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NOA
DAVID M. SCHIECK, ESQ.
NEVADA BAR NO. 0824
302 E. CARSON, STE. 600
LAS VEGAS, NV 89101
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Attorney for MORRISON

FILED

AUG 15 9 43 AM '02

Shirley S. Braggins
CLERK

FILED

DISTRICT COURT

CLARK COUNTY, NEVADA

AUG 20 2002

BY *Janette M. Bell*
CLERK OF SUPREME COURT
DEPUTY CLERK

* * *

THE STATE OF NEVADA,
Plaintiff,

CASE NO. G.175914
DEPT. NO. XI

vs.

NOTICE OF APPEAL

LAILONI MORRISON,

No. 40097

Defendant.

DATE: N/A
TIME: N/A

TO: THE STATE OF NEVADA, Plaintiff, herein;

TO: STEWART BELL, District Attorney, and

TO: DEPARTMENT XI OF THE EIGHTH JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK:

NOTICE IS HEREBY GIVEN that LAILONI MORRISON, by and
through his attorney DAVID M. SCHIECK, ESQ., hereby appeals to
the Supreme Court of the State of Nevada from Judgment of
Conviction filed August 8, 2002 and sentence of life with the
possibility of parole.

Dated this 14 day of August, 2002.

SUBMITTED BY:

David M. Schieck
DAVID M. SCHIECK, ESQ.

RECEIVED

28 AUG 20 2002

CLERK OF SUPREME COURT
By
DEPUTY CLERK

NCA
DAVID M. SCHIECK, ESQ.
NEVADA BAR NO. 0824
302 East Carson, #600
Las Vegas, NV 89101
702-382-1844
Attorney for Defendant

FILED

AUG 15 9 43 AM '02

Shirley C. Augustine
CLERK

DISTRICT COURT

CLARK COUNTY, NEVADA

* * *

THE STATE OF NEVADA,)	CASE NO. C 175914
)	DEPT. NO. XI
Plaintiff,)	
)	
vs.)	CASE APPEAL STATEMENT
)	
LAILONI MORRISON,)	
)	
Defendant.)	DATE: N/A
)	TIME: N/A

1. Appellant filing case appeal statement is Lailoni Morrison.
2. The Judge issuing the decision was The Honorable Michael Douglas.
3. Defendant was Lailoni Morrison.
Plaintiff was The State of Nevada
4. Appellant is Lailoni Morrison.
Respondent is The State of Nevada
5. Counsel for Appellant: David M. Schieck, Esq.,
Law Office of David Schieck, 302 E. Carson, #600,
Las Vegas, NV 89101, 702-382-1844

Counsel for Respondent: Stewart Bell, Esq., District
Attorney, 200 S. Third St., Las Vegas, NV 89155,
702-455-4711; and Frankie Sue Del Papa, Esq., Nevada
Attorney General, 100 N. Carson St., Carson City,
Carson City, NV 89701, 702-687-4170
6. Morrison was represented by appointed counsel, David
M. Schieck, Esq., for his trial.
7. Morrison is represented by appointed counsel, David

1 M. Schieck, Esq., on appeal from his judgement of
2 conviction and sentence of life.

3 8. David M. Schieck, Esq. was appointed on August 2,
4 2002 to represent Morrison on his appeal.

5 9. Morrison's Information was filed on June 7, 2001.

6 Dated this 14 day of August, 2002.

7 SUBMITTED BY:

8 
9 DAVID M. SCHIECK, ESQ.

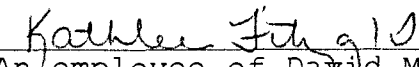
10 CERTIFICATE OF MAILING

11 The undersigned does hereby certify that on the 14 day of
12 August, 2002, I deposited in the United States Post Office at
13 Las Vegas, Nevada, a copy of the Case Appeal Statement, postage
14 prepaid, addressed to the following:

15 District Attorney's Office
16 200 S. Third Street
Las Vegas NV 89155

17 Nevada Attorney General
18 100 N. Carson
Carson City, NV 89701-4717

19 Lailoni Morrison
20 Clark County Detention Center
21 330 S. Casino Center Blvd.
Las Vegas NV 89101

22 
23 An employee of David M. Schieck, Esq.
24
25
26
27
28

DATE: 08/15/02
CASE NO. 01-C-175914-C

I N D E X

TIME 5:26 PM
JUDGE: Douglas, Michael L

STATE OF NEVADA

[] vs Bennett, Ashley W

[E]

001 D1 Ashley W Bennett

004784 Walton, Stanley A.
NO. 1 550 E. Charleston #e
Las Vegas, NV 89108

002 D Lailoni D Morrison

000824 Schieck, David M.
NO. 1 Schieck & Derke
302 E Carson #918
Las Vegas, NV 89101

003 D Anthony Gantt
330 S Casino Center Dr
Las Vegas, NV 89101

Pro Se

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0001	06/07/01	INFO/INFORMATION Fee \$0.00			06/07/01	
0002	06/07/01	ARRN/INITIAL ARRAIGNMENT	AL		06/19/01	
0003	06/08/01	CBO /CRIMINAL BINDOVER	AL			
0004	06/08/01	NOEV/NOTICE OF EXHIBIT(S) IN THE VAULT			06/08/01	
0005	06/19/01	CALC/CALENDAR CALL (VK 8/7/01)	AL	VC	08/16/01	
0006	06/19/01	JURY/TRIAL BY JURY (VK 8/7/01)	AL	VC	08/20/01	
0007	06/29/01	MOT /DEFT'S MOTION FOR DISCOVERY OF PROSECUTION FILE RECORDS AND INFO	003		07/19/01	
0008	06/20/01	ORDR/ORDER APPOINTING COUNSEL	002			
0009	06/20/01	ORDR/ORDER	001			
0010	06/20/01	APPL/EX-PARTE APPLICATION FOR APPOINTMENT OF INVESTIGATOR APPLICATION	001			Y
0011	06/20/01	APPL/EX-PARTE APPLICATION FOR ORDER TO PRODUCE DEFENDANT FOR POLYGRAPH	001			Y
0012	07/02/01	TRAN/REPORTER'S TRANSCRIPT OF PRELIMINARY HEARING	AL			
0013	06/21/01	ORDR/ORDER TO PRODUCE DEFENDANT FOR POLYGRAPH EXAMINATION	001			
0014	06/22/01	REQT/EX PARTE MOTION FOR APPOINTMENT OF INVESTIGATOR AND FOR EXCESS FEES	002			
0015	06/21/01	ORDR/ORDER FOR APPOINTMENT OF INVESTIGATOR	001			
0016	06/25/01	EXPR/EX PARTE ORDER APPOINTING INVESTIGATOR AND FOR EXCESS FEES	002			
0017	07/02/01	TRAN/REPORTER'S TRANSCRIPT OF PRELIMINARY HEARING			06/05/01	
0018	07/03/01	ROC /RECEIPT OF COPY				
0019	07/14/01	ASSG/Reassign Case From Judge Gibbons TO Judge Douglas				
0020	07/05/01	NOEV/NOTICE OF TRANSCRIPTS ON THE SHELVES			06/05/01	
0021	07/19/01	MOT /DEFT'S MOTION TO SEVER	002	GR	07/31/01	
0022	07/19/01	MOT /DEFT'S MOTION TO SET BAIL	002	GR	07/31/01	
0023	07/19/01	MOT /DEFT'S MOTION TO SUPPRESS	002	GP	09/13/01	
0024	07/20/01	OCAL/STATUS CHECK: DEFT GANTT'S MTN FOR DISCOVERY	003		07/31/01	
0025	07/10/01	JOIN/NOTICE OF JOINDER IN MOTION FOR DISCOVERY OF PROSECUTION FILES RECORDS	002		07/10/01	Y

(Continued to page 2)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
AND INFORMATION NECESSARY TO A FAIR TRIAL						
0026	07/10/01	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION	003			Y
		FOR DISCOVERY OF PROSECUTION FILES	003			
RECORDS AND INFORMATION NECESSARY TO A FAIR TRIAL						
0027	07/11/01	APPL/EX PARTE APPLICATION FOR ORDER TO	001			Y
		PRODUCE DEFENDANT FOR	001			
POLYGRAPH EXAMINATION						
0028	07/11/01	ORDR/ORDER TO PRODUCE DEFENDANT FOR POLYGRAPH	001			
		EXAMINATION	001			
0029	07/23/01	CERT/CERTIFICATE OF MAILING	AL			
0030	07/31/01	MOT /ALL PENDING MOTIONS 7-31-01	AL		07/31/01	
0031	07/31/01	OCAL/STATUS CHECK: TRIAL STATUS/WAIVER OF	AL		MH 08/07/01	
		RIGHT TO SPEEDY TRIAL	AL			
0032	07/31/01	MOT /DEFT'S MOTION TO SUPPRESS STATEMENT OF	003		DN 08/28/01	
		ANTHONY GANTT	003			
0033	08/03/01	MOT /DEFT'S MOTION FOR BAIL REDUCTION	001		GR 08/28/01	
0034	08/03/01	MOT /DEFT'S MOTION TO SEVER	001		VC 08/17/01	
		SET IN ERR ON WRONG DAY	001			
0035	07/19/01	ROC /RECEIPT OF COPY	001		07/19/01	
0036	07/20/01	ORDR/ORDER TO TRANSCRIPT	003			
0037	07/20/01	LIST/NOTICE OF EXPERT WITNESSES	AL			
0038	08/03/01	MOT /DEFT'S MOTION TO SEVER	001		GR 08/28/01	
0039	07/25/01	REQT/EX PARTE REQUEST AND ORDER FOR THE	003			Y
		COURTS IN-CAMERA INSPECTION OF	003			
JUVENILE RECORDS						
0040	08/07/01	CALC/CALENDAR CALL	001		10/25/01	
0041	08/07/01	CALC/CALENDAR CALL	002		VC 10/25/01	
		(VJ 08-28-01)	002			
0042	08/07/01	JURY/TRIAL BY JURY (VJ 10/25/01)	001		VC 10/29/01	
0043	08/07/01	JURY/TRIAL BY JURY	002		VC 10/29/01	
		(VJ 08-28-01)	002			
0044	08/07/01	CALC/CALENDAR CALL	003		11/15/01	
0045	08/07/01	JURY/TRIAL BY JURY (VJ 11/15/01)	003		VC 11/19/01	
0046	08/07/01	OCAL/STATUS CHECK: TRIAL DATE	001		08/28/01	
0047	08/08/01	MOT /DEFT'S JOINDER IN MOTIONS TO SEVER	003		GR 08/28/01	
0048	08/08/01	MOT /DEFT'S MOTION RO RELEASE WITHOUT BAIL OR	003		GP 08/28/01	
		FOR REDUCTION OF BAIL	003			
0049	08/09/01	TRAN/REPORTER'S TRANSCRIPT OF STATUS CHECK:	AL		08/07/01	Y
		TRIAL STATUS/ WAIVER OF RIGHT TO	AL			
SPEEDY TRIAL - ALL DEFENDANT'S MOTION TO SUPPRESS STATEMENTS OF MORRISON						
0050	08/09/01	TRAN/REPORTER'S TRANSCRIPT OF DEFENDANT'S	AL		07/19/01	Y
		MOTION FOR DISCOVERY OF PROSECUTION	AL			
FILES, RECORDS & INFORMATION NECESSARY TO A FAIR TRIAL						
0051	08/10/01	MOT /ALL PENDING MOTIONS 8-7-01	AL		08/07/01	
0052	08/01/01	ORDR/EX PARTE REQUEST AND ORDER FOR	003			
		INSPECTION OF JUVENILE HALL RECORDS	003			
0053	08/01/01	ROC /RECEIPT OF COPY	003		07/31/01	
0054	08/03/01	ROC /RECEIPT OF COPY	001		08/03/01	
0055	08/03/01	ROC /RECEIPT OF COPY	001		08/03/01	
0057	08/08/01	NOTC/NOTICE OF JOINDER IN MOTIONS TO SEVER	003			
0058	08/17/01	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS	AL		06/19/01	
		ARRAIGNMENT	AL			

NO. FILED/REC CODE

REASON/DESCRIPTION

FOR

OC SCH/PER C

0059	08/15/01	REQT/GANTTS EXPEDITED EX-PARTE REQUEST AND EXPEDITED ORDER FOR THE COURTS	003 003		Y
		IN-CAMERA INSPECTION OF JUVENILE RECORDS			
0060	08/28/01	CALC/CALENDAR CALL	002	01/10/02	
0061	08/28/01	JURY/TRIAL BY JURY (VJ 1/10/02)	002	VC 01/14/02	
0062	08/29/01	MOT /ALL PENDING MOTIONS 8/28/01	AL	08/28/01	
0063	08/31/01	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS	*D	08/28/01	
0064	08/27/01	OPPS/STATES OPPOSITION TO DEFENDANT LAILONI MORRISONS MOTION TO SUPPRESS	002 002		
0065	08/27/01	OPPS/STATES OPPOSITION TO DEFENDANT ANTHONY GANTT'S MOTION TO SUPPRESS	003 003		
0066	09/04/01	ORDR/ORDER DENYING DEFENDANTS MOTION TO SUPPRESS	003 003	09/04/01	
0067	09/11/01	ORDR/ORDER TO PRODUCE DEFENDANT FOR POLYGRAPH EXAMINATION	001 001		
0068	09/10/01	ORDR/ORDER DENYING DEFENDANTS MOTION TO SUPPRESS	003 003	08/28/01	
0069	09/12/01	EXPT/EX PARTE APPLICATION FOR ORDER TO PRODUCE DEFENDANT FOR POLYGRAPH EXAMINATION	001 001		Y
0070	09/13/01	EXH /EXHIBITS FOR COURTS CONSIDERATION	003		
0071	09/19/01	TRAN/REPORTER'S TRANSCRIPT DEFT' MOTION TO SUPPRESS	001 001	09/13/01	
0072	10/15/01	MOT /DEFT'S MTN IN LIMINE EVIDENCE GANG AFFILIATION/28	001 001	11/08/01	
0073	10/15/01	ROC /RECEIPT OF COPY	001	10/15/01	
0074	10/17/01	MOT /DEFT'S MTN TO REDUCE BAIL/29	002	DN 10/23/01	
0075	10/18/01	ROC /RECEIPT OF COPY	002	10/18/01	
0076	10/19/01	ROC /RECEIPT OF COPY	001	10/18/01	
0077	10/19/01	LIST/DESIGNATION OF WITNESSES	001		
0078	10/19/01	NOTC/NOTICE OF ALIBI PURSUANT TO NRS 174.233	001		
0079	10/19/01	ROC /RECEIPT OF COPY	001	10/18/01	
0080	10/23/01	SUBP/SUBPOENA	001	SC 10/31/01	
			001	SV 10/22/01	
0081	10/23/01	SUBP/SUBPOENA	001	SC 10/31/01	
			001	SV 10/22/01	
0082	10/23/01	SUBP/SUBPOENA	001	SC 10/31/01	
			001	SV 10/22/01	
0083	10/23/01	SUBP/SUBPOENA	001	SC 10/31/01	
			001	SV 10/22/01	
0084	10/23/01	SUBP/SUBPOENA	001	SC 10/31/01	
			001	SV 10/22/01	
0085	10/25/01	JURY/TRIAL BY JURY VJ 10-30-01	001	VC 10/30/01	
0086	10/25/01	LIST/NOTICE OF WITNESSES	AL		
0087	10/30/01	CALC/CALENDAR CALL	001	11/08/01	
0088	10/30/01	JURY/TRIAL BY JURY (VJ 11/8/01)	001	VC 11/13/01	
0089	10/31/01	MOT /ALL PENDING MOTIONS 10-30-01	001	10/31/01	
0090	10/29/01	SUBP/SUBPOENA	001	SC 10/31/01	
			001	SV 10/25/01	
0091	10/29/01	SUBP/SUBPOENA	001	SC 10/31/01	
			001	SV 10/24/01	
0092	10/29/01	SUBP/SUBPOENA	001	SC 10/31/01	
			001	SV 10/27/01	

NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0093	10/30/01	ORDR/ORDER TO PRODUCE DEFENDANT FOR POLYGRAPH EXAMINATION	001				
0094	10/30/01	ORDR/ORDER FOR APPOINTMENT OF INVESTIGATOR	001				
0095	10/31/01	SUBP/SUBPOENA	001	SC	10/31/01		
			001	SV	10/29/01		
0096	10/31/01	SUBP/SUBPOENA DUCES TECUM	001	SC	10/31/01		
			001	SV	10/29/01		
0097	11/08/01	MOT /DEFT'S MTN IN LIMINE TO PRECLUDE EVID OF GANG AFFILIATION/34 VK 11-27-01	003	VC	01/10/02		
			003				
0098	11/08/01	MOT /DEFT'S MTN TO REMAND TO JUVENILE COURT/35 VK 11-27-01	003	VC	01/10/02		
			003				
0099	11/06/01	ROC /RECEIPT OF COPY	001		11/06/01		
0100	11/06/01	SUPP/SUPPLEMENTAL DESIGNATION OF WITNESSES	001				
0101	11/08/01	CALC/CALENDAR CALL	001		11/20/01		
0102	11/08/01	JURY/TRIAL BY JURY Vj 11-20-01	001	VC	11/26/01		
0103	11/07/01	OTTE/ORDER TO TRANSPORT	003		11/14/01		
0104	11/09/01	MOT /ALL PENDING MOTIONS 11/8/01	001		11/08/01		
0105	11/08/01	REQT/NOTICE OF MOTION AND MOTION TO CONTINUE	001		11/08/01		
0106	11/09/01	ROC /RECEIPT OF COPY	003		11/09/01		
0107	11/09/01	ROC /RECEIPT OF COPY	003		11/08/01		
0108	11/09/01	ROC /RECEIPT OF COPY	003		11/08/01		
0109	11/15/01	CALC/CALENDAR CALL VK 11-27-01	003	VC	01/10/02		
0110	11/15/01	JURY/TRIAL BY JURY VK 11-27-01	003	VC	01/14/02		
0111	11/20/01	JURY/TRIAL BY JURY VJ 11-27-01	001	VC	11/27/01		
0112	11/20/01	MOT /ALL PENDING MOTIONS 11-20-01	AL		11/20/01		
0113	11/21/01	ARRN/STATE'S REQUEST TO CALENDAR	003	GR	11/27/01		
0114	11/21/01	ARRN/STATE'S REQUEST ENTRY OF PLEA	003		11/27/01		
0115	11/27/01	MOT /ALL PENDING MOTIONS 11-27-01	003		11/27/01		
0116	11/27/01	SENT/SENTENCING	003		04/02/02		
0117	11/27/01	HEAR/STATE'S REQUEST FOR HANDWRITING SAMPLE	001	GR	12/06/01		
0118	11/27/01	CALC/CALENDAR CALL	001		01/10/02		
0119	11/27/01	JURY/TRIAL BY JURY (VJ 1/3/02)	001	VC	01/07/02		
0120	11/27/01	MEMO/GUILTY PLEA MEMORANDUM/AGREEMENT	003				
0121	11/28/01	SUBP/SUBPOENA	001	SV	11/26/01		
			001	SC	11/30/01		
0122	11/28/01	SUBP/SUBPOENA	001	SV	11/28/01		
			001	SC	11/30/01		
0123	11/28/01	SUBP/SUBPOENA	001	SV	11/26/01		
			001	SC	11/13/01		
0124	11/28/01	SUBP/SUBPOENA	001	SV	11/26/01		
			001	SC	11/30/01		
0125	11/26/01	FUS /FILED UNDER SEAL EX PARTE MOTION	001				
0126	11/26/01	FUS /FILED UNDER SEAL ORDER	001				
0127	12/05/01	MOT /DEFT'S PRO PER MTN TO DISMISS COUNSEL AND APPOINTMENT OF ALTERNATE COUNSEL/50	003	OC	12/18/01		
			003				
0128	12/06/01	TRAN/REPORTER'S TRANSCRIPT STATE'S REQUEST: ENTRY OF PLEA	AL		11/27/01		
			AL				
0129	12/03/01	REQT/NOTICE OF MOTION AND MOTION TO COMPEL HANDWRITING SAMPLE	001	SC	12/06/01		
			001				
0130	12/06/01	TRAN/REPORTER'S TRANSCRIPT PRETRIAL MOTIONS	AL		11/27/01		
0131	12/05/01	REQT/EX PARTE MOTION FOR ORDER FOR CONTACT VISIT	002				
			002				

(Continued to page 6)

NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0168	01/29/02	SUBP/SUBPOENA		001	SC	01/28/02	
				001	SV	01/24/02	
0169	01/29/02	SUBP/SUBPOENA		001	SC	01/28/02	
				001	SV	01/24/02	
0170	01/29/02	SUBP/SUBPOENA		001	SC	01/28/02	
				001	SV	01/24/02	
0171	01/29/02	SUBP/SUBPOENA		001	SC	01/28/02	
				001	SV	01/24/02	
0172	01/29/02	SUBP/SUBPOENA		001	SC	01/28/02	
				001	SV	01/24/02	
0173	01/31/02	CALC/CALENDAR CALL		002		03/14/02	
0174	01/31/02	JURY/TRIAL BY JURY VJ 3/14/02		002	VC	03/18/02	
0175	01/30/02	SUPP/SUPPLEMENTAL DESIGNATION OF WITNESSES		001			
0176	02/04/02	HEAR/PENALTY HEARING		001		02/06/02	
0177	02/04/02	INST/INSTRUCTIONS TO THE JURY INSTRUCTION NO 1		001			
0178	02/04/02	VER /VERDICT		001		02/04/02	
0179	02/06/02	SENT/SENTENCING		001		03/21/02	
0180	02/05/02	REQT/EX PARTE MOTION FOR ORDER TO PREPARE TRANSCRIPT		002			
				002			
0181	02/06/02	STIP/STIPULATION WAIVING SEPARATE PENALTY HEARING AND ALLOWING SENTENCE TO BE IMPOSED BY THE COURT		001			Y
				001			
0182	02/07/02	SUBP/SUBPOENA		001	SC	01/31/02	
				001	SV	01/31/02	
0183	02/07/02	SUBP/SUBPOENA		001	SC	01/31/02	
				001	SV	01/31/02	
0184	02/11/02	MOT /DEFT'S MTN FOR NEW TRIAL/67		001	DN	02/21/02	
0185	02/11/02	ROC /RECEIPT OF COPY		001		02/11/02	
0186	02/12/02	NOEV/NOTICE OF EXHIBIT(S) IN THE VAULT				01/22/02	
0187	02/13/02	TRE /TRIAL ENDS				02/06/02	
0188	02/14/02	ORDR/ORDER TO PREPARE TRANSCRIPT		002			
0189	02/15/02	ROC /RECEIPT OF COPY		002		02/15/02	
0190	02/20/02	OPPS/STATES OPPOSITION TO DEFENDANTS MOTION FOR NEW TRIAL		001			
				001			
0191	03/01/02	ORDR/ORDER DENYING DEFENDANTS MOTION FOR NEW TRIAL		001		03/01/02	
				001			
0192	03/13/02	TRAN/REPORTER'S TRANSCRIPT PORTION OF JURY TRIAL - DAY 1 (JURY SELECTION NOT TRANSCRIBED) VOLUME 1		001		01/22/02	Y
				001			
0193	03/13/02	TRAN/REPORTER'S TRANSCRIPT PORTION OF JURY TRIAL - DAY 2 (JURY SELECTION NOT TRANSCRIBED) VOLUME II		001		01/23/02	Y
				001			
0194	03/13/02	TRAN/REPORTER'S TRANSCRIPT PORTION OF JURY TRIAL - DAY 3 (JURY SELECTION NOT TRANSCRIBED) VOLUME III		001		01/24/02	Y
				001			
0195	03/13/02	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL - DAY 4 VOLUME IV		001		01/25/02	
				001			
0197	03/13/02	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL - DAY 9 VOLUME IX		001		02/01/02	
				001			
0198	03/13/02	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL - DAY 6 VOLUME VI		001		01/29/02	
				001			

(Continued to page 7)

NO.	FILED/REC	CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0199	03/13/02	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL - DAY 7	001			01/30/02	
		VOLUME VII	001				
0200	03/13/02	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL - DAY 8	001			01/31/02	
		VOLUME VIII	001				
0201	03/13/02	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL - DAY 10 - VERDICT VOLUME X	001			02/04/02	
0202	03/13/02	TRAN/REPORTER'S TRANSCRIPT JURY TRIAL - DAY 11 WAIVER OF PENALTY PHASE VOLUME XI	001			02/06/02	
0203	03/14/02	MOT /BINDRUP'S MTN TO WITHDRAW AS COUNSEL & CONTINUE SENTENCING/68 VH 3-15-02	001	VC		03/26/02	
0204	03/14/02	CALC/CALENDAR CALL	002			05/23/02	
0205	03/14/02	JURY/TRIAL BY JURY	002			06/07/02	
0206	03/15/02	MOT /SCOTT BINDRUP'S MTN TO WITHDRAW AS COUNSEL /71	001	GR		03/19/02	
0207	03/15/02	ORDR/ORDER SHORTENING TIME	001			03/19/02	
0208	03/15/02	ROC /RECEIPT OF COPY	001			03/15/02	
0209	03/15/02	SUBP/SUBPOENA	002	SC		03/18/02	
			002	SV		03/14/02	
0210	03/13/02	TRAN/REPORTER'S TRANSCRIPT OF PROCEEDINGS JURY TRIAL DAY 5 VOLUME V	001			01/28/02	
0211	03/15/02	REQT/EX PARTE MOTION FOR ORDER SHORTENING TIME	001				
0212	03/19/02	HEAR/CONFIRMATION OF COUNSEL	001			03/21/02	
0213	03/19/02	OCAL/STATUS CHECK: SET SENTENCING DATE	001			03/21/02	
0214	03/20/02	MOT /DEFT'S PRO PER MTN TO DISMISS COUNSEL OF RECORD/74	001	MT		04/02/02	
0215	03/20/02	MOT /DEFT'S PRO PER MOTION TO TO PROCEED IN FORMA PAUPERIS /75	001	GR		04/02/02	
0216	03/20/02	MOT /DEFT'S PRO PER MTN TO RESET SENTENCING/76	001	GR		04/02/02	
0217	03/21/02	MOT /ALL PENDING MOTIONS 3/21/02	001			03/21/02	
0218	03/21/02	OCAL/STATUS CHECK: SENTENCING	001			04/02/02	
0219	03/27/02	ORDR/ORDER APPOINTING COUNSEL AT THE COURT APPOINTED HOURLY RATE	001				
0220	03/28/02	MOT /ALL PENDING MOTIONS (03-28-02)	AL			03/28/02	
0221	03/29/02	ORDR/ORDER	001				
0222	04/02/02	SENT/SENTENCING	001	GR		06/18/02	
0223	04/03/02	MOT /ALL PENDING MOTIONS 04/02/02	001			04/02/02	
0224	05/07/02	ORDR/ORDER FOR INVESTIGATOR FEES IN EXCESS OF STATUTORY AMOUNT	001				
0225	05/07/02	APPL/EX-PARTE APPLICATION FOR INVESTIGATOR FEES IN EXCESS OF STATUTORY AMOUNT	001				
0226	05/21/02	EXPR/EX PARTE ORDER GRANTING MOTION FOR CONTACT VISIT	002				
0227	05/22/02	LIST/NOTICE OF WITNESSES	002				
0228	05/24/02	SENT/SENTENCING	003	GR		06/06/02	
0229	05/24/02	LIST/SUPPLEMENTAL NOTICE OF WITNESSES	002				
0230	05/28/02	TRB /TRIAL BEGINS				05/28/02	
0231	05/28/02	INFO/AMENDED INFORMATION	002			05/28/02	
0232	05/29/02	JLST/DISTRICT COURT JURY LIST	002				
0233	06/04/02	MOT /ALL PENDING MOTIONS 6/04/02	AL			06/04/02	
0234	06/05/02	ORDR/MEDIA REQUEST TO PERMIT CAMERA ACCESS TO PROCEEDINGS AND ORDER GRANTING	002			06/05/02	

(Continued to page 8)

NO.	FILED/REC CODE	REASON/DESCRIPTION	FOR	OC	SCH/PER	C
0235	06/05/02	ORDR/ORDER REQUIRING MATERIAL WITNESS TO POST BAIL OR BE COMMITTED TO CUSTODY	002			
0236	06/07/02	SENT/SENTENCING	002	GR	08/01/02	
0237	06/06/02	JLST/AMENDED DISTRICT COURT JURY LIST	002			
0238	06/10/02	MOT /DEFT'S MTN FOR NEW TRIAL /85 VJ(6/11/02)	001	VC	06/13/02	
0239	06/10/02	TRE /TRIAL ENDS			06/07/02	
0240	06/07/02	INST/INSTRUCTIONS TO THE JURY	002			
0241	06/06/02	PINU/PROPOSED JURY INSTRUCTIONS NOT USED AT TRIAL	002			
0242	06/10/02	ROC /RECEIPT OF COPY	001		06/07/02	
0243	06/07/02	JMNT/VERDICT	0002		06/11/02	
0244	06/10/02	ROC /RECEIPT OF COPY	001		06/10/02	
0245	06/10/02	ORDR/ORDER SHORTENING TIME	001			
0246	06/11/02	NOEV/NOTICE OF EXHIBITS IN THE VAULT			05/28/02	
0247	06/11/02	MOT /DEFT'S MTN FOR NEW TRIAL	001	DN	06/18/02	
0248	06/11/02	AFFD/AFFIDAVIT OF SERVICE/ARREST	002	SV	06/06/02	
0249	06/17/02	OPPS/STATES OPPOSITION TO DEFENDANT ASHLEY BENNETTS MOTION FOR NEW TRIAL	001			
0250	06/18/02	MOT /ALL PENDING MOTIONS 06-18-02	001		06/18/02	
0251	06/18/02	JMNT/ADMINISTRATION/ASSESSMENT FEE	0003		06/19/02	
0252	06/18/02	JMNT/GENETIC TESTING FEE	0003		06/19/02	
0253	06/18/02	JMNT/JUDGMENT OF RESTITUTION	0003		06/19/02	
0254	06/19/82	JUDG/JUDGMENT OF CONVICTION - PLEA OF GUILTY	003		06/18/02	
0255	06/20/02	JMNT/ADMINISTRATION/ASSESSMENT FEE	0001		06/21/02	
0256	06/20/02	JMNT/GENETIC TESTING FEE	0001		06/21/02	
0257	06/20/02	JMNT/JUDGMENT OF RESTITUTION	0001		06/21/02	
0258	06/20/02	JUDG/JUDGMENT OF CONVICTION - JURY TRIAL	001		06/20/02	
0259	06/28/02	NOAS/NOTICE OF APPEAL	001	AP	06/28/02	
0260	07/02/02	ORDR/STIPULATION AND ORDER FOR PAYMENT OF EXCESS ATTORNEY FEES AND EXPENSES	002		07/02/02	
0261	07/10/02	STAT/CASE APPEAL STATEMENT	001			
0262	07/25/02	OCAL/STATUS CHECK: ANY OTHER MOTIONS	002	OC	08/01/02	
0263	07/26/02	TRAN/REPORTER'S TRANSCRIPT SENTENCING	002		07/25/02	
0264	08/01/02	MOT /ALL PENDING MOTIONS 8/1/02	002		08/01/02	
0265	08/05/02	ORDR/ORDER APPOINTING COUNSEL	002	HG	08/02/02	
0266	08/08/02	JMNT/ADMINISTRATION/ASSESSMENT FEE	0002		08/09/02	
0267	08/08/02	JMNT/GENETIC TESTING FEE	0002		08/09/02	
0268	08/08/02	JMNT/JUDGMENT OF RESTITUTION	0002		08/09/02	
0269	08/08/02	JUDG/JUDGMENT OF CONVICTION - (JURY TRIAL)	002	GR	08/08/02	
0270	08/15/02	STAT/CASE APPEAL STATEMENT	002			

ORIGINAL

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JOC
STEWART L. BELL
DISTRICT ATTORNEY
Nevada Bar #000477
200 S. Third Street
Las Vegas, Nevada 89155
(702) 455-4711
Attorney for Plaintiff

FILED

AUG 8 12 19 PM '02

Shirley B. Rasmussen
CLERK

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

LAILONI DEANDRA MORRISON,
#0858836

Defendant.

Case No. C175914
Dept. No. XI

JUDGMENT OF CONVICTION (JURY TRIAL)

The Defendant previously entered plea(s) of not guilty to the crime(s) of MURDER WITH USE OF A DEADLY WEAPON (Felony), in violation of NRS 200.010, 200.030. 193.165, and the matter having been tried before a jury, and the Defendant being represented by counsel and having been found guilty of the crime(s) of SECOND DEGREE MURDER WITH USE OF A DEADLY WEAPON (Felony); and thereafter on the 1st day of August, 2002, the Defendant was present in Court for sentencing with his counsel, DAVID M. SCHIECK, ESQ.; and good cause appearing therefor,

THE DEFENDANT HEREBY ADJUDGED guilty of the crime(s) as set forth in the jury's verdict and, in addition to the \$25.00 Administrative Assessment Fee, the Defendant is sentenced as follows: to LIFE WITH THE POSSIBILITY OF PAROLE AFTER TEN (10) YEARS in the Nevada Department of Corrections (NDC) WITH A CONSECUTIVE AND EQUAL TERM of LIFE WITH THE POSSIBILITY OF PAROLE AFTER TEN (10) YEARS

RECEIVED

AUG 8 2002

CLERK

1 in NDC for With Use of a Deadly Weapon. Further, defendant ORDERED to submit to testing
2 for genetic markers, PAY \$150.00 for DNA testing as best able, and PAY RESTITUTION
3 jointly and severally with co-defendants Ashley Bennett and Anthony Gantt for \$30,432.06.
4 COURT FURTHER ORDERED, Defendant will receive 440 days credit for time served.

5 DATED this 6 day of August, 2002.

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8 DISTRICT JUDGE
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CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA vs Morrison, Lailoni D

06/19/01 09:00 AM 00 INITIAL ARRAIGNMENT

HEARD BY: Mark Gibbons, Chief Judge; Dept. 7

OFFICERS: AMBER FARLEY, Court Clerk
GEORGETTE BYRD/GB, Relief Clerk
RENEE SILVAGGIO, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006612	Cram, Roger	Y
001 D1	Bennett, Ashley W	Y
002537	Bindrup, Scott L.	Y
002 D	Morrison, Lailoni D	Y
000824	Schieck, David M.	Y
003 D	Gantt, Anthony	Y
SPD	Special Public Defender	Y
005825	Wildeveld, Kristina M.	Y

See MINUTES for Defendant 001: Bennett, Ashley W

07/31/01 09:00 AM 00 ALL PENDING MOTIONS 7-31-01

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Joyce Brown, Court Clerk
Liz Garcia, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
002805	Wall, David T.	Y
001 D1	Bennett, Ashley W	N
002537	Bindrup, Scott L.	Y
002 D	Morrison, Lailoni D	Y
004349	Oram, Christopher R.	Y
003 D	Gantt, Anthony	Y
SPD	Special Public Defender	Y
005825	Wildeveld, Kristina M.	Y

See MINUTES for Defendant 001: Bennett, Ashley W

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA vs Morrison, Lailoni D
CONTINUED FROM PAGE: 001

08/07/01 09:00 AM 00 ALL PENDING MOTIONS 8-7-01

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Joyce Brown/JB, Court Clerk
Amber Farley, Relief Clerk
Cat Nelson, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
006612	Cram, Roger	Y
001 D1	Bennett, Ashley W	Y
002537	Bindrup, Scott L.	Y
002 D	Morrison, Lailoni D	Y
004349	Oram, Christopher R.	Y
003 D	Gantt, Anthony	Y
SPD	Special Public Defender	Y
005825	Wildeveld, Kristina M.	Y

See MINUTES for Defendant 001: Bennett, Ashley W

08/28/01 09:00 AM 00 ALL PENDING MOTIONS 8/28/01

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Nancy Noble/nn, Relief Clerk
Cat Nelson, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
005927	De La Garza, Melisa	Y
001 D1	Bennett, Ashley W	Y
002537	Bindrup, Scott L.	Y
002 D	Morrison, Lailoni D	Y
000824	Schieck, David M.	Y
003 D	Gantt, Anthony	Y
SPD	Special Public Defender	Y
005825	Wildeveld, Kristina M.	Y

See MINUTES for Defendant 001: Bennett, Ashley W

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA vs Morrison, Lailoni D

CONTINUED FROM PAGE: 002

09/06/01 09:00 AM 03 DEFT'S MOTION TO SUPPRESS

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: AMBER FARLEY/AF, Court Clerk
TINA HURD, Relief Clerk
Cat Nelson, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
005927	De La Garza, Melisa	Y
002 D	Morrison, Lailoni D	Y
000824	Schieck, David M.	Y

Court stated it got partially through the tape, but hasn't completed it.
COURT ORDERED, matter CONTINUED.

CONTINUED TO: 09/13/01 09:00 AM 04

09/13/01 09:00 AM 04 DEFT'S MOTION TO SUPPRESS

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: AMBER FARLEY/AF, Court Clerk
KEITH REED, Relief Clerk
Cat Nelson, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
005927	De La Garza, Melisa	Y
002 D	Morrison, Lailoni D	Y
000824	Schieck, David M.	Y

Mr. Schieck argued the situation was coercive, that the Defendant requested a lawyer, and the interview continued. Ms. De la Garza argued in opposition thereto; stated Defendant continued the conversation after being admonished by the officers. COURT FINDS it is clear that Miranda was provided to the Defendant and that the conversation went forward; at 1:34 of the tape, the Defendant asked for a lawyer, was admonished by the police that they couldn't continue the conversation unless the Defendant initiated it, which the Defendant did; at 1:47:07 of the tape, Defendant requested to be taken to the police station and that the Defendant wanted to stop talking at that point. COURT ORDERED, anything on the video tape after 1:47:07 is SUPPRESSED.

CUSTODY

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA vs Morrison, Lailoni D
CONTINUED FROM PAGE: 003

10/23/01 09:00 AM 00 DEFT'S MTN TO REDUCE BAIL/29

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Joyce Brown/jb, Court Clerk
Kristen Brown, Relief Clerk
Cat Nelson, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	002805 Wall, David T.	Y
	002 D Morrison, Lailoni D	Y
	000824 Schieck, David M.	Y

Mr. Schieck presented argument in support of the motion including when bail was set, he was out of the jurisdiction; the Defendant has a new-born child with his fiancée; she has complications and has not returned to work; the Defendant has a job waiting for him and he needs to get out. He further argued the Defendant was not a flight risk; his entire family is here; he thinks he can make a bail of \$50,000.00 and Court could order House Arrest also. He asked for bail of \$50,000.00.

Mr. Wall advised Ms. De La Garza was in North Las Vegas this morning; she was here in July when the bail was set at \$200,000.00; the Court should consider the type of offense; and asked to leave bail where it is.

COURT ORDERED Defendant's Motion To Reduce Bail DENIED and Mr. Morrison's bail to stay where it is.

CUSTODY

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA vs Morrison, Lailoni D

CONTINUED FROM PAGE: 004

11/20/01 09:00 AM 00 ALL PENDING MOTIONS 11-20-01

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Joyce Brown, Court Clerk
 Keith Reed/kar, Relief Clerk
 Liz Garcia, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
005144	Sweetin, James R.	Y
001 D1	Bennett, Ashley W	Y
003 D	Gantt, Anthony	Y
SPD	Special Public Defender	Y
005825	Wildeveld, Kristina M.	Y

See MINUTES for Defendant 001: Bennett, Ashley W

01/10/02 09:00 AM 00 ALL PENDING MOTIONS 1/10/02

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Joyce Brown, Court Clerk
 Amber Farley, Relief Clerk
 Cat Nelson, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
002805	Wall, David T.	Y
001 D1	Bennett, Ashley W	Y
002537	Bindrup, Scott L.	Y
002 D	Morrison, Lailoni D	Y
000824	Schieck, David M.	Y

See MINUTES for Defendant 001: Bennett, Ashley W

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA vs Morrison, Lailoni D
CONTINUED FROM PAGE: 005

01/17/02 09:00 AM 00 ALL PENDING MOTIONS (1/17/02)

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Connie Kalski/ck, Court Clerk
Georgette Byrd, Relief Clerk
Cat Nelson, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
002805	Wall, David T.	Y
001 D1	Bennett, Ashley W	Y
002537	Bindrup, Scott L.	Y
002 D	Morrison, Lailoni D	Y
000824	Schieck, David M.	Y

See MINUTES for Defendant 001: Bennett, Ashley W

01/24/02 09:00 AM 00 CALENDAR CALL

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: GEORGETTE BYRD/GB, Relief Clerk
Cat Nelson, Reporter/Recorder

PARTIES:	STATE OF NEVADA	N
007409	Kosewicz, Cheryl L.	Y
002 D	Morrison, Lailoni D	Y
000824	Schieck, David M.	Y

Court noted defendant's companion case is currently in trial in this department through next week. This case will follow that trial. Ms. Kosewicz presented discovery to Mr. Schieck. COURT ORDERED, matter continued one week.

CUSTODY

CONTINUED TO: 01/31/02 09:00 AM 01

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA vs Morrison, Lailoni D
CONTINUED FROM PAGE: 006

01/31/02 09:00 AM 01 CALENDAR CALL

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Amber Farley, Relief Clerk
Cat Nelson, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
005144	Sweetin, James R.	Y
002 D	Morrison, Lailoni D	Y
000824	Schieck, David M.	Y

Court noted it is presently in trial with a co-defendant in this case, and the trial for this Defendant will not be able to proceed next week. Mr. Schieck stated he will need a hard copy of the transcript of the current trial for use in Defendant Morrison's trial. COURT ORDERED, trial set on next available stack. Mr. Schieck requested a bail reduction. There being no new information presented to the Court, COURT DENIED request.

CUSTODY

3/14/02 9:00 AM CALENDAR CALL

3/18/02 1:30 PM JURY TRIAL

03/14/02 09:00 AM 00 CALENDAR CALL

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Nora Pena, Court Clerk
Cat Nelson, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
005144	Sweetin, James R.	Y
002 D	Morrison, Lailoni D	Y
000824	Schieck, David M.	Y

Mr. Sweetin advised Ms. DeLaGarza left a note pursuant to discussions with her and Mr. Schieck in chambers that both parties are not ready for trial. Mr. Schieck stated he will stipulate to a continuance. Court advised parties need time for additional investigations. Upon inquiry by the Court, Deft. stated he agrees to reset the trial. COURT ORDERED, Trial date VACATED and reset.

CUSTODY

5/23/02 9:00 AM CALENDAR CALL

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA

vs Morrison, Lailoni D

CONTINUED FROM PAGE: 007

5/28/02 1:30 PM JURY TRIAL

03/28/02 09:00 AM 00 ALL PENDING MOTIONS (03-28-02)

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Nora Pena, Court Clerk
Cindy Lory, Relief Clerk
Cat Nelson, Reporter/Recorder

PARTIES: NO PARTIES PRESENT

See MINUTES for Defendant 001: Bennett, Ashley W

05/23/02 09:00 AM 00 CALENDAR CALL

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Nora Pena, Court Clerk
Cat Nelson, Reporter/Recorder

PARTIES: NO PARTIES PRESENT

Ms. DeLaGarza announced ready for a 4 day trial, 16 to 17 witnesses and no out of State witnesses. Mr. Schieck announced ready, he will be having oral argument on 6/03/02 before the Supreme Court and would request that Monday off. COURT ORDERED, Trial date STANDS for 1:00 PM for 4 days plus.

CUSTODY

5/28/02 JURY TRIAL 1:00 PM

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA vs Morrison, Lailoni D

CONTINUED FROM PAGE: 008

05/28/02 01:00 PM 00 TRIAL BY JURY

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Nora Pena, Court Clerk
Cat Nelson, Reporter/RecorderPARTIES: STATE OF NEVADA
005927 De La Garza, Melisa
002 D Morrison, Lailoni D
000824 Schieck, David M.Y
Y
Y
Y

OUTSIDE THE PRESENCE OF THE JURY: Amended Information FILED IN OPEN COURT. No objection by Mr. Schieck to the filing and he stated the middle name of the deft. ends with an "E" not an "A". Court noted the correction. Mr. Schieck advised he is talking with his client about waiving the jury conviction.

Prospective Jury Panel present. State and Defense announced ready. Jury selection begins. COURT ORDERED, matter CONTINUED at 10:30 AM.

CUSTODY

CONTINUED TO: 05/29/02 10:30 AM 01

05/29/02 10:30 AM 01 TRIAL BY JURY

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Nora Pena, Court Clerk
Cat Nelson, Reporter/RecorderPARTIES: STATE OF NEVADA
005927 De La Garza, Melisa
002 D Morrison, Lailoni D
000824 Schieck, David M.Y
Y
Y
Y

Selection of the prospective jury panel continues.

OUTSIDE THE PRESENCE OF THE JURY: Parties agreed to dismiss Badge #172, Quinn, prospective juror. Court advised will Order the Bailiff to tell her not to return. Argument by Mr. Schieck on State's witness, Pam Neal regarding extrinsic impeachment on a collateral matter. Ms. DeLaGarza advised she would agree on the fraud case and Ms. Neal did admit she did provide them with false information but if she denys it then Mr. Schieck should not go forward. Court advised based on NRS 54.050 and 50.090, COURT ORDERED, Mr. Schieck can talk about the false statements.

CONTINUED ON PAGE: 010

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA

vs Morrison, Lailoni D

CONTINUED FROM PAGE: 009

Selection of the prospective jury panel continues, in addition to a second panel. Jury and alternates selected and sworn. Amended Information read to the jury. Court invoked the exclusionary rule.

OUTSIDE THE PRESENCE OF THE JURY: Court selected alternates seat 6, Forrest Harter and seat 8, Diane Kirk.

Opening statements by Ms. DeLaGarza. Opening statements by Mr. Schieck. COURT ORDERED, matter CONTINUED at 1:00 pm; jury admonished.

OUTSIDE THE PRESENCE OF THE JURY: Court inquired of juror #72, seat 14 how she knows the bailiffs at the gate. Juror stated she use to be a runner. Counsel had no questions of the juror. Court recessed.

CUSTODY

CONTINUED TO: 05/30/02 01:00 PM 02

05/30/02 09:00 AM 02 TRIAL BY JURY

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Nora Pena, Court Clerk
Cat Nelson, Reporter/Recorder

PARTIES: STATE OF NEVADA
005927 De La Garza, Melisa
002 D Morrison, Lailoni D
000824 Schieck, David M.

Y
Y
Y
Y

OUTSIDE THE PRESENCE OF THE JURY: Argument by Mr. Schieck as to admissibility regarding witness, Pam Neal's five felony charges; he stated the same day her cousin, Bass was killed, she blamed his client for that death and went to the house with a gun which he would like to talk about. Opposition by Ms. DeLaGarza and reference NRS 50.05; she advised the conviction was dismissed and asked not to be allowed just to show conformity but that she is a bad person. Reply by Mr. Schieck to explore that it was Pam and Gantt testified it was her. Court cited NRS 50.05 and ORDERED, Defense has the right to impeach Ms. Neal, and it will give some latitude on the acts she was charged with. COURT ORDERED, Defense allowed to get into bad blood between parties as to specifics acts and as to who shot who is totally inappropriate but in cross it is appropriate. Mr. Schieck stated for clarification the Court is saying extrinsic evidence is out but can elicit Ms. Neal was charged and what they were. Court advised it has no problem indicating what the underlying evidence was but not the shooter. Mr. Schieck inquired regarding the entry of Ms. Neal to talk about Eric Bass' death. Court stated it's how it's asked, "Why were you there?". Opposition by Ms.

CONTINUED ON PAGE: 011

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA

vs Morrison, Lailoni D

CONTINUED FROM PAGE: 010

DeLaGarza. Court advised issue of why she was there may go to bias. Mr. Schieck stated he will go slowly if there is a problem, they can approach. Further colloquy with Court and counsel regarding testimony of Ms. Neal.

Jury present. Witness sworn and testified. Exhibits presented (See worksheet.) COURT ORDERED, matter CONTINUED; jury admonished and asked to return tomorrow at 10:00 am.

CUSTODY

CONTINUED TO: 05/31/02 10:00 AM 03

05/31/02 10:00 AM 03 TRIAL BY JURY

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Nora Pena, Court Clerk
Cat Nelson, Reporter/Recorder

PARTIES: STATE OF NEVADA
005927 De La Garza, Melisa
002 D Morrison, Lailoni D
000824 Schieck, David M.

Y

Y

Y

Y

Jury present. Testimony continues. CONFERENCE AT THE BENCH. Testimony and exhibits presented (See worksheet.) COURT ORDERED, matter CONTINUED; jury admonished to return Tuesday at 1:00 pm.

CUSTODY

CONTINUED TO: 06/04/02 01:00 PM 04

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA

vs Morrison, Lailoni D

CONTINUED FROM PAGE: 011

06/04/02 01:00 PM 04 TRIAL BY JURY

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Nora Pena, Court Clerk
Cat Nelson, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
005927	De La Garza, Melisa	Y
002 D	Morrison, Lailoni D	Y
000824	Schieck, David M.	Y

Jury present. Testimony and exhibits presented (See worksheet.) Mr. Schieck moved for a mistrial based on a statement by witness, Bodnar. CONFERENCE AT THE BENCH. COURT ORDERED, request DENIED.

OUTSIDE THE PRESENCE OF THE JURY: Court requested argument by Mr. Schieck on testimony by Bodnar. Argument by Mr. Schieck regarding the deft. committing another crime relating to the word "blunt" which was the basis for his request for a mistrial. Opposition by Ms. DeLaGarza because the jury doesn't know what the terminology would be and stated it was a harmless error. COURT ORDERED, motion for mistrial DENIED and asked Ms. DeLaGarza to admonish her witness for the statement. Court advised at the conclusion of the trial the court will poll the jury as to the term, "blunt".

Jury present. Testimony presented by Walker. (See worksheet.) CONFERENCE AT THE BENCH. Court advised based on a scheduling conflict, the trial will start later. COURT ORDERED, matter CONTINUED tomorrow at 11:00 am; jury admonished.

OUTSIDE THE PRESENCE OF THE JURY: Court advised as to the last witness regarding the nature of the testimony and the issue determined by the court, Defense felt he could not properly cross examine. Argument by Mr. Schieck on motion to suppress, he referenced Walker's written statement and the gun; further stated he could not effectively cross examine Walker on his statements and he moved for a mistrial. Ms. DeLaGarza concurred on the motion to suppress and referenced Officer Spencer's report regarding the gun, she stated Mr. Schieck was incorrect to say Walker was found with the gun and he could have cross examined Walker by asking a certain question which is the basis to disagree for a mistrial. Reply by Mr. Schieck. Court advised counsel could have made inquires and ORDERED, request for mistrial DENIED.

CUSTODY

CONTINUED TO: 06/05/02 10:30 AM 05

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA vs Morrison, Lailoni D

CONTINUED FROM PAGE: 012

06/05/02 09:00 AM 05 TRIAL BY JURY

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Nora Pena, Court Clerk
Cat Nelson/Liz Garcia, Reporter/RecorderPARTIES: STATE OF NEVADA
005927 De La Garza, Melisa
002 D Morrison, Lailoni D
000824 Schieck, David M.

Y

Y

Y

Y

Jury present. Testimony and exhibits presented (See worksheet).

OUTSIDE THE PRESENCE OF THE JURY: Statements by Mr. Schieck regarding his attempts to get witness, Wilson to trial by subpoena and he requested to proceed on NRS 51.325 regarding prior testimony in the proceeding because the issues are the same and, he suggested they can be read before the jury with some deletions. Opposition by Ms. DeLaGarza based on NRS 51.055 and suggested to use a material witness warrant order, if she doesn't show then she would have no objection to the testimony. Court advised based on the definition of unavailability of the witness and opposition from the State, COURT ORDERED, Mr. Schieck's request of use of prior testimony DENIED. Mr. Schieck requested to prepare a material witness warrant. COURT SO ORDERED. Ms. DeLaGarza announced State rest and objected to the use of defense picture. Reply by Mr. Schieck. Court advised it goes to weight not admissibility and the parties can bring out the difference in examination. Order Requiring Material Witness to Post Bail or be Committed to Custody FILED IN OPEN COURT.

Jury present. Ms. DeLaGarza announced State rest. Testimony and exhibits presented. (See worksheet). COURT ORDERED, matter CONTINUED; jury admonished.

OUTSIDE THE PRESENCE OF THE JURY: Court advised deft. of his right to testify and recessed.

CUSTODY

CONTINUED TO: 06/06/02 01:00 PM 06

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA

vs Morrison, Lailoni D

CONTINUED FROM PAGE: 013

06/06/02 01:00 PM 06 TRIAL BY JURY

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Nora Pena, Court Clerk
Cat Nelson, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
	005927 De La Garza, Melisa	Y
	002 D Morrison, Lailoni D	Y
	000824 Schieck, David M.	Y

OUTSIDE THE PRESENCE OF THE JURY: Testimony by witness, Wilson. COURT ORDERED, Material witness to be released after testifying. Court advised it will release juror #7 Cosme Grijalva, he has not called or reported in and the Court doesn't know why and ORDERED, Will move juror #6 to juror position #7. No objection by both parties.

Jury present. Court advised juror #7 is missing. Testimony presented. (See worksheet). Defense rest.

OUTSIDE THE PRESENCE OF THE JURY: Court advised juror #7 was in an accident at 10:30 am this morning and he was just released. Jury instructions settled in open court.

Jury present. Court read the jury instructions to the jury. Closing argument by Ms. DeLaGarza. Closing argument by Mr. Schieck. Closing argument by Ms. DeLaGarza. At 5:43 pm Bailiff and Matron sworn to take charge of the jury. COURT ORDERED, matter CONTINUED at 9:00 am for jury deliberations.

CUSTODY

CONTINUED TO: 06/07/02 09:00 AM 07

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA vs Morrison, Lailoni D

CONTINUED FROM PAGE: 014

06/07/02 09:00 AM 07 TRIAL BY JURY

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Cindy Lory, Relief Clerk
Cat Nelson, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
005927	De La Garza, Melisa	Y
002 D	Morrison, Lailoni D	Y
000824	Schieck, David M.	Y

Bailiff informed the Court that the Jury is requesting read back of certain testimony.

Court convened at 1:30 p.m. with the jury present for the purpose of read back of certain testimony. Jury returned for continued deliberations at 2:30 p.m.

At 4:55 p.m. Jury returned with the following verdict: GUILTY OF MURDER OF THE SECOND DEGREE WITH USE OF A DEADLY WEAPON (F). COURT ORDERED, matter referred to the Division of Parole and Probation (P & P) and set for sentencing.

07-25-02 9:00 AM SENTENCING

07/25/02 09:00 AM 00 SENTENCING

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Nora Pena, Court Clerk
Jennifer Lott/jl, Relief Clerk
Cat Nelson, Reporter/Recorder

PARTIES:	STATE OF NEVADA	Y
005927	De La Garza, Melisa	Y
002 D	Morrison, Lailoni D	Y
000824	Schieck, David M.	Y

Mayra Carpenter of Parole and Probation (P & P) present. Mr. Schieck stated defendant has been doing research in jail and will be filing a Motion for a New Trial; counsel requested Court continue sentencing one week. Court noted sentencing MAY BE CONTINUED AGAIN if motion is filed and the State needs an opportunity to respond. COURT ORDERED, status check SET.

CUSTODY

CONTINUED TO: 08/01/02 09:00 AM 01

CRIMINAL COURT MINUTES

01-C-175914-C STATE OF NEVADA vs Morrison, Lailoni D

CONTINUED FROM PAGE: 015

08/01/02 09:00 AM 00 ALL PENDING MOTIONS 8/1/02

HEARD BY: Michael L Douglas, Judge; Dept. 11

OFFICERS: Nora Pena, Court Clerk
Jennifer Lott/jl, Relief Clerk
Carrie Hansen, Reporter/Recorder

PARTIES: STATE OF NEVADA
005927 De La Garza, Melisa
002 D Morrison, Lailoni D
000824 Schieck, David M.

Y
Y
Y
Y

STATUS CHECK: ANY OTHER MOTIONS.....SENTENCING

Officer William Chickering of Parole and Probation (P & P) present. Mr. Schieck stated he spoke with defendant and explained issues are appeal issues, and sentencing needs to move forward. Mr. Schieck stated if facts or information become available during the appeal, counsel will file a motion for a new trial. DEFENDANT MORRISON ADJUDGED GUILTY of MURDER OF THE SECOND DEGREE WITH USE OF A DEADLY WEAPON (F). Arguments by counsel. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, Deft. SENTENCED to LIFE WITH THE POSSIBILITY OF PAROLE AFTER TEN (10) YEARS in the Nevada Department of Corrections (NDC) WITH A CONSECUTIVE AND EQUAL TERM of LIFE WITH THE POSSIBILITY OF PAROLE AFTER TEN (10) YEARS in NDC for With Use of a Deadly Weapon. Further, defendant ORDERED to submit to testing for genetic markers, PAY \$150.00 for DNA testing as best able, and PAY RESTITUTION jointly and severally with co-defendants Ashley Bennett and Anthony Gantt for \$30,432.06. Upon Mr. Schieck's inquiry, COURT ORDERED, Mr. Schieck APPOINTED ON APPEAL.

COURT FURTHER ORDERED, Defendant will receive 440 days credit for time served.

CUSTODY

08/15/02

E X H I B I T S

5:26 PM

CASE NO. 01-C-175914-C

CASE STATUS: CLOSED

STATE OF NEVADA

[] vs Bennett, Ashley W

[E]

NO.	CODE	EXHIBIT DESCRIPTION	SUB	OF/OB	DATE	S
0001	P/D	/JUSTICE COURT EXHIBITS	S	/	06/08/01	V
0002	P/	/TRIAL EXHIBITS 1 THRU 127 (SEE LIST)	S	AD/NO	01/31/02	V
0003	D/	/TRIAL EXHIBITS A THRU S (SEE LIST)	001	AD/NO	01/25/02	V
0004	P/CT	/COURT EXHIBITS 1 & 2	S	/	99/99/99	V
0005	P1-79	/1-79 PHOTOGRAPHS	S	/	99/99/99	V
0006	P80-11	/80-118 EVID ENV CONT EVIDENCE	S	/	99/99/99	V
0007	P119-	/119-121 SMALL PHOTOS	S	/	99/99/99	V
0008	P122	/CORONOR MEDICAL EXAMINERS DIAGRAMS	S	AD/NO	06/04/02	V
0009	P123-	/123-125 SEALED EVIDENCE BAGS	S	AD/NO	06/04/02	V
0010	P126	/GROUP OF LARGE AUTOPSY PHOTOS	S	AD/NO	06/04/02	V
0011	P127	/GUILTY PLEA AGREEMENT	S	AD/NO	05/30/02	V
0012	P128	/.38 COLT GUN + CONTENT MAGAZINE W/AMMO	S	AD/NO	06/04/02	V
0013	D/A-I	/PHOTOGRAPHS		/	99/99/99	V

Certification of Copy

STATE OF NEVADA }
COUNTY OF CLARK } SS:

I, SHIRLEY B. PARRAGUIRRE, the duly elected, qualifying and acting Clerk of Clark County, in the State of Nevada, and Ex-Officio Clerk of the District Court, do hereby certify that the foregoing is a true, full and correct copy of the original:

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; JUDGMENT OF CONVICTION (JURY TRIAL); DISTRICT COURT MINUTES; EXHIBIT LIST;

THE STATE OF NEVADA,

Plaintiff(s),

vs.

LAILONI DEANDRA MORRISON,


Defendant(s).

D.C. CASE C175914
Department XI

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto set my hand and Affixed the seal of the Court at my office, Las Vegas, Nevada, this 16th day of August, 2002 .

SHIRLEY B. PARRAGUIRRE
CLARK COUNTY CLERK


Barbara Belt Deputy Clerk

**SUPREME COURT OF THE STATE OF NEVADA
OFFICE OF THE CLERK**

LAILONI D. MORRISON,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

Supreme Court No. 40097
District Court Case No. C175914

RECEIPT FOR DOCUMENTS

TO: David M. Schieck
Stewart L. Bell, District Attorney
Frankie Sue Del Papa, Attorney General
Shirley Parraguirre, Clark Co. Clerk

You are hereby notified that the Clerk of the Supreme Court has received and/or filed the following:

08/20/02 Filing Fee Waived: Criminal.

08/20/02 Filed Certified Copy of Notice of Appeal.
Appeal docketed in the Supreme Court this day. (Docketing statement mailed to counsel for appellant.)

DATE: August 20, 2002

Janette M. Bloom, Clerk of Court

By: dc
Deputy Clerk