

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

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Elizabeth A. Brown  
Clerk of Supreme Court

RODERICK SKINNER,

Petitioner,

vs.

WARDEN FRANKLIN, NNCC,  
STATE OF NEVADA ET AL,

Respondents.

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Sup. Ct. Case No. 86846, 86893

Case No. CR14-0644

Dept. 8

RECORD ON APPEAL

VOLUME 2 OF 16

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DISTRICT CASE NO: CR14-0644  
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DATE: JULY 28, 2023

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RODERICK SKINNER vs WARDEN FRANKLIN ET AL  
DATE: JULY 28, 2023

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SUPREME COURT NO: 86846, 86893  
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1 Code 1491

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5

6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF WASHOE

8

9 THE STATE OF NEVADA,

10 Plaintiff,

Case No. CR14-0644

11 vs.

Dept. No. 15

12 RODERICK STEPHEN SKINNER,

13 Defendant.

14 \_\_\_\_\_/

15 COURT SERVICES REPORT

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# Washoe County Pretrial Services Assessment Report

## Case Filing

Filed Name <b>SKINNER, RODERICK STEPHEN</b>
--

## Arrest

Booked Name <b>SKINNER, RODERICK STEPHEN</b>	Arresting Agency <b>SPARKS POLICE DEPT</b>	Booking Number <b>13-11392</b>	Arrest Date <b>07/21/2013</b>
---	---	-----------------------------------	----------------------------------

Case Number	NOC	Type	Description	Counts	Court	Bail Amt/Type
13-6743	50971	G	OPEN/GROSS LEWDNESS, 1ST	1	SJC	10,000 C
13-6743	99999		ICE HOLD	1		0
14000485	50371	F	PROMO SEX PERFORMANCE OF MINOR, 14+	10	SJC	0
14000485	50374	F	POSS VISUAL PORN OF PERS < 16, (1ST)	10	SJC	200,000
14000485	50734	G	MISUSE OF ENCRYPTION	1	SJC	2,500 B
ICE HOLD	99999		ICE HOLD	1	OJ	0

## Defendant Information

Sex <b>M</b>	Race <b>WHITE</b>	Birthdate <b>12/29/1961</b>	Age <b>52</b>	Height <b>5' 09"</b>	Weight <b>187</b>	SS Number
Address <b>800 NICHOLS BLVD 193 SPARKS, NV 89434</b>				Residence County: <b>00 Yr 08 Mo</b>		Born <b>, AUSTRALIA</b>
Telephone <b>(775) 360-6366</b>		Time at Current Address <b>00 Yr 08 Mo</b>		Primary Language <b>ENGLISH</b>		
Lives With		Relationship <b>ALONE</b>		ID Number	Type	Expiration Date
Marital Status <b>DIVORCED</b>		How Long		Military Service <b>NONE</b>		
Discharge						
Employment/Support Status    Employer				How Long <b>22/00</b>		
... Occupation				Employer Telephone		

## Defendant Justice Identifier Codes/Criminal History

FBI Number	SID Number							
Arrests	Violent Fels	Felonies	Violent Misd	Misdemeanors	MMSD	Traffic	DUI	Pending

## Comments

THE DEFENDANT HAS LIVED IN THE AREA 8 MONTHS, AT RESIDENCE FOR FOR 8 MONTHS. THE DEFENDANT HAS BEEN RETIRED FOR 22 YEARS. NO III.

## Assessment Status

Assessment <b>IMMIGRATION HOLD</b>	Initials <b>CHINXMAN</b>
---------------------------------------	-----------------------------

**Client:** SKINNER, RODERICK STEPHEN**Case#:** 13-6743**SSN:****DOB:** 12/29/1961**Identification****Court:**

SPARKS JUSTICE COURT

**Charge(s):**

OPEN/GROSS LEWDNESS, 1ST

**Address:**

800 NICHOLS BLVD 193 SPARKS, NV 89434

**Length:**

00 Yr 08 Mo

**Phone:**

775 360-6366

**Occupation and Employer:****Financial Information**

Asset	NONE	0	
Expense	RENT, FOOD, UTL	1,550	750, 400, 200, 200
Expense	MISC, CC	450	
Income	DISABILITY	2,500	
Liability	CREDIT	5,000	

SUMMARY:	ASSETS:	0	INCOME:	2,500
	LIABILITIES:	-5,000	EXPENSES:	-2,000
	NET WORTH:	-5,000	CASH FLOW:	500

**Determination:** INDIGENT BUT ABLE TO CONTRIBUTE**Recommendation****The above constitutes my recommendation to the court. I have explained my recommendation to the party.****Screening Agent/Witness:** Carl Hinxman\_\_\_\_\_**Date:**\_\_\_\_\_**Comments:**

THE DEFENDANT CLAIMS NO ASSETS AND HAS A CREDIT CARD AS A LIABILITY. THE DEFENDANT HAS THE PUBLIC DEFENDER ON ANOTHER CASE HOWEVER HE SHOULD CONTRIBUTE TOWARD THE COST OF REPRESENTATION.

**Return Of NEF****Recipients**

**MATTHEW LEE, ESQ.** - Notification received on 2014-04-29 08:19:28.48.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-04-29 08:19:28.558.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-04-29 08:19:28.527.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-04-29 08:19:28.417.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-04-29 08:19:28.386.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

04-28-2014:16:57:36

**Clerk Accepted:**

04-29-2014:08:18:50

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Court Services Report

**Filed By:**

Pretrial Off. SHigginbotham

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DIV. OF PAROLE & PROBATION  
MICHAEL BOLENBAKER, ESQ. for STATE OF  
NEVADA  
CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER  
CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

**The following people have not been served electronically and must be served by traditional means (see Nevada Electronic Filing Rules.):**

In the Justice's Court of Sparks Township  
In and for the County of Washoe  
State of Nevada

FILED  
Electronically  
04/22/2014 02:37:48 PM  
Joey Orduna Hastings  
Clerk of the Court  
Transaction # 4414797 : jyst

5/6/14  
DEPT. 15

THE STATE OF NEVADA,

Plaintiff,

vs.

Roderick Skinner

Defendant.

CASE NO. SPK14-00173

DEPT. 2

CR14-0644  
Dept 15

**Waiver of Preliminary Examination**

I, the defendant in the above-entitled action, being fully advised of my rights in the premises, hereby waive my preliminary examination on the charge of promotion of the  
Sexual Performance of a Minor over 14 years of Age.  
in the above entitled action, and consent that I may be remanded to the Second Judicial District Court of the State of Nevada, for further proceedings therein.

4/24/14.

Date

Rod Skinner

Defendant Signature

A 20 PB 20 one count of Promotion under  
NRS 200.720 involving a minor over the  
Age of 14, a legal Fiction. The charge is  
probationable. Penalties will be fine and/or  
imprisonment. This is a car. A felony punishable by  
a life sentence w/ parole eligibility after 5 years, and  
lifetime supervision is required. It will not pursue any  
transactionally-related charges or enhancements & will dismiss  
any other charges. A fine of \$100,000.

DA #14-7319

WCSO WC14-000485

CODE 1800

Richard A. Gammick

#001510

P.O. Box 11130

Reno, NV 89520

(775) 328-3200

Attorney for State of Nevada

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,

IN AND FOR THE COUNTY OF WASHOE

\* \* \*

THE STATE OF NEVADA,

Plaintiff,

Case No.: CR14-0644

v.

Dept. No.: D15

RODERICK STEPHEN SKINNER,

Defendant.

INFORMATION

RICHARD A. GAMMICK, District Attorney within and for the County of Washoe, State of Nevada, in the name and by the authority of the State of Nevada, informs the above entitled Court that RODERICK STEPHEN SKINNER, the defendant above named, has committed the crime of:

PROMOTION OF A SEXUAL PERFORMANCE OF MINOR, AGE 14 OR OLDER, a violation of NRS 200.720 and NRS 200.750, a felony, in the manner following, to wit:

That the said defendant RODERICK STEPHEN SKINNER, on or about and between the 5<sup>th</sup> of May 2013 and the 28th of June, 2013, and before the filing of this Information, within the County of



1 Washoe, State of Nevada, did willfully and unlawfully promote, or  
2 distribute a performance of a minor where the minor engages in, or  
3 simulates sexual conduct or where the minor is the subject of a  
4 sexual portrayal, by means of file sharing software, to wit: over 50  
5 images and/or videos of underage children (as young as 5 years old  
6 and as old as the fourteen years) depicted in a variety of sexually  
7 explicit scenes and poses, including acts of sexual intercourse,  
8 and/or fellatio, and/or oral copulation, and/or sexual bondage,  
9 and/or sodomy, and/or masturbation.

10  
11  
12 All of which is contrary to the form of the Statute in such  
13 case made and provided, and against the peace and dignity of the  
14 State of Nevada.

15  
16 RICHARD A. GAMMICK  
17 District Attorney  
18 Washoe County, Nevada

19  
20 By: /s/ REBECCA DRUCKMAN  
21 REBECCA C DRUCKMAN  
22 3714  
23 Deputy District Attorney  
24  
25  
26

1           The following are the names and addresses of such witnesses  
2 as are known to me at the time of the filing of the within  
3 Information:  
4

5 MICHAEL BROWN, SPARKS POLICE DEPARTMENT  
6 E. WILSON, SPARKS POLICE DEPARTMENT  
7 DOROTHY PETERSON, DETECTIVE, SPARKS POLICE DEPARTMENT  
8 E. CURTIS, DETECTIVE, SPARKS POLICE DEPARTMENT  
9 DENNIS CARRY, WASHOE COUNTY SHERIFFS OFFICE  
10 JOSEPH CHIAPETTO, 2201 WABASH CR, SPARKS, NV 89434

11           The party executing this document hereby affirms that this  
12 document submitted for recording does not contain the social security  
13 number of any person or persons pursuant to NRS 239B.230.  
14

15                           RICHARD A. GAMMICK  
16                           District Attorney  
17                           Washoe County, Nevada  
18

19                           By /s/ REBECCA DRUCKMAN  
20                           REBECCA C DRUCKMAN  
21                           3714  
22                           Deputy District Attorney  
23  
24  
25  
26

PCN: WASO0032327C-SKINNER

**Return Of NEF****Recipients**

**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-05-02 15:31:07.596.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-05-02 15:31:07.721.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-05-02 15:31:07.783.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-05-02 15:31:07.752.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-05-02 15:31:07.658.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-05-02 15:31:07.627.

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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

05-02-2014:14:37:48

**Clerk Accepted:**

05-02-2014:15:30:37

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Waiver of Preliminary Exam  
Information

**Filed By:**

Rebecca Druckman

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NEVADA

CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

1 CODE 1250  
2 WASHOE COUNTY PUBLIC DEFENDER  
3 CHRISTOPHER FREY, BAR NO. 10589  
4 P.O. BOX 11130  
5 RENO, NV 89520-0027  
6 (775) 337-4800  
7 ATTORNEY FOR: DEFENDANT

8 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,  
9 IN AND FOR THE COUNTY OF WASHOE  
10 THE STATE OF NEVADA,

11 Plaintiff, Case No. CR14-0644

12 v. Dept. No. 15

13 RODERICK STEPHEN SKINNER,

14 Defendant.

15 \_\_\_\_\_/

16 APPLICATION FOR SETTING

17 TYPE OF ACTION: CRIMINAL

18 MATTER TO BE HEARD: ARRAIGNMENT

19 DATE OF APPLICATION: MAY 8, 2014 MADE BY DEFENDANT

20 COUNSEL FOR PLAINTIFF: REBECCA DRUCKMAN, DDA

21 COUNSEL FOR DEFENDANT: CHRISTOPHER FREY, DPD

22 CUSTODY STATUS: \_\_\_\_ BAIL \_\_\_\_ O.R. X IN CUSTODY

23  
24  
25 Setting at 9:00 AM on May 22, 2014.

26 **VACATES at 9:00 AM on May 8, 2014.**

**Return Of NEF****Recipients**

**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-05-08 09:03:25.674.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-05-08 09:03:25.877.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-05-08 09:03:25.971.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-05-08 09:03:25.924.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-05-08 09:03:25.752.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-05-08 09:03:25.705.

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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

05-08-2014:08:51:10

**Clerk Accepted:**

05-08-2014:09:02:48

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Application for Setting

**Filed By:**

Chris Frey

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STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA



**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

CASE NO. CR14-0644

STATE OF NEVADA  
vs.  
RODERICK STEPHEN SKINNERDATE, JUDGE  
OFFICERS OF  
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

5/22/14	<u>ARRAIGNMENT</u>	
HONORABLE	Deputy District Attorney Matthew Lee represented the State.	May 27, 2014
DAVID A.	Defendant was present, in custody, represented by Deputy Public Defender	9:00 a.m.
HARDY	Christopher Frey. Probation Officer Thomas Wilson was also present.	Arraignment
DEPT. NO. 15	Sidebar taken.	
M. Conway	<b>COURT ORDERED:</b> Matter continued for Arraignment to May 27, 2014	
(Clerk)	at 9:00 a.m.	
R. Walker	Defendant remanded to the custody of the Sheriff.	
(Reporter)		

**Return Of NEF****Recipients**

**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-05-23 15:02:37.806.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-05-23 15:02:37.931.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-05-23 15:02:38.01.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-05-23 15:02:37.978.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-05-23 15:02:37.885.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-05-23 15:02:37.838.

\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
PROOF OF SERVICE OF ELECTRONIC FILING

-

**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

05-23-2014:15:01:32

**Clerk Accepted:**

05-23-2014:15:02:07

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

\*\*\*Minutes

**Filed By:**

Court Clerk MConway

You may review this filing by clicking on the following link to take you to your cases.

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MICHAEL BOLENBAKER, ESQ. for STATE OF  
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

ORIGINAL

1 CODE 1785  
2 Richard A. Gammick  
3 #001510  
4 P.O. 11130  
5 Reno, NV. 89520  
6 (775)328-3200  
7 Attorney for Plaintiff

8  
9 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,  
10  
11 IN AND FOR THE COUNTY OF WASHOE.

12 \* \* \*

13 THE STATE OF NEVADA,

14 Plaintiff,

Case No. CR14-0644

15 v.

Dept. No. 15

16 RODERICK STEPHEN SKINNER,

17 Defendant.

18 \_\_\_\_\_/  
19 GUILTY PLEA MEMORANDUM

20 1. I, RODERICK STEPHEN SKINNER, understand that I am  
21 charged with the offense of: PROMOTION OF A SEXUAL PERFORMANCE OF  
22 MINOR, AGE 14 OR OLDER, a violation of NRS 200.720 and NRS 200.750, a  
23 felony.

24 2. I desire to enter a plea of guilty to the offense of  
25 PROMOTION OF A SEXUAL PERFORMANCE OF MINOR, AGE 14 OR OLDER, a  
26 violation of NRS 200.720 and NRS 200.750, a felony, as more fully  
alleged in the charge filed against me.

///  
///  
///

1           3. By entering my plea of guilty I know and understand  
2 that I am waiving the following constitutional rights:

3           A. I waive my privilege against self-incrimination.

4           B. I waive my right to trial by jury, at which trial the  
5 State would have to prove my guilt of all elements of the offense  
6 beyond a reasonable doubt.

7           C. I waive my right to confront my accusers, that is, the  
8 right to confront and cross examine all witnesses who would testify  
9 at trial.

10          D. I waive my right to subpoena witnesses for trial on my  
11 behalf.

12          4. I understand the charge against me and that the  
13 elements of the offense which the State would have to prove beyond a  
14 reasonable doubt at trial are that on or about and between the 5th of  
15 May, 2013 and the 28th of June, 2013, or thereabout, in the County of  
16 Washoe, State of Nevada, I did willfully and unlawfully promote, or  
17 distribute a performance of a minor where the minor engaged in, or  
18 simulated sexual conduct or where the minor was the subject of a  
19 sexual portrayal, by means of file sharing software, to wit: over 50  
20 images and/or videos of underage children (as young as 5 years old  
21 and as old as the fourteen years) depicted in a variety of sexually  
22 explicit scenes and poses, including acts of sexual intercourse,  
23 and/or fellatio, and/or oral copulation, and/or sexual bondage,  
24 and/or sodomy, and/or masturbation.

25 ///

26 ///

1           5. I understand that I admit the facts which support all  
2 the elements of the offense by pleading guilty. I admit that the  
3 State possesses sufficient evidence which would result in my  
4 conviction. I have considered and discussed all possible defenses  
5 and defense strategies with my counsel. I understand that I have the  
6 right to appeal from adverse rulings on pretrial motions only if the  
7 State and the Court consent to my right to appeal in a separate  
8 written agreement. I understand that any substantive or procedural  
9 pretrial issue(s) which could have been raised at trial are waived by  
10 my plea.

11           6. I understand that the consequences of my plea of  
12 guilty are that I may be imprisoned for a period of life with 5 to  
13 the Parole Board in the Nevada State Department of Corrections and  
14 that I am not eligible for probation unless a psychosexual evaluation  
15 is completed pursuant to NRS 176.139 which certifies that I do not  
16 represent a high risk to reoffend based upon a currently accepted  
17 standard of assessment. I may also be fined up to \$100,000.00. I  
18 further understand that I will be required to be on lifetime  
19 supervision pursuant to NRS 176.0931.

20           7. In exchange for my plea of guilty, the State, my  
21 counsel and I have agreed to recommend the following: The State will  
22 be free to argue for an appropriate sentence. The State will not file  
23 additional criminal charges resulting from the arrest in this case.  
24 The State will dismiss the charges in court case no. CR13-1601.  
25 Victims and their families from CR13-1601 will be allowed to make  
26 victim impact statements at the time of sentencing.



1  
2           8. I understand that, even though the State and I have  
3 reached this plea agreement, the State is reserving the right to  
4 present arguments, facts, and/or witnesses at sentencing in support  
5 of the plea agreement.

6           9. Where applicable, I additionally understand and agree  
7 that I will be responsible for the repayment of any costs incurred by  
8 the State or County in securing my return to this jurisdiction.

9           10. I understand that the State, at their discretion, is  
10 entitled to either withdraw from this agreement and proceed with the  
11 prosecution of the original charges or be free to argue for an  
12 appropriate sentence at the time of sentencing if I fail to appear at  
13 any scheduled proceeding in this matter OR if prior to the date of my  
14 sentencing I am arrested in any jurisdiction for a violation of law  
15 OR if I have misrepresented my prior criminal history. I  
16 understand and agree that the occurrence of any of these acts  
17 constitutes a material breach of my plea agreement with the State. I  
18 further understand and agree that by the execution of this agreement,  
19 I am waiving any right I may have to remand this matter to Justice  
20 Court should I later withdraw my plea.

21           11. I understand and agree that pursuant to the terms of  
22 the plea agreement stated herein, any counts which are to be  
23 dismissed and any other cases charged or uncharged which are either  
24 to be dismissed or not pursued by the State, may be considered by the  
25 court at the time of my sentencing.

26           12. I understand that the Court is not bound by the

1 agreement of the parties and that the matter of sentencing is to be  
2 determined solely by the Court. I have discussed the charge(s), the  
3 facts and the possible defenses with my attorney. All of the  
4 foregoing rights, waiver of rights, elements, possible penalties, and  
5 consequences, have been carefully explained to me by my attorney. My  
6 attorney has not promised me anything not mentioned in this plea  
7 memorandum, and, in particular, my attorney has not promised that I  
8 will get any specific sentence. I am satisfied with my counsel's  
9 advice and representation leading to this resolution of my case. I  
10 am aware that if I am not satisfied with my counsel I should advise  
11 the Court at this time. I believe that entering my plea is in my  
12 best interest and that going to trial is not in my best interest. My  
13 attorney has advised me that if I wish to appeal, any appeal, if  
14 applicable to my case, must be filed within thirty days of my  
15 sentence and/or judgment.

16 13. I understand that this plea and resulting conviction  
17 will likely have adverse effects upon my residency in this country if  
18 I am not a U. S. Citizen. I have discussed the effects my plea will  
19 have upon my residency with my counsel.

20 14. I offer my plea freely, voluntarily, knowingly and  
21 with full understanding of all matters set forth in the Information  
22 and in this Plea Memorandum. I have read this plea memorandum  
23 completely and I understand everything contained within it.

24 15. My plea of guilty is voluntary and is not the result  
25 of any threats, coercion or promises of leniency.

26 16. I am signing this Plea Memorandum voluntarily with

1 advice of counsel, under no duress, coercion, or promises of  
2 leniency.

3 17. I do hereby swear under penalty of perjury that all of  
4 the assertions in this written plea agreement document are true.

5 AFFIRMATION PURSUANT TO NRS 239B.030

6 The undersigned does hereby affirm that the preceding  
7 document does not contain the social security number of any person.

8 DATED this 16TH day of MAY, 2014.  
9 27th OFFER

10 Rod Skinner.

11 DEFENDANT

12  
13 TRANSLATOR/INTERPRETER

14 [Signature]  
15 Attorney Witnessing Defendant's Signature

16 [Signature]  
17 Prosecuting Attorney

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-05-27 11:11:53.427.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-05-27 11:11:53.38.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-05-27 11:11:53.552.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-05-27 11:11:53.614.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-05-27 11:11:53.583.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-05-27 11:11:53.489.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-05-27 11:11:53.458.

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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

05-27-2014:11:10:48

**Clerk Accepted:**

05-27-2014:11:11:22

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Guilty Plea Memo/Agreement

**Filed By:**

Court Clerk MSchuck

You may review this filing by clicking on the following link to take you to your cases.

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MICHAEL BOLENBAKER, ESQ. for STATE OF  
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CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

CASE NO. CR14-0644 STATE OF NEVADA VS. RODERICK STEPHEN SKINNER

DATE, JUDGE,  
OFFICERS OF  
COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

5/27/14  
HONORABLE  
DAVID A.  
HARDY  
DEPT. NO.15  
M. Schuck  
(Clerk)  
R. Walker  
(Reporter)**ARRAIGNMENT**

Deputy District Attorney, Zelalem Bogale, represented the State. Defendant present with counsel, Christopher Frey, Esq. Probation Officer, Thomas Wilson, also present. Defendant handed a copy of the Information; indicated to the Court that name as set forth on same was his true name; waived reading and entered plea of guilty to Promotion of a Sexual Performance of Minor, Age 14 or Older as set forth therein.

**TRUE NAME: RODERICK STEPHEN SKINNER**

Counsel Frey recited negotiations to the Court. He indicated the Defendant would enter a plea guilty in this matter and upon sentencing the State would dismiss CR13-1601, the matter would be free to argue and no additional charges would be filed as a result of the incident. He further noted the Defendant understood the victims in the matter would be allowed to present a victim impact statement and also understood the matter carried a possible life sentence and a minimum of five (5) years needed to be served before a possible parole consideration. He further noted the Defendant understood this would require lifetime supervision and also that probation was possible. Counsel Bogale agreed with the representations of Counsel Frey, but noted a psychosexual risk assessment would need to be completed and possible probation would depend on the results of the assessment. Defendant sworn and fully canvassed by the Court as to his rights. State's counsel set forth the elements of the offense charged. Possible penalty for offense charged stated to Defendant. Court accepted plea after finding that the Defendant was freely, voluntarily and competently entering such plea and had been fully advised by counsel.

**COURT FURTHER ORDERED:** Matter continued for entry of judgment, consideration of probation report and imposition of sentence. Defendant remanded to the custody of the Sheriff.

7/29/14 at  
9:00 a.m. for  
Sentencing

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-05-27 16:17:46.808.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-05-27 16:17:46.761.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-05-27 16:17:47.543.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-05-27 16:17:47.98.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-05-27 16:17:47.761.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-05-27 16:17:47.464.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-05-27 16:17:47.418.



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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

05-27-2014:16:16:44

**Clerk Accepted:**

05-27-2014:16:17:14

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

\*\*\*Minutes

**Filed By:**

Court Clerk MSchuck

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STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

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**ZELALEM BOGALE, ESQ.** - Notification received on 2014-07-11 11:27:53.948.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-07-11 11:27:53.917.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-07-11 11:27:54.057.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-07-11 11:27:54.12.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-07-11 11:27:54.089.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-07-11 11:27:54.011.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-07-11 11:27:53.979.

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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

07-11-2014:08:55:09

**Clerk Accepted:**

07-11-2014:11:27:25

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

PSI - Confidential

**Filed By:**

Div. of Parole & Probation

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STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

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Code No. 4185

IN THE SECOND JUDICIAL DISTRICT COURT  
OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE  
THE HONORABLE DAVID A. HARDY

-o0o-

STATE OF NEVADA,	)	
	)	
Plaintiff,	)	Case No. CR14-0644
	)	
vs.	)	Dept. No. 15
	)	
RODERICK STEPHEN SKINNER,	)	
	)	
Defendant.	)	
_____	)	

TRANSCRIPT OF PROCEEDINGS

Arraignment

Tuesday, May 27, 2014

RENO, NEVADA

Reported By:

RANDI LEE WALKER, CCR No. 137

APPEARANCES:

For the State:

WASHOE COUNTY DISTRICT ATTORNEY'S OFFICE  
By: ZELALEM BOGALE, DDA.  
ONE SOUTH SIERRA ST.  
RENO, NV. 89520

For the Defendant:

WASHOE COUNTY PUBLIC DEFENDER'S OFFICE  
By: CHRISTOPHER FREY, DPD.  
350 S. CENTER ST., 5TH FLOOR  
RENO, NV. 89520

Parole and Probation:

THOMAS WILSON

1                   RENO, NEVADA, TUESDAY, MAY 27, 2014, 9:00 A.M.

2                                   -o0o-

3  
4                   THE COURT:   These are cases CR13-1601 and  
5 CR14-0644, the State versus Roderick Stephen Skinner.

6                   Mr. Skinner is in custody. He is present, with  
7 his attorney, Mr. Frey.

8                   The State is represented by Mr. Bogale.

9                   I have these two cases. I know one is set for an  
10 arraignment, and one is set for a status hearing.

11                  MR. FREY:   Your Honor, today Mr. Skinner is going  
12 to be entering a plea of guilty in CR14-0644. And the  
13 other matter will be dismissed, pursuant to negotiations,  
14 but only after sentencing. So I would ask that after the  
15 plea today, we just trail that matter for the same day as  
16 sentencing, so sentence can be imposed, and then the  
17 dismissal can occur.

18                  THE COURT:   Mr. Bogale?

19                  MR. BOGALE:   That's an accurate statement of the  
20 negotiations, Your Honor.

21                  THE COURT:   Mr. Frey, if you will approach,  
22 please. Let's exchange documents. I hand the Information  
23 to you in CR14-0644.

24                  Please confer with your client, determine that



1 he's properly identified, and declare whether you wish the  
2 Information to be read in open court.

3 MR. FREY: Thank you, Your Honor.

4 I am in receipt of the Information, filed on the  
5 2nd of this month. It contains a single count, with which  
6 we are familiar. I have reviewed the contents of the  
7 document with my client, whose name is correctly spelled  
8 at line 12. And we would waive a formal reading.

9 We're prepared to enter a guilty plea today to  
10 the sole count in the Information. In exchange for that  
11 plea, the State will be free to argue for an appropriate  
12 sentence, as will the defense.

13 And the State will not file any additional  
14 criminal charges resulting from the arrest in this case.

15 The State will further dismiss the charges, as  
16 I've already explained, in court case number CR13-1601.  
17 And the guilty-plea memorandum notes that Mr. Skinner  
18 understands that the victims in 13-1601 will be allowed to  
19 make a victim-impact statement at the time of sentencing.

20 Furthermore, with respect to my client's  
21 understanding of his sentencing exposure, he does  
22 understand that this is a life sentence, and that a  
23 minimum of five years must be served before parole  
24 eligibility. However, this charge is probationable.

1           And I can tell Your Honor now that we will be  
2 seeking a grant of probation at the time of sentencing.

3           Furthermore, he does understand that lifetime  
4 supervision would attach upon conviction, in that he would  
5 be a registered sex offender.

6           THE COURT: Mr. Bogale.

7           MR. BOGALE: That's an accurate statement of the  
8 procedural posture in the case, and the negotiations in  
9 the case, Your Honor.

10          I would just note this count is probationable, to  
11 the extent that Mr. Skinner receives a favorable  
12 psychosexual evaluation pursuant to NRS 176.139.

13          MR. FREY: That's correct.

14          THE COURT: Mr. Skinner, while sitting there,  
15 please just face my clerk, raise your right hand and be  
16 sworn.

17          (The Clerk swore in the defendant.)

18          THE COURT: Sir, has your attorney accurately  
19 stated the agreement, as you understand it?

20          THE DEFT: Yes, Your Honor.

21          THE COURT: Do you understand the decision to  
22 plead is yours, and yours alone?

23          THE DEFT: Yes.

24          THE COURT: No one can force you to plead guilty.

1 It may be appropriate, after consulting with your  
2 attorney, but I have no opinion about how you should  
3 plead.

4 If you choose to plead not guilty, I will not  
5 punish you, I will not comment, but I would set this  
6 matter for trial.

7 You're entitled, at your request, to trial, which  
8 is fair and public. And, again, with your request, to  
9 occur within the next 60 days.

10 At trial, the State is required to prove each  
11 element of the charge beyond a reasonable doubt. You have  
12 no burden of proof at trial. You don't even have to  
13 present a defense. Don't have to say anything. Do you  
14 understand?

15 THE DEFT: Yes, Your Honor.

16 THE COURT: Do you understand, Mr. Skinner, if  
17 you plead guilty this morning, there will not be a trial,  
18 and this matter will be set for sentencing?

19 THE DEFT: I understand, Your Honor.

20 THE COURT: Thank you. Mr. Bogale, please read  
21 the charge.

22 MR. BOGALE: Mr. Skinner, had the case proceeded  
23 to trial, the State would have been prepared to prove that  
24 you committed the crime of promotion of a sexual

1 performance of a minor, age 14 or older, a violation of  
2 NRS 200.720, and NRS 200.750, a felony, in that you, on or  
3 about the 5th day of May, 2013, between the 5th day of  
4 May, 2013, and the 20th of June, 2013, within the County  
5 of Washoe, State of Nevada, you willfully and unlawfully  
6 promoted or distributed a performance of a minor, or the  
7 minor engages in or simulates sexual conduct, or where the  
8 minor is the subject of a sexual portrayal, by means of a  
9 file-sharing software, to-wit: over 50 images and/or  
10 videos of underage children -- as young as five years old,  
11 and as old as 14 years -- depicted in a variety of  
12 sexually-explicit scenes and poses, including acts of  
13 sexual intercourse, and/or fellatio, and/or oral  
14 copulation, and/or sexual bondage, and/or sodomy, and/or  
15 masturbation.

16 THE COURT: Thank you, Mr. Bogale.

17 Have you had an adequate time to consult with  
18 your attorney?

19 THE DEFT: Yes, sir.

20 THE COURT: Do you understand the elements that  
21 Mr. Bogale just read?

22 THE DEFT: Yes, Your Honor.

23 THE COURT: Do you understand, Mr. Skinner, that  
24 the sentencing decision is mine? Your attorney will argue

1     that you should be given the privilege of probation,  
2     should you qualify. I don't know what the State will  
3     argue. But I alone will make the decision.

4             I will make the decision after I read a report  
5     prepared by the Division of Parole & Probation, the  
6     gentleman sitting behind your right shoulder. I will  
7     listen to your attorney. And I will listen to the State's  
8     attorney. And then I will make the decision. And there's  
9     no promise this morning of what your sentence will be. Do  
10    you understand?

11            THE DEFT: I understand.

12            THE COURT: With all that we have discussed this  
13    morning, Mr. Skinner, how do you plead to the felony  
14    charge: promotion of a sexual performance of a minor, age  
15    14 or older?

16            THE DEFT: I enter a plea of guilty, Your Honor.

17            THE COURT: Thank you, Mr. Skinner.

18            Has anybody promised you anything, or threatened  
19    you in any way, to obtain your plea?

20            THE DEFT: No.

21            THE COURT: Did you do what you're accused of  
22    doing?

23            MR. FREY: We'd stipulate to a factual basis of  
24    the charge, Your Honor.

1           THE COURT: What's happening, Mr. Skinner, is I  
2 don't want to embarrass you, and these are fairly delicate  
3 charges -- a delicate charge. But if you're unhappy with  
4 your sentence and you go to prison, you may review what we  
5 did today. And I don't want you to send documents to me,  
6 telling me that you didn't do what you just pled guilty  
7 to. So your attorney has offered a factual basis for the  
8 charge, which means that you concede that you're guilty.

9           THE DEFT: I understand.

10          THE COURT: Do you agree?

11          THE DEFT: Yes.

12          THE COURT: Thank you.

13          The Court finds that the defendant is competent  
14 to enter his plea; there's a factual basis to accept his  
15 plea.

16          He understands his rights, which he's waived. He  
17 understands the nature of the charge and its consequences.

18          You have heard your attorney recite the possible  
19 range of punishment. The range of punishment is included  
20 in the guilty-plea memorandum. And I would say, for a  
21 third time, you're looking at either probation, or life in  
22 prison, with parole eligibility after five years.

23          THE DEFT: Yes. I understand.

24          THE COURT: This Court accepts the plea.

1           This matter is set for entry of judgment and  
2 imposition of sentence. Ms. Clerk?

3           THE CLERK: July 29th, at 9:00 a.m.

4           THE COURT: See you in July.

5           THE DEFT: Thank you, Your Honor.

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7                           (Proceedings concluded.)  
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1     STATE OF NEVADA     )  
                                      )  
2     COUNTY OF WASHOE    )

3  
4                     I, RANDI LEE WALKER, Certified Shorthand  
5     Reporter of the Second Judicial District Court of the  
6     State of Nevada, in and for the County of Washoe, do  
7     hereby certify:

8                     That I was present in Department No. 15 of  
9     the above-entitled Court and took stenotype notes of the  
10    proceedings entitled herein, and thereafter transcribed  
11    the same into typewriting as herein appears;

12                    That the foregoing transcript is a full, true  
13    and correct transcription of my stenotype notes of said  
14    proceedings.

15                    DATED:   At Reno, Nevada, this 14th day of  
16    July, 2014.

17  
18                                   /s/ Randi Lee Walker  
19                                   RANDI LEE WALKER, CCR No. 137  
20  
21  
22  
23  
24



**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-07-14 18:33:36.663.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-07-14 18:33:36.632.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-07-14 18:33:36.788.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-07-14 18:33:36.85.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-07-14 18:33:36.819.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-07-14 18:33:36.741.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-07-14 18:33:36.694.

\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
PROOF OF SERVICE OF ELECTRONIC FILING

-

**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

07-14-2014:18:32:27

**Clerk Accepted:**

07-14-2014:18:33:04

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Transcript

**Filed By:**

Randi Walker

You may review this filing by clicking on the following link to take you to your cases.

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-

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MICHAEL BOLENBAKER, ESQ. for STATE OF  
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

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1 CODE 4025

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6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF WASHOE

8

9 THE STATE OF NEVADA,  
Plaintiff,

10 vs.

Case No. CR14-0644

11 RODERICK STEPHEN SKINNER,  
Defendant.

Dept. No. 15

12 \_\_\_\_\_/

13

14 **STIPULATION TO CONTINUE**

15 COMES NOW, Defendant, RODERICK STEPHEN SKINNER, by and through  
16 JEREMY T. BOSLER, Washoe County Public Defender, and CHRISTOPHER FREY, Deputy  
17 Public Defender, along with RICHARD A. GAMMICK, Washoe County District Attorney and  
18 REBECCA DRUCKMAN, Deputy District Attorney, and hereby stipulate that the sentencing  
19 hearing scheduled for July 29, 2014 be vacated and that sentencing in this matter be reset for  
20 August 21, 2014 at 9:00 a.m.

21 **AFFIRMATION PURSUANT TO NRS 239B.030**

22 The undersigned does hereby affirm that the preceding document does not contain the  
23 social security number of any person.

24 DATED this 21<sup>st</sup> day of July 2014.

25 By /s/REBECCA DRUCKMAN  
26 REBECCA DRUCKMAN  
Deputy District Attorney

By /s/ Christopher Frey  
CHRISTOPHER FREY  
Deputy Public Defender

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-07-21 16:35:57.27.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-07-21 16:35:57.224.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-07-21 16:35:57.801.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-07-21 16:35:57.879.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-07-21 16:35:57.848.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-07-21 16:35:57.754.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-07-21 16:35:57.723.

\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
PROOF OF SERVICE OF ELECTRONIC FILING

-

**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

07-21-2014:14:46:08

**Clerk Accepted:**

07-21-2014:16:35:28

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Stipulation to Continuance

**Filed By:**

Chris Frey

You may review this filing by clicking on the following link to take you to your cases.

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-

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MATTHEW LEE, ESQ. for STATE OF NEVADA

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NEVADA

CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

1 CODE 3020  
2  
3  
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6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
7  
8 IN AND FOR THE COUNTY OF WASHOE

9 THE STATE OF NEVADA,

10 Plaintiff,

11 vs.

Case No. CR14-0644

12 RODERICK STEPHEN SKINNER,

Dept. No. 15

13 Defendant.  
14 \_\_\_\_\_/

15 **ORDER GRANTING CONTINUANCE**

16 The State of Nevada, by and through Richard A. Gammick, Washoe County District  
17 Attorney and Rebecca Druckman, Deputy District Attorney and Jeremy Bosler, Washoe  
18 County Public Defender and Christopher Frey, Deputy Public Defender, filed a Stipulation to  
19 Continue on July 21, 2014 to continue the Sentencing on the above-entitled matter from July  
20 29, 2014 at 9:00 a.m. to August 21, 2014 at 9:00 a.m.

21 The Court having reviewed that request finds good cause and in the interest of justice,

22 IT IS HEREBY ORDERED that the Sentencing is continued from July 29, 2014 at 9:00  
23 a.m. to August 21, 2014 at 9:00 a.m.

24 DATED this 23<sup>rd</sup> day of July, 2014.

25   
26 \_\_\_\_\_  
DISTRICT JUDGE



**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-07-23 08:48:38.598.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-07-23 08:48:38.567.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-07-23 08:48:38.738.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-07-23 08:48:38.832.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-07-23 08:48:38.785.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-07-23 08:48:38.676.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-07-23 08:48:38.645.

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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

07-23-2014:08:47:41

**Clerk Accepted:**

07-23-2014:08:48:08

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Ord Granting Continuance

**Filed By:**

Judicial Asst. SParke

You may review this filing by clicking on the following link to take you to your cases.

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**The following people were served electronically:**

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NEVADA

CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-08-06 11:45:07.988.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-08-06 11:45:07.956.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-08-06 11:45:08.112.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-08-06 11:45:08.175.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-08-06 11:45:08.144.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-08-06 11:45:08.05.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-08-06 11:45:08.019.

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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

08-06-2014:09:18:59

**Clerk Accepted:**

08-06-2014:11:44:36

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Evaluations

**Filed By:**

Div. of Parole & Probation

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CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

1 CODE: 2490  
2 WASHOE COUNTY PUBLIC DEFENDER  
3 CHRISTOPHER FREY, BAR NO. 10589  
4 P.O. Box 11130  
5 Reno, NV 89520-0027  
6 (775) 337-4800  
7 Attorney for Defendant

8  
9 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

10 IN AND FOR THE COUNTY OF WASHOE

11 THE STATE OF NEVADA,

12 Plaintiff,

Case No. CR14-0644

13 v.

Dept. No. 15

14 RODERICK STEPHEN SKINNER,

15 Defendant.

16 **MOTION FOR LEAVE TO FILE UNDER SEAL**

17 COMES NOW, the Defendant, RODERICK STEPHEN SKINNER, by and through his  
18 attorney of record, JEREMY T. BOSLER, Washoe County Public Defender, and Deputy Public  
19 Defender, CHRISTOPHER FREY, and hereby moves for leave to file under seal his  
20 Memorandum in Support of Probation.

21 This motion is based upon the attached points and authorities and any testimony,  
22 documentary, and real evidence as may be presented at the hearing on this matter.

23 **STATEMENT OF FACTS**

24 Mr. Skinner has filed a Memorandum in Support of Probation in advance of his  
25 sentencing. Mr. Skinner's pleading makes references to the contents of confidential medical  
26 records, and attaches those records as exhibits.

ARGUMENT

Because his Memorandum in Support of Probation references confidential information, Mr. Skinner respectfully seeks leave of court to have his pleading filed under seal

In addressing the proper procedure for sealing document in a criminal case, the Nevada Supreme Court in *Howard v. State* outlined the following requirements: a party seeking to seal a document must (1) “file a written motion and serve the motion on all parties involved in the action”; (2) “identify the document or information the party seeks to seal; (3) “identify the grounds upon which sealing the subject documents is justified and specify the duration of the sealing order”; and (4) show “why less restrictive means will not adequately protect the material.” 128 Nev. \_\_\_, \_\_\_, 291 P.3d 137, 143 (2012). Examples of grounds to seal include “records containing privileged attorney-client communications where the privilege has not been waived, records containing information that is permitted or required under federal or Nevada law to be sealed, and records containing information the sealing of which is justified or required by an identified significant competing interest.” *Id.*

Mr. Skinner’s Memorandum in Support of Probation references the contents of medical records generated during his extended period of pretrial incarceration, and attaches these records as exhibits. The contents of these records appear to be confidential under NRS §§ 49.215.245 and the Health Insurance Portability and Accountability Act of 1996 (HIPAA). *See* 45 C.F.R. Parts 160 & 164; 42 C.F.R. Part 2. Consequently, Mr. Skinner respectfully requests that his Memorandum in Support of Probation be sealed. Less restrictive means do not appear to exist to protect the confidentiality of this information.

///

///



**CONCLUSION**

Based on the foregoing, Mr. Skinner respectfully requests leave to file his  
Memorandum in Support of Probation under seal.

**AFFIRMATION PURSUANT TO NRS 239B.030**

The undersigned does hereby affirm that the preceding document does not contain the  
social security number of any person.

DATED this 20<sup>th</sup> Day of August, 2014.

JEREMY T. BOSLER  
Washoe County Public Defender

By /s/ CHRISTOPHER FREY  
CHRISTOPHER FREY  
Deputy Public Defender

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**CERTIFICATE OF SERVICE**

I, LINDA GRAY, hereby certify that I am an employee of the Washoe County Public Defender's Office, Reno, Washoe County, Nevada, and that on this date I forwarded a true copy of the foregoing document through electronic service to:

Rebecca Druckman, Deputy District Attorney  
District Attorney's Office

DATED this 20<sup>th</sup> Day of August, 2014.

\_\_\_\_\_  
/s/ LINDA GRAY  
LINDA GRAY

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-08-20 16:21:59.82.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-08-20 16:21:59.789.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-08-20 16:21:59.93.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-08-20 16:21:59.992.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-08-20 16:21:59.961.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-08-20 16:21:59.883.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-08-20 16:21:59.852.

\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

08-20-2014:16:02:23

**Clerk Accepted:**

08-20-2014:16:19:11

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Motion

Memorandum

- \*\*Continuation
- \*\*Continuation
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- \*\*Continuation
- \*\*Continuation
- \*\*Continuation
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**Filed By:**

Chris Frey

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STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

## EXHIBITS

## HEARING: SENTENCING

PLTF: STATE OF NEVADA

**PATY:** DEPUTY DISTRICT ATTORNEY REBECCA DRUCKMAN

**DEFT:** RODERICK STEPHEN SKINNER

**DATY:** DEPUTY PUBLIC DEFENDER CHRISTOPHER FREY

**CASE NO.:** CR14-0644    **DEPT. NO.:** 15    **CLERK:** K. LANE    **DATE:** 8/21/14

[illegible]



Second Judicial District Court  
State of Nevada  
Washoe County

Electronic Filing

## Case Summary for Case: CR14-0644

STATE VS. RODERICK STEPHEN SKINNER (D15)

**Case Number** CR14-0644  
**Case Type** CRIMINAL  
**Opened** 04-25-2014  
**Status** EVNTCLOSED

**Plaintiff** STATE OF NEVADA  
**Defendant** RODERICK STEPHEN SKINNER  
**Judge** HONORABLE DAVID A. HARDY - Division D15

Show/Hide Participants

### File Date

### Case History

File Date	Case History
08-20-2014	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 4570694 - Approved By: NOREVIEW : 08-20-2014:16:22:21
08-20-2014 Defendant	Motion Filed by: CHRISTOPHER FREY, ESQ. Motion ... MOTION FOR LEAVE TO FILE UNDER SEAL - Transaction 4570579 - Approved By: SHAMBRIG : 08-20-2014:16:19:11
	Memorandum Filed by: CHRISTOPHER FREY, ESQ. Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded - Document withheld. Document Security Level Exceeded
08-20-2014 Defendant	
08-06-2014	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 4549672 - Approved By: NOREVIEW : 08-06-2014:11:45:40
08-06-2014 Court	Evaluations Filed by: DIV. OF PAROLE & PROBATION Evaluations PSYCHOSEXUAL EVALUATION - Transaction 4549167 - Approved By: MCHOLICO : 08-06-2014:11:44:36
07-23-2014	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 4529184 - Approved By: NOREVIEW : 07-23-2014:08:48:58
07-23-2014	Ord Granting Continuance Filed Ord Granting Continuance SENTENCING CONTINUED FROM JULY 29 TO AUGUST 21 - Transaction 4529176 - Approved By: NOREVIEW : 07-23-2014:08:48:08
07-21-2014	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 4526578 - Approved By: NOREVIEW : 07-21-2014:16:36:28
07-21-2014 Defendant	Stipulation to Continuance Filed by: CHRISTOPHER FREY, ESQ. Stipulation to Continuance STIPULATION TO CONTINUE SENTENCING HEARING - Transaction 4526118 - Approved By: SHAMBRIG : 07-21-2014:16:35:28
07-14-2014	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 4516061 - Approved By: NOREVIEW : 07-14-2014:18:34:04
07-14-2014	Transcript Filed Transcript MAY 27, 2014 ARRAIGNMENT - Transaction 4516060 - Approved By: NOREVIEW : 07-14-2014:18:33:04 : this document can only be accessed at the court
07-11-2014	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 4512927 - Approved By: NOREVIEW : 07-11-2014:11:28:11
07-11-2014 Court	PSI - Confidential Filed by: DIV. OF PAROLE & PROBATION PSI - Confidential Transaction 4512319 - Approved By: JYOST : 07-11-2014:11:27:25



05-27-2014	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 4450065 - Approved By: NOREVIEW : 05-27-2014:16:18:16
05-27-2014	***Minutes Filed ***Minutes ARRAIGNMENT - 5/27/14 - Transaction 4450060 - Approved By: NOREVIEW : 05-27-2014:16:17:14
05-27-2014	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 4448952 - Approved By: NOREVIEW : 05-27-2014:11:12:22
05-27-2014	Guilty Plea Memo/Agreement Filed Guilty Plea Memo/Agreement Transaction 4448950 - Approved By: NOREVIEW : 05-27-2014:11:11:22
05-23-2014	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 4447609 - Approved By: NOREVIEW : 05-23-2014:15:03:07
05-23-2014	***Minutes Filed ***Minutes 5-22-14 ARRAIGNMENT - Transaction 4447606 - Approved By: NOREVIEW : 05-23-2014:15:02:07
05-08-2014	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 4422623 - Approved By: NOREVIEW : 05-08-2014:09:03:54
05-08-2014 Defendant	Application for Setting Filed by: CHRISTOPHER FREY, ESQ. Application for Setting ARRAIGNMENT 05-22-14 AT 9:00 A.M. - Transaction 4422566 - Approved By: JYOST : 05-08-2014:09:02:48
05-02-2014	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 4415096 - Approved By: NOREVIEW : 05-02-2014:15:31:35
05-02-2014 Plaintiff	Waiver of Preliminary Exam Filed by: REBECCA DRUCKMAN, ESQ. Waiver of Preliminary Exam Transaction 4414797 - Approved By: JYOST : 05-02-2014:15:30:37
05-02-2014 Plaintiff	Information Filed by: REBECCA DRUCKMAN, ESQ. Information Transaction 4414797 - Approved By: JYOST : 05-02-2014:15:30:37
04-29-2014	Notice of Electronic Filing Filed Proof of Electronic Service Transaction 4406649 - Approved By: NOREVIEW : 04-29-2014:08:19:53
04-28-2014	Court Services Report Filed Court Services Report Transaction 4406521 - Approved By: SHAMBRIG : 04-29-2014:08:18:50



V2. 72



V2. 73

No.	CR14.0644
STATE	
vs.	
R. SKINNER	
DEPT.	EX. 2
Admitted: 8/21, 2014	
JOEY HASTINGS, CLERK	
By: [Signature]	
Deputy	

CODE 1015

FILED

SEP - 4 2014

JOEY HASTINGS, CLERK  
By: [Signature]  
DEPUTY CLERK

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

STATE OF NEVADA,

Plaintiff,

vs.

Case No. CR14-0644RODERICK SKINNER,

Dept. No. 15

Defendant.

## ACKNOWLEDGMENT BY DEFENDANT OF NRS 176.0927

Pursuant to NRS 176.0927(1)(c), the requirements for registration have been explained to me. I understand the requirements of registration.

Dated this 4TH day of SEPTEMBER, 2014.

[Signature: Rod Skinner]  
Defendant

1 **CODE 1850**  
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6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
7 **IN AND FOR THE COUNTY OF WASHOE**  
8

9 **STATE OF NEVADA,**

10 **Plaintiff,**

11 **vs.**

**Case No. CR14-0644**

12 **RODERICK STEPHEN SKINNER,**

**Dept. No. 15**

13 **Defendant.**  
14 \_\_\_\_\_/

15 **JUDGMENT OF CONVICTION**

16 The Defendant entered a plea of guilty on May 27, 2014, and no legal cause being shown as  
17 to why judgment should not be pronounced against him, the Court rendered judgment as follows:

18 1. That Roderick Stephen Skinner is guilty of the crime of Promotion of a Sexual  
19 Performance of a Minor, Age 14 or Older, a violation of NRS 200.720 and NRS 200.750, a felony,  
20 as charged in the Information, and that he be punished by imprisonment in the Nevada Department  
21 of Corrections for a term of life with the possibility of parole, with eligibility for parole beginning  
22 when a minimum of 5 years has been served, with credit for time served in the amount of 411 days.

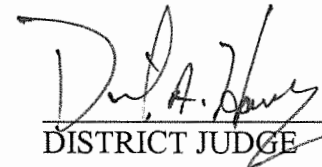
23 2. It is further ordered that Roderick Stephen Skinner shall pay \$25.00 as an  
24 administrative assessment fee, \$3.00 as an administrative assessment for obtaining a biological  
25 specimen and conducting a genetic marker analysis, and \$150.00 as a DNA testing fee, and he shall  
26 submit to a DNA analysis to determine the presence of genetic markers, if not previously ordered,  
27 \$902.50 as a psychosexual fee, \$5,000.00 as a fine, and reimburse the County of Washoe the sum of  
28 \$500.00 for legal representation.

1           3.       Pursuant to NRS 176.0931, the Court recommends that a special sentence of lifetime  
2 supervision commence after any period of probation, or any term of imprisonment or any period of  
3 release on parole. It is further ordered that the Defendant shall register as a Sex Offender with the  
4 law enforcement agency in whose jurisdiction the Defendant resides and is employed within 48  
5 hours of release from custody in accordance with NRS 179D.460.

6           4.       Roderick Stephen Skinner is hereby advised that:

7                   **Any fine, fee or administrative assessment imposed today (as**  
8                   **reflected in this judgment of conviction) constitutes a lien, as**  
9                   **defined in Nevada Revised Statutes 176.275. Should you not pay**  
10                   **these fines, fees, or assessments, collection efforts may be**  
11                   **undertaken against you.**

12           Dated this 10<sup>th</sup> day of September, 2014.

13                     
14                   DISTRICT JUDGE

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-09-11 16:17:30.69.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-09-11 16:17:30.643.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-09-11 16:17:31.033.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-09-11 16:17:31.095.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-09-11 16:17:31.064.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-09-11 16:17:30.752.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-09-11 16:17:30.721.

\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
PROOF OF SERVICE OF ELECTRONIC FILING

-

**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

09-11-2014:16:14:16

**Clerk Accepted:**

09-11-2014:16:14:52

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Judgment of Conviction

**Filed By:**

Court Clerk KLane

You may review this filing by clicking on the following link to take you to your cases.

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-

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**The following people were served electronically:**

MATTHEW LEE, ESQ. for STATE OF NEVADA

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NEVADA

CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):



CASE NO. CR14-0644 STATE OF NEVADA VS. RODERICK STEPHEN SKINNER  
CR13-1601 STATE OF NEVADA VS. RODERICK STEPHEN SKINNER

DATE, JUDGE

OFFICERS OF

COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

8/21/14	<u>ARRAIGNMENT</u>	
HONORABLE	Deputy District Attorney Rebecca Druckman represented the State.	August 26, 2014
DAVID A. HARDY	Defendant was present, in custody, represented by Deputy Public	8:20 a.m.
Dept. No. 15	Defender Christopher Frey. Erin Lukl was present on behalf of the	Sentencing – Con't
K. Lane	Division of Parole and Probation.	
(Clerk)	<i>State's Exhibit 1 marked.</i>	
R. Walker	Counsel Druckman addressed the Court and discussed the late	
(Reporter)	disclosure of the mitigation memorandum. She advised the Court	
	additional time is needed to review the document; moved for a	
	continuance.	
	ROBIN WELLNER was called by Defense, was sworn, and testified	
	under direct and cross examination; witness thanked and excused.	
	<i>Defendant's Exhibit 2 marked; offered for admission without</i>	
	<i>objection; ADMITTED.</i>	
	<b>COURT ORDERED:</b> This matter is continued.	
	Defendant remanded to the custody of the Sheriff.	

## EXHIBITS

## HEARING: SENTENCING

PLTF: STATE OF NEVADA

**PATY:** DEPUTY DISTRICT ATTORNEY REBECCA DRUCKMAN

**DEFT:** RODERICK STEPHEN SKINNER

**DATY:** DEPUTY PUBLIC DEFENDER CHRISTOPHER FREY

**CASE NO.:** CR14-0644    **DEPT. NO.:** 15    **CLERK:** K. LANE    **DATE:** 8/21/14

[illegible]

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-09-12 18:53:31.503.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-09-12 18:53:31.471.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-09-12 18:53:31.627.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-09-12 18:53:31.69.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-09-12 18:53:31.659.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-09-12 18:53:31.565.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-09-12 18:53:31.534.

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A filing has been submitted to the court RE: CR14-0644

Judge:

HONORABLE DAVID A. HARDY

Official File Stamp:

09-12-2014:18:52:26

Clerk Accepted:

09-12-2014:18:53:00

Court:

Second Judicial District Court - State of Nevada  
Criminal

Case Title:

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

Document(s) Submitted:

\*\*\*Minutes

Filed By:

Court Clerk KLane

You may review this filing by clicking on the following link to take you to your cases.

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**The following people were served electronically:**

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CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

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1 Code No. 4185

2  
3  
4  
5 IN THE SECOND JUDICIAL DISTRICT COURT  
6 OF THE STATE OF NEVADA  
7 IN AND FOR THE COUNTY OF WASHOE  
8 THE HONORABLE DAVID A. HARDY

9 -oOo-

10 STATE OF NEVADA, )  
11 Plaintiff, ) Case Nos. CR13-1601  
12 vs. ) CR14-0644  
13 RODERICK STEPHEN SKINNER, ) Dept. No. 15  
14 Defendant. )  
15 \_\_\_\_\_ )

16 TRANSCRIPT OF PROCEEDINGS

17 Sentencing

18 August 21, 2014

19 RENO, NEVADA

20  
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22  
23  
24 Reported By: RANDI LEE WALKER, CCR # 137

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APPEARANCES:

FOR THE STATE:

WASHOE COUNTY DISTRICT ATTORNEY'S OFFICE  
By: REBECCA DRUCKMAN, DDA.  
1 SOUTH SIERRA STREET  
RENO, NV. 89520

FOR THE DEFENDANT:

WASHOE COUNTY PUBLIC DEFENDER'S OFFICE  
By: CHRISTOPHER FREY, DPD.  
350 S. CENTER STREET  
RENO, NV. 89520

Parole and Probation:

ERIN LUKL

1	INDEX OF EXAMINATIONS					
2	STATE'S WITNESSES	DR	CR	REDR	RECR	VD
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4	DEFT'S WITNESSES	DR	CR	REDR	RECR	VD
5	ROBIN WELLNER	13	30	39		
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1                   RENO, NEVADA, AUGUST 21, 2014, 9:00 A.M.

2                                   -oOo-

3  
4                   THE COURT: Are you ready to go on Skinner?

5                   MS. DRUCKMAN: Your Honor, I need to bring to  
6 the Court's attention one of the problems the State  
7 encountered concerning the defendant's memorandum in  
8 support of probation.

9                   I was provided a copy of it this morning, but  
10 apparently Mr. Frey's office filed it under seal  
11 yesterday, the 20th, and it's about 400 pages long. I  
12 haven't had a chance to see the memorandum. I have not  
13 had much of a chance to look at the remaining documents  
14 that were attached thereto.

15                  THE COURT: Well, let me comment, for a moment.  
16 If it was filed under seal, then I want to know more,  
17 because there was a motion to file it under seal -- did  
18 I sign an order granting that motion?

19                  MS. DRUCKMAN: Apparently so, Your Honor. I can  
20 indicate to the Court -- I have a copy of the --

21                  THE COURT: My clerk is telling me that I did  
22 not sign an order.

23                  MS. DRUCKMAN: Well, I can just show the Court  
24 what I printed yesterday. I would ask this be marked as

1 State's Exhibit 1.

2 THE COURT: Is the defendant here?

3 MR. FREY: Yes.

4 THE CLERK: Exhibit 1, marked for  
5 identification.

6 (Exhibit 1 was marked.)

7 MS. DRUCKMAN: When I attempted to look at it in  
8 eFlex yesterday, I had a message that the Court could  
9 read that said: "Security level exceeded." So I was  
10 not able to review counsel's pleadings yesterday,  
11 because of the nature of the way it was --

12 THE COURT: Let me comment in reflection to what  
13 I just heard. There was an incredible amount of time  
14 spent preparing that mitigation statement. And in many  
15 respects it's persuasive, as it distinguishes P&P's  
16 probability assessment.

17 Some of the P&P's assessment is driven by  
18 objective criteria; and other is subjective criteria.  
19 And Mr. Frey has focused on that subjective criteria;  
20 which, if Mr. Frey is accurate, might change P&P's  
21 recommendation. If it doesn't change their  
22 recommendation, it certainly helps me better understand  
23 the full scope.

24 So I want you to be prepared to match what Mr.

1     Frey has done.  If he's filed it in a way that you  
2     haven't seen it until this morning, I'm not going to put  
3     you at a disadvantage.

4             Let me also tell you that I think we have  
5     somebody from Australia.  Is she here?

6             MR. FREY:  Yes, we do, Your Honor.

7             THE COURT:  And we have somebody that's ready to  
8     talk on the phone.

9             So are you talking about that you need another  
10    hour this morning?  Or are you talking about that you  
11    want to reset?

12            MS. DRUCKMAN:  What I would suggest, Your Honor,  
13    is that we begin sentencing hearing, and then we take  
14    all of the persons who are here, and then we continue it  
15    perhaps a week, to give me an opportunity to go through  
16    his document that was provided to me this morning.  It  
17    is probably about 300 or 400 pages long.

18            THE COURT:  But of it -- I printed off  
19    everything except the medical records.  And it's very,  
20    very manageable without the medical records.  And I  
21    would even give you my copy.  But most of it's  
22    photographs.  There's a letter, a very lengthy letter  
23    from an attorney in Australia.  And so I was able to  
24    read it in well under an hour, if I excluded the medical

1 records.

2 MR. FREY: Your Honor, I think that's exactly  
3 right. The bulk of the exhibits are really in the  
4 nature of photographs, certificates of completion of the  
5 police academy, documents that really merit a quick  
6 perusal.

7 The medical documentation is just here to  
8 substantiate some of the medical claims that we've made.  
9 They do not require any more than a quick review.

10 MS. DRUCKMAN: Here's the State's position, Your  
11 Honor, and I just have to be blunt.

12 MR. FREY: Please.

13 MS. DRUCKMAN: You know, the State has been very  
14 accommodating to the defense concerning the date of  
15 sentencing. I have continued it with them to obtain the  
16 people from Australia; I have allowed the people to  
17 testify by phone; I have accommodated the defense.

18 This sentencing has been set for quite a while.  
19 I fully understand that Mr. Frey is busy. But the  
20 State's position here is that I'm completely willing to  
21 go forward partially on sentencing today, to accommodate  
22 all of the things that we have put in place, but I think  
23 it's unfair to the State to hand 400 pages to the person  
24 literally on the morning of the sentencing, and file it

1 in such a way that it -- actually, you know, I could  
2 make an argument here under Rule 13 that it was  
3 improperly served on me in advance of this hearing, and  
4 that it should be stricken. I'm not making that  
5 argument. But I could, because of the way it's been  
6 filed.

7 THE COURT: Ms. Druckman, I agree with you. The  
8 question is whether you need an hour, or you need a  
9 couple of days. That's the question for me.

10 MS. DRUCKMAN: I would like a couple of days,  
11 Your Honor. I think it's appropriate, especially if  
12 we're going to invade the provision of P&P and challenge  
13 their findings. And the Court has indicated it's  
14 somewhat persuasive.

15 THE COURT: It is. And, in fact, if I go to  
16 probation, it won't be because he has a child; it won't  
17 be because he has a child; it won't be because his  
18 daughter has come from Australia. It will be because  
19 the P&P recommendation is impeached. That's why.

20 MS. DRUCKMAN: So I would like some chance to  
21 actually review that, in-depth. I don't feel I can do  
22 it in an hour.

23 THE COURT: So I need to do something quickly,  
24 so I'm going to leave the courtroom for about five

1 minutes.

2 I do have people here, and I want to make as  
3 much time as necessary today. And then I will allow you  
4 to review; and if you think you need to put something in  
5 writing or call people, or however it is, I agree that  
6 receiving it on the morning of the sentencing shifts the  
7 fairness against the State. And we won't do that.

8 (A short recess was taken.)

9 THE COURT: Are you ready to go?

10 MR. FREY: Your Honor, can I put a couple of  
11 matters on the record?

12 THE COURT: Yes, sir.

13 MR. FREY: Number one, my request to continue  
14 last time was as a result of two things: Number one, I  
15 was very disappointed in the recommendation of the  
16 Division, and I wanted to investigate the criteria they  
17 used to arrive at that recommendation.

18 Number two, the psychosexual evaluation had been  
19 completed, but yet was not supplied to us. And that  
20 psychosexual evaluation was actually referenced in the  
21 PSI.

22 So that was something we didn't have going into  
23 sentencing. And that was the second reason why I  
24 requested to continue it.

1           It wasn't simply by the grace of the State that  
2           that continuance was granted, it was a continuance that  
3           had merit because there was a need for a psychosexual as  
4           well as the underlying documentation.

5           The psychosexual note under the Court's docket  
6           was not filed before sentencing, it was only filed post  
7           that sentencing date; hence the reason to continue.

8           So I know the State's been accommodating; but as  
9           I noted in my memorandum, we have also been equally  
10          accommodating, from our standpoint.

11          I'd also note that I understand that you may  
12          rule and continue the case, but I don't believe that  
13          that's merited, unless the State's really willing to  
14          contest Mr. Skinner's Crohn's Disease, cancer, bilateral  
15          amputation. Those are, frankly, plain, from the  
16          surgical scar on his neck, and his wheelchair. It  
17          doesn't seem like that merits a week of preparation  
18          time.

19          I say that only because I have Robin Wellner  
20          here. She's from Australia. She flew in, and she's  
21          going to fly out tomorrow. So that's why I wanted to  
22          put those concerns on the record.

23          THE COURT: And if the State had received the  
24          statement in mitigation sometime before this morning, we

1       wouldn't be having this conversation.

2               MR. FREY: I understand. We did our best. I  
3       expected that they would get it. I didn't get notice  
4       that they didn't get it until this morning. I served  
5       them with a courtesy copy personally and by e-mail. I  
6       wish they would have gotten it yesterday, but apparently  
7       because of our sealing of the document, that didn't  
8       occur.

9               THE COURT: There are two things I would like  
10      this morning: First, there is some suggestion or  
11      understanding by the defense, that upon my decree Mr.  
12      Skinner can just get on an airplane and return to  
13      Australia under supervised probation.

14              Is it as easy as that, Ms. Lukl? Because state-  
15      to-state we have a lot of compacted time-delay issues.

16              THE DIVISION: I don't believe so. I haven't  
17      done one out of the country, so to speak. But just  
18      state-to-state, I agree, Your Honor, it requires a  
19      little bit more documentation, verification, and then  
20      also, then, ultimately the approval from the receiving  
21      country in this case.

22              THE COURT: Right. Second, there is talk behind  
23      the judicial curtain about the P&P probability  
24      matricies -- the forms that are used. So much so, that



1 we had a presentation from P&P, I think just last week  
2 or the week before, in which the forms were given to us,  
3 there were explanations as to how different conclusions  
4 were reached, and there was some acknowledgment of the  
5 imprecision of some of the subjective components.

6 The State's free to argue here. You're not  
7 concurring. But when the State and the Division  
8 disagree, it's relevant to me.

9 Right now there's not a disagreement. But I  
10 don't know if Mr. Frey is going to demonstrate that P&P  
11 is wrong, or should reconsider based upon his analysis  
12 of that probability motion.

13 So when this matter is continued, I want the  
14 actual author present, available to respond to Mr.  
15 Frey's specific attack upon the recommendation. Because  
16 if in light of that recommendation the recommendation  
17 would be the same, it's very important for me to know,  
18 because then I've got the State and P&P telling me the  
19 same thing.

20 Somebody is here from out of country, and I very  
21 much want her time to be used, so that she doesn't fly  
22 without being heard. So at the very least, let's allow  
23 her to address the Court.

24 MR. FREY: Thank you, Your Honor. We would like

1 to call Ms. Robin Wellner, please.

2 THE COURT: When we reset this, I want, Ms.  
3 Clerk, it to be more towards the back end of the  
4 criminal calendar.

5  
6 ROBIN WELLNER,  
7 called as a witness by the State,  
8 who, first having been duly sworn,  
9 was examined and testified as follows:

10

11 MR. FREY: Thank you, Your Honor.

12 THE COURT: I should note, I have read her  
13 somewhat lengthy letter/report.

14 MR. FREY: Wonderful.

15 DIRECT EXAMINATION.

16 BY MR. FREY:

17 Q. Ma'am, please state your name, and spell your  
18 last name for the record.

19 A. My full name is Robin A. Wellner: W-e-l-l-n-e-r.

20 Q. Thank you. Ms. Wellner, do you know Roderick  
21 Skinner?

22 A. Yes, I do.

23 Q. How do you know Roderick Skinner?

24 A. Roderick was introduced to me and my husband,

1     who is also an attorney, which -- if you don't mind,  
2     Your Honor, my office opened up at 2:00 o'clock this  
3     morning to take a telephone call from Courtney. Is it  
4     possible for the telephone evidence --

5             THE COURT: No. You're on. I'd like to hear  
6     you right now, please. I can reschedule a telephone at  
7     any time, but I have a live witness.

8             MR. FREY: That's fine, Your Honor.

9     BY MR. FREY:

10    Q.       So, Ms. Wellner, you were describing how you  
11    knew Roderick Skinner.

12    A.       About late-2005, a client by the name of Kevin  
13    McTaggart, said that he was going to recommend Mr.  
14    Skinner to come to our office as a possible potential  
15    client for his family-law issue. I think I met him  
16    around about just before the Christmas of 2005, or  
17    early-2006.

18    Q.       Now, what do you do for a living?

19    A.       I'm a lawyer.

20    Q.       How long have you been a lawyer?

21    A.       Since 1997.

22    Q.       Are you currently licensed as such?

23    A.       Yes.

24    Q.       What do you practice, ma'am?

1 A. Family law, property law, deceased's estates.

2 Q. What country do you practice in?

3 A. Queensland, Australia.

4 Q. Did you make a flight very recently to come to  
5 Reno to testify?

6 A. I did. I arrived Reno time, Tuesday afternoon.

7 Q. Was that at your own personal expense?

8 A. In part.

9 Q. When do you plan to leave?

10 A. Tomorrow afternoon.

11 Q. Now, approximately how long have you known Mr.  
12 Skinner?

13 A. Since late-2005, early-2006.

14 Q. Was it always a professional relationship with  
15 him? Or did you guys become personal friends?

16 A. We became friends, as well.

17 Q. And throughout the course of your friendship,  
18 what can you say about Mr. Skinner's character?

19 A. He's an honest man. He's very caring for his  
20 children, and caring for people around him.

21 It took a while to get to know Rod, because in  
22 the past he's had some issues in the family court where  
23 he became very despondent with the legal profession. So  
24 he had to get comfortable with us, before he became

1 friendly, to make sure that we weren't going to be what  
2 he thought was bad people out to get him, and that we  
3 were there to help him with his issues.

4 Q. Do you understand Rod to have a family?

5 A. He does.

6 Q. Who does his family consist of?

7 A. His little daughter, Courtney, is currently 23;  
8 he has a son, Broderick, who is 19; and he has a small  
9 child, Sophie, who is turning three this week sometime.

10 Q. How would you describe his relationship with his  
11 daughter, Courtney?

12 A. Very close. They're very good friends. They're  
13 very close. They talk, chat a lot on the internet.

14 Rod, as part of his visa requirements for living  
15 in the States, I believe, he has to go home every three  
16 months or thereabouts. He's spent that time at home,  
17 with his daughter.

18 Q. How would you describe his relationship with his  
19 son, Broderick?

20 A. I don't think Mr. Skinner has seen Broderick for  
21 some time, because of the family-law issues.

22 Q. And his relationship with his daughter, Sophie,  
23 can you speak to that?

24 A. I saw Sophie for the first time in April of

1     2013, with Rod, when he proudly brought his cute little  
2     girl over to visit. Sophie loves her dad. She was all  
3     over him.

4             Dad was there to teach her, if he saw something  
5     new. She was learning to speak. Her favorite word was  
6     "bird."

7             At my place, I have chickens, I have finches,  
8     we've got lady birds flying around in the garden.  
9     Outside, she's learning the names of the birds.

10            I've got cats. She had to go and talk to my  
11     cats.

12            And Rod was helping with the words, and trying  
13     to formulate names of every one, as well.

14     Q.       I'm going to approach you now with a photograph.  
15     Do you recognize what I'm handing you?

16     A.       That's Sophie. That's Sophie taken with -- I'm  
17     presuming -- Lynn, before I met her. But --

18     Q.       Who else is the photograph?

19     A.       That's the father, Rod Skinner.

20            MR. FREY: Your Honor, I'd move to admit the  
21     photograph of Mr. Skinner with his daughter, Sophie.

22            MS. DRUCKMAN: I have no objection.

23            THE COURT: Thank you. It will be admitted.

24            (Whereupon, the exhibit was admitted into

1 evidence.)

2 BY MR. FREY:

3 Q. Where is Sophie now?

4 A. In Australia, living with Courtney.

5 Q. And what sort of living environment are they  
6 living in right now?

7 A. I haven't been to Courtney's place, but I know  
8 that she's just recently moved to a house in Oxley,  
9 which is a suburb of Brisbane, the outer skirts of  
10 Brisbane. It's on the mainland, whereas she was living  
11 on an island off the Queensland coastline.

12 She's moved to the house partly and especially  
13 with her father coming home, so he's got quick access to  
14 medical facilities, should he need them.

15 Q. Is there anything about the house that's  
16 equipped especially for Mr. Skinner?

17 A. I haven't seen the house. All I know is it's a  
18 single-level property. It does have ramps.

19 Q. And that's to accommodate his wheelchair; is  
20 that right?

21 A. Yes.

22 Q. Now upon Mr. Skinner's return to Australia,  
23 should he be granted the privilege of probation here,  
24 can you describe what kind of resources he would have

1 available to him?

2 A. He has his police pension, which I believe he  
3 gets paid about \$3,000 a month from his 3.00 police  
4 pension.

5 Once he becomes a resident of Australia, he will  
6 then be entitled to his Medicare card. And he may be  
7 able to access some Disability and Pension. Medicare is  
8 kind of a Disability Pension, and if not paid in  
9 dollars, will certainly be paid in lieu, by giving him a  
10 pension card, which then it gives him cheaper  
11 medication. And he will have free medical.

12 Q. He has a family-law attorney; correct?

13 A. Yes.

14 Q. How extensive would that Medicare coverage be  
15 with respect to Rod? What would that cover for him?

16 A. It would cover GP -- general practitioners -- as  
17 in a normal family doctor. It would cover any  
18 hospitalization he'd require. It would cover, in part,  
19 specialists' fees, if he had to go to a specialist, say,  
20 for his Crohn's Disease. Some of the specialists don't  
21 just take the Medicare rebate, they may require  
22 additional funds on top of that. Other specialists like  
23 the money up front; and then Rod can make a claim  
24 against the government for a refund, in part, of the



1 fees.

2 Q. What's Rod's circle of family and friends like  
3 back in Queensland?

4 A. I only know Kevin McTaggart and his family. But  
5 from Courtney's telling me, they have a very extensive  
6 family friendship.

7 And the friends that Rod has are also friends of  
8 Courtney's, and they have all told her that they support  
9 her, and Rod upon his return.

10 Q. Now, you understand the nature of the charge  
11 that he pled guilty to; correct.

12 A. I do.

13 Q. I imagine his family understands that as well?

14 A. They do.

15 Q. What's the emotional toll that it's taken on  
16 you? Can you describe that?

17 A. Courtney, in particular, she thinks of nothing  
18 else. She feels as though she's a bit of a failure,  
19 because she hasn't been able to help her dad, as much as  
20 she would have liked.

21 Not that we can do that much in Australia. It's  
22 a different jurisdiction over here. You have different  
23 laws.

24 For instance, we're trying to source a new

1 wheelchair for him, because his original wheelchair  
2 broke, also in detention. The chair that he's using at  
3 the moment, I believe, is provided by the detention  
4 center. It's not suitable for a double amputee.

5 We found one of his wheelchair manufacturers,  
6 who's also a double amputee, in Redcliff, which is north  
7 of Brisbane. He was attempting to get it prepared and  
8 ready so I could bring it with me on Tuesday, but  
9 unfortunately we didn't have enough time, because each  
10 chair for a double amputee has special specifications to  
11 that amputee. That's taken a long time.

12 Getting money onto the jail's ATM, so that she  
13 can have e-mail correspondence with her father, has been  
14 difficult. Funds leaves Australia, but it seems to take  
15 forever to get into the system. So there are lengthy  
16 periods of time when Courtney can't correspond with her  
17 father.

18 I have attempted to get a jail ATM account  
19 going, and I just simply couldn't even get past first  
20 base. I put in a password, and then it just crashed  
21 down on me, time and time and time again.

22 For me, Courtney spends a lot of time in my  
23 office working through issues, trying to understand  
24 what's happened here, trying to understand your

1       legislation, reading your laws.

2               I've spent a lot of time with Courtney, trying  
3       to get Sophie back. Interpreting between the American  
4       Consulate and the American public person who's looking  
5       after Sophie -- the prosecution.

6       Q.       Child Protective Services?

7       A.       Child Protection Services. And now Children  
8       Services. The difference in the legal language caused  
9       issues, caused confusion. The American side was asking  
10      for something, the Australian side was saying, "This is  
11      what you've got."

12             And it was only after I researched this and  
13      that, that I could work out what they were really after.  
14      It was finally all sorted out, and hen everyone was  
15      happy.

16             It turned out we were working towards the same  
17      thing, but thing terminology, so it caused issues there.  
18      I helped with the Children's Services in Brisbane,  
19      between the American child protection people and them,  
20      because of different terminology again.

21             So for me, it's taken many, many hours of my  
22      office time, and out-of-office time.

23      Q.       Robin, you didn't have to make the trip to Reno,  
24      but you did. Why did you feel it was important to come

1 here and be present?

2 A. I felt that -- Rod's a friend. I wouldn't say  
3 he's a best friend, but he's a good friend. He's a good  
4 mate. He's ended up in a bad space, and he needs as  
5 much support as he can.

6 Q. Would he get more of that support in Australia,  
7 if he was to be returned there?

8 A. Sure.

9 Q. Let me ask you a couple of questions: Knowing  
10 what you know of Rod over the course of your  
11 relationship, is Rod employable?

12 A. He's an intelligent man. He can be trained to  
13 do anything.

14 Q. You said he has a police pension; is that right?

15 A. Yes.

16 Q. Is that as the result of early retirement from  
17 the Queensland Police Force?

18 A. Yes.

19 Q. That's as a result of him going through that  
20 horrific accident, that took his leg?

21 A. Actually, no. After he had the accident and he  
22 went back to work with the Queensland Police, he became  
23 a driver trainer, so he was training -- they call them  
24 rookies -- the young policemen how to drive the cars and

1       whatever. I forget the period of time he was doing it  
2       for. It was for a few years. And then he was medically  
3       discharged as unfit, because he developed paranoia.

4       Q.       The pension you described, is that adequate to  
5       cover his cost of living?

6       A.       It's more than what our pensioners would  
7       receive.

8       Q.       Is it fair to say that if Rod didn't need to  
9       work, he wouldn't necessarily have to, because of the --

10      A.       He doesn't need to work, no.

11      Q.       You mentioned his family, which consists  
12      Courtney --

13      A.       Courtney, 23; Broderick, 19; Sophie, 3.

14      Q.       And Mr. Skinner, was he married at one point?

15      A.       He's been married twice.

16      Q.       So he has, obviously, two "ex's." Let's talk  
17      about the first "ex."

18      A.       That's Lynn.

19      Q.       Lynn. Has she reached out to the family at all,  
20      or to Rod?

21      A.       Lynn and Rod had a very acrimonious break up.  
22      They really didn't like each other.

23              Courtney has been with her -- or talking about  
24      Rod's situation with her mother, Lynn, who has

1       remarkably put a hand up and said that she's prepared to  
2       assist Rod as much as she can, as well, because she  
3       doesn't believe the charges. And to Courtney's  
4       astoundment, she's helping out.

5               She's helping Courtney with Sophie. They go  
6       over there weekly. And she was prepared to make a  
7       statement. However, I didn't have a chance to go and  
8       put a statement together right before the Court.

9       Q.       She was actually ready to make a statement on  
10      Rod's behalf?

11     A.       Yes.

12     Q.       This is the ex-wife that he had an acrimonious  
13      separation with?

14     A.       That's right.

15     Q.       Would you consider police academy training to be  
16      education?

17     A.       Education? Yes.

18     Q.       Is Mr. Skinner kind of a life-long learner? Is  
19      he one of those folks that are always soaking up  
20      information?

21     A.       Yes.

22     Q.       Did Mr. Skinner ever serve in the military?

23     A.       In the military? Not to my knowledge.

24     Q.       Are you familiar with the Army Reserves?

1 A. Yes.

2 Q. Would you consider that to be training for  
3 education?

4 A. Yes.

5 Q. As a family-law attorney, I imagine you deal  
6 with some pretty tense situations between families and  
7 within families; is that right.

8 A. I do.

9 Q. How important is it in your experience, through  
10 the course of your career, is it for people who can be  
11 together, to be together?

12 A. I'm sorry?

13 Q. How important is it, for example, for a father  
14 to be with his daughter?

15 A. The little one, or both? Both?

16 Q. Both.

17 A. For little Sophie, it's very important that she  
18 live with her father, because her mother abandoned her  
19 when she was about two weeks of age.

20 It's important that Sophie knows that she has a  
21 dad who loves her. She tells -- she gets upset and  
22 tells Courtney that she wants to talk to daddy now, on  
23 the telephone.

24 She makes little Lego men at my office of little

1 men on wheels, and calls them "Daddy."

2 She needs to have a family around her. She  
3 needs to know that her dad is there, he loves her, and  
4 is there to support her.

5 Courtney loves her dad dearly, and misses him  
6 dreadfully, and needs to have him back.

7 Q. Robin, is there anything you want to say?  
8 Anything else you want to say in addition to what you've  
9 said already, in addition to your letter, that you would  
10 like His Honor to hear?

11 A. Your Honor, he's a good man. He would no sooner  
12 break the law knowingly or intentionally.

13 When he stayed over for dinner some nights, he  
14 and my husband get along very well. They have a lot  
15 to -- they talk politics. And sometimes the political  
16 talks came around to police corruption.

17 And Rod was very -- in the more recent past --  
18 very much against police corruption. Very much against  
19 police putting people into a position to make them look  
20 guilty, sometimes. He abhors people that break the law.

21 THE COURT: I want to ask about that, because  
22 you're giving a great presentation about one part of  
23 him. Have you read the presentence-investigation  
24 report?



1           THE WITNESS:  No.

2           THE COURT:  Okay.  I'll summarize it.  And then  
3 I want you to help me reconcile what I've read, versus  
4 what you're telling me.

5           This is a gentleman who might have masturbated  
6 himself in the presence of his young daughter, while on  
7 his lap; that he might have touched neighbor girls  
8 inappropriately, in inappropriate places; and might have  
9 downloaded and viewed pornography involving underaged  
10 children 10 times in a span of two months; and a man who  
11 is deflecting responsibility for that and saying,  
12 essentially, that he bought a used computer, and there's  
13 some horrible child pornography that's been downloaded  
14 into unallocated hard drive space, and he really had  
15 nothing to do with it.

16          And, finally, Dr. Nielson, who said hat he's not  
17 taking responsibility for his conduct, but he might,  
18 through the therapeutic interventions after  
19 adjudication.  How can you --

20          MR. FREY:  I can help you reconcile that right  
21 now, Your Honor.

22          THE COURT:  Well, I've got a witness telling me  
23 that he abhors criminal conduct; that he talks about  
24 people being unfairly treated; and I'm only going to

1 have her for a second. I'm going to have your arguments  
2 even today or later. I wonder if she knows all of this,  
3 as she's describing him.

4 THE WITNESS: I haven't read the pre-sentence  
5 report. I've read his charges, and I read his plea of  
6 memorandum. That's all I've read.

7 THE COURT: At the right time -- either today or  
8 later -- you'll help me understand why there are 10  
9 downloads that the State's expert is willing to talk  
10 about.

11 Do you have any questions for this witness?

12 MS. DRUCKMAN: I do, if Mr. Frey is done.

13 THE COURT: Excuse me. Are you done?

14 BY MR. FREY:

15 Q. Is there anything else, Robin, that you want to  
16 say to the Court?

17 A. Nothing that I can think of. You have to bear  
18 with me, though. I'm very tired.

19 MR. FREY: I will follow up, to the extent that  
20 I think it's necessary, after Ms. Druckman.

21

22

23 (Next page, please.)

24

CROSS EXAMINATION

BY MS. DRUCKMAN:

Q. Are you familiar with the years that the defendant wasn't living in Australia?

A. He left in about 2008.

Q. And do you know where he went?

A. He went to Vietnam for a while; and then went to Thailand, I think.

Q. And both of those places are areas where there's a lot of sex trafficking; correct?

A. Yes.

Q. And both of those are places that it's not uncommon for people who have the desire to have sex with children, to go on sex holidays with children; correct?

A. If you read -- that's the knowledge, yes.

Q. Now, concerning the child, Sophie, did you know the defendant's Vietnamese wife?

A. No.

Q. You never had an occasion to meet her or know how young she was?

A. I met her on Skype, when Rod was visiting us in Brisbane, three years ago, I think -- maybe more than that. I think her little boy is now five. And I can't recall her name. She's about 15 years his junior. I

1        didn't think hat unusual, because I'm 16 years junior of  
2        my husband.

3        Q.            The child, Sophie, you indicated that the  
4        mother, after giving birth, abandoned Sophie and the  
5        defendant?

6        A.            That's right.

7        Q.            And do you know where she went?

8        A.            She went back to Vietnam.

9        Q.            And for people who are in Vietnam and they have  
10       children who are not Vietnamese but are a mixed race,  
11       those children are not accepted there; correct?

12       A.            No. No. No. No. Your Asian children -- I can  
13       only speak for the Philippines, because my husband's  
14       brother used to live in the Philippines before he passed  
15       away. Your Asian children are -- I can't think of the  
16       word -- guapo: beautiful. They're held not in high  
17       esteem, but they're very special, pretty, male or  
18       female.

19                    So if that answers your question? But I'm only  
20       speaking for thing Philippines.

21       Q.            That's actually not the case in Vietnam?

22       A.            I don't know.

23       Q.            Those children are discriminated against?

24       A.            I don't know.

1           MR. FREY: Your Honor, she's asking questions  
2 beyond the scope of her expertise.

3           MS. DRUCKMAN: I'll move on, Your Honor.

4           MR. FREY: She can argue it, if she wants.

5 BY MS. DRUCKMAN:

6 Q.       Concerning the allegations that have been shared  
7 with you by the Judge, you're aware that there are two  
8 child witnesses -- I believe ages seven and eight -- who  
9 reported the conduct that they observed the defendant  
10 doing?

11 A.       I'm not aware of that, because it's not in the  
12 charged sheet that I've read, and it's not in the  
13 memorandum.

14 Q.       That's the open-and-gross-lewdness charge, which  
15 is being dismissed.

16           Do you understand that --

17           MR. FREY: Your Honor, I don't think there's a  
18 question there.

19           THE COURT: You know, I disagree. I think that  
20 the State is probing the witness's knowledge.

21 BY MS. DRUCKMAN:

22 Q.       Do you understand that these two children were  
23 basically not with any other adults, but were in the  
24 defendant's house, and their stated purpose was that

1       they were there to play with Sophie, who was two at the  
2       time?

3       A.        I have no knowledge.

4       Q.        Being aware that these two children --

5       A.        I'm not aware.

6       Q.        Well, okay. But --

7       A.        I'm unaware, because you're telling me now.

8       Q.        You're giving us your opinion of his good  
9       character, and his good character around children.

10      A.        Uh-huh.

11      Q.        Does the fact that an investigation was  
12      conducted, and facts were shown that the defendant was  
13      seen watching adult pornography on a computer,  
14      masturbating himself, holding his two-year-old child on  
15      the arm of his wheelchair, in the presence of a seven-  
16      and eight-year-old child, does that fact change your  
17      opinion about his potential dangerousness or his  
18      character concerning --

19      A.        Well, that sounds.

20              MR. FREY: Before the witness answers, I would  
21      like to lodge an objection.

22              That case was the subject of some litigation,  
23      and there was a factual dispute in that case about the  
24      accuracy of those observations. So presenting this to

1 the witness as if it was fact, I think, is misleading.  
2 And to call the question here, is to opine on his  
3 dangerousness. And I think we had a psychosexual  
4 evaluator opine on that very issue, and he said he's not  
5 a high risk.

6 THE COURT: Well, then to what extent is this  
7 witness relevant to me? Because if the witness is  
8 relevant to tell me everything that's good about this  
9 man, I want to know what she knows about him and this  
10 event.

11 I know that she knew him for three years,  
12 between the time they met. She's just told me wonderful  
13 things about him. I think it's appropriate that the  
14 State probe whether she knows some of the allegations  
15 the State initially made, and existed before there were  
16 plea negotiations.

17 MR. FREY: Understood. And I like your  
18 characterization.

19 I think that the prosecutor should be framing  
20 this not as fact, but as an allegation: Ms. Wellner,  
21 are you aware of this allegation? Because when she  
22 presents it as a factual matter --

23 THE COURT: I think that's fair.

24 ///

1 BY MS. DRUCKMAN:

2 Q. With those categorizations that counsel has just  
3 made, do you understand that -- you're giving us a good  
4 opinion. Would that change your current opinion?

5 A. The allegations that were made against Mr.  
6 Skinner are out of character to the Mr. Skinner I know.

7 Q. Now it's fair to say that it's been several  
8 years since you really had a close relationship with Mr.  
9 Skinner; correct?

10 A. He would -- when he came back to Australia on  
11 his visa requirements, probably every second time he  
12 would come over to visit us.

13 Q. But you haven't seen him day-to-day, for several  
14 years?

15 A. No.

16 Q. And in between the time that you spent personal  
17 one-on-one time, having a relationship where he was a  
18 friend, he went away to Vietnam, and you think Thailand,  
19 and then he came to the United States, you have not been  
20 with him personally --

21 A. No.

22 Q. -- for a significant period of time since he  
23 moved away from Australia?

24 A. That's correct.



1 Q. So it's fair to say people change, based on  
2 their needs; correct?

3 A. They do.

4 Q. In this instance, based on the volume of child  
5 pornography -- Did you read the original charges?

6 A. I read the 32 -- or 23 charges, yes.

7 Q. And you're aware of how hard-core the  
8 pornography was that was located on his computer?

9 A. No. I haven't seen the photos.

10 Q. But through the description, I mean?

11 A. The description, yes.

12 Q. Is quite hard-core; would you agree?

13 A. Yes.

14 Q. And would you also agree that the fact that  
15 there were downloads occurring over time, and he's the  
16 only person using the computer, would you agree that  
17 that fact indicates that he has a problem in this area?

18 MR. FREY: Your Honor, beyond the scope.

19 THE WITNESS: It's a fact I can't agree or  
20 disagree, because --

21 THE COURT: Overruled.

22 BY MS. DRUCKMAN:

23 Q. So based on that course of conduct, that's been  
24 shown to you, and that you have read the charges, does

1       that in any way change your opinion about the problems  
2       that Mr. Skinner has, impacting his ability to be around  
3       children, including Sophie, and the community?

4       A.       The charges don't match up with the man I know.  
5       I know him to be a good and proper, upright citizen.  
6       The charges simply don't match up.

7               MR. FREY: I think that's all the witness can  
8       say, Your Honor.

9       BY MS. DRUCKMAN:

10      Q.       Is it fair to say that if this conduct was  
11      conducted in front of you -- where you actually saw it  
12      occur -- your opinion would be different of Mr. Skinner?

13              MR. FREY: Your Honor, again, I don't think  
14      that's a fair question.

15              THE COURT: Overruled.

16              THE WITNESS: Yes.

17      BY MS. DRUCKMAN:

18      Q.       Yes?

19      A.       I would think he would not be a fit citizen to  
20      be around children.

21      Q.       As a lawyer in family court, and other types of  
22      actions, is it fair to say that when you call a  
23      character witness, you call somebody who is going to  
24      speak well of your client; correct?

1 A. Yes.

2 Q. And that people don't tend to commit crimes in  
3 front of their character witnesses, do they?

4 MR. FREY: Your Honor, I'd object to that  
5 question.

6 THE WITNESS: With respect -- I saw Rod last,  
7 and I presume --

8 THE COURT: Hold on, ma'am.

9 MR. FREY: We're talking about committing crimes  
10 in front of character witnesses. I think it's gone way  
11 far afield.

12 THE COURT: Ms. Druckman is attempting to  
13 impeach or explain the vigor of your client, and this  
14 witness's positive character opinion of your client. I  
15 think it's appropriate to examine the parameters.

16 MR. FREY: I think it's a hypothetical, because  
17 there's no crime committed in front of Ms. Wellner. I  
18 can ask her what she would feel if there was a murder  
19 committed in her presence, and I could anticipate what  
20 the answer would be.

21 I don't think that's a useful or constructive  
22 line of questioning at all.

23 THE COURT: It appears to me that -- well, the  
24 witness has traveled a great distance, at her expense

1 and somebody else's expense, to provide favorable  
2 perspective of your client. I think that's appropriate.

3 It's also appropriate for the Court to  
4 understand the source of that favorable opinion.

5 And it appears to me that this witness has  
6 provided favorable opinion testimony without fully  
7 knowing the allegations that exist in this case.

8 I don't really need to know more than that. We  
9 don't need to dredge up what the allegations were:  
10 they're not proven; they were negotiated away. But it's  
11 just important for me to know that the child pornography  
12 downloads that occurred to his computer, while he  
13 possessed the computer, was not known to the witness  
14 who, I presume, is an esteemed family-law lawyer in  
15 Australia. And she's, I think, answered the questions  
16 to my satisfaction.

17 MS. DRUCKMAN: Thank you.

18 THE COURT: Do you have any --

19 MR. FREY: Yes, I do I have follow-up questions.

20 REDIRECT EXAMINATION

21 BY MR. FREY:

22 Q. Thailand and Vietnam, both very common vacation  
23 destinations for those in Australia; correct?

24 A. Very much so.

1 Q. In fact, those two countries are in close  
2 proximity to one another?

3 A. They're not very far to fly to either one.

4 Q. So when you want a vacation, a holiday for any  
5 reason, Vietnam is on the list; correct?

6 A. A lot of people go to Vietnam, a lot of people  
7 go to Thailand, a lot of people go to Singapore. And  
8 those that wish to go further afield in the Asian  
9 sector, go to China and Japan.

10 Q. So southeast Asia, and Asia proper, both in  
11 close proximity to Australia; correct?

12 A. Yes.

13 Q. Very common to go there, for whatever reason?

14 A. Yes.

15 Q. All types of Australians go there?

16 A. Yes.

17 Q. Lawyers go there?

18 A. Yes.

19 Q. Doctors go there?

20 A. Yes.

21 Q. Dignitaries go there?

22 A. I think one of the conventions -- one of the  
23 legal conventions, was recently -- or is to be held in,  
24 I think, Singapore next year or the year after.

1 Q. Very close international ties with those  
2 countries that have been referenced here today --  
3 Vietnam and Thailand -- at least with respect to  
4 vacationing?

5 A. I don't think -- there's no visa requirements.  
6 I don't think you need to get a visa to go in there for  
7 more than three weeks. If you just go for a three-week  
8 holiday and have your return trip, you don't have to get  
9 a special visa.

10 Q. Is that Thailand, or Vietnam, or both?

11 A. Certainly the Philippines. I think it's the  
12 same in Thailand. I'm not a hundred percent certain on  
13 Vietnam, because I haven't traveled to Thailand or  
14 Vietnam.

15 Q. So your understanding of that visa waiver, would  
16 it be that because the travel is so frequent between  
17 Australia and those countries, that those countries have  
18 agreed to waive the visa requirement?

19 A. I couldn't comment. I can't say.

20 Q. A visa is required for, let's say, Australians  
21 to travel to the United States?

22 A. Yes.

23 Q. Or to Italy; correct?

24 A. I recently flew to Germany, in 2005 -- not so

1 recent -- and I didn't need a visa, because I was only  
2 staying for under three weeks. So I think you will find  
3 that the new countries might have sort of similar  
4 requirements.

5 When I was in Germany visiting family, I moved  
6 from Germany, to France, and back, without visas.

7 Q. Now, Ms. Wellner, if you learned that a  
8 credentialed, professional, seasoned, experienced  
9 psychosexual evaluator assessed Mr. Skinner and came to  
10 the conclusion that he was not a high risk to re-offend,  
11 and did not present a danger -- an active danger to  
12 others, would you tend to believe that that's consistent  
13 with who you know Mr. Skinner to be?

14 A. I would.

15 Q. Now in Australia, is it your understanding that  
16 there's a body of law that governs sex offenders in that  
17 country?

18 A. There is.

19 Q. And that that body of law requires registration?

20 A. If a person is charged in -- each state,  
21 probably much like you have here, Your Honor, each state  
22 has their own legislation, and then there's also some  
23 federal legislation that they tend to base their state  
24 legislation on.

1           In Queensland, it's not mandatory that someone  
2       who is charged and convicted of a sexual offense goes  
3       onto the sexual offenders' register.

4           If it's a Category II offense, which is what Rod  
5       is being charged with -- pornography, child  
6       pornography -- it's called a Category 2 offense; it's up  
7       to the Judge's discretion whether he also puts the  
8       accused on the register.

9           So if he's had no previous offenses, there's  
10      only been the one charge, it's a Category II, it's at  
11      the Judge's discretion as to whether he wants him to go  
12      onto the register.

13          Or if he's convicted -- if he's sentenced but no  
14      conviction is recorded, he won't go into the register on  
15      it.

16          The register is a national register. And the  
17      act -- the Queensland Act is: The Dangerous Prisoners  
18      of Sexual Offenders Act.

19          MR. FREY: Can I approach the witness, briefly?

20          THE COURT: Yes.

21      BY MR. FREY:

22      Q.       Now, Ms. Wellner, I'm handing you body materials  
23      there. And do you recognize that to be --

24          MS. DRUCKMAN: Your Honor, I'm going to object



1 on the grounds that this wasn't covered in counsel's  
2 Direct.

3 THE COURT: So it's on the Redirect.

4 What is it that you just handed to the witness?

5 MR. FREY: I have handed her, Your Honor,  
6 literature regarding sex-offender registration,  
7 notification requirements, as they apply in Australia.

8 THE COURT: Here's the Court's opinion: When we  
9 reconvene, it will be very difficult for me to even  
10 consider probation, unless I know exactly what it means  
11 between two countries.

12 I have experience with probation compacted into  
13 other states. Somebody is going to have to provide that  
14 information, either through P&P, or some international  
15 probation expert.

16 MR. FREY: We will have the Consulate appear.  
17 I'm serious. We will patch in to the Australian  
18 Consulate in San Francisco, and we'll talk with Meagan,  
19 the Consular officer working on this case, and we will  
20 verify to you that this is an international deportable  
21 offense.

22 THE COURT: So the information you're eliciting  
23 from this witnesses is critical for me. I don't know  
24 that this is the right witness to provide that.

1           MR. FREY: That's fine. We can do it through  
2 other means, and provide the verification to the Court.

3           I was just following up on the State's attempt  
4 to elicit from Ms. Wellner that somehow Mr. Skinner  
5 would be a danger to others.

6           And I wanted to establish that while evening  
7 assuming he presented a high risk -- and he doesn't --  
8 there are controls in place in Australia, such as  
9 supervision, notification, reporting requirements,  
10 etcetera, that really mirror our laws here.

11          So if we're worried about Mr. Skinner  
12 re-offending, I just wanted to give Your Honor piece of  
13 mind that there are controls in place in his home  
14 country.

15          THE COURT: As we anticipate the next hearing,  
16 one of the things -- whether it's through the Consulate  
17 over not -- one of the things I'm interested in is a  
18 comparison between the levels of supervision.

19          And I'm not foreshadowing that this is a  
20 probation case; I'm just open to all arguments.

21          Because you referred to Dr. Nielson's conclusion  
22 that he's low-to-moderate. But I think that Dr. Nielson  
23 also says: "If this gentleman has access to a computer,  
24 everybody's at risk."

1           And so I wouldn't send this gentleman to  
2   Australia, unless I knew that somebody was going to be  
3   in his back pocket, making sure he never had access to a  
4   computer.

5           I have to take Dr. Nielson's report in its  
6   entirety. And it's not as clean to me as -- You haven't  
7   had an opportunity to argue all of Dr. Nielson's report,  
8   but there are some components that are troubling to me.

9           MR. FREY: We are fully prepared to address  
10  those to the satisfaction of the Court.

11          THE COURT: Here's what I want to do today: I  
12  was told -- and there's no fault -- I was told this  
13  would be about a 20- to 30-minute sentencing.

14          I'm in the middle of a jury trial right now.  
15  I'm now an hour and three minutes late from my  
16  last-scheduled settling-of-jury-instructions meeting.

17          I have a work meeting that starts at 11:50, and  
18  I have a jury coming back at 1:30.

19          Recognizing the commitment -- this witness's  
20  need to be here, I wanted to hear from her. But  
21  everything else, I think I need to push off.

22          So if we're done with this witness, then we're  
23  done for the day with Mr. Skinner.

24          MR. FREY: I think that's appropriate. We have

1 Courtney ready to take a call. I can contact her and  
2 try to reschedule her.

3 THE COURT: You'll have to reschedule her.

4 MR. FREY: It's 2:00 a.m. in Brisbane, but she  
5 can repeat that experience, unfortunately, in the  
6 future, at the next setting.

7 THE COURT: Express the Court's regret at her  
8 inconvenience, but it is what it is.

9 MR. FREY: I think we're concluded, then.

10 THE COURT: All right. Let's set a date.

11 How much time will you need, Ms. Druckman?

12 MS. DRUCKMAN: I think it would be appropriate,  
13 Your Honor, for me to have at least a week, given that  
14 we're going to be subpoenaing the Parole & Probation  
15 Officer who wrote the report, and to look into the  
16 questions about Australia supervision.

17 THE COURT: So I have just obtained a senior  
18 judge to try Schoner. And I'm trying a five-day civil  
19 case that's scheduled the entire week.

20 There will be a time next week when I can fit  
21 two hours in, or two and a half to three hours in. I  
22 just don't know exactly when. So let me just look at  
23 the calendar.

24 I know at some point there will be

1 deliberations, and lawyers will be out preparing  
2 instructions --

3 MS. DRUCKMAN: Judge, I would indicate that I'm  
4 going to be gone starting Wednesday of next week, and  
5 returning the -- I will be back in town the 2nd of  
6 September, and back in at work on the 3rd of September.

7 THE COURT: It's either before Wednesday, or the  
8 week after Labor Day.

9 MS. DRUCKMAN: Correct.

10 MR. FREY: We prefer next Tuesday.

11 MS. DRUCKMAN: I believe I will be here on  
12 Wednesday.

13 THE COURT: Do I have a criminal calendar next  
14 Tuesday?

15 THE CLERK: Yes.

16 THE COURT: How big is it?

17 THE CLERK: There's 11 matters, most of which  
18 are arraignments.

19 THE COURT: You and I will talk privately about  
20 whether there are any sentencings that capture my  
21 attention. If there are not, I want to move the entire  
22 criminal calendar.

23 How early are you prepared to begin, counsel?  
24 Can you go at 8:15?

1           MR. FREY: I would be in trial in another  
2 department, so I think that's probably appropriate,  
3 assuming it's a 9:00 start time.

4           THE COURT: Oh, you have a senior judge with  
5 Schoner. And I can coordinate. It's Senior Judge  
6 Manoukian.

7           MR. FREY: I haven't had the pleasure, but I'm  
8 looking forward to it.

9           THE COURT: It will be a pleasure.

10          Let's set this at 8:20, Tuesday morning.

11          All right. Ms. Lukl?

12          THE DIVISION: I was going to state that I'll  
13 make sure the supervisor and the writer knows. I don't  
14 know how long that takes, but I will relay that  
15 information.

16          THE COURT: Thank you, ma'am, for your  
17 testimony, and for being here.

18                   (The witness was excused.)

19          THE COURT: All right, we'll be in recess.

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1 STATE OF NEVADA )

2 COUNTY OF WASHOE )

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5 I, RANDI LEE WALKER, Certified Shorthand

6 Reporter of the Second Judicial District Court of the

7 State of Nevada, in and for the County of Washoe, do

8 hereby certify:

9 That I was present in Department No. 15 of  
10 the above-entitled Court and took stenotype notes of the  
11 proceedings entitled herein, and thereafter transcribed  
12 the same into typewriting as herein appears;

13 That the foregoing transcript is a full,  
14 true and correct transcription of my stenotype notes of  
15 said proceedings.

16 DATED: At Reno, Nevada, this 16th day of  
17 September, 2014.

18

19 /s/ Randi Lee Walker  
20 RANDI LEE WALKER, CCR #137

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**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-09-16 13:36:39.668.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-09-16 13:36:39.637.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-09-16 13:36:39.793.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-09-16 13:36:39.856.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-09-16 13:36:39.824.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-09-16 13:36:39.746.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-09-16 13:36:39.7.



\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
PROOF OF SERVICE OF ELECTRONIC FILING

-

**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

09-16-2014:13:35:34

**Clerk Accepted:**

09-16-2014:13:36:08

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Transcript

**Filed By:**

Randi Walker

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

-

If service is not required for this document (e.g., Minutes), please disregard the below language.

**The following people were served electronically:**

MATTHEW LEE, ESQ. for STATE OF NEVADA

MICHAEL BOLENBAKER, ESQ. for STATE OF  
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

CASE NO. CR14-0644  
CR13-1601STATE OF NEVADA VS. RODERICK STEPHEN SKINNER  
STATE OF NEVADA VS. RODERICK STEPHEN SKINNERDATE, JUDGE  
OFFICERS OF  
COURT PRESENT8/28/14  
HONORABLE  
DAVID A. HARDY  
Dept. No. 15  
K. Lane  
(Clerk)  
D. Brumley  
(Reporter)APPEARANCES-HEARINGENTRY OF JUDGMENT AND IMPOSITION OF SENTENCECONTINUED TOSeptember 4, 2014  
1:30 p.m.  
Sentencing**COURT ORDERED:** Matter continued.

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-09-17 11:22:04.33.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-09-17 11:22:04.299.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-09-17 11:22:04.455.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-09-17 11:22:04.518.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-09-17 11:22:04.486.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-09-17 11:22:04.393.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-09-17 11:22:04.362.

\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
PROOF OF SERVICE OF ELECTRONIC FILING

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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

09-17-2014:11:20:59

**Clerk Accepted:**

09-17-2014:11:21:33

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

\*\*\*Minutes

**Filed By:**

Court Clerk KLane

You may review this filing by clicking on the following link to take you to your cases.

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MATTHEW LEE, ESQ. for STATE OF NEVADA

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NEVADA

CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

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5 SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

6 IN AND FOR THE COUNTY OF WASHOE

7 BEFORE THE HONORABLE DAVID A. HARDY

8 oOo

9 State of Nevada,  
10

11 Plaintiff,

12 vs.

Case Nos. CR13-1601  
CR14-0644

13 RODERICK STEPHEN SKINNER,

Dept. No. 15

14 Defendant. /

15  
16  
17 CONTINUED SENTENCING

18 Tuesday, August 26, 2014

19 Reno, Nevada  
20  
21  
22

23 REPORTED BY: MICHELLE BLAZER  
24 CCR #469 (NV) - CSR #3361 (CA)

1 oOo

2 APPEARANCES

3 FOR THE PLAINTIFFS:

4 WASHOE COUNTY DISTRICT ATTORNEY

5 1 South Sierra Street

6 Reno, Nevada

7 By: Rebecca Druckman, Deputy District Attorney

8 FOR THE DEFENDANT:

9 WASHOE COUNTY PUBLIC DEFENDER

10 350 South Center Street

11 Reno, Nevada

12 By: Christopher Frey, Assistant Public Defender

13 ALSO PRESENT:

14 Katie Benzler, Parole & Probation

15 Laura Pappas

16 oOo



1 Reno, Nevada, Tuesday, August 26, 2014

2 8:24 o'clock, a.m.

3 oOo

4 BE IT REMEMBERED that the above-entitled matter  
5 was noticed for sentencing on Tuesday, August 26, 2014,  
6 at the hour of 8:20 a.m. of said day, before the  
7 HONORABLE DAVID A. HARDY, District Judge.

8 The Plaintiffs were represented in court by  
9 Rebecca Druckman, Deputy District Attorney, Washoe County  
10 District Attorney, Reno, Nevada.

11 The Defendants were represented by Christopher  
12 Frey, Assistant Public Defender of Washoe County Public  
13 Defender, Reno, Nevada 89501.

14 oOo

1	I N D E X	
2	WITNESSES FOR THE DEFENDANT	PAGE
3	COURTNEY SKINNER (Via Telephone)	
4	Direct Examination By Mr. Frey:	6
5	Cross Examination By Ms. Druckman:	19
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1 Reno, Nevada, Tuesday, August 26, 2014

2 8:24 o'clock, a.m.

3 oOo

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5 THE COURT: All right. Ms. Reporter, we are on  
6 the record.

7 This is the continuation sentencing involving  
8 Mr. Roderick Stephen Skinner. He is present in custody  
9 with his attorney, Mr. Frey. Ms. Druckman is present on  
10 behalf of the State. P & P Officer Benzler is present.  
11 Mr. Frey, when you are ready, you may continue.

12 MR. FREY: Thank you, your Honor. I think that  
13 we left off last time with the discussion about the PSI  
14 scoring instrument and the recommendation against  
15 probation. We had set it out, I believe at the State's  
16 request so they could respond to some of the pleadings  
17 that I had filed. I am hopeful that they have had enough  
18 time. We are prepared to address those matters at this  
19 point.

20 But in fairness to the witness that we have in  
21 Australia I'd like to begin the proceedings with  
22 contacting her, if I could, and I would need just a brief  
23 moment to use a calling card to reach out to her if I  
24 could do that.

1 THE COURT: Are you in trial?

2 MR. FREY: I am.

3 THE COURT: What time do you start?

4 MR. FREY: 9:30, but I have an appearance in  
5 Department 10 on a murder arraignment at 9:00 o'clock.

6 THE COURT: I am in trial today. I have asked  
7 the jury to be ready to go with the medical doctor at  
8 9:15. So carry on with the call.

9 MR. FREY: Thank you.

10 COURTNEY SKINNER,

11 Via Telephone,

12 called as a witness in said case,

13 was examined and testified as follows:

14 DIRECT EXAMINATION

15 BY MR. FREY:

16 A Hello.

17 Q Hello. This is Chris Frey, and we are here on  
18 the record in the matter of State of Nevada versus  
19 Roderick Skinner. Who am I speaking with?

20 A Courtney.

21 Q Hi Courtney. Your voice is being projected into  
22 court right now. How are you?

23 A Okay.

24 Q Can you hear me okay?

1           A       Sorry?

2                   THE COURT:   You can stand over the phone if you  
3 like, Mr. Frey.

4 BY MR. FREY:

5           Q       Can you hear me okay?

6           A       Yes.   It sounds like you are in the distance,  
7 but it's okay.

8           Q       Well, I am in a big courtroom and maybe my voice  
9 is echoing a little bit.

10          A       Yeah, a little bit.

11          Q       So present with me, Courtney, is the judge, the  
12 clerk, the court reporter, the prosecutor, Ms. Druckman  
13 and your dad; okay?   We are all here.

14                   Okay?   Courtney did you catch that?

15          A       Yes, yes.   I heard that.

16          Q       Courtney, I am going to ask you a few questions;  
17 all right?

18          A       Okay.

19          Q       Okay.   For our record, can you state your name  
20 and spell your last name, please?

21          A       My name is Courtney Skinner.   Last name spelled  
22 S-k-i-n-n-e-r.

23          Q       Courtney, do you know Roderick Skinner?

24          A       Sorry, what was that?

1 Q Do you know Roderick Skinner?

2 A Yes.

3 Q And how do you know him?

4 A That's my dad.

5 Q Now, Courtney, you understand what charge your  
6 dad has pled guilty to; correct?

7 A Yes.

8 Q And what we'd like today is your thoughts about  
9 his character, and I am going to ask you a couple of  
10 questions about some other topics, too; all right?

11 A Okay.

12 Q In general, how would you describe your father's  
13 character?

14 A I'd characterize him as he's honest, he's  
15 loving, he is the best dad, if I could say. I wouldn't  
16 ask for another dad. He's loyal, he's -- he's dedicated.  
17 He wants to be the best dad that he can be to me and  
18 that's what he's been. So --

19 Q Can you give me a particular -- Courtney, can  
20 you give me a particular instance in which he's been just  
21 a great dad to you?

22 A An instance where what, sir?

23 Q Where he's been just a great father to you. Is  
24 there a moment that stands out in your mind?

1           A       Do I have to name one? There is lots. I guess  
2 he used to take us to Dreamworld all the time when we  
3 were kids, and that was always cool. He's always been  
4 there for me. Doesn't matter what it is, if I am -- if I  
5 have done something well or if I am in trouble, or if  
6 just growing up as a kid, he's always been there for me  
7 and supported me through anything. I can go to him no  
8 matter what it was. I didn't have to worry about telling  
9 dad. I can always tell dad and he would give me the best  
10 advice he could on, on whatever situation it was.

11                   He is a good role model as a dad, and I miss him  
12 a lot.

13           Q       Courtney, was your father a member of the  
14 Queensland Police Force?

15           A       Yes, he was.

16           Q       Courtney, what are you doing in your life right  
17 now?

18           A       I just recently sent my entry exam for the  
19 Queensland Police Force. I am awaiting to become or be  
20 invited to start the Queensland Police Academy at Oxford.

21           Q       Was there anything about your dad that led you  
22 to that decision to join the police force?

23           A       It's all because of my dad that I am wanting to  
24 be a police officer. So he was the role model that led

1 me to want to do that as a career. I have wanted to do  
2 that for a long time, though I was never decided, you  
3 know, yeah. Now that I am a lot older and I have lived  
4 my life a little bit more and I have decided I want to do  
5 that and that's because of my dad, to do what he didn't  
6 have a chance to finish.

7 Q Right. And is that because of his amputation?

8 A Yes. He didn't get to fulfill his dream after  
9 he had his accident. And I think to be part of why  
10 I want to do it, I want to do what he didn't get the  
11 chance to do and keep the legacy going, I suppose.

12 Yeah, it's because of my dad that I want to do  
13 that.

14 Q Courtney, does your opinion of your dad's  
15 character and your view of him as a father change, or has  
16 it changed as a result of you coming to learn about this  
17 charge?

18 A Not at all. Not in any way has it affected what  
19 I think of my dad. In no way. He is still my dad. I  
20 don't think any less of him or anything. He is my dad.  
21 If anything, I think I love him because he's been able to  
22 survive this so far, you know.

23 So I'm -- I don't think anything less of him as  
24 my dad. He's my dad.



1 Q Courtney, is there anything about your dad's  
2 condition that makes being incarcerated particularly  
3 intense for him and difficult?

4 A I think that -- would be a start, I suppose  
5 being in a wheelchair, I am not in a wheelchair, but I  
6 have seen my dad, for my whole life my dad's been in a  
7 wheelchair. And that's affected him in several ways.  
8 But he, he does -- he is paranoid sometimes, you know,  
9 about things. Some bad things have happened in his life.  
10 So he's got the right to be paranoid. And, you know,  
11 people are against him or, you know, life's against him  
12 and that kind of thing. He's got Crohn's disease as  
13 well, and that would affect him hugely, I would think,  
14 you know.

15 Q Courtney, did you say -- did you say Crohn's  
16 Disease?

17 A He is affected --

18 Q Did you say Crohn's Disease? Courtney, did you  
19 hear what I said?

20 A No, I didn't.

21 Q Did you say Crohn's Disease?

22 A Crohn's Disease, yes. I also suffer from  
23 Crohn's Disease. It's a genetic disease, passed down  
24 from --

1 Q Courtney, are you there? Courtney? Courtney?  
2 Hello?

3 THE COURT: It appears the telephone has been  
4 disconnected.

5 MR. FREY: Your Honor, can I reinitiate the  
6 call? I think it was a quick process last time. I am  
7 going to see if I can do it again. You have an incoming  
8 call.

9 BY MR. FREY:

10 Q Hello.

11 THE COURT: Mr. Markham, I am in trial this  
12 week. I have moved all of my hearings somewhere.

13 MR. MARKHAM: You have moved them somewhere? I  
14 wasn't so notified, your Honor. Good morning.

15 BY MR. FREY:

16 A Hello?

17 Q Courtney?

18 A Hi. Sorry. Must have just cut out.

19 Q Okay. Courtney, we are going to have to get  
20 through some questions here; okay? You ready to --

21 A Okay.

22 Q -- to do this with me? Ready?

23 A Yes.

24 Q Okay. Courtney, tell me about what you have

1 done to provide resources to your dad should he be able  
2 to return to Australia.

3 A Well, recently I have just moved from where we  
4 were to pretty much Oxley, which is close to where the  
5 police academy is as well as the hospital. So if he  
6 needed any medical treatment or some specialists, or  
7 doctors, he can access that within five minutes from our  
8 house.

9 The house is wheelchair accessible and there is  
10 a ramp out the back. So he's got access. It's all paved  
11 around the house so he doesn't have to go on the grass,  
12 which is a pain for him.

13 He's -- inside the house he's got seats where he  
14 can access toilet, showers, that kind of thing. All the  
15 doorways are wide enough for his chair to go through.  
16 Everything. The benches are low, he can access the  
17 kitchen, that kind of thing. We have no big furniture  
18 blocking any access to any rooms or anything like that.  
19 He's able to function in the whole house without any  
20 trouble.

21 Basically, he can go to and from. Everything is  
22 very close to where we are, so -- and I will be able to,  
23 to drive him anywhere he needs, and to and from doctors  
24 or appointments, anything like that.

1 Q Courtney --

2 A Yes.

3 Q -- have you -- Do you understand that if your  
4 dad comes home, he may not be able to access the  
5 internet?

6 A That's fine. We don't actually have internet  
7 connected at our house. So I don't -- I don't use the  
8 internet at home. I use it outside if I need to go to  
9 the library or something at the moment, or I can use it  
10 on my phone. But at this point I don't have use for it,  
11 it's not at the house and won't get it turned on if  
12 that's a requirement.

13 Q Now, should your dad come home, and should he be  
14 under supervision by the authorities in Queensland, would  
15 you make your house available for inspection if that need  
16 arose?

17 A Yes, 100 percent. It's already available for  
18 inspection by Queensland Police due to my application, so  
19 it's not an issue.

20 Q Would you be fully cooperative with any form of  
21 supervision that your dad may have?

22 A Yes.

23 Q And would you be there to help him through that  
24 process?

1           A     Definitely. 100 percent.

2           Q     Courtney, did you bring that list of references  
3 I told you to bring?

4           A     Yes, I have them. I have written the names  
5 down. I think that was what you meant, your request.

6           Q     Yes, Courtney. What I want you to do --

7           A     So I have them.

8           Q     -- what I want you to do is I want you -- well,  
9 let me ask you this: Are those references people that  
10 support your dad?

11          A     Yes. All these people will support my dad, and  
12 further reference as required by you or the Court.

13          Q     And have you had contact with these people?

14          A     Yes.

15          Q     Okay. And can you read their names into the  
16 record please, if you could do that quickly?

17          A     Yes. Former Inspector John Fox, which he has a  
18 reference for already. John Andrews. Janice Campbell.  
19 Tony Jays. Tony Lee. Lynn Priestly, who is my mom.  
20 Robin Welner, Bruce Welner. Kevin McTagget, Matt  
21 McTagget, McHale McTagget.

22          Q     Courtney, Courtney, Courtney. Please slow down  
23 just a little bit. The court reporter's fingers are  
24 burning here.

1           A     Sorry. I will go a little bit slower. Do you  
2 know how far I got?

3           Q     No, no, no.

4           A     Okay. Former inspector John Fox. John Andrews.  
5 Janice Campbell. Tony Jay. Tony Lee. Lynn Priestly,  
6 who is my mum. Robin Welner. Bruce Welner. Kevin  
7 McTagget. Matt McTagget. McHale McTagget. Robin  
8 Pierce, and Dr. Luke Cadaharness. You also have a  
9 reference for him. Carolyn Ball. Kris Ball. And  
10 Samantha Croucher, Kim Croucher. Deveen Hernenden and  
11 family.

12                     And at this stage that's, that's my list.

13          Q     Okay.

14          A     I also have other people who have not known dad  
15 personally, but are on board to help with, with getting  
16 him back into society and that kind of thing as well.

17          Q     Wonderful, Courtney. I have two questions.

18          A     This is the list of people that know him. So --

19          Q     And we appreciate that. Two further questions  
20 for you.

21          A     Yes.

22          Q     One second. Is Dr. Luke your dad's physician?

23          A     Yes, he is.

24          Q     Okay. Has anybody reached out to you from the

1 State of Nevada about information related to your dad  
2 besides --

3 A What do you mean by that?

4 Q I mean besides me, has anybody contacted you  
5 asking questions about your father from the State of  
6 Nevada here in the states? Has the Division --

7 A Not sure.

8 Q Okay. Has the Division of Parole and Probation  
9 contacted you?

10 A No.

11 Q Okay.

12 A No, they haven't.

13 Q Courtney, my last question is this: What else,  
14 if anything, do you have to say that you want the judge  
15 to hear about your dad? And this is going to be your  
16 last opportunity.

17 A The man in that room that you are seeing in  
18 there is my dad. I know my dad, and I have known my dad  
19 my whole life, and he's raised me from when my parents  
20 separated. He raised me from then onwards. And I  
21 refused to go with my mum, I wanted to live with my dad.  
22 And he's been the best dad possible.

23 To this day, regardless of the plea that has  
24 been entered into, I still believe with the hopes that my

1 dad's innocent and the only reason he would have signed  
2 that is because of ownership of the computer.

3 And he's not -- he wouldn't have, with intent or  
4 knowingly done what he's been accused of, and it's not  
5 fair. He -- he should be able to come home and see, see  
6 me and Sophie, see me hopefully graduate as a police  
7 officer, and see Sophie. And it's her birthday today.  
8 So we are -- we are going on without dad.

9 Q Does Sophie miss her dad?

10 A Very much.

11 Q Does she say anything about her dad?

12 A Oh, all the time.

13 Q What does she say?

14 A She is always wanting to see dad and she's been  
15 going to -- she sees other kids with their parents, and  
16 she wants to know where dad is. And she asking where is  
17 dad, where is dad, you know, and we explain it to her,  
18 you know, where he lives.

19 And she wants to see dad. And she wants to be  
20 painting with dad and she wants to show dad things that  
21 she is doing. And she whistled for the first time today  
22 and she told me she wanted to show dad.

23 So, she wants to see her dad, and I think  
24 everyone deserves to grow up with their dad. And why



1 shouldn't she? This isn't fair.

2 Q Well, Courtney, I really appreciate you speaking  
3 with us. You know, the rules here now allow the  
4 prosecutor to ask you questions if she wants to, and the  
5 judge can ask you questions as well.

6 But for right now, I am going to conclude with  
7 you, okay, Courtney, unless I have any followup  
8 questions.

9 A Okay. Thank you.

10 CROSS EXAMINATION

11 BY MS. DRUCKMAN:

12 Q Hi, Courtney.

13 A Hey.

14 Q Hi Courtney. This is Rebecca Druckman of the  
15 Washoe County District Attorney's office. I just have a  
16 few questions for you; okay?

17 A Okay.

18 Q Earlier you stated that your father was  
19 paranoid. What did you mean by that?

20 A It's -- there are so many things that have  
21 happened in his life where things have gone wrong. And,  
22 for instance, you know, when he was living in Thailand,  
23 he was -- he was paranoid somebody was going to steal  
24 Sophie. And he wants the best life for her and the best

1 life for me and the best life for my brother. And the  
2 last thing he'd want is Sophie to be stolen away from  
3 him. And he'd do anything in his power to not have any  
4 harm come to us, especially.

5 And I think paranoia played a part in that. So  
6 he would do anything to avoid -- he would never break the  
7 law or anything, you know, he would avoid any situation  
8 that would jeopardize me, Sophie or my brother and our  
9 safety. And that's what I meant by that.

10 Q When you state that he was paranoid, do you mean  
11 that he was diagnosed by a mental doctor or just that --

12 A That -- did I mean what? Sorry.

13 Q Did you mean that he had gone to a mental health  
14 professional and received a diagnosis?

15 A No, not that I know of.

16 Q Okay. So it's just your impression that he  
17 believes that people are against him?

18 A Yes.

19 Q And plotting --

20 A Because with all bad things that have happened I  
21 would be paranoid as well, if I had as many bad things  
22 happen to me.

23 Q But he believes people are against him and  
24 plotting against him; correct?

1 A Yes.

2 Q Now, where is Sophie's biological mother?

3 A As far as I am aware she lives in Vietnam.

4 Q Do you know why she left the baby and your  
5 father?

6 A No.

7 Q So you have no idea what that was about?

8 A I -- No, I don't know. I couldn't tell the  
9 facts of that situation, no. I just know that she was  
10 abandoned or abandoned Sophie at a young age and dad took  
11 over the responsibilities of caring for Sophie and did a  
12 really good job.

13 Q In terms of your beliefs about the plea, do you  
14 understand that there were two other children present  
15 that reported your father masturbating in their presence?

16 A What was the question? Sorry.

17 Q I said do you understand that how this matter  
18 came to the police officials' knowledge is that there  
19 were two children who were like eight and seven or eight  
20 and nine years of age who reported they saw your father  
21 masturbating in their presence?

22 A I was under the impression that was the -- one  
23 of the first, or the first child, of open and gross  
24 lewdness that that was involved in, and thrown out, I

1 believe, from what I have been told.

2 Q It's part of the circumstances of how the  
3 computer was found.

4 A Okay.

5 Q And it is part of the plea bargain that's been  
6 dismissed in exchange for his plea to the felony, but you  
7 understand that the underlying circumstances involved him  
8 masturbating in front of two children with Sophie on the  
9 arm of his wheelchair, and that the police then did a  
10 search warrant to search the computer and found this  
11 pornography; do you understand that?

12 A I understand that. I don't know the facts of  
13 that, and --

14 Q As a -- as a person who's admitted to the police  
15 academy, if this wasn't your father but was a case you  
16 were investigating, would you take that evidence  
17 seriously?

18 A Can you rephrase that, please?

19 Q As a police cadet entering the academy, if this  
20 was your case, would you take that evidence seriously in  
21 determining whether or not a crime had occurred?

22 A It would depend on the facts of that case.

23 Q Correct. Would you take the facts seriously?

24 A It would depend on the specific facts of that

1 case. And if it was relating specifically to this case,  
2 then there, there are many other details involving that I  
3 couldn't just say that that would make any difference  
4 whatsoever.

5 Q Do you understand that --

6 A There is much more to it than just that. And --

7 Q Do you understand that your father has entered a  
8 plea of guilty in this case?

9 A Yes.

10 Q Do you understand that he has a problem in this  
11 area?

12 A No. I think that he pled guilty because of  
13 ownership of the computer. I don't think he pled guilty  
14 because of the charge.

15 Q Do you understand --

16 A I 100 percent stand by my dad and say that he is  
17 innocent in all of this and the only reason he pled  
18 guilty was because of ownership to that computer.

19 Q Do you understand the difficulty with trusting  
20 you as a person to help monitor the defendant if you do  
21 not accept that he has a problem in this area, and do not  
22 believe that his plea of guilty indicates he has a  
23 problem?

24 A I don't think he has a problem in this area, but

1 I'm -- I'm willing to be there as a support person if  
2 there is a problem that is established to rectify that  
3 and make that better in the future.

4 Q But --

5 A If the problem is established, I can be there to  
6 help him through that. But at this point I don't think  
7 he has a problem, no.

8 Q So nothing that this Court does or the plea of  
9 the defendant as guilty will convince you he actually has  
10 a problem, so you are not a person that could actually  
11 help him in terms of this information?

12 MR. FREY: Your Honor, that's asked and answered  
13 by the --

14 THE COURT: It's overruled.

15 BY MS. DRUCKMAN:

16 Q I mean, the first step to any person receiving  
17 help is to admit they have a problem and the people  
18 around them recognize they have a problem.

19 And what I am hearing you state to this Court is  
20 that you don't believe a problem exists?

21 A I don't think he has a problem, no. All that I  
22 have seen is that the charges, the charges that are  
23 online under his mug shot photo, and what they state, and  
24 what you have told me today is -- is basically the

1 details of as much as I know.

2 And to me, as his daughter, I don't think he has  
3 a problem. But if I am needed to support my dad in the  
4 future I will do that. If somebody tells me that there  
5 is a problem here, we need to sort this out with whatever  
6 resource he needs to get better.

7 But as his daughter, I don't think he has a  
8 problem, no.

9 Q Do you understand that you are on a speaker  
10 phone in the middle of a courtroom at a sentencing for a  
11 serious sexual felony?

12 A Yes, I understand that.

13 Q And so do you understand that that pretty much  
14 establishes that your dad has a problem?

15 MR. FREY: Your Honor, I am going to object  
16 because the acceptance of the responsibility is relevant  
17 only as it relates to my client. She is pushing and  
18 pushing and pushing Courtney to acknowledge that her dad  
19 has a problem.

20 If Courtney is in denial, then that's Courtney's  
21 issue. But this has gone way far afield, your Honor.  
22 Way far afield.

23 THE COURT: Well, I overruled the objection as  
24 it relates to the propriety of the questions and the

1 nature of this proceeding; however, I have heard enough  
2 in terms -- in that direction.

3 MS. DRUCKMAN: Thank you. No further questions.

4 THE COURT: All right. Ms. Skinner, this is  
5 Judge David Hardy. We are going to hang up the phone  
6 now. Thank you for your participation.

7 THE WITNESS: Thank you very much, your Honor.

8 MR. FREY: Thank you, Courtney.

9 THE COURT: Mr. Frey?

10 MR. FREY: Your Honor.

11 THE COURT: I am going to say or ask something  
12 because it may help you tailor your comments.

13 MR. FREY: Thank you.

14 THE COURT: I am really struggling with this  
15 idea that he has been compelled to plead guilty.

16 Now, I am putting voice to a theme that is both  
17 in the PSI and Dr. Nielsen's report, and to our two  
18 witnesses. That he's pled guilty because it's a better  
19 option than facing trial, but he hasn't done anything  
20 wrong.

21 MR. FREY: Uh-huh.

22 THE COURT: I'd like an answer to this question  
23 please, Ms. Benzler. If you look at page five of the  
24 PSI, offense synopsis, it refers to ten days. Now, those



1        dates say 2014. That may be in error and it's 2013?

2                MS. BENZLER: Yes, your Honor, it is in error.

3                THE COURT: Okay. Is my inference appropriate;  
4        that is, that on ten occasions between May and June of  
5        2013 he downloaded and viewed child pornography? Is that  
6        the Divisions' position?

7                MS. BENZLER: Yes, your Honor. That was the  
8        information that was contained in the police report.

9                THE COURT: Okay. Mr. Frey?

10               MR. FREY: Your concern is one of  
11        responsibility, I think. Because I think that you are  
12        getting a sense from the PSI and from Courtney's remarks  
13        that Mr. Skinner is not accepting responsibility. I can  
14        tell you here and now that he absolutely is. Absolutely.

15               The psychosexual evaluation notes that in a  
16        circumstance like this when somebody has never been in  
17        trouble with the law before and confronted with very  
18        embarrassing details about what they do with their  
19        private time that sometimes there is difficulty in  
20        accepting that this has now been exposed. It's now  
21        public. That now you are branded with this for the rest  
22        of your life, and you can only hope to salvage the  
23        connections that you once had.

24               He obviously still has a connection with his

1 daughter, but, you know, it violently disrupts someone's  
2 life. And there are, I think, steps to accepting  
3 responsibility, and I think the psychosexual evaluator  
4 recognized that when he noted --

5 THE COURT: Hold on a second.

6 Ladies and Gentlemen, if you are here for  
7 Department 15, the calendar has been moved to Department  
8 10. It starts in Department 10 in three minutes. That  
9 is -- deputy, provide some assistance. That's on the  
10 third or fourth floor, I am not sure which.

11 THE BAILIFF: Fourth.

12 THE COURT: I'm sorry, Mr. Frey.

13 MR. FREY: The psychosexual evaluator noted  
14 that, your Honor, in his concluding paragraph that there  
15 was a denial by Mr. Skinner but, quote, "much of this  
16 defense is defensive posturing to avoid admission of  
17 guilt or social ostracism."

18 And I think that's what he's facing.

19 So I want to be clear that Mr. Skinner is  
20 accepting responsibility for the contents of the  
21 computer. He is accepting responsibility for his guilty  
22 plea despite what his daughter may say. And I know she  
23 is struggling with this. I know because I have been  
24 talking to her for over the course of a year. It's hard

1 to accept this about your dad who you held on a pedestal,  
2 who you once admired, and you still do. To, I think to  
3 his credit, as a father, you still do. It is difficult  
4 to process this information, it really is.

5 But he takes -- he takes absolutely full  
6 responsibility for the contents of the computer. So I  
7 want to be clear about that, judge.

8 THE COURT: What about -- what about the  
9 presence of the two girls?

10 MR. FREY: That is something that Mr. Skinner  
11 was initially challenging. It's part of the negotiations  
12 in this case to dismiss that and not put the two young  
13 girls through a cross-examination in front of a jury and  
14 make that a memory that they have.

15 THE COURT: So there is some acknowledgement  
16 that the girls were present while he viewed or  
17 masturbated?

18 MR. FREY: Well, the State -- The State  
19 proceeded with only one of them. I think the other,  
20 having looked at the forensic interviews, one of the  
21 girls couldn't really substantiate the claim. The other  
22 girl was clear in her description of what had occurred,  
23 but not crystal clear.

24 I mean, these aren't -- these aren't absolutely

1 100 percent certain facts just like in any case. But  
2 that's a case that Mr. Skinner decided that, you know, he  
3 didn't want to press forward with that case if he could  
4 find some reasonable middle ground in this case. Because  
5 he was initially facing multiple, multiple life counts.

6 And he felt that he did find reasonable ground  
7 with the State under the circumstances. So that case is  
8 going to be dismissed. And Courtney was incorrect, it  
9 wasn't thrown out. But it's going to be dismissed  
10 pursuant to negotiations.

11 The second issue I wanted to address, your  
12 Honor, goes to the scoring of the PSI. You know, the  
13 scoring of the PSI, we have the documents and we kind of  
14 saw what the criteria were in the scoring of the  
15 criteria. And I would note that, you know, it would  
16 appear, based upon the testimony of Robin Welner, who  
17 flew out here from Australia, that Mr. Skinner is  
18 employable. Mr. Skinner has aptitudes beyond just doing  
19 the physical. I mean, this is a man that can apply  
20 himself. And he was even employed without legs as a  
21 driving instructor at one time teaching new recruits how  
22 to drive when he had prosthetic limbs.

23 And this is a man that can find a place in  
24 society. Society has a place for him. So a score of

1 zero, I think, doesn't accurately reflect his aptitudes.  
2 Doesn't reflect his employability.

3 And we know, we took evidence on that very issue  
4 that a person who knows him well, a person that lives in  
5 Australia in his home community says that this man is  
6 employable.

7 And even though the question wasn't asked of Ms.  
8 Welner, I don't believe that she was contacted by the  
9 Division. I know it's difficult to do that because you  
10 have to cross an ocean to make contact with people, but  
11 that's what I have been trying to do on Mr. Skinner's  
12 behalf so that your Honor has a sense of where he should  
13 fall in the objective criteria.

14 And I think that he actually falls, on the  
15 merits, in the category of probation, based upon the  
16 employability score and based upon the availability of  
17 resources. I mean, I can't imagine a person who is more  
18 connected to resources than Mr. Skinner.

19 He has MediCare, he has free prescription drugs.  
20 He has proximity to everything that he needs. He has --  
21 he will be living with a daughter who is a police  
22 officer, I hope, if she passes her exam.

23 He will be living within a home that's  
24 wheelchair equipped, that accommodates his disability.

1 He will be living at home with his daughter who's pledged  
2 that, you know, internet access won't be a part of our --  
3 of our life. It's not even equipped for internet access  
4 now.

5 My review of the Australian law also requires a  
6 prohibition on internet access. It's very, very similar  
7 to the requirements here.

8 The difference in the sex offender registration  
9 laws between here and there is that while we have Megan's  
10 Law and there is notification, public notification system  
11 and a public registry, the registry's not public. It's  
12 upon request from an employer, they can receive  
13 notification. Or if there is any sort of deviation from  
14 supervision and there is a proactive report from law  
15 enforcement.

16 For example, if it comes about that Mr. Skinner  
17 is in a relationship with a woman with a child, then they  
18 will report to the woman that Mr. Skinner is a registered  
19 sex offender and suffered a conviction of this nature in  
20 the United States. That's a proactive report. That's a  
21 difference between notification of registration in  
22 Australia versus here.

23 But nevertheless, it's a system that they have  
24 that's established that's codified and that's enforced on

1 a routine basis.

2 I have done my absolute best to coordinate,  
3 before today, through the Australian consulate in San  
4 Francisco to contact the Australian Federal Police for  
5 precisely the conditions that Mr. Skinner will face upon  
6 return. Unfortunately, I got this response: From Shane  
7 Ianna, last name spelled I-a-n-n-a, Detective Senior  
8 Constable, Child Protection Offender Registry, Child  
9 Safety and Sexual Crimes Group, State Crime Command,  
10 Queensland Police Service, where Mr. Skinner would  
11 return. His home state. Unfortunately he says to me, "I  
12 won't get approval to give an appropriate response until  
13 9:00 a.m. tomorrow Australian time."

14 I don't have the response right now with me,  
15 your Honor. Not from him because they are working on an  
16 official response. But I have a response from the  
17 Australian Federal Police through the consulate who says  
18 this: "Upon an offender's return to Australia the  
19 Department of Immigration and Border Protection would  
20 notify local authorities, in this case, the Queensland  
21 Police. The U.S.-based Australian Federal Police liaison  
22 would also contact and notify Queensland Police prior to  
23 the offender's return. The relevant area in Queensland  
24 police would then do a risk assessment and an interview

1 with the subject, Mr. Skinner. This would then  
2 categorize him as high risk, medium or low risk."

3 Very similar to the tier system here in Nevada,  
4 your Honor.

5 "The risk assessment and his criminal history  
6 and a summary of his offending in the USA would then be  
7 uploaded on the Australian National Child Offender  
8 Register." Acronym is ANCOR, A-N-C-O-R. It would be  
9 uploaded on that database. Supervision would flow from  
10 that.

11 That's coming from the Australian consulate by  
12 way of the Australian Federal Police. I think that we  
13 can be assured that Mr. Skinner is going to be facing  
14 appreciable supervision. Concrete conditions. And we  
15 are going to have those controls in place that I  
16 referenced last time that I would hope would give your  
17 Honor some assurances that the risk, whatever he  
18 presents, whatever type of risk he presents would be  
19 minimized.

20 THE COURT: Mr. Frey, I don't even have  
21 confidence that I understand how supervision occurs in  
22 Truckee, California.

23 Once a defendant leaves, the carnate individuals  
24 that I see, there is a legal cosmos in my mind, it just



1 flows around without any real meaning.

2 You are asking that I send a man who has  
3 committed a very serious crime to another country, and I  
4 guess I should wait until I hear more from the State or  
5 from P & P.

6 Should I grant your request, how do I ensure  
7 compliance with terms and conditions, and how do I bring  
8 him back upon violation of parole?

9 MR. FREY: Addressing the first concern, he  
10 signed a voluntary departure. He has paved his way to  
11 exit the country. And my experience with ICE is that  
12 they are going to expedite that removal.

13 So I believe that it is going to be a transition  
14 from custody to Federal immigration custody to  
15 deportation. Then the reporting will take place that I  
16 just described. The home jurisdiction will be notified,  
17 a risk assessment will be conducted, he will be placed on  
18 supervision, and then going forward, he will live life as  
19 a sex offender in Australia.

20 That's essentially what will happen.

21 THE COURT: Without any continuing jurisdiction  
22 from this Court?

23 MR. FREY: No.

24 MS. DRUCKMAN: Correct.

1 MR. FREY: Jurisdiction in his home Court.  
2 Because once the conviction is, in essence, domesticated,  
3 and that's what I am waiting on here. The person from --  
4 Shane Ianna, from the Detective Senior Consulate, he  
5 wanted to see the complaints, he wanted to do a side by  
6 side elements comparison. So that he knew exactly,  
7 exactly how supervision would occur. But it is going to  
8 be domesticated, in essence. There will be a submission  
9 from the prosecutor. Once a prosecutor is notified in  
10 the home jurisdiction the submission to the Court will be  
11 that he has suffered a sex offense, a conviction abroad.  
12 And then supervision will flow from that.

13 It's not as if you are just cutting ties and Mr.  
14 Skinner is going to be out there doing whatever he wants.  
15 That's not my understanding at all, and I have been  
16 diligent about following up on that. That's why I am  
17 representing this to the Court with confidence, through  
18 the consulate, through the Australian Federal Police.

19 THE COURT: Are you going to request more time  
20 to receive a response from Ianna?

21 MR. FREY: Mr. Ianna. I can certainly do that,  
22 your Honor. I reached out to the prosecutor for this  
23 very reason to see if we could push it. But she wanted  
24 to get it done, so to speak. So we are in this position

1 where we don't have the kind of official response on  
2 official letterhead about conditions. And that's  
3 something that I have been trying to gather for the  
4 Court. Something I don't have with you today, but I have  
5 something. And the alternative, which is the e-mail from  
6 the Australian consulate, which memorializes the  
7 Australian Federal Police's understanding of the  
8 supervision.

9 THE COURT: It's 9:10. You have to be somewhere  
10 else at 9:00. I have a jury in the jury deliberation  
11 room and a medical doctor scheduled to go.

12 Ms. Druckman, can you do everything you need to  
13 do in the next five minutes?

14 MS. DRUCKMAN: Of course not, your Honor. I  
15 have people here as well.

16 THE COURT: Let's talk about the probability  
17 matrix from P & P.

18 MS. DRUCKMAN: Your Honor, I have the following  
19 persons present: I have Katie Benzler, the writer. I  
20 have her supervisor, Laura Pappas, to discuss the lack of  
21 any international contact for supervision for conditions  
22 of probation. And she is here to describe that for the  
23 Court. I have the mothers of both of the little girls  
24 that were present, who wanted to make an impact

1 statement. Those are the people I have present today.

2 And I believe that if we set this over for  
3 sentencing, we should probably set it over for about,  
4 based on the length of this proceeding so far, two hours.

5 THE COURT: Will your trial be over Thursday,  
6 Mr. Frey?

7 MR. FREY: Yes.

8 MS. DRUCKMAN: And your Honor, I will be in Los  
9 Angeles on Thursday and Friday, and Monday and Tuesday.

10 THE COURT: What time do you leave for Los  
11 Angeles?

12 MS. DRUCKMAN: I leave for Los Angeles on  
13 Thursday night; however, I am off on Thursday. I can  
14 come in.

15 THE COURT: Can or cannot?

16 MS. DRUCKMAN: I can come in if the Court wants.

17 THE COURT: I want to do this this week because  
18 I can't do it in bites and it's time. I can only retain  
19 information for so long because of the voluminous  
20 information that penetrates my skull.

21 Tomorrow or Thursday, counsel. I need two  
22 hours. My preference is from -- am I doing the criminal  
23 calendar on Thursday?

24 THE CLERK: Yes.

1 THE COURT: My preference is from 10:00 to 12:00  
2 on Thursday, but based upon --

3 MS. DRUCKMAN: I will be here.

4 THE COURT: Well, let me -- I believe in  
5 vacations as well, Ms. Druckman. And so if you can  
6 arrange all your people, I think we will have time  
7 tomorrow afternoon as well, depending upon Mr. Frey's  
8 availability.

9 MS. DRUCKMAN: I can't tomorrow afternoon  
10 because I am covering, we have people in Grand Jury, we  
11 have two deputies in trial. So Thursday would have to be  
12 the day.

13 MR. FREY: I'd prefer Thursday, your Honor.

14 THE COURT: We'll do Thursday at 10:00 and we  
15 will take as long as it needs, until I am done.

16 MR. FREY: Thank you.

17 THE COURT: All right. Court will be in recess.  
18 Thank you, everybody.

19 THE BAILIFF: All rise.

20 o0o

21

22

23

24

1 STATE OF NEVADA )  
2 ) ss.  
3 COUNTY OF WASHOE )

4 I, MICHELLE BLAZER, a Certified Court Reporter  
5 in and for the State of Nevada, do hereby certify:  
6

7 That I was personally present for the purpose of  
8 acting as Certified Court Reporter in the matter entitled  
9 herein;  
10

11 That said transcript which appears hereinbefore  
12 was taken in verbatim stenotype notes by me and  
13 thereafter transcribed into typewriting as herein appears  
14 to the best of my knowledge, skill and ability and is a  
15 true record thereof.  
16  
17  
18

19 MICHELLE BLAZER, CCR #469 (NV) CSR #3361 (CA)

20 BONANZA REPORTING - RENO  
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**ZELALEM BOGALE, ESQ.** - Notification received on 2014-09-22 15:17:39.989.  
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**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-09-22 15:17:40.176.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-09-22 15:17:40.145.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-09-22 15:17:40.052.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-09-22 15:17:40.02.

\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
PROOF OF SERVICE OF ELECTRONIC FILING

-

A filing has been submitted to the court RE: CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

09-22-2014:15:16:35

**Clerk Accepted:**

09-22-2014:15:17:09

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Transcript

**Filed By:**

Randi Walker

You may review this filing by clicking on the following link to take you to your cases.

This notice was automatically generated by the courts auto-notification system.

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If service is not required for this document (e.g., Minutes), please disregard the below language.

**The following people were served electronically:**

MATTHEW LEE, ESQ. for STATE OF NEVADA

MICHAEL BOLENBAKER, ESQ. for STATE OF  
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
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NEVADA

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

1 CODE NO. 2520  
2 WASHOE COUNTY PUBLIC DEFENDER  
3 JOHN REESE PETTY, State Bar Number 0010  
350 South Center Street, 5<sup>TH</sup> Floor  
4 P.O. Box 11130  
Reno, Nevada 89520-0027  
5 (775) 337-4827  
[jpetty@washoecounty.us](mailto:jpetty@washoecounty.us)

6 Attorney for Defendant

7  
8 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

9 IN AND FOR THE COUNTY OF WASHOE

10  
11 THE STATE OF NEVADA,

12 Plaintiff,

13 vs.

Case No. CR14-0644

14 RODERICK STEPHEN SKINNER,

Dept. No. 15

15 Defendant,  
16 \_\_\_\_\_/

17 **NOTICE OF APPEARANCE**

18 John Reese Petty, Chief Deputy Washoe County Public Defender, and hereby gives  
19 notice of appearance as appellate counsel for Defendant, RODERICK STEPHEN SKINNER,  
20 in this case.

21 The undersigned hereby affirms, pursuant to NRS 239B.030, that this document does not  
22 contain the social security number of any person.

23 DATED this 1st day of October, 2014.

24 JEREMY T. BOSLER  
25 WASHOE COUNTY PUBLIC DEFENDER

26 By: /s/ John Reese Petty  
JOHN REESE PETTY, Chief Deputy

I hereby certify that I am an employee of the Washoe County Public Defender's Office,  
Reno, Washoe County, Nevada, and that on this date I forwarded a true copy of the foregoing  
document addressed to:

RODERICK STEPHEN SKINNER  
Northern Nevada Correctional Center  
P.O. Box 7000  
Carson City, Nevada 89702

/S/ John Reese Petty  
JOHN REESE PETTY

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-10-01 14:23:39.363.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-10-01 14:23:39.317.  
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**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-10-01 14:23:39.426.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-10-01 14:23:39.395.

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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

10-01-2014:12:58:30

**Clerk Accepted:**

10-01-2014:14:21:52

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Notice of Appearance

**Filed By:**

John Reese Petty

You may review this filing by clicking on the following link to take you to your cases.

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MICHAEL BOLENBAKER, ESQ. for STATE OF  
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
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JOHN REESE PETTY, ESQ. for RODERICK  
STEPHEN SKINNER

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3 JOHN REESE PETTY, State Bar Number 10  
4 350 South Center Street, 5th Floor  
5 P.O. Box 11130  
6 Reno, Nevada 89520-0027  
7 (775) 337-4827  
8 Attorney for Defendant

9 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

10 IN AND FOR THE COUNTY OF WASHOE

11 THE STATE OF NEVADA,

12 Plaintiff,

13 vs.

Case No. CR14-0644

14 RODERICK STEPHEN SKINNER,

Dept. No. 15

15 Defendant.

16 **NOTICE OF APPEAL**

17 RODERICK STEPHEN SKINNER, the defendant above named, appeals to the Supreme  
18 Court of Nevada from the judgment of conviction entered in this action on September 11, 2014.

19 This is not a Fast Track Appeal.

20 The undersigned hereby affirms, pursuant to NRS 239B.030, that this document does not  
21 contain the social security number of any person.

22 DATED this 7th day of October 2014.

23 JEREMY T. BOSLER  
24 WASHOE COUNTY PUBLIC DEFENDER

25 By: /s/ John Reese Petty  
26 JOHN REESE PETTY, Chief Deputy

I hereby certify that I am an employee of the Washoe County Public Defender's Office,  
Reno, Washoe County, Nevada, and that on this date I forwarded a true copy of the foregoing  
document addressed to:

TERRENCE P. McCARTHY  
Chief Appellate Deputy  
Washoe County District Attorney's Office  
(E-mail)

DATED this 7th day of October 2014.

1



1 CODE NO. 1310  
2 WASHOE COUNTY PUBLIC DEFENDER  
3 JOHN REESE PETTY, State Bar Number 10  
350 South Center Street, 5th Floor  
4 P.O. Box 11130  
Reno, Nevada 89520-0027  
5 (775) 337-4827  
Attorney for Defendant

6  
7 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
8  
9 IN AND FOR THE COUNTY OF WASHOE

10 THE STATE OF NEVADA,

11 Plaintiff,

12 vs.

Case No. CR14-0644

13 RODERICK STEPHEN SKINNER,

Dept. No. 15

14 Defendant.  
15 \_\_\_\_\_/

16 **CASE APPEAL STATEMENT**

17 1. Appellant, Roderick Stephen Skinner

18 2. This appeal is from a judgment of conviction entered on September 11, 2014, by the  
19 Honorable David A. Hardy, district judge.

20 3. The parties below were The State of Nevada, Plaintiff and Roderick Stephen Skinner,  
21 Defendant.

22 4. The parties herein are Roderick Stephen Skinner, Appellant and The State of Nevada,  
23 Respondent.

24 5. Counsel on appeal: For the Appellant, the Washoe County Public Defender's Office  
25 and John Reese Petty, Chief Appellate Deputy, 350 South Center Street, 5th Floor, P.O. Box  
26

1 11130 Reno, Nevada 89520-0027, (775) 337-4827; and for the Respondent, the Washoe  
2 County District Attorney's Office, One South Sierra Street, Reno, Nevada 89501, (775) 337-  
3 5751.

4 6. Appointed counsel represented Appellant in the district court

5 7. Appointed counsel represents Appellant on appeal.

6 8. The Washoe County Public Defender was court-appointed at the inception of the case.

7 9. The Information was filed on May 2, 2014.

8 10. Mr. Skinner pleaded guilty to one felony count of promotion of a sexual performance  
9 of minor, age 14 or older. Judge Hardy imposed a sentence of life in the Nevada Department of  
10 Correction with eligibility for parole after serving a minimum term of 5 years.

11 11. Not applicable.

12 12. Not applicable.

13 13. Not applicable.

14 The undersigned hereby affirms, pursuant to NRS 239B.030, that this document does not  
15 contain the social security number of any person.

16 DATED this 7th day of October 2014.

17  
18 JEREMY T. BOSLER  
19 WASHOE COUNTY PUBLIC DEFENDER

20 By: /s/ John Reese Petty  
21 JOHN REESE PETTY, Chief Deputy  
22  
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25  
26

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Reno, Washoe County, Nevada, and that on this date I forwarded a true copy of the foregoing  
document addressed to:

TERRENCE P. McCARTHY  
Chief Appellate Deputy  
Washoe County District Attorney's Office  
(E-mail)

CATHERINE CORTEZ MASTO  
Attorney General State of Nevada  
100 N. Carson Street  
Carson City, Nevada 89701

/s/ John Reese Petty  
JOHN REESE PETTY

1 CODE NO. 3868  
2 WASHOE COUNTY PUBLIC DEFENDER  
3 JOHN REESE PETTY, State Bar Number 10  
350 South Center Street, 5th Floor  
4 P.O. Box 11130  
Reno, Nevada 89520-0027  
5 (775) 337-4827  
Attorney for Defendant

6  
7 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
8  
9 IN AND FOR THE COUNTY OF WASHOE

10 THE STATE OF NEVADA,

11 Plaintiff,

12 vs.

Case No. CR14-0644

13 RODERICK STEPHEN SKINNER,

Dept. No. 15

14 Defendant.  
15 \_\_\_\_\_/

16 **REQUEST FOR TRANSCRIPT(S)**

17 TO: R. Walker:

18 Roderick Stephen Skinner requests preparation of a transcript of certain portions of the  
19 proceedings before the district court in this matter as follows:

20 September 10, 2014: Transcript of Proceedings: Entry of Judgment / Imposition of  
21 Sentence.

22 This notice requests a transcript of only those portions of the district court proceedings that  
23 counsel reasonably and in good faith believes are necessary to determine whether appellate issues  
24 are present.  
25  
26

1 I recognize that I must personally serve a copy of this form on the above named reporter and  
2 opposing counsel, and that the above named court reporter shall have 30 days from the receipt of  
3 this notice to prepare and submit to the Supreme Court a certificate of compliance.

4 The undersigned hereby affirms, pursuant to NRS 239B.030, that this document does not  
5 contain the social security number of any person.  
6

7 DATED this 7th day of October 2014.

8  
9 JEREMY T. BOSLER  
10 WASHOE COUNTY PUBLIC DEFENDER

11 By: /s/ John Reese Petty  
12 JOHN REESE PETTY, Chief Deputy  
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I hereby certify that I am an employee of the Washoe County Public Defender's Office,  
Reno, Washoe County, Nevada, and that on this date I forwarded a true copy of the foregoing  
document addressed to:

TERRENCE P. McCARTHY  
Chief Appellate Deputy  
Washoe County District Attorney's Office  
(E-mail)

DATED this 7th day of October 2014

/s/ John Reese Petty  
JOHN REESE PETTY

1 Code 2230  
2 WASHOE COUNTY PUBLIC DEFENDER  
3 JOHN REESE PETTY, State Bar No. 10  
350 South Center Street, 5th Floor  
4 P.O. Box 11130  
Reno, Nevada 89520-0027  
5 (775) 337-4827  
Attorney for the Defendant

6  
7 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
8  
9 IN AND FOR THE COUNTY OF WASHOE

10  
11 THE STATE OF NEVADA,

12 Plaintiff,

13 vs.

Case No. CR14-0644

14 RODERICK STEPHEN SKINNER,

Dept. No. 14

15 Defendant.  
16 \_\_\_\_\_/

17 MOTION FOR TRANSCRIPT(S) AT PUBLIC EXPENSE

18 Roderick Stephen Skinner, by and through counsel on appeal, moves for an Order  
19 granting him a copy of the transcript of the sentencing hearing held on September 10, 2014, at  
20 County expense, for preparation of this appeal.  
21

22 Notice of Appeal has been filed in the Second Judicial District Court of the State of Nevada.

23 Defendant was represented by the Washoe County Public Defender's Office in the district  
24 court and is being represented by the Washoe County Public Defender's Office on appeal.

25 Defendant cannot pay for the transcripts due to indigency.  
26

1 Defendant requires the transcript(s) in order to pursue meaningful appellate review of the  
2 sentence in this case.

3 Pursuant to NRS 239B.030 I affirm that this document does not contain the social security  
4 number of any person.

5 DATED this 7th day of October 2014.  
6

7 JEREMY T. BOSLER  
8 Washoe County Public Defender

9 By: /s/ John Reese Petty  
10 JOHN REESE PETTY, Chief Deputy  
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I hereby certify that I am an employee of the Washoe County Public Defender's Office,  
Reno, Washoe County, Nevada, and that on this date I forwarded a true copy of the foregoing  
document addressed to:

TERRENCE P. McCARTHY  
Chief Appellate Deputy  
Washoe County District Attorney's Office  
(E-mail)

DATED this 7th day of October 2014

1

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-10-07 10:36:47.708.

**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-10-07 10:36:47.677.

**MATTHEW LEE, ESQ.** - Notification received on 2014-10-07 10:36:47.817.

**JOHN PETTY, ESQ.** - Notification received on 2014-10-07 10:36:47.911.

**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-10-07 10:36:47.88.

**DIV. OF PAROLE & PROBATION** - Notification received on 2014-10-07 10:36:47.848.

**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-10-07 10:36:47.77.

**CHRISTINE BRADY, ESQ.** - Notification received on 2014-10-07 10:36:47.739.

**\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\***  
**PROOF OF SERVICE OF ELECTRONIC FILING**

-

**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

10-07-2014:09:36:39

**Clerk Accepted:**

10-07-2014:10:36:19

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Notice/Appeal Supreme Court

**Filed By:**

John Reese Petty

You may review this filing by clicking on the following link to take you to your cases.

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MICHAEL BOLENBAKER, ESQ. for STATE OF  
NEVADA

CHRISTINE BRADY, ESQ. for RODERICK  
STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

JOHN REESE PETTY, ESQ. for RODERICK  
STEPHEN SKINNER

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**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-10-07 10:37:17.381.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-10-07 10:37:17.35.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-10-07 10:37:17.49.  
**JOHN PETTY, ESQ.** - Notification received on 2014-10-07 10:37:17.568.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-10-07 10:37:17.553.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-10-07 10:37:17.521.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-10-07 10:37:17.443.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-10-07 10:37:17.412.

\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
PROOF OF SERVICE OF ELECTRONIC FILING

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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

10-07-2014:09:37:15

**Clerk Accepted:**

10-07-2014:10:36:46

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Case Appeal Statement

**Filed By:**

John Reese Petty

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STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
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NEVADA

JOHN REESE PETTY, ESQ. for RODERICK  
STEPHEN SKINNER

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-10-07 10:38:29.753.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-10-07 10:38:29.722.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-10-07 10:38:29.863.  
**JOHN PETTY, ESQ.** - Notification received on 2014-10-07 10:38:29.956.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-10-07 10:38:29.925.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-10-07 10:38:29.894.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-10-07 10:38:29.816.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-10-07 10:38:29.785.



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PROOF OF SERVICE OF ELECTRONIC FILING

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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

10-07-2014:09:37:58

**Clerk Accepted:**

10-07-2014:10:38:01

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Req to Crt Rptr - Rough Draft

**Filed By:**

John Reese Petty

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STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

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NEVADA

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NEVADA

JOHN REESE PETTY, ESQ. for RODERICK  
STEPHEN SKINNER

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-10-07 10:38:47.039.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-10-07 10:38:47.008.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-10-07 10:38:47.195.  
**JOHN PETTY, ESQ.** - Notification received on 2014-10-07 10:38:47.289.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-10-07 10:38:47.258.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-10-07 10:38:47.226.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-10-07 10:38:47.148.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-10-07 10:38:47.117.

\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
PROOF OF SERVICE OF ELECTRONIC FILING

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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

10-07-2014:09:38:32

**Clerk Accepted:**

10-07-2014:10:38:20

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Mtn Trial Trans. Public Exp

**Filed By:**

John Reese Petty

You may review this filing by clicking on the following link to take you to your cases.

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NEVADA

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STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

JOHN REESE PETTY, ESQ. for RODERICK  
STEPHEN SKINNER

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

1 **Code 1350**

2

3

4

5

6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

7 **IN AND FOR THE COUNTY OF WASHOE**

8 **STATE OF NEVADA,**

9 **Plaintiff,**

10 **vs.**

**Case No. CR14-0644**

11 **RODERICK STEPHEN SKINNER,**

**Dept. No. 15**

12 **Defendant.**

13

14 \_\_\_\_\_/

15

16 **CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL**

17 I certify that I am an employee of the Second Judicial District Court of the State of  
18 Nevada, County of Washoe; that on the 8th day of October, 2014, I electronically filed the  
19 Notice of Appeal in the above entitled matter to the Nevada Supreme Court.

20 I further certify that the transmitted record is a true and correct copy of the original  
21 pleadings on file with the Second Judicial District Court.

22 Dated this 8th day of October, 2014

23

24 CATHY HILL, ACTING  
25 CLERK OF THE COURT

26 By /s/ Yvonne Vilorio  
27 Yvonne Vilorio  
28 Deputy Clerk

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-10-08 08:31:22.553.  
**JOHN PETTY, ESQ.** - Notification received on 2014-10-08 08:31:22.881.  
**TERRENCE MCCARTHY, ESQ.** - Notification received on 2014-10-08 08:31:22.834.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-10-08 08:31:22.6.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-10-08 08:31:22.756.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-10-08 08:31:22.803.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-10-08 08:31:22.288.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-10-08 08:31:22.709.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-10-08 08:31:22.647.

\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*

PROOF OF SERVICE OF ELECTRONIC FILING

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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

10-08-2014:08:30:23

**Clerk Accepted:**

10-08-2014:08:30:51

**Court:**

Second Judicial District Court - State of Nevada

Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Certificate of Clerk

**Filed By:**

Deputy Clerk YViloria

You may review this filing by clicking on the following link to take you to your cases.

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STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

TERRENCE P. MCCARTHY, ESQ. for STATE  
OF NEVADA

DIV. OF PAROLE & PROBATION



ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

JOHN REESE PETTY, ESQ. for RODERICK  
STEPHEN SKINNER

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

3370

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

THE STATE OF NEVADA,

Plaintiff,

vs.

Case No. CR14-0644

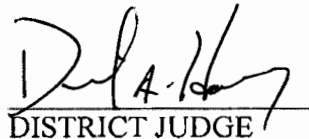
RODERICK STEPHEN SKINNER,

Dept. No. 15

Defendant.  
\_\_\_\_\_ /ORDER

The Court having reviewed the Motion filed by Defendant, and good cause  
appearing,

IT IS HEREBY ORDERED that the requested copies of the transcript of the  
sentencing hearing held on September 10, 2014, be provided to the Defendant at County  
expense.

DATED this 13<sup>th</sup> day of October 2014.  
DISTRICT JUDGE

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-10-13 15:51:05.309.  
**JOHN PETTY, ESQ.** - Notification received on 2014-10-13 15:51:05.543.  
**TERRENCE MCCARTHY, ESQ.** - Notification received on 2014-10-13 15:51:05.511.  
**CHRISTINE BRADY, ESQ.** - Notification received on 2014-10-13 15:51:05.34.  
**DIV. OF PAROLE & PROBATION** - Notification received on 2014-10-13 15:51:05.449.  
**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-10-13 15:51:05.48.  
**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-10-13 15:51:05.277.  
**MATTHEW LEE, ESQ.** - Notification received on 2014-10-13 15:51:05.418.  
**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-10-13 15:51:05.371.

\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
PROOF OF SERVICE OF ELECTRONIC FILING

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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

10-13-2014:15:49:57

**Clerk Accepted:**

10-13-2014:15:50:35

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Order...

**Filed By:**

Judicial Asst. SParke

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STEPHEN SKINNER

CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

TERRENCE P. MCCARTHY, ESQ. for STATE  
OF NEVADA

DIV. OF PAROLE & PROBATION

ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
NEVADA

JOHN REESE PETTY, ESQ. for RODERICK  
STEPHEN SKINNER

**The following people have not been served electronically and must be served by traditional means** (see Nevada Electronic Filing Rules.):

**IN THE SUPREME COURT OF THE STATE OF NEVADA  
OFFICE OF THE CLERK**

RODERICK STEPHEN SKINNER,  
Appellant,  
vs.  
THE STATE OF NEVADA,  
Respondent.

**Supreme Court No. 66666**  
District Court Case No. CR140644

DIS

**RECEIPT FOR DOCUMENTS**

TO: Washoe County Public Defender \ John Reese Petty  
Washoe County District Attorney \ Terrence P. McCarthy  
Cathy Hill (Acting), Washoe District Court Clerk ✓

You are hereby notified that the Clerk of the Supreme Court has received and/or filed the following:

10/09/2014      Appeal Filing fee waived. Criminal.

10/09/2014      Filed Notice of Appeal. Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel for appellant.)

DATE: October 09, 2014

Tracie Lindeman, Clerk of Court  
lh

**Return Of NEF****Recipients**

**ZELALEM BOGALE, ESQ.** - Notification received on 2014-10-27 16:06:34.438.

**JOHN PETTY, ESQ.** - Notification received on 2014-10-27 16:06:34.672.

**TERRENCE MCCARTHY, ESQ.** - Notification received on 2014-10-27 16:06:34.641.

**CHRISTINE BRADY, ESQ.** - Notification received on 2014-10-27 16:06:34.469.

**DIV. OF PAROLE & PROBATION** - Notification received on 2014-10-27 16:06:34.579.

**MICHAEL BOLENBAKER, ESQ.** - Notification received on 2014-10-27 16:06:34.61.

**REBECCA DRUCKMAN, ESQ.** - Notification received on 2014-10-27 16:06:34.407.

**MATTHEW LEE, ESQ.** - Notification received on 2014-10-27 16:06:34.547.

**CHRISTOPHER FREY, ESQ.** - Notification received on 2014-10-27 16:06:34.501.

\*\*\*\*\* IMPORTANT NOTICE - READ THIS INFORMATION \*\*\*\*\*  
PROOF OF SERVICE OF ELECTRONIC FILING

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**A filing has been submitted to the court RE:** CR14-0644

**Judge:**

HONORABLE DAVID A. HARDY

**Official File Stamp:**

10-27-2014:16:05:27

**Clerk Accepted:**

10-27-2014:16:06:03

**Court:**

Second Judicial District Court - State of Nevada  
Criminal

**Case Title:**

STATE VS. RODERICK STEPHEN SKINNER  
(D15)

**Document(s) Submitted:**

Supreme Court Receipt for Doc

**Filed By:**

Deputy Clerk YViloria

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CHRISTOPHER FREY, ESQ. for RODERICK  
STEPHEN SKINNER

TERRENCE P. MCCARTHY, ESQ. for STATE  
OF NEVADA

DIV. OF PAROLE & PROBATION



ZELALEM BOGALE, ESQ. for STATE OF  
NEVADA

REBECCA DRUCKMAN, ESQ. for STATE OF  
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STEPHEN SKINNER

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