

In the Supreme Court of the State of Nevada

No. 85884

Electronically Filed
Apr 17 2023 07:41 AM
Elizabeth A. Brown
Clerk of Supreme Court

DAINE CRAWLEY,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

**Appeal from Denial of Petition for Writ of Habeas Corpus
Eighth Judicial District Court, Clark County**

APPELLANT'S APPENDIX VOLUME 3 OF 3 TO OPENING BRIEF

DIANE C. LOWE, ESQ.
Lowe Law, L.L.C.

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Attorney for Appellant

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ATTORNEY

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(775) 684-1265

Attorneys for Respondent

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Respectfully Submitted,

/s/ Diane C. Lowe

DIANE C. LOWE ESQ. Nevada Bar #14573

Page 1 of 2

CC Cook

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

5/22/2019

3:17:29 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center Day Treatment Program today.

Daine Crawley participated in Self-Advocacy group. Self-Advocacy groups are to help group members think about assertiveness and anger, specific laws and rights, and use the advocacy skills to access services and get what they need and want.

Daine Crawley participated in Assessing Personal and Community Resources group. Assessing Personal and Community Resources groups are to introduce the concept of action planning for prevention and recovery and to begin work on the first section of their plan, developing lists of skills, strategies and services to use in developing action plans.

Daine Crawley participated in Peer Support, Recovery Meetings and Peer Counseling group. Peer Support, Recovery Meetings and Peer Counseling groups are to learn about using peer support, recovery meetings and peer counseling as wellness tools.

Daine Crawley participated in Advance Directives, Part 2. Advance Directives, Part 2 groups are to guide participants through the Advance Directive form. This session includes a home, community, and respite plan; information on preferred health care providers, medications, supplements, and health care preparations; treatment facilities or detoxes; indicators that the plan is no longer needed and information on legalizing and using the plan.

Daine Crawley participated in Developing a Lifestyle That Supports Your Recovery and Wellness group. Developing a Lifestyle That Supports Your Recovery and Wellness groups are to consider group member's living space, living with others, people in their life and their day-to-day lifestyle, and to make plans to implement changes that will support their recovery and wellness.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.
Mr. Crawley convincingly denied homicidal ideas in today's session.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Appearance and Behavior:

In today's session Mr. Crawley appeared friendly, communicative, and relaxed.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)
Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

Page 2 of 2

Crawley, Daine

5/22/2019

3:17 PM

ID: 2004725984

DOB: 3/21/1986

Group Therapy Note

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Ct will continue treatment while working on treatment objectives

H2012 Day Treatment Program

Session start: 7:00 AM

Session end: 3:00 PM

CC Cook

Electronically Signed

By: CC Cook

On: 5/23/2019 3:17:35 PM

Page 1 of 2

CC Cook

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

5/25/2019

6:40:46 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center Day Treatment Program today.

Daine Crawley participated in Self-Advocacy group. Self-Advocacy groups are to help group members think about assertiveness and anger, specific laws and rights, and use the advocacy skills to access services and get what they need and want.

Daine Crawley participated in Relaxation, Diversion and Fun group. Relaxation, Diversion and Fun groups are to explore wellness tools that are relaxing, divert attention from stress, feelings of sadness and troubling thoughts and increase well being and life enjoyment.

Daine Crawley participated in Peer Support, Recovery Meetings and Peer Counseling group. Peer Support, Recovery Meetings and Peer Counseling groups are to learn about using peer support, recovery meetings and peer counseling as wellness tools.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.

Mr. Crawley convincingly denied homicidal ideas in today's session.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Appearance and Behavior:

In today's session Mr. Crawley appeared friendly, communicative, and relaxed.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)

Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Ct will continue treatment while working on treatment objectives

H2012 Day Treatment Program

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Crawley, Daine

5/25/2019

6:40 PM

ID: 2004725984

DOB: 3/21/1986

Group Therapy Note

Session start: 11:00 AM

Session end: 2:15 PM

CC Cook

Electronically Signed

By: CC Cook

On: 5/26/2019 6:40:56 PM

Page 1 of 2

CC Cook

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

5/26/2019

4:02:21 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center Day Treatment Program today.

Daine Crawley participated in Self-Esteem group. Self-Esteem groups are to encourage group members to look at their strengths and gifts and to take part in exercises that build self-esteem.

Daine Crawley participated in Self-Advocacy group. Self-Advocacy groups are to help group members think about assertiveness and anger, specific laws and rights, and use the advocacy skills to access services and get what they need and want.

Daine Crawley participated in Assessing Personal and Community Resources group. Assessing Personal and Community Resources groups are to introduce the concept of action planning for prevention and recovery and to begin work on the first section of their plan, developing lists of skills, strategies and services to use in developing action plans.

Suicidal/Homicidal:

Mr. Crawley convincingly denied homicidal ideas in today's session.

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Appearance and Behavior:

In today's session Mr. Crawley appeared friendly, communicative, and relaxed.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)
Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Ct will continue treatment while working on treatment objectives

H2012 Day Treatment Program

Page 2 of 2

Crawley, Dalne

5/26/2019

4:02 PM

ID: 2004725984

DOB: 3/21/1986

Group Therapy Note

Session start: 9:00 AM

Session end: 3:15 PM

CC Cook

Electronically Signed

By: CC Cook

On: 5/27/2019 4:02:29 PM

Page 1 of 2

CC Cook

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

5/27/2019
6:29:17 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center Day Treatment Program today.

Daine Crawley participated in Self-Esteem group. Self-Esteem groups are to encourage group members to look at their strengths and gifts and to take part in exercises that build self-esteem.

Daine Crawley participated in Self-Advocacy group. Self-Advocacy groups are to help group members think about assertiveness and anger, specific laws and rights, and use the advocacy skills to access services and get what they need and want.

Daine Crawley participated in Assessing Personal and Community Resources group. Assessing Personal and Community Resources groups are to introduce the concept of action planning for prevention and recovery and to begin work on the first section of their plan, developing lists of skills, strategies and services to use in developing action plans.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.
Mr. Crawley convincingly denied homicidal ideas in today's session.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Appearance and Behavior:

In today's session Mr. Crawley appeared friendly, communicative, and relaxed.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)
Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Ct will continue treatment while working on treatment objectives

H2012 Day Treatment Program

Page 2 of 2

Crawley, Daine

5/27/2019

6:29 PM

ID: 2004725984

DOB: 3/21/1986

Group Therapy Note

Session start: 7:30 AM

Session end: 2:15 PM

CC Cook

Electronically Signed

By: CC Cook

On: 5/28/2019 6:29:24 PM

Page 1 of 1

Trina Richardson

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

5/28/2019

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

Case Management Note**Daine Crawley 5/28/19 12:15 12:30**

Community Care Coordinator (CCC) made face to face contact with the client at the support center to discuss obtaining his ID. Client received his social security card. CCC will assist client with transportation to DMV to obtain his ID.

1 Unit for T1016 Case Management**Time spent face to face with patient and/or family and coordination of care: 15 min****Session start: 12:15 PM****Session end: 12:30 PM****Trina Richardson****Electronically Signed****By: Trina Richardson****On: 6/5/2019 10:58:27 AM**

Page 1 of 2

CC Cook

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

5/28/2019

3:48:32 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center Day Treatment Program today.

Daine Crawley participated in Self-Esteem group. Self-Esteem groups are to encourage group members to look at their strengths and gifts and to take part in exercises that build self-esteem.

Daine Crawley participated in Hope group. Hope groups are to help group members understand that there is hope; they can get better and work toward meeting their goals, and there are many simple, safe and effective things that they can do to help themselves recover.

Daine Crawley participated in Self-Advocacy group. Self-Advocacy groups are to help group members think about assertiveness and anger, specific laws and rights, and use the advocacy skills to access services and get what they need and want.

Daine Crawley participated in Assessing Personal and Community Resources group. Assessing Personal and Community Resources groups are to introduce the concept of action planning for prevention and recovery and to begin work on the first section of their plan, developing lists of skills, strategies and services to use in developing action plans.

Daine Crawley participated in Peer Support, Recovery Meetings and Peer Counseling group. Peer Support, Recovery Meetings and Peer Counseling groups are to learn about using peer support, recovery meetings and peer counseling as wellness tools.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.

Mr. Crawley convincingly denied homicidal ideas in today's session.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Appearance and Behavior:

In today's session Mr. Crawley appeared friendly, communicative, and relaxed.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)

Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

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Crawley, Daine

5/28/2019

3:48 PM

ID: 2004725984

DOB: 3/21/1986

Group Therapy Note

Ct will continue treatment while working on treatment objectives

H2012 Day Treatment Program

Session start: 8:15 AM

Session end: 4:00 PM

CC Cook

Electronically Signed

By: CC Cook

On: 5/29/2019 3:48:40 PM

Page 1 of 2

CC Cook

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

5/29/2019

3:16:20 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center Day Treatment Program today.

Daine Crawley participated in Self-Esteem group. Self-Esteem groups are to encourage group members to look at their strengths and gifts and to take part in exercises that build self-esteem.

Daine Crawley participated in Education and Research group. Education and Research groups are to help group members understand the importance of education and research in mental health and addiction recovery, and to introduce them to various ways they can get the information they want and need.

Daine Crawley participated in Self-Advocacy group. Self-Advocacy groups are to help group members think about assertiveness and anger, specific laws and rights, and use the advocacy skills to access services and get what they need and want.

Daine Crawley participated in Assessing Personal and Community Resources group. Assessing Personal and Community Resources groups are to introduce the concept of action planning for prevention and recovery and to begin work on the first section of their plan, developing lists of skills, strategies and services to use in developing action plans.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.
Mr. Crawley convincingly denied homicidal ideas in today's session.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Participation:

Mr. Crawley was active today and participated fully in discussions today.

Appearance and Behavior:

In today's session Mr. Crawley appeared friendly, communicative, and happy.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)
Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

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H2012 Day Treatment Program

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Crawley, Daine

5/29/2019

3:16 PM

ID: 2004725984

DOB: 3/21/1986

Group Therapy Note

Session start: 7:00 AM

Session end: 1:30 PM

CC Cook

Electronically Signed

By: CC Cook

On: 5/30/2019 3:16:29 PM

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NBH Clinic

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

5/30/2019

7:33:28 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center Day Treatment Program today.

Daine Crawley participated in Assessing Personal and Community Resources group. Assessing Personal and Community Resources groups are to introduce the concept of action planning for prevention and recovery and to begin work on the first section of their plan, developing lists of skills, strategies and services to use in developing action plans.

Daine Crawley participated in Self-Advocacy group. Self-Advocacy groups are to help group members think about assertiveness and anger, specific laws and rights, and use the advocacy skills to access services and get what they need and want.

Appearance and Behavior:

In today's session Mr. Crawley appeared friendly, communicative, and happy.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.

Mr. Crawley convincingly denied homicidal ideas in today's session.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)
Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Ct will continue treatment while working on treatment objectives

H2012 Day Treatment Program

Session start: 7:00 AM

Session end: 3:00 PM

Page 2 of 2

Crawley, Daine

5/30/2019

7:33 PM

ID: 2004725984

DOB: 3/21/1986

Group Therapy Note

James Hickonbottom

Electronically Signed

By: James Hickonbottom

On: 5/30/2019 7:33:33 PM

Page 1 of 2

NBH Clinic

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

5/31/2019

8:52:08 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center Day Treatment Program today.

Daine Crawley participated in Assessing Personal and Community Resources group. Assessing Personal and Community Resources groups are to introduce the concept of action planning for prevention and recovery and to begin work on the first section of their plan, developing lists of skills, strategies and services to use in developing action plans.

Appearance and Behavior:

In today's session Mr. Crawley appeared friendly, communicative, and happy.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.

Mr. Crawley convincingly denied homicidal ideas in today's session.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)

Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Ct will continue treatment while working on treatment objectives

H2012 Day Treatment Program

Session start: 7:00 AM

Session end: 12:15 PM

James Hickonbottom

Electronically Signed

Page 2 of 2

Crawley, Daine

5/31/2019

8:52 PM

ID: 2004725984

DOB: 3/21/1986

Group Therapy Note

By: James Hickonbottom

On: 5/31/2019 8:52:50 PM

Page 1 of 2

CC Cook

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

6/1/2019

5:18:08 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center Day Treatment Program today.

Daine Crawley participated in Self-Advocacy group. Self-Advocacy groups are to help group members think about assertiveness and anger, specific laws and rights, and use the advocacy skills to access services and get what they need and want.

Daine Crawley participated in Assessing Personal and Community Resources group. Assessing Personal and Community Resources groups are to introduce the concept of action planning for prevention and recovery and to begin work on the first section of their plan, developing lists of skills, strategies and services to use in developing action plans.

Daine Crawley participated in Peer Support, Recovery Meetings and Peer Counseling group. Peer Support, Recovery Meetings and Peer Counseling groups are to learn about using peer support, recovery meetings and peer counseling as wellness tools.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.
Mr. Crawley convincingly denied homicidal ideas in today's session.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Appearance and Behavior:

In today's session Mr. Crawley appeared friendly, communicative, and relaxed.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)
Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Ct will continue treatment while working on treatment objectives

H2012 Day Treatment Program

Page 2 of 2

Crawley, Daine

6/1/2019

5:18 PM

ID: 2004725984

DOB: 3/21/1986

Group Therapy Note

Session start: 7:30 AM

Session end: 2:00 PM

CC Cook

Electronically Signed

By: CC Cook

On: 6/2/2019 5:18:13 PM

Page 1 of 2

CC Cook

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

6/2/2019

4:15:08 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center Day Treatment Program today.

Daine Crawley participated in Self-Advocacy group. Self-Advocacy groups are to help group members think about assertiveness and anger, specific laws and rights, and use the advocacy skills to access services and get what they need and want.

Daine Crawley participated in Assessing Personal and Community Resources group. Assessing Personal and Community Resources groups are to introduce the concept of action planning for prevention and recovery and to begin work on the first section of their plan, developing lists of skills, strategies and services to use in developing action plans.

Daine Crawley participated in Diet, Exercise, Light, Sleep and Smoking group. Diet, Exercise, Light, Sleep and Smoking groups are to help participants uncover personal wellness tools related to diet, exercise, light, sleep and smoking.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.
Mr. Crawley convincingly denied homicidal ideas in today's session.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Participation:

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Appearance and Behavior:

In today's session Mr. Crawley appeared friendly, communicative, and relaxed.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

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Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Ct will continue treatment while working on treatment objectives

H2012 Day Treatment Program

Page 2 of 2

Crawley, Daine

6/2/2019

4:15 PM

ID: 2004725984

DOB: 3/21/1986

Group Therapy Note

Session start: 7:45 AM

Session end: 1:15 PM

CC Cook

Electronically Signed

By: CC Cook

On: 6/3/2019 4:15:15 PM

Page 1 of 2

CC Cook

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

6/3/2019

1:29:23 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center Day Treatment Program today.

Daine Crawley participated in Assessing Personal and Community Resources group. Assessing Personal and Community Resources groups are to introduce the concept of action planning for prevention and recovery and to begin work on the first section of their plan, developing lists of skills, strategies and services to use in developing action plans.

Daine Crawley participated in Diet, Exercise, Light, Sleep and Smoking group. Diet, Exercise, Light, Sleep and Smoking groups are to help participants uncover personal wellness tools related to diet, exercise, light, sleep and smoking.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.
Mr. Crawley convincingly denied homicidal ideas in today's session.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Appearance and Behavior:

In today's session Mr. Crawley appeared friendly, communicative, and relaxed.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)
Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Ct will continue treatment while working on treatment objectives

H2012 Day Treatment Program

Session start: 7:00 AM
Session end: 11:45 AM

Page 2 of 2

Crawley, Daine

6/3/2019

1:29 PM

ID: 2004725984

DOB: 3/21/1986

Group Therapy Note

CC Cook

Electronically Signed

By: CC Cook

On: 6/4/2019 1:29:33 PM

Page 1 of 1

Trina Richardson

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

6/4/2019

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

Case Management Note**Daine Crawley 6/4/19 11:30 11:45**

Community Care Coordinator (CCC) made face to face contact with client at the support center to discuss obtaining her ID. Client requested a shelter form to verify residency to the DMV. CCC supplied client with completed forms.

1 Unit for T1016 Case Management**Time spent face to face with patient and/or family and coordination of care: 15 min****Session start: 11:30 AM****Session end: 11:45 AM****Trina Richardson****Electronically Signed****By: Trina Richardson****On: 6/10/2019 9:53:14 PM**

Page 1 of 2

NBH Clinic

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

6/4/2019

8:13:27 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center Day Treatment Program today.

Daine Crawley participated in Self-Advocacy group. Self-Advocacy groups are to help group members think about assertiveness and anger, specific laws and rights, and use the advocacy skills to access services and get what they need and want.

Appearance and Behavior:

In today's session Mr. Crawley appeared communicative, and happy.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.

Mr. Crawley convincingly denied homicidal ideas in today's session.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)

Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Ct will continue treatment while working on treatment objectives

H2012 Day Treatment Program

Session start: 10:00 AM

Session end: 1:30 PM

James Hickonbottom

Electronically Signed

By: James Hickonbottom

Page 2 of 2

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

6/4/2019

8:13 PM

Group Therapy Note

On: 6/4/2019 8:13:32 PM

Page 1 of 2

NBH SUPPORT CENTER

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

6/20/2019

6:33:04 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center Day Treatment Program today.

Daine Crawley participated in Self-Advocacy group. Self-Advocacy groups are to help group members think about assertiveness and anger, specific laws and rights, and use the advocacy skills to access services and get what they need and want.

Daine Crawley participated in Self-Esteem group. Self-Esteem groups are to encourage group members to look at their strengths and gifts and to take part in exercises that build self-esteem.

Appearance and Behavior:

In today's session Mr. Crawley appeared calm, communicative, and happy.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.

Mr. Crawley convincingly denied homicidal ideas in today's session.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)

Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Ct will continue treatment while working on treatment objectives

H2012 Day Treatment Program

Session start: 11:00 AM

Session end: 1:15 PM

Emily Tenzer

Page 2 of 2

Crawley, Daine

6/20/2019

6:33 PM

ID: 2004725984

DOB: 3/21/1986

Group Therapy Note

Electronically Signed

By: Emily Tenzer

On: 6/21/2019 6:33:15 PM

Page 1 of 1

Shanna Underwood

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

6/21/2019

2:08:33 PM

Progress Note (Non-Rx)

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)

Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

Alcohol abuse, uncomplicated, F10.10 (ICD-10) (Active)

H0031 Complete Assessment, New Patient

Ward Swallow, PhD

(Note Compiled by: Shanna Underwood)

Page 1 of 2

CC Cook

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

6/22/2019

7:16:26 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center for crisis intervention today.

Daine Crawley participated in Post-Crisis/Relapse Planning and Using an Action Plan for Prevention and Recovery group. Post-Crisis/Relapse Planning and Using an Action Plan for Prevention and Recovery groups are to work with group members to develop a plan that they can use to recover after they have had a very difficult time.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today. Mr. Crawley convincingly denied homicidal ideas in today's session.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Appearance and Behavior:

In today's session Mr. Crawley appeared friendly, communicative, and relaxed.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)

Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

Alcohol abuse, uncomplicated, F10.10 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Ct will continue treatment while working on treatment objectives

H2011 Crisis Intervention

Session start: 2:45 PM

Session end: 3:45 PM

CC Cook

NBH SUPPORT CENTER

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

5/16/2019

3:01:12 PM

Group Therapy Note

- Daine Crawley attended the NBH Support Center Day Treatment Program today.
- Daine Crawley participated in Self-Advocacy group. Self-Advocacy groups are to help group members think about assertiveness and anger, specific laws and rights, and use the advocacy skills to access services and get what they need and want.
- Daine Crawley participated in Assessing Personal and Community Resources group. Assessing Personal and Community Resources groups are to introduce the concept of action planning for prevention and recovery and to begin work on the first section of their plan, developing lists of skills, strategies and services to use in developing action plans.
- Daine Crawley participated in Peer Support, Recovery Meetings and Peer Counseling group. Peer Support, Recovery Meetings and Peer Counseling groups are to learn about using peer support, recovery meetings and peer counseling as wellness tools.
- Daine Crawley participated in Action Planning – Triggers, Early Warning Signs, and Difficult Times group. Triggers, Early Warning Signs, and Difficult Times groups are to identify triggers, early warning signs and signs that things have gotten much worse and, using your Wellness Toolbox, develop action plans that will help you feel better.

Appearance and Behavior:

In today's session Mr. Crawley appeared calm, communicative, and happy.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.

Mr. Crawley convincingly denied homicidal ideas in today's session.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)
Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Ct will continue treatment while working on treatment objectives

LVMPD002073

Page 2 of 2

Crawley, Dalne

5/15/2019
3:58 PM

ID: 2004725984

DOB: 3/21/1986

Group Therapy Note

Ct will continue treatment while working on treatment objectives

H2012 Day Treatment Program

Session start: 7:00 AM

Session end: 3:15 PM

CC Cook

Electronically Signed

By: CC Cook

On: 5/16/2019 3:58:07 PM

LVMPD002072

516

NBH Clinic

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

5/17/2019

6:38:24 PM

Group Therapy Note

- Daine Crawley attended the NBH Support Center Day Treatment Program today.
- Daine Crawley participated in Self-Advocacy group. Self-Advocacy groups are to help group members think about assertiveness and anger, specific laws and rights, and use the advocacy skills to access services and get what they need and want.
- Daine Crawley participated in Overcoming Barriers and Challenges group. Overcoming Barriers and Challenges groups are to discuss the barriers and challenges to participants' recovery and explore ways of resolving these issues.

Appearance and Behavior:

In today's session Mr. Crawley appeared friendly, communicative, and happy.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Suicidal/Homicidal:

Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.

Mr. Crawley convincingly denied homicidal ideas in today's session.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)

Unspecified nonorganic psychosis, F29 (ICD-10) (Active)

H2012 Day Treatment Program

Session start: 12:00 PM

Session end: 3:30 PM

James Hickonbottom

Electronically Signed

By: James Hickonbottom

On: 5/17/2019 6:38:28 PM

LVMPD002075

Page 1 of 2

CC Cook

Nevada Behavioral Health Systems
2500 W Washington Ave
Suite B
Las Vegas, NV 89106-3731
702-605-5858
702-857-8801

Crawley, Daine

ID: 2004725984

DOB: 3/21/1986

7/23/2019

1:31:02 PM

Group Therapy Note

Daine Crawley attended the NBH Support Center for crisis intervention today.

Daine Crawley participated in Post-Crisis/Relapse Planning and Using an Action Plan for Prevention and Recovery group. Post-Crisis/Relapse Planning and Using an Action Plan for Prevention and Recovery groups are to work with group members to develop a plan that they can use to recover after they have had a very difficult time.

Suicidal/Homicidal:

Mr. Crawley convincingly denied homicidal ideas in today's session.
Suicidal ideas or intentions are not in evidence and were not expressed by Mr. Crawley today.

Mental Status Exam:

Affect is congruent with mood and appropriate to examination circumstances.

Participation:

Mr. Crawley's participation today, was normal, with responses to others and sharing of personal experiences and feelings.

Appearance and Behavior:

In today's session Mr. Crawley appeared friendly, communicative, and relaxed.

DIAGNOSES: The following Diagnoses are based on currently available information and may change as additional information becomes available.

Adjustment disorder, unspecified, F43.20 (ICD-10) (Active)
Unspecified nonorganic psychosis, F29 (ICD-10) (Active)
Alcohol abuse, uncomplicated, F10.10 (ICD-10) (Active)

INSTRUCTIONS / RECOMMENDATIONS / PLAN:

Ct will continue treatment while working on treatment objectives

H2011 Crisis Intervention

Session start: 1:00 PM
Session end: 6:30 PM

CC Cook

5199



COMMUNITY ORTHOPEDIC MEDICAL GROUP
Orthopedic Specialists

26401 Crown Valley Parkway, Suite 101 • 26471 Crown Valley Parkway, Suite 101
Mission Viejo, Ca 92691-6350
Tel: (949) 348-4000 Fax: (949) 348-7466
www.comg.com

04/08/2016

Daineanton Crawley
419 Anita Street
Laguna Beach, CA 92651

To Whom It May Concern;

Daineanton Crawley, date of birth 3/21/1986, is a patient of mine who sustained a right midshaft tibia fracture on 12/12/2015. He underwent an open reduction internal fixation on 12/13/2015. He has subsequently developed a nonunion and a likely infection. He will require multiple staged procedures in the upcoming months for treatment and reconstruction. He will be totally temporarily disabled for period of 3-6 months from the date of this letter. Please make all accommodations necessary. Feel free to contact my office for further information and with any questions. Thank you.

Sincerely,

Provider: 04/08/2016

Document generated by: Stephen T. Gardner MD 04/08/2016

Community Orthopedic Medical Group
26401 Crown Valley Parkway Suite 101 - 201, Mission Viejo, CA 92691

LVMPD002137

healing well with staples. These were removed. He has no knee effusion. Knee range of motion is from 0 to about 100°. There is swelling at the fracture site for the skin is intact. He has intact tendon and, EHL, gastrocnemius function. Sensation is intact throughout.

Diagnostic Studies

AP and lateral edges of the right tibia and fibula demonstrate an intramedullary nail transfixing a midshaft tibia fracture with a large anterior butterfly fragment. There is a fibular head fracture that is nondisplaced.

Impression

#1. Status post ORIF right tib-fib fracture

Plan/Recommendation

Daine is doing well. I recommend dressing changes for the abrasions. He weight-bear as tolerated. I recommended physical therapy for knee and ankle range of motion. I'll see him back in 1 month. We will get x-rays of the right tibia and fibula.



Provider: Stephen T. Gardner MD 12/29/2015

Community Orthopedic Medical Group
26401 Crown Valley Parkway Suite 101 - 201, Mission Viejo, CA 92691

1 DECL

2 LOWE LAW, L.L.C.

3 DIANE C. LOWE, ESQ. Nevada Bar No. 14573

4 7350 West Centennial Pkwy #3085

5 Las Vegas, Nevada 89131

6 (725)212-2451 – F: (702)442-0321

Email: DianeLowe@LoweLawLLC.com

Attorney for Daine Crawley

7 EIGHTH JUDICIAL DISTRICT COURT

8 CLARK COUNTY, NEVADA

9
10
11 DAINE CRAWLEY DOC #1167447

12 Petitioner,

13 vs.

14
15 WARDEN JOHNSON, HDSP,

16 Respondent.

Case No.: A-20-816041-W

[Companion case: C-19-341735-1 and
Appeal Remand Sup Ct No 83136]

DEPT NO: XVII

17
18 **DECLARATION OF JAMES JUNE**

- 19
20 1. I, James June am the Program Director of CrossRoads of Southern Nevada.
- 21 2. On July 22, 2022 I forwarded via email to Attorney Diane Lowe the Medical
- 22 and Treatment Records of Daine Crawley pursuant to a signed Release of
- 23 Information by Mr. Crawley.
- 24
- 25 3. On July 16, 2019 Crossroads had upstairs a housing program above our
- 26 outpatient detox program.
- 27
- 28

- 1 4. It is possible that on this date, Mr. Crawley attempted to obtain a bed for the
2 night but was turned away because of unavailability of an open bed.
3
- 4 5. But we do not have records retained on this matter, nor would there be video
5 tape retained showing those checking in and or being turned away on July 16
6 2019 at or around 8 pm.
7
- 8 6. Our records do reflect that he came back on July 23, 2019 and completed
9 detox treatment.
10
- 11 7. This was 2 years ago, since then we have a lot more resources and programs
12 to get clients into. However, two of the programs we refer on a regular basis
13 were offered to him: Salvation Army and Las Vegas Rescue Mission.
14
- 15 8. We have no way of confirming whether he was given misinformation by
16 Nevada Behavioral Health Systems regarding whether we had inpatient
17 behavior health treatment available in July 2019.
18
- 19 9. Nor can I confirm or deny whether the reason Mr. Crawley is quoted in our
20 records as having declined a referral to Salvation Army was because he was
21 already trying to get in the Salvation Army via Nevada Behavioral Health
22 and was on a waitlist.
23
24
25

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

27 Respectfully Signed and Attested to this 26 day of August 2022.
28

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x Signature of James June

NRS 53.045 Use of unsworn declaration in lieu of affidavit or other sworn declaration; exception. Any matter whose existence or truth may be established by an affidavit or other sworn declaration may be established with the same effect by an unsworn declaration of its existence or truth signed by the declarant under penalty of perjury, and dated, in substantially the following form:

1. If executed in this State: "I declare under penalty of perjury that the foregoing is true and correct."

Fax Transmission

To: Diane C. Lowe, Esq Lawe LLC

Fax: +17024420321

RE: Medical records requested for Daine Crawley

Pages: 238

From: Office Administration

Fax: 7023828407

Date: Friday, July 22, 2022 6:13 PM, PDT

Comments:

Daine Crawley, MR No.: 2019-2157

Daine Crawley, Male, 2019-2157

DOB: 03/21/1986

Package: All Items

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4076_Daine-C-	11
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Daine Crawley, MR No.: 2019-2157

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Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Date 1st contact 07/23/2019	Rep on intake call Rebecca Ioane, Front Desk/Triage Coordinator	1st contact name n/a	1st contact phone n/a	1st contact relationship n/a
--------------------------------	---	-------------------------	--------------------------	---------------------------------

Location: Crossroads Treatment

Primary Physician: Henry Rucker, NP

Program: MDX

Admission Date 07/23/2019 07:44 PM	Referrer Self / Nevada Behavioral Health	Contact? No	Anticipated Discharge Date 07/27/2019 03:49 PM
Discharge/Transition Date 07/27/2019 04:31 PM	Discharge/Transition to	Discharge Type Completed treatment	

PATIENT INFORMATION HAS NOT BEEN VALIDATED - PLEASE VALIDATE**Patient Information**

Daine Crawley

Current Address:
2500 W Washington Ave
Las Vegas, NV 89106



Phone: 702-605-5858

Date of Birth: 03/21/1986 SSN: ***-**-0540

Birth Sex: Male

Pronouns:

Preferred Language:

Marital Status: Single

Race: Multi-Racial

Ethnicity:

Payment Method

Medicaid of Nevada - HPN

Insurance Information

Company 109790004 Medicaid of Nevada / Health Plan of Nevada	Policy No. 19003230100	Effective Date 07/23/2019	Termination Date	Status Active	Insurance Type/Priority Primary
Group Plan Name	Group ID	Plan Type	Payer Type	Plan Period	Phone
rx	rx Phone	rx Group	rx BIN	rx PCN	
Subscriber Daine Crawley Subscriber Address Street 2500 W Washington Ave Subscriber Address Zip 89106	Relationship Self Subscriber Address Street 2 Subscriber Address State NV	SSN ***-**-0540	DOB 03/21/1986 Subscriber City Las Vegas Subscriber Address Country		
Notes					

Daine Crawley, MR No.: 2019-2157

Date of decision: 04/19/2019

Concurrent Reviews

Start date	End date	# of days	Auth date	Authorization #	Status	Level of care	Frequency
07/23/2019	07/26/2019		07/24/2019	192050231	Approved	LCD	No
Next review	#Hours/Day	#Days/Week	Days of week	Next LOC	Next LOC Date		
Insurance							
Medicaid of Nevada / Health Plan of Nevada							
case manager : alisa							

Contacts

Allergies and Food Restrictions

Allergies

No Known Allergies/NKA

Diets

Regular Diet

External Apps

External App Name	Unique Patient ID	Action	Response
Kipu			
Messenger			

Patient Record Source: Rebecca I.: User Entry

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1985

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**MAR / MOR July 24, 2019****Actions**

Occurred	Action	Scheduled	Type	Comment	Staff	Notes
Yes	CIWA-AR	08:00 AM	ACTION			
Yes	CIWA-AR	03:00 PM	ACTION			
Yes	CIWA-AR	10:00 PM	ACTION	3		

Medications

Taken	Medication	Strength/Route	Time	Type	Comment	Staff	Notes	Efficacy	Adverse Reaction	Response Staff
No	Ativan <small>Warning: Hold if drowsy or SBP < 95</small>	1mg x 1 tablet, oral (taper, day 2 of 5)	08:00 AM	MED	pt refused	Administered by Aisha Santos, LPN 07/24/2019 09:47 AM				
No	Vitamin B Complex	1 x 1 tablet, oral	08:00 AM	MED	pt refused	Administered by Aisha Santos, LPN 07/24/2019 09:47 AM				
No	MVI	1 x 1 tablet, PO	08:00 AM	MED	pt refused	Administered by Aisha Santos, LPN 07/24/2019 09:47 AM				
Yes	Ativan <small>Warning: Hold if drowsy or SBP < 95</small>	1mg x 1 tablet, oral (taper, day 2 of 5)	03:00 PM	MED		Administered by Aisha Santos, LPN 07/24/2019 03:36 PM				
Yes	Ibuprofen <small>Warning: Give with Food</small>	800mg x 1 tablet, oral	03:35 PM	PRN	Pain/Fever	Administered by Aisha Santos, LPN 07/24/2019 03:36 PM				
Yes	Vistaril	50mg x 1 capsule, oral	03:36 PM	PRN	Anxiety	Administered by Aisha Santos, LPN 07/24/2019 03:36 PM				
Yes	Zofran	4mg x 1 tablet, oral	03:36 PM	PRN	Nausea	Administered by Aisha Santos, LPN 07/24/2019 03:36 PM				
Yes	Baclofen	20mg x 1 tablet, oral	03:36 PM	PRN	Muscle Spasms/Withdrawal Symptoms	Administered by Aisha Santos, LPN 07/24/2019 03:36 PM				
Yes	Trazodone Hcl	50mg x 1 tablet, oral	10:00 PM	PRN		Administered by Stephanie Wells, RN 07/24/2019 10:46 PM				
Yes	Ativan <small>Warning: Hold if drowsy or SBP < 95</small>	1mg x 1 tablet, oral (taper, day 2 of 5)	10:00 PM	MED		Administered by Stephanie Wells, RN 07/24/2019 10:46 PM				

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986
Allergies: No Known Allergies/NKA
Admission: 07/23/2019 Care Team
Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US & Canada)



Manage Level of Care 07/23/2019 07:56 PM

Date and Time 07/23/2019 07:56 PM

Level of Care

Date of change	Transition to level of care
07/23/2019	Triage

Anticipated Discharge Date: 07/27/2019 10:00 AM

Clinical Comments N/A

Rebecca Ioane, Front Desk/Triage Coordinator (Staff), 07/23/2019 07:56 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

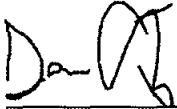
Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)

Release of Confidential Information - Refusal

This patient was asked if s/he would like to provide contact information for an Emergency Contact or other individuals involved in this Patient's treatment experience. This patient has indicated that s/he does not want us to contact anyone regarding their care, and has declined to complete any Release of Confidential Information forms.



Daine Crawley (Patient), 07/23/2019 07:59 PM

Staff present: Rebecca Ioane, Front Desk/Triage Coordinator



Rebecca Ioane, Front Desk/Triage Coordinator (Staff), 07/23/2019 07:59 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

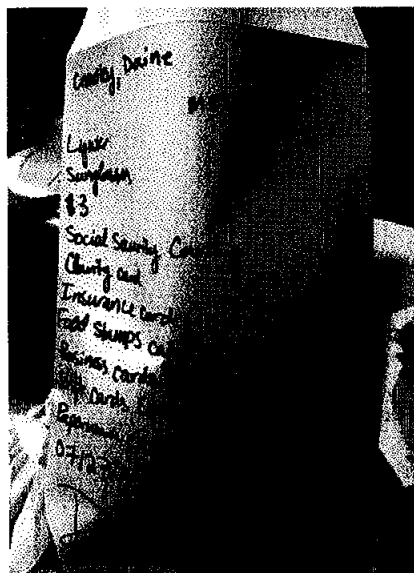
(GMT-08:00) Pacific Time (US &
Canada)

Patient Valuables 07/23/2019 08:03 PM

Date & Time: 07/23/2019 08:03 PM

Valuable Items

Photo:



Comments:

Lighter, sunglasses, \$3, social security card, clarity card, insurance card, food stamps card, business cards, gift cards, paperwork

Rebecca Ibane, Front Desk/Triage Coordinator (Staff), 07/23/2019 08:04 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)



Attachment Medicaid Eligibility Docs 07/23/2019 08:08 PM

Title Medicaid Eligibility Docs

Date 07/23/2019 08:08 PM

Description None

Scanned Document

4076_Daine-C-.pdf, 132 KB

Rebecca Ioane, Front Desk/Triage Coordinator (Staff), 07/23/2019 08:09 PM

Daine Crawley, MR No.: 2019-2157



Nevada Department of Health and Human Services
 Division of Health Care Financing and Policy Provider Portal

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Eligibility Verification

[Eligibility > Eligibility Verification](#)
Tuesday 07/23/2019 07:43 PM PST

Delegate for Jennifer Morss
Role IDs Provider - In Network - 1558864439 (NP1)
Location 100560738 - CROSSROADS OF SOUTHERN NEVADA

Eligibility Verification Request

* Indicates a required field.
 Enter the recipient information. If Recipient ID is not known, enter SSN and Birth Date or Last Name, First Name and Birth Date. Please verify response below as not all information is currently used during search.

Recipient ID 00002144611
SSN
*** Effective From** 07/23/2019

Last Name
Birth Date
Effective To 07/31/2019

First Name

Service Type Code Search

Service Type Code 30-Health Benefit Plan Coverage

Eligibility Verification Information for DAINE CRAWLEY from 07/23/2019 to 07/31/2019

Recipient ID	Birth Date			
00002144611	03/21/1986			

Coverage	Effective Date	End Date	Primary Care Provider	Date of Decision
Medicaid Fee For Service	07/23/2019	07/31/2019	0000000000	04/19/2019
Non-Emergency Transportation	07/23/2019	07/31/2019	MEDICAL TRANSPORTATION MANAGEMENT INC (1134260078)	
Dental Benefit Administrator	07/23/2019	07/31/2019	LIBERTY DENTAL PLAN OF NEVADA INC (1740706985)	
Managed Care Organization	07/23/2019	07/31/2019	HEALTH PLAN OF NEVADA	

[Other Insurance Detail Information](#)

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Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986
Allergies: No Known Allergies/NKA
Admission: 07/23/2019 Care Team
Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US & Canada)



Assignment of Care Team

Date/Time of Assignment:	
Mental Health Professional	
Primary Therapist	Assigned on
None	
Case Manager	
Case Manager	Assigned on
None	
Primary Physician	
Primary Physician	Assigned on
None	
Comments	

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)

Discharge Execution Form

As of this time and date, this patient has discharged from CrossRoads of Southern Nevada programming and is no longer under its care.

Discharge Date:

Discharge Type: Completed treatment

**Additional
Notes**

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)

Columbia-Suicide Severity Rating Scale (C-SSRS)

SUICIDE IDEATION DEFINITIONS AND PROMPTS - In the Last 24 Hours

Ask questions that are underlined.

Ask Questions 1 and
2

1) Wish to be Dead:

Person endorses thoughts about a wish to be dead or not alive anymore, or wish to fall asleep and not wake up.

Have you wished you were dead or wished you could go to sleep and not wake up?

Yes
☐

No
☒

2) Suicidal Thoughts:

General non-specific thoughts of wanting to end one's life/commit suicide, "I've thought about killing myself" without general thoughts of ways to kill oneself/associated methods, intent, or plan.

Have you actually had any thoughts of killing yourself?

Yes
☐

No
☒

If YES to 2, ask questions 3, 4, 5, and 6. If NO to 2, answer NO for 3-5 and go directly to question
6

3) Suicidal Thoughts with Method (without Specific Plan or Intent to Act):

Person endorses thoughts of suicide and has thought of at least one method during the assessment period. This is different than a specific plan with time, place or method details worked out. "I thought about taking an overdose but I never made a specific plan as to when where or how I would actually do it...and I would never go through with it."

Have you been thinking about how you might kill yourself?

Yes
☐

No
☒

4) Suicidal Intent (without Specific Plan):

Active suicidal thoughts of killing oneself and patient reports having some intent to act on such thoughts as opposed to "I have thoughts but I definitely will not do anything about them."

Have you had these thoughts and had some intention of acting on them?

Yes
☐

No
☒

5) Suicide Intent with Specific Plan:

Thoughts of killing oneself with details of plan fully or partially worked out and person has some intent to carry it

Daine Crawley, MR No.: 2019-2157

out.

Have you started to work out or worked out the details of how to kill yourself? Do you intend to carry out this plan?

Yes

☐

No

☒

6) Suicide Behavior Question:

Have you ever done anything, started to do anything, or prepared to do anything to end your life?

Yes

☐

No

☒

Examples: Collected pills, obtained a gun, gave away valuables, wrote a will or suicide note, took out pills but didn't swallow any, held a gun but changed your mind or it was grabbed from your hand, went to the roof but didn't jump; or actually took pills, tried to shoot yourself, cut yourself, tried to hang yourself, etc.

If YES, ask: How long ago did you do any of these? Over a year ago? Between three months and a year ago? Within the last three months?

None

If the patient answers "Yes" to any of the above questions, immediately contact the primary therapist (if available), another MHP or the Clinical Director. This patient must be cleared by the primary therapist, another MHP or the Clinical Director before discharge.

Clinical Staff contacted for any "Yes" answers?

N/A

Which Clinician did you contact?

None



Faith Estrada (Staff), 07/23/2019 09:23 PM

Reviewed by



Jacquelyn Button, Clinician (Review), NPI Number 1225430119, 07/24/2019 08:03 AM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Substance Abuse History**Substance Abuse History**

	First Use Date	Last Use Date	Amount Used	Frequency	Route
Alcohol	11yrs old	today	5th	daily	drink
Xanax/Valium/Klonopin	11yrs old	yesterday	2 mg	2to 3x's a day	orally
Amphetamines					
Cocaine					
Crack					
Heroin					
Dilaudid					
Oxys/Roxys/Percocet					
Morphine					
Methadone					
Marijuana					
Kratom					
Spice					
MDMA					
Hallucinogens					
PCP					
Dextromethorphan					
Inhalants					
Other					
Other					

Which Substance is Drug of
Choice?

alcohol, xanax

Additional Comments None



Faith Estrada (Staff), 07/23/2019 09:25 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)



Patient Belongings 07/23/2019 09:20 PM

Date: 07/23/2019 09:20 PM

Blue Bag #

4558

Blue Bag Inventory

Backpack

Yellow Bag #

4209

Locker #

Valuable Items

Photo

Triage Search Completed Yes

Cash Yes , Amount: \$3

Wallet No

Phones and electronic devices None

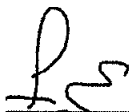
Clients are to be encouraged not to keep valuables on the unit and to send them home whenever possible. The facility maintains a safe for safekeeping your money and valuables. The facility shall not be liable for the loss or damage to any pocketbooks, money, jewelry, eye glass/contact lens, dentures, documents, personal electronic devices or other articles of value that are personally kept/not deposited in the safe for your security. It is strongly recommended that all items not required and/or needed during your stay in the facility be sent home.

I have reviewed the above statement and am taking responsibility for any items that I keep in my possession and will hold the facility harmless for any loss or damage to such items.

Daine Crawley (Patient), 07/23/2019 09:22 PM

Staff present: Faith Estrada

Daine Crawley, MR No.: 2019-2157



Faith Estrada (Staff), 07/23/2019 11:06 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)

Pregnancy Test

Date/Time:

Urine drug pregnancy test:

Doctor notified:

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**AUDIT for Alcohol (Interview Version) 07/23/2019 09:25 PM**

Evaluation Date: 07/23/2019 09:25 PM

Read questions as written. Record answers carefully. Begin the AUDIT by saying "Now I am going to ask you some questions about your use of alcoholic beverages during this past year." Explain what is meant by "alcoholic beverages" by using local examples of beer, wine, vodka, etc. Code answers in terms of "standard drinks". Place the correct answer number in the box at the right.

KEY: #1,3-8: Never/N/A = 0; Monthly or less = 1; 2 to 4 times a month = 2; 2 to 3 times a week = 3; 4 or more times a week = 4

KEY: #2: 1 or 2 = 0; 3 or 4 = 1; 5 or 6 = 2; 7, 8 or 9 = 3; 10 or more = 4

KEY: #9-10: No = 0; Yes, but not in the last year = 2; Yes, during the last year = 4;

- | | |
|--|----------------------------------|
| 1. How often do you have a drink containing alcohol? (If answer is 'Never', answer N/A to Q's 2-8) | 4 or more times a week
(4) |
| 2. How many drinks containing alcohol do you have on a typical day when you are drinking? | 10 or more (4) |
| 3. How often do you have six or more drinks on one occasion? | Daily or almost daily (4) |
| 4. How often during the last year have you found that you were not able to stop drinking once you had started? | Daily or almost daily (4) |
| 5. How often during the last year have you failed to do what was normally expected from you because of drinking? | Daily or almost daily (4) |
| 6. How often during the last year have you needed a first drink in the morning to get yourself going after a heavy drinking session? | Daily or almost daily (4) |
| 7. How often during the last year have you had a feeling of guilt or remorse after drinking? | Daily or almost daily (4) |
| 8. How often during the last year have you been unable to remember what happened the night before because you had been drinking? | Never (0) |
| 9. Have you or someone else been injured as a result of your drinking? | Yes, during the last year
(4) |
| 10. Has a relative or friend or a doctor or another health worker been concerned about your drinking or suggested you cut down? | Yes, during the last year
(4) |

Total Score (36)

Score of 8+ indicates harmful alcohol use. Range of scores 0-40

0-7 Negative Alcohol Screen



8+ Positive Alcohol Screen



Standard Drink Equivalents
Approximate Number of Drinks In:

Daine Crawley, MR No.: 2019-2157

Beer or Cooler

12oz = 1
16oz. = 1.3
22oz. = 2
40oz. = 3.3

Malt Liquor

12oz. = 1.5
16oz. = 2
22oz. = 2.5
40oz. = 4.5

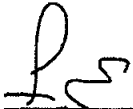
Table Wine

a 750mL (25 oz.) bottle =
5

80-proof SPIRITS (hard liquor)

a mixed drink = 1 or more*
a pint (16oz.) = 11
a fifth (25oz.) = 17
1.75L (59oz.) = 39

*Note: Depending on factors such as the type of spirits and the recipe, one mixed drink can contain from one to three or more standard drinks.



Faith Estrada (Staff), 07/23/2019 09:28 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1996

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Drug Abuse Screening Test (DAST-10) 07/23/2019 09:28 PM

Date 07/23/2019 09:28 PM

Please read each question carefully and answer Yes/No as it applies to you over the last 12 months. This form only is asking about substances, and not alcohol or tobacco.

KEY: #1-2, 4-10: Yes = 1, No = 0; #3 Yes = 0, No = 1

- | | |
|---|---------|
| 1. Have you ever used drugs other than those required for medical reasons? | yes (1) |
| 2. Do you misuse more than one drug at a time? | yes (1) |
| 3. Are you always able to stop using drugs when you want to? | no (1) |
| 4. Have you had "blackouts" or "flashbacks" as a result of drug use? | no (0) |
| 5. Do you ever feel bad about your drug misuse? | yes (1) |
| 6. Does your spouse (or parents) ever complain about your involvement with drugs? | yes (1) |
| 7. Neglected your family or miss work because of your use of drugs? | yes (1) |
| 8. Engaged in illegal activities to obtain drugs? | yes (1) |
| 9. Experienced withdrawal symptoms as a result of heavy drug intake? | yes (1) |
| 10. Had medical problems as a result of your drug use (eg, memory loss, hepatitis, convulsions, or bleeding)? | yes (1) |

Total Score (9)

0-2 Minimal

☐

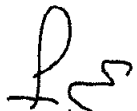
3-5 Moderate

☐

6-8 Substantial

☐

9-10 Severe

☒

Faith Estrada (Staff), 07/23/2019 09:29 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**DSM-5 Self-Rated Level 1 Cross-Cutting Symptom Measure - Adult 07/23/2019 09:29 PM**

Date

07/23/2019 09:29 PM

Instructions: The questions below ask about things that might have bothered you. For each question, choose the number that best describes how much (or how often) you have been bothered by each problem during the past TWO (2) WEEKS.

I. Depression

1. Little interest or pleasure doing things?

None: Not at all

☐

Slight: Rare, less than a day or two

☒

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☐

2. Feeling down, depressed, or hopeless?

None: Not at all

☐

Slight: Rare, less than a day or two

☒

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☐

Comments None

II. Anger

3. Feeling more irritated, grouchy, or angry than usual?

None: Not at all

☒

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☐

Comments None

III. Mania

4. Sleeping less than usual, but still have a lot of energy?

None: Not at all

☐

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☒

Moderate: 7-10 days

☐

Severe: 11-14 days

☐

5. Starting lots more projects than usual or doing more risky things than usual?

None: Not at all

☒

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☐

Comments None

IV. Anxiety

6. Feeling nervous, anxious, frightened, worried, or on edge?

None: Not at all

☐

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☒

7. Feeling panic or being frightened?

None: Not at all

☐

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☒

8. Avoiding situations that make you anxious?

None: Not at all

Slight: Rare, less than a day or two

Mild: 3-6 days

Daine Crawley, MR No.: 2019-2157

Moderate: 7-10 days

☐

Severe: 11-14 days

☒☐☐☐

Comments None

V. Somatic Symptoms

9. Unexplained aches and pains (e.g., head, back, joints, abdomen, legs)?

None: Not at all

☐

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☒

Moderate: 7-10 days

☐

Severe: 11-14 days

☐

10. Feeling that your illnesses are not being taken seriously enough?

None: Not at all

☒

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☐

Comments None

VI. Suicidal Ideation

11. Thoughts of actually hurting yourself?

None: Not at all

☒

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☐

Comments None

VII. Psychosis

12. Hearing things other people couldn't hear, such as voices even when no one was around?

None: Not at all

☒

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☐

13. Feeling that someone could hear your thoughts, or that you could hear what another person was thinking?

None: Not at all

☒

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☐

Comments None

VIII. Sleep Problems

14. Problems with sleep that affected your sleep quality over all?

None: Not at all

☐

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☒

Moderate: 7-10 days

☐

Severe: 11-14 days

☐

Comments None

IX. Memory

15. Problems with memory (e.g., learning new information) or with location (e.g., finding your way home)?

None: Not at all

☐

Slight: Rare, less than a day or two

☒

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☐

Comments None

X. Repetitive Thoughts and Behaviors

16. Unpleasant thoughts, urges, or images that repeatedly enter your mind?

None: Not at all

☐

Slight: Rare, less than a day or two

☒

Mild: 3-6 days

☐

Moderate: 7-10 days

Severe: 11-14 days

Daine Crawley, MR No.: 2019-2157

17. Feeling driven to perform certain behaviors or mental acts over and over again?

<input type="checkbox"/>	<input type="checkbox"/>	
None: Not at all	Slight: Rare, less than a day or two	Mild: 3-6 days
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Moderate: 7-10 days	Severe: 11-14 days	
<input type="checkbox"/>	<input type="checkbox"/>	

Comments None

XI. Dissociation

18. Feeling detached or distant from yourself, your body, your physical surroundings, or your memories?

<input type="checkbox"/>	<input type="checkbox"/>	
None: Not at all	Slight: Rare, less than a day or two	Mild: 3-6 days
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Moderate: 7-10 days	Severe: 11-14 days	
<input type="checkbox"/>	<input type="checkbox"/>	

Comments None

XII. Personality Functioning

19. Not knowing who you really are or what you want out of life?

<input type="checkbox"/>	<input type="checkbox"/>	
None: Not at all	Slight: Rare, less than a day or two	Mild: 3-6 days
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Moderate: 7-10 days	Severe: 11-14 days	
<input type="checkbox"/>	<input type="checkbox"/>	

20. Not feeling close to other people or enjoying your relationships with them?

<input type="checkbox"/>	<input type="checkbox"/>	
None: Not at all	Slight: Rare, less than a day or two	Mild: 3-6 days
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Moderate: 7-10 days	Severe: 11-14 days	
<input type="checkbox"/>	<input type="checkbox"/>	

Comments None

XIII. Substance Use

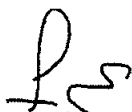
21. Drinking at least 4 drinks of any kind of alcohol in a single day?

<input type="checkbox"/>	<input type="checkbox"/>	
None: Not at all	Slight: Rare, less than a day or two	Mild: 3-6 days
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Moderate: 7-10 days	Severe: 11-14 days	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	

22. Smoking any cigarettes, a cigar, or pipe, or using snuff or chewing tobacco?

<input type="checkbox"/>	<input type="checkbox"/>	
None: Not at all	Slight: Rare, less than a day or two	Mild: 3-6 days
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Moderate: 7-10 days	Severe: 11-14 days	
<input type="checkbox"/>	<input type="checkbox"/>	

Comments None



Faith Estrada (Staff), 07/23/2019 09:32 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**Modified Mini Screen (MMS) 07/23/2019 09:32 PM**

Today's Date 07/23/2019 09:32 PM

KEY: 0 = No; 1 =
Yes**SECTION A**

1. Have you been consistently depressed or down, most of the day, nearly every day, for the past 2 weeks? No (0)
2. In the past 2 weeks, have you been less interested in most things or less able to enjoy the things you used to enjoy most of the time? No (0)
3. Have you felt sad, low or depressed most of the time for the last two years? No (0)
4. [REDACTED] No (0)

Repeat Answer:

No
☒Yes
☐

5. Have you ever had a period of time when you were feeling up, hyper or so full of energy or full of yourself that you got into trouble or that other people thought you were not your usual self? (Do not consider times when you were intoxicated on drugs or alcohol.) No (0)
6. Have you ever been so irritable, grouchy or annoyed for several days, that you had arguments, verbal or physical fights, or shouted at people outside your family? Have you or others noticed that you have been more irritable or overreacted, compared to other people, even when you thought you were right to act this way? No (0)

SECTION B

7. Note this question is in 2 parts. 7a and 7b both need to be marked "Yes" for this section to be marked as "Yes" overall.

a. Have you had one or more occasions when you felt intensely anxious, frightened, uncomfortable or uneasy even when most people would not feel that way?

No
☐Yes
☒

b. If yes, did these intense feelings get to be their worst within 10 minutes?

No
☐Yes
☒

If the answer to BOTH a and b is YES, code the question Yes (1)
YES. If the answer to either or both a and b is NO, code the question NO

8. Do you feel anxious or uneasy in places or situations where you might have the panic-like symptoms we just spoke about? Or do you feel anxious or uneasy in situations where help might not be available or escape might be difficult? Yes (1)

Examples include:

- Being in a crowd
- Other: jail

9. Have you worried excessively or been anxious about several things over the past 6 months? Yes (1)

Daine Crawley, MR No.: 2019-2157

10. Are these worries present most days? Yes (1)

11. In the past month, were you afraid or embarrassed when others were watching you, or when you were the focus of attention? Were you afraid of being humiliated? Yes (1)

Examples include:

- Being in social situations

12. In the past month, have you been bothered by thoughts, impulses, or images that you couldn't get rid of that were unwanted, distasteful, inappropriate, intrusive or distressing? Yes (1)

Examples include:

13. In the past month, did you do something repeatedly without being able to resist doing it? No (0)

Examples include:

- N/A

Repeat Answer: Yes (1)

Repeat Answer:

No
☐

Yes
☒

Examples include:

Repeat Answer: Yes (1)

Repeat Answer:

No
☐

Yes
☒

Examples include:

- Dreams
- Flashbacks

SECTION C

16. Have you ever believed that people were spying on you, or that someone was plotting against you, or trying to hurt you? Yes (1)

17. Have you ever believed that someone was reading your mind or could hear your thoughts, or that you could actually read someone's mind or hear what another person was thinking? No (0)

18. Have you ever believed that someone or some force outside of yourself put thoughts in your mind that were not your own, or made you act in a way that was not your usual self? Or, have you ever felt that you were possessed? No (0)

19. Have you ever believed that you were being sent special messages through the TV, radio, or newspaper? Did you believe that someone you did not personally know was particularly interested in you? No (0)

20. Have your relatives or friends ever considered any of your beliefs strange or unusual? Yes (1)

21. Have you ever heard things other people couldn't hear, such as voices? No (0)

22. Have you ever had visions when you were awake or have you ever seen things other people couldn't see? No (0)

SCORING THE SCREEN

NUMBER OF "YES" RESPONSES FROM SECTION A (Mood Disorders) Range 0-6 (0)

NUMBER OF "YES" RESPONSES FROM SECTION B (Anxiety Disorders) Range 0-9 (8)

PLEASE TOTAL THE NUMBER OF "YES" (Psychotic Disorders) Range 0-7 (2)

TOTAL NUMBER OF "YES" RESPONSES FROM SECTIONS A, B & C

Daine Crawley, MR No.: 2019-2157

10

MMS Results

0-5 Low Likelihood of Mental Illness

☐

6-8 Moderate Likelihood of MI

☐

9+ High Likelihood of MI

☒

Faith Estrada (Staff), 07/23/2019 09:37 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**PRIME-MD 07/23/2019 09:37 PM****Patient Health Questionnaire**

This questionnaire is an important part of providing you with the best health care possible. Your answers will help in understanding problems that you may have. Please answer every question to the best of your ability unless you are requested to skip over a question.

Today's Date 07/23/2019 09:37 PM

1. During the last 4 weeks, how much have you been bothered by any of the following problems?

KEY: Not Bothered = 0; Bothered a little = 1; Bothered a lot = 12

a. Stomach pain	Not Bothered (0)
b. Back pain	Bothered a little (1)
c. Pain in your arms, legs, or joints (knees, hips, etc.)	Bothered a lot (12)
d. Menstrual cramps or other problems with your periods	Not Bothered (0)
e. Pain or problems during sexual intercourse	Not Bothered (0)
f. Headaches	Not Bothered (0)
g. Chest pain	Not Bothered (0)
h. Dizziness	Not Bothered (0)
i. Fainting spells	Not Bothered (0)
j. Feeling your heart pound or race	Not Bothered (0)
k. Shortness of breath	Bothered a little (1)
l. Constipation, loose bowels, or diarrhea	Not Bothered (0)
m. Nausea, gas, or indigestion	Not Bothered (0)

Comments None

Total (14)

Somatoform Screen

0-35 Negative SomatoForm Screen



36-156 Positive SomatoForm Screen

**2. Over the last 2 weeks, how often have you been bothered by any of the following problems?**

KEY: 2a-2h: 0 = Not at all; 1 = Several Days; 10 = More than half the days; 11 = Nearly every day;

2i KEY: 0 = Not at all; 50 = Several days; 51 = More than half the days; 52 = Nearly every day

a. Little interest or pleasure in doing things	Not at all (0)
--	----------------

Daine Crawley, MR No.: 2019-2157

- b. Feeling down, depressed, or hopeless Not at all (0)
- c. Trouble falling or staying asleep, or sleeping too much More than half the days (10)
- d. Feeling tired or having little energy More than half the days (10)
- e. Poor appetite or overeating Not at all (0)
- f. Feeling bad about yourself — or that you are a failure or have let yourself or your family down Not at all (0)
- g. Trouble concentrating on things, such as reading the newspaper or watching television Several Days (1)
- h. Moving or speaking so slowly that other people could have noticed? Or the opposite — being so fidgety or restless that you have been moving around a lot more than usual More than half the days (10)
- i. Thoughts that you would be better off dead or of hurting yourself in some way Not at all (0)

Comments None

Total (31)

Depression Screen

0-29 Minimal Depression

☐

30-49 Possible Depression

☒

50-140 Likely Depression

☐**3. Questions about anxiety.**

KEY: Yes = 1, No = 0

- a. Have you had an anxiety attack - suddenly feeling fear or panic? Yes (1)
- b. Do some of these attacks come suddenly out of the blue - that is, in situations where you don't expect to be nervous or uncomfortable? Yes (1)
- c. Do these attacks bother you a lot or are you worried about having another attack? Yes (1)

Comments None

Total (3)

Panic Disorder Screen

0-2 Unlikely Panic Disorder

☐

3+ Likely Panic Disorder

☒**4. Think about your last bad anxiety attack.**

KEY: Yes = 1, No = 0

- a. Were you short of breath? Yes (1)
- b. Did your heart race, pound, or skip? Yes (1)
- c. Did you have chest pain or pressure? Yes (1)
- d. Did you sweat? Yes (1)
- e. Did you feel as if you were choking? Yes (1)
- f. Did you have hot flashes or chills? Yes (1)
- g. Did you have nausea or an upset stomach, or the feeling that you were going to have diarrhea? No (0)
- h. Did you feel dizzy, unsteady, or faint? Yes (1)

Daine Crawley, MR No.: 2019-2157

- i. Did you have tingling or numbness in parts of your body? Yes (1)
- j. Did you tremble or shake? Yes (1)
- k. Were you afraid you were dying? Yes (1)

Comments None

Total (10)

Panic Attack Screen

0-3 Negative Panic Screen

☐

4-11 Positive Panic Screen

☒**5. Over the last 4 weeks, how often have you been bothered by any of the following problems?**

KEY: 0 = Not at all, 1 = Several days, 10 = More than half the days

- a. Feeling nervous, anxious, on edge, or worrying a lot about different things More than half the days (10)

If you checked "Not at all", answer "Not at all" to the rest of #5 questions below and go to question #6.

- b. Feeling restless so that it is hard to sit still More than half the days (10)
- c. Getting tired very easily More than half the days (10)
- d. Muscle tension, aches, or soreness More than half the days (10)
- e. Trouble falling asleep or staying asleep More than half the days (10)
- f. Trouble concentrating on things, such as reading a book or watching TV More than half the days (10)
- g. Becoming easily annoyed or irritable Several Days (1)

Comments None

Total (61)

GAD Screen

0-29 Unlikely GAD

☐

30-70 Likely GAD

☒**6. Questions about eating.**

KEY: 1 = Yes, 0 = No

- a. Do you often feel that you can't control what or how much you eat? No (0)
- b. Do you often eat, within any 2-hour period, what most people would regard as an unusually large amount of food? No (0)
- c. Has this been as often, on average, as twice a week for the last 3 months? No (0)

Comments None

If you checked 'NO' to either #a or #b, select N/A for questions #7 and #8 and go to question #9.

Total (0)

Eating Disorder Screen

1-2 Possible Eating Disorder

☒

3 Probable Eating Disorder

☐**7. In the last 3 months have you often done any of the following in order to avoid gaining weight?**

Daine Crawley, MR No.: 2019-2157

KEY: 0 = No/NA, 1 =
Yes

- a. Made yourself vomit? No (0)
- b. Took more than twice the recommended dose of laxatives? No (0)
- c. Fasted "not eaten anything at all for at least 24 hours?" No (0)
- d. Exercised for more than an hour specifically to avoid gaining weight after binge eating? No (0)
8. If you checked 'YES' to any of these ways of avoiding gaining weight, were any as often, on average, as twice a week? No (0)

Comments None

Total for Questions 7 and
8: (0)

Anorexic Disorder Screen	0 Unlikely Anorexic Disorder <input checked="" type="checkbox"/>	1-2 Possible Anorexic Disorder <input type="checkbox"/>
3-5 Probable Anorexic Disorder <input type="checkbox"/>		

9. Do you ever drink alcohol (including beer or wine)? Yes

If no, answer "no" to 10 a-e

10. Have any of the following happened to you more than once in the last 6 months?KEY: 0 = No, 1 =
Yes

- a. You drank alcohol even though a doctor suggested that you stop drinking because of a problem with your health Yes (1)
- b. You drank alcohol, were high from alcohol, or hung over while you were working, going to school, or taking care of children or other responsibilities Yes (1)
- c. You missed or were late for work, school, or other activities because you were drinking or hung over Yes (1)
- d. You had a problem getting along with other people while you were drinking No (0)
- e. You drove a car after having several drinks or after drinking too much Yes (1)

Comments None

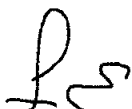
Total (4)

Alcohol Screen	0 Unlikely Alcohol Problem <input type="checkbox"/>	1 Possible Alcohol Problem <input type="checkbox"/>
2-5 Probable Alcohol Problem <input checked="" type="checkbox"/>		

If you checked off any problems on this questionnaire, how difficult have these problems made it for you to do your work, take care of things at home, or get along with other people?

Not difficult at all ☐ Somewhat difficult ☐ Very difficult ☐ Extremely difficult ☒

Clinician Comments None



Faith Estrada (Staff), 07/23/2019 09:44 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**PTSD CheckList – (PCL-C) - V2 07/23/2019 09:44 PM**

Date/Time: 07/23/2019 09:44 PM

Instructions: Below is a list of problems and complaints that people sometimes have in response to stressful life experiences. Please read each one carefully, and indicate how much you have been bothered by that problem in the last month.

KEY: 0=Not at all; 1=A little bit; 10=Moderate; 11=Quite a bit;
12=Extremely

- | | |
|--|-----------------------|
| 1. Repeated, disturbing memories, thoughts, or images of a stressful experience from the past? | 11 = Quite a bit (11) |
| 2. Repeated, disturbing dreams of a stressful experience from the past? | 11 = Quite a bit (11) |
| 3. Suddenly acting or feeling as if a stressful experience were happening again (as if you were reliving it)? | 11 = Quite a bit (11) |
| 4. Feeling very upset when something reminded you of a stressful experience from the past? | 11 = Quite a bit (11) |
| 5. Having physical reactions (e.g., heart pounding, trouble breathing, or sweating) when something reminded you of a stressful experience from the past? | () |

Total (44)

Summary	0-9 Negative <input type="checkbox"/>	10-60 Positive <input checked="" type="checkbox"/>
---------	---------------------------------------	--

KEY: 0=Not at all; 1=A little bit; 10=Moderate; 11=Quite a bit;
12=Extremely

- | | |
|---|-----------------------|
| 6. Avoid thinking about or talking about a stressful experience from the past or avoid having feelings related to it? | 11 = Quite a bit (11) |
| 7. Avoid activities or situations because they remind you of a stressful experience from the past? | 11 = Quite a bit (11) |
| 8. Trouble remembering important parts of a stressful experience from the past? | 11 = Quite a bit (11) |
| 9. Loss of interest in things that you used to enjoy? | 11 = Quite a bit (11) |
| 10. Feeling distant or cut off from other people? | 11 = Quite a bit (11) |
| 11. Feeling emotionally numb or being unable to have loving feelings for those close to you? | 11 = Quite a bit (11) |
| 12. Feeling as if your future will somehow be cut short? | 11 = Quite a bit (11) |

Total (77)

Summary	0-29 Negative <input type="checkbox"/>	30-84 Positive <input checked="" type="checkbox"/>
---------	--	--

KEY: 0=Not at all; 1=A little bit; 10=Moderate; 11=Quite a bit;
12=Extremely

- | | |
|--|-----------------------|
| 13. Trouble falling or staying asleep? | 11 = Quite a bit (11) |
|--|-----------------------|

Daine Crawley, MR No.: 2019-2157

14. Feeling irritable or having angry outbursts?

1 = A little bit (1)
15. Having difficulty concentrating?

11 = Quite a bit (20)
16. Being "super alert" or watchful on guard?

11 = Quite a bit (11)
17. Feeling jumpy or easily startled?

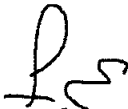
11 = Quite a bit (11)

Total (54)

	0-19 Negative	20-60 Positive
Summary	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Positive scores in all 3 of the above sections is an overall Positive screen.

PCL-C Results	Negative PTSD Screen	Positive PTSD Screen
	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Faith Estrada (Staff), 07/23/2019 09:46 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986
Allergies: No Known Allergies/NKA
Admission: 07/23/2019 Care Team
Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US & Canada)



Breathalyzer Result Form 07/23/2019 09:45 PM

Date/Time:	Start time	End time	Duration
	07/23/2019	07/23/2019	1
	09:45 PM	09:46 PM	Minutes

Results:

0.034

David Troy, RN (Staff), 07/23/2019 09:45 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)



Vital Signs 07/23/2019 09:46 PM

Date/Time:	Start time	End time	Duration				
	07/23/2019	07/23/2019	1				
	09:46 PM	09:47 PM	Minutes				
Vital Signs	Blood Pressure (systolic/diastolic)			Temperature	Pulse	Respirations	O2 Saturation
	125 / 81			98.4	95	16	100
BG	N/A						

David Troy, RN (Staff), 07/23/2019 09:47 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**Mood Disorder Questionnaire (MDQ) for Bipolar 07/23/2019 09:46 PM**

Evaluation date 07/23/2019 09:46 PM

Mood Disorder Questionnaire**Please answer each question to the best of your ability**

KEY: No = 0, Yes =

1

1. Has there ever been a period of time when you were not your usual self and...

- ...you felt so good or so hyper that other people thought you were not your normal self or you were so hyper that you got into trouble? No (0)
- ...you were so irritable that you shouted at people or started fights or arguments? Yes (1)
- ...you felt much more self-confident than usual? No (0)
- ...you got much less sleep than usual and found that you didn't really miss it? No (0)
- ...you were more talkative or spoke much faster than usual? Yes (1)
- ...thoughts raced through your head or you couldn't slow your mind down? Yes (1)
- ...you were so easily distracted by things around you that you had trouble concentrating or staying on track? Yes (1)
- ...you had more energy than usual? No (0)
- ...you were much more active or did many more things than usual? No (0)
- ...you were much more social or outgoing than usual, for example, you telephoned friends in the middle of the night? No (0)
- ...you were much more interested in sex than usual? No (0)
- ...you did things that were unusual for you or that other people might have thought were excessive, foolish, or risky? No (0)
- ...spending money got you or your family in trouble? Yes (1)

Total (5)

	0-6 Negative	7+ Positive
Summary Score #1	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. If you checked YES to more than one of the above, have several of these ever happened during the same period of time?

	No, Negative	Yes, Positive
Summary Score #2	<input checked="" type="checkbox"/>	<input type="checkbox"/>

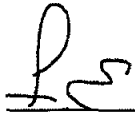
3. How much of a problem did any of these cause you - like being unable to work; having family, money or legal troubles; getting into arguments or fights?

	No Problems, Negative	Moderate, Positive	Serious, Positive
Summary Score #3	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Positive scores in all 3 areas above indicates a Positive Bipolar Screen

Negative Bipolar Screen	Positive Bipolar Screen
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Daine Crawley, MR No.: 2019-2157



Faith Estrada (Staff), 07/23/2019 09:48 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**CIWA [Clinical Institute Withdrawal Assessment] 07/23/2019 09:48 PM**

Date/Time	Start time	End time	Duration				
	07/23/2019	07/23/2019	4				
	09:48 PM	09:52 PM	Minutes				
Vital Signs	Blood Pressure (systolic/diastolic)			Temperature	Pulse	Respirations	O2 Saturation
	- / -			-	-	-	-

CIWA-AR**CIWA-AR****Date - Time**

07/23/2019 08:55 PM

CIWA-Ar

Hx

Agitation

0-Normal Activity

Anxiety4-Moderately anxious, or guarded, so
anxiety is inferred**Auditory Disturbances**

0-Not present

Clouding of Sensorium

0-Oriented and can do serial additions

Headache

1-Very mild

Nausea/Vomiting

0-No nausea and no vomiting

Paroxysmal Sweats

0-No sweat visible

Tactile Disturbances1-Very mild itching, pins and needles,
burning or numbness**Tremors**1-Not visible but can be felt fingertip to
fingertip**Visual Disturbances**

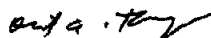
1-Very mild sensitivity

Score

8

Please Re-enter**CIWA Score:**

8



David Troy, RN (Staff), 07/23/2019 09:52 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

**COWS [Clinical Opiate Withdrawal Scale] 07/23/2019 09:53 PM**

Date/time:	Start time	End time	Duration				
	07/23/2019	07/23/2019	1				
	09:53 PM	09:54 PM	Minutes				

Vital signs	Blood Pressure (systolic/diastolic)	Temperature	Pulse	Respirations	O2 Saturation
	- / -	-	-	-	-

COWS**COWS****Date - Time**

07/23/2019 09:00 PM

Resting pulse rate

1-Pulse rate 81-100

Bone/Joint Ache

1-Mild diffuse discomfort

Yawning

0-No yawning

Please Re-enter

COWS Score

5

Comments:

minimal withdrawal

Sweating

0-No reports of chills or flushing

Runny nose

0-Not present

Anxiety/Irritability

2-Patient obviously irritable, anxious

Restlessness

0-Able to sit still

GI upset

0-No GI symptoms

Gooseflesh skin

0-Skin is smooth

COWS

Hx

Pupil size

0-Pupils pinned or normal size for room light

Tremors

1-Tremor can be felt, but not observed

Score

5

David Troy, RN (Staff), 07/23/2019 09:54 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Triage Nursing Assessment 07/23/2019 09:54 PM

Date/Time: 07/23/2019 09:54 PM

	Height	Weight
5' 6"		140

What brought you in
today?

Just not feeling well, its been going on for about a month

History of
Hospitalizations?

Surgery on right tib/fib December 2015

Surgical
History:

Surgery on right tib/fib December 2015

Current Living Situation:

Homeless

ETOH: First Use? Any periods of Sobriety? How did you maintain sobriety during that time? Triggers- any specific people, places, situations? Current Use amount? Route? How often? Length of time of current use? Last Use (Date and time)? Last Use amount?

None

Opiates (including Methadone, Suboxone, Subutex): First Use? Any periods of Sobriety? How did you maintain sobriety during that time? Triggers- any specific people, places, situations? Current Use amount? Route? How often? Length of time of current use? Last Use (Date and time)? Last Use amount?

None

Benzodiazepines: First Use? Any periods of Sobriety? How did you maintain sobriety during that time? Triggers- any specific people, places, situations? Current Use amount? Route? How often? Length of time of current use? Last Use (Date and time)? Last Use amount?

Xanax age of first use 16, prescribed then taking it on and off. Daily use 2 mg BID, Last use 18 hours

Barbiturates: First Use? Any periods of Sobriety? How did you maintain sobriety during that time? Triggers- any specific people, places, situations? Current Use amount? Route? How often? Length of time of current use? Last Use (Date and time)? Last Use amount?

None

Amphetamines: First Use? Any periods of Sobriety? How did you maintain sobriety during that time? Triggers- any specific people, places, situations? Current Use amount? Route? How often? Length of time of current use? Last Use (Date and time)? Last Use amount?

None

Previous use of: THC

Details of above use
history: N/A

Any history of seizures, severe withdrawal symptoms or DTs as a result of
withdrawals?

DTs from stopping alcohol and Xanax

Treatment Hx? None

Cravings (0-10):

8-9

Daine Crawley, MR No.: 2019-2157

Using Yes
Dreams?

Current Detox Restlessness , Muscle Cramps , Sensitivity to Light , Chills , Sweats , Bone and Joint Aches , Headache
Symptoms:

Other: None

Psychiatric Anxiety , PTSD
History:

Assessment: Anxiety , Restless

Details: N/A

Psychiatric Hospitalizations:

Anxiety attack when 18 years old

History of None
SI/HI?

History of self-harm?

None

Neuro Alert

Oriented: ^X4

History: None

History of None
seizures:

Fall Risk

Gait: Steady

History of Falls:

None

Fall Risk Interventions:

None

Independent with ADLs? Yes

Details N/A

Skin/Ortho

Skin Assessment: Tattoos

Details: None

Cardiac

History: None

Details: None

Pulmonary

History: None

Smoking History: N/A

TB Screen

History of None
TB?

History of positive PPD? Yes No

Daine Crawley, MR No.: 2019-2157

<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Do you currently have a cough last more than 3 weeks?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Recent, unexplained weight loss?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Unexplained night sweats?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Chest Pains?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
History of coughing up blood?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Have you lived with or recently spent time with someone you know to have TB?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Details/TB screening plan? None

Ophtho/ENT

Vision impaired:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Corrective device:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Hearing impaired:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Corrective device:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

History: None

Details: N/A

Endocrine

History: None

Details: N/A

GI/Nutrition

History: None

Details: None

GU

History: None

Details: None

History of shared needles?

None

Previous HIV diagnosis? Last HIV test?

1 month ago, negative

Previous Hepatitis diagnosis? Last tested?

HEP C for 10 years

History of STDs?

None

Sleep

How many hours of sleep have you had daily or nightly on average for the past 2 weeks?

None

Daine Crawley, MR No.: 2019-2157

Sleep Irregularities: Difficulty falling asleep , Requires medications

Immunizations up to date?

Yes

Do you have any religious or spiritual beliefs that would affect your treatment or medical decisions?

None

Allergies:

No Known Allergies/NKA

Current medications and what they are prescribed for: None

Plan of care, protocol and rationale for placement

Admit to MDX for ETOH and Benzo detox, due to BAC 0.034 and CIWA 8

Outcome:

MDX
☒

Sobering bed
☐

L2K
☐

Hospital
☐

Non admit
☐

Provider Notified:

Primary Physician

Henry Rucker,
NP

Assigned on

07/23/2019

David A. Troy

David Troy, RN (Staff), 07/23/2019 10:09 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986
Allergies: No Known Allergies/NKA
Admission: 07/23/2019 Care Team
Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US & Canada)

Drug Screen COGIO3-07 07/23/2019 10:10 PM

Date	Start time	End time	Duration
	07/23/2019	07/23/2019	1
	10:10 PM	10:11 PM	Minutes

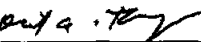
Requisition # COGIO3-07

Temperature:

98

Drug Screen Result AMP , BZO , mAMP/MET , THC

Attachments/Scans


David Troy, RN (Staff), 07/23/2019 10:11 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)



Manage Level of Care 07/23/2019 10:12 PM

Date and Time 07/23/2019 10:12 PM

Level of Care

Date of change
07/23/2019

Previous level of care
Triage

Transition to level of care
MDX

Anticipated Discharge Date: 07/27/2019 10:00 AM

Clinical Comments

ETOH detox

David Troy, RN (Staff), 07/23/2019 10:12 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986
Allergies: No Known Allergies/NKA
Admission: 07/23/2019 Care Team
Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US & Canada)



Nursing Care Plan: Detox 07/23/2019 10:15 PM

Date established: 07/23/2019 10:15 PM

☒ DETOX ☐ RESIDENTIAL I ☐ PHP ☐ IOP

RT:

- Situational Content & Behavioral Statements by Patient

None

AEB:

- SITUATIONAL CONTENT & BEHAVIORAL STATEMENTS BY PATIENT

None

Goal: Patient will follow detox protocol (See Detox order form & MAR) as outlined in Detox orders by physician to maintain homeostatic & prevent physical complications

Intervention	Frequency
--------------	-----------

Daine Crawley, MR No.: 2019-2157

Staff will monitor patient's vital sign's on as needed basis

Staff will utilize vital signs as a tools to evaluate need for medication

Nursing staff will complete nursing assessment including what and how much the patient drinks and/uses mood altering drugs, time and amount of last usage

Staff to monitor patient's mental status and physical symptoms. Evaluate for presence of tremors, irritability, diaphoresis, sleep disturbances, orientation, misperceptions or misinterpretation or real stimuli (hallucinosi), or hallucinations

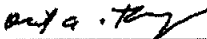
Staff will alert the physician to any changes in symptomatology that occur

Staff offer fluids frequently

Staff promote rest & sleep through relaxation and decrease of external stimuli

_____, MD will assess extent of withdrawal symptoms and the effectiveness of the current interventions

		Target date	Status	Date/Comment	By
Additional Notes	N/A				


David Troy, RN (Staff), 07/23/2019 10:15 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)

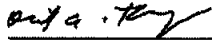
Manage Diagnosis Codes 07/23/2019 10:16 PM

Date/Time: 07/23/2019 10:16 PM

Diagnosis: F10.20 Alcohol dependence, uncomplicated

Diagnoses

Note: None



David Troy, RN (Staff), 07/23/2019 10:17 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

ETOH Detox Protocols

CrossRoads of Southern Nevada

Alcohol Detox Protocols

POLICY:

The purpose of this document is to set out the protocol that should be followed to ensure detoxification occurs safely and effectively.

PURPOSE:

Withdrawal symptoms occur when a person who is physically dependent on drugs stops using drugs, or rapidly reduces their drug consumption. Detoxification is a treatment provided to help control the physical and psychological symptoms that occur during the withdrawal process. Depending on the severity of withdrawals symptoms detoxification can take several days or beyond a week.

RESPONSIBILITY:

The Medical Detox Administrator is responsible for ensuring that this Policy is enacted and enforced, and that all prospective clients are provided this information and are given time to ask questions regarding it. Similarly, the Medical Detox Administrator is responsible for the proper documentation of this interaction.

PROCEDURES:

This document is primarily intended for staff within Crossroads Medical Detox. *Only staff with appropriate training and skills should be providing care to patients requiring an inpatient detoxification*

PROTOCOL

FOR ALL PATIENTS WITHIN FOLLOWING PARAMETERS:

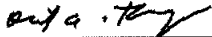
- Alcohol use reported greater than 3 times per week for the past 2 weeks with positive BACOR CIWA >6
- Alert and oriented x4
- SBP 90-180
- HR50-130
- O2 >91
- Resp >13
- BG 60-300 if diabetic
- No acute medical condition or emergency
- Independent with ADLs
- No wounds requiring wound care

STANDING ORDERS FOR ABOVE DEFINED PATIENTS:

- Diagnosis code F10.20 Alcohol dependence, uncomplicated
- Vitals q4 hours
- Q1 hour rounds for 1 day then q2 hour rounds
- Breathalyzer upon arrival to facility and repeated a minimum of q6hrs until 0
- Urine drug screen upon admission
- Urine pregnancy test for all females age 50 and under- any positive must immediately be reported to provider
- CIWA assessment TID
- MVI 1 tablet Po daily
- Vitamin B Complex 1 tablet PO daily
- Ativan 1 mg PO TID x 2 days, then 1 mg PO BID for 2 days, then 1 mg PO once a day for one day- Hold Ativan id SBP <95
 - Repeat CIWA 2 hours after Ativan for CIWA >9
 - Do not initiate taper until minimum of 6 hours after last reported benzo use, AND SAC is <0.08 AND pt does not smell of alcohol, AND CIWA is greater than 7

Daine Crawley, MR No.: 2019-2157

- PRN Ativan 1 mg q6 hours for CIWA >12 with presence of tremors or hallucinations (tactile, auditory, or visual) r/t detox 2 hours after scheduled Ativan. Report to provider is PRN Ativan is required on 4th or 5th day of taper
 - Clonidine 0.1 mg q4hrs for anxiety/withdrawal symptoms, hold for SBP <95 or HR <60
 - PRN Baclofen 20 mg PO q8hrs for muscle spasms/withdrawal symptoms
 - PRN Zofran 4 mg PO q6hrs for nausea
 - PRN Ibuprofen 800 mg PO q8hrs for pain- to be given with food
 - Tums 1000 mg PO q8hrs PRN for indigestion
 - PRN Vistaril 50 mg PO q6hrs for anxiety
 - PRN Imodium 2 mg PO q2hrs for diarrhea
 - PRN Trazodone 50 mg PO qHS for insomnia
 - Standing order for smoking cessation of more than 10 cigarettes per day- PRN Nicotine Patch 21 mg daily
-



David Troy, RN (Staff), 07/23/2019 10:16 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Ativan, 5 day taper

Justification: ETOH/BZO Withdrawal

Warnings: Hold if drowsy or SBP < 95

Duration: 5 day taper, start date: 07/23/2019 10:15 PM, end date: 07/28/2019 10:14 PM

Dispense Amount: 11

Number of Refills: n/a

Day 1	Medication	Route	Dosage Form
07/23/2019 10:15 PM	Ativan	oral	tablet

Frequency	Hours	Minutes	Meridian	Amount	Strength	Unit	PRN
-----------	-------	---------	----------	--------	----------	------	-----

three times a day schedule (TID)

Day 2	Medication	Route	Dosage Form
07/24/2019	Ativan	oral	tablet

Frequency	Hours	Minutes	Meridian	Amount	Strength	Unit	PRN
three times a day schedule (TID)	At 08	00	AM	1	1mg	tablet	
	At 03	00	PM	1	1mg	tablet	
	At 10	00	PM	1	1mg	tablet	

Day 3	Medication	Route	Dosage Form
07/25/2019	Ativan	oral	tablet

Frequency	Hours	Minutes	Meridian	Amount	Strength	Unit	PRN
two times a day schedule (BID)	At 08	00	AM	1	1mg	tablet	
	At 10	00	PM	1	1mg	tablet	

Day 4	Medication	Route	Dosage Form
07/26/2019	Ativan	oral	tablet

Frequency	Hours	Minutes	Meridian	Amount	Strength	Unit	PRN
two times a day schedule (BID)	At 08	00	AM	1	1mg	tablet	
	At 10	00	PM	1	1mg	tablet	

Day 5	Medication	Route	Dosage Form
07/27/2019	Ativan	oral	tablet

Frequency	Hours	Minutes	Meridian	Amount	Strength	Unit	PRN
once a day (AM)	At 08	00	AM	1	1mg	tablet	

Any scheduled CIWA >12 is to be reassessed 2 hours after scheduled Ativan is given.

Ordered by Henry Rucker, NP, NPI Number: 1407392855 via phone, read back and verified

Entered by David Troy, RN 07/23/2019 10:18 PM

Pending Review

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Ativan, 1 x 1mg, oral, tablet, every 6 hours, until further notice, PRN

Justification: CIWA > 12

Warnings: Hold if drowsy or SBP < 95

PRN, Duration: Until further notice, start date: 07/23/2019 10:15 PM

Dispense Amount: 1

Number of Refills: n/a

Medication	Route	Dosage Form		
Ativan	oral	tablet		
Frequency	Amount	Strength	Unit	
every 6 hours	1	1mg	tablet	

For CIWA >12 with presence of tremors or hallucinations (tactile, auditory, or visual) r/t detox 2 hours after scheduled Ativan or CIWA >7 prior to initial dose of scheduled Ativan. Report to provider is PRN Ativan is required on 4th or 5th day of taper.

Ordered by Henry Rucker, NP, NPI Number: 1407392855 via phone, read back and verified

Entered by David Troy, RN 07/23/2019 10:18 PM

Pending Review

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986
Allergies: No Known Allergies/NKA
Admission: 07/23/2019 Care Team
Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US & Canada)

Clonidine Hcl, 1 x 0.1mg, oral, tablet, every 6 hours, until further notice, PRN

Justification: Anxiety/Withdrawal Symptoms

Warnings: Hold for SPB < 95 or HR < 60

PRN, Duration: Until further notice, start date: 07/23/2019 10:15 PM

Dispense Amount: 1

Number of Refills: n/a

Medication	Route	Dosage Form		
Clonidine Hcl	oral	tablet		
Frequency	Amount	Strength	Unit	
every 6 hours	1	0.1mg	tablet	

Ordered by Henry Rucker, NP, NPI Number: 1407392855 via phone, read back and verified

Entered by David Troy, RN 07/23/2019 10:18 PM

Pending Review

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Baclofen, 1 x 20mg, oral, tablet, every 8 hours, until further notice, PRN

Justification: Muscle Spasms/Withdrawal Symptoms

PRN, Duration: Until further notice, start date: 07/23/2019 10:15 PM

Dispense Amount: 1

Number of Refills: n/a

Medication	Route	Dosage Form		
Baclofen	oral	tablet		
Frequency	Amount	Strength	Unit	
every 8 hours	1	20mg	tablet	

Ordered by Henry Rucker, NP, NPI Number: 1407392855 via phone, read back and verified

Entered by David Troy, RN 07/23/2019 10:18 PM

Pending Review

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986
Allergies: No Known Allergies/NKA
Admission: 07/23/2019 Care Team
Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Ibuprofen, 1 x 800mg, oral, tablet, every 8 hours, until further notice, PRN

Justification: Pain/Fever

Warnings: Give with Food

PRN, Duration: Until further notice, start date: 07/23/2019 10:15 PM

Dispense Amount: 1

Number of Refills: n/a

Medication	Route	Dosage Form		
Ibuprofen	oral	tablet		
Frequency	Amount	Strength	Unit	
every 8 hours	1	800mg	tablet	

Ordered by Henry Rucker, NP, NPI Number: 1407392855 via phone, read back and verified

Entered by David Troy, RN 07/23/2019 10:18 PM

Pending Review

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Imodium, 1 x 2, PO, Tablet, every 2 hours, until further notice, PRN

Justification: Diarrhea

PRN, Duration: Until further notice, start date: 07/23/2019 10:15 PM

Dispense Amount: 1

Number of Refills: n/a

Medication	Route	Dosage Form
Imodium	PO	Tablet

Frequency	Amount	Strength	Unit
every 2 hours	1	2	mg

Ordered by Henry Rucker, NP, NPI Number: 1407392855 via phone, read back and verified

Entered by David Troy, RN 07/23/2019 10:18 PM

Pending Review

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986
Allergies: No Known Allergies/NKA
Admission: 07/23/2019 Care Team
Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US & Canada)

Trazodone Hcl, 1 x 50mg, oral, tablet, once a day (HS), until further notice, PRN

Justification: Insomnia
PRN, Duration: Until further notice, start date: 07/23/2019 10:15 PM
Dispense Amount: 1

Number of Refills: n/a								
Medication	Route	Dosage Form						
Trazodone Hcl	oral	tablet						
Frequency			Hours	Minutes	Meridian	Amount	Strength	Unit
once a day (HS)			At	10	00	PM	1	50mg tablet

Ordered by Henry Rucker, NP, NPI Number: 1407392855 via phone, read back and verified
Entered by David Troy, RN 07/23/2019 10:18 PM

Pending Review

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)

Turns, 2 x 500 mg, oral, tablet chewable, every 8 hours, until further notice, PRN

Justification: Indigestion

PRN, Duration: Until further notice, start date: 07/23/2019 10:15 PM

Dispense Amount: 1

Number of Refills: n/a

Medication	Route	Dosage Form
Turns	oral	tablet chewable

Frequency	Amount	Strength	Unit
every 8 hours	2	500 mg	tablet chewable

Ordered by Henry Rucker, NP, NPI Number: 1407392855 via phone, read back and verified

Entered by David Troy, RN 07/23/2019 10:18 PM

Pending Review

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Vistaril, 1 x 50mg, oral, capsule, every 6 hours, until further notice, PRN

Justification: Anxiety

PRN, Duration: Until further notice, start date: 07/23/2019 10:15 PM

Dispense Amount: 1

Number of Refills: n/a

Medication	Route	Dosage Form		
Vistaril	oral	capsule		
Frequency	Amount	Strength	Unit	
every 6 hours	1	50mg	capsule	

Ordered by Henry Rucker, NP, NPI Number: 1407392855 via phone, read back and verified

Entered by David Troy, RN 07/23/2019 10:18 PM

Pending Review

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986
Allergies: No Known Allergies/NKA
Admission: 07/23/2019 Care Team
Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US & Canada)

Zofran, 1 x 4mg, oral, tablet, every 8 hours, until further notice, PRN

Justification: Nausea
PRN, Duration: Until further notice, start date: 07/23/2019 10:15 PM
Dispense Amount: 1

Number of Refills: n/a				
Medication	Route	Dosage Form		
Zofran	oral	tablet		
Frequency	Amount	Strength	Unit	
every 8 hours	1	4mg	tablet	

Ordered by Henry Rucker, NP, NPI Number: 1407392855 via phone, read back and verified
Entered by David Troy, RN 07/23/2019 10:18 PM
Pending Review

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

MVI, 1 x 1, PO, Tablet, At a specific time, for 5 days

Justification: Supplement

Duration: 5 days, start date: 07/23/2019 10:15 PM, end date: 07/28/2019 10:14 PM

Dispense Amount: 5

Number of Refills: n/a

Day 1	Medication	Route	Dosage Form
07/23/2019 10:15 PM	MVI	PO	Tablet

Frequency	Hours	Minutes	Meridian	Amount	Strength	Unit
-----------	-------	---------	----------	--------	----------	------

At a specific time

Day 2	Medication	Route	Dosage Form
07/24/2019	MVI	PO	Tablet

Frequency	Hours	Minutes	Meridian	Amount	Strength	Unit
At a specific time	At	08	00	AM	1	1 tablet

Day 3	Medication	Route	Dosage Form
07/25/2019	MVI	PO	Tablet

Frequency	Hours	Minutes	Meridian	Amount	Strength	Unit
At a specific time	At	08	00	AM	1	1 tablet

Day 4	Medication	Route	Dosage Form
07/26/2019	MVI	PO	Tablet

Frequency	Hours	Minutes	Meridian	Amount	Strength	Unit
At a specific time	At	08	00	AM	1	1 tablet

Day 5	Medication	Route	Dosage Form
07/27/2019	MVI	PO	Tablet

Frequency	Hours	Minutes	Meridian	Amount	Strength	Unit
At a specific time	At	08	00	AM	1	1 tablet

Day 6	Medication	Route	Dosage Form
07/28/2019 10:14 PM	MVI	PO	Tablet

Frequency	Hours	Minutes	Meridian	Amount	Strength	Unit
At a specific time	At	08	00	AM	1	1 tablet

Ordered by Henry Rucker, NP, NPI Number: 1407392855 via phone, read back and verified

Entered by David Troy, RN 07/23/2019 10:18 PM

Pending Review

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)**Vitamin B Complex, 1 x 1, oral, Tablet, At a specific time, until further notice**

Justification: Supplement

Duration: Until further notice, start date: 07/23/2019 10:15 PM

Dispense Amount: 1

Number of Refills: n/a

Medication	Route	Dosage Form						
Vitamin B Complex	oral	Tablet						
Frequency		Hours	Minutes	Meridian	Amount	Strength	Unit	
At a specific time		At	08	00	AM	1	1	tablet

Ordered by Henry Rucker, NP, NPI Number: 1407392855 via phone, read back and verified

Entered by David Troy, RN 07/23/2019 10:18 PM

Pending Review

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Admit, until further notice

Duration: Until further notice, start date: 07/23/2019 10:15 PM

Show in MARs: NO

Action

Admit

Frequency

n/a

Ordered by Henry Rucker, NP, NPI Number: 1407392855 via phone, read back and verified

Entered by David Troy, RN 07/23/2019 10:18 PM

Pending Review

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986
Allergies: No Known Allergies/NKA
Admission: 07/23/2019 Care Team
Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US & Canada)

CIWA-AR, three times a day schedule (TID), until further notice

Justification: Detox Assessment
Duration: Until further notice, start date: 07/23/2019 10:15 PM
Show in MARs: YES
Action

CIWA-AR

Frequency	At	Hours	Minutes	Meridian
three times a day schedule (TID)	At	08	00	AM
	At	03	00	PM
	At	10	00	PM

Ordered by Henry Rucker, NP, NPI Number: 1407392855 via phone, read back and verified
Entered by David Troy, RN 07/23/2019 10:18 PM

Pending Review

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**Nursing Shift Note 07/23/2019 11:26 PM**

Date/Time: 07/23/2019 11:26 PM

Alert? Yes ☒ No ☐

Oriented: x4

Appearance: Neat and Clean

Behavior: Cooperative

Speech: Normal

Mood: Anxious

Affect: Appropriate

Thought Process: Coherent and goal directed

Hallucinations: None

Appetite: WNL

Sleep: Restless sleep

Detox Symptoms: Tremors , Irritability , Restlessness , Headache

Cravings: Yes ☐ No ☒Using Dreame: Yes ☐ No ☒**Assessments/Interventions/Education:**

PATIENT HAD A CIWA-8 AND COWS-5 FROM TRIAGE, PATIENT JUST WANTED TO GO TO BED, DID NOT REQUEST ANY MEDS. C/O HEADACHE, SOME TREMORS, LIGHT SENSITIVITY AND ANXIETY 4/10. NO PRN'S REQUESTED. WILL CONTINUE TO MONITOR.



Lashanda Cardenas, LPN (Staff), 07/24/2019 05:43 AM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

History and Physical (V2) 07/23/2019 11:53 PM

Date/Time: 07/23/2019 11:53 PM

Most Recent Vitals:

Current as of 07/23/19 11:28 PM PDT:

BP Systolic: 110

BP Diastolic: 63

Temperature: 98.0

Pulse: 90

Respirations: 18

O2 Saturation: 98

What brought you in
today?

Just not feeling well, its been going on for about a month

History of Hospitalizations?

Surgery on right tib/fib December 2015

Surgical History:

Surgery on right tib/fib December 2015

Current Living Situation:

Homeless

ETOH: First Use? Any periods of Sobriety? How did you maintain sobriety during that time? Triggers- any specific people, places, situations? Current Use amount? Route? How often? Length of time of current use? Last Use (Date and time)? Last Use amount?

None

Opiates (including Methadone, Suboxone, Subutex): First Use? Any periods of Sobriety? How did you maintain sobriety during that time? Triggers- any specific people, places, situations? Current Use amount? Route? How often? Length of time of current use? Last Use (Date and time)? Last Use amount?

None

Benzodiazepines: First Use? Any periods of Sobriety? How did you maintain sobriety during that time? Triggers- any specific people, places, situations? Current Use amount? Route? How often? Length of time of current use? Last Use (Date and time)? Last Use amount?

Xanax age of first use 16, prescribed then taking it on and off. Daily use 2 mg BID, Last use 18 hours

Barbiturates: First Use? Any periods of Sobriety? How did you maintain sobriety during that time? Triggers- any specific people, places, situations? Current Use amount? Route? How often? Length of time of current use? Last Use (Date and time)? Last Use amount?

None

Amphetamines: First Use? Any periods of Sobriety? How did you maintain sobriety during that time? Triggers- any specific people, places, situations? Current Use amount? Route? How often? Length of time of current use? Last Use (Date and time)? Last Use amount?

None

Previous use of: THC

Details of above use
history: N/A

Any history of seizures, severe withdrawal symptoms or DTs as a result of

Daine Crawley, MR No.: 2019-2157

withdrawals?

DTs from stopping alcohol and Xanax

Treatment Hx? None

Cravings (0-10):

8-9

Using Dreams? Yes

Current Detox Symptoms: Restlessness , Muscle Cramps , Sensitivity to Light , Chills , Sweats , Bone and Joint Aches , Headache

Other: None

Psychiatric History: Anxiety , PTSD

Assessment: Anxiety , Restless

Details: N/A

Psychiatric Hospitalizations:

Anxiety attack when 18 years old

History of SI/NI? None

History of self-harm?

None

Neuro Alert

Oriented: ^X4

History: None

History of seizures: None

Fall Risk

Gait: Steady

History of Falls:

None

Fall Risk Interventions:

None

Independent with ADLs? N/A

Details N/A

Skin/Ortho

Skin Assessment: Tattoos

Details: None

Cardiac

History: None

Details: None

Pulmonary

History: None

Daine Crawley, MR No.: 2019-2157

Smoking History: N/A

TB Screen

History of TB? None

History of positive PPD? Yes ☐ No ☒

Do you currently have a cough last more than 3 weeks? Yes ☐ No ☒

Recent, unexplained weight loss? Yes ☐ No ☒

Unexplained night sweats? Yes ☐ No ☒

Chest Pains? Yes ☐ No ☒

History of coughing up blood? Yes ☐ No ☒

Have you lived with or recently spent time with someone you know to have TB? Yes ☐ No ☒

Details/TB screening plan? None

Ophtho/ENT

Vision Impaired: Yes ☐ No ☒

Corrective device: Yes ☐ No ☒

Hearing impaired: Yes ☐ No ☒

Corrective device: Yes ☐ No ☒

History: None

Details: N/A

Endocrine

History: None

Details: N/A

GI/Nutrition

History: None

Details: None

GU

History: None

Details: None

History of shared needles?

None

Previous HIV diagnosis? Last HIV test?

1 month ago, negative

Previous Hepatitis diagnosis? Last tested?

HEP C for 10 years

History of STDs?

Daine Crawley, MR No.: 2019-2157

None

LMP:

N/A

Sleep

How many hours of sleep have you had daily or nightly on average for the past 2 weeks?

None

Sleep irregularities: Difficulty falling asleep , Requires medications

Immunizations up to date?

Yes

Do you have any religious or spiritual beliefs that would affect your treatment or medical decisions?

None

Physical Assessment

General: None

Head: None

Additional Comments: None

Eyes: None

Additional Comments: None

Ears: None

Additional Comments: None

Nose: None

Additional Comments: None

Throat: None

Additional
Comments/Other: None

Neuro: Alert

Oriented: ^X4

Pupils equal and reactive , Grasp strong and equal bilaterally

Details: None

Fall Risk

Gait: Steady

History of
Falls? NoneAny necessary fall risk
interventions: None

Independent with ADLs?

Yes
☒No
☐

Details: None

Skin/Musculoskeletal

Assessment: Skin pink , Warm , Dry and elastic

Daine Crawley, MR No.: 2019-2157

Other/Details: None

Cardiac

Assessment: Regular rate and rhythm , Cap refill <2 seconds

Other/Detail: None

Pulmonary: Breath sounds present and clear

Other/Details: None

GI/Nutrition: Bowel sounds present x4 , Abdomen soft and nondistended

Other/Details: None

GU

Assessment: Frequency

Other/Details: None

Genital

STD: None

Hx:

Male: None

Details: None

Allergies:

No Known Allergies/NKA**Current Medications:**

Medications below include all current active orders logged via Doctor's Orders. These may include medications self-reported by the patient that were logged, medication orders entered at the facility, and medications brought to the facility by the patient ordered to be continued upon admission. If the patient is not being treated in a residential/inpatient setting, this list may not be inclusive of all medications taken by the patient outside of the facility.

Current as of 07/23/2019 11:53 PM:

Ativan, 1 x 1mg, oral, tablet, every 6 hours, until further notice, PRN, indication: CIWA > 12

Ativan, 5 day taper, indication: ETOH/BZO Withdrawal

Baclofen, 1 x 20mg, oral, tablet, every 8 hours, until further notice, PRN, indication: Muscle Spasms/Withdrawal Symptoms

Clonidine Hcl, 1 x 0.1mg, oral, tablet, every 6 hours, until further notice, PRN, indication: Anxiety/Withdrawal Symptoms

Ibuprofen, 1 x 800mg, oral, tablet, every 8 hours, until further notice, PRN, indication: Pain/Fever

Imodium, 1 x 2, PO, Tablet, every 2 hours, until further notice, PRN, indication: Diarrhea

MVI, 1 x 1, PO, Tablet, At a specific time, for 5 days, indication: Supplement

Trazodone Hcl, 1 x 50mg, oral, tablet, once a day (HS), until further notice, PRN, indication: Insomnia

Tums, 2 x 500 mg, oral, tablet chewable, every 8 hours, until further notice, PRN, Indication: Indigestion

Vistaril, 1 x 50mg, oral, capsule, every 6 hours, until further notice, PRN, indication: Anxiety

Vitamin B Complex, 1 x 1, oral, Tablet, At a specific time, until further notice, indication: Supplement

Zofran, 1 x 4mg, oral, tablet, every 8 hours, until further notice, PRN, indication: Nausea

History of Present**Illness:**

Pt is a 33 year old male. he states that he is addicted to ETOH and that he is tired of living the way he is currently. He states that he often drinks so much that he wakes up with a swollen mouth. He has been dinking since age 11 per his report. He states that he used to have a prescription for Xanax but that he no longer takes it. he states that after detox, he plans to get his life together so that he can stay out of prison.

Summary and Plan of**Care:**

1. MDX for ETOH.

Daine Crawley, MR No.: 2019-2157

A handwritten signature in black ink, appearing to be 'HR' with a stylized flourish.

Henry Rucker, NP (Staff), NPI Number 1407392855, 07/23/2019 11:58 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)

Group Sessions

Wednesday, Jul 24, 2019

Wednesday MDX/Sobering Staff Flash Meeting 09:00 AM PDT by Jacquelyn Button, Clinician

Status: attended

Start: 07/24/2019 09:00 AM

End: 07/24/2019 10:30 AM

Attendees: 30 Absent: 1

Duration: 01:30

Group Description

Flash inter-disciplinary meeting to discuss patients in medical detox and sobering beds, to include any medical, clinical, behavioral, case management or discharge issues.

J. Button, LCRK

Jacquelyn Button, Clinician (Staff), NPI Number 1225430119, 07/24/2019 02:29 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**Nursing Shift Note 07/24/2019 10:11 AM**

Date/Time: 07/24/2019 10:11 AM

Alert? Yes ☒ No ☐

Oriented: x4

Appearance: Disheveled

Behavior: Cooperative

Speech: Normal

Mood: Anxious

Affect: Flat

Thought Process: Coherent and goal directed

Hallucinations: None

Appetite: WNL

Sleep: WNL

Detox Symptoms: Sweats , Irritability

Cravings: Yes ☐ No ☒Using Dreams: Yes ☐ No ☒**Assessments/Interventions/Education:**

Pt c/o mild w/d s/s. CIWA 9. Pt refused medication at this time. Encouraged pt to seek staff for emotional support as needed. Provided pt with information on resources of public services. Pt does not appear to be in distress. Pt denies SI/HI at this time. Will continue to monitor for safety and comfort.



Aisha Santos, LPN (Staff), 07/24/2019 10:15 AM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**Triage Clinical Summary 07/24/2019 11:45 AM**

Date/Time: 07/24/2019 11:45 AM

Columbia-Suicide Severity Rating Scale (C-SSRS)

Have you wished you were dead or wished you could go to sleep and not wake up?

Yes
☐No
☒

Have you actually had any thoughts of killing yourself?

Yes
☐No
☒

Have you been thinking about how you might kill yourself?

Yes
☐No
☒

Have you had these thoughts and had some intention of acting on them?

Yes
☐No
☒

Have you started to work out or worked out the details of how to kill yourself? Do you intend to carry out this plan?

Yes
☐No
☒

Have you ever done anything, started to do anything, or prepared to do anything to end your life?

Yes
☐No
☒

DAST-10 Results	0-2 Minimal <input type="checkbox"/>	3-5 Moderate <input type="checkbox"/>	6-8 Substantial <input type="checkbox"/>	9-10 Severe <input checked="" type="checkbox"/>
AUDIT Results	0-7 Negative Alcohol Screen <input type="checkbox"/>	8+ Positive Alcohol Screen <input checked="" type="checkbox"/>		
PCL-C Results	Negative PTSD Screen <input type="checkbox"/>	Positive PTSD Screen <input checked="" type="checkbox"/>		
MDQ Results	Negative Bipolar Screen <input checked="" type="checkbox"/>	Positive Bipolar Screen <input type="checkbox"/>		
MMS Results	0-5 Low Likelihood of Mental Illness <input type="checkbox"/>	6-8 Moderate Likelihood of MI <input type="checkbox"/>	9+ High Likelihood of MI <input checked="" type="checkbox"/>	

Prime-MD Results

Somatoform Screen

0-35 Negative SomatoForm Screen
☒36-156 Positive SomatoForm Screen
☐

Depression Screen

0-29 Minimal Depression
☐30-49 Possible Depression
☒50-140 Likely Depression
☐

Panic Disorder Screen

0-2 Unlikely Panic Disorder
☐3+ Likely Panic Disorder
☒

Daine Crawley, MR No.: 2019-2157

Panic Attack Screen

0-3 Negative Panic Screen

☐

4-11 Positive Panic Screen

☒**GAD Screen**

0-29 Unlikely GAD

☐

30-70 Likely GAD

☒**Eating Disorder Screen**

1-2 Possible Eating Disorder

☒

3 Probable Eating Disorder

☐**Anorexic Disorder Screen**

0 Unlikely Anorexic Disorder

☒

1-2 Possible Anorexic Disorder

☐

3-5 Probable Anorexic Disorder

☐**Alcohol Screen**

0 Unlikely Alcohol Problem

☐

1 Possible Alcohol Problem

☐

2-5 Probable Alcohol Problem

☒**DSM-Cross Cutting Tool****I. Depression****1. Little interest or pleasure doing things?**

None: Not at all

☐

Slight: Rare, less than a day or two

☒

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☐**2. Feeling down, depressed, or hopeless?**

None: Not at all

☐

Slight: Rare, less than a day or two

☒

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☐**II. Anger****3. Feeling more irritated, grouchy, or angry than usual?**

None: Not at all

☒

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☐**III. Mania****4. Sleeping less than usual, but still have a lot of energy?**

None: Not at all

☐

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☒

Moderate: 7-10 days

☐

Severe: 11-14 days

☐**5. Starting lots more projects than usual or doing more risky things than usual?**

None: Not at all

☒

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☐**IV. Anxiety****6. Feeling nervous, anxious, frightened, worried, or on edge?**

None: Not at all

☐

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☒**7. Feeling panic or being frightened?**

None: Not at all

☐

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☒**8. Avoiding situations that make you anxious?**

None: Not at all

☐

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☒**V. Somatic Symptoms****9. Unexplained aches and pains (e.g., head, back, joints, abdomen, legs)?**

None: Not at all

☐

Slight: Rare, less than a day or two

☐

Mild: 3-6 days

☒

Moderate: 7-10 days

Severe: 11-14 days

Daine Crawley, MR No.: 2019-2157

	<input type="checkbox"/>	<input type="checkbox"/>	
10. Feeling that your illnesses are not being taken seriously enough?	None: Not at all <input checked="" type="checkbox"/>	Slight: Rare, less than a day or two <input type="checkbox"/>	Mild: 3-6 days <input type="checkbox"/>
	Moderate: 7-10 days <input type="checkbox"/>	Severe: 11-14 days <input type="checkbox"/>	

VI. Suicidal Ideation

11. Thoughts of actually hurting yourself?	None: Not at all <input checked="" type="checkbox"/>	Slight: Rare, less than a day or two <input type="checkbox"/>	Mild: 3-6 days <input type="checkbox"/>
	Moderate: 7-10 days <input type="checkbox"/>	Severe: 11-14 days <input type="checkbox"/>	

VII. Psychosis

12. Hearing things other people couldn't hear, such as voices even when no one was around?	None: Not at all <input checked="" type="checkbox"/>	Slight: Rare, less than a day or two <input type="checkbox"/>	Mild: 3-6 days <input type="checkbox"/>
	Moderate: 7-10 days <input type="checkbox"/>	Severe: 11-14 days <input type="checkbox"/>	
13. Feeling that someone could hear your thoughts, or that you could hear what another person was thinking?	None: Not at all <input checked="" type="checkbox"/>	Slight: Rare, less than a day or two <input type="checkbox"/>	Mild: 3-6 days <input type="checkbox"/>
	Moderate: 7-10 days <input type="checkbox"/>	Severe: 11-14 days <input type="checkbox"/>	

VIII. Sleep Problems

14. Problems with sleep that affected your sleep quality over all?	None: Not at all <input type="checkbox"/>	Slight: Rare, less than a day or two <input type="checkbox"/>	Mild: 3-6 days <input checked="" type="checkbox"/>
	Moderate: 7-10 days <input type="checkbox"/>	Severe: 11-14 days <input type="checkbox"/>	

IX. Memory

15. Problems with memory (e.g., learning new information) or with location (e.g., finding your way home)?	None: Not at all <input type="checkbox"/>	Slight: Rare, less than a day or two <input checked="" type="checkbox"/>	Mild: 3-6 days <input type="checkbox"/>
	Moderate: 7-10 days <input type="checkbox"/>	Severe: 11-14 days <input type="checkbox"/>	

X. Repetitive Thoughts and Behaviors

16. Unpleasant thoughts, urges, or images that repeatedly enter your mind?	None: Not at all <input type="checkbox"/>	Slight: Rare, less than a day or two <input checked="" type="checkbox"/>	Mild: 3-6 days <input type="checkbox"/>
	Moderate: 7-10 days <input type="checkbox"/>	Severe: 11-14 days <input type="checkbox"/>	
17. Feeling driven to perform certain behaviors or mental acts over and over again?	None: Not at all <input type="checkbox"/>	Slight: Rare, less than a day or two <input checked="" type="checkbox"/>	Mild: 3-6 days <input type="checkbox"/>
	Moderate: 7-10 days <input type="checkbox"/>	Severe: 11-14 days <input type="checkbox"/>	

XI. Dissociation

18. Feeling detached or distant from yourself, your body, your physical surroundings, or your memories?	None: Not at all <input checked="" type="checkbox"/>	Slight: Rare, less than a day or two <input type="checkbox"/>	Mild: 3-6 days <input type="checkbox"/>
	Moderate: 7-10 days <input type="checkbox"/>	Severe: 11-14 days <input type="checkbox"/>	

XII. Personality Functioning

19. Not knowing who you really are or what you want out of life?	None: Not at all <input type="checkbox"/>	Slight: Rare, less than a day or two <input checked="" type="checkbox"/>	Mild: 3-6 days <input type="checkbox"/>
	Moderate: 7-10 days <input type="checkbox"/>	Severe: 11-14 days <input type="checkbox"/>	
20. Not feeling close to other people or enjoying your relationships with them?	None: Not at all <input type="checkbox"/>	Slight: Rare, less than a day or two <input checked="" type="checkbox"/>	Mild: 3-6 days <input type="checkbox"/>
	Moderate: 7-10 days <input type="checkbox"/>	Severe: 11-14 days <input type="checkbox"/>	

XIII. Substance Use

Daine Crawley, MR No.: 2019-2157

21. Drinking at least 4 drinks of any kind of alcohol in a single day?

None: Not at all

☐

Slight: Rare, less than a day or two

☐

Mid: 3-6 days

☐

Moderate: 7-10 days

☐

Severe: 11-14 days

☒

22. Smoking any cigarettes, a cigar, or pipe, or using snuff or chewing tobacco?

None: Not at all

☐

Slight: Rare, less than a day or two

☐

Mid: 3-6 days

☒

Moderate: 7-10 days

☐

Severe: 11-14 days

☐

In the past month, did you think that you would be better off dead or wish you were dead?

Yes

☐

No

☒

Have you ever experienced or witnessed or had to deal with an extremely traumatic event that included actual or threatened death or serious injury to you or someone else?

Yes

☒

No

☐

Have you re-experienced the awful event in a distressing way in the past month?

Yes

☒

No

☐**Mental Status Exam****Mental Status Exam Evaluation**

Patient's appearance was WNL. Patient was oriented X4. Patient's behavior was uncooperative. Patient was alert throughout interview. Patient's speech was normal. Patient's affect was appropriate and congruent. Patient's mood was irritable. Patient's thought process was linear. Patient's thought content was WNL and they did not show any signs of delusions. The patient's thought perception was WNL and they did not show any signs of hallucinations. Patient's judgment was impaired as evident by continued substance use despite continued consequences. Patient's insight was appropriate, and they showed an understanding of what brought them into treatment. Patient reports that they do not have issues with their memory. Patient's cognitive function appear to be within normal limits. Patient reports appetite is lacking. Patient reports getting 8 hours of sleep per night since admission. There were no imminent concerns to address following a mini-mental status exam.

ASAM Dimension 1

Drug Screen Result: AMP, BZO, mAMP/MET, THC

Breathalyzer:

0.034

Withdrawal Symptoms: Achiness, Anxiety/Irritability, Difficulty Concentrating

ASAM Dimension 2

Vitals:

Current as of 07/24/19 06:59 AM PDT:

BP Systolic: 82

BP Diastolic: 50

Temperature: 96.2

Pulse: 71

Respirations: 16

O2 Saturation: 99

COWS

5

CIWA-Ar:

8

Diagnosis

Diagnoses

F10.20 Alcohol dependence, uncomplicated, Z91.49 Other personal history of psychological trauma

Daine Crawley, MR No.: 2019-2157

Based on a review of the evidence pertinent to the patient's acute intoxication &/or withdrawal potential (see above, ASAM Dimension 1), the patient's biomedical conditions and complications (see above, ASAM Dimension 2) and the results of the clinical assessments of the patient's emotional, behavioral, or cognitive conditions and complications (see above), the patient should be admitted to CrossRoads of Southern Nevada with the following level of care:

- Inpatient Detoxification (Medically-monitored detoxification & withdrawal management)

Clinical Summary Notes (Include age, sex, gender, marital & other key demographic information; living situation; addiction type(s) / length of addiction / frequency of addictive behaviors; co-occurring medical & psychological conditions; other factors pertinent to level of care assignment)

Daine is a 33 year old male, who is single with 1 child. Patient is currently homeless. Patient admitted to Crossroads for medical detox on 7/23/2019. He was not forthcoming during assessment and refused to respond to numerous questions.

Patient reports a history of abusing the following substances: drinking alcohol daily, using Xanax daily. Upon admission, their BAC was 0.034 and their UDS was positive for amp, met, bzo, and thc. He denied meth use, although tested positive for it.

Patient denied a mental health history although screening tools indicated symptoms of anxiety. He did not appear to show any signs or symptoms of anxiety during assessment. Patient denied a history of abuse or trauma, although initially indicated he had experienced trauma, and he was unwilling to discuss this further during his assessment.

Patient denied current SI/HI and do not appear to be an imminent threat of harm to themselves or to others. Patient reports that they do not have a support system. Patient has previously received treatment for DUI classes.

Patient reported a legal history of "a really bad record" but would not discuss further.

Patient is currently in medical detox at Crossroads and would benefit from continued support and education in recovery. Their treatment goals and discharge plan will be monitored throughout medical detox by clinical staff & case management to determine further treatment needs.

Patient's appearance was WNL. Patient was oriented X4. Patient's behavior was uncooperative. Patient was alert throughout interview. Patient's speech was normal. Patient's affect was appropriate and congruent. Patient's mood was irritable. Patient's thought process was linear. Patient's thought content was WNL and they did not show any signs of delusions. The patient's thought perception was WNL and they did not show any signs of hallucinations. Patient's judgment was impaired as evident by continued substance use despite continued consequences. Patient's insight was appropriate, and they showed an understanding of what brought them into treatment. Patient reports that they do not have issues with their memory. Patient's cognitive function appear to be within normal limits. Patient reports appetite is lacking. Patient reports getting 8 hours of sleep per night since admission. There were no imminent concerns to address following a mini-mental status exam.

Symptoms Presented and Diagnostic Justification?

Patient denied a mental health history although screening tools indicated symptoms of anxiety. He did not appear to show any signs or symptoms of anxiety during assessment. Patient denied a history of abuse or trauma, although initially indicated he had experienced trauma, and he was unwilling to discuss this further during his assessment.

J. Button, LCPK

Jacquelyn Button, Clinician (Staff), NPI Number 1225430119, 07/24/2019 11:54 AM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Group Sessions

Wednesday, Jul 24, 2019

MDX Group - Triggers 02:00 PM PDT by Amy Hachquet, LMFT

Status: absent

Start: 07/24/2019 02:00 PM

End: 07/24/2019 03:00 PM

Attendees: 9 Absent: 33

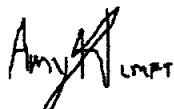
Duration: 01:00

Topic

Triggers in Substance Abuse

Group Description

Group was conducted on MDX 1+2 unit and included a detailed discussed on addiction, triggers and coping skills to deal with triggers. The group discussed the cycle of addiction and processed personal stories of battling addiction.

Handwritten signature of Amy Hachquet, LMFT.

Amy Hachquet, LMFT (Staff), NPI Number 1285002295, 07/25/2019 10:08 AM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
 (GMT-08:00) Pacific Time (US &
 Canada)

**MAR / MOR July 25, 2019****Actions**

Occurred	Action	Scheduled	Type	Comment	Staff	Notes
Yes	CIWA-AR	08:00 AM	ACTION 2			
Yes	CIWA-AR	03:00 PM	ACTION 6			
Yes	CIWA-AR	10:00 PM	ACTION 7			

Medications

Taken	Medication	Strength/Route	Time	Type	Comment	Staff	Notes	Efficacy	Adverse Reaction	Response Staff
Yes	Ativan <small>Warning: Hold if drowsy or SOB x 2</small>	1mg x 1 tablet, oral (taper, day 3 of 5)	08:00 AM	MED		Administered by Emily Horacio, RN 07/25/2019 08:02 AM				
Yes	Vitamin B Complex	1 x 1 tablet, oral	08:00 AM	MED		Administered by Emily Horacio, RN 07/25/2019 08:02 AM				
Yes	MVI	1 x 1 tablet, PO	08:00 AM	MED		Administered by Emily Horacio, RN 07/25/2019 08:02 AM				
Yes	Vistaril	50mg x 1 capsule, oral	09:00 PM	PRN	Anxiety	Administered by Stephanie Wills, RN 07/25/2019 09:08 PM				
Yes	Ativan <small>Warning: Hold if drowsy or SOB x 2</small>	1mg x 1 tablet, oral (taper, day 3 of 5)	10:00 PM	MED		Administered by Stephanie Wills, RN 07/25/2019 09:08 PM				
Yes	Trazodone Hcl	50mg x 1 tablet, oral	10:00 PM	PRN		Administered by Stephanie Wills, RN 07/25/2019 09:08 PM				

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**Nursing Shift Note 07/24/2019 10:40 PM**

Start/End Time:	Start time	End time	Duration
	07/24/2019 10:40 PM	07/24/2019 10:42 PM	2 Minutes

Alert? Yes No
☐ ☒

Oriented: Person , Place

Appearance: Disheveled

Behavior: Guarded

Speech: Soft

Mood: N/A

Affect: Flat

Thought Process: Coherent and goal directed

Hallucinations: None

Appetite: WNL

Sleep: Difficulty falling asleep

Detox Symptoms: Irritability , Restlessness , Headache

Cravings: Yes No
☒ ☐

Using Dreams: Yes No
☒ ☐

Assessments/Interventions/Education:

Patient in bed asleep, easy to arouse and no signs of distress. Patient refused to come to medication room to receive medication. Patient received scheduled medication. Encouraged patient to notify nurse for any problems or concerns. CIWA-AR= 3.



Stephanie Wills, RN (Staff), 07/25/2019 12:20 AM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986
Allergies: No Known Allergies/NKA
Admission: 07/23/2019 Care Team
Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US & Canada)

Group Sessions

Thursday, Jul 25, 2019

Thursday MDX/Sobering Staff Flash Meeting 09:00 AM PDT by Jacquelyn Button, Clinician

Status: attended	Start: 07/25/2019 09:00 AM
Attendees: 36 Absent: 0	End: 07/25/2019 10:30 AM
	Duration: 01:30

Group Description
Flash inter-disciplinary meeting to discuss patients in medical detox and sobering beds, to include any medical, clinical, behavioral, case management or discharge issues.

J. Button, LCR

Jacquelyn Button, Clinician (Staff), NPI Number 1225430119, 07/25/2019 09:35 AM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**Nursing Shift Note 07/25/2019 01:15 PM**

Start/End Time:	Start time	End time	Duration
	07/25/2019 01:15 PM	07/25/2019 01:18 PM	3 Minutes

Alert?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Oriented:	x4
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Appearance:	Disheveled
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Behavior:	Cooperative , Isolative
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Speech:	Normal
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Mood:	Depressed
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Affect:	Flat
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Thought Process:	Coherent and goal directed
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Hallucinations:	None
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Appetite:	WNL
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Sleep:	WNL
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Detox Symptoms:	None
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Cravings:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Using Dreams:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Assessments/interventions/Education:

pt. calm and coop. isolates self in his room . pt compliant w/ meds. no prn meds. given. no acute distress. denies s/i h/i.



Emily Horario, RN (Staff), 07/25/2019 01:18 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**MAR / MOR July 26, 2019****Actions**

Occurred	Action	Scheduled	Type	Comment	Staff	Notes
Yes	CIWA-AR	08:00 AM	ACTION	12		
Yes	CIWA-AR	03:00 PM	ACTION	5		
Yes	CIWA-AR	10:00 PM	ACTION			

Medications

Taken	Medication	Strength/Route	Time	Type	Comment	Staff	Notes	Efficacy	Adverse Reaction	Response Staff
Yes	MVI	1 x 1 tablet, PO	08:00 AM	MED		Administered by Emily Horario, RN 07/26/2019 09:55 AM				
Yes	<u>Ativan</u> <small>Warning: Hold if drowsy or S&P < 95</small>	1mg x 1 tablet, oral (taper, day 4 of 5)	08:00 AM	MED		Administered by Emily Horario, RN 07/26/2019 09:55 AM				
Yes	Vitamin B Complex	1 x 1 tablet, oral	08:00 AM	MED		Administered by Emily Horario, RN 07/26/2019 09:55 AM				
Yes	<u>Ibuprofen</u> <small>Warning: Give with Food</small>	800mg x 1 tablet, oral	02:36 PM	PRN	Pain/Fever	Administered by Emily Horario, RN 07/26/2019 02:36 PM				
Yes	Vistaril	50mg x 1 capsule, oral	02:38 PM	PRN	Anxiety	Administered by Emily Horario, RN 07/26/2019 02:38 PM				
Yes	Trazodone Hcl	50mg x 1 tablet, oral	10:00 PM	PRN		Administered by Bola Lee, LPN 07/26/2019 09:27 PM				
Yes	<u>Ativan</u> <small>Warning: Hold if drowsy or S&P < 95</small>	1mg x 1 tablet, oral (taper, day 4 of 5)	10:00 PM	MED		Administered by Bola Lee, LPN 07/26/2019 09:27 PM				

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**Nursing Shift Note 07/25/2019 11:22 PM**

Start/End Time:	Start time	End time	Duration
	07/25/2019 11:22 PM	07/25/2019 11:24 PM	2 Minutes

Alert?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Oriented: Person , Situation

Appearance: Disheveled

Behavior: Cooperative

Speech: Normal

Mood: Anxious

Affect: Appropriate

Thought Process: Coherent and goal directed

Hallucinations: None

Appetite: WNL

Sleep: Difficulty falling asleep

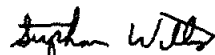
Detox Symptoms: Tremors , Nausea , Irritability , Restlessness

Cravings:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Using Dreams:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Assessments/Interventions/Education:

Patient presented to med room, no signs of distress. Scheduled medication given. Medicated with Trazodone 50mg for sleep and Vistaril 50 mg for anxiety. Encouraged patient to notify nurse for any concerns. CIWA-AR= 7.



Stephanie Wills, RN (Staff), 07/25/2019 11:25 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Group Sessions

Friday, Jul 26, 2019

Friday MDX/Sobering Staff Flash Meeting 09:00 AM PDT by Jacquelyn Button, Clinician

Status: attended

Start: 07/26/2019 09:00 AM

End: 07/26/2019 10:30 AM

Attendees: 37 Absent: 1

Duration: 01:30

Individual Assessment/Intervention

D/C 7/26 medically cleared

Group Description

Flash inter-disciplinary meeting to discuss patients in medical detox and sobering beds, to include any medical, clinical, behavioral, case management or discharge issues.

J. Button, LCR

Jacquelyn Button, Clinician (Staff), NPI Number 1225430119, 07/26/2019 11:56 AM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**Nursing Shift Note 07/26/2019 02:38 PM**

Start/End Time:	Start time	End time	Duration
	07/26/2019 02:38 PM	07/26/2019 02:41 PM	3 Minutes

Alert? Yes No
☒ ☐

Oriented: x4

Appearance: Disheveled

Behavior: Cooperative , Isolative

Speech: Normal

Mood: Depressed

Affect: Blunt

Thought Process: Coherent and goal directed

Hallucinations: None

Appetite: WNL

Sleep: WNL

Detox Symptoms: Muscle cramps , Headache

Cravings: Yes No
☐ ☒

Using Dreams: Yes No
☐ ☒

Assessments/Interventions/Education:

pt calm, and coop .compliant w/ meds. no pm meds. given per pt. for anxiety and body ache . pt isolates self inhis room. no interaction w/ peers.



Emily Horario, RN (Staff), 07/26/2019 02:43 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

**MAR / MOR July 27, 2019****Actions**

Occurred	Action	Scheduled	Type	Comment	Staff	Notes
Yes	CIWA-AR	08:00 AM	ACTION	9		
Yes	CIWA-AR	03:00 PM	ACTION	3		
n/a	CIWA-AR	10:00 PM	ACTION			

Medications

Taken	Medication	Strength/Route	Time	Type	Comment	Staff	Notes	Efficacy	Adverse Reaction	Response Staff
Yes	<u>Ativan</u> <small>Warning: Hold if diastolic SBP < 90</small>	1mg x 1 tablet, oral (taper, day 5 of 5)	08:00 AM	MED		Administered by Emily Horario, RN 07/27/2019 09:57 AM				
Yes	Vitamin B Complex	1 x 1 tablet, oral	08:00 AM	MED		Administered by Emily Horario, RN 07/27/2019 09:58 AM				
Yes	MVI	1 x 1 tablet, PO	08:00 AM	MED		Administered by Emily Horario, RN 07/27/2019 09:57 AM				
Yes	<u>Ibuprofen</u> <small>Warning: Give with Food</small>	800mg x 1 tablet, oral	09:56 AM	PRN	Pain/Fever	Administered by Emily Horario, RN 07/27/2019 09:57 AM				
Yes	Vistaril	50mg x 1 capsule, oral	09:57 AM	PRN	Anxiety	Administered by Emily Horario, RN 07/27/2019 09:58 AM				
n/a	Trazodone Hcl	50mg x 1 tablet, oral	10:00 PM	PRN						

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Nursing Shift Note 07/26/2019 09:51 PM

Start/End Time:	Start time	End time	Duration
	07/26/2019 09:51 PM	07/26/2019 10:01 PM	10 Minutes

Alert? Yes ☒No ☐

Oriented: x4

Appearance: Disheveled

Behavior: Guarded

Speech: Normal

Mood: Anxious , Depressed

Affect: Appropriate

Thought Process: Coherent and goal directed

Hallucinations: None

Appetite: WNL

Sleep: Difficulty falling asleep

Detox Symptoms: Tremors , Diarrhea , Chills , Sweats , Muscle cramps

Cravings:

Yes ☐No ☒

Using Dreams:

Yes ☐No ☒**Assessments/Interventions/Education:**

Patient at the medication room for evening medications. CIWA -5 , A&Ox4, affect is flat, mood is anxious. Sch. night medications administered. PRN Trazodone given for sleep. Will continue to monitor for comfort and safety.



Bola Lee, LPN (Staff), 07/26/2019 10:45 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

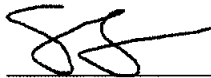
Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Case Management Note 07/27/2019 01:58 PM

Date/Time: 07/27/2019 01:58 PM

Note:

CM spoke to pt. about aftercare. Pt. stated that he has surgery Aug 19th and is afraid if he is on the street he won't go. Pt. stated that he was supposed to have an interview with the social security office for his disability, but missed the appointment. He needs to contact social security, but office is currently closed. Pt. needs to call them Monday morning. Pt. stated that he wasn't interested in community programs such as Salvation Army, Catholic Charities, or Las Vegas Rescue Mission because he can't work while being injured and wants to have his surgery. CM advised pt. of sober living, but currently patient doesn't have the money to get an id for a rent voucher. CM advised pt. of places that can help him get an id.



Stephanie Schagren, Case Mgr. (Staff), 07/27/2019 02:07 PM

Annotations

Created By: Case Mgr. Stephanie Schagren at 07/27/2019 02:07 PM

Pt stated that he already has a case manager at NBH.

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)



Detox Discharge Summary 07/27/2019 04:14 PM

Date/time: 07/27/2019 04:14 PM

Action Discharge , Discharge Type:: MDX

Race: Multi-Racial

Ethnicity:

Marital Status Single

Admission Date: 07/23/2019 07:44 PM

Anticipated Discharge Date: 07/27/2019 03:49 PM

Diagnosis: Diagnoses
F10.20 Alcohol dependence, uncomplicated,Z91.49 Other personal history of
psychological trauma

Reason for Discharge Completed treatment

Program at Time of Discharge:

MDX

Medications returned to
patient:

Vistaril - 13.

Discharge prescriptions given to
patient:

N/A

Vitals: BP. 109/65 P.111 R.18 T.97.6 O2. 97%

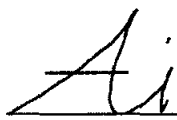
Discharge Instructions:

Patient was advised to f/u with PCP after discharge.

Summary:

Pt's vital signs are stable. Pt does not appear to be in distress. Pt denies SI/HI at this time.

Daine Crawley, MR No.: 2019-2157



Aisha Santos, LPN (Staff), 07/27/2019 04:17 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**Columbia-Suicide Severity Rating Scale (C-SSRS)****SUICIDE IDEATION DEFINITIONS AND PROMPTS - In the Last 24 Hours**Ask questions that are underlined.Ask Questions 1 and
2**1) Wish to be Dead:**

Person endorses thoughts about a wish to be dead or not alive anymore, or wish to fall asleep and not wake up.

Have you wished you were dead or wished you could go to sleep and not wake up?

Yes

☐

No

☒**2) Suicidal Thoughts:**

General non-specific thoughts of wanting to end one's life/commit suicide, "I've thought about killing myself" without general thoughts of ways to kill oneself/associated methods, intent, or plan.

Have you actually had any thoughts of killing yourself?

Yes

☐

No

☒If YES to 2, ask questions 3, 4, 5, and 6. If NO to 2, answer NO for 3-5 and go directly to question
6**3) Suicidal Thoughts with Method (without Specific Plan or Intent to Act):**

Person endorses thoughts of suicide and has thought of at least one method during the assessment period. This is different than a specific plan with time, place or method details worked out. "I thought about taking an overdose but I never made a specific plan as to when where or how I would actually do it...and I would never go through with it."

Have you been thinking about how you might kill yourself?

Yes

☐

No

☒**4) Suicidal Intent (without Specific Plan):**Active suicidal thoughts of killing oneself and patient reports having some intent to act on such thoughts as opposed to "I have thoughts but I definitely will not do anything about them."Have you had these thoughts and had some intention of acting on them?

Yes

☐

No

☒**5) Suicide Intent with Specific Plan:**

Thoughts of killing oneself with details of plan fully or partially worked out and person has some intent to carry it

Daine Crawley, MR No.: 2019-2157

out.

Have you started to work out or worked out the details of how to kill yourself? Do you intend to carry out this plan?

Yes
☐

No
☒

6) Suicide Behavior Question:

Have you ever done anything, started to do anything, or prepared to do anything to end your life?

Yes
☐

No
☒

Examples: Collected pills, obtained a gun, gave away valuables, wrote a will or suicide note, took out pills but didn't swallow any, held a gun but changed your mind or it was grabbed from your hand, went to the roof but didn't jump; or actually took pills, tried to shoot yourself, cut yourself, tried to hang yourself, etc.

If YES, ask: How long ago did you do any of these? Over a year ago? Between three months and a year ago? Within the last three months?

None

If the patient answers "Yes" to any of the above questions, immediately contact the primary therapist (if available), another MHP or the Clinical Director. This patient must be cleared by the primary therapist, another MHP or the Clinical Director before discharge.

Clinical Staff contacted for any "Yes" answers?

N/A

Which Clinician did you contact?

none



Trent Morss (Staff), 07/27/2019 04:27 PM

Reviewed by



Jacquelyn Button, MA, LCPC (Review), NPI Number 1225430119, 08/14/2019 03:43 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)

Discharge Execution Form

As of this time and date, this patient has discharged from CrossRoads of Southern Nevada programming and is no longer under its care.

Discharge Date: 07/27/2019 04:31 PM

Discharge Type: Completed treatment

Additional Notes

Patient has successfully completed medical detox program and has finished all necessary paperwork.



Trent Morss (Staff), 07/27/2019 04:31 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**Client Outcome Survey - Time of Discharge 07/27/2019 04:25 PM**Evaluation Date /
Time 07/27/2019 04:25 PM

This survey is to help us better serve our clients by tracking their progress while in treatment. Please answer each question to the best of your ability, using a rating scale of 0-5. For Questions 1-5, rate your symptoms as 0 if they are NOT at all present and 5 if they have an extreme presence. Rate your level of insight for Questions 6-10.

These questions pertain to how you feel about these issues at the time you are completing the survey.

Response Definition: 0 = SYMPTOMS NOT PRESENT / 5 = EXTREME SYMPTOMS BEING PRESENT

1. Cravings to use	0 (not present) <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input checked="" type="checkbox"/>
4 <input type="checkbox"/>	5 (extreme) <input type="checkbox"/>			
2. Level of anxiety	0 (not present) <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
4 <input type="checkbox"/>	5 (extreme) <input checked="" type="checkbox"/>			
3. Level of depression	0 (not present) <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
4 <input type="checkbox"/>	5 (extreme) <input checked="" type="checkbox"/>			
4. Level of pain	0 (not present) <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>
4 <input type="checkbox"/>	5 (extreme) <input checked="" type="checkbox"/>			

Response Definition: 0 = NO INSIGHT / 5 = EXTREME LEVEL OF INSIGHT

5. Level of insight into disease process of addiction	0 (none) <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input checked="" type="checkbox"/>
4 <input type="checkbox"/>	5 (extreme) <input type="checkbox"/>			
6. Level of insight into relapse process	0 (none) <input type="checkbox"/>	1 <input type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input type="checkbox"/>
4 <input type="checkbox"/>	5 (extreme) <input type="checkbox"/>			

Daine Crawley, MR No.: 2019-2157

<input type="checkbox"/>	<input type="checkbox"/>				
7. Level of insight in 12 Steps		0 (none)	1	2	3
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	5 (extreme)				
<input type="checkbox"/>	<input type="checkbox"/>				
8. Level of ability to share in group		0 (none)	1	2	3
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	5 (extreme)				
<input type="checkbox"/>	<input type="checkbox"/>				
9. Level of insight into need to continue involvement in 12-Step Program after discharge		0 (none)	1	2	3
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	5 (extreme)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
10. Level of ability to understand how to maintain long-term abstinence		0 (none)	1	2	3
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	5 (extreme)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Additional Notes N/A



Daine Crawley (Patient), 07/27/2019 04:28 PM

Staff present: Trent Morss



Trent Morss (Staff), 07/27/2019 04:29 PM

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US &
Canada)**Client Satisfaction Survey 07/27/2019 04:26 PM**

Date/time: 07/27/2019 04:26 PM

In our efforts to monitor our program and improve our services, we ask you to take time to answer this questionnaire. We will use this evaluation to improve the quality of care that we deliver to all people we serve.

Admission

1. The admission process went smoothly and helped me become comfortable in the program.

Excellent
☐N/A
☐Poor
☐Fair
☐Good
☒Very Good
☐

2. I was introduced to staff and fellow clients.

Good
☒Very Good
☐Excellent
☐N/A
☐Poor
☐Fair
☐

3. I was informed and provided copies of my rights and responsibilities at the time of admission.

Excellent
☐N/A
☐Poor
☐Fair
☐Good
☒Very Good
☐

4. I was provided orientation, given a copy of orientation materials, and given the opportunity to ask questions about the program.

Excellent
☐N/A
☐Poor
☐Fair
☐Good
☒Very Good
☐**Safety**

5. I felt safe here.

Good

Very Good

Excellent

N/A

Poor
☐Fair
☐

Daine Crawley, MR No.: 2019-2157



6. In the event that I did or that I felt like harming myself I could and did go to the staff and ask for help.

Poor



Fair



Good



Very Good



Excellent



N/A



Education

7. I was educated about my medications from medical staff, including expected results and possible side effects (check N/A is not taking any medications).

Yes



No



N/A



8. I was educated about my substance abuse problems.

Poor



Fair



Good



Very Good



Excellent



N/A



9. I received Relapse Prevention Education that will be beneficial for me after discharge.

Poor



Fair



Good



Very Good



Excellent



N/A



Treatment Planning

10. I was made aware of my treatment plan and was given tasks and assignments to achieve treatment plan goal.

Poor



Fair



Good



Very Good



Excellent



N/A



11. I had an opportunity to give input about my treatment plan.

Poor



Fair



Good



Very Good



Excellent



N/A



12. I met weekly with the primary counselor to review my treatment plan and/or progress in meeting my treatment plan goals.

Poor



Fair



Good



Very Good



Excellent



N/A



13. In treatment, I worked on the issues that were identified as important to me.

Poor



Fair



Good



Very Good



Excellent



N/A



14. My treatment needs were understood by staff.

Poor



Fair



Good



Very Good



Excellent



N/A



Counselor's Competency

15. The counselors who led treatment groups seemed knowledgeable and skillful.

Poor



Fair



Good



Very Good



Excellent



N/A



Daine Crawley, MR No.: 2019-2157

16. My counselor seemed knowledgeable and skilful.

Good
☒Very Good
☐Excellent
☐N/A
☐Poor
☐Fair
☐

17. I had an individual session with my counselor on a weekly basis.

Good
☒Very Good
☐Excellent
☐N/A
☐Poor
☐Fair
☐**Continuity of Care**

18. I received all of the treatment services I needed.

Good
☒Very Good
☐Excellent
☐N/A
☐Poor
☐Fair
☐

19. I feel as though I can continue to get support from this facility should I need it.

Good
☒Very Good
☐Excellent
☐N/A
☐Poor
☐Fair
☐

20. My Continuing Care Plan was formed specifically to suit my personal needs.

Good
☒Very Good
☐Excellent
☐N/A
☐Poor
☐Fair
☐**Rate your Experience of the Following**

21. Community Living

Good
☒Very Good
☐Excellent
☐N/A
☐Poor
☐Fair
☐

22. Counseling Staff

Good
☒Very Good
☐Excellent
☐N/A
☐Poor
☐Fair
☐

23. My individual therapist

Good
☒Very Good
☐Excellent
☐N/A
☐Poor
☐Fair
☐

24. Administrative staff

Good
☒Very Good
☐Excellent
☐N/A
☐Poor
☐Fair
☐

25. Activity therapy

Good
☒Very Good
☐Excellent
☐N/A
☐Poor
☐Fair
☐

26. Therapy groups

Good
☒Very Good
☐Excellent
☐N/A
☐Poor
☐Fair
☐

27. Individual Therapy

Good
☒Very Good
☐Excellent
☐N/A
☐Poor
☐Fair
☐

28. The facility was clean and neat

Poor

Fair

Daine Crawley, MR No.: 2019-2157

Good	Very Good	Excellent	N/A		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29. Overall rating of facility				Poor	Fair
				<input type="checkbox"/>	<input type="checkbox"/>
Good	Very Good	Excellent	N/A		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Overall Impressions

30. I would recommend this program to people I care about.				Poor	Fair
				<input type="checkbox"/>	<input type="checkbox"/>
Good	Very Good	Excellent	N/A		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

31. The Group and/or Treatment Experience that I felt was most beneficial to my recovery was:

n/a

Additional Comments None

DC

Daine Crawley (Patient), 07/27/2019 04:30 PM
Staff present: Trent Morss

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)



Patient Belongings Returned On Discharge 07/27/2019 04:26 PM

Date: 07/27/2019 04:26 PM

Blue Bag #

4558

Blue Bag Inventory

Backpack

Yellow Bag #

4209

Locker #

Triage Search Completed Yes

Cash Yes , Amount: \$3

Wallet No

Phones and electronic devices None

Additional Notes: None

I have reviewed the above list of personal belongings and have received all of my items that I came in with on intake in the same condition.

Daine Crawley (Patient), 07/27/2019 04:30 PM

Staff present: Trent Morss

Daine Crawley, MR No.: 2019-2157

A handwritten signature in black ink, appearing to be 'Trent Morss', written over a horizontal line.

Trent Morss (Staff), 07/27/2019 04:30 PM

Daine Crawley, MR No.: 2019-2157

Insurance Information

Company 109790004 Medicaid of Nevada / Health Plan of Nevada	Policy No. 19003230100	Effective Date 07/23/2019	Termination Date	Status Active	Insurance TypePriority Primary
Group Plan Name	Group ID	Plan Type	Payor Type	Plan Period	Phone
rx	rx Phone	rx Group		rx BIN	rx PCN
Subscriber Daine Crawley Subscriber Address Street 2500 W Washington Ave Subscriber Address Zip 89106	Relationship Self Subscriber Address Street 2 Subscriber Address State NV	SSN ***-**-0540	DOB 03/21/1986 Subscriber City Las Vegas Subscriber Address Country		
Notes					

Date of decision: 04/19/2019

Daine Crawley, MR No.: 2019-2157

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) America/Los_Angeles

Appointments (07/22/2022)

No appointments for this date range.

Daine Crawley, MR No.: 2019-2157

Vital Signs**Daine Crawley ♂ 2019-2157**

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)

Date	Blood Pressure		Temperature	Oxygen Saturation	Pulse	Respiration	Logged By	Logged At
	Systolic	Diastolic						
07/27/19 03:41 PM PDT	109	65	97.6	97	117	16	Trent Morss	07/27/19 03:42 PM PDT
07/27/19 11:20 AM PDT	101	59	98.6	95	72	17	Trent Morss	07/27/19 11:21 AM PDT
07/27/19 07:15 AM PDT	100	65	97.8	98	55	16	Trent Morss	07/27/19 07:15 AM PDT
07/27/19 03:55 AM PDT	102	53	97.0	98	68	18	Shawn Patterson, MHT	07/27/19 03:56 AM PDT
07/26/19 08:34 PM PDT	99	62	97.1	96	91	18	Shawn Patterson, MHT	07/26/19 08:35 PM PDT
07/26/19 02:34 PM PDT	91	55	98.1	96	76	16	Megan Stiewing, MHT	07/26/19 02:34 PM PDT
07/26/19 08:17 AM PDT	100	64	98.7	95	59	16	Anthony Rodriguez	07/26/19 08:17 AM PDT
07/26/19 12:32 AM PDT	103	68	97.0	97	75	18	Shawn Patterson, MHT	07/26/19 12:32 AM PDT
07/25/19 07:32 PM PDT	110	75	97.0	97	78	18	Shawn Patterson, MHT	07/25/19 07:33 PM PDT
07/25/19 04:24 PM PDT	101	66	97.7	96	76	18	Anthony Rodriguez	07/25/19 04:25 PM PDT
07/25/19 12:26 PM PDT	106	65	98.4	97	72	16	Anthony Rodriguez	07/25/19 12:28 PM PDT
07/25/19 03:28 AM PDT	108	67	97.0	98	72	18	Faith Estrada	07/25/19 03:29 AM PDT
07/24/19 09:06 PM PDT	128	81	98.1	98	70	16	Faith Estrada	07/24/19 09:07 PM PDT
07/24/19 03:26 PM PDT	105	69	98.3	96	76	17	Hilary Hunt, MHT	07/24/19 03:27 PM PDT
07/24/19 11:53 AM PDT	95	63	97.7	98	62	17	Claudia Hernandez, MHT	07/24/19 11:55 AM PDT
07/24/19 06:59 AM PDT	82	50	96.2	99	71	16	Claudia Hernandez, MHT	07/24/19 07:00 AM PDT
07/23/19 11:28 PM PDT	110	63	98.0	98	90	18	Charaye Franklin	07/23/19 11:28 PM PDT
07/23/19 09:21 PM PDT	125	81	98.4	100	95	16	David Troy	07/23/19 09:46 PM PDT

Daine Crawley, MR No.: 2019-2157

Glucose Logs

No records available.

Daine Crawley, MR No.: 2019-2157

Weights

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies:NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US & Canada)

No height/weight records.

Daine Crawley, MR No.: 2019-2157

Heights

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986
Allergies: No Known Allergies-NKA
Admission: 07/23/2019 Care Team
Location: Crossroads Treatment
(GMT-08:00) Pacific Time (US & Canada)
Date Height Logged By Logged At

Daine Crawley, MR No.: 2019-2157

CIWA-Ar

	07/27/19 03:00 PM PDT	07/27/19 09:00 AM PDT	07/26/19 09:26 PM PDT	07/26/19 02:00 PM PDT	07/25/19 09:00 PM PDT
Score	3	9	5	5	7
Agitation	0	0	0	0	2
Anxiety	1	3	1	2	3
Auditory Disturbances	0	0	0	0	0
Clouding of Sensorium	0	0	0	0	1
Headache	1	3	1	3	0
Nausea/Vomiting	0	0	0	0	0
Paroxysmal Sweats	0	1	1	0	0
Tactile Disturbances	0	0	1	0	0
Tremors	0	0	1	0	1
Visual Disturbances	1	2	0	0	0
Logged By	Emily Horario, RN	Emily Horario, RN	Bola Lee, LPN	Emily Horario, RN	Stephanie Wills, RN
Logged At	07/27/19 03:07 PM PDT	07/27/19 09:57 AM PDT	07/26/19 09:27 PM PDT	07/26/19 02:37 PM PDT	07/25/19 09:01 PM PDT

Daine Crawley, MR No.: 2019-2157

	07/25/19 12:00 AM PDT	07/24/19 10:44 PM PDT	07/23/19 08:55 PM PDT
Score	2	3	8
Agitation	0	0	0
Anxiety	2	1	4
Auditory Disturbances	0	0	0
Clouding of Sensorium	0	1	0
Headache	0	1	1
Nausea/Vomiting	0	0	0
Paroxysmal Sweats	0	0	0
Tactile Disturbances	0	0	1
Tremors	0	0	1
Visual Disturbances	0	0	1
Logged By	Emily Horario, RN	Stephanie Wills, RN	David Troy, RN
Logged At	07/25/19 10:06 AM PDT	07/24/19 10:45 PM PDT	07/23/19 09:48 PM PDT

Daine Crawley, MR No.: 2019-2157

CIWA-B

	07/26/19 09:00 AM PDT	07/25/19 12:00 AM PDT	07/24/19 03:35 PM PDT	07/24/19 09:45 AM PDT
Score	12	6	9	9
Feel irritable	0	2	0	1
Feel fatigued	0	1	2	1
Feel tensed	0	0	0	0
Difficulties concentrating	3	1	1	0
Loss of appetite	0	0	1	1
Numbness on face, hand or feet	0	0	0	0
Heart racing	0	0	1	1
Head feel full or achy	2	0	0	0
Muscle ache or stiffness	3	0	1	1
Anxious, nervous or jittery	0	1	2	1
Upset	0	0	0	0
Restful sleep last night	0	0	0	1
Weakness	0	0	1	1
Had enough sleep last night	0	0	0	0
Visual disturbances	1	0	0	0
Fearful	0	0	0	0
Worrying about misfortunes	3	1	0	0
Restlessness/Agitation	0	0	0	1
Tremors	0	0	0	0
Sweaty palms	0	0	0	0
Logged By	Emily Horario, RN	Emily Horario, RN	Aisha Santos, LPN	Aisha Santos, LPN
Logged At	07/26/19 09:54 AM PDT	07/25/19 02:13 PM PDT	07/24/19 03:36 PM PDT	07/24/19 09:46 AM PDT

Daine Crawley, MR No.: 2019-2157

COWS

07/23/19
09:00 PM PDT

Score	5
Resting Pulse rate	1
Sweating	0
Restlessness	0
Pupil size	0
Bone/Joint ache	1
Runny nose	0
GI upset	0
Tremors	1
Yawning	0
Anxiety/irritability	2
Gooseflesh skin	0
Logged By	David Troy, RN
Logged At	07/23/19 09:53 PM PDT

Daine Crawley, MR No.: 2019-2157

Medications Brought In

Daine Crawley ♂ 2019-2157

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/23/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)

No Medications Brought In Logged.

Daine Crawley, MR No.: 2019-2214

Daine Crawley ♂ 2019-2214

Birthdate: 03/21/1986

Allergies: No Known Allergies/NKA

Admission: 07/29/2019 Care Team

Location: Crossroads Treatment

(GMT-08:00) Pacific Time (US &
Canada)**Nursing Shift Note 07/30/2019 10:02 PM**

Start/End Time:	Start time	End time	Duration
	07/30/2019 10:02 PM	07/30/2019 10:07 PM	5 Minutes

Alert?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
--------	--	--------------------------------

Oriented: x4

Appearance: Disheveled , Poor Hygiene

Behavior: Cooperative

Speech: Soft

Mood: Euthymic

Affect: Appropriate

Thought Process: Coherent and goal directed

Hallucinations: None

Appetite: WNL

Sleep: WNL

Detox Symptoms: Unsteady gait , Irritability , Muscle cramps

Cravings:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
-----------	---------------------------------	---

Using Dreams:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
---------------	---------------------------------	---

Assessments/Interventions/Education:

Patient presented to medication room for PM medications. Patient compliant with all scheduled medications. Patient requested PRN comfort medications for anxiety, back pain and sleep. PRN comfort meds. provided per patients request. Medication education provided. Will continue to monitor.



Susana Melendrez, LPN (Staff), 07/30/2019 05:01 AM

DIANE C. LOWE
LOWE LAW, LLC

7350 West Centennial Pkwy #3085
Las Vegas, NV 89131-1644

Telephone: (725) 212-2451
Facsimile: (702) 442-0321

DianeLowe@LoweLawLLC.com
www.LoweLawLLC.com

July 20, 2022

Via Facsimile to 702 671 5940

Clark County Detention Center
Attention: Correspondence
330 S Casino Center Blvd.
Las Vegas, NV, 89101

Re: Daine Anton Crawley Former CCDC Former Inmate ID 7031173 Date of Birth 03/21/1986
Current Inmate # 1167447 Warm Springs Correctional Center Carson City

Dear Correspondence:

I was appointed to be the postconviction writ of habeas corpus counsel for Mr. Crawley in case: A-20-816041 stemming from C-19-341735-1. I am including my Order Appointing me his Counsel. He is dissatisfied with his plea results. The prosecutor backed out on their recommendation for sentencing because they state he did not, as agreed, -- get admitted to Crossroads inpatient treatment program. He said that he was released at 8:01 pm on July 16, 2019 and that by the time he got there, his bed was given away. So, we are trying to show the court his good faith efforts by including a letter or evidence from CCDC about his release time and from Crossroads about his attempted check in time. He did get the attached from someone at CCDC where they wrote on his inquiry: Reply- 8:01 p.m. And it looks like it is initialed SL. So, I wanted, as I just explained on the phone -- to see if I could get something more official so I can attach it to my legal brief. That will give it more credibility with the court. Thank you for your time and attention.

Sincerely

Signed Electronically by Diane C Lowe, Esq.

Diane C Lowe Esq

Enclosures



POLICE DEPARTMENT

JOSEPH LOMBARDO, Sheriff

Partners with the Community

Date: July 20, 2022

DAINE ANTON CRAWLEY

Letter Of IncarcerationInmate Name: **CRAWLEY, DAINE ANTON**

ID# 7031173

The above subject was released from the Clark County Detention Center on the following date and time:

BOOKED DATE RELEASED DATE

06/13/2019
RELEASED FROM
CUSTODY AT

07/16/2019

08:01 PM

If you require additional information, please do not hesitate to contact us at (702) 671-5984 or write Clark County Detention Center, 330 S. Casino Center Blvd., Las Vegas, NV 89101, to the attention of the Correspondence Desk.

Sincerely,

JOSEPH LOMBARDO, SHERIFF

BY: S. MCCULLOUGH, LEST
RECORDS SUPPORT UNIT
DETENTION SERVICES DIVISION



March 25, 2022

To Whom it May Concern,

My Name is Sharon Bachman. I am a certified Life Coach with a BA in Human Development with an emphasis on Animal Assisted Therapy, a minor in Business, and a minor in Liberal Arts. I am the owner and head Life Coach at Body, Mind, and Soul, Support Solutions.

Due to the pandemic and shortage of programs offered to inmates, I decided to offer my Life Skills Secret Correspondence Workshop to a select group of inmates.

Daine Crawley #1167447 has successfully completed The Secret Life Skills Correspondence Workshop. He plans to continue to work through the different phases of our

program. I have personally worked with Daine and have watched him grow as he continued working through the steps of our program.

If you have any questions, please feel free to call, (775)397-2172, email me at sharonatbodymindandsoul@gmail.com, or check out my website at elkolifecoach.com.

Sincerely,



Sharon Bachman

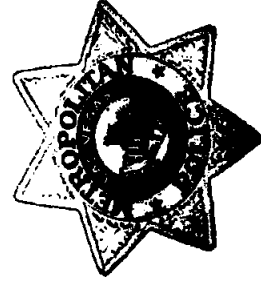
CERTIFICATE of ACHIEVEMENT

DAINE CRAWLEY 5B04

THIS ACKNOWLEDGES THAT
HAS SUCCESSFULLY COMPLETED THE

SUBSTANCE ABUSE COUNSELING

Counseling was provided by BBL LLC. At Clark County Detention Center. Under Nevada Revised Statute 211.340 this may qualify this person for a 5 day early release from the Clark County Detention Center.



x T. Laird 7689/C. Iverson 14145
Program Coordinator

MARCH 15, 2020



1 RSPN
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 JOHN AFSHAR
6 Chief Deputy District Attorney
7 Nevada Bar #14408
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,
13
14 Plaintiff,

15 -vs-

16 DAINE ANTON CRAWLEY,
17 #1167447

18 Defendant.

CASE NO: A-20-816041-W
C-19-341735-1
DEPT NO: XVII

19 **STATE'S RESPONSE TO DEFENDANT'S SUPPLEMENTAL BRIEF IN SUPPORT**
20 **OF PETITION FOR WRIT OF HABEAS CORPUS (POST-CONVICTION)**

21 DATE OF HEARING: NOVEMBER 28, 2022
22 TIME OF HEARING: 8:30 PM

23 COMES NOW, the State of Nevada, by STEVEN B. WOLFSON, Clark County
24 District Attorney, through JOHN AFSHAR, Chief Deputy District Attorney, and hereby
25 submits the attached Points and Authorities in Response to Defendant's Supplemental Brief in
26 Support of Petition for Writ Of Habeas Corpus.

27 This response is made and based upon all the papers and pleadings on file herein, the
28 attached points and authorities in support hereof, and oral argument at the time of hearing, if
deemed necessary by this Honorable Court.

//

//

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1 **POINTS AND AUTHORITIES**

2 **STATEMENT OF THE CASE**

3 On July 12, 2019, DAINE ANTON CRAWLEY (hereinafter "Petitioner"), was charged
4 by way of Information with Count 1 – Carrying Concealed Firearm or Other Deadly Weapon
5 (Category C Felony – NRS 202.350(1)(d)(3) – NOC 51459). On July 15, 2019, Petitioner
6 entered into a Guilty Plea Agreement ("GPA") and was released on his own recognizance.
7 Petitioner was then arrested on August 9, 2019, and charged by way of Information on August
8 28, 2019, with Count 1 – Grand Larceny (Category C Felony – NRS 205.220(1), NRS
9 205.222(2) – NOC 56004) in C-19-342881-1. Then Petitioner filed a Motion to Dismiss
10 Counsel, Erika Ballou, on October 28, 2019, in the instant case. On November 13, 2019,
11 defense counsel moved for the withdrawal of the GPA and advised there was incorrect
12 information in the Presentence Investigation Report ("PSI") and that another evaluation has to
13 be done. The Court ordered Carl Arnold to be appointed as counsel for the limited basis of the
14 Motion to Withdraw Plea. On November 19, 2019, the State filed a Notice of Intent to Seek
15 Punishment as a Habitual Criminal.

16 On January 31, 2020, Petitioner filed a Motion to Withdraw Plea. The State filed its
17 Opposition on February 14, 2020. On February 19, 2020, the district court heard oral
18 arguments on the motion. The Court concluded that there was an insufficient basis to withdraw
19 the plea and denied the motion.

20 On March 4, 2020, Petitioner's sentencing hearing took place. At the hearing, the State
21 argued in support of Habitual Treatment since he violated his agreement. Defense counsel
22 provided that there were errors within Petitioner's PSI. The Court ordered that the sentencing
23 proceedings be continued to correct the PSI.

24 A Supplemental Presentence Investigation Report ("SPSI") was filed March 24, 2020,
25 indicating that the Division found no errors in the original PSI. Petitioner was sentenced on
26 April 1, 2020, under the small habitual criminal statute to the Nevada Department of
27 Corrections for a maximum of two hundred forty (240) months with a minimum parole
28

1 eligibility of eighty-four (84) months. Petitioner then filed a pro per Notice of Appeal on April
2 6, 2020, prior to the Judgement of Conviction being entered into on April 7, 2020.

3 On May 11, 2020, Carl Arnold was appointed as appellate counsel. Appellant's
4 Opening Brief was filed in case 81011 on October 12, 2020. The Respondent's Answering
5 Brief was filed on November 12, 2020. Petitioner then filed a Motion to Dismiss Counsel on
6 December 28, 2020. The motion was denied on January 8, 2021, by the Nevada Supreme
7 Court. On April 14, 2021, the Court of Appeals of the State of Nevada affirmed the judgement
8 of conviction and issued remittitur.

9 Midst the pending direct appeal, Petitioner filed his first pro per Petition for Writ of
10 Habeas Corpus ("First Petition") on June 4, 2020, commencing case A-20-816041-W.
11 Petitioner then filed his second pro per Petition for Writ of Habeas Corpus ("Second Petition")
12 on June 12, 2020. The State responded to the two petitions on July 21, 2020. The Petitioner's
13 petitions were granted on August 19, 2020, and he was appointed counsel August 26, 2020.

14 Petitioner then filed a pro per Supplemental Petition for Writ of Habeas Corpus ("Third
15 Petition") on March 18, 2021. The State filed its response on May 6, 2021. The district court
16 denied this petition due to it being procedurally barred and a fugitive document on May 25,
17 2021, and the Findings of Fact, Conclusions of Law, and Order was filed July 22, 2021.

18 Petitioner then filed his second pro per Notice of Appeal on June 24, 2021, commencing
19 case 83136. On July 8, 2021, Petitioner filed a pro per Motion to Withdraw of Counsel. On
20 August 12, 2021, Petitioner filed his Proper Person Informal Brief, and the Nevada Supreme
21 Court transferred the case to the Court of Appeals. The State filed its Respondent's Answering
22 Brief in 83136-COA on January 13, 2022. The Court of Appeals issued an Order of Reversal
23 and Remand on February 3, 2022. The Court of Appeals found that the district court erred in
24 denying relief on the grounds that Petitioner did not challenge the validity of his guilty plea or
25 raise claims of ineffective assistance of counsel because Petitioner did have allegations that
26 trial-level counsel was ineffective and complaints about counsel's performance. In addition,
27 the district court erred in denying relief on the grounds that the final pleading was a fugitive
28

1 document because the record conflicts in appointing Roger Bailey or Carl Arnold. The Court
2 of Appeals ordered that Petitioner be appointed replacement postconviction counsel.

3 On March 29, 2022, Diane Lowe was appointed appeal counsel. Petitioner through his
4 counsel filed the instant Defendant's Supplemental Brief in Support of Petition for Writ Of
5 Habeas Corpus ("Supplemental Petition") on August 26, 2022.¹ In addition, Petitioner filed
6 the Declaration of Daine Crawley on September 7, 2022, with his original signature. The State
7 responds as follows:

8 STATEMENT OF THE FACTS

9 The statement of facts is relied upon from the Supplemental Presentence Investigation
10 Report filed March 24, 2020:

11 On June 12, 2019, officers were dispatched to a location
12 between the Excalibur and the Luxor in reference to a person
13 threatening pedestrians with a knife. Upon arrival, contact was
14 made with a witness who stated he was walking with his friend
15 through the hotel parking lot when they were approached by a
16 male, later identified as defendant Daine Anton Crawley, who got
17 in his face and made unintelligible comments while retrieving a
18 knife from his backpack. The witness felt threatened by the
19 defendant who held the knife in his hand with the blade exposed.
20 He stepped away from the defendant who then approached a
21 vehicle with three occupants and attempted to open the door before
22 the car drove away. As the defendant walked to another vehicle
23 and hit the window, the witness notified police and security.

19 Officers also spoke to the witness' friend who relayed the
20 same events as described by the witness. While the defendant was
21 being detained, he stated that he did not have a knife; however,
22 officers located a knife in his pocket.

22 Based on the above facts, Mr. Crawley was arrested,
23 transported to the Clark County Detention Center, and booked
24 accordingly.

24 ARGUMENT

25 **I. PETITIONER'S FIRST PETITION IS PROCEDURALLY BARRED**

26 Petitioner filed his first pro per Petition for Writ of Habeas Corpus ("First Petition") on
27 June 4, 2020.

28 ¹ It is assumed this instant supplemental brief is supplementing Petitioner's First Petition because the second and third
are procedurally barred.

1 NRS 34.810(1) reads:

2 The court shall dismiss a petition if the court determines that:

3 (a) The petitioner's conviction was upon a plea of guilty or guilty
4 but mentally ill and the petition is not based upon an allegation
5 that the plea was involuntarily or unknowingly or that the plea was
6 entered without effective assistance of counsel.

7 (b) The petitioner's conviction was the result of a trial and the
8 grounds for the petition could have been:

9 ...

10 (2) Raised in a direct appeal or a prior petition for a writ of habeas
11 corpus or postconviction relief.

12 The Nevada Supreme Court has held that "challenges to the validity of a guilty plea and claims
13 of ineffective assistance of trial and appellate counsel must first be pursued in post-conviction
14 proceedings.... [A]ll other claims that are appropriate for a direct appeal must be pursued on
15 direct appeal, or they will be *considered waived in subsequent proceedings.*" Franklin v. State,
16 110 Nev. 750, 752, 877 P.2d 1058, 1059 (1994) (emphasis added) (disapproved on other
17 grounds by Thomas v. State, 115 Nev. 148, 979 P.2d 222 (1999)). "A court must dismiss a
18 habeas petition if it presents claims that either were or could have been presented in an earlier
19 proceeding, unless the court finds both cause for failing to present the claims earlier or for
20 raising them again and actual prejudice to the petitioner." Evans v. State, 117 Nev. 609, 646-
21 47, 29 P.3d 498, 523 (2001).

22 Further, substantive claims are beyond the scope of habeas and waived. NRS
23 34.724(2)(a); Evans v. State, 117 Nev. 609, 646-47, 29 P.3d 498, 523 (2001); Franklin v.
24 State, 110 Nev. 750, 752, 877 P.2d 1058, 1059 (1994), disapproved on other grounds, Thomas
25 v. State, 115 Nev. 148, 979 P.2d 222 (1999).

26 A defendant may only escape these procedural bars if they meet the burden of
27 establishing good cause and prejudice:

28 3. Pursuant to subsections 1 and 2, the petitioner has the burden of
pleading and proving specific facts that demonstrate:

(a) Good cause for the petitioner's failure to present the claim or
for presenting the claim again; and

(b) Actual prejudice to the petitioner.

1 NRS 34.810(3). Where a defendant does not show good cause for failure to raise claims of
2 error upon direct appeal, the district court is not obliged to consider them in post-conviction
3 proceedings. Jones v. State, 91 Nev. 416, 536 P.2d 1025 (1975).

4 Here, the grounds Petitioner raises in his First Petition are proper only for a direct
5 appeal, and thereby, waived. Specifically, Petitioner presents four (4) grounds to this Court:
6 (1) violation of his due process rights including unlawful detainment and not being seen by a
7 judge within seventy-two (72) hours of arrest;² (2) claims of prosecutorial misconduct in
8 seeking habitual treatment after Petitioner violated his GPA; (3) violation of a COVID-19
9 court administrative order not allowing Petitioner to rereview his SPSI with counsel; and (4)
10 allegations of cruel and unusual punishment by District Attorney David Stanton (ret.). First
11 Petition, at 8–11. Petitioner does not challenge the validity of a guilty plea and/or raise claims
12 of ineffective assistance of counsel. See generally, Id. Thus, the issues Petitioner does raise in
13 this First Petition are improperly brought before this Court. As such, these substantive claims
14 are proper only on direct appeal and are barred in this Petition.

15 Even still, Petitioner does not attempt to demonstrate good cause or prejudice for raising
16 these claims. See First Petition. Thus, such claims should be denied.

17 II. INSTANT SUPPLEMENTAL PETITION

18 A. Petitioner knowingly and voluntarily entered into the guilty plea agreement.

19 Petitioner argues that “Had he known about his proposed sentence structure and been
20 advised fully about the plea, there is a reasonable probability he would have rejected the plea
21 offer and requested a trial instead.” Supplemental Petition at 18.

22 A defendant is entitled to effective assistance of counsel in the plea-bargaining process,
23 and in determining whether to accept or reject a plea offer. Lafler v. Cooper, 566 U.S. 156,
24 162, 132 S. Ct. 1376, 1384 (2012); see also McMann v. Richardson, 397 U.S. 759, 771, 90 S.
25 Ct. 1441, 1449 (1970) (Constitution guarantees effective counsel when accepting guilty plea).
26 Similarly, a “defendant has the right to make a reasonably informed decision whether to accept

27 ² Petitioner’s bail was argued at Initial Appearance Court within twenty-four (24) hours of his arrest. He was released on
28 low level electronic monitoring June 17, 2019. The court issued a bench warrant for Petitioner’s return because he was
not charging his monitor. Petitioner was arrested on the warrant June 28, 2019 and then refused to be transported to
court.

1 a plea offer.” Turner v. Calderon, 281 F.3d 851, 880 (9th Cir. 2002) (quoting United States v.
2 Day, 969 F.2d 39, 43 (3rd Cir. 1992)). Importantly, the question is not whether “counsel’s
3 advice [was] right or wrong, but . . . whether that advice was within the range of competence
4 demanded of attorneys in criminal cases.” Id., quoting McMann, 397 U.S. at 771, 90 S. Ct. at
5 1449.

6 Further, the Nevada Supreme Court has held that a reasonable plea recommendation
7 which hindsight reveals to be unwise is not ineffective assistance. Larson v. State, 104 Nev.
8 691, 694, 766 P.2d 261, 263 (1988). Similarly, the fact that a defense tactic is ultimately
9 unsuccessful does not make it unreasonable. Id. Lastly, while it is counsel’s duty to candidly
10 advise a defendant regarding whether or not they believe it would be beneficial for a defendant
11 to accept a plea offer, the ultimate decision of whether or not to accept a plea offer is the
12 defendants. Rhyne v. State, 118 Nev. 1, 8, 38 P.3d 163 (2002).

13 When a conviction is the result of a guilty plea, a defendant must show that there is a
14 “reasonable probability that, but for counsel’s errors, he would not have pleaded guilty and
15 would have *insisted* on going to trial.” Hill v. Lockhart, 474 U.S. 52, 59, 106 S.Ct. 366, 370
16 (1985) (emphasis added); see also Kirksey v. State, 112 Nev. 980, 988, 923 P.2d 1102, 1107
17 (1996); Molina v. State, 120 Nev. 185, 190-91, 87 P.3d 533, 537 (2004).

18 Petitioner was fully advised of his guilty plea agreement. Petitioner never states what
19 he did not know about the sentence structure. Supplemental Petition at 18–21. In addition, he
20 also does not elaborate on what was not explained or what would have caused him to reject
21 the agreement. Id. Petitioner’s GPA states, “I understand as a consequence of my plea of guilty
22 The Court must sentence me to imprisonment in the Nevada Department of Corrections for a
23 minimum term of not less than ONE (1) year and a maximum term of not more than FIVE (5)
24 years.” GPA at 2. In which Petitioner signed on July 15, 2019. GPA at 5.

25 In addition, the Petitioner was fully canvassed on his GPA and was asked if he
26 understood his potential sentence. Transcript of Initial Arraignment at 3–4. Moreover, this
27 Court asked the Petitioner if he was satisfied with the services of his attorney, to which he
28

1 answered "Yes, ma'am." Id. at 4. Therefore, the Petitioner knowingly and voluntarily entered
2 into his GPA.

3 **i. Habitual treatment**

4 Petitioner argues that "Though a habitual potential is stated in the plea agreement [4:1-
5 2] he thought it was to be read in combination with the agreement that the State would not
6 seek the habitual if he made good faith efforts to get treatment. Further he did not know out of
7 state convictions would count." Supplemental Petition at 20.

8 The small habitual statute states:

9 1. Unless the person is prosecuted pursuant to NRS 207.012 or
207.014, a person convicted in this State of:

10 (a) Any felony, who has previously been two times convicted,
11 whether in this State or elsewhere, of any crime which under the
12 laws of the situs of the crime or of this State would amount to a
13 felony is a habitual criminal and shall be punished for a category
14 B felony by imprisonment in the state prison for a minimum term
of not less than 5 years and a maximum term of not more than 20
years.

15 NRS 207.010(1)(a) [Effective through June 30, 2020]. Therefore, Petitioner was eligible for
16 such treatment because he had been convicted of seven (7) prior felonies. See State's Notice
17 to Seek Punishment as a Habitual Criminal.

18 To the extent that Petitioner believes the habitual clause was related to "good faith
19 efforts," the claim is belied by the record, as nothing in his GPA relates to good faith efforts.
20 Supplemental Petition at 20; see GPA. Petitioner's GPA states, "The State retains the right to
21 argue at sentencing" and "I understand and agree that, if I fail to interview with the Department
22 of Parole and Probation, fail to appear at any subsequent hearings in this case, or an
23 independent magistrate, by affidavit review, confirms probable cause against me for new
24 criminal charges including reckless driving or DUI, but excluding minor traffic violations, the
25 State will have the unqualified right to argue for any legal sentence and term of confinement
26 allowable for the crime(s) to which I am pleading guilty, including the use of any prior
27 convictions I may have to increase my sentence as an habitual criminal to five (5) to twenty
28 (2) years, . . ." GPA at 1-2. Petitioner violated this provision. Petitioner was arrested on August

1 9, 2019, and charged by way of Information on August 28, 2019, with Count 1 – Grand
2 Larceny (Category C Felony – NRS 205.220(1), NRS 205.222(2) – NOC 56004) in C-19-
3 342881-1, less than a month after being released. Court Minutes on November 20, 2019.
4 Petitioner’s subsequent arrest gave the State the unqualified right to argue and seek habitual
5 punishment pursuant to the plea agreement.

6 Moreover, Petitioner argues he did not know out of state convictions would count
7 towards habitual treatment as well as gross misdemeanors qualifying as felonies. Supplemental
8 Petition at 20. This doubt would have not made any difference to his willingness to enter the
9 plea unless he entered the plea intending to violate the plea agreement. Had Petitioner abided
10 by the plea agreement and not been arrested, he would not have been eligible to be sentenced
11 as a habitual criminal. If he did enter the agreement with that understanding, it is certainly not
12 a manifest injustice, or even a fair and just reason, to allow Petitioner to withdraw his plea
13 now, as indicated in the denial of the Motion to Withdraw Plea.

14 **ii. Guilty but mentally ill**

15 Petitioner argues, “Mr. Crawley states he was not advised of the option to NRS
16 175.035³ taking a plea agreement guilty but mentally ill and he would have opted for this if
17 informed of it.” Supplemental Petition at 21. First, this argument is outside the scope of habeas
18 and therefore procedurally barred. NRS 34.810(1); infra legal argument at Section I. It does
19 not argue counsel’s advice to enter the plea or the knowingness and voluntariness of the plea
20 itself.

21 Second, the State must offer a plea of guilty but mentally ill for the defendant to accept
22 it. NRS 174.035(2, 3). In this case, the State did not extend an offer of guilty but mentally ill
23 to the Petitioner, and there is no evidence that such an offer would have been extended,
24 including but not limited to a recommendation for competency court. In addition, Petitioner
25 has repeatedly said through his petitions being released on his own recognizance was the “main
26 point” of the negotiation and this provision would certainly not be offered in a guilty but
27 mentally ill plea.

28 ³ It is assumed that counsel meant NRS 174.035, the proper types of pleas; procedure for entering plea statute.

1 Last, if Petitioner was given the option to plead guilty but mentally ill, it would have
2 been to the original charges, including Count 1 – Assault with a Deadly Weapon and Count 2
3 – Carrying Concealed Firearm or Other Deadly Weapon. See Criminal Complaint. That would
4 have exposed Petitioner to a one (1) to six (6) year sentence and the one (1) to five (5) year
5 sentence for the knife, and he would still have been eligible for habitual treatment. Instead, by
6 entering his GPA, he was only eligible for the one (1) to five (5) year sentence for the knife
7 and given leniency on habitual eligibility until he violated the plea agreement by being arrested
8 again.

9 **iii. Motion to Withdraw Plea**

10 Petitioner argues, “And the reason is because Attorney Arnold’s Motion to withdraw
11 the Guilty plea February 19, 2020, insufficiently written and it failed effectively demonstrate
12 to the judge why plea withdrawal was mandated.” Supplemental Petition at 19. This argument
13 is also outside the scope of habeas and therefore procedurally barred. NRS 34.810(1); infra
14 legal argument at Section I. It does not argue counsel’s advice to enter the plea or the
15 knowingness and voluntariness of the plea itself because it was filed after the GPA was entered
16 into.

17 The Nevada Supreme Court has held “that a habeas corpus petitioner must prove the
18 disputed factual allegations underlying his ineffective-assistance claim by a preponderance of
19 the evidence.” Means v. State, 120 Nev. 1001, 1012, 103 P.3d 25, 33 (2004). Furthermore,
20 claims of ineffective assistance of counsel asserted in a petition for post-conviction relief must
21 be supported with specific factual allegations which, if true, would entitle the petitioner to
22 relief. Hargrove v. State, 100 Nev. 498, 502, 686 P.2d 222, 225 (1984). “Bare” and “naked”
23 allegations are not sufficient, nor are those belied and repelled by the record. Id. NRS
24 34.735(6) states in relevant part, “[Petitioner] *must* allege specific facts supporting the claims
25 in the petition[.] . . . Failure to allege specific facts rather than just conclusions may cause your
26 petition to be dismissed.” (emphasis added).

27 Petitioner states, “His attorney advised him if he participated in programming the State
28 would not seek habitual.” Supplemental Petition at 20. There is no evidence of this assertion.

1 Not once did this Court order a treatment program, it is never discussed in the waiver of his
2 preliminary hearing, it is not in the GPA, and it is not discussed at the entry of the plea. See
3 Transcript of Unconditional Waiver of Preliminary Hearing; see also GPA; see also Transcript
4 of Initial Arraignment. Petitioner is alleging that counsel told him something that never
5 existed. The benefit of the plea was given, for Petitioner to be released on his own
6 recognizance. Petitioner's allegations are untrue.

7 **B. Petitioner received effective assistance of counsel at sentencing.**

8 Petitioner argues that Attorney Bailey provided ineffective assistance of counsel at
9 sentencing by failing to outline Petitioner's mitigating circumstances. Supplemental Petition
10 at 21-29.

11 The Sixth Amendment to the United States Constitution provides that, "[i]n all criminal
12 prosecutions, the accused shall enjoy the right . . . to have the Assistance of Counsel for his
13 defense." The United States Supreme Court has long recognized that "the right to counsel is
14 the right to the effective assistance of counsel." Strickland v. Washington, 466 U.S. 668, 686,
15 104 S. Ct. 2052, 2063 (1984); see also State v. Love, 109 Nev. 1136, 1138, 865 P.2d 322, 323
16 (1993).

17 To prevail on a claim of ineffective assistance of trial counsel, a defendant must prove
18 he was denied "reasonably effective assistance" of counsel by satisfying the two-prong test of
19 Strickland, 466 U.S. at 686-87, 104 S. Ct. at 2063-64. See also Love, 109 Nev. at 1138, 865
20 P.2d at 323. Under the Strickland test, a defendant must show first that his counsel's
21 representation fell below an objective standard of reasonableness, and second, that but for
22 counsel's errors, there is a reasonable probability that the result of the proceedings would have
23 been different. 466 U.S. at 687-88, 694, 104 S. Ct. at 2065, 2068; Warden, Nevada State Prison
24 v. Lyons, 100 Nev. 430, 432, 683 P.2d 504, 505 (1984) (adopting the Strickland two-part test).
25 "[T]here is no reason for a court deciding an ineffective assistance claim to approach the
26 inquiry in the same order or even to address both components of the inquiry if the defendant
27 makes an insufficient showing on one." Strickland, 466 U.S. at 697, 104 S. Ct. at 2069.

1 The court begins with the presumption of effectiveness and then must determine
2 whether the defendant has demonstrated by a preponderance of the evidence that counsel was
3 ineffective. Means v. State, 120 Nev. 1001, 1011, 103 P.3d 25, 32 (2004). "Effective counsel
4 does not mean errorless counsel, but rather counsel whose assistance is '[w]ithin the range of
5 competence demanded of attorneys in criminal cases.'" Jackson v. Warden, 91 Nev. 430, 432,
6 537 P.2d 473, 474 (1975).

7 "There are countless ways to provide effective assistance in any given case. Even the
8 best criminal defense attorneys would not defend a particular client in the same way."
9 Strickland, 466 U.S. at 689, 104 S. Ct. at 689. "Strategic choices made by counsel after
10 thoroughly investigating the plausible options are almost unchallengeable." Dawson v. State,
11 108 Nev. 112, 117, 825 P.2d 593, 596 (1992); see also Ford v. State, 105 Nev. 850, 853, 784
12 P.2d 951, 953 (1989). In essence, the court must "judge the reasonableness of counsel's
13 challenged conduct on the facts of the particular case, viewed as of the time of counsel's
14 conduct." Strickland, 466 U.S. at 690, 104 S. Ct. at 2066.

15 Even if a defendant can demonstrate that his counsel's representation fell below an
16 objective standard of reasonableness, he must still demonstrate prejudice and show a
17 reasonable probability that, but for counsel's errors, the result of the trial would have been
18 different. McNelson v. State, 115 Nev. 396, 403, 990 P.2d 1263, 1268 (1999) (citing
19 Strickland, 466 U.S. at 687, 104 S. Ct. at 2064). "A reasonable probability is a probability
20 sufficient to undermine confidence in the outcome." Id. (citing Strickland, 466 U.S. at 687-89,
21 694, 104 S. Ct. at 2064-65, 2068).

22 Petitioner has not demonstrated by a preponderance of the evidence that sentencing
23 counsel was ineffective. First, Petitioner claims that, "... Mr. Bailey's 17-line presentation at
24 the sentencing hearing was grossly inadequate to fully address his significant mitigation
25 circumstances . . ." Supplemental Petition at 23. Certificates of completion for all of
26 Petitioner's substance abuse programs and self-help packages were submitted to the district
27 court judge prior to sentencing. Transcript of Sentencing at 13. In addition, Petitioner spoke
28 and read a letter to the judge at length about his situation and circumstances. Id. at 13-17. The

1 State rebutted by emphasizing the seven (7) previous times Petitioner has received counseling.
2 Id. at 17–18. Sentencing counsel then argued that habitual treatment was unnecessary and
3 suggested Drug Court. Id. at 19–20. Petitioner also argues he was recently granted disability
4 benefits and needs surgery on his wrist. Id. at 13; Supplemental Petition at 23. However,
5 Petitioner was granted disability in 2016, not recently, and has been convicted of grand
6 larceny, this current offense, and another grand larceny since. SPSI at 3, 6. His wrist was
7 broken during an altercation while in custody in 2018 and instead of getting it fixed, he
8 committed the instant offense, leading to his arrest, and then committed a subsequent crime
9 between entering his plea in this case and sentencing. Id. Therefore, sentencing counsel did
10 provide the court with all mitigating circumstances and they were rebutted.

11 In addition, Petitioner argues sentencing counsel did not correct the State’s Sentencing
12 Memorandum, when it stated, “His felony criminal resume spans three (3) states and almost
13 twenty (20) years.” Supplemental Petition at 23–24; State’s Sentencing Memorandum at 1. It
14 can be perceived that sentencing counsel did not correct this statement because Petitioner’s
15 adult criminal history does begin in 2004. SPSI at 4. While his arrest on September 18, 2004,
16 was for a misdemeanor DUI, his suspended sentence was revoked December 5, 2004, showing
17 his inability to be on probation early on. Id. At the time of sentencing, Petitioner’s first arrest
18 was sixteen (16) years ago, *almost* twenty (20) years.

19 Petitioner compares his sentencing to that in Gonzalez v. State. 492 P.3d 556 (Nev.
20 2021); Supplemental Petition at 23–24. These cases and circumstances are not similar. In
21 Gonzalez, the defendant’s counsel did not rebut the State’s agreement to the suggested
22 sentence in the PSI, when there was a prior recommendation agreed upon by counsel,
23 constituting him ineffective. 492 P.3d at 563. In this case, Petitioner was given another chance,
24 he was released on his own recognizance and the State would have suggested the statutory
25 sentence for the count he pled guilty to. See GPA. However, Petitioner chose to commit
26 another felony less than a month after being released. Court Minutes on November 20, 2019.
27 Additionally, Petitioner does have a lengthy criminal history, from multiple states, and has
28 proven his inability to be probational, paroled, and counseled. See SPSI. Therefore, even if

1 sentencing counsel has provided a more detailed history of the Petitioner, the circumstances
2 of his plea violation, criminal history, and chances given far outweighs any probability that
3 the sentencing would have been different.

4 **C. Petitioner is not entitled to an evidentiary hearing.**

5 NRS 34.770 determines when a defendant is entitled to an evidentiary hearing. It reads:

- 6 1. The judge or justice, upon review of the return, answer and all
7 supporting documents which are filed, shall determine whether an
8 evidentiary hearing is required. A petitioner must not be
9 discharged or committed to the custody of a person other than the
10 respondent *unless an evidentiary hearing is held*.
- 11 2. If the judge or justice determines that the petitioner is not
12 entitled to relief and an evidentiary hearing is not required, he shall
13 dismiss the petition without a hearing.
- 14 3. If the judge or justice determines that an evidentiary hearing is
15 required, he shall grant the writ and shall set a date for the hearing.

16 The Nevada Supreme Court has held that if a petition can be resolved without
17 expanding the record, then no evidentiary hearing is necessary. Marshall v. State, 110 Nev.
18 1328, 885 P.2d 603 (1994); Mann v. State, 118 Nev. 351, 356, 46 P.3d 1228, 1231 (2002). A
19 defendant is entitled to an evidentiary hearing if his petition is supported by specific factual
20 allegations, which, if true, would entitle him to relief unless the factual allegations are repelled
21 by the record. Marshall, 110 Nev. at 1331, 885 P.2d at 605; see also Hargrove v. State, 100
22 Nev. 498, 503, 686 P.2d 222, 225 (1984) (holding that “[a] defendant seeking post-conviction
23 relief is not entitled to an evidentiary hearing on factual allegations belied or repelled by the
24 record”). “A claim is ‘belied’ when it is contradicted or proven to be false by the record as it
25 existed at the time the claim was made.” Mann, 118 Nev. at 354, 46 P.3d at 1230 (2002).

26 It is improper to hold an evidentiary hearing simply to make a complete record. *See*
27 State v. Eighth Judicial Dist. Court, 121 Nev. 225, 234, 112 P.3d 1070, 1076 (2005) (“The
28 district court considered itself the ‘equivalent of . . . the trial judge’ and consequently wanted
‘to make as complete a record as possible.’ This is an incorrect basis for an evidentiary
hearing.”). Further, the United States Supreme Court has held that an evidentiary hearing is
not required simply because counsel’s actions are challenged as being unreasonable strategic
decisions. Harrington v. Richter, 131 S. Ct. 770, 788 (2011). Although courts may not indulge

1 post hoc rationalization for counsel's decision making that contradicts the available evidence
2 of counsel's actions, neither may they insist counsel confirm every aspect of the strategic basis
3 for his or her actions. Id. There is a "strong presumption" that counsel's attention to certain
4 issues to the exclusion of others reflects trial tactics rather than "sheer neglect." Id. (*citing*
5 Yarborough v. Gentry, 540 U.S. 1, 124 S. Ct. 1 (2003)). Strickland calls for an inquiry in the
6 *objective* reasonableness of counsel's performance, not counsel's *subjective* state of mind. 466
7 U.S. 668, 688, 104 S. Ct. 2052, 2065 (1994).

8 In this case, Petitioner is not entitled to an evidentiary hearing on this Supplemental
9 Petition. Petitioner's counsel advised him of the potential sentences he could receive as
10 contained in the GPA. Petitioner was fully aware of the consequences of his plea and chose to
11 commit a new crime. There is nothing an evidentiary hearing would bring to light that would
12 change that Petitioner was given an opportunity to improve his actions by being released on
13 his own recognizance and he chose to commit another crime. Moreover, Petitioner's previous
14 request to withdraw his plea was denied. Accordingly, there is no need to expand the record
15 and no basis for an evidentiary hearing.

16 **III. PETITIONER'S SECOND AND THIRD PETITIONS ARE PROCEDURALLY** 17 **BARRED**

18 Petitioner filed his first pro per Petition for Writ of Habeas Corpus ("First Petition") on
19 June 4, 2020. Petitioner then filed his second pro per Petition for Writ of Habeas Corpus
20 ("Second Petition") on June 12, 2020. In addition, he then filed a pro per Supplemental
21 Petition for Writ of Habeas Corpus ("Third Petition") on March 18, 2021.⁴

22 **A. The petitions are beyond the scope of habeas.**

23 The grounds Petitioner raises in his Second and Third Petition are proper only for a
24 direct appeal, and thereby, waived. Specifically, Petitioner presents three (3) grounds to this
25 Court in his Second Petition: (1) violation of his due process rights; (2) errors in his SPSI; and
26 (3) violation of a court administrative order. Second Petition, at 6–15. In addition, Petitioner
27 presents four (4) grounds to this Court in his Third Petition: (1) violation of his due process

28 ⁴ The District Court denied this petition due to it being procedurally barred and a fugitive document on May 25, 2021
and the Findings of Fact, Conclusions of Law, and Order was filed July 22, 2021.

1 rights; (2) errors in his SPSI; (3) violation of a court administrative order; and (4) error in
2 adjudication as a habitual criminal. Third Petition, at 6–20. Petitioner does not challenge the
3 validity of a guilty plea and/or raise claims of ineffective assistance of counsel. See generally,
4 Id.; See generally, Second Petition. Thus, the issues Petitioner does raise in his Second and
5 Third Petitions are improperly brought before this Court. As such, these substantive claims are
6 proper only on direct appeal and are barred in these Petitions. Infra legal argument at Section
7 I.

8 **B. The petitions are successive and abuses of the writ.**

9 Second or successive petitions include those that allege new or different grounds, but a
10 judge or justice finds that the petitioner's failure to assert those grounds in a prior petition
11 would constitute an abuse of the writ. The Second and Third Petitions are abuses of the writ.

12 NRS 34.810(2) reads:

13 A second or successive petition must be dismissed if the judge or
14 justice determines that it fails to allege new or different grounds
15 for relief and that the prior determination was on the merits or, if
16 new and different grounds are alleged, the judge or justice finds
17 that the failure of the petitioner to assert those grounds in a prior
18 petition constituted an abuse of the writ.

19 Second or successive petitions will only be decided on the merits if the petitioner can
20 show good cause and prejudice. NRS 34.810(3). The burden of proving specific facts that
21 show good cause for his failure to raise his claim earlier falls on the petitioner. NRS 34.810(3).
22 He must also show actual prejudice. NRS 34.810(3).

23 The Nevada Supreme Court has stated, "Without such limitations on the availability of
24 post-conviction remedies, prisoners could petition for relief in perpetuity and thus abuse post-
25 conviction remedies. In addition, meritless, successive and untimely petitions clog the court
26 system and undermine the finality of convictions." Lozada v. State, 110 Nev. 349, 358, 871
27 P.2d 944, 950 (1994).

28 The Nevada Supreme Court recognizes that "[u]nlike initial petitions which certainly
require a careful review of the record, successive petitions may be dismissed based solely on

1 the face of the petition.” Ford v. Warden, 111 Nev. 872, 882, 901 P.2d 123, 129 (1995). In
2 other words, if the claim or allegation was previously available with reasonable diligence, it is
3 an abuse of the writ to wait to assert it in a later petition. McClesky v. Zant, 499 U.S. 467,
4 497-98 (1991). Application of NRS 34.810(2) is mandatory. State v. Eighth Judicial Dist.
5 Court (Riker), 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005).

6 Here, Petitioner has filed two (2) successive petitions. Thus, Petitioner could have
7 raised his claims in his prior petition and his failure to do so is an abuse of the writ. NRS
8 34.810(2). Absent a showing of good cause to excuse this delay, the Second and Third
9 Petitions must be denied.

10 **C. Application of the procedural bars is mandatory.**

11 The Nevada Supreme Court has held that courts have a *duty* to consider whether a
12 defendant’s post-conviction petition claims are procedurally barred. Id. The Riker Court found
13 that “[a]pplication of the statutory procedural default rules to post-conviction habeas petitions
14 is mandatory,” noting:

15 Habeas corpus petitions that are filed many years after conviction
16 are an unreasonable burden on the criminal justice system. The
17 necessity for a workable system dictates that there must exist a
18 time when a criminal conviction is final.

19 Id. Additionally, the Court noted that procedural bars “cannot be ignored [by the district court]
20 when properly raised by the State.” Id. at 233, 112 P.3d at 1075. Ignoring these procedural
21 bars is an arbitrary and unreasonable exercise of discretion. Id. at 234, 112 P.3d at 1076. The
22 Nevada Supreme Court has granted no discretion to the district courts regarding whether to
23 apply the statutory procedural bars; the rules *must* be applied.

24 This position was reaffirmed in State v. Greene, 129 Nev. 559, 307 P.3d 322 (2013).
25 There, the Court ruled that the defendant’s petition was “untimely, successive, and an abuse
26 of the writ” and that the defendant failed to show good cause and actual prejudice. Id. at 324,
27 307 P.3d at 326. Accordingly, the Court reversed the district court and ordered the defendant’s
28 petition dismissed pursuant to the procedural bars. Id. at 324, 307 P.3d at 322–23. The

1 procedural bars are so fundamental to the post-conviction process that they must be applied
2 by this Court even if not raised by the State. See Riker, 121 Nev. at 231, 112 P.3d at 1074.
3 Parties cannot stipulate to waive the procedural default rules. State v. Haberstroh, 119 Nev.
4 173, 180-81, 69 P.3d 676, 681-82 (2003). Thus, the Second and Third Petitions must be denied
5 because it is mandatory for the district court to apply procedural bars and the Second and Third
6 Petitions are successive and abuses of the writ.

7 **D. Petitioner fails to demonstrate both good cause and prejudice to overcome the**
8 **procedural bars.**

9 To avoid procedural default, under NRS 34.726, a defendant has the burden of pleading
10 and proving specific facts that demonstrate good cause for his failure to present his claim in
11 earlier proceedings or to otherwise comply with the statutory requirements, *and* that he will be
12 unduly prejudiced if the petition is dismissed. NRS 34.726(1)(a) (emphasis added); see Hogan
13 v. Warden, 109 Nev. 952, 959-60, 860 P.2d 710, 715-16 (1993); Phelps v. Nevada Dep't of
14 Prisons, 104 Nev. 656, 659, 764 P.2d 1303, 1305 (1988). "A court *must* dismiss a habeas
15 petition if it presents claims that either were or could have been presented in an earlier
16 proceeding, unless the court finds both cause for failing to present the claims earlier or for
17 raising them again and actual prejudice to the petitioner." Evans v. State, 117 Nev. 609, 646-
18 47, 29 P.3d 498, 523 (2001) (emphasis added).

19 To show good cause for delay under NRS 34.726(1), a petitioner must demonstrate the
20 following: (1) "[t]hat the delay is not the fault of the petitioner" and (2) that the petitioner will
21 be "unduly prejudice[d]" if the petition is dismissed as untimely. NRS 34.726. To meet the
22 first requirement, "a petitioner *must* show that an impediment external to the defense prevented
23 him or her from complying with the state procedural default rules." Hathaway v. State, 119
24 Nev. 248, 252, 71 P.3d 503, 506 (2003) (emphasis added). "A qualifying impediment might
25 be shown where the factual or legal basis for a claim was not reasonably available *at the time*
26 *of default*." Clem v. State, 119 Nev. 615, 621, 81 P.3d 521, 525 (2003) (emphasis added). The
27 Court continued, "appellants cannot attempt to manufacture good cause[.]" Id. at 621, 81 P.3d
28 at 526. To find good cause there must be a "substantial reason; one that affords a legal excuse."

1 Hathaway v. State, 119 Nev. 248, 252, 71 P.3d 503, 506 (2003) (quoting Colley v. State, 105
2 Nev. 235, 236, 773 P.2d 1229, 1230 (1989)). Examples of good cause include interference by
3 State officials and the previous unavailability of a legal or factual basis. See State v. Huebler,
4 128 Nev. Adv. Op. 19, 275 P.3d 91, 95 (2012). Clearly, any delay in the filing of the petition
5 must not be the fault of the petitioner. NRS 34.726(1)(a).

6 Further, a petitioner raising good cause to excuse procedural bars must do so within a
7 reasonable time after the alleged good cause arises. See Pellegrini, 117 Nev. at 869–70, 34
8 P.3d at 525–26 (holding that the time bar in NRS 34.726 applies to successive petitions); see
9 generally Hathaway, 119 Nev. at 252–53, 71 P.3d at 506–07 (stating that a claim reasonably
10 available to the petitioner during the statutory time period did not constitute good cause to
11 excuse a delay in filing). A claim that is itself procedurally barred cannot constitute good
12 cause. Riker, 121 Nev. at 235, 112 P.3d at 1077; see also Edwards v. Carpenter, 529 U.S. 446,
13 453 120 S. Ct. 1587, 1592 (2000).

14 In order to establish prejudice, the defendant must show “not merely that the errors of
15 [the proceedings] created possibility of prejudice, but that they worked to his actual and
16 substantial disadvantage, in affecting the state proceedings with error of constitutional
17 dimensions.” Hogan v. Warden, 109 Nev. 952, 960, 860 P.2d 710, 716 (1993) (quoting United
18 States v. Frady, 456 U.S. 152, 170, 102 S. Ct. 1584, 1596 (1982)). Petitioner cannot
19 demonstrate prejudice sufficient to ignore his default, because his underlying claims are
20 meritless.

21 **E. Petitioner cannot supplement his own petition unless ordered by the court.**

22 Petitioner filed a pro per Supplemental Petition for Writ of Habeas Corpus (“Third
23 Petition”) on March 18, 2021. At that point the Petitioner had been appointed counsel whether
24 it was Roger Bailey or Carl Arnold. NRS 34.750(5) states that no further pleadings may be
25 filed except as ordered by the court. Thus, the Petitioner cannot supplement his own petition
26 and should be denied.

27 //

28 //

1 CONCLUSION

2 For the foregoing reasons, the State respectfully requests that Petitioner's First, Second,
3 Third, and Supplemental Petitions be DENIED.

4 DATED this 20th day of October, 2022.

5 Respectfully submitted,

6 STEVEN B. WOLFSON
7 Clark County District Attorney
8 Nevada Bar #001565

9 BY

10 *James Puccinelli*
11 FOR JOHN AFSHAR 15620
12 Chief Deputy District Attorney
13 Nevada Bar #14408

14 CERTIFICATE OF ELECTRONIC FILING

15 I hereby certify that service of State's Response to Defendant's Supplemental Brief in
16 Support of Petition for Writ Of Habeas Corpus, was made this 20th day of October, 2022, by
17 electronic filing to:

18 Diane C. Lowe, Esq.
19 DianeLowe@LoweLawLLC.com

20 BY

21 *[Signature]*
22 Secretary for the District Attorney's Office
23
24
25
26
27

28 19F11843X/ML/clh/L3



1 RTRAN

2
3
4
5 DISTRICT COURT
6 CLARK COUNTY, NEVADA

7
8 DAINÉ CRAWLEY,) CASE NO. A-20-816041-W
9 Plaintiff(s),)
10 vs.) DEPT. NO. XVII
11 WARDEN WILLIAMS, HDSP,)
12 Defendant(s).)

13
14 BEFORE THE HONORABLE DAVID BARKER,

15 DISTRICT COURT SENIOR JUDGE

16 MONDAY, NOVEMBER 28, 2022

17 **RECORDER'S TRANSCRIPT OF PROCEEDING:**

18 **WRIT OF HABEAS CORPUS**

19 APPEARANCES:

20 For the Plaintiff: DIANE C. LOWE, ESQ.,

21
22
23 For the Defendant: AGNES M. BOTELHO, ESQ.,
Chief Deputy District Attorney

24
25 RECORDED BY: CHARISSE WARD, COURT RECORDER

1 Las Vegas, Nevada; Monday, November 2022

2 [Proceeding commenced at 10:56 a.m.]

3
4 THE COURT: Let's go to page 5. Page 5 is A816041. Daine
5 Crawley versus Warden Williams. Could I have counsel state
6 appearance please?

7 MS. LOWE: Diane Lowe, bar 14573, for Daine Crawley.

8 THE COURT: Thank you. The absence of Ms. Daine
9 Crawley is noted in NDOC. I have Ms. Botelho for the State. Time set
10 of writ habeas post-conviction.

11 Ms. Crawley -- Ms. Lowe, on behalf of Crawley, I have
12 reviewed your pleadings. Let's build your record here. You have the
13 floor. Tell me what you think I need --

14 MS. LOWE: Oh, I do have the floor. Okay, Your Honor. We
15 weren't requested by Judge Villani to do a reply. Having said that, I
16 would like to add a few comments because of the response and some of
17 the things that they said I don't comport with what Your Honor should
18 follow.

19 THE COURT: Okay.

20 MS. LOWE: First and foremost with respect to the plea
21 agreement, the State seems to imply that since he was told that he has
22 an exposure of one to five years that anything else is a collateral
23 consequence of the plea. We disagree with that.

24 THE COURT: Collateral consequences is a consequence
25 that's not specifically articulated as a part of the contract. The GPA

1 reflects he could face habitual criminal enhancement.

2 MS. LOWE: Right. Direct consequence has the immediate
3 and largely automatic effect on the range of the Defendant's
4 punishment.

5 THE COURT: Right.

6 MS. LOWE: And he's stating that he was told if he
7 participated or tried to participate in programming the State would not
8 seek habitual treatment. He's stating he was not aware of other things
9 with respect to the plea agreement either. For instance, that his out of
10 state felonies which are misdemeanors would be treated as felonies in
11 this state. He wasn't aware that they would be counted and he thought
12 that his treatment at Nevada Behavioral Health was sufficient under the
13 spirit of the agreement as per *Gonzalez* that it would be honored without
14 raising the exposure from one to five years to seven to twenty years
15 which is ultimately what he got for having a tiny little razor blade which
16 he didn't even consider a knife on him.

17 THE COURT: Okay.

18 MS. LOWE: That's our first issue.

19 THE COURT: Right.

20 MS. LOWE: And the next issue is with respect to sentencing.

21 The State said at the sentencing hearing that here's a fellow whose
22 criminal felony history has spanned almost twenty years. When the fact
23 of the matter is as they concede in their response, but not fully, he had a
24 misdemeanor operating while intoxicated in 2004. So they say well
25 that's almost sixteen years, but his most recent felony or his earliest

1 felony was in 2010, so that's a ten-year felony history when it should
2 have been -- when it was stated as almost twenty-year felony history.

3 THE COURT: Okay. But you're conceding I believe with the
4 PSI accurately reflected that criminal history.

5 MS. LOWE: Right. Right. But what was foremost --

6 THE COURT: Okay. You're challenging the advocacy.

7 MS. LOWE: -- and freshest in the mind of the Judge is here's
8 a dangerous fellow with almost twenty years of felonies.

9 THE COURT: Okay.

10 MS. LOWE: So he received ineffective assistance of counsel
11 at sentencing. In addition to that, the counsel who only briefly spoke did
12 not mention anything about his treatment at Nevada Behavioral Health.
13 And we submitted very significant records of over a hundred pages.

14 Once he submitted to the plea agreement, he got regular
15 treatment and they show evidence of mental illness of psychosis of drug
16 issues which he tried to address.

17 THE COURT: Okay.

18 MS. LOWE: And none of that was addressed at the
19 sentencing hearing as it should have been.

20 But the other matter that I wanted to state, Your Honor, is with
21 respect to the plea agreement. The State seems to say that since he
22 was appointed an attorney to withdraw the plea prior to his conviction,
23 we have no recourse against that attorney for any ineffective issues and
24 we dispute this.

25 There is no carved out exception to an effective attorney who

1 is --

2 THE COURT: But it's already been reviewed pre-
3 adjudication?

4 MS. LOWE: Right.

5 THE COURT: Do you believe that additional level of review
6 and consideration by the sentencing Judge has any influence or
7 whatever? I mean, the sentencing Judge has gone through the
8 transcript, deemed the allegations is not supported naked.

9 MS. LOWE: No. The point is that they state that we can't
10 now after sentencing and conviction enter a writ a habeas corpus action
11 state, Your Honor, he not only had ineffective assistance with his plea,
12 he not only had ineffective assistance with his sentencing, he had an
13 ineffective attorney who attempted to withdraw his plea at the easier
14 standard.

15 His attorney came in and submitted a -- it was about a
16 paragraph memo saying that this plea should be withdrawn because he
17 honored the plea agreement by attempting to participate in
18 programming. His point at that time was that he was released. And we
19 provided evidence of this from Clark County Detention Center at 8:0. So
20 when he got to treatment, they wouldn't let him in or to Nevada
21 Behavioral Health. They said well we don't have bed, so he felt that that
22 was one of the reasons why the State added the enhancer, the habitual
23 because he wasn't there in a timely manner, but as soon as he was able
24 to, he started getting treatment and evaluations from them.

25 So -- but beyond that the attorney who moved to withdraw the

1 plea who stated this in their memo very briefly without any detail didn't
2 submit any records to support it as we have.

3 THE COURT: Okay. Anything else?

4 MS. LOWE: Well, if he was told -- I mean, I know you're
5 stressing and the State stresses in the memo that because we've got a
6 plea colloquy where it says you understand there's no promises or
7 assurances outside of this agreement that would be honored.

8 Nevertheless, if he was told by his attorney in a conference as
9 he signed the plea agreement that listen if you go to treatment, then they
10 won't seek habitual. That needs to be addressed at an evidentiary
11 hearing. And he wasn't granted an evidentiary because sufficient --
12 insufficient documentation was produced -- not produced.

13 THE COURT: Well, that's where I usually starts these things.
14 You want an evidentiary hearing. And what additional information would
15 you seek? You've given me the information that you believe your client,
16 Petitioner, would assert.

17 MS. LOWE: Right. I understand you don't get an evidentiary
18 hearing if you don't assert anything that could have a potential to
19 overturn a plea, but I think there is some opening in the law that states
20 that if you're told by your attorney something that makes it an unknowing
21 plea, even though it may not be clearly stated in the plea agreement that
22 you should have an evidentiary hearing.

23 Because if he was told by Ms. Ballou listen, if you participate
24 in this and if you get right over to Nevada Behavioral Health and start
25 programming and detox, they're not going to seek the habitual. If he

1 was told that, then I think it would lead to an unknowing plea if that was
2 not the case.

3 THE COURT: Okay. I think I understand. Anything else?

4 MS. LOWE: Those three major factors. We have submitted a
5 subsequent motion for leave to submit a motion for revised sentence
6 credit because we believe he's entitled to 162 extra days, but that
7 maybe a separate issue. I don't know.

8 THE COURT: Yeah. I don't have that before me, so I -- and I
9 don't know if the DA's had a chance to respond to it.

10 MS. LOWE: They have not responded yet.

11 THE COURT: Ms. Botelho, do you have any comments or
12 arguments to make?

13 MS. BOTELHO: No, Your Honor. We stand by our -- the
14 response that we filed October 20th. And I believe the transcripts from
15 the waiver of the hearing as well as that initial arraignment is also part of
16 the record.

17 And we believe that Defendant's claims are now belied by the
18 record as it stands. And so there is no need for an evidentiary hearing.

19 THE COURT: All right.

20 MS. LOWE: But if I could add interestingly as to the record.
21 Even the State conceded at the time when he tried to have his plea
22 agreement attorney withdrawn that she had been not very present and
23 effective in her representation of him.

24 THE COURT: Okay. I believe the Supreme Court has set
25 certain directions for review on PCR at *Larson versus State*, 1988 in that

1 there needs to be reasonable accommodations. Reasonable plea
2 recommendations which in hindsight reveals an unwise decision is not --
3 does not constitute ineffective assistance. And that's what I think we
4 have here with this Petitioner.

5 On full review of the record reflects Petitioner was fully advised
6 in his guilty plea agreement. He -- at least as to my reading never states
7 he did not understand the sentence structure. When you look at the
8 guilty plea agreement, it fully outlines the potential outcomes both on
9 pages one and two.

10 He also states affirmatively he understands the consequence
11 of his plea. He understands in that document the Court says I must
12 sentence -- I must be -- the Court must sentence me to imprisonment in
13 Nevada Department of Corrections for a minimum of one to five years.

14 He was fully canvassed as all must be in order to make sure
15 that it's done fully and effectively. He also affirms as he must in order
16 for a plea to be a satisfactorily plea that he is satisfied with the services
17 of his attorney.

18 As to the habitual criminal good faith efforts, he argues -- he
19 believes habitual criminal clause is related to good faith efforts. And the
20 claim again is belied by the GPA. It clearly states State retains the right
21 to argue. I understand that I agree that if I fail to interview with the
22 Division of Parole and Probation, failure to appear for any subsequent
23 hearings in the case or an independent magistrate by affidavit review
24 confirms a probable cause against me for new criminal charges
25 including reckless driving, DUI, including minor traffic offenses, the State

1 will have an unqualified right for any legal sentence in term of
2 confinement allowable for the crimes to which I am pleading guilty,
3 including the use of prior convictions that may increase my sentence as
4 a habitual criminal to one to five -- five to twenty years Nevada
5 Department of Corrections.

6 New arrest that counsel has made reference to are the
7 grounds by which ultimately the Court felt it was appropriate and leave
8 sought. You described this blade as a small blade, but it's a criminal
9 offense to do so. And that was appropriately documented in C-19-
10 342881 less than a month after being released.

11 I think based upon those facts alone, I don't see ineffective
12 assistance of counsel in hoping and believing that his client would be
13 able to comply, but new arrests certainly changed that dynamic
14 completely. And it doesn't make his efforts or their efforts, excuse me,
15 ineffective.

16 Now you made an argument on guilty but mentally ill too. Is
17 there anything you'd like to build on that or are you just --

18 MS. LOWE: Right now I think we've said everything we have
19 to say on that.

20 THE COURT: All right. Well, I believe that the allegation he
21 was not advised of that option as a component of ineffective assistance
22 of counsel is procedurally barred in PCR pursuant to 34.810.

23 As to the motion to withdraw plea, this is in essence an effort
24 to review a decision made by the trial court Judge or sentencing Judge
25 that the plea canvass was efficient -- sufficient to support a knowing and

1 intelligent waiver of rights and did not constitute ineffective assistance of
2 counsel.

3 [Pause in proceedings]

4 THE COURT: So I go onto the sentencing because the
5 argument that drew most of my attention in this effort was an ineffective
6 assistance of counsel at sentencing and you describe it as inadequate.
7 So I see a seventeen-line presentation of sentencing hearing where he
8 presented significant mitigation circumstances. He presented
9 certifications of completion of the Petitioner's substance abuse program,
10 self-help packages prior to the sentencing Court, prior to the hearing and
11 the Judge considered those in due course.

12 Petitioner spoke and read a letter to the Judge at length about
13 his situation and circumstances. And State rebutted that by
14 emphasizing the seven previous times Petitioner had received
15 counseling. Mr. Bailey reading the room argued that habitual criminal
16 was unnecessary and suggested that drug court would be most
17 appropriate direction for the Judge as a fair and ultimate decision, but
18 the Judge made a different call.

19 You make argument that it was just sixteen weeks as opposed
20 to twenty, but the facts are --

21 MS. LOWE: Years.

22 THE COURT: Excuse me, years. The facts are that the
23 information contained in the PSI was accurate as to his criminal history
24 spanning from 2004 forward. And the Judge was able to weigh and
25 balance accurate information to come to what they viewed to be a fair

1 and just decision based upon those merits, so again not ineffective in my
2 view.

3 I don't see where the Petition needs -- record in this case
4 needs to be expanded because everything so far in my view is belied by
5 the record, so no evidentiary hearing is necessary. And based on those
6 grounds, I'm denying a petition for a habeas corpus.

7 I'm directing the State to prepare findings and facts and
8 conclusions of law consistent with that decision for the department for
9 review. All right.

10 MS. LOWE: Thank you, Your Honor

11 THE COURT: Thank you.

12 [Proceeding concluded at 11:10 a.m.]

13 * * * * *

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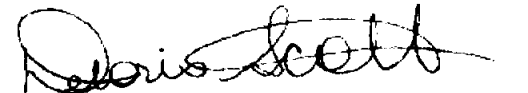
19

20

21 ATTEST: I do hereby certify that I have truly and correctly transcribed
22 the audio/video proceedings in the above-entitled case to the best of my
23 ability.

24

25



Deloris Scott,
Court Recorder/Transcriber

A-20-816041-W

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Habeas Corpus

COURT MINUTES

December 21, 2022

A-20-816041-W Daine Crawley, Plaintiff(s)
vs.
Warden Williams, HDSP, Defendant(s)

December 21, 2022 3:00 AM Minute Order

HEARD BY: Barker, David

COURTROOM: Chambers

COURT CLERK:

Samantha Albrecht

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, The Findings of Fact, Conclusions of Law and Order, filed on December 6, 2022, at 12:37 p.m. is hereby STRICKEN from the record, as said document was not signed by a District Court Judge.

CLERK'S NOTE: This Minute Order was electronically served to all registered parties for Odyssey File & Serve/ SA 12/21/2022

PRINT DATE: 12/21/2022

Page 1 of 1

Minutes Date: December 21, 2022

1 FCL
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 JOHN AFSHAR
6 Chief Deputy District Attorney
7 Nevada Bar #14408
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Respondent .

DISTRICT COURT
CLARK COUNTY, NEVADA

9 DAINE ANTON CRAWLEY,
10 #1167447

Petitioner,

CASE NO: A-20-816041-W

-vs-

C-19-341735-1

12 THE STATE OF NEVADA,

DEPT NO: XVII

14 Respondent.

15 **AMENDED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

16 DATE OF HEARING: NOVEMBER 28, 2022
17 TIME OF HEARING: 8:30 AM

18 THIS CAUSE having come on for hearing before the Honorable DAVID BARKER,
19 District Judge, on the 28th day of November, 2022, the Petitioner present, the Respondent being
20 represented by STEVEN B. WOLFSON, Clark County District Attorney, by and through
21 AGNES BOTELHO, Chief Deputy District Attorney, and the Court having considered the
22 matter, including briefs, transcripts, arguments of counsel, and documents on file herein, now
23 therefore, the Court makes the following findings of fact and conclusions of law:

24 **POINTS AND AUTHORITIES**

25 **STATEMENT OF THE CASE**

26 On July 12, 2019, DAINE ANTON CRAWLEY (hereinafter "Petitioner"), was charged
27 by way of Information with Count 1 – Carrying Concealed Firearm or Other Deadly Weapon
28 (Category C Felony – NRS 202.350(1)(d)(3) – NOC 51459). On July 15, 2019, Petitioner

1 entered into a Guilty Plea Agreement ("GPA") and was released on his own recognizance.
2 Petitioner was then arrested on August 9, 2019, and charged by way of Information on August
3 28, 2019 with Count 1 – Grand Larceny (Category C Felony – NRS 205.220(1), NRS
4 205.222(2) – NOC 56004) in C-19-342881-1. Then Petitioner filed a Motion to Dismiss
5 Counsel, Erika Ballou, on October 28, 2019, in the instant case. On November 13, 2019,
6 defense counsel moved for the withdrawal of the GPA and advised there was incorrect
7 information in the Presentence Investigation Report ("PSI") and that another evaluation has to
8 be done. The Court ordered Carl Arnold to be appointed as counsel for the limited basis of the
9 Motion to Withdraw Plea. On November 19, 2019, the State filed a Notice of Intent to Seek
10 Punishment as a Habitual Criminal.

11 On January 31, 2020, Petitioner filed a Motion to Withdraw Plea. The State filed its
12 Opposition on February 14, 2020. On February 19, 2020, the district court heard oral
13 arguments on the motion. The Court concluded that there was an insufficient basis to withdraw
14 the plea and denied the motion.

15 On March 4, 2020, Petitioner's sentencing hearing took place. At the hearing, the State
16 argued in support of Habitual Treatment since he violated his agreement. Defense counsel
17 provided that there were errors within Petitioner's PSI. The Court ordered that the sentencing
18 proceedings be continued to correct the PSI.

19 A Supplemental Presentence Investigation Report ("SPSI") was filed March 24, 2020,
20 indicating that the Division found no errors in the original PSI. Petitioner was sentenced on
21 April 1, 2020, under the small habitual criminal statute to the Nevada Department of
22 Corrections for a maximum of two hundred forty (240) months with a minimum parole
23 eligibility of eighty-four (84) months. Petitioner then filed a pro per Notice of Appeal on April
24 6, 2020, prior to the Judgement of Conviction being entered into on April 7, 2020.

25 On May 11, 2020, Carl Arnold was appointed as appellate counsel. Appellant's
26 Opening Brief was filed in case 81011 on October 12, 2020. The Respondent's Answering
27 Brief was filed on November 12, 2020. Petitioner then filed a Motion to Dismiss Counsel on
28 December 28, 2020. The motion was denied on January 8, 2021, by the Nevada Supreme

1 Court. On April 14, 2021, the Court of Appeals of the State of Nevada affirmed the judgement
2 of conviction and issued remittitur.

3 Midst the pending direct appeal, Petitioner filed his first pro per Petition for Writ of
4 Habeas Corpus ("First Petition") on June 4, 2020, commencing case A-20-816041-W.
5 Petitioner then filed his second pro per Petition for Writ of Habeas Corpus ("Second Petition")
6 on June 12, 2020. The State responded to the two petitions on July 21, 2020. The Petitioner's
7 petitions were granted on August 19, 2020, and he was appointed counsel August 26, 2020.

8 Petitioner then filed a pro per Supplemental Petition for Writ of Habeas Corpus ("Third
9 Petition") on March 18, 2021. The State filed its response on May 6, 2021. The district court
10 denied this petition due to it being procedurally barred and a fugitive document on May 25,
11 2021, and the Findings of Fact, Conclusions of Law, and Order was filed July 22, 2021.

12 Petitioner then filed his second pro per Notice of Appeal on June 24, 2021, commencing
13 case 83136. On July 8, 2021, Petitioner filed a pro per Motion to Withdraw of Counsel. On
14 August 12, 2021, Petitioner filed his Proper Person Informal Brief, and the Nevada Supreme
15 Court transferred the case to the Court of Appeals. The State filed its Respondent's Answering
16 Brief in 83136-COA on January 13, 2022. The Court of Appeals issued an Order of Reversal
17 and Remand on February 3, 2022. The Court of Appeals found that the district court erred in
18 denying relief on the grounds that Petitioner did not challenge the validity of his guilty plea or
19 raise claims of ineffective assistance of counsel because Petitioner did have allegations that
20 trial-level counsel was ineffective and complaints about counsel's performance. In addition,
21 the district court erred in denying relief on the grounds that the final pleading was a fugitive
22 document because the record conflicts in appointing Roger Bailey or Carl Arnold. The Court
23 of Appeals ordered that Petitioner be appointed replacement postconviction counsel.

24 On March 29, 2022, Diane Lowe was appointed appeal counsel. Petitioner through his
25 counsel filed the instant Defendant's Supplemental Brief in Support of Petition for Writ Of
26 Habeas Corpus ("Supplemental Petition") on August 26, 2022.¹ In addition, Petitioner filed
27 the Declaration of Daine Crawley on September 7, 2022, with his original signature. The State

28 ¹ It is assumed this instant supplemental brief is supplementing Petitioner's First Petition because the second and third
are procedurally barred.

1 filed its response on October 10, 2022. Petitioner then filed a Motion for Leave to File Motion
2 for Additional Sentence Credit on November 23, 2022.

3 On November 28, 2022, this Court held a hearing and denied Petitioner's First, Second,
4 Third, and Supplemental Petitions for Writ of Habeas Corpus, for the reasons stated below

5 STATEMENT OF THE FACTS

6 The statement of facts is relied upon from the Supplemental Presentence Investigation
7 Report filed March 24, 2020:

8 On June 12, 2019, officers were dispatched to a location
9 between the Excalibur and the Luxor in reference to a person
10 threatening pedestrians with a knife. Upon arrival, contact was
11 made with a witness who stated he was walking with his friend
12 through the hotel parking lot when they were approached by a
13 male, later identified as defendant Daine Anton Crawley, who got
14 in his face and made unintelligible comments while retrieving a
15 knife from his backpack. The witness felt threatened by the
16 defendant who held the knife in his hand with the blade exposed.
17 He stepped away from the defendant who then approached a
18 vehicle with three occupants and attempted to open the door before
19 the car drove away. As the defendant walked to another vehicle
20 and hit the window, the witness notified police and security.

21 Officers also spoke to the witness' friend who relayed the
22 same events as described by the witness. While the defendant was
23 being detained, he stated that he did not have a knife; however,
24 officers located a knife in his pocket.

25 Based on the above facts, Mr. Crawley was arrested,
26 transported to the Clark County Detention Center, and booked
27 accordingly.

28 ARGUMENT

29 I. PETITIONER'S FIRST PETITION IS PROCEDURALLY BARRED

30 Petitioner filed his first pro per Petition for Writ of Habeas Corpus ("First Petition") on
31 June 4, 2020.

32 NRS 34.810(1) reads:

33 The court shall dismiss a petition if the court determines that:
34 (a) The petitioner's conviction was upon a plea of guilty or guilty
35 but mentally ill and the petition is not based upon an allegation
36 that the plea was involuntarily or unknowingly or that the plea was
37 entered without effective assistance of counsel.

1 (b) The petitioner's conviction was the result of a trial and the
2 grounds for the petition could have been:

3 (2) Raised in a direct appeal or a prior petition for a writ of habeas
4 corpus or postconviction relief.

5 The Nevada Supreme Court has held that "challenges to the validity of a guilty plea and claims
6 of ineffective assistance of trial and appellate counsel must first be pursued in post-conviction
7 proceedings.... [A]ll other claims that are appropriate for a direct appeal must be pursued on
8 direct appeal, or they will be *considered waived in subsequent proceedings*." Franklin v. State,
9 110 Nev. 750, 752, 877 P.2d 1058, 1059 (1994) (emphasis added) (disapproved on other
10 grounds by Thomas v. State, 115 Nev. 148, 979 P.2d 222 (1999)). "A court must dismiss a
11 habeas petition if it presents claims that either were or could have been presented in an earlier
12 proceeding, unless the court finds both cause for failing to present the claims earlier or for
13 raising them again and actual prejudice to the petitioner." Evans v. State, 117 Nev. 609, 646-
14 47, 29 P.3d 498, 523 (2001).

15 Further, substantive claims are beyond the scope of habeas and waived. NRS
16 34.724(2)(a); Evans v. State, 117 Nev. 609, 646-47, 29 P.3d 498, 523 (2001); Franklin v.
17 State, 110 Nev. 750, 752, 877 P.2d 1058, 1059 (1994), disapproved on other grounds, Thomas
18 v. State, 115 Nev. 148, 979 P.2d 222 (1999).

19 A defendant may only escape these procedural bars if they meet the burden of
20 establishing good cause and prejudice:

21 3. Pursuant to subsections 1 and 2, the petitioner has the burden of
22 pleading and proving specific facts that demonstrate:

23 (a) Good cause for the petitioner's failure to present the claim or
24 for presenting the claim again; and

25 (b) Actual prejudice to the petitioner.

26 NRS 34.810(3). Where a defendant does not show good cause for failure to raise claims of
27 error upon direct appeal, the district court is not obliged to consider them in post-conviction
28 proceedings. Jones v. State, 91 Nev. 416, 536 P.2d 1025 (1975).

Here, the grounds Petitioner raises in his First Petition are proper only for a direct
appeal, and thereby, waived. Specifically, Petitioner presents four (4) grounds to this Court:

1 (1) violation of his due process rights including unlawful detainment and not being seen by a
2 judge within seventy-two (72) hours of arrest;² (2) claims of prosecutorial misconduct in
3 seeking habitual treatment after Petitioner violated his GPA; (3) violation of a COVID-19
4 court administrative order not allowing Petitioner to go over his SPSI with counsel again; and
5 (4) allegations of cruel and unusual punishment by District Attorney David Stanton (ret.). First
6 Petition, at 8–11. Petitioner does not challenge the validity of a guilty plea and/or raise claims
7 of ineffective assistance of counsel. See generally, Id. Thus, the issues Petitioner does raise in
8 this First Petition are improperly brought before this Court. As such, these substantive claims
9 are proper only on direct appeal and are barred in this Petition.

10 Even still, Petitioner does not attempt to demonstrate good cause or prejudice for raising
11 these claims. See First Petition. Thus, such claims are denied.

12 II. INSTANT SUPPLEMENTAL PETITION

13 A. Petitioner knowingly and voluntarily entered into the guilty plea agreement.

14 Petitioner argues that “Had he known about his proposed sentence structure and been
15 advised fully about the plea, there is a reasonable probability he would have rejected the plea
16 offer and requested a trial instead.” Supplemental Petition at 18.

17 A defendant is entitled to effective assistance of counsel in the plea-bargaining process,
18 and in determining whether to accept or reject a plea offer. Lafler v. Cooper, 566 U.S. 156,
19 162, 132 S. Ct. 1376, 1384 (2012); see also McMann v. Richardson, 397 U.S. 759, 771, 90 S.
20 Ct. 1441, 1449 (1970) (Constitution guarantees effective counsel when accepting guilty plea).
21 Similarly, a “defendant has the right to make a reasonably informed decision whether to accept
22 a plea offer.” Turner v. Calderon, 281 F.3d 851, 880 (9th Cir. 2002) (quoting United States v.
23 Day, 969 F.2d 39, 43 (3rd Cir. 1992)). Importantly, the question is not whether “counsel’s
24 advice [was] right or wrong, but . . . whether that advice was within the range of competence
25 demanded of attorneys in criminal cases.” Id., quoting McMann, 397 U.S. at 771, 90 S. Ct. at
26 1449.

27 ² Petitioner’s bail was argued at Initial Appearance Court within twenty-four (24) hours of his arrest. He was released on
28 low level electronic monitoring June 17, 2019. The court issued a bench warrant for Petitioner’s return because he was
not charging his monitor. Petitioner was arrested on the warrant June 28, 2019 and then refused to be transported to
court.

1 Further, the Nevada Supreme Court has held that a reasonable plea recommendation
2 which hindsight reveals to be unwise is not ineffective assistance. Larson v. State, 104 Nev.
3 691, 694, 766 P.2d 261, 263 (1988). Similarly, the fact that a defense tactic is ultimately
4 unsuccessful does not make it unreasonable. Id. Lastly, while it is counsel's duty to candidly
5 advise a defendant regarding whether or not they believe it would be beneficial for a defendant
6 to accept a plea offer, the ultimate decision of whether or not to accept a plea offer is the
7 defendant's. Rhyne v. State, 118 Nev. 1, 8, 38 P.3d 163 (2002).

8 When a conviction is the result of a guilty plea, a defendant must show that there is a
9 "reasonable probability that, but for counsel's errors, he would not have pleaded guilty and
10 would have *insisted* on going to trial." Hill v. Lockhart, 474 U.S. 52, 59, 106 S.Ct. 366, 370
11 (1985) (emphasis added); see also Kirksey v. State, 112 Nev. 980, 988, 923 P.2d 1102, 1107
12 (1996); Molina v. State, 120 Nev. 185, 190-91, 87 P.3d 533, 537 (2004).

13 Petitioner was fully advised of his guilty plea agreement. Petitioner never states what
14 he did not know about the sentence structure. Supplemental Petition at 18-21. In addition, he
15 also does not elaborate on what was not explained or what would have caused him to reject
16 the agreement. Id. Petitioner's GPA states, "I understand as a consequence of my plea of guilty
17 The Court must sentence me to imprisonment in the Nevada Department of Corrections for a
18 minimum term of not less than ONE (1) year and a maximum term of not more than FIVE (5)
19 years." GPA at 2. In which Petitioner signed on July 15, 2019. GPA at 5.

20 In addition, the Petitioner was fully canvassed on his GPA and was asked if he
21 understood his potential sentence. Transcript of Initial Arraignment at 3-4. Moreover, this
22 Court asked the Petitioner if he was satisfied with the services of his attorney, to which he
23 answered "Yes, ma'am." Id. at 4. Therefore, the Petitioner knowingly and voluntarily entered
24 into his GPA.

25 i. Habitual treatment

26 Petitioner argues that "Though a habitual potential is stated in the plea agreement [4:1-
27 2] he thought it was to be read in combination with the agreement that the State would not
28

1 seek the habitual if he made good faith efforts to get treatment. Further he did not know out of
2 state convictions would count.” Supplemental Petition at 20.

3 The small habitual statute states:

4 1. Unless the person is prosecuted pursuant to NRS 207.012 or
5 207.014, a person convicted in this State of:

6 (a) Any felony, who has previously been two times convicted,
7 whether in this State or elsewhere, of any crime which under the
8 laws of the situs of the crime or of this State would amount to a
9 felony is a habitual criminal and shall be punished for a category
10 B felony by imprisonment in the state prison for a minimum term
11 of not less than 5 years and a maximum term of not more than 20
12 years.

13 NRS 207.010(1)(a) [Effective through June 30, 2020]. Therefore, Petitioner was eligible for
14 such treatment because he had been convicted of seven (7) prior felonies. See State’s Notice
15 to Seek Punishment as a Habitual Criminal.

16 To the extent that Petitioner believes the habitual clause was related to “good faith
17 efforts,” the claim is belied by the record, as nothing in his GPA relates to good faith efforts.
18 Supplemental Petition at 20; see GPA. Petitioner’s GPA states, “The State retains the right to
19 argue at sentencing” and “I understand and agree that, if I fail to interview with the Department
20 of Parole and Probation, fail to appear at any subsequent hearings in this case, or an
21 independent magistrate, by affidavit review, confirms probable cause against me for new
22 criminal charges including reckless driving or DUI, but excluding minor traffic violations, the
23 State will have the unqualified right to argue for any legal sentence and term of confinement
24 allowable for the crime(s) to which I am pleading guilty, including the use of any prior
25 convictions I may have to increase my sentence as an habitual criminal to five (5) to twenty
26 (2) years, . . .” GPA at 1–2. Petitioner violated this provision. Petitioner was arrested on August
27 9, 2019, and charged by way of Information on August 28, 2019 with Count 1 – Grand Larceny
28 (Category C Felony – NRS 205.220(1), NRS 205.222(2) – NOC 56004) in C-19-342881-1,
less than a month after being released. Court Minutes on November 20, 2019. Petitioner’s
subsequent arrest gave the State the unqualified right to argue and seek habitual punishment
pursuant to the plea agreement.

1 Moreover, Petitioner argues he did not know out of state convictions would count
2 towards habitual treatment as well as gross misdemeanors qualifying as felonies. Supplemental
3 Petition at 20. This doubt would have not made any difference to his willingness to enter the
4 plea unless he entered the plea intending to violate the plea agreement. Had Petitioner abided
5 by the plea agreement and not been arrested, he would not have been eligible to be sentenced
6 as a habitual criminal. If he did enter the agreement with that understanding, it is certainly not
7 a manifest injustice, or even a fair and just reason, to allow Petitioner to withdraw his plea
8 now, as indicated in the denial of the Motion to Withdraw Plea.

9 **ii. Guilty but mentally ill**

10 Petitioner argues, "Mr. Crawley states he was not advised of the option to NRS
11 175.035³ taking a plea agreement guilty but mentally ill and he would have opted for this if
12 informed of it." Supplemental Petition at 21. First, this argument is outside the scope of habeas
13 and therefore procedurally barred. NRS 34.810(1); infra legal argument at Section I. It does
14 not argue counsel's advice to enter the plea or the knowingness and voluntariness of the plea
15 itself.

16 Second, the State must offer a plea of guilty but mentally ill for the defendant to accept
17 it. NRS 174.035(2, 3). In this case, the State did not extend an offer of guilty but mentally ill
18 to the Petitioner, and there is no evidence that such an offer would have been extended,
19 including but not limited to a recommendation for competency court. In addition, Petitioner
20 has repeatedly said through his petitions being released on his own recognizance was the "main
21 point" of the negotiation and this provision would certainly not be offered in a guilty but
22 mentally ill plea.

23 Last, if Petitioner was given the option to plead guilty but mentally ill, it would have
24 been to the original charges, including Count 1 – Assault with a Deadly Weapon and Count 2
25 – Carrying Concealed Firearm or Other Deadly Weapon. See Criminal Complaint. That would
26 have exposed Petitioner to a one (1) to six (6) year sentence and the one (1) to five (5) year
27 sentence for the knife, and he would still have been eligible for habitual treatment. Instead, by
28

³ It is assumed that counsel meant NRS 174.035, the proper types of pleas; procedure for entering plea statute.

1 entering his GPA, he was only eligible for the one (1) to five (5) year sentence for the knife
2 and given leniency on habitual eligibility until he violated the plea agreement by being arrested
3 again.

4 iii. Motion to Withdraw Plea

5 Petitioner argues, "And the reason is because Attorney Arnold's Motion to withdraw
6 the Guilty plea February 19, 2020, insufficiently written and it failed effectively demonstrate
7 to the judge why plea withdrawal was mandated." Supplemental Petition at 19. This argument
8 is also outside the scope of habeas and therefore procedurally barred. NRS 34.810(1); infra
9 legal argument at Section I. It does not argue counsel's advice to enter the plea or the
10 knowingness and voluntariness of the plea itself because it was filed after the GPA was entered
11 into.

12 The Nevada Supreme Court has held "that a habeas corpus petitioner must prove the
13 disputed factual allegations underlying his ineffective-assistance claim by a preponderance of
14 the evidence." Means v. State, 120 Nev. 1001, 1012, 103 P.3d 25, 33 (2004). Furthermore,
15 claims of ineffective assistance of counsel asserted in a petition for post-conviction relief must
16 be supported with specific factual allegations which, if true, would entitle the petitioner to
17 relief. Hargrove v. State, 100 Nev. 498, 502, 686 P.2d 222, 225 (1984). "Bare" and "naked"
18 allegations are not sufficient, nor are those belied and repelled by the record. Id. NRS
19 34.735(6) states in relevant part, "[Petitioner] *must* allege specific facts supporting the claims
20 in the petition[.] . . . Failure to allege specific facts rather than just conclusions may cause your
21 petition to be dismissed." (emphasis added).

22 Petitioner states, "His attorney advised him if he participated in programming the State
23 would not seek habitual." Supplemental Petition at 20. There is no evidence of this assertion.
24 This Court never ordered a treatment program, it was never discussed in the waiver of his
25 preliminary hearing, it was not in the GPA, and it was not discussed at the entry of the plea.
26 See Transcript of Unconditional Waiver of Preliminary Hearing; see also GPA; see also
27 Transcript of Initial Arraignment. Petitioner is alleging that counsel told him something that
28

1 never existed. The benefit of the plea was given, for Petitioner to be released on his own
2 recognizance. Petitioner's allegations are untrue.

3 **B. Petitioner received effective assistance of counsel at sentencing.**

4 Petitioner argues that Attorney Bailey provided ineffective assistance of counsel at
5 sentencing by failing to outline Petitioner's mitigating circumstances. Supplemental Petition
6 at 21–29.

7 The Sixth Amendment to the United States Constitution provides that, “[i]n all criminal
8 prosecutions, the accused shall enjoy the right . . . to have the Assistance of Counsel for his
9 defense.” The United States Supreme Court has long recognized that “the right to counsel is
10 the right to the effective assistance of counsel.” Strickland v. Washington, 466 U.S. 668, 686,
11 104 S. Ct. 2052, 2063 (1984); see also State v. Love, 109 Nev. 1136, 1138, 865 P.2d 322, 323
12 (1993).

13 To prevail on a claim of ineffective assistance of trial counsel, a defendant must prove
14 he was denied “reasonably effective assistance” of counsel by satisfying the two-prong test of
15 Strickland, 466 U.S. at 686–87, 104 S. Ct. at 2063–64. See also Love, 109 Nev. at 1138, 865
16 P.2d at 323. Under the Strickland test, a defendant must show first that his counsel's
17 representation fell below an objective standard of reasonableness, and second, that but for
18 counsel's errors, there is a reasonable probability that the result of the proceedings would have
19 been different. 466 U.S. at 687–88, 694, 104 S. Ct. at 2065, 2068; Warden, Nevada State Prison
20 v. Lyons, 100 Nev. 430, 432, 683 P.2d 504, 505 (1984) (adopting the Strickland two-part test).
21 “[T]here is no reason for a court deciding an ineffective assistance claim to approach the
22 inquiry in the same order or even to address both components of the inquiry if the defendant
23 makes an insufficient showing on one.” Strickland, 466 U.S. at 697, 104 S. Ct. at 2069.

24 The court begins with the presumption of effectiveness and then must determine
25 whether the defendant has demonstrated by a preponderance of the evidence that counsel was
26 ineffective. Means v. State, 120 Nev. 1001, 1011, 103 P.3d 25, 32 (2004). “Effective counsel
27 does not mean errorless counsel, but rather counsel whose assistance is ‘[w]ithin the range of
28

1 competence demanded of attorneys in criminal cases.” Jackson v. Warden, 91 Nev. 430, 432,
2 537 P.2d 473, 474 (1975).

3 “There are countless ways to provide effective assistance in any given case. Even the
4 best criminal defense attorneys would not defend a particular client in the same way.”
5 Strickland, 466 U.S. at 689, 104 S. Ct. at 689. “Strategic choices made by counsel after
6 thoroughly investigating the plausible options are almost unchallengeable.” Dawson v. State,
7 108 Nev. 112, 117, 825 P.2d 593, 596 (1992); see also Ford v. State, 105 Nev. 850, 853, 784
8 P.2d 951, 953 (1989). In essence, the court must “judge the reasonableness of counsel’s
9 challenged conduct on the facts of the particular case, viewed as of the time of counsel’s
10 conduct.” Strickland, 466 U.S. at 690, 104 S. Ct. at 2066.

11 Even if a defendant can demonstrate that his counsel’s representation fell below an
12 objective standard of reasonableness, he must still demonstrate prejudice and show a
13 reasonable probability that, but for counsel’s errors, the result of the trial would have been
14 different. McNelson v. State, 115 Nev. 396, 403, 990 P.2d 1263, 1268 (1999) (citing
15 Strickland, 466 U.S. at 687, 104 S. Ct. at 2064). “A reasonable probability is a probability
16 sufficient to undermine confidence in the outcome.” Id. (citing Strickland, 466 U.S. at 687-89,
17 694, 104 S. Ct. at 2064-65, 2068).

18 Petitioner has not demonstrated by a preponderance of the evidence that sentencing
19 counsel was ineffective. First, Petitioner claims that, “. . . Mr. Bailey’s 17-line presentation at
20 the sentencing hearing was grossly inadequate to fully address his significant mitigation
21 circumstances . . .” Supplemental Petition at 23. Certificates of completion for all of
22 Petitioner’s substance abuse programs and self-help packages were submitted to the district
23 court judge prior to sentencing. Transcript of Sentencing at 13. In addition, Petitioner spoke
24 and read a letter to the judge at length about his situation and circumstances. Id. at 13-17. The
25 State rebutted by emphasizing the seven (7) previous times Petitioner has received counseling.
26 Id. at 17-18. Sentencing counsel then argued that habitual treatment was unnecessary and
27 suggested Drug Court. Id. at 19-20. Petitioner also argues he was recently granted disability
28 benefits and needs surgery on his wrist. Id. at 13; Supplemental Petition at 23. However,

1 Petitioner was granted disability in 2016, not recently, and has been convicted of grand
2 larceny, this current offense, and another grand larceny since. SPSI at 3, 6. His wrist was
3 broken during an altercation while in custody in 2018 and instead of getting it fixed, he
4 committed the instant offense, leading to his arrest, and then committed a subsequent crime
5 between entering his plea in this case and sentencing. Id. Therefore, sentencing counsel did
6 provide the court with all mitigating circumstances and they were rebutted.

7 In addition, Petitioner argues sentencing counsel did not correct the State's Sentencing
8 Memorandum, when it stated, "His felony criminal resume spans three (3) states and almost
9 twenty (20) years." Supplemental Petition at 23–24; State's Sentencing Memorandum at 1. It
10 can be perceived that sentencing counsel did not correct this statement because Petitioner's
11 adult criminal history does begin in 2004. SPSI at 4. While his arrest on September 18, 2004
12 was for a misdemeanor DUI, his suspended sentence was revoked December 5, 2004, showing
13 his inability to be on probation early on. Id. At the time of sentencing, Petitioner's first arrest
14 was sixteen (16) years ago, *almost* twenty (20) years.

15 Petitioner compares his sentencing to that in Gonzalez v. State, 492 P.3d 556 (Nev.
16 2021); Supplemental Petition at 23–24. These cases and circumstances are not similar. In
17 Gonzalez, the defendant's counsel did not rebut the State's agreement to the suggested
18 sentence in the PSI, when there was a prior recommendation agreed upon by counsel,
19 constituting him ineffective. 492 P.3d at 563. In this case, Petitioner was given another chance,
20 he was released on his own recognizance and the State would have suggested the statutory
21 sentence for the count he pled guilty to. See GPA. However, Petitioner chose to commit
22 another felony less than a month after being released. Court Minutes on November 20, 2019.
23 Additionally, Petitioner does have a lengthy criminal history, from multiple states, and has
24 proven his inability to be probational, paroled, and counseled. See SPSI. Therefore, even if
25 sentencing counsel has provided a more detailed history of the Petitioner, the circumstances
26 of his plea violation, criminal history, and chances given far outweighs any probability that
27 the sentencing would have been different.

28 **C. Petitioner is not entitled to an evidentiary hearing.**

1 NRS 34.770 determines when a defendant is entitled to an evidentiary hearing. It reads:

2 1. The judge or justice, upon review of the return, answer and all
3 supporting documents which are filed, shall determine whether an
4 evidentiary hearing is required. A petitioner must not be
discharged or committed to the custody of a person other than the
respondent *unless an evidentiary hearing is held*.

5 2. If the judge or justice determines that the petitioner is not
6 entitled to relief and an evidentiary hearing is not required, he shall
dismiss the petition without a hearing.

7 3. If the judge or justice determines that an evidentiary hearing is
8 required, he shall grant the writ and shall set a date for the hearing.

9 The Nevada Supreme Court has held that if a petition can be resolved without
10 expanding the record, then no evidentiary hearing is necessary. Marshall v. State, 110 Nev.
11 1328, 885 P.2d 603 (1994); Mann v. State, 118 Nev. 351, 356, 46 P.3d 1228, 1231 (2002). A
12 defendant is entitled to an evidentiary hearing if his petition is supported by specific factual
13 allegations, which, if true, would entitle him to relief unless the factual allegations are repelled
14 by the record. Marshall, 110 Nev. at 1331, 885 P.2d at 605; see also Hargrove v. State, 100
15 Nev. 498, 503, 686 P.2d 222, 225 (1984) (holding that “[a] defendant seeking post-conviction
16 relief is not entitled to an evidentiary hearing on factual allegations belied or repelled by the
17 record”). “A claim is ‘belied’ when it is contradicted or proven to be false by the record as it
existed at the time the claim was made.” Mann, 118 Nev. at 354, 46 P.3d at 1230 (2002).

18 It is improper to hold an evidentiary hearing simply to make a complete record. *See*
19 State v. Eighth Judicial Dist. Court, 121 Nev. 225, 234, 112 P.3d 1070, 1076 (2005) (“The
20 district court considered itself the ‘equivalent of . . . the trial judge’ and consequently wanted
21 ‘to make as complete a record as possible.’ This is an incorrect basis for an evidentiary
22 hearing.”). Further, the United States Supreme Court has held that an evidentiary hearing is
23 not required simply because counsel’s actions are challenged as being unreasonable strategic
24 decisions. Harrington v. Richter, 131 S. Ct. 770, 788 (2011). Although courts may not indulge
25 post hoc rationalization for counsel’s decision making that contradicts the available evidence
26 of counsel’s actions, neither may they insist counsel confirm every aspect of the strategic basis
27 for his or her actions. *Id.* There is a “strong presumption” that counsel’s attention to certain
28 issues to the exclusion of others reflects trial tactics rather than “sheer neglect.” *Id.* (*citing*

1 Yarborough v. Gentry, 540 U.S. 1, 124 S. Ct. 1 (2003)). Strickland calls for an inquiry in the
2 *objective* reasonableness of counsel's performance, not counsel's *subjective* state of mind. 466
3 U.S. 668, 688, 104 S. Ct. 2052, 2065 (1994).

4 In this case, Petitioner is not entitled to an evidentiary hearing on this Supplemental
5 Petition. Petitioner's counsel advised him of the potential sentences he could receive as
6 contained in the GPA. Petitioner was fully aware of the consequences of his plea and chose to
7 commit a new crime. There is nothing an evidentiary hearing would bring to light that would
8 change that Petitioner was given an opportunity to improve his actions by being released on
9 his own recognizance and he chose to commit another crime. Moreover, Petitioner's previous
10 request to withdraw his plea was denied. Accordingly, there is no need to expand the record
11 and no basis for an evidentiary hearing.

12 **III. PETITIONER'S SECOND AND THIRD PETITIONS ARE PROCEDURALLY**
13 **BARRED**

14 Petitioner filed his first pro per Petition for Writ of Habeas Corpus ("First Petition") on
15 June 4, 2020. Petitioner then filed his second pro per Petition for Writ of Habeas Corpus
16 ("Second Petition") on June 12, 2020. In addition, he then filed a pro per Supplemental
17 Petition for Writ of Habeas Corpus ("Third Petition") on March 18, 2021.⁴

18 **A. The petitions are beyond the scope of habeas.**

19 The grounds Petitioner raises in his Second and Third Petition are proper only for a
20 direct appeal, and thereby, waived. Specifically, Petitioner presents three (3) grounds to this
21 Court in his Second Petition: (1) violation of his due process rights; (2) errors in his SPSI; and
22 (3) violation of a court administrative order. Second Petition, at 6–15. In addition, Petitioner
23 presents four (4) grounds to this Court in his Third Petition: (1) violation of his due process
24 rights; (2) errors in his SPSI; (3) violation of a court administrative order; and (4) error in
25 adjudication as a habitual criminal. Third Petition, at 6–20. Petitioner does not challenge the
26 validity of a guilty plea and/or raise claims of ineffective assistance of counsel. See generally,
27 Id.; See generally, Second Petition. Thus, the issues Petitioner does raise in his Second and

28 ⁴ The District Court denied this petition due to it being procedurally barred and a fugitive document on May 25, 2021
and the Findings of Fact, Conclusions of Law, and Order was filed July 22, 2021.

1 Third Petitions are improperly brought before this Court. As such, these substantive claims are
2 proper only on direct appeal and are barred in these Petitions. Infra legal argument at Section
3 I.

4 **B. The petitions are successive and abuses of the writ.**

5 Second or successive petitions include those that allege new or different grounds, but a
6 judge or justice finds that the petitioner's failure to assert those grounds in a prior petition
7 would constitute an abuse of the writ. The Second and Third Petitions are abuses of the writ.

8 NRS 34.810(2) reads:

9 A second or successive petition must be dismissed if the judge or
10 justice determines that it fails to allege new or different grounds
11 for relief and that the prior determination was on the merits or, if
12 new and different grounds are alleged, the judge or justice finds
13 that the failure of the petitioner to assert those grounds in a prior
petition constituted an abuse of the writ.

14 Second or successive petitions will only be decided on the merits if the petitioner can
15 show good cause and prejudice. NRS 34.810(3). The burden of proving specific facts that
16 show good cause for his failure to raise his claim earlier falls on the petitioner. NRS 34.810(3).
17 He must also show actual prejudice. NRS 34.810(3).

18 The Nevada Supreme Court has stated, "Without such limitations on the availability of
19 post-conviction remedies, prisoners could petition for relief in perpetuity and thus abuse post-
20 conviction remedies. In addition, meritless, successive and untimely petitions clog the court
21 system and undermine the finality of convictions." Lozada v. State, 110 Nev. 349, 358, 871
22 P.2d 944, 950 (1994).

23 The Nevada Supreme Court recognizes that "[u]nlike initial petitions which certainly
24 require a careful review of the record, successive petitions may be dismissed based solely on
25 the face of the petition." Ford v. Warden, 111 Nev. 872, 882, 901 P.2d 123, 129 (1995). In
26 other words, if the claim or allegation was previously available with reasonable diligence, it is
27 an abuse of the writ to wait to assert it in a later petition. McClesky v. Zant, 499 U.S. 467,
28

1 497-98 (1991). Application of NRS 34.810(2) is mandatory. State v. Eighth Judicial Dist.
2 Court (Riker), 121 Nev. 225, 231, 112 P.3d 1070, 1074 (2005).

3 Here, Petitioner has filed two (2) successive petitions. Thus, Petitioner could have
4 raised his claims in his prior petition and his failure to do so is an abuse of the writ. NRS
5 34.810(2). Absent a showing of good cause to excuse this delay, the Second and Third
6 Petitions are denied.

7 **C. Application of the procedural bars is mandatory.**

8 The Nevada Supreme Court has held that courts have a *duty* to consider whether a
9 defendant's post-conviction petition claims are procedurally barred. Id. The Riker Court found
10 that "[a]pplication of the statutory procedural default rules to post-conviction habeas petitions
11 is mandatory," noting:

12 Habeas corpus petitions that are filed many years after conviction
13 are an unreasonable burden on the criminal justice system. The
14 necessity for a workable system dictates that there must exist a
15 time when a criminal conviction is final.

16 Id. Additionally, the Court noted that procedural bars "cannot be ignored [by the district court]
17 when properly raised by the State." Id. at 233, 112 P.3d at 1075. Ignoring these procedural
18 bars is an arbitrary and unreasonable exercise of discretion. Id. at 234, 112 P.3d at 1076. The
19 Nevada Supreme Court has granted no discretion to the district courts regarding whether to
20 apply the statutory procedural bars; the rules *must* be applied.

21 This position was reaffirmed in State v. Greene, 129 Nev. 559, 307 P.3d 322 (2013).
22 There, the Court ruled that the defendant's petition was "untimely, successive, and an abuse
23 of the writ" and that the defendant failed to show good cause and actual prejudice. Id. at 324,
24 307 P.3d at 326. Accordingly, the Court reversed the district court and ordered the defendant's
25 petition dismissed pursuant to the procedural bars. Id. at 324, 307 P.3d at 322-23. The
26 procedural bars are so fundamental to the post-conviction process that they must be applied
27 by this Court even if not raised by the State. See Riker, 121 Nev. at 231, 112 P.3d at 1074.
28 Parties cannot stipulate to waive the procedural default rules. State v. Haberstroh, 119 Nev.

1 173, 180-81, 69 P.3d 676, 681-82 (2003). Thus, the Second and Third Petitions are denied
2 because it is mandatory for the district court to apply procedural bars and the Second and Third
3 Petitions are successive and abuses of the writ.

4 **D. Petitioner fails to demonstrate both good cause and prejudice to overcome the**
5 **procedural bars.**

6 To avoid procedural default, under NRS 34.726, a defendant has the burden of pleading
7 and proving specific facts that demonstrate good cause for his failure to present his claim in
8 earlier proceedings or to otherwise comply with the statutory requirements, *and* that he will be
9 unduly prejudiced if the petition is dismissed. NRS 34.726(1)(a) (emphasis added); see Hogan
10 v. Warden, 109 Nev. 952, 959-60, 860 P.2d 710, 715-16 (1993); Phelps v. Nevada Dep't of
11 Prisons, 104 Nev. 656, 659, 764 P.2d 1303, 1305 (1988). "A court *must* dismiss a habeas
12 petition if it presents claims that either were or could have been presented in an earlier
13 proceeding, unless the court finds both cause for failing to present the claims earlier or for
14 raising them again and actual prejudice to the petitioner." Evans v. State, 117 Nev. 609, 646-
15 47, 29 P.3d 498, 523 (2001) (emphasis added).

16 To show good cause for delay under NRS 34.726(1), a petitioner must demonstrate the
17 following: (1) "[t]hat the delay is not the fault of the petitioner" and (2) that the petitioner will
18 be "unduly prejudice[d]" if the petition is dismissed as untimely. NRS 34.726. To meet the
19 first requirement, "a petitioner *must* show that an impediment external to the defense prevented
20 him or her from complying with the state procedural default rules." Hathaway v. State, 119
21 Nev. 248, 252, 71 P.3d 503, 506 (2003) (emphasis added). "A qualifying impediment might
22 be shown where the factual or legal basis for a claim was not reasonably available *at the time*
23 *of default*." Clem v. State, 119 Nev. 615, 621, 81 P.3d 521, 525 (2003) (emphasis added). The
24 Court continued, "appellants cannot attempt to manufacture good cause[.]" Id. at 621, 81 P.3d
25 at 526. To find good cause there must be a "substantial reason; one that affords a legal excuse."
26 Hathaway v. State, 119 Nev. 248, 252, 71 P.3d 503, 506 (2003) (quoting Colley v. State, 105
27 Nev. 235, 236, 773 P.2d 1229, 1230 (1989)). Examples of good cause include interference by
28 State officials and the previous unavailability of a legal or factual basis. See State v. Huebler,

1 128 Nev. Adv. Op. 19, 275 P.3d 91, 95 (2012). Clearly, any delay in the filing of the petition
2 must not be the fault of the petitioner. NRS 34.726(1)(a).

3 Further, a petitioner raising good cause to excuse procedural bars must do so within a
4 reasonable time after the alleged good cause arises. See Pellegrini, 117 Nev. at 869–70, 34
5 P.3d at 525–26 (holding that the time bar in NRS 34.726 applies to successive petitions); see
6 generally Hathaway, 119 Nev. at 252–53, 71 P.3d at 506–07 (stating that a claim reasonably
7 available to the petitioner during the statutory time period did not constitute good cause to
8 excuse a delay in filing). A claim that is itself procedurally barred cannot constitute good
9 cause. Riker, 121 Nev. at 235, 112 P.3d at 1077; see also Edwards v. Carpenter, 529 U.S. 446,
10 453 120 S. Ct. 1587, 1592 (2000).

11 In order to establish prejudice, the defendant must show “not merely that the errors of
12 [the proceedings] created possibility of prejudice, but that they worked to his actual and
13 substantial disadvantage, in affecting the state proceedings with error of constitutional
14 dimensions.” Hogan v. Warden, 109 Nev. 952, 960, 860 P.2d 710, 716 (1993) (quoting United
15 States v. Frady, 456 U.S. 152, 170, 102 S. Ct. 1584, 1596 (1982)). Petitioner cannot
16 demonstrate prejudice sufficient to ignore his default, because his underlying claims are
17 meritless.

18 **E. Petitioner cannot supplement his own petition unless ordered by the court.**

19 Petitioner filed a pro per Supplemental Petition for Writ of Habeas Corpus (“Third
20 Petition”) on March 18, 2021. At that point the Petitioner had been appointed counsel whether
21 it was Roger Bailey or Carl Arnold. NRS 34.750(5) states that no further pleadings may be
22 filed except as ordered by the court. Thus, the Petitioner cannot supplement his own petition
23 and is denied.

24 //

25 //

26 //

27 //

28 //

1 **ORDER**

2 THEREFORE, IT IS HEREBY ORDERED for the foregoing reasons, Petitioner's First,
3 Second, Third and Supplemental Petitions are DENIED.

4 DATED this _____ day of December, 2022.

5 Dated this 21st day of December, 2022

6
7 
DISTRICT JUDGE

/pw

8 STEVEN B. WOLFSON
9 Clark County District Attorney
Nevada Bar #001565

BCA F9B F29F FD3E
David Barker
District Court Judge

10
11 BY John Afshar
12 JOHN AFSHAR
13 Chief Deputy District Attorney
14 Nevada Bar #14408

15
16 **CERTIFICATE OF MAILING**

17 I hereby certify that service of the above and foregoing was made this 21st day of
18 December 2022, by depositing a copy in the U.S. Mail, postage pre-paid, addressed to:

19 Daine Crawley #1167447
20 High Desert State Prison
21 P.O. BOX 208, SDCC
Indian Springs, NV 89070-0650

22
23 
24 BY _____
25 Secretary for the District Attorney's Office

26
27
28 19F11843X/JA/clh/L3

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Daine Crawley, Plaintiff(s)

CASE NO: A-20-816041-W

7 vs.

DEPT. NO. Department 17

8 Warden Williams, HDSP,
9 Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 12/21/2022

15 Steven Wolfson

motions@clarkcountyda.com

16 Diane Lowe

dianelowe@lowelawllc.com

17 Jennifer Garcia

Jennifer.Garcia@clarkcountyda.com

18 De'Awana Takas

takasd@clarkcountycourts.us

19 John Afshar

john.afshar@clarkcountyda.com

1 AJOC
2
3
4

5 DISTRICT COURT
6 CLARK COUNTY, NEVADA
7

8 THE STATE OF NEVADA,

9 Plaintiff,

CASE NO. C-19-341735-1

10 -vs-

DEPT. NO. VII

11 DAINE ANTON CRAWLEY,
12 #7031173

13 Defendant.
14

15 AMENDED JUDGMENT OF CONVICTION
16 (PLEA OF GUILTY)
17
18

19 The Defendant previously appeared before the Court with counsel and entered
20 a plea of guilty to the crime of CARRYING CONCEALED FIREARM OR OTHER
21 DEADLY WEAPON (Category C Felony) in violation of NRS 202.350(1)(d)(3);
22 thereafter, on the 1st day of April, 2020, the Defendant was present in court for
23 sentencing with counsel ROGER BAILEY, ESQ., and good cause appearing,
24

25 THE DEFENDANT IS HEREBY ADJUDGED guilty of said offense under the
26 SMALL HABITUAL Criminal Statute and, in addition to the \$25.00 Administrative
27 Assessment Fee and \$250.00 Indigent Defense Civil Assessment Fee plus \$3.00 DNA
28

1 Collection Fee, the Defendant is sentenced to the Nevada Department of Corrections
2 (NDC) as follows: a MAXIMUM of TWO HUNDRED FORTY (240) MONTHS with a
3 MINIMUM parole eligibility of EIGHTY-FOUR (84) MONTHS; with SIXTY-SEVEN (67)
4 DAYS credit for time served. As the \$150.00 DNA Analysis Fee and Genetic Testing
5 have been previously imposed, the Fee and Testing in the current case are WAIVED.
6

7 THEREAFTER, on the 13th day of February, 2023, the Defendant was not
8 present in court. Counsel for Defendant, DIANE LOWE, Esq., present, and pursuant to
9 a Motion to Amend the Judgment of Conviction by Adding 199 Day of Additional
10 Sentence Credit; COURT ORDERED, Motion GRANTED; Defendant to receive, the
11 following: TWO HUNDRED SIXTY-SIX (266) DAYS credit for time served.
12
13
14
15

Dated this 17th day of February, 2023



cj

F7B FA7 F09B AEC9
David Barker
District Court Judge

1 CSERV

2 DISTRICT COURT
3 CLARK COUNTY, NEVADA
4

5
6 State of Nevada

CASE NO: C-19-341735-1

7 vs

DEPT. NO. Department 7

8 Daine Crawley
9

10 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 2/17/2023

15 LAW CLERK

Dept06lc@clarkcountycourts.us

16 Carl Arnold

lvcegal@yahoo.com

17 Diane Lowe

dianelowe@lowelawllc.com
18
19
20
21
22
23
24
25
26
27
28

C-19-341735-1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

July 15, 2019

C-19-341735-1 State of Nevada
 vs
 DAINÉ CRAWLEY

July 15, 2019 10:00 AM Initial Arraignment

HEARD BY: Wittenberger, Shannon COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Brown, Kristen

RECORDER: Nichols, Sharon

REPORTER:

PARTIES PRESENT:

DAINE ANTON CRAWLEY	Defendant
Erika D. Ballou	Attorney for Defendant
Public Defender	Attorney for Defendant

JOURNAL ENTRIES

Deputized Law Clerk, John Torre appearing for the State.

NEGOTIATIONS are as contained in the Guilty Plea Agreement FILED IN OPEN COURT. DEFT. CRAWLEY ARRAIGNED AND PLED GUILTY TO CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON (F). Court ACCEPTED plea and, ORDERED, matter referred to the Division of Parole and Probation (P & P) and SET for sentencing. Pursuant to negotiations, COURT FURTHER ORDERED, Deft. GRANTED Own Recognizance (OR) Release and DIRECTED Deft. to report to P & P within 24 hours of release.

O.R.

11/13/19 9:00 AM SENTENCING (DEPT. 6)

C-19-341735-1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 12, 2019

C-19-341735-1 State of Nevada
 vs
 Daine Crawley

November 12, 2019 03:00 AM Minute Order

HEARD BY: Bluth, Jacqueline M. **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Reed, Keith

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

The Defendant's Motion to Withdraw Counsel which is scheduled for November 18, 2019 is hereby RESCHEDULED for November 13, 2019 so that it can be heard before the defendant is sentenced. The sentencing date will remain as scheduled for November 13, 2019 and will be addressed after the Motion to Withdraw Counsel is heard.

Printed Date: 11/13/2019

Page 1 of 1

Minutes Date:

November 12, 2019

Prepared by: Keith Reed

C-19-341735-1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 13, 2019

C-19-341735-1 State of Nevada
 vs
 Daine Crawley

November 13, 2019 09:30 AM All Pending Motions

HEARD BY: Bluth, Jacqueline M. **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Reed, Keith

RECORDER: Slattery, Patti

REPORTER:

PARTIES PRESENT:

Daine Anton Crawley	Defendant
Erika D. Ballou	Attorney for Defendant
Shanon Clowers	Attorney for Plaintiff
State of Nevada	Plaintiff

JOURNAL ENTRIES

**DEFENDANT'S MOTION TO DISMISS COUNSEL AND APPOINT ALTERNATE
COUNSEL...SENTENCING**

Colloquy regarding calendared proceedings. Ms. Ballou moved for the withdrawal of the Guilty Plea Agreement and advised there's incorrect information in the Presentence Investigation Report (PSI) and that another evaluation needs to be done. COURT ORDERED, Carl Arnold APPOINTED as counsel for the limited basis of the motion to withdraw plea, matter SET for confirmation. Defendant stated he's tried to get an evaluation for Drug Court and wrote a letter to the Speciality Court Coordinator without a response. Ms. Ballou advised there's been no contact with the Defendant since entry of plea and it was not known he was in custody; there was no call, letter, nothing. Colloquy regarding Defendant's custody status, lack of contact between defendant and counsel, appointment of counsel to look into plea withdrawal and Drug Court. Ms. Ballou stated discovery will be provided to Mr. Arnold.

CUSTODY

11-20-19 9:30 AM CONFIRMATION OF COUNSEL (C. ARNOLD) ...SENTENCING

CLERK'S NOTE: Office of Attorney Carl Arnold (Noemy) notified of calendared proceedings.
kar 11/14/19

Printed Date: 11/19/2019

Page 1 of 1

Minutes Date:

November 13, 2019

Prepared by: Keith Reed

C-19-341735-1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

November 20, 2019

C-19-341735-1 State of Nevada
 vs
 Daine Crawley

November 20, 2019 09:30 AM All Pending Motions

HEARD BY: Thompson, Charles **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Reed, Keith

RECORDER: Takas, De'Awna

REPORTER:

PARTIES PRESENT:

Carl E. Arnold Attorney for Defendant

Daine Anton Crawley Defendant

Erika D. Ballou Attorney for Defendant

JOURNAL ENTRIES

CONFIRMATION OF COUNSEL (C. ARNOLD)...SENTENCING

Ms. Ballou advised discovery was e-mailed to Mr. Arnold on the 13th. Mr. Arnold CONFIRMED as counsel. Ms. Overly advised the Defendant has another case in which he's pled guilty after entry of plea in this case which is set for sentencing December 12th; it's been agreed to run that sentence concurrent to this case and this case could be set before December 12th. Ms. Ballou noted proceedings were calendared to determine if the plea in this case would be withdrawn and stated she has no idea of what's taking place in the other case. Colloquy regarding the appointment of Mr. Arnold for the purpose of looking into the withdrawal of plea and should it be found there's no reason for the withdrawal, Defendant will remain represented by the Public Defender. Mr. Arnold CONFIRMED as counsel, stated he cannot look at the matter until after the holidays and requested a January 15th status check. COURT SO ORDERED; sentencing CONTINUED.

CUSTODY

**1-15-20 9:30 AM STATUS CHECK: DEFENDANT'S MOTION TO WITHDRAW GUILTY
PLEA AGREEMENT...SENTENCING**

Printed Date: 11/22/2019

Page 1 of 1

Minutes Date:

November 20, 2019

Prepared by: Keith Reed

C-19-341735-1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 15, 2020

C-19-341735-1 State of Nevada
 vs
 Daine Crawley

January 15, 2020 09:30 AM All Pending Motions

HEARD BY: Bluth, Jacqueline M. COURTROOM: RJC Courtroom 10C

COURT CLERK: Reed, Keith

RECORDER: Takas, De'Awna

REPORTER:

PARTIES PRESENT:

Carl E. Arnold

Attorney for Defendant

Daine Anton Crawley

Defendant

JOURNAL ENTRIES

**STATUS CHECK: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA
AGREEMENT...SENTENCING**

Present on behalf of the State, Deputy Elise Conlin. Mr. Arnold requested a 2 week continuance and advised the Defendant provided him with a letter that he went over this morning, he believes there's a basis for the withdrawal of the plea and he'll probably file something in the next week or so. COURT ORDERED, proceedings CONTINUED.

CUSTODY

**1-29-20 9:30 AM STATUS CHECK: DEFENDANT'S MOTION TO WITHDRAW GUILTY
PLEA AGREEMENT...SENTENCING**

Printed Date: 1/16/2020

Page 1 of 1

Minutes Date:

January 15, 2020

Prepared by: Keith Reed

C-19-341735-1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

January 29, 2020

C-19-341735-1 State of Nevada
 vs
 Daine Crawley

January 29, 2020 09:30 AM All Pending Motions

HEARD BY: Bluth, Jacqueline M. **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Reed, Keith

RECORDER: Takas, De'Awna

REPORTER:

PARTIES PRESENT:

Carl E. Arnold

Attorney for Defendant

Daine Anton Crawley

Defendant

JOURNAL ENTRIES

**STATUS CHECK: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA
AGREEMENT..SENTENCING**

Present on behalf of the State, Deputy Elise Conlin. Mr. Arnold stated he was attempting to negotiate the case with Mr. Stanton, was informed they would not go for the negotiations and advised a motion will be filed today or tomorrow. COURT ORDERED, Defendant's motion is due January 31, 2020, State's response February 7, 2020; matter SET for argument.

CUSTODY

**2-19-20 9:30 AM ARGUMENT: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA
AGREEMENT**

Printed Date: 1/31/2020

Page 1 of 1

Minutes Date:

January 29, 2020

Prepared by: Keith Reed

C-19-341735-1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

February 19, 2020

C-19-341735-1 State of Nevada
 vs
 Daine Crawley

February 19, 2020 09:30 AM All Pending Motions

HEARD BY: Bluth, Jacqueline M. **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Reed, Keith

RECORDER: Takas, De'Awna

REPORTER:

PARTIES PRESENT:

Carl E. Arnold	Attorney for Defendant
Daine Anton Crawley	Defendant
Robert B. Turner	Attorney for Plaintiff
State of Nevada	Plaintiff

JOURNAL ENTRIES

**ARGUMENT: DEFENDANT'S MOTION TO WITHDRAW GUILTY PLEA AGREEMENT
...SENTENCING**

Argument in support of motion by Mr. Arnold, and in opposition by Mr. Turner. Court stated findings, noted there's no valid reason to withdraw the plea and ORDERED, Defendant's Motion To Withdraw Guilty Plea Agreement DENIED. Continued argument in regards to withdrawal of plea by Defendant. Court stated those issues were not before the Court, found there was an insufficient basis to withdraw the plea and ORDERED, motion DENIED. Mr. Turner stated Mr. Stanton would like a continuance to prepare a sentencing memorandum; Defendant's eligible for habitual treatment; counsel was informed time is needed for its preparation. Mr. Arnold stated he was appointed to look at the plea withdrawal, but has no issues assisting with sentencing and stated he's not seen a Presentence Investigation Report (PSI) from this case. Deputy Public Defender Erika Ballou stated she has it. Defendant stated there's an error in the PSI. COURT ORDERED, sentencing CONTINUED; if there's an error in the PSI to be corrected after speaking with the Defendant, e-mail the Court and State. Mr. Arnold stated a sentencing memorandum in regards to the error in the PSI will be prepared. Continued argument by Defendant.

CUSTODY

3-4-20 9:30 AM SENTENCING

Printed Date: 2/26/2020

Page 1 of 1

Minutes Date:

February 19, 2020

Prepared by: Keith Reed

C-19-341735-1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor

COURT MINUTES

March 04, 2020

C-19-341735-1 State of Nevada
 vs
 Daine Crawley

March 04, 2020 09:30 AM Sentencing

HEARD BY: Bluth, Jacqueline M. **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Reed, Keith

RECORDER: Takas, De'Awna

REPORTER:

PARTIES PRESENT:

Carl E. Arnold	Attorney for Defendant
Daine Anton Crawley	Defendant
David L. Stanton	Attorney for Plaintiff
State of Nevada	Plaintiff

JOURNAL ENTRIES

Court noted State's retained the right to argue and the receipt of the sentencing memorandum. At the request of the Defendant, COURT ORDERED, proceedings TRAILED for Defendant to speak with counsel.

MATTER RECALLED:

Argument and exhibits in support of Small Habitual Criminal Treatment by Mr. Stanton. Argument regarding errors in the Presentence Investigation Report (PSI) by Mr. Arnold. Colloquy between Court, Mr. Arnold and Defendant regarding errors in PSI. Court stated Defendant will be allowed to read his letter at time of sentencing; Mr. Arnold is to note each of the items cited in the PSI. Mr. Stanton requested a copy of the letter the Defendant will read. COURT ORDERED, matter CONTINUED for the correction of the PSI. Mr. Stanton requested the Court staff reach out to Department 18 in regards to whatever issues there are in the PSI as they will parallel. Court stated we'll let them know. Defendant stated he's been approved for Drug Court in the other case and thought habitual treatment would not be sought. Mr. Stanton stated Defendant's claims of habitual treatment not being sought are concerning and belied by the record. Mr. Arnold stated the record was clear regarding the basis for the withdrawing of the plea. Court stated it's been argued and briefed. Statement by Defendant. Mr. Stanton stated there was an agreement to not seek habitual treatment, but the Defendant violated the agreement. COURT ORDERED, proceedings CONTINUED for the correction of the PSI.

CUSTODY

4-1-20 9:30 AM SENTENCING

Printed Date: 3/19/2020

Page 1 of 1

Minutes Date:

March 04, 2020

Prepared by: Keith Reed

C-19-341735-1

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor

COURT MINUTES

April 01, 2020

C-19-341735-1 State of Nevada
 vs
 Daine Crawley

April 01, 2020 10:15 AM Sentencing

HEARD BY: Bluth, Jacqueline M. COURTROOM: RJC Lower Level Arraignment

COURT CLERK: Reed, Keith

RECORDER: Takas, De'Awna

REPORTER:

PARTIES PRESENT:

Daine Anton Crawley	Defendant
David L. Stanton	Attorney for Plaintiff
Roger Bailey	Attorney for Defendant
State of Nevada	Plaintiff

JOURNAL ENTRIES

Statement by Defendant regarding issues with his Presentence Investigation (PSI) Report and desire to speak with Carl Arnold. Colloquy between Court, counsel and Defendant regarding Defendant's issues with the PSI. Upon inquiry of the Court, Mr. Stanton and Mr. Bailey stated they're comfortable going forward. Statement by Defendant. Argument in support of small habitual criminal treatment by Mr. Stanton. Argument in opposition by Mr. Bailey. Pursuant to the Small Habitual Criminal Statute, Defendant CRAWLEY ADJUDGED GUILTY OF CARRYING CONCEALED FIREARM OR OTHER DEADLY WEAPON (F). COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, \$150.00 DNA Analysis fee WAIVED, \$3.00 DNA Collection fee and \$250.00 Indigent Defense Civil Assessment fee, Defendant SENTENCED to a MINIMUM OF EIGHTY-FOUR (84) MONTHS AND A MAXIMUM OF TWO HUNDRED FORTY (240) MONTHS in the Nevada Department of Corrections (NDC). Defendant stated he has 261 days credit. Colloquy regarding credit for time served. COURT ORDERED, SIXTY-SEVEN (67) DAYS credit for time served; counsel is to place the matter back on calendar should there be any issues.

NDC

Printed Date: 4/8/2020

Page 1 of 1

Minutes Date:

April 01, 2020

Prepared by: Keith Reed

**DISTRICT COURT
CLARK COUNTY, NEVADA**

May 11, 2020

May 11, 2020 **10:15 AM** **Confirmation of Appellate Counsel**

HEARD BY: Bluth, Jacqueline M. **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Reed, Keith

RECORDER: Takas, De'Awna

REPORTER:

PARTIES PRESENT:

Robert B. Turner **Attorney for Plaintiff**

Roger Bailey **Attorney for Defendant**

State of Nevada **Plaintiff**

NDC

Prepared by: Keith Reed

A-20-816041-W

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Habeas Corpus

COURT MINUTES

August 19, 2020

A-20-816041-W Daine Crawley, Plaintiff(s)
vs.
Warden Williams, HDSP, Defendant(s)

August 19, 2020 10:15 AM Petition for Writ of Habeas Corpus

HEARD BY: Bluth, Jacqueline M. **COURTROOM:** RJC Courtroom 10C

COURT CLERK: Lord, Rem

RECORDER: Takas, De'Awna

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

PETITION FOR WRIT OF HABEAS CORPUS

COURT stated findings and ORDERED, Petition GRANTED, status check SET for appointment of counsel.

8/26/2020 10:15 AM STATUS CHECK: APPOINTMENT OF COUNSEL

CLERK'S NOTE: District Attorney Drew Christensen emailed [christdr@ClarkCountyNV.gov] regarding appointment of counsel on 8/19/2020 . /rl 8/21/2020

Printed Date: 8/22/2020

Page 1 of 1

Minutes Date:

August 19, 2020

Prepared by: Rem Lord

A-20-816041-W

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Habeas Corpus

COURT MINUTES

August 26, 2020

A-20-816041-W Daine Crawley, Plaintiff(s)
vs.
Warden Williams, HDSP, Defendant(s)

August 26, 2020 10:15 AM Status Check: Appointment of Counsel

HEARD BY: Bluth, Jacqueline M. COURTROOM: RJC Courtroom 10C

COURT CLERK: Reed, Keith

RECORDER: Takas, De'Awna

REPORTER:

PARTIES PRESENT:

Roger Bailey Attorney for Plaintiff

JOURNAL ENTRIES

Present on behalf of the State, Brad Turner. Court stated Drew Christensen has represented Carl Arnold is appointed on another case and Mr. Bailey will accept the appointment today. Mr. Bailey stated that's his understanding. COURT ORDERED, Carl Arnold APPOINTED as counsel.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

January 19, 2021

PARTIES PRESENT:

Defendant's Motion to Withdraw Counsel and Appoint New Counsel is hereby DENIED. Defendant requests to remove Roger Bailey, Esq., as appellate counsel and to appoint new counsel to assist with the filing of post-conviction habeas relief and a motion to modify and/or correct illegal sentence. However, Mr. Bailey is not Mr. Crawley's counsel. Carl Arnold, Esq., was appointed as appellate counsel on May 11, 2020. As such, the appointment of Mr. Arnold as appellate counsel still stands.

Prepared by: Kelth Reed

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Habeas Corpus

COURT MINUTES

May 25, 2021

A-20-816041-W

Daine Crawley, Plaintiff(s)

vs.

Warden Williams, HDSP, Defendant(s)

May 25, 2021

3:00 AM

Minute Order

HEARD BY: Bluth, Jacqueline M.

COURTROOM: Chambers

COURT CLERK: Kristen Brown

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Petitioner s Petition for habeas corpus is hereby DENIED. The Court s ruling is as follows.

I. Defendant s claims are procedurally barred

NRS 34.810 states:

NRS 34.810 Additional reasons for dismissal of petition. [Effective January 1, 2020.]

1. The court shall dismiss a petition if the court determines that:

(a) The petitioner s conviction was upon a plea of guilty or guilty but mentally ill and the petition is not based upon an allegation that the plea was involuntarily or unknowingly entered or that the plea was entered without effective assistance of counsel.

(b) The petitioner s conviction was the result of a trial and the grounds for the petition could have been:

(1) Presented to the trial court;

(2) Raised in a direct appeal or a prior petition for a writ of habeas corpus or postconviction relief; or

(3) Raised in any other proceeding that the petitioner has taken to secure relief from the petitioner s conviction and sentence, unless the court finds both cause for the failure to present the

PRINT DATE: 05/25/2021

Page 1 of 2

Minutes Date: May 25, 2021

grounds and actual prejudice to the petitioner.

The Nevada Supreme Court has held that challenges to the validity of a guilty plea and claims of ineffective assistance of trial and appellate counsel must first be pursued in post-conviction proceedings . . . [A]ll other claims that are appropriate for a direct appeal must be pursued on direct appeal, or they will be considered waived in subsequent proceedings. *Franklin v. State*, 110 Nev. 750 (1994). A court must dismiss a habeas petition if it presents claims that either were or could have been presented in an earlier proceeding, unless the court finds both cause for failing to present the claims earlier or for raising them again and actual prejudice to the petitioner. *Evans v. State*, 117 Nev. 609 (2001).

Here, the grounds defendant raises in his supplemental petition should have been brought on direct appeal, and are therefore waived. Defendant argues: (1) equal protection/due process violation; (2) there were errors in defendant's PSI; (3) violation of the Court's Administrative Order; and (4) error in adjudication as a habitual criminal. Defendant does not challenge the validity of a guilty plea and/or raise claims of ineffective assistance of counsel. Further, defendant does not attempt to demonstrate good cause or prejudice for raising these claims for the first time in the instant proceedings.

II. Defendant's supplemental petition is a fugitive document

Defendant's instant pro per supplemental petition should be dismissed as a fugitive document pursuant to EDCR 7.40(a). Carl Arnold, Esq. was confirmed as counsel on August 26, 2020. The instant supplemental petition was filed seven months later on 3/18/21. Because petitioner cannot appear on his own behalf after he had already appeared by counsel, the current supplemental petition should be dismissed as a fugitive document.

For the reasons discussed above, Petitioner's Petition is Denied. State to file an order consistent with these findings.

CLERK'S NOTE: A copy of this minute order was distributed to: Karen Mishler, Deputy District Attorney and Petitioner, Daine Crawley at P.O. Box 208, Indian Springs, NV, 89070./kb

A-20-816041-W

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Habeas Corpus

COURT MINUTES

January 10, 2022

A-20-816041-W Daine Crawley, Plaintiff(s)
vs.
Warden Williams, HDSP, Defendant(s)

January 10, 2022 08:30 AM Status Check: State's Response

HEARD BY: Villani, Michael **COURTROOM:** RJC Courtroom 11A

COURT CLERK: Albrecht, Samantha

RECORDER: Santi, Kristine

REPORTER:

PARTIES PRESENT:

Sarah Overly

Attorney for Defendant

JOURNAL ENTRIES

Plaintiff not present.

Court noted on January 4, 2022 there was an Order from the Supreme Court to the District Attorney to respond to Defendant's matter pending before the Supreme Court. Ms. Overly believed it was being litigated in the Appellate Court, therefore did not feel they needed to respond. Court read the Order in open court. Ms. Overly advised their Appeals Division would file a response with the Court of Appeals pursuant to the Order.

NDC

A-20-816041-W

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Habeas Corpus

COURT MINUTES

March 28, 2022

A-20-816041-W Daine Crawley, Plaintiff(s)
vs.
Warden Williams, HDSP, Defendant(s)

March 28, 2022 09:30 AM Status Check: Remand

HEARD BY: Villani, Michael COURTROOM: RJC Courtroom 11A

COURT CLERK: Albrecht, Samantha

RECORDER: Santi, Kristine

REPORTER:

PARTIES PRESENT:

Diane Carol Lowe

Attorney for Plaintiff

Sarah Overly

Attorney for Defendant

JOURNAL ENTRIES

Plaintiff not present.

Diane Lowe ACCEPTED her appointment. Colloquy regarding remand. State believed a Supplemental Petition needed to be filed and they would file a response to that. COURT ORDERED, status check SET for the file and to set a briefing schedule.

NDC

4/27/2022 8:30 AM STATUS CHECK: FILE/SET BRIEFING SCHEDULE

Printed Date: 4/6/2022

Page 1 of 1

Minutes Date:

March 28, 2022

Prepared by: Samantha Albrecht

A-20-816041-W

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Habeas Corpus

COURT MINUTES

April 11, 2022

A-20-816041-W Daine Crawley, Plaintiff(s)
vs.
Warden Williams, HDSP, Defendant(s)

April 11, 2022 08:30 AM Petitioner's Ex Parte Motin for Transcript

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Cunningham, Patia

RECORDER: Chappell, Judy

REPORTER:

PARTIES PRESENT:

Diane Carol Lowe

Attorney for Plaintiff

Sarah Overly

Attorney for Defendant

JOURNAL ENTRIES

COURT ORDERED, request for transcript GRANTED.

A-20-816041-W

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Writ of Habeas Corpus

COURT MINUTES

January 09, 2023

A-20-816041-W Daine Crawley, Plaintiff(s)
vs.
Warden Williams, HDSP, Defendant(s)

January 09, 2023 08:30 AM All Pending Motions

HEARD BY: Cherry, Michael A. COURTROOM: RJC Courtroom 05B

COURT CLERK: Cline, April; Hansen-McDowell, Kathryn

RECORDER: Estala, Kimberly

REPORTER:

PARTIES PRESENT:

Diane Carol Lowe

Attorney for Plaintiff

Glenn M Anderson

Attorney for Defendant

JOURNAL ENTRIES

PETITIONER'S MOTION FOR LEAVE TO ADD VERIFIED NEVADA BEHAVIOR HEALTH RECORDS TO RECORD...PETITIONER'S MOTION FOR LEAVE TO FILE MOTION FOR ADDITIONAL SENTENCE CREDIT.

Diane Lowe, Esq. not present.

Court noted oppositions had not been filed. Mr. Anderson stated the motion had already been decided or were moot. COURT stated it's FINDINGS and ORDERED, Motion for Leave to Ass Verified Health Records GRANTED and Motion for Leave to File Motion GRANTED.

MATTER RECALLED: all parties present as before. Ms. Lowe now present. Court advised the motions had been granted and directed Ms. Lowe to prepare the order.

Printed Date: 1/14/2023

Page 1 of 1

Minutes Date:

January 09, 2023

Prepared by: Kathryn Hansen-McDowell

**DISTRICT COURT
CLARK COUNTY, NEVADA**

February 13, 2023

February 13, 2023 08:30 AM Motion to Amend the Judgment of Conviction by Adding 199 Day of Additional Sentence Credit

REPORTER:

Attorney for Defendant

Court noted this matter was already handled by Judge Cherry and the Motion to Amend had been granted. Statement by Ms. Lowe. COURT NOTED, Pursuant to Judge Justice Cherry prior decision, the Motion for additional credit for time served had been granted. Further, with the efforts of Petitioner's counsel the true amount of credit should be 266 days. COURT ORDERED, an Amended Judgment of Conviction reflecting TWO HUNDRED SIXTY SIX (266) DAYS credit for time served and underlying sentence remains the same be filed.

Prepared by: Clara Jimenez



1 **NOAS**
2 **LOWE LAW, L.L.C.**
3 **DIANE C. LOWE, ESQ. Nevada Bar No. 14573**
4 **7350 West Centennial Pkwy #3085**
5 **Las Vegas, Nevada 89131**
6 **(725)212-2451 – F: (702)442-0321**
7 **Email: DianeLowe@LoweLawLLC.com**
8 **Attorney for Petitioner DAINE CRAWLEY**

9 **EIGHTH JUDICIAL DISTRICT COURT**

10 **CLARK COUNTY NEVADA**

11 **DAINE CRAWLEY DOC #1167447**

12 **Petitioner,**

13 **vs.**

14 **WARDEN FERNANDIES FRAZIER,**
15 **NORTHERN NEVADA**
16 **CORRECTIONAL CENTER**

17 **Case No.: A-20-816041-W**

18 **[Companion case: C-19-341735-1 and**
19 **Appeal Remand Sup Ct No 83136]**

20 **DEPT NO: XVII**

21 **NOTICE OF APPEAL**

22 **NOTICE is hereby given that DAINE CRAWLEY, Petitioner above named, hereby**
23 **appeals to the Supreme Court of Nevada from the Amended Findings of Fact,**
24 **Conclusions of Law and Order entered December 21, 2022 by the Honorable David**

1 Barker. The writ of habeas corpus hearing was held on the briefings on November
2 28, 2022. An evidentiary hearing was denied.
3
4

5 DATED this 21st day of December, 2022.
6

7 Respectfully Submitted,
8

9 /s/ Diane C. Lowe, Esq.

DIANE C. LOWE, ESQ. Nevada Bar #014573

Lowe Law, L.L.C.

7350 West Centennial Pkwy #3085

Las Vegas, NV 89131

Telephone: (725)212-2451 Facsimile: (702)442-0321

Attorney for Petitioner Daine Crawley
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CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED, by the undersigned that on this 21st day of December, 2022, I served a true and correct copy of the foregoing **Notice of Appeal** on the parties listed on the attached service list:

BY eService E-MAIL: by transmitting a copy of the document in the format to be used for attachments to the electronic-mail address designated by the attorney or the party who has filed a written consent for such manner of service.

By: /s/Diane C Lowe, Esq.

DIANE C. LOWE

LOWE LAW, L.L.C.

SERVICE LIST

ATTORNEYS OF RECORD	PARTIES REPRESENTED	METHOD OF SERVICE
CLARK COUNTY DISTRICT ATTORNEY'S OFFICE 200 E. Lewis Ave Las Vegas, NV 89101 <u>motions@clarkcountyda.com</u> <u>Nevada Attorney General's Office</u> <u>Wiznetfilings@ag.nv.gov</u>	STATE OF NEVADA	☑ Email Service via eService

I further certify that I served a copy of this document by mailing a true and correct copy thereof, post pre-paid, addressed to Petitioner Daine Crawley. NDOC
1167447 Northern Nevada Correctional Center PO Box 7000 Carson City, NV
89702.

/s/ Diane C. Lowe, Esq.
Attorney for Daine Crawley