANSFERRED to Department VII. COURT FURTHER ORDERED, Defendant RELEASED to Las Vegas City Jail with detainer back to CCDC then release to Freedom House and matter SET for status check.

F.H.

03/19/21 9:00 AM STATUS CHECK: DTP

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 09, 2021

C-18-334299-1 State of Nevada
 vs
 Daniel Saldana

April 09, 2021 9:00 AM Status Check: DTP

HEARD BY: Bell, Linda Marie Wittenberger, **COURTROOM:** RJC Courtroom 16A
 Shannon

COURT CLERK: Cynthia Moleres

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Jones and Officer Natali, Parole and Probation (P&P), Allison Alegria, Choices Representative, Katie Welgand, Healthy Minds Representative, Codi Lingenfelter and Lindsey Lee, Drug Court Coordinators, present and all appearing via BlueJeans.

COURT ORDERED, Defendant ACCEPTED into DRUG COURT, ASSESSED \$1,500.00 and Defendant's case TRANSFERRED to Dept. 7/Adult Drug Court.

Upon Court's inquiry, Defendant provided his e-mail address and phone number, to which Court NOTED Defendant would receive an e-mail with all the Drug Court instructions. Ms. Lingenfelter advised all instructions would be e-mailed today. Upon Court's further inquiry, Defendant advised he had reported to American Toxicology, Inc. (ATI), and with Officer Natali. COURT EXPLAINED the Drug Court Program and FURTHER ORDERED, matter SET for a Status Check.

NIC

04/21/21 9:00 A.M. STATUS CHECK: DTP

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

April 21, 2021

C-18-334299-1 State of Nevada
 vs
 Daniel Saldana

April 21, 2021 1:00 PM Status Check: DTP

HEARD BY: Bell, Linda Marie Wittenberger, **COURTROOM:** RJC Courtroom 16A
 Shannon

COURT CLERK: Cynthia Moleres

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Jones and Officer Bolyard, Parole and Probation (P&P), Stephanie Pineda, Healthy Minds Representative, Allison Alegria, Choices Representative, Lindsey Lee, Codi Lingenfelter and Whitney Canfield, Drug Court Coordinators, present and all appearing via BlueJeans.

Colloquy regarding Defendant's participation and progress in the drug treatment program (DTP).
COURT ORDERED, matter SET for a status check.

NIC

05/07/21 9:00 A.M. STATUS CHECK: DTP

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

May 07, 2021

C-18-334299-1 State of Nevada
 vs
 Daniel Saldana

May 07, 2021

9:00 AM

Status Check: DTP

HEARD BY: Bell, Linda Marie Wittenberger,
 Shannon

COURTROOM: RJC Courtroom 16A

COURT CLERK: Cynthia Moleres

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Jones, Officer Natali and Sgt. Morgan, Parole and Probation (P&P), Kathleen Welgand, Healthy Minds Representative, Codi Lingenfelter and Whitney Canfield, Drug Court Coordinator, present and all appearing via BlueJeans.

Colloquy regarding job development and F.I.T. Upon Court's inquiry, Defendant advised he would like to move in with his cousin, to which the Court directed Defendant to provide all his cousin's information to Ms. Canfield and his Probation Officer. COURT ORDERED, matter SET for Status Check.

NIC

05/21/21 9:00 A.M. STATUS CHECK: DTP

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor	COURT MINUTES	May 21, 2021
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C-18-334299-1	State of Nevada vs Daniel Saldana
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May 21, 2021	9:00 AM	Status Check: DTP
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HEARD BY: Bell, Linda Marie Wittenberger, Shannon	COURTROOM: RJC Courtroom 16A
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COURT CLERK: April Wolverton

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Jones, Officer Natali, and Sgt. Morgan, Parole and Probation (P&P), and Whitney Canfield AND Codi Lingenfelter, Drug Coordinator, present and all appearing via BlueJeans.

Colloquy regarding Defendant s participation and progress in the drug treatment program (DTP).

COURT ORDER, matter SET for Status Check.

NIC

06/04/21 9:00 A.M. STATUS CHECK: DTP

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 04, 2021

C-18-334299-1 State of Nevada
 vs
 Daniel Saldana

June 04, 2021

9:00 AM

Status Check: DTP

HEARD BY: Bell, Linda Marie Wittenberger,
 Shannon

COURTROOM: RJC Courtroom 16A

COURT CLERK: April Wolverton

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Jones and Sgt. Morgan, Parole and Probation (P&P), and Whitney Canfield AND Codi Lingenfelter, Drug Coordinator, Ms Rebecca Nemec, Healthy Minds representative, present and all appearing via BlueJeans.

Colloquy regarding Defendant s participation and progress in the drug treatment program (DTP).

COURT ORDER, matter SET for Status Check.

NIC

06/18/21 9:00 A.M. STATUS CHECK: DTP

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor	COURT MINUTES	June 18, 2021
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C-18-334299-1	State of Nevada vs Daniel Saldana
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June 18, 2021	9:00 AM	Status Check: DTP
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HEARD BY: Bell, Linda Marie Wittenberger, Shannon	COURTROOM: RJC Courtroom 16A
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COURT CLERK: Lauren Kidd

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Defendant, Jason Makris, Track Attorney, Katie Welgand, Healthy Minds Representative, Robert Banghart, Freedom House Representative, Michele Garrett, Sierra Sage Recovery Services Representative and Whitney Canfield, Drug Court Coordinator, present and appearing via BlueJeans.

Colloquy regarding Defendant's participation and progress in the drug treatment program (DTP).
COURT ORDER, matter SET for Status Check.

NIC

07/02/21 9:00 A.M. STATUS CHECK: DTP

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 02, 2021

C-18-334299-1 State of Nevada
 vs
 Daniel Saldana

July 02, 2021 9:00 AM Status Check: DTP

HEARD BY: Bell, Linda Marie Wittenberger, **COURTROOM:** RJC Courtroom 16A
 Shannon

COURT CLERK: Lauren Kidd
 Jennifer Lott

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Defendant, Jason Makris, Track Attorney, Codi Lingernfelter, Drug Court Coordinator, and Whitney Canfield, Drug Court Coordinator, present and appearing via BlueJeans.

Colloquy regarding Defendant's participation and progress in the drug treatment program (DTP).
COURT ORDER, matter SET for Status Check.

NIC

07/23/21 9:00 A.M. STATUS CHECK: DTP

July 23, 2021

Minutes Date: August 29, 2018

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 13, 2021

C-18-334299-1 State of Nevada
 vs
 Daniel Saldana

August 13, 2021 9:00 AM Status Check: DTP

HEARD BY: Bell, Linda Marie Wittenberger, **COURTROOM:** RJC Courtroom 16A
 Shannon

COURT CLERK: April Wolverton

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Jones, and Officer Natali, Parole and Probation (P&P), and Codi Lingenfelter, Drug Coordinator, Katie Wegland Healthy Minds Representative, present and all appearing via BlueJeans.

COURT NOTED on 8/1 Defendant missed an urinalysis (UA) appointment. COURT ORDERED, Defendant PLACED on scheduled UA's every Monday, Wednesday, Friday and Saturday. COURT ADVISED Defendant he MUST attend 2 outside meetings a week and to provide proof. COURT ORDERED, matter SET for Status Check.

NIC

08/27/21 9:00 A.M. STATUS CHECK: DTP

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 27, 2021

C-18-334299-1 State of Nevada
 vs
 Daniel Saldana

August 27, 2021 9:00 AM Status Check: DTP

HEARD BY: Bell, Linda Marie Wittenberger, **COURTROOM:** RJC Courtroom 16A
 Shannon

COURT CLERK: Tondalaya Goodwin

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- APPEARANCES: Defendant, Jason Makris, Track Attorney, Officer Jones and Officer Natali, Parole and Probation (P&P), and Codi Lingenfelter, Drug Court Coordinator, present and all appearing via BlueJeans.

Colloquy regarding Defendants participation and progress in the drug treatment program (DTP) and status of finding employment. COURT advised Defendant to follow up with F.I.T. COURT ORDERED matter SET for status check.

NIC

9/17/2021 9:00 A.M. STATUS CHECK DTP

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 16, 2021

C-18-334299-1 State of Nevada
 vs
 Daniel Saldana

September 16, 2021 2:00 PM Status Check

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

COURT CLERK: Yolanda Orpineda

RECORDER: Kimberly Estala

REPORTER:

PARTIES

PRESENT:	Makris, Jason	Attorney
	Malkova, Mariya	Attorney
	Saldana, Daniel	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- COURT STATED the Defendant is in custody since they allowed another participant to use their vehicle which resulted in a search and drugs were found, and ORDERED, matter SET for termination hearing.

CUSTODY

9/30/2021 2:00 P.M. TERMINATION HEARING (DRUG COURT)

CLERK'S NOTE: This Minute Order was prepared by listening to the JAVs recording. (12-18-2021 ks)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 07, 2021

C-18-334299-1 State of Nevada
 vs
 Daniel Saldana

October 07, 2021 2:00 PM Termination Hearing (Drug Court)

HEARD BY: Bonaventure, Joseph T. **COURTROOM:** RJC Lower Level Arraignment

COURT CLERK: Yolanda Orpineda

RECORDER: Kimberly Estala

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Ms. Malkova present via Bluejeans.

COURT ORDERED, matter CONTINUED for Judge Bell to hear.

CUSTODY

10/14/21 2:00 PM TERMINATION HEARING: DRUG COURT

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 28, 2021

C-18-334299-1 State of Nevada
 vs
 Daniel Saldana

October 28, 2021 2:00 PM Termination Hearing (Drug Court)

HEARD BY: Bell, Linda Marie

COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Yolanda Orpineda

RECORDER: Kimberly Estala

REPORTER:

PARTIES

PRESENT:	Makris, Jason	Attorney
	Malkova, Mariya	Attorney
	Saldana, Daniel	Defendant
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Appearances Continued: Russell Larson, Parole and Probation (P&P) Officer. All parties present via BlueJeans. Deft. present in custody.

The State notified the Court that the matter had been continued multiple times to have the witness present. Arguments by State including findings to have Deft. terminated from program. State presented witness, P&P officer Russell Larsen, SWORN AND TESTIFIED; testimony given by Mr. Larsen regarding findings in Deft.'s apartment. Arguments by Counsel for Deft. to remain in the program. COURT NOTED, the evidence presented by the officer are beyond struggles of addiction and therefore ORDERED, Deft. TERMINATED from the Drug Court program, with the case being REFERRED to originating department and SET for revocation of probation.

CUSTODY

PRINT DATE: 01/03/2022

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Minutes Date: August 29, 2018

11/04/21 11:00 AM REVOCATION OF PROBATION: TERMINATED FROM DRUG COURT
(DEPT. 06)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 04, 2021

C-18-334299-1 State of Nevada
 vs
 Daniel Saldana

November 04, 2021 11:00 AM Revocation of Probation

HEARD BY: Bluth, Jacqueline M.

COURTROOM: RJC Courtroom 10C

COURT CLERK: Kristen Brown

RECORDER: De'Awna Takas

REPORTER:

PARTIES

PRESENT:	Public Defender	Attorney
	Saldana, Daniel	Defendant
	Scheible, Melanie L.	Attorney
	Smith-Peterson, Jessica	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Counsel stated that they have not seen an updates violation report. Ms. Smith-Peterson requested the matter be CONTINUED to see why the Deft. was terminated from Drug Court, COURT SO ORDERED.

CUSTODY

CONTINUED TO: 11/16/21 11:00 AM

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 16, 2021

C-18-334299-1 State of Nevada
 vs
 Daniel Saldana

November 16, 2021 11:00 AM Revocation of Probation

HEARD BY: Thompson, Charles

COURTROOM: RJC Courtroom 10C

COURT CLERK: Kristen Brown

RECORDER: De'Awna Takas

REPORTER:

PARTIES

PRESENT:	Raman, Jay	Attorney
	Saldana, Daniel	Defendant
	Scroggins, C. Benjamin	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Scroggins stated that he was just retained as counsel and requested the matter be continued as he hasn't received the file from the Public Defender's office. Mr. Raman noted the Deft. was terminated from the Drug Court program. COURT ORDERED, matter CONTINUED.

CUSTODY

12/09/21 11:00 AM REVOCATION OF PROBATION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 09, 2021

C-18-334299-1 State of Nevada
 vs
 Daniel Saldana

December 09, 2021 11:00 AM Revocation of Probation

HEARD BY: Bluth, Jacqueline M.

COURTROOM: RJC Courtroom 10C

COURT CLERK: Kristen Brown

RECORDER: De'Awna Takas

REPORTER:

PARTIES

PRESENT:	Saldana, Daniel	Defendant
	Scheible, Melanie L.	Attorney
	Scroggins, C. Benjamin	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Scroggins stated that he hasn't been able to obtain the file from the Public Defender's office and the only thing he has access to is the minute orders which do not provide much information; further, a violation report was filed yesterday but does not have access to that document as well. COURT ORDERED, matter CONTINUED for Mr. Scroggins to obtain the file. Court provided Mr. Scroggins and the State with a copy of the violation report.

CUSTODY

CONTINUED TO: 12/16/21 11:00 AM

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

December 16, 2021

C-18-334299-1 State of Nevada
vs
Daniel Saldana

December 16, 2021 11:00 AM Revocation of Probation

HEARD BY: Holthus, Mary Kay

COURTROOM: RJC Courtroom 03F

COURT CLERK: Stephanie Squyres
Shelley Boyle

RECORDER: Yvette G. Sison

REPORTER:

PARTIES

PRESENT:	Pandelis, Christopher P.	Attorney
	Saldana, Daniel	Defendant
	Scroggins, C. Benjamin	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Scroggins stated he did not receive a copy of the Violation Report. Upon Court's inquiry Deft. STIPULATED to the violations. Arguments by counsel. COURT ACCEPTED Deft's. STIPULATION, FOUND Deft. in VIOLATION of their probation conditions, and ORDERED, Deft's. PROBATION REVOKED. The ORIGINAL UNDERLYING SENTENCE of a MINIMUM of THIRTY-SIX (36) MONTHS and a MAXIMUM of NINETY-SIX (96) MONTHS in the Nevada Department of Corrections (NDC) IMPOSED, with TWO HUNDRED FOURTEEN (214) DAYS credit for time served. DEFT. ADMONISHED to take advantage of the programming available to him.

NDC

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; PURSUANT TO RULE(3), RULE (3)B RULE(4);
CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; ORDER FOR
REVOCATION OF PROBATION AND AMENDED JUDGMENT OF CONVICTION; DISTRICT
COURT MINUTES

STATE OF NEVADA,

Plaintiff(s),

vs.

DANIEL SALDANA,

Defendant(s).

Case No: C-18-334299-1

Dept No: VII

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 3 day of January 2022.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk