

IN THE SUPREME COURT OF THE STATE OF NEVADA

CEASAR SANCHAZ VALENCIA,
Appellant(s),

vs.

THE STATE OF NEVADA,
Respondent(s),

Electronically Filed
Dec 07 2022 11:51 AM
Elizabeth A. Brown
Clerk of Supreme Court

Case No: C-16-315580-1

Docket No: 85694

RECORD ON APPEAL VOLUME 7

ATTORNEY FOR APPELLANT
CEASAR VALENCIA # 94307,
PROPER PERSON
P.O. BOX 208
INDIAN SPRINGS, NV 89070

ATTORNEY FOR RESPONDENT
STEVEN B. WOLFSON,
DISTRICT ATTORNEY
200 LEWIS AVE.
LAS VEGAS, NV 89155-2212

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1 Caesar Sanchez
Valencia #94307
2 Southern Desert State Prison
3 P.O. Box 208
Indian Springs NV 89018
4 Proper person

FILED
DEC 01 2022
CLERK OF COURT

DISTRICT COURT
CLARK COUNTY NEVADA

7 Caesar Sanchez Valencia
8 #94307 Petitioner/Defendant

case # C-16-315580-1
Dept #

9 VS
10 STATE OF NEVADA
11 Respondent

EX PARTE MOTION FOR
ORDER TO TRANSPORT
PRISONED

DATE: December 22, 2022
TIME: 9:00 AM

16 COMES NOW Defendant Caesar Sanchez Valencia #94307
17 in proper person, and moves this Court for an order directing
18 the NDOC to transport the Petitioner/Defendant from
19 Southern Desert Correctional, Indian Springs Nevada
20 to CLARK COUNTY in order to be present in time for
21 the hearing set for 29th of November 2022 in Dept
22 Case No. C-16-315580-1

23 THIS Motion is based on the papers on file and the
24 Affidavit of Petitioner attached hereto
25

26 Dated this 16th of November 2022

Submitted by
Caesar Valencia #94307
P.O. Box 208
Indian Springs NV 89018
December 22

CERTIFICATE OF SERVICE BY MAIL

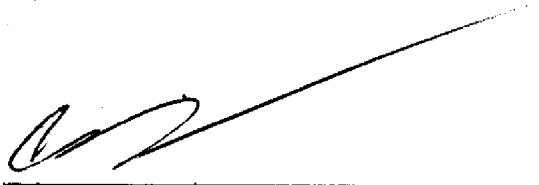
I, Cesar Sanchez Valenzuela hereby certify pursuant to Rule 5(b) of the NRCF, that on this 10th day of November, 2022, I served a true and correct copy of the above-entitled EX PARTE MOTION FOR ORDER To Transport Prisoner postage prepaid and addressed as follows:

Clerk of the Court
200 Lewis Ave 3rd Fl
Las Vegas NV 89155

District Attorney
200 Lewis Ave
Las Vegas NV 89155

Southern Desert Correctional
PO Box 208
Indian Springs NV 89018

Signature



Print Name

Cesar Valenzuela #94307

Ely State Prison

P.O. Box 1000

Ely, Nevada 89301-1000

Southern Desert Correctional
PO box 208
Indian Springs NV 89018

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CLERK OF THE COURT

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding

MOTION for Order to transfer Prisoner
(Title of Document)

filed in District Court Case No. C-16-315580-1

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

-OR-

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

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

(State specific law)

-OR-

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

[Signature]
(Signature)

11/6/22
(Date)

AFFIDAVIT OF: CEASAR SANCHEZ
VALENCIA #94307

STATE OF NEVADA)

COUNTY OF CLARK)

I Cesar Sanchez Valencia #94307 do hereby affirm under penalty of perjury that the assertions of this affidavit are true:

1. That I am Petitioner in the above entitled action and that I make this affidavit in support of my EX PARTE motion FOR ORDER TO TRANSPORT PRISONER
2. That I am over eighteen (18) years of age; of sound mind; and have personal knowledge of and am capable to testify to the matter as stated herein.
3. That on 29th day of November 2022, I have a hearing scheduled at 9:00AM in Department No. _____ and request the court to ORDER the WDOC to transport me for said hearing.

I, Cesar Sanchez Valencia #94307, do hereby state and declare under penalty of perjury and pursuant to Nevada Revised STATUTE 208, 165 that the foregoing statements are true and correct and to the best of my own personal knowledge and belief as to any such matter that maybe stated upon belief I sincerely believe them to be true

DATED this 16th day of November 2022

Affiant
Cesar Sanchez Valencia #94307

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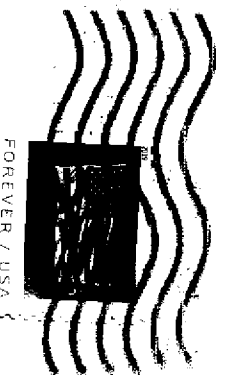
Casas Sanchez Valencich #9430
PO Box 208
Indian Springs NV 89018

Los Angeles
CA 90001

89101-530000



LAS VEGAS NV 890
17 NOV 2022 PM 4 L



FOREVER / USA

clerk of the court
200 Lewis Ave 3rd Fl
Las Vegas NV 89155-1160

DOCUMENTARY EXHIBITS

1 JOCF

2 STEWART L. BELL
3 Clark County District Attorney
4 Nevada Bar #000477
5 200 South Third Street
6 Las Vegas, Nevada 89155-2211
7 (702) 455-4711
8 Attorney for Plaintiff

FILED

DEC 19 4 42 PM '02

Shirley B. Pangione
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

8 THE STATE OF NEVADA,
9 Plaintiff,

10 -vs-

11 CEASAR SANCHEZ VALENCIA,
12 #1588390

13 Defendant.

Case No: C180810

Dept No: XV

14 ORDER FOR REVOCATION OF PROBATION AND
15 AMENDED JUDGMENT OF CONVICTION

16 The Defendant previously appeared before the Court with counsel and entered a plea
17 of guilty to the crime(s) of POSSESSION OF CONTROLLED SUBSTANCE WITH
18 INTENT TO SELL (Felony), in violation of NRS 453.337; thereafter, on the 15th day of
19 July, 2002, the Defendant was present in Court for sentencing with counsel wherein the
20 Court did adjudge the Defendant guilty thereof by reason of the plea(s) of guilty, suspended
21 the execution of the sentence(s) imposed and granted probation to the Defendant.

22 THEREAFTER, a parole and probation officer provided the Court with a written
23 statement setting forth that the Defendant has, in the judgment of the parole and probation
24 officer, violated the conditions of probation; and on the 16th day of December, 2002, the
25 Defendant appeared in court with his counsel, F. VIRGINIA EICHACKER, Deputy Public
26 Defender, and pursuant to a probation violation hearing/proceeding; and good cause
27 appearing to amend Judgment of Conviction; now therefor,

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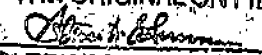
1 IT IS HEREBY ORDERED that the probation previously granted to the Defendant is
2 revoked: and

3 IT IS FURTHER ORDERED THAT: Defendant remanded to the custody of the
4 Sheriff to serve out the balance of his sentence, a minimum of fourteen (14) months and a
5 maximum of thirty-five (35) months in the Nevada Department of Corrections; to run
6 concurrent with C188270; with one hundred twenty (120) days credit for time served.

7 DATED this 19th day of December, 2002.

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10 DISTRICT JUDGE 

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CLERK OF THE COURT

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JOCP
DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
200 South Third Street
Las Vegas, Nevada 89155-2211
(702) 455-4711
Attorney for Plaintiff

FILED

JAN 16 9 50 AM '03

Shirley W. Langmuir
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CESAR VALENCIA,
aka Ceasar Sanchaz Valencia,
#1588390

Defendant.

Case No: C188270

Dept No: VIII

JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime(s) of CONSPIRACY TO COMMIT POSSESSION OF CONTROLLED SUBSTANCE (Felony), in violation of NRS 453.301, 453.336; thereafter, on the 13th day of January, 2003, the Defendant was present in court for sentencing with his counsel, BITA KHAMSI, Deputy Public Defender, and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense(s) and, in addition to the \$25.00 Administrative Assessment Fee and \$60.00 Drug Analysis Fee, the Defendant is sentenced to: a MAXIMUM of THIRTY (30) MONTHS and a MINIMUM of TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC) concurrent TO C180810. Defendant to receive no days credit for time served.

DATED this 16 day of January, 2003.

Lee A. Gates
DISTRICT JUDGE

SC

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TRUE AND CORRECT COPY
OF THE ORIGINAL FILE

Shirley W. Langmuir
CLERK OF THE COURT

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STATE'S
EXHIBIT

2

C315580-1

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JAN 16 2003

CLERK OF DISTRICT COURT

ORIGINAL

AJOC
DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

FILED

MAY 25 3 28 PM '07

Cliff Smith
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CAESAR SANCHEZ VALENCIA, aka
Caesar Sanchaz Valencia,
#1588390

Defendant.

Case No: C223991

Dept No: VI

AMENDED JUDGMENT OF CONVICTION (JURY TRIAL)

The Defendant previously entered plea(s) of not guilty to the crime(s) of COUNT 1 - UNLAWFUL POSSESSION OF AN ELECTRONIC STUN DEVICE (Category B Felony), in violation of NRS 202.357, COUNT 2 - POSSESSION OF BURGLARY TOOLS (Gross Misdemeanor, NRS 205.080, COUNT 3 - POSSESSION OF STOLEN VEHICLE (Category C Felony), NRS 205.273), COUNT 4 - BURGLARY (Category B Felony), in violation of NRS 205.060, and the matter having been tried before a jury, and the Defendant being represented by counsel and having been found guilty of the crime(s) of COUNT 1 - UNLAWFUL POSSESSION OF AN ELECTRONIC SUN DEVICE (Category B Felony), in violation of NRS 202.357, COUNT 2 - POSSESSION OF BURGLARY TOOLS (Gross Misdemeanor), NRS 205.080, COUNT 3 - POSSESSION OF STOLEN VEHICLE (Category C Felony), NRS 205.273, COUNT 4 - BURGLARY (Category B Felony), NRS 205.060; and thereafter on the 20th day of November, 2006, the Defendant was present in Court for sentencing with his counsel, ERIC GOODMAN, ESQ., and good cause appearing therefor,

CLERK OF THE COURT

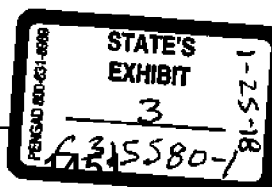
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1 THE DEFENDANT HEREBY ADJUDGED guilty of the crime(s) as set forth in the
2 jury's verdict and, in addition to the \$25.00 Administrative Assessment Fee and the \$150.00
3 DNA Analysis fee including testing to determine genetic markers, Defendant SENTENCED
4 to ONE HUNDRED SIXTY-SEVEN (167) DAYS credit for time served CONCURRENT
5 with C224558. As to Count 1, a MAXIMUM of SIXTY (60) MONTHS with a MINIMUM
6 of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC). As to
7 Count 2, TWELVE (12) MONTHS in the Clark County Detention Center, CONCURRENT
8 with Count 1. As to Count 3, a MAXIMUM of FORTY-EIGHT (48) MONTHS with a
9 MINIMUM of TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC),
10 CONCURRENT with Count 2. As to Count 4, a MAXIMUM of SIXTY (60) MONTHS
11 with a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of
12 Corrections (NDC), CONCURRENT with Count 3. BOND, if any, EXONERATED.

13 THEREAFTER, on the 14th day of May, 2007, the defendant not present, represented
14 by ERIC GOODMAN, ESQ., and the State represented by NELL KEENAN, Deputy District
15 Attorney, and pursuant to the Request of Clarification of Sentence, and good cause
16 appearing to amend Judgment of Conviction; now therefor,

17 IT IS ORDERED THAT: Court clarified; sentence imposed does and should reflect
18 a CONCURRENT sentence with Defendant's other case C224558.

19 DATED this 23 day of May, 2007.

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21 DISTRICT JUDGE

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CLERK OF THE COURT

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Nov 22 9 17 AM '06

Shirley D. Higgins
CLERK

ORIGINAL

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

CASE NO. C224558

-vs-

DEPT. NO. XIV

CESAR VALENCIA
aka Cesar Sanchaz Valencia
#1588390

Defendant.

JUDGMENT OF CONVICTION

(PLEA OF GUILTY)

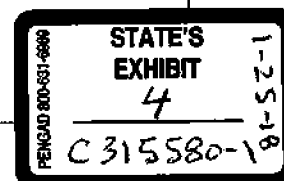
The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime of POSSESSION OF STOLEN VEHICLE (Category C Felony) in violation of NRS 205.273; thereafter, on the 13th day of November, 2006, the Defendant was present in court for sentencing with his counsel, MARISA BORDER, Deputy Public Defender, and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense and, in addition to the \$25.00 Administrative Fee, the Defendant is sentenced as follows: TO A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWENTY-FOUR (24) MONTHS, in the Nevada Department of Corrections (NDC), to run

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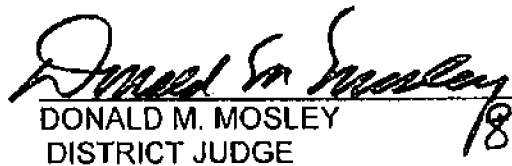
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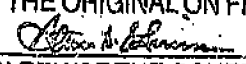
COUNTY CLERK



1 CONSECUTIVE to C223991; with ONE HUNDRED EIGHTY-FOUR (184) days credit
2 for time served.
3
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7 DATED this 20th day of November, 2006
8

9 
10 DONALD M. MOSLEY
11 DISTRICT JUDGE
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JAN 03 2018
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CLERK OF THE COURT

LVMPD - COMMUNICATION CENTER
EVENT SEARCH

EVT : LLV160519003387

TYPE: 467

PRI : 6

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BLDG:

APT :

OR: 625 N 10TH ST

XST : 1001 E BONANZA RD

CITY : LV

CADD:

CNAM:

CPHONE:

MAP : 0232691

S/B : B1

SRA : G734

P/U : 3DP40

OFF1: 9383

OFF2 : 13249

DATE: 2016/05/19

INIT: 19:46:08

AREA : DT

911 : NO

CLSE: 03:58:29

DISP : A

19:46:08	CM	Primary Event: MAIN Opened: 16/05/19 19:46	17	LV10192
19:46:08	EU	INITIATED BY FRM- TO-LV10192	17	LV10192
19:46:08	CM	MALE ON MOPED	17	LV10192
19:46:08	CM	Verification Bypassed Inc- LLV160519003387 Addr-ALLEY 10/11TH SB	17	LV10192
19:46:08	CM	Initial Traffic Stop by LV/3DP40 at 19:46:08 on 16/05/19	17	LV10192
19:46:08	USOF 3DP40	467	17	LV10192
19:46:08	EU 3DP40	PU FRM- TO-LV/3DP40	17	LV10192
19:46:18	USAS 3C12	ALLEY 10/11TH SB 467	17	LV10192
19:46:23	CM	CRED 1946HRS	17	LV10192
19:46:51	CM	CRIME DROPPED FIREARM FT PURS NB 10TH WB 9TH 625 N 10TH	17	LV10192
19:47:17	CM	3DP40 HMA DRK HAT RED STRIPED SHIRT DRK PNTS 5'7 160# TWRDS 9TH ST	17	LV10192
19:47:17	CM	FROM ALLEY 1947HRS	17	LV10192
19:47:32	USER 689B	ALLEY 10/11TH SB 467	17	LV10192
19:47:59	USAS 3C	ALLEY 10/11TH SB 467	17	LV10192
19:48:01	US 3C	LO 9/WILSON	17	LV10192
19:48:29	US 3DP40	LO BONZ/11TH	17	LV10192
19:48:42	CM	3DP40-- 9/WILSON 10/WILSON 9/BONZ 10/BONZ & ALLEY BWTN 3DP40A// 2	17	LV10192
19:48:42	CM	@ GUNPOINT REF 2X OTHERS TRYING TO STEAL MOPED ALLEY W/O 7--	17	LV10192
19:48:42	CM	BONZ/11TH 1948HRS	17	LV10192
19:48:51	USAS 3B2	ALLEY 10/11TH SB 467	17	LV10192
19:49:01	USER 3B2	ALLEY 10/11TH SB 467	00	LV13341
19:49:06	USER 3B2	ALLEY 10/11TH SB 467	00	LV13341
19:49:16	CM	3DP41 WILSON/MP BONZ/MP 1949HRS	17	LV10192
19:49:36	USAS 3DP41	ALLEY 10/11TH SB 467	17	LV10192
19:50:01	CM	3DP40 LS N/S 620 N 9TH 1949HRS	17	LV10192
19:50:14	CM	3DP40A C4 2 IN CUST 1950HRS	17	LV10192
19:50:22	USAS K912	ALLEY 10/11TH SB 467	17	LV10192
19:50:25	USER K912	ALLEY 10/11TH SB 467	00	LV7165
19:50:36	USAS 3A55	ALLEY 10/11TH SB 467	17	LV10192
19:50:39	US 3A55	LO 10/WILSON	17	LV10192
19:51:06	CM	3DP41 HMA MATCHING RESIDENCE IN 10TH 1951HRS	17	LV10192
19:51:13	USAS 3C34	ALLEY 10/11TH SB 467	17	LV10192
19:51:25	USAS 705	ALLEY 10/11TH SB 467	17	LV10192
19:51:42	USAS 8A70	ALLEY 10/11TH SB 467	17	LV10192
19:51:54	CM	8A70 DIDNT MAKE IT PAST DTAC NO ONE MADE IT WEST OR SOUTH 1951HRS	17	LV10192
19:52:07	USAS 3A4	ALLEY 10/11TH SB 467	17	LV10192
19:52:13	US 3B2	LO BONZ/11	17	LV10192
19:52:34	USAR 632	ALLEY 10/11TH SB 467	17	LV10192
19:52:53	CM	620 N 9TH	17	LV10192
19:52:53	EU	FRM- TO-02	17	LV10192

EREBY CERTIFY that this is a full, true and correct copy of the
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except for the information that is privileged and confidential by law.

RESEARCH ASSISTANT Communications Bureau

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6/22/2016 10:11:14 AM

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LVMPD - COMMUNICATION CENTER
EVENT SEARCH

19:52:53	EU	FRM-	TO-901 E BONANZA RD		17	LV10192
19:52:53	EU	FRM-	TO-901 E WILSON AVE		17	LV10192
19:52:53	EU	FRM-	TO-B		17	LV10192
19:52:53	EU	FRM-	TO-B1		17	LV10192
19:52:53	EU	FRM-	TO-LV		17	LV10192
19:52:58	EU	3DP40	AD FRM-ALLEY 10/11TH SB		17	LV10192
19:53:14	USAS	3B5	620 N 9TH ST	467	17	LV10192
19:53:18	USAO	3B5	11/WILSON	467	17	LV10192
19:53:26	USAS	618K	620 N 9TH ST	467	17	LV10192
19:54:49	CM	705--	HOUSE IN QUESTION N/O 623 N 10TH & S/O 631 N 10TH	1954HRS	17	LV10192
19:55:49	US	3A4	LO HARRIS/11		17	LV10192
19:56:01	EU	3DP40	AD FRM-620 N 9TH ST		17	LV10192
19:56:07	EU	3DP40	AD FRM-627 N 9TH ST		17	LV10192
19:56:37	USAS	3B15	645 N 9TH ST	467	17	LV10192
19:56:42	US	3B15	LO ALLEY W/O 613 N 10TH		17	LV10192
19:56:44	CM	705	NEED 1X MORE UNIT ALLEY W/O 623 N 10TH	1956HRS	17	LV10192
19:56:49	EU	3DP40	AD FRM-645 N 9TH ST		17	LV10192
19:56:56	EU	3DP40	AD FRM-645 N 10TH ST		17	LV10192
19:56:56	EU		FRM-901 E BONANZA RD TO-1001 E BONANZA RD		17	LV10192
19:56:56	EU		FRM-901 E WILSON AVE TO-1001 E WILSON AVE		17	LV10192
19:57:20	EU	3DP40	AD FRM-627 N 10TH ST		17	LV10192
19:57:25	EU	3DP40	AD FRM-625 N 9TH ST		17	LV10192
19:58:17	CM		CAESAR VALENCIA 110179		17	LV10192
19:58:39	CM	618K	CH CLR F/ NOW	1958HRS	17	LV10192
19:58:49	US	3C12	LO BONZ/11TH		17	LV10192
19:59:04	CM	3DP40	OUT W/ MOPED ALLEY W/O 7-11	1959HRS	17	LV10192
20:00:34	CM		RT UNIT ID#1588390	2000HRS	17	LV10192
20:01:09	CM	3DP40	440 RIVERA, ANIBAL [REDACTED] 72 IS 1X OF SUSP THAT TRIED TO TAKE		17	LV10192
20:01:09	CM		OFF	2001HRS	17	LV10192
20:01:34	USAR	K912	ALLEY 10/11TH SB	467	00	LV7165
20:02:05	CM	705/3DP40--	WHEN CAESAR TURNED WHILE RUNNING POINTED 413 AT UNIT BUT		17	LV10192
20:02:05	CM		DROPPED IT	2002HRS	17	LV10192
20:02:22	CM	3DP40-	REQ K9 TO EAST ALLEY 620 N 9TH	2002HRS	17	LV10192
20:02:29	USAS	K98	625 N 10TH ST	467	17	LV10192
20:04:14	CM	705/3DP40--	PER PICTURE TEXTED WILL BE CAESAR VALENCIA	2004HRS	17	LV10192
20:05:28	CM	3DP40	BEH 620 N 9TH EAST ALLEY	2005HRS	17	LV10192
20:05:40	CM	BA73	PLAIN CLOTHES PLAIN CAR IN AREA	2005HRS	17	LV10192
20:05:43	USER	8A73	625 N 10TH ST	467	17	LV10192
20:05:53	CM	3DP40--	MOPED VIN SHAVED OFF	2005HRS	17	LV10192
20:06:00	CM		10/372WC NOTIFIED LL	2005HRS	10	LV8626
20:07:02	CM	K912/618K	SUSP LS WB FROM TARGET LOC TWRDS DTAC	2006HRS	17	LV10192
20:07:27	USAO	3B15	ALLEY W/O 613 N 10TH	467	17	LV10192
20:07:31	USAO	3A4	HARRIS/11	467	17	LV10192
20:07:34	USAO	3A55	10/WILSON	467	17	LV10192
20:07:36	USAO	3C	9/WILSON	467	17	LV10192
20:07:38	USAO	3C12	BONZ/11TH	467	17	LV10192
20:07:38	USAO	3C12	BONZ/11TH	467	17	LV10192
20:07:57	US	3C34	LO 7TH/BONZ		17	LV10192
20:08:01	USAO	3C34	7TH/BONZ	467	17	LV10192
20:08:03	USAR	705	ALLEY 10/11TH SB	467	17	LV10192

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LVMPD - COMMUNICATION CENTER
EVENT SEARCH

20:08:05	USAR	689B	ALLEY 10/11TH SB	467	17	LV10192
20:08:07	USAR	8A70	ALLEY 10/11TH SB	467	17	LV10192
08:11	USAR	8A73	625 N 10TH ST	467	17	LV10192
20:08:37	CM		3DP41/3B2 BMA RED STRIPED SHIRT IS NEG 2008HRS		17	LV10192
20:11:48	USAR	K98	625 N 10TH ST	467	00	LV6035
20:12:25	USAR	618K	620 N 9TH ST	467	17	LV10192
20:13:34	CM		3DP40 REQ TOW W/O 7-11 BONZ/11TH 2013HRS		17	LV10192
20:13:37	EU		FRM- TO-AR/2013HRS		17	LV10192
20:13:37	EU	3DP40	TW FRM- TO-AR/2013HRS		17	LV10192
20:15:53	CM		3A55 9TH/WILSON MALE GRY SHIRT BLK HAT UNK IF HMA OR BMA 2015HRS		17	LV10192
20:16:17	USAR	3DP41	ALLEY 10/11TH SB	467	17	LV10192
20:16:28	CM		K912-- HMA WILSON/9TH IS NEG 2016HRS		17	LV10192
20:18:14	USAR	3B2	BONZ/11	467	17	LV10192
20:19:41	CM		3C12 10 & 9TH WILSON WHI FORD PU DRVG BLACKED OUT HARRIS/10TH WB		17	LV10192
20:19:41	CM		2019HRS		17	LV10192
20:20:18	USER	8C71	625 N 10TH ST	467	17	LV10192
20:20:29	US	8C71	LO HARRIS/10TH		17	LV10192
20:20:49	CM		3C12-- WHI PU LS WB HARRIS FROM 11TH SHOULD COME OUT 10 OR 9TH WILSON		17	LV10192
20:20:49	CM		2020HRS		17	LV10192
20:22:57	US	3DP40	LO BONZ/11TH W/O 7-11		17	LV10192
20:25:41	USAR	8C71	HARRIS/10TH	467	17	LV10192
20:33:47	US	3C12	LO 10TH/BONZ		17	LV10192
20:33:54	CM		632-- NEED UNIT 10TH/BONZ CLR UNITS OFF 11TH 2033HRS		17	LV10192
20:34:32	US	3C34	LO 9TH/WILSON		17	LV10192
20:35:28	USCL	8A73		467	25	LV13783
20:38:08	CM		K912 VIN/L9NTEA0TX01015096 WAS PARKED NEXT TO SUSP RES NEG WANTS		17	LV10192
20:38:08	CM		2038HRS		17	LV10192
20:38:13	US	689B	RD Rider Added: [REDACTED]/FSE		00	LV213D5
20:38:13	US	689B	UU Area:DT Veh:P10602 Unit Update		00	LV213D5
20:38:13	US	689B	CU 1M MT		00	LV213D5
20:38:23	US	K912	LO 625 N 10TH		17	LV10192
20:38:35	CM		705 BREAK DOWN PERIM 2038HRS		17	LV10192
20:38:41	USCL	689B		467	00	LV9053
20:44:13	USCL	K912		467	00	LV7165
20:44:26	USCL	3C		467	00	LV10026
20:45:34	USCL	3A55		467	00	LV8914
20:46:01	UR	3C34	Reassign: 467 LLV160519003472		17	LV10192
20:46:06	UR	3C12	Reassign: 467 LLV160519003493		17	LV10192
20:47:42	USCL	K98		467	00	LV6035
20:47:48	USCL	3B5		467	00	LV8781
20:48:21	USTO	3B15	DTAC	467	00	LV9847
20:49:25	USCL	8A70		467	08	LV14554
20:52:07	USCL	3DP41		467	17	LV10192
20:56:40	US	705	LO 625 N 10TH		17	LV10192
20:56:40	US	632	LO 625 N 10TH		17	LV10192
20:56:55	USCL	705		467	00	LV7062
21:00:02	USCL	3B2		467	00	LV13341
21:00:29	USAO	3B15	DTAC	467	00	LV9847
21:00:29	USER	3B15	DTAC	467	00	LV9847
21:00:36	USCL	3B15		467	00	LV9847

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RESEARCH ASSISTANT Communications Bureau

6/22/2016 10:11:14 AM

LVMPD - COMMUNICATION CENTER
EVENT SEARCH

21:01:08	USCL	3A4		467	00	LV13130
21:01:53	USCL	8C71		467	05	LV13035
05:05	USAS	3B15	625 N 10TH ST	467	17	LV10192
21:05:16	CM		632 REQ XPORT @ 620 N 10TH 2105HRS		17	LV10192
21:09:20	CM		3DP40-- AWDW ON OFCR OCCD 610 N 10TH 2109HRS		17	LV10192
21:12:52	USER	PD127	625 N 10TH ST	467	17	LV10192
21:12:57	USAS	PD199	625 N 10TH ST	467	17	LV10192
21:13:10	USER	606PD	625 N 10TH ST	467	17	LV10192
21:13:10	USER	PD112	625 N 10TH ST	467	17	LV10192
21:18:16	USAR	3B15	625 N 10TH ST	467	17	LV10192
21:26:58	UO	3DP40	Overdue: Operator: LV/7672 Console: 17			
21:27:05	USER	PD199	625 N 10TH ST	467	17	LV7672
21:31:08	USAS	3DP41	625 N 10TH ST	467	17	LV7672
21:31:13	USER	3DP41	625 N 10TH ST	467	17	LV7672
21:31:16	USAR	3DP41	625 N 10TH ST	467	17	LV7672
21:37:14	USAR	606PD	625 N 10TH ST	467	17	LV7672
21:46:14	USAR	PD112	625 N 10TH ST	467	17	LV7672
21:46:14	USAR	PD127	625 N 10TH ST	467	17	LV7672
21:47:28	USAR	PD199	625 N 10TH ST	467	17	LV7672
21:48:05	CM		PD199...REQ'G ID 2148HRS		11	LV9461
21:48:40	CM		11 / SHELLBERG COPIED ID REQ OVER THE AIR 2148HRS		11	LV9461
21:57:18	UO	3DP40	Overdue: Operator: LV/7672 Console: 17			
22:00:39	USCL	618K		467	00	LV6928
22:00:45	O2	PD127	ID Officer 2: LV/12961 VALLAD, JASON		33	LV7216
22:28:45	UO	3DP40	Overdue: Operator: LV/7672 Console: 17			
22:37:32	USAS	C23	625 N 10TH ST	467	11	LV9461
22:44:54	USTB	3B15	CITY JAIL	467	00	LV9847
22:54:14	UO	632	Overdue: Operator: LV/7672 Console: 17			
22:55:51	USAR	C23	625 N 10TH ST	467	00	LV13177
23:00:27	USAO	606PD	DTAC	467	17	LV7672
23:01:59	USAO	PD112	DTAC	467	17	LV7672
23:02:11	USCL	632		467	00	LV6264
23:02:37	UO	3DP40	Overdue: Operator: LV/7672 Console: 17			
23:10:42	USTO	3DP40	CITY JAIL	467	00	LV9383
23:10:50	USAO	3DP40	CITY JAIL	467	00	LV9383
23:15:45	USAB	3B15	CITY JAIL	467	17	LV7672
23:23:02	US	PD199	UU Area:DT Veh:P3998 Unit Update		00	LV7773
23:23:02	US	PD199	CU 1M MT		00	LV7773
23:32:12	CM		// GILBERT, ERIC AND RIVERA, ANIBAL WERE ARRESTED FOR OBSTRUCTING A		00	LV9383
23:32:12	CM		PUBLIC OFFICER.		00	LV9383
23:32:12	USCL	3DP40		467	00	LV9383
23:32:12	EU	3DP40	D FRM- TO-A MAIN		00	LV9383
23:34:06	USTO	PD199	DTAC	467	00	LV7773
23:34:13	USAO	PD199	DTAC	467	00	LV7773
23:36:44	USAR	C23	625 N 10TH ST	467	00	LV13177
23:42:56	USCL	C23		467	11	LV13079
23:48:44	USCL	PD127		467	36	LV14760
23:51:16	USCL	3B15		467	00	LV9847
23:55:40	USCL	3DP41		467	00	LV8392
02:09:18	USCL	606PD		467	17	LV14764

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LVMPD - COMMUNICATION CENTER
EVENT SEARCH

02:13:23	CM	PD199 & PD112 C4 AT DTAC	0213HR		17	LV14764
02:13:42	UO	PD199	Overdue: Operator: LV/14764	Console: 17		
02:13:42	UO	PD112	Overdue: Operator: LV/14764	Console: 17		
03:58:09	USCL	PD112		467	17	LV13921
03:58:29	USCL	PD199		467	17	LV13921
03:58:29	CM	Route Closed: MAIN				
03:58:29	CM	Incident Closed: 16/05/20 03:58				

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RESEARCH ASSISTANT Communications Bureau

6/22/2016 10:11:14 AM

Las Vegas Metropolitan Police Department Forensic Laboratory Report of Examination Controlled Substances		Distribution Date: July 19, 2016 Agency: LVMPD Location: DTAC Primary Case #: 160519-3387 Additional Cases: 160520-4272 Incident: Assault WDW Requester: Rachel OHalloran Lab Case #: 16-05308.2
Subject(s):	Cesar VALENCIA (Suspect)	

I, Jason S Altnether, do hereby declare:

That I am a Forensic Scientist employed by the Las Vegas Metropolitan Police Department;

That on January 7, 2011, I first qualified in the Eighth Judicial District Court of Clark County, Nevada as an expert witness, to testify regarding the identity of a controlled substance.

That I received evidence in the above case, completed an examination, and
Conclusive analysis identified:

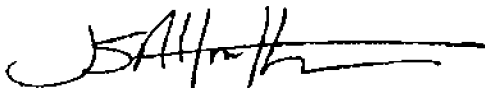
Lab Item #	Impound Pkg #	Impound Item #	Description	Results and Conclusions
Item 2	012961 - 2	2	One (1) plastic bag containing off-white crystalline substance	Methamphetamine, net weight 2.67 g \pm 0.02 g
Item 3	012961 - 2	3	One (1) plastic bag containing off-white powdery substance	Cocaine, net weight 2.400 g \pm 0.003 g
Item 4	012961 - 2	4	One (1) plastic bag containing brown/black substance	Heroin, net weight 11.60 g \pm 0.02 g

NOTE: A coverage probability of approximately 95% was utilized in the calculation of uncertainty (+/-) for the measurement(s) reported above.

That the evidence will be returned to the LVMPD Evidence Vault.

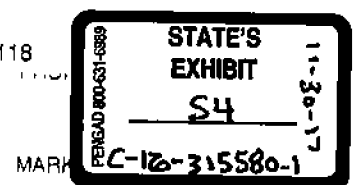
I declare under penalty of perjury that the foregoing is true and correct.

---This report does not constitute the entire case file. The case file may be comprised of worksheets, images, analytical data and other documents.---



Jason S Altnether, #14211
 Forensic Scientist

- END OF REPORT -



ORIGINAL

AJOCP
DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

FILED

MAY 25 3 28 PM '07

Cliff Smith
CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CAESAR SANCHEZ VALENCIA, aka
Caesar Sanchaz Valencia,
#1588390

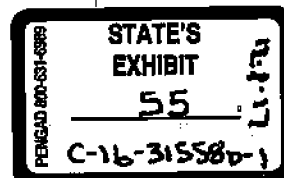
Defendant.

Case No: C223991

Dept No: VI

AMENDED JUDGMENT OF CONVICTION (JURY TRIAL)

The Defendant previously entered plea(s) of not guilty to the crime(s) of COUNT 1 - UNLAWFUL POSSESSION OF AN ELECTRONIC STUN DEVICE (Category B Felony), in violation of NRS 202.357, COUNT 2 - POSSESSION OF BURGLARY TOOLS (Gross Misdemeanor, NRS 205.080, COUNT 3 - POSSESSION OF STOLEN VEHICLE (Category C Felony), NRS 205.273), COUNT 4 - BURGLARY (Category B Felony), in violation of NRS 205.060, and the matter having been tried before a jury, and the Defendant being represented by counsel and having been found guilty of the crime(s) of COUNT 1 - UNLAWFUL POSSESSION OF AN ELECTRONIC SUN DEVICE (Category B Felony), in violation of NRS 202.357, COUNT 2 - POSSESSION OF BURGLARY TOOLS (Gross Misdemeanor), NRS 205.080, COUNT 3 - POSSESSION OF STOLEN VEHICLE (Category C Felony), NRS 205.273, COUNT 4 - BURGLARY (Category B Felony), NRS 205.060; and thereafter on the 20th day of November, 2006, the Defendant was present in Court for sentencing with his counsel, ERIC GOODMAN, ESQ., and good cause appearing therefor,



IDENTIFICATION

15580-1

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CLERK OF THE COURT

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MAY 25 2007

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MAY 25 2007

1 THE DEFENDANT HEREBY ADJUDGED guilty of the crime(s) as set forth in the
2 jury's verdict and, in addition to the \$25.00 Administrative Assessment Fee and the \$150.00
3 DNA Analysis fee including testing to determine genetic markers, Defendant SENTENCED
4 to ONE HUNDRED SIXTY-SEVEN (167) DAYS credit for time served CONCURRENT
5 with C224558. As to Count 1, a MAXIMUM of SIXTY (60) MONTHS with a MINIMUM
6 of TWENTY-FOUR (24) MONTHS in the Nevada Department of Corrections (NDC). As to
7 Count 2, TWELVE (12) MONTHS in the Clark County Detention Center, CONCURRENT
8 with Count 1. As to Count 3, a MAXIMUM of FORTY-EIGHT (48) MONTHS with a
9 MINIMUM of TWELVE (12) MONTHS in the Nevada Department of Corrections (NDC),
10 CONCURRENT with Count 2. As to Count 4, a MAXIMUM of SIXTY (60) MONTHS
11 with a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of
12 Corrections (NDC), CONCURRENT with Count 3. BOND, if any, EXONERATED.

13 THEREAFTER, on the 14th day of May, 2007, the defendant not present, represented
14 by ERIC GOODMAN, ESQ., and the State represented by NELL KEENAN, Deputy District
15 Attorney, and pursuant to the Request of Clarification of Sentence, and good cause
16 appearing to amend Judgment of Conviction; now therefor,

17 IT IS ORDERED THAT: Court clarified; sentence imposed does and should reflect
18 a CONCURRENT sentence with Defendant's other case C224558.

19 DATED this 23 day of May, 2007.

J. Bonaventura
DISTRICT JUDGE KL

FEB 16 2017
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TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE

Alana L. Johnson
CLERK OF THE COURT

PAWPDOCSUUDG61061078601.DOC

1 JOCP

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MAY 29 5 49 AM '07

Cliff S. Davis
CLERK OF THE COURT

2
3
4
5 DISTRICT COURT
6 CLARK COUNTY, NEVADA

7
8 THE STATE OF NEVADA,

9 Plaintiff,

CASE NO. C224558

10 -vs-

DEPT. NO. XIV

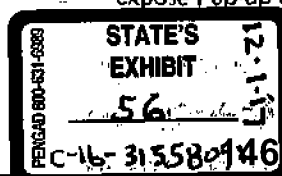
11 CESAR VALENCIA
12 aka Cesar Sanchaz Valencia
13 #1588390

14 Defendant.

15 SECOND AMENDED
16 JUDGMENT OF CONVICTION

17
18 The Defendant previously appeared before the Court with counsel and entered a
19 plea of guilty to the crime of POSSESSION OF STOLEN VEHICLE (Category C Felony)
20 in violation of NRS 205.273; thereafter, on the 13th day of November, 2006, the
21 Defendant was present in court for sentencing with his counsel, MARISA BORDER,
22 Deputy Public Defender, and good cause appearing,
23

24
25 THE DEFENDANT WAS THEREBY ADJUDGED guilty of said offense and, in
26 addition to the \$25.00 Administrative Fee, the Defendant was sentenced as follows: TO
A MAXIMUM of SIXTY (60) MONTHS with a MINIMUM parole eligibility of TWENTY-
FOUR (24) MONTHS, in the Nevada Department of Corrections (NDC), to run



1 CONSECUTIVE to C223991; with ONE HUNDRED EIGHTY-FOUR (184) days credit
2 for time served.

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4 THEREAFTER, on the 29th day of March, 2007, the Defendant was not present
5 in court and was not represented by counsel, and good cause appearing to amend the
6 Judgment of Conviction; now therefore,

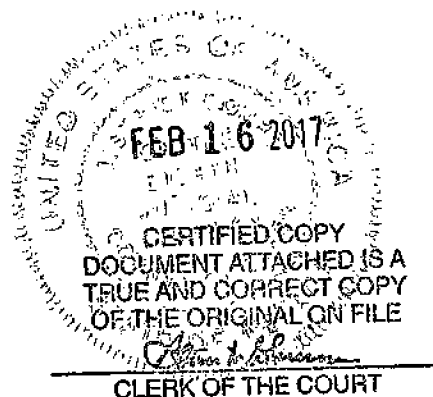
7 IT WAS THEREBY ORDERED the Defendant's sentence to be amended to
8 delete CONSECUTIVE to C223991 time.

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10 THEREAFTER, on the 14TH day of May, 2007, the Defendant was not present in
11 court but was represented by his counsel, BRYAN COX, Deputy Public Defender, and
12 good cause appearing to again amend the Judgment of Conviction; now therefore,

13 IT IS HEREBY ORDERED the Defendant's sentence be MODIFIED to reflect
14 that it is to run CONCURRENT with C223991.

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17 DATED this 23RD day of May, 2007

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21 KK DONALD M. MOSLEY
22 DISTRICT JUDGE



Brereton, Alan

From: Rex Sanders <rexanders17@gmail.com>
Sent: Tuesday, November 28, 2017 8:42 AM
To: Brereton, Alan
Subject: Juror Badge #16-1082

Follow Up Flag: Follow up
Flag Status: Flagged

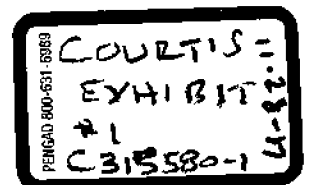
Dear Judge Mark Bailus,

My name is Rex Sanders (ID# 16-1082) and I am writing you because I don't want to disrupt the process of finding a jury for the case you are over, but I have some concerns. Yesterday you asked if serving on a jury would be a burden to anyone, and I thought about raising my hand but I didn't because at that moment in time I thought I was just looking for a way out of serving on a jury. I should have raised my hand though, as the rest of the year and this week especially are going to be very busy for me.

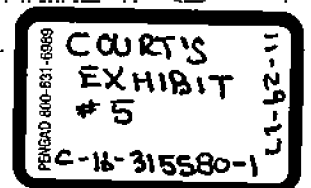
As I've said, I am a part time student at CSN. I'm taking online classes, so I have a little bit of freedom with that. I still have assignments that I have to have turned in by the end of each week though. Yesterday my thought was that I could just do them when I'm not doing stuff for the jury selection/jury duty. The only problem is I also have a full time job. And for the rest of the year my work is not only going to need me to work a regular 40 hour work week, they said I will more than likely have to work overtime to get all the year end bookkeeping finished for our clients. They said if I'm not able to they will have to hire another person, and I would not receive pay for my time at jury duty (as is expected). I don't necessarily live paycheck to paycheck as my rent is taken care of for a couple months, but I do have some medical and credit card bills that I need to pay and I don't want to have to use my emergency fund if I don't need to. Also with the Holiday Season I'm expecting my expenses to be higher than usual, so I need a full paycheck more than ever right now.

Thank you for your time sir, and I hope you will take this into consideration while selecting a jury. I would be more than happy to come back at a later date to make up for missing this one, so long as it isn't a month before the tax deadline as I'll be swamped at work again. I will try to arrive at the courthouse by 11:00 so we can meet and you could ask me any questions you may have, and we can discuss this more if you'd like. Also feel free to reply to this email, or give me a call at (725)502-0581.

Sincerely,
Rex Sanders



A LAW ENFORCEMENT OFFICER'S
CHARGING DECISION IS A
LEGAL CONCLUSION
THAT SHALL NOT BE CONSIDERED
AS EVIDENCE.



1 INST

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA
5

6 THE STATE OF NEVADA,

7 Plaintiff,

8 -vs-

9 CEASAR SANCHAZ VALENCIA
10 #1588390

11 Defendant.

CASE NO: C-16-315580-1

DEPT NO: XVIII

12 INSTRUCTIONS TO THE JURY (INSTRUCTION NO. 1)

13 MEMBERS OF THE JURY:

14 It is now my duty as judge to instruct you in the law that applies to this case. It is your
15 duty as jurors to follow these instructions and to apply the rules of law to the facts as you find
16 them from the evidence.

17 You must not be concerned with the wisdom of any rule of law stated in these
18 instructions. Regardless of any opinion you may have as to what the law ought to be, it would
19 be a violation of your oath to base a verdict upon any other view of the law than that given in
20 the instructions of the Court.
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INSTRUCTION NO. 2

If, in these instructions, any rule, direction or idea is repeated or stated in different ways, no emphasis thereon is intended by me and none may be inferred by you. For that reason, you are not to single out any certain sentence or any individual point or instruction and ignore the others, but you are to consider all the instructions as a whole and regard each in the light of all the others.

The order in which the instructions are given has no significance as to their relative importance.

An Information is but a formal method of accusing a person of a crime and is not of itself any evidence of his guilt.

In this case, it is charged in an Information that CEASAR SANCHEZ VALENCIA, the Defendant(s) above named, having committed the crimes of ASSAULT ON A PROTECTED PERSON WITH USE OF A DEADLY WEAPON; TRAFFICKING IN CONTROLLED SUBSTANCE and POSSESSION OF CONTROLLED SUBSTANCE, on or about the 19th day of May, 2016, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada,

COUNT 1 - ASSAULT ON A PROTECTED PERSON WITH USE OF A DEADLY WEAPON

did willfully, unlawfully, feloniously and intentionally place another person in reasonable apprehension of immediate bodily harm and/or did willfully and unlawfully attempt to use physical force against another person, to-wit: J. JACOBITZ, a protected person employed as a Police Officer with Las Vegas Metropolitan Police Department, while J. JACOBITZ was performing his duties as a Police Officer with Las Vegas Metropolitan Police Department, which Defendant knew, or should have known, that J. JACOBITZ was a Police Officer with Las Vegas Metropolitan Police Department, with use of a deadly weapon, to-wit: a firearm, by pointing said firearm at the said Officer J. JACOBITZ.

COUNT 2 - TRAFFICKING IN CONTROLLED SUBSTANCE

did willfully, unlawfully, feloniously, and knowingly or intentionally possess, either actually or constructively, 4 grams or more, but less than 14 grams, to-wit: approximately 11.8 grams of Heroin, or any mixture of substance consisting of approximately 11.8 grams containing the controlled substance Heroin.

COUNT 3 - POSSESSION OF CONTROLLED SUBSTANCE

did willfully, unlawfully, feloniously, and knowingly or intentionally possess a controlled substance, to-wit: Cocaine.

1 COUNT 4 - POSSESSION OF CONTROLLED SUBSTANCE

2 did willfully, unlawfully, feloniously, and knowingly or intentionally possess a
3 controlled substance, to-wit: Methamphetamine.

4 It is the duty of the jury to apply the rules of law contained in these instructions to the
5 facts of the case and determine whether or not the Defendant is guilty.

INSTRUCTION NO. 4

To constitute the crime charged, there must exist a union or joint operation of an act forbidden by law and an intent to do the act.

The intent with which an act is done is shown by the facts and circumstances surrounding the case.

Do not confuse intent with motive. Motive is what prompts a person to act. Intent refers only to the state of mind with which the act is done.

Motive is not an element of the crime charged and the State is not required to prove a motive on the part of the Defendant in order to convict. However, you may consider evidence of motive or lack of motive as a circumstance in the case.

INSTRUCTION NO. 5

The Defendant is presumed innocent unless the contrary is proved. This presumption places upon the State the burden of proving beyond a reasonable doubt every element of the crime charged and that the Defendant is the person who committed the offense.

A reasonable doubt is one based on reason. It is not mere possible doubt but is such a doubt as would govern or control a person in the more weighty affairs of life. If the minds of the jurors, after the entire comparison and consideration of all the evidence, are in such a condition that they can say they feel an abiding conviction of the truth of the charge, there is not a reasonable doubt. Doubt to be reasonable must be actual, not mere possibility or speculation.

If you have a reasonable doubt as to the guilt of the Defendant, he is entitled to a verdict of not guilty.

INSTRUCTION NO. 6

You are here to determine the guilt or innocence of the Defendant from the evidence in the case. You are not called upon to return a verdict as to the guilt or innocence of any other person. So, if the evidence in the case convinces you beyond a reasonable doubt of the guilt of the Defendant, you should so find, even though you may believe one or more persons are also guilty.

INSTRUCTION NO. 7

The evidence which you are to consider in this case consists of the testimony of the witnesses, the exhibits, and any facts admitted or agreed to by counsel.

There are two types of evidence; direct and circumstantial. Direct evidence is the testimony of a person who claims to have personal knowledge of the commission of the crime which has been charged, such as an eyewitness. Circumstantial evidence is the proof of a chain of facts and circumstances which tend to show whether the Defendant is guilty or not guilty. The law makes no distinction between the weight to be given either direct or circumstantial evidence. Therefore, all of the evidence in the case, including the circumstantial evidence, should be considered by you in arriving at your verdict.

Statements, arguments and opinions of counsel are not evidence in the case. However, if the attorneys stipulate to the existence of a fact, you must accept the stipulation as evidence and regard that fact as proved.

You must not speculate to be true any insinuations suggested by a question asked a witness. A question is not evidence and may be considered only as it supplies meaning to the answer.

You must disregard any evidence to which an objection was sustained by the court and any evidence ordered stricken by the court.

Anything you may have seen or heard outside the courtroom is not evidence and must also be disregarded.

INSTRUCTION NO. 8

The credibility or believability of a witness should be determined by his manner upon the stand, his relationship to the parties, his fears, motives, interests or feelings, his opportunity to have observed the matter to which he or she testified, the reasonableness of his statements and the strength or weakness of his recollections.

If you believe that a witness has lied about any material fact in the case, you may disregard the entire testimony of that witness or any portion of his testimony which is not proved by other evidence.

INSTRUCTION NO. 9

1
2 A witness who has special knowledge, skill, experience, training or education in a
3 particular science, profession or occupation is an expert witness. An expert witness may give
4 his or her opinion as to any matter in which he is skilled.

5 You should consider such expert opinion and weigh the reasons, if any, given for it.
6 You are not bound, however, by such an opinion. Give it the weight to which you deem it
7 entitled, whether that be great or slight, and you may reject it, if, in your judgment, the reasons
8 given for it are unsound.

1
2 A person who unlawfully attempts to use physical force against the person of another
3 or intentionally places another person in reasonable apprehension of immediate bodily harm
4 is guilty of Assault.

5 To constitute an assault, it is not necessary that any actual injury be inflicted.

6 A person who commits an assault upon a police officer during the performance of his
7 duties as a police officer is guilty of Assault on a Protected Person.

8 A person commits an assault by or through the use of a deadly weapon is guilty of
9 Assault with a Deadly Weapon.

10 A person who commits an assault upon a police officer by or through the use of a deadly
11 weapon is guilty of Assault on a Protected Person with Use of a Deadly Weapon.¹

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1 NRS 200.471

As used in these instructions, a “deadly weapon” means:

- (1) Any instrument which, if used in the ordinary manner contemplated by its design and construction, will or is likely to cause substantial bodily harm or death;² or
- (2) Any weapon, device, instrument, material or substance which, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing substantial bodily harm or death.³

You are instructed that a Firearm is a deadly weapon. A firearm is a deadly weapon whether loaded or unloaded, operable or inoperable.

A “Firearm” means any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion.⁴

² NRS 193.165(6)(a)],

³ NRS 193.165(6)(b)]

⁴ NRS 202.253(2); see also NRS 62A.130] *Barnhart v. State*, 122 Nev. 301, 304-305, 130 P.3d 650, 652 (2006); *Allen v. State*, 96 Nev. 334, 336, 609 P.2d 321, 322 (1980).

INSTRUCTION NO. 12

In order to "use" a deadly weapon, there need not be conduct which actually produces harm but only conduct which produces a fear of harm or force by means or display of the deadly weapon in aiding the commission of the crime.⁵

⁵ *Allen v. State*, 96 Nev. 334, 336, 609 P.2d 321, 322 (1980)

INSTRUCTION NO. 13

The State is not required to have recovered the deadly weapon used in an alleged crime, or to produce the deadly weapon in court at trial, to establish that a deadly weapon was used in the commission of the crime.⁶

⁶ *Harrison v. State*, 96 Nev. 347, 350 (1980).

INSTRUCTION NO. 14

When it is impossible to commit a particular crime without committing, at the same time and by the same conduct, another offense of lesser grade or degree, the latter is, with respect to the former, a "lesser included offense."

If you are not satisfied beyond a reasonable doubt that the Defendant is guilty of the offense charged, you may find the Defendant guilty of any lesser included offense, if the evidence is sufficient to establish his guilt of the lesser included offense beyond a reasonable doubt.

Assault on a Protected Person is a lesser included offense of Assault on a Protected Person with use of a Deadly Weapon.

Assault with a Deadly Weapon is a lesser included offense of Assault on a Protected Person with use of a Deadly Weapon.

INSTRUCTION NO. 15

Any person who knowingly or intentionally is in actual or constructive possession of a Schedule I controlled substance, or any mixture which contains a Schedule I controlled substance, the quantity of which weighs, or is represented by that person to weigh, 4 grams or more, is guilty of Trafficking in Controlled Substance.

The phrase "4 grams or more" refers to the aggregate weight of the entire mixture rather than the weight of the controlled substance that is contained in the mixture.⁷

It is not necessary for the State to prove that the defendant was aware of the amount of the controlled substance he possessed.⁸

"Knowingly" imports a knowledge that the facts exist which constitute the act and does not require knowledge of its unlawfulness. Knowledge of any particular fact may be inferred from the knowledge of such other facts as should put an ordinarily prudent person on notice.⁹

You are instructed that Heroin is a Schedule I controlled substance.¹⁰

⁷ NRS 453.3385; NRS 453.3383.

⁸ State v. District Court, 108 Nev. 1030 (1992).

⁹ NRS 193.017

¹⁰ NRS 453.146(1) (the Pharmacy Board The Board may add substances to or delete or reschedule all substances enumerated in schedules I, II, III, IV and V by regulation); Nev. Admin. Code § 453.510(3) ("Heroin").

INSTRUCTION NO. 16

A person who knowingly or intentionally possess a controlled substance, unless the substance was obtained directly from, or pursuant to, a prescription or order of a physician, dentist, podiatric physician, optometrist, advanced practice registered nurse or veterinarian while acting in the course of his or her professional practice, is guilty of Possession of Controlled Substance.¹¹

You are instructed that Methamphetamine is a Schedule I controlled substance.¹²

You are instructed that Cocaine is a Schedule I controlled substance.¹³

¹¹ NRS 453.336

¹² NRS 453.146(1) (the Pharmacy Board The Board may add substances to or delete or reschedule all substances enumerated in schedules I, II, III, IV and V by regulation); Nev. Admin. Code § 453.510(7) ("Methamphetamine"); Sheriff v. Burdg, 118 Nev. 853, 856, 59 P.3d 484, 486 (2002).

¹³ NRS 453.146(1) (the Pharmacy Board The Board may add substances to or delete or reschedule all substances enumerated in schedules I, II, III, IV and V by regulation); Nev. Admin. Code § 453.510(8) (Cocaine).

INSTRUCTION NO. 17

The law recognizes two kinds of possession: actual possession and constructive possession.

A person who knowingly has direct physical control over a thing, at a given time, is then in actual possession of it.

A person who, although not in actual possession, knowingly has both the power and the intention, at a given time, to exercise dominion or control over a thing, either directly or through another person or persons, is then in constructive possession of it.¹⁴

The law recognizes also that possession may be sole or joint. If one person alone has actual or constructive possession of a thing, possession is sole. If two or more persons share actual or constructive possession of a thing, possession is joint.¹⁵

You may find that the element of possession as that term is used in these instructions is present if you find beyond a reasonable doubt that a defendant had actual or constructive possession, either alone or jointly with others.

¹⁴ Palmer v. State, 112 Nev. 763, 920 P.2d 112 (1996)

¹⁵ Maskaly v. State, 85 Nev. 111, 114, 450 P.2d 790, 792 (1969)

1
2 In order to prove the commission of Trafficking In Controlled Substance and
3 Possession Of Controlled Substance, the State must prove that the defendant had knowledge
4 of the item's nature as a controlled substance.

5 A defendant's knowledge that the substance he possessed was a controlled substance
6 may be shown by direct evidence or by circumstantial evidence and reasonably drawn
7 inferences.
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INSTRUCTION NO. 19

A person is in possession of an article or object if it is carried on his person or, if not carried on his person, he knows that it is present and he has custody, dominion, or control over it.

The law recognizes two kinds of possession: actual possession and constructive possession.

A person who knowingly has direct physical control over a thing, at a given time, is then in actual possession of it.

A person who, although not in actual possession, knowingly has both the power and the intention, at a given time, to exercise dominion or control over a thing, either directly or through another person or persons, is then in constructive possession of it.

The law recognizes also that possession may be sole or joint. If one person alone has actual or constructive possession of a thing, possession is sole. If two or more persons share actual or constructive possession of a thing, possession is joint.¹⁶

You may find that the element of possession as that term is used in these instructions is present if you find beyond a reasonable doubt that a defendant had actual or constructive possession, either alone or jointly with others.

"Knowingly" imports a knowledge that the facts exist which constitute the act or omission of a crime, and does not require knowledge of its unlawfulness. Knowledge of any particular fact may be inferred from the knowledge of such other facts as should put an ordinarily prudent person on notice.¹⁷ An act or a failure to act is "knowingly" done if done voluntarily and intentionally, and not because of mistake or accident or other innocent reason.¹⁸

¹⁶ *Plamer v. State*, 112 Nev. 763, 920 P.2d 112 (1996)

¹⁷ NRS 193.017

¹⁸ *Zana v. State*, 125 Nev. 541, 216 P.3d 244 (2009) (Bad acts admissible to show defendant "knowingly" possessed pornography and not as a result of accident or mistake); *Bonacci v. State*, 96 Nev. 894, 620 P.2d 1244 (1980) (not error to admitted evidence of bad act to show crime was "knowingly" committed and not accident or mistake)

INSTRUCTION NO. 20

The intent of a person or the knowledge that a person possesses at any given time may not ordinarily be proved directly because there is no way of directly scrutinizing the workings of the human mind. In determining the issue of what a person knew or what a person intended at a particular time, you may consider any statements made or acts done by that person and all other facts and circumstances received in evidence which may aid in your determination of that person's knowledge or intent.¹⁹

¹⁹ State v. Thompson, 31 Nev. 209, 217, 101 P. 557, 560 (1909); State v. Hall, 54 Nev. 213, 223, 13 P.2d 624, 626 (1932).

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3 The flight of a person after the commission of a crime is not sufficient in itself to
4 establish guilt; however, if flight is proved, it is circumstantial evidence in determining guilt
5 or innocence.

6 The essence of flight embodies the idea of deliberately going away with
7 consciousness of guilt and for the purpose of avoiding apprehension or prosecution. The
8 weight to which such circumstance is entitled is a matter for the jury to determine.²⁰
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27 ²⁰ *Jackson v. State*, 117 Nev. 116, _____ (2001); *Hutchins v. State*, 110 Nev. 103, 113 (1994); *McGuire v. State*, 86 Nev.
28 262, 265 n.2 (1970); *Walker v. State*, 113 Nev. 853, 853 n.4 (1997). *Walker v. State*, 113 Nev. 853, 871, 944 P.2d 762,773
(1997); *Weber v. State*, 121 Nev. 554, 582, 119 P.3d 107, 126 (2005); *Miles v. State*, 97 Nev. 82, 85, 624 P.2d 494, 496
(1981). *Rosky v. State*, 121 Nev. 184, 199, 111 P.3d 690, 699-700 (2005); *Potter v. State*, 96 Nev. 875, 876, 619 P.2d 1222
(1980). *Jackson v. State*, 117 Nev. 116, 121, 17 P.3d 998, 1001 (2001).

INSTRUCTION NO. 22

Although you are to consider only the evidence in the case in reaching a verdict, you must bring to the consideration of the evidence your everyday common sense and judgment as reasonable men and women. Thus, you are not limited solely to what you see and hear as the witnesses testify. You may draw reasonable inferences from the evidence which you feel are justified in the light of common experience, keeping in mind that such inferences should not be based on speculation or guess.

A verdict may never be influenced by sympathy, prejudice or public opinion. Your decision should be the product of sincere judgment and sound discretion in accordance with these rules of law.

INSTRUCTION NO. 23

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2 In your deliberation you may not discuss or consider the subject of punishment, as that
3 is a matter which lies solely with the court. Your duty is confined to the determination of the
4 guilt or innocence of the Defendant.
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INSTRUCTION NO. 24

It is the constitutional right of a Defendant in a criminal trial that he may not be compelled to testify. Thus, the decision as to whether he should testify is left to the Defendant on the advice and counsel of his attorney. You must not draw any inference of guilt from the fact that he does not testify, nor should this fact be discussed by you or enter into your deliberations in any way.

INSTRUCTION NO. 25

A defendant's testimony in court is to be treated the same as the testimony of any other witness and may be considered for all purposes.

INSTRUCTION NO. 26

When you retire to consider your verdict, you must select one of your members to act as foreperson who will preside over your deliberation and will be your spokesperson here in court.

During your deliberation, you will have all the exhibits which were admitted into evidence, these written instructions and forms of verdict which have been prepared for your convenience.

Your verdict must be unanimous. As soon as you have agreed upon a verdict, have it signed and dated by your foreperson and then return with it to this room.

During the course of this trial, and your deliberations, you are not to:

- (1) communicate with anyone in any way regarding this case or its merits-either by phone, text, Internet, or other means;
- (2) read, watch, or listen to any news or media accounts or commentary about the case;
- (3) do any research, such as consulting dictionaries, using the Internet, or using reference materials;
- (4) make any investigation, experimentation at the scene, test a theory of the case, re-create any aspect of the case, or in any other way investigate or learn about the case or anyone involved with the case on your own.

You may, of course, during deliberations, communicate with other members of the jury while you are in the jury deliberation room, after the case has been submitted to you for deliberation.

INSTRUCTION NO. 28

If, during your deliberation, you should desire to be further informed on any point of law or hear again portions of the testimony, you must reduce your request to writing signed by the foreperson. The officer will then return you to court where the information sought will be given you in the presence of, and after notice to, the district attorney and the Defendant and his counsel.

Playbacks of testimony are time-consuming and are not encouraged unless you deem it a necessity. Should you require a playback, you must carefully describe the testimony to be read back so that the court reporter can arrange his/her notes. Remember, the court is not at liberty to supplement the evidence.

INSTRUCTION NO. 29

Now you will listen to the arguments of counsel who will endeavor to aid you to reach a proper verdict by refreshing in your minds the evidence and by showing the application thereof to the law; but, whatever counsel may say, you will bear in mind that it is your duty to be governed in your deliberation by the evidence as you understand it and remember it to be and by the law as given to you in these instructions, with the sole, fixed and steadfast purpose of doing equal and exact justice between the Defendant and the State of Nevada.

GIVEN:

DISTRICT JUDGE

1 **VER**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5 THE STATE OF NEVADA,

6 Plaintiff,

7 -vs-

8 CEASAR SANCHAZ VALENCIA
9 #1588390

10 Defendant.

CASE NO: C-16-315580-1

DEPT NO: II

11 **VERDICT**

12 We, the jury in the above entitled case, find the Defendant as follows:

13 **COUNT 1** – ASSAULT ON A PROTECTED PERSON WITH USE OF A DEADLY
14 WEAPON

15 *(Please check the appropriate box, select only one)*

- 16
- 17 ☐ Not Guilty
- 18 ☐ Guilty of Assault on a Protected Person
- 19 ☐ Guilty of Assault with a Deadly Weapon
- 20 ☐ Guilty of Assault on a Protected Person with use of a Deadly Weapon

21 **COUNT 2** – TRAFFICKING IN CONTROLLED SUBSTANCE (HERION)

22 *(Please check the appropriate box, select only one)*

- 23 ☐ Not Guilty
- 24 ☐ Guilty of Trafficking in Controlled Substance

25 **COUNT 3** – POSSESSION OF CONTROLLED SUBSTANCE (COCAINE)

26 *(Please check the appropriate box, select only one)*

- 27 ☐ Not Guilty
- 28 ☐ Guilty of Possession of Controlled Substance

COUNT 4 – POSSESSION OF CONTROLLED SUBSTANCE
(METHAMPHETAMINE)

(Please check the appropriate box, select only one)

- ☐ Not Guilty
☐ Guilty of Possession of Controlled Substance

DATED this _____ day of December, 2017

FOREPERSON

1 INST

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA
5

6 THE STATE OF NEVADA,

7 Plaintiff,

8 -vs-

9 CEASAR SANCHAZ VALENCIA
10 #1588390

11 Defendant.

CASE NO: C-16-315580-1

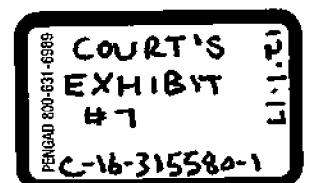
DEPT NO: 11 18

12 INSTRUCTIONS TO THE JURY (INSTRUCTION NO. 1)

13 MEMBERS OF THE JURY:

14 It is now my duty as judge to instruct you in the law that applies to this case. It is your
15 duty as jurors to follow these instructions and to apply the rules of law to the facts as you find
16 them from the evidence.

17 You must not be concerned with the wisdom of any rule of law stated in these
18 instructions. Regardless of any opinion you may have as to what the law ought to be, it would
19 be a violation of your oath to base a verdict upon any other view of the law than that given in
20 the instructions of the Court.
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INSTRUCTION NO. 2

If, in these instructions, any rule, direction or idea is repeated or stated in different ways, no emphasis thereon is intended by me and none may be inferred by you. For that reason, you are not to single out any certain sentence or any individual point or instruction and ignore the others, but you are to consider all the instructions as a whole and regard each in the light of all the others.

The order in which the instructions are given has no significance as to their relative importance.

INSTRUCTION NO. 3

An Information is but a formal method of accusing a person of a crime and is not of itself any evidence of his guilt.

In this case, it is charged in an Information that CEASAR SANCHAZ VALENCIA, the Defendant(s) above named, having committed the crime of OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON, on or about the 19th day of May, 2016, within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada,

COUNT 1 - OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON

did willfully, unlawfully, and feloniously own, or have in his possession and/or under his custody or control, a firearm, to-wit: a .38 caliber revolver, the Defendant being a convicted felon, having in 2006, been convicted of Possession of Stolen Vehicle, in Case No. C224558, and/or having in 2007, been convicted of Unlawful Possession of Electronic Stun Device and Possession of Burglary Tools and Possession of Stolen Vehicle and Burglary, in Case No. 223991, in the Eighth Judicial District Court, Clark County, felonies under the laws of the State of Nevada.

It is the duty of the jury to apply the rules of law contained in these instructions to the facts of the case and determine whether or not the Defendant is guilty.

INSTRUCTION NO. 4

To constitute the crime charged, there must exist a union or joint operation of an act forbidden by law and an intent to do the act.

The intent with which an act is done is shown by the facts and circumstances surrounding the case.

Do not confuse intent with motive. Motive is what prompts a person to act. Intent refers only to the state of mind with which the act is done.

Motive is not an element of the crime charged and the State is not required to prove a motive on the part of the Defendant in order to convict. However, you may consider evidence of motive or lack of motive as a circumstance in the case.

INSTRUCTION NO. 5

The Defendant is presumed innocent unless the contrary is proved. This presumption places upon the State the burden of proving beyond a reasonable doubt every element of the crime charged and that the Defendant is the person who committed the offense.

A reasonable doubt is one based on reason. It is not mere possible doubt but is such a doubt as would govern or control a person in the more weighty affairs of life. If the minds of the jurors, after the entire comparison and consideration of all the evidence, are in such a condition that they can say they feel an abiding conviction of the truth of the charge, there is not a reasonable doubt. Doubt to be reasonable must be actual, not mere possibility or speculation.

If you have a reasonable doubt as to the guilt of the Defendant, he is entitled to a verdict of not guilty.

INSTRUCTION NO. 6

You are here to determine the guilt or innocence of the Defendant from the evidence in the case. You are not called upon to return a verdict as to the guilt or innocence of any other person. So, if the evidence in the case convinces you beyond a reasonable doubt of the guilt of the Defendant, you should so find, even though you may believe one or more persons are also guilty.

INSTRUCTION NO. 7

The evidence which you are to consider in this case consists of the testimony of the witnesses, the exhibits, and any facts admitted or agreed to by counsel.

There are two types of evidence; direct and circumstantial. Direct evidence is the testimony of a person who claims to have personal knowledge of the commission of the crime which has been charged, such as an eyewitness. Circumstantial evidence is the proof of a chain of facts and circumstances which tend to show whether the Defendant is guilty or not guilty. The law makes no distinction between the weight to be given either direct or circumstantial evidence. Therefore, all of the evidence in the case, including the circumstantial evidence, should be considered by you in arriving at your verdict.

Statements, arguments and opinions of counsel are not evidence in the case. However, if the attorneys stipulate to the existence of a fact, you must accept the stipulation as evidence and regard that fact as proved.

You must not speculate to be true any insinuations suggested by a question asked a witness. A question is not evidence and may be considered only as it supplies meaning to the answer.

You must disregard any evidence to which an objection was sustained by the court and any evidence ordered stricken by the court.

Anything you may have seen or heard outside the courtroom is not evidence and must also be disregarded.

INSTRUCTION NO. 8

The credibility or believability of a witness should be determined by his manner upon the stand, his relationship to the parties, his fears, motives, interests or feelings, his opportunity to have observed the matter to which he or she testified, the reasonableness of his statements and the strength or weakness of his recollections.

If you believe that a witness has lied about any material fact in the case, you may disregard the entire testimony of that witness or any portion of his testimony which is not proved by other evidence.

INSTRUCTION NO. 9

A person who has been convicted of a felony in this or any other state, or in any political subdivision thereof, or of a felony in violation of the laws of the United States of America, shall not own or have in his possession or under his custody or control any firearm.¹

A "Firearm" means any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion. A firearm is a deadly weapon whether loaded or unloaded, operable or inoperable.²

Neither the concealment of the firearm nor the carrying of the weapon are necessary elements of the offense.

¹ NRS 202.360

² NRS 202.253(2); see also NRS 62A.130] Barnhart v. State, 122 Nev. 301, 304-305, 130 P.3d 650, 652 (2006); Allen v. State, 96 Nev. 334, 336, 609 P.2d 321, 322 (1980).

INSTRUCTION NO. 10

The law recognizes two kinds of possession: actual possession and constructive possession.

A person who knowingly has direct physical control over a thing, at a given time, is then in actual possession of it.

A person who, although not in actual possession, knowingly has both the power and the intention, at a given time, to exercise dominion or control over a thing, either directly or through another person or persons, is then in constructive possession of it.³

The law recognizes also that possession may be sole or joint. If one person alone has actual or constructive possession of a thing, possession is sole. If two or more persons share actual or constructive possession of a thing, possession is joint.⁴

You may find that the element of possession as that term is used in these instructions is present if you find beyond a reasonable doubt that a defendant had actual or constructive possession, either alone or jointly with others.

³ Palmer v. State, 112 Nev. 763, 920 P.2d 112 (1996)

⁴ Maskaly v. State, 85 Nev. 111, 114, 450 P.2d 790, 792 (1969)

INSTRUCTION NO. 11

The flight of a person after the commission of a crime is not sufficient in itself to establish guilt; however, if flight is proved, it is circumstantial evidence in determining guilt or innocence.

The essence of flight embodies the idea of deliberately going away with consciousness of guilt and for the purpose of avoiding apprehension or prosecution. The weight to which such circumstance is entitled is a matter for the jury to determine.⁵

⁵ *Jackson v. State*, 117 Nev. 116, _____ (2001); *Hutchins v. State*, 110 Nev. 103, 113 (1994); *McGuire v. State*, 86 Nev. 262, 265 n.2 (1970); *Walker v. State*, 113 Nev. 853, 853 n.4 (1997). *Walker v. State*, 113 Nev. 853, 871, 944 P.2d 762, 773 (1997); *Weber v. State*, 121 Nev. 554, 582, 119 P.3d 107, 126 (2005); *Miles v. State*, 97 Nev. 82, 85, 624 P.2d 494, 496 (1981). *Rosky v. State*, 121 Nev. 184, 199, 111 P.3d 690, 699-700 (2005); *Potter v. State*, 96 Nev. 875, 876, 619 P.2d 1222 (1980). *Jackson v. State*, 117 Nev. 116, 121, 17 P.3d 998, 1001 (2001).

INSTRUCTION NO. 12

Although you are to consider only the evidence in the case in reaching a verdict, you must bring to the consideration of the evidence your everyday common sense and judgment as reasonable men and women. Thus, you are not limited solely to what you see and hear as the witnesses testify. You may draw reasonable inferences from the evidence which you feel are justified in the light of common experience, keeping in mind that such inferences should not be based on speculation or guess.

A verdict may never be influenced by sympathy, prejudice or public opinion. Your decision should be the product of sincere judgment and sound discretion in accordance with these rules of law.

INSTRUCTION NO. 13

It is the constitutional right of a Defendant in a criminal trial that he may not be compelled to testify. Thus, the decision as to whether he should testify is left to the Defendant on the advice and counsel of his attorney. You must not draw any inference of guilt from the fact that he does not testify, nor should this fact be discussed by you or enter into your deliberations in any way.

INSTRUCTION NO. 14

When you retire to consider your verdict, you must select one of your members to act as foreperson who will preside over your deliberation and will be your spokesperson here in court.

During your deliberation, you will have all the exhibits which were admitted into evidence, these written instructions and forms of verdict which have been prepared for your convenience.

Your verdict must be unanimous. As soon as you have agreed upon a verdict, have it signed and dated by your foreperson and then return with it to this room.

During the course of this trial, and your deliberations, you are not to:

- (1) communicate with anyone in any way regarding this case or its merits-either by phone, text, Internet, or other means;
- (2) read, watch, or listen to any news or media accounts or commentary about the case;
- (3) do any research, such as consulting dictionaries, using the Internet, or using reference materials;
- (4) make any investigation, experimentation at the scene, test a theory of the case, re-create any aspect of the case, or in any other way investigate or learn about the case or anyone involved with the case on your own.

You may, of course, during deliberations, communicate with other members of the jury while you are in the jury deliberation room, after the case has been submitted to you for deliberation.

INSTRUCTION NO. 16

If, during your deliberation, you should desire to be further informed on any point of law or hear again portions of the testimony, you must reduce your request to writing signed by the foreperson. The officer will then return you to court where the information sought will be given you in the presence of, and after notice to, the district attorney and the Defendant and his counsel.

Playbacks of testimony are time-consuming and are not encouraged unless you deem it a necessity. Should you require a playback, you must carefully describe the testimony to be read back so that the court reporter can arrange his/her notes. Remember, the court is not at liberty to supplement the evidence.

INSTRUCTION NO. 17

Now you will listen to the arguments of counsel who will endeavor to aid you to reach a proper verdict by refreshing in your minds the evidence and by showing the application thereof to the law; but, whatever counsel may say, you will bear in mind that it is your duty to be governed in your deliberation by the evidence as you understand it and remember it to be and by the law as given to you in these instructions, with the sole, fixed and steadfast purpose of doing equal and exact justice between the Defendant and the State of Nevada.

GIVEN:

DISTRICT JUDGE

1 **VER**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5 THE STATE OF NEVADA,

6 Plaintiff,

7 -vs-

8 CEASAR SANCHAZ VALENCIA
9 #1588390

10 Defendant.

CASE NO: C-16-315580-1

DEPT NO: II

11 VERDICT

12 We, the jury in the above entitled case, find the Defendant as follows:

13 **COUNT 1 – OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED**
14 **PERSON**

15 *(Please check the appropriate box, select only one)*

16
17 ☐ Not Guilty

18 ☐ Guilty of Ownership or Possession of Firearm by Prohibited Person

19
20 DATED this _____ day of December, 2017

21 _____
22 FOREPERSON

**THIS SEALED
DOCUMENT,
NUMBERED PAGE(S)
1517 - 1545
WILL FOLLOW VIA
U.S. MAIL**

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 10, 2016

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

June 10, 2016 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: Lisk, Steven Attorney
 Public Defender Attorney
 Valencia, Ceasar Sanchaz Defendant

JOURNAL ENTRIES

- Deputized Law Clerk, Frank Logrippo, present on behalf of the State.

DEFT. VALENCIA ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. COURT 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 (COC)

7/19/16 9:00 AM CALENDAR CALL (DEPT. 2)

7/25/16 10:00 AM JURY TRIAL (DEPT. 2)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 19, 2016

C-16-315580-1 State of Nevada
vs
Ceasar Valencia

July 19, 2016 9:00 AM All Pending Motions

HEARD BY: Scotti, Richard F.; Bonaventure, Joseph T. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Michele Tucker

RECORDER: Elsa Amoroso

REPORTER:

PARTIES

PRESENT:	Lisk, Steven	Attorney
	O'Halloran, Rachel	Attorney
	Public Defender	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- CALENDAR CALL...DEFENDANT'S DISCOVERY MOTION

Defendant Valencia PRESENT in custody.

Court NOTED is just received opposition to Defendant's pro per motion. Mr. Lisk advised he has informed the State he would be requesting a continuance and do not believe the State has an opposition. COURT ORDERED, Trial VACATED and Defendant's Motions CONTINUED. Ms. O'Halloran advised the defendant had invoked his right to a speedy trial. Court inquired if the defendant was waiving his right. Defendant WAIVED his right to a speedy trial.

CUSTODY (COC)

CONTINUED TO: 7/26/16 9:00 AM

PRINT DATE: 12/07/2022

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Minutes Date: June 10, 2016

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 26, 2016**

C-16-315580-1 State of Nevada
vs
Ceasar Valencia

July 26, 2016 9:00 AM Motion

HEARD BY: Scotti, Richard F. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Shelly Landwehr

RECORDER: Elsa Amoroso

REPORTER:

PARTIES

PRESENT: Lisk, Steven Attorney
Valencia, Ceasar Sanchaz Defendant

JOURNAL ENTRIES

- Colloquy regarding defendant's pro per motion to dismiss counsel. Court stated it would hear that motion today. Upon Court's inquiry, Mr. Lisk stated he has done everything he can do and will continue to do so. Defendant stated he had lodged a complaint with the State Bar of Nevada regarding Mr. Lisk's professional conduct, in that Mr. Lisk wants defendant to plead guilty, and defendant is innocent. Colloquy regarding defendant having waived his right to a speedy trial to get these motions heard. Defendant further stated Mr. Lisk has not returned his calls, nor visited defendant. Mr. Lisk stated he had not received any notification from the State Bar of Nevada.

Court stated Mr. Lisk is highly competent and has no reason to believe Mr. Lisk has been ineffective or done anything wrong; however, FINDS the working relationship has deteriorated such that it would not be conducive for Mr. Lisk to continue to serve as counsel. FURTHER ORDERED, all pending motions OFF CALENDAR. Matter SET for status check. Upon inquiry by defendant, Court stated defendant's new attorney will consider the Brady motion.

CUSTODY (COC)

PRINT DATE: 12/07/2022

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Minutes Date: June 10, 2016

8/04/16 9:00 AM STATUS CHECK: CONFIRMATION OF COUNSEL (COYER)

CLERK'S NOTE: Mr. Coyer notified, 7/26/16, via e-mail as follows:
gcoyer@coyerlaw.com

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

August 09, 2016

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

August 09, 2016 9:00 AM Status Check

HEARD BY: Becker, Nancy **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Phyllis Irby

RECORDER: Dalyne Easley

REPORTER:

PARTIES

PRESENT:	Beverly, Leah C	Attorney
	Coyer, Gregory E.	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- Mr. Coyer CONFIRMED AS COUNSEL. The State informed the Court there was an offer made in the file. Mr. Coyer requested a continuance for possible negotiations or trial setting. COURT SO ORDERED. MATTER CONTINUED.

CUSTODY (COC)

8-23-16 9:00 AM STATUS CHECK: NEGOTIATIONS/TRIAL SETTING (DEPT. II)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 23, 2016**

C-16-315580-1 State of Nevada
vs
Ceasar Valencia

**August 23, 2016 9:00 AM Status Check:
Negotiations/Trial Setting**

HEARD BY: Scotti, Richard F. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Shelly Landwehr

RECORDER: Dalyne Easley

REPORTER:

PARTIES

PRESENT:	Beverly, Leah C	Attorney
	Coyer, Gregory E.	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- Defendant stated he wished to discharge his attorney. MATTER TRAILED for Mr. Coyer's presence.

Matter RECALLED. Upon Court's inquiry, Mr. Coyer stated he had spoken with defendant who stated he wanted to represent himself. Colloquy. Defendant stated he has sent a letter to the State Bar in reference to Mr. Coyer who had declined to file motions on defendant's behalf, conduct an investigation or provide discovery. Further representations by defendant.

Mr. Coyer explained his discovery practice and stated he has spoken to defendant. Colloquy regarding attorney/client privilege. COURT ORDERED, defendant's oral request DENIED and DIRECTED defendant to take some time to think about this matter and Court will entertain defendant's oral motion next date. Matter CONTINUED. SET for status check.

CUSTODY (COC)

PRINT DATE: 12/07/2022

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Minutes Date: June 10, 2016

8/25/16 9:00 AM STATUS CHECK: MOTION TO DISMISS COUNSEL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****August 25, 2016**

C-16-315580-1 State of Nevada
vs
Ceasar Valencia

August 25, 2016 9:00 AM All Pending Motions

HEARD BY: Scotti, Richard F. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Shelly Landwehr

RECORDER: Dalyne Easley

REPORTER:

PARTIES

PRESENT:	O'Halloran, Rachel	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- STATUS CHECK: NEGOTIATIONS/TRIAL SETTING...STATUS CHECK: MOTION TO DISMISS COUNSEL

Upon Court's inquiry, Defendant Valencia acknowledged his decision to represent himself in these proceedings Court noted it believed defendant was making the wrong decision. Defendant stated the basis for his decision. Faretta canvas. COURT ORDERED, defendant's oral motion to dismiss counsel, GRANTED. Mr. Coyer provided a copy of his file to defendant in open court.

Colloquy regarding previous Brady motions. Court DIRECTED defendant to refile motions. Defendant stated he has been denied access to the law library and was assessed fees for copies when researching. Defendant stated he is indigent. COURT ORDERED, \$4.50 copy fee WAIVED and DIRECTED Ms. O'Halloran to prepare an order regarding the fees and law library. Ms. O'Halloran stated the prior offers rejected by defendant. At the Court's direction, Ms. O'Halloran stated the potential sentencing amounts per charge.

Colloquy regarding defendant's decision to represent himself. Court stated it will consider a motion

PRINT DATE: 12/07/2022

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Minutes Date: June 10, 2016

to appoint counsel, if defendant changes his mind. Matter SET for trial.

CUSTODY (COC)

2/07/17 9:00 AM CALENDAR CALL

2/13/17 10:00 AM JURY TRIAL

CLERK'S NOTE: Minutes amended to reflect correct trial date./stl/8/26/16. Minutes distributed 8/26/16, as follows:

Cesar Valencia

#1588390

330 S. Casino Ctr.

Las Vegas, NV 89101

rachel.ohalloran@clarkcountyda.com

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 18, 2016

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

October 18, 2016 9:00 AM Motion for Discovery

HEARD BY: Scotti, Richard F. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Shelly Landwehr

RECORDER: Dalayne Easley

REPORTER:

PARTIES

PRESENT: Valencia, Ceasar Sanchaz Defendant

JOURNAL ENTRIES

- Defendant made representations regarding his discovery motion and stated he was informed there are certain documents he is not entitled to because it is considered work product. Defendant argued for access to any video footage. Upon Court's inquiry, Mr. Scow stated there is nothing being held back, that defendant is entitled to under Brady. Court advised defendant that the State was well aware of its obligation under Brady and Giglio. Further request by defendant as to the police file, which Mr. Scow stated he believed had been turned over already. With respect to the expert report, Court noted those are due 21 days before trial. Defendant argued the State had indicated it had already turned over the expert report, and they have not. Court inquired if defendant is still comfortable representing himself. Defendant acknowledged. Upon request by defendant for video footage or dash cam, or anything that documents the incident, the State it to notify defendant if that exists. If defendant has not received anything within thirty days from today, defendant may refile his motion.

COURT ORDERED, motion DENIED WITHOUT PREJUDICE as it accepts the State's representations.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 01, 2016**

C-16-315580-1 State of Nevada
vs
Ceasar Valencia

November 01, 2016 9:00 AM Motion

HEARD BY: Scotti, Richard F.

COURTROOM: RJC Courtroom 11D

COURT CLERK: Kory Schlitz

RECORDER: Dalyne Easley

REPORTER:

PARTIES

PRESENT:	Demonte, Noreen C.	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- Upon Court's inquiry, Ms. Demonte indicated she did not respond to Defendant's Motion due to Defendant serving the wrong party, the State does not represent Clark County Detention Center (CCDC); Defendant needed to serve Las Vegas Metropolitan Police Department (LVMPD). Colloquy between Court and State regarding counsel for LVMPD. Upon Court's inquiry, Ms. Demonte suggested LVMPD has in house counsel that would appear. COURT directed Defendant to serve his Motion on CCDC and LVMPD. Defendant made an oral request to proceed with co-counsel to help obtain the materials requested. Court reviewed the history of Defendant's requesting to represent himself, and noted the Court would be inclined to reappoint Mr. Coyer as counsel of record, not as co-counsel. Court advised Defendant can re-file his Motion to withdraw Mr. Coyer if parties are incompatible as long as the removal is not a tactic to delay trial. Colloquy between the Court and Defendant regarding legal materials requested. Upon Court's inquiry, Defendant requested Mr. Coyer be confirmed as counsel of record. COURT ORDERED, Defendant's Oral Motion for Re-appointment of Counsel, GRANTED. Court directed Defendant to provide a copy of his brief to Mr. Coyer. COURT FURTHER ORDERED, status check SET and matter CONTINUED.

CUSTODY(COC)

PRINT DATE: 12/07/2022

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Minutes Date: June 10, 2016

11/8/16 9:00 A.M. STATUS CHECK: CONFIRMATION OF COUNSEL (GREGORY COYER)...
DEFENDANT'S PRO PER MOTION TO RIGHT OF ACCESS TO THE COURTS

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder at the Regional Justice Center of: Gregory Coyer Esq.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 08, 2016**

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

November 08, 2016 9:00 AM All Pending Motions

HEARD BY: Scotti, Richard F. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Shelly Landwehr

RECORDER: Dalayne Easley

REPORTER:

PARTIES

PRESENT:	Coyer, Gregory E.	Attorney
	Demonte, Noreen C.	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- Court stated there was a Feratta canvas after which defendant elected to represent himself and has now changed his mind. Court inquired if Mr. Coyer was available.

Mr. Coyer stated he was not sure that is what defendant is requesting. Mr. Coyer informed the Court regarding the jail's highly restrictive access to the library highly restrictive in which defendant has to ask for a specific case or statute and then it is copied for defendant. Further, defendant is still being charged for materials to represent himself. Mr. Coyer stated those are some of the reasons defendant is rethinking his choice to represent himself.

Ms. DeMonte stated defendant had previously requested co-counsel and wanted defendant to be clear he is either representing himself or he is not. Court stated it made that clear last date.

Mr. Coyer stated it is the Court's task to ensure the defendant receives due process and if the defendant's library access fails to meet the due process threshold, Mr. Coyer believes the Court can and should intervene.

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Minutes Date: June 10, 2016

Court stated it believes that would be a separate civil rights action as the underlying court would not have jurisdiction.

Mr. Coyer further advised there is a corresponding forfeiture case pending and defendant wants assistance in that matter and Mr. Coyer informed defendant this Court does not appoint counsel in civil matters. Further Mr. Coyer's contract with Clark County requires that he not solicit business from Court appointed clients.

Statement by defendant regarding the civil matter. Defendant stated he cannot rely on Mr. Coyer's advice on the same conduct that arises from the civil action. Court stated Mr. Coyer can provide names of resources with respect to pro bono for the civil action.

Court inquired whether defendant wanted Mr. Coyer to represent him in the criminal matter. Colloquy regarding what Mr. Coyer could provide with respects to materials, resources and copies, within the jail's guidelines. Defendant declined the services of Mr. Coyer and stated he intends to continue in pro se and requested an investigator to help with his defense.

Court stated he believes it is a bad decision. Defendant inquired if Mr. Coyer would be able to provide a book on the Hollis case. Mr. Coyer stated if it is something he can get into the jail, he will do so. Upon Court's inquiry, defendant stated he would accept Mr. Coyer's representation.

COURT ORDERED, defendant's motion DENIED as moot and ORDERED, Greg Coyer, Esq., APPOINTED to represent defendant in this matter.

Colloquy regarding the charges for research. Court stated it is willing to sign an order approving requisite funding. Defendant stated he has previously been charged and requested the order to be retroactive to include those costs. Colloquy. Court DIRECTED Mr. Coyer to file a separate motion with the total amount and it will determine whether it is an appropriate expenditure.

CUSTODY (COC)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 19, 2017**

C-16-315580-1

State of Nevada

vs

Ceasar Valencia

January 19, 2017**9:00 AM****All Pending Motions****HEARD BY:** Kosach, Steven**COURTROOM:** RJC Courtroom 11D**COURT CLERK:**

Shelly Landwehr

Aja Brown

RECORDER: Dalyne Easley**REPORTER:****PARTIES****PRESENT:**

Beverly, Leah C

Attorney

Coyer, Gregory E.

Attorney

State of Nevada

Plaintiff

Valencia, Ceasar Sanchaz

Defendant

JOURNAL ENTRIES

- DEFENDANT S PRO PER MOTION TO DISMISS COUNSEL AND APPOINT ALTERNATE COUNSEL...DEFENDANT S PRO PER MOTION FOR RIGHT OF ACCESS TO THE COURTS...DEFENDANT S PRO PER MOTION TO SUPPRESS AND RETURN PROPERTY TO DEFENDANT

Mr. Coyer stated the procedural history, with respect to defendant's pro per motions, including Judge Scotti's previous rulings. Mr. Coyer stated defendant wishes to represent himself, or have another attorney appointed.

Defendant argued regarding his grievance against the State Bar and argued Judge Scotti stated he would consider defendant's motions. Further, defendant has a legal forfeiture matter and Mr. Coyer, as defendant's appointed attorney in the criminal matter, is unable to represent defendant in the civil proceedings.

Ms. Beverly argued defendant is represented by counsel; therefore, the motions are fugitive documents. Further, Ms. Beverly argued defendant can either hire an attorney or represent himself. Mr. Coyer stated he had met with defendant on 1/18/17 and had turned over discovery, except for the CD. Mr. Coyer requested an order to return the photographs. Representations by Mr. Coyer.

Court stated its findings, and ORDERED, motions DENIED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 07, 2017

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

February 07, 2017 9:00 AM Calendar Call

HEARD BY: Scotti, Richard F. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Shelly Landwehr
 Aja Brown

RECORDER: Dalyne Easley

REPORTER:

PARTIES

PRESENT:	Coyer, Gregory E.	Attorney
	Demonte, Noreen C.	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- Mr. Coyer stated there was a senior judge last date when defendant's motion was denied. Mr. Coyer sated defendant still wished to represent himself. Colloquy regarding reversible error. COURT ORDERED, trial date SET.

CUSTODY (COC)

06/20/17 9:00 AM CALENDAR CALL

06/26/17 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 28, 2017

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

February 28, 2017 9:00 AM All Pending Motions

HEARD BY: Scotti, Richard F. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Aja Brown

RECORDER: Dalyne Easley

REPORTER:

PARTIES

PRESENT:	Coyer, Gregory E.	Attorney
	Demonte, Noreen C.	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- DEFENDANT'S PRO PER MOTION FOR RIGHT OF ACCESS TO THE COURTS...DEFENDANT'S PRO PER MOTION TO DISMISS COUNSEL AND APPOINT ALTERNATE COUNSEL

Court summarized case history. Mr. Coyer noted he stood ready to represent Defendant and he had previously provided him with discovery. Statements by Defendant in support of the motions. COURT ORDERED, motions DENIED. Upon further inquiry by Defendant, Court directed Mr. Coyer to review accounting and submit an exparte application for reimbursement.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

June 20, 2017

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

June 20, 2017 9:00 AM All Pending Motions

HEARD BY: Scotti, Richard F. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Shelly Landwehr

RECORDER: Dalyne Easley

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- CALENDAR CALL...DEFENDANT'S MOTION TO CONTINUE TRIAL

There being no objection, COURT ORDERED, motion GRANTED. Trial date VACATED and RESET.

CUSTODY

11/14/17 9:00 AM CALENDAR CALL

11/20/17 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 14, 2017

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

November 14, 2017 9:00 AM Calendar Call

HEARD BY: Bailus, Mark B **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Coyer, Gregory E.	Attorney
	Demonte, Noreen C.	Attorney
	Plunkett, Alexis Anne	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- Ms. Plunkett present as Co-trial counsel for Defendant. Parties announced ready and estimated 3 - 4 Days / 6 - 8 Witnesses / No Out-of-State Witnesses. Court gave pretrial instructions; and, directed Proposed Jury Instructions to be provided to Court by 11/17/17 at Noon. COURT ORDERED, MATTER SET FOR TRIAL

CUSTODY

11/20/17 1:00 p.m. Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****November 16, 2017**

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

November 16, 2017 9:00 AM**Status Check: Trial
Readiness****HEARD BY:** Bailus, Mark B**COURTROOM:** RJC Courtroom 11D**COURT CLERK:** Alan Castle**RECORDER:** Robin Page**REPORTER:****PARTIES**

PRESENT:	Coyer, Gregory E.	Attorney
	Dickerson, Michael	Attorney
	Plunkett, Alexis Anne	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- Colloquy regarding trial. Upon Court's motion due to unavailability of courtroom, COURT ORDERED, trial will start on November 27, 2017 at 11:30, courtroom to be determined and trial set for further status check. Court directed parties to have proposed Jury Instructions to provide to Court next date. Court Finds Count 2 of the information is bifurcated. State to file an AMENDED Information prior to trial.

State advised offer to Defendant still open: one count of felony assault on a protected person; and, one count of felony sale of a controlled substance. State retains right to argue at sentencing, but will not seek habitual criminal treatment.

CUSTODY

11/21/17 9:00 a.m. Status Check: Trial Readiness

PRINT DATE: 12/07/2022

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Minutes Date: June 10, 2016

11/27/17 11:30 a.m. Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 21, 2017

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

November 21, 2017 9:00 AM

**Status Check: Trial
Readiness**

HEARD BY: Bailus, Mark B

COURTROOM: RJC Courtroom 11D

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Coyer, Gregory E.	Attorney
	Dickerson, Michael	Attorney
	Plunkett, Alexis Anne	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- Colloquy regarding trial schedule and courtroom assignment. Upon Court's inquiry, counsel indicated no problems proceeding with scheduled trial. Parties estimate 3 - 5 Days. Proposed Jury Instructions and stock instructions to be sent to chamber following court.

CUSTODY

11/27/17 11:00 a.m. Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 27, 2017

C-16-315580-1 State of Nevada
vs
Ceasar Valencia

November 27, 2017 11:00 AM Jury Trial

HEARD BY: Bailus, Mark B

COURTROOM: RJC Courtroom 11D

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Coyer, Gregory E.	Attorney
	Dickerson, Michael	Attorney
	Lexis, Chad N.	Attorney
	Plunkett, Alexis Anne	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- Second AMENDED Information FILED IN OPEN COURT. Prospective Jury present. Roll taken.
Jury selection begins.

Matter CONTINUED. Evening recess.

CUSTODY

CONTINUED TO:
11/28/17 9:00 a.m.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 28, 2017

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

November 28, 2017 11:00 AM Jury Trial

HEARD BY: Bailus, Mark B

COURTROOM: RJC Courtroom 11D

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Coyer, Gregory E.	Attorney
	Dickerson, Michael	Attorney
	Lexis, Chad N.	Attorney
	Plunkett, Alexis Anne	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- Jury selected and sworn. EXCLUSIONARY RULE INVOKED. Court instructed the Jury on trial proceedings. Clerk read the information to the Jury and stated the Defendant's plea thereto. Opening statement by State. Testimony and exhibits presented. (See worksheets) Jury admonished and excused. Evening recess.

CUSTODY

CONTINUED TO:
11/29/17 1:00 P.M.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 29, 2017

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

November 29, 2017 11:00 AM Jury Trial

HEARD BY: Bailus, Mark B

COURTROOM: RJC Courtroom 11D

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Coyer, Gregory E.	Attorney
	Dickerson, Michael	Attorney
	Lexis, Chad N.	Attorney
	Plunkett, Alexis Anne	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- Jury present. Further, testimony and exhibits presented. (See worksheets) Evening recess.

CUSTODY

CONTINUED TO:
11/30/17 9:00 a.m.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 30, 2017

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

November 30, 2017 11:00 AM Jury Trial

HEARD BY: Bailus, Mark B

COURTROOM: RJC Courtroom 11D

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Coyer, Gregory E.	Attorney
	Dickerson, Michael	Attorney
	Lexis, Chad N.	Attorney
	Plunkett, Alexis Anne	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- Jury present. Further, testimony and exhibits presented. (See worksheets) Evening recess.

CUSTODY

CONTINUED TO:
12/01/17 9:00 a.m.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****December 01, 2017**

C-16-315580-1 State of Nevada
vs
Ceasar Valencia

December 01, 2017 9:00 AM Jury Trial

HEARD BY: Bailus, Mark B**COURTROOM:** RJC Courtroom 11D**COURT CLERK:** Alan Castle**RECORDER:** Robin Page**REPORTER:****PARTIES**

PRESENT:	Coyer, Gregory E.	Attorney
	Dickerson, Michael	Attorney
	Lexis, Chad N.	Attorney
	Plunkett, Alexis Anne	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- Jury present. Further, testimony and exhibits presented. (See worksheets) State rested. Court advised Defendant of his right to testify. Defense rested. Jury admonished and excused. Jury instructions settled. JURY PRESENT. Court instructed the Jury. Closing arguments by counsel. Marshal and Matron sworn and given charge of the Jury.

At the hour of 3:38 p.m. the Jury retired to deliberate.

At the hour of 4:32 p.m. the Jury returned with VERDICTS of COUNT 1 - GUILTY OF ASSAULT ON A PROTECTED PERSON WITH USE OF A DEADLY WEAPON (F); COUNT 2 - GUILTY OF TRAFFICKING IN CONTROLLED SUBSTANCE (F); COUNT 3 - GUILTY OF POSSESSION OF CONTROLLED SUBSTANCE (F); COUNT 4 - GUILTY OF POSSESSION OF CONTROLLED SUBSTANCE (F). Jury polled. Court instructed the Jury on trial proceedings for separate charge against Defendant.

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Minutes Date: June 10, 2016

Clerk read the INFORMATION to the JURY and stated the Defendant's plea thereto. Opening statements. Testimony and exhibits presented. (See worksheets) State rested. Defense rested. Jury admonished and excused. Jury instructions settled. JURY PRESENT. Court instructed the Jury. Closing arguments by counsel. Marshal and Matron sworn and given charge of the Jury.

At the hour of 5:22 p.m. the Jury retired to deliberate.

At the hour of 5:28 p.m. the Jury returned with a VERDICT of GUILTY of OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON (F). Court thanked and excused the Jury. OUTSIDE THE PRESENCE OF THE JURY. Court ORDERED, Defendant REMANDED, NO BAIL; and, matter referred to the Division of Parole and Probation (P & P) and set for sentencing. Court adjourned.

CUSTODY

01/18/18 9:00 a.m. Sentencing

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 18, 2018

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

January 18, 2018 9:00 AM Sentencing

HEARD BY: Bailus, Mark B **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Coyer, Gregory E.	Attorney
	Dickerson, Michael	Attorney
	Plunkett, Alexis Anne	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- Colloquy. Victim speaker present. COURT ORDERED, sentencing is CONTINUED for review of correspondence provided this morning.

CUSTODY

CONTINUED TO:
01/25/18 9:00 a.m.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****January 25, 2018**

C-16-315580-1 State of Nevada
vs
Ceasar Valencia

January 25, 2018 9:00 AM Sentencing

HEARD BY: Bailus, Mark B **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES

PRESENT:	Coyer, Gregory E.	Attorney
	Dickerson, Michael	Attorney
	Plunkett, Alexis Anne	Attorney
	State of Nevada	Plaintiff
	Valencia, Ceasar Sanchaz	Defendant

JOURNAL ENTRIES

- By virtue of Verdicts of guilty and pursuant to Statute, DEFT VALENCIA ADJUDGED PURSUANT TO NRS 207.010(a) SMALL HABITUAL CRIMINAL on COUNT 1 - ASSAULT ON A PROTECTED PERSON WITH USE OF A DEADLY WEAPON (F); ADJUDGED COUNT 2 - GUILTY OF TRAFFICKING IN CONTROLLED SUBSTANCE (F); COUNT 3 - GUILTY OF POSSESSION OF CONTROLLED SUBSTANCE (F); COUNT 4 - GUILTY OF POSSESSION OF CONTROLLED SUBSTANCE (F); and, COUNT 5 - GUILTY OF OWNERSHIP OR POSSESSION OF FIREARM BY PROHIBITED PERSON (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee including testing to determine genetic markers, and \$3.00 DNA Collection fee, Deft. SENTENCED as to COUNT 1 to a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS and MINIMUM of EIGHTY FOUR (84) MONTHS in the Nevada Department of Corrections (NDC); Deft. SENTENCED as to COUNT 2 to a MAXIMUM of SEVENTY TWO (72) MONTHS and MINIMUM of TWENTY FOUR (24) MONTHS in NDC, CONSECUTIVE to COUNT 1; Deft. SENTENCED as to COUNT 3 to a MAXIMUM of FORTY EIGHT (48) MONTHS and MINIMUM of TWELVE (12) MONTHS in NDC, CONCURRENT with COUNT 2; Deft. SENTENCED

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as to COUNT 4 to a MAXIMUM of FORTY EIGHT (48) MONTHS and MINIMUM of TWELVE (12) MONTHS in NDC, CONCURRENT with COUNT 3; Deft. SENTENCED as to COUNT 5 to a MAXIMUM of SEVENTY TWO (72) MONTHS MINIMUM of TWENTY FOUR (24) MONTHS in NDC, CONCURRENT with COUNT 4; and, AGGREGATE TOTAL SENTENCE of a MAXIMUM of THREE HUNDRED TWELVE (312) MONTHS and MINIMUM of ONE HUNDRED EIGHT (108) MONTHS in with 615 DAYS credit for time served. CASE CLOSED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 03, 2019

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

September 03, 2019 8:30 AM Motion

HEARD BY: Jones, David M **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Nancy Maldonado

RECORDER: Melissa Delgado-Murphy

REPORTER:

PARTIES

PRESENT: State of Nevada Plaintiff
 Villani, Jacob J. Attorney

JOURNAL ENTRIES

- Defendant not present.

COURT ORDERED, Motion to withdraw attorney of record, Denied; request for records, GRANTED.
Mr. Coyer to provide all records.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

December 05, 2019

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

December 05, 2019 8:30 AM Motion to Dismiss

HEARD BY: Jones, David M **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Nancy Maldonado

RECORDER: Melissa Delgado-Murphy

REPORTER:

PARTIES

PRESENT: Demonte, Noreen C. Attorney
 Kozal, Marcus Kent Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant not present.

Court reviewed the motion and noted the Supreme Court has already upheld their decision, therefore, ORDERED the motion, DENIED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 04, 2020

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

February 04, 2020 8:30 AM Motion

HEARD BY: Jones, David M **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Nancy Maldonado

RECORDER: Melissa Delgado-Murphy

REPORTER:

PARTIES

PRESENT: Demonte, Noreen C. Attorney
 Kozal, Marcus Kent Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant not present.

Mr. Kozal advised he had not received files on closed cases from Mr. Coyer when he took over Mr. Coyer's cases. COURT ORDERED, motion GRANTED; Mr. Kozal to obtain the file and send it to Defendant.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 03, 2020

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

March 03, 2020 8:30 AM Motion

HEARD BY: Jones, David M **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Nancy Maldonado

RECORDER: Melissa Delgado-Murphy

REPORTER:

PARTIES

PRESENT: Demonte, Noreen C. Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant not present.

COURT ORDERED, motion, GRANTED.

CUSTODY

**DISTRICT COURT
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****August 04, 2020**

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

August 04, 2020 10:15 AM Motion

HEARD BY: Jones, David M **COURTROOM:** RJC Courtroom 15A

COURT CLERK: Michaela Tapia

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT:	Demonte, Noreen C.	Attorney
	Kozal, Marcus Kent	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Deft. not present.

The motion being improper, COURT ORDERED, motion DENIED. Mr. Coyer and Mr. Kozal to send the file to Deft. at Indian Springs. Mr. Kozal indicated he has communicated with Deft. and sent the file to Deft. two times prior.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

September 15, 2022

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

September 15, 2022 9:00 AM All Pending Motions

HEARD BY: Yeager, Bitia **COURTROOM:** RJC Courtroom 05C

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT: State of Nevada Plaintiff
 Zadrowski, Bernard B. Attorney

JOURNAL ENTRIES

- ALL PENDING MOTIONS - MOTION FOR APPOINTMENT OF ATTORNEY AND REQUEST FOR EVIDENTIARY HEARING...MOTION FOR CORRECTION OF ILLEGAL SENTENCE

Defendant Valencia NOT PRESENT in custody at NDC.

Court STATED this is an issue that should have been brought up on direct appeal. It would not be a proper PCR claim as PCR claims are typically limited to ineffective assistance of counsel and validity of the plea. A motion to correct illegal sentence can be brought at any time regardless of whether the claim was brought on appeal. The District Court always has jurisdiction to correct a sentence that does not meet legal requirements. If the claim was brought on appeal and ruled on by the Nevada Supreme Court that decision would have to be followed.

COURT ORDERED, Motions DENIED. Mr. Zadrowski to prepare the Order.

NDC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

October 06, 2022

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

**October 06, 2022 9:00 AM Motion for Order to Show
Cause**

HEARD BY: Yeager, Bitu

COURTROOM: RJC Courtroom 05C

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT: Heap, Hilary Attorney
 State of Nevada Plaintiff

JOURNAL ENTRIES

- Defendant Valencia NOT PRESENT in custody at NDC.

COURT ORDERED, Motion for Order to Show Cause DENIED. Prior counsel, Mr. Kozal has indicated he has sent the file to Defendant twice.

NDC

CLERK'S NOTE: The above minute order has been distributed to:

Ceasar Sanchaz Valencia
#94307
P.O. Box 650
Indian Springs, NV 89070

/mlt

PRINT DATE: 12/07/2022

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Minutes Date: June 10, 2016

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 17, 2022

C-16-315580-1 State of Nevada
 vs
 Ceasar Valencia

November 17, 2022 9:00 AM Motion to Correct Sentence

HEARD BY: Yeager, Bitia **COURTROOM:** RJC Courtroom 05C

COURT CLERK: Michele Tucker

RECORDER: Lisa Lizotte

REPORTER:

PARTIES

PRESENT: State of Nevada Plaintiff
 Zadrowski, Bernard B. Attorney

JOURNAL ENTRIES

- Defendant Valencia NOT PRESENT in custody - NDC.

COURT ORDERED, Motion to Correct Illegal Sentence DENIED. Court STATED this matter was ruled on and denied on September 15, 2022. Court DIRECTED Mr. Zadrowski to prepare the Order and include in the Order that it had previously been denied on September 15, 2022 and the basis for the denial.

NDC

Certification of Copy and Transmittal of Record

State of Nevada }
County of Clark } SS:

Pursuant to the Supreme Court order dated December 6, 2022, I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the complete trial court record for the case referenced below. The record comprises seven volumes with pages numbered 1 through 1586.

STATE OF NEVADA,

Plaintiff(s),

vs.

CEASAR SANCHAZ VALENCIA,

Defendant(s),

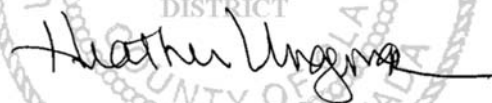
Case No: C-16-315580-1

Dept. No: I

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 7 day of December 2022.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk