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32.	CARING FOR WOMEN PAP SMEAR RESULTS 11/29/00	D3050
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Nevada v. Centofanti
Defense Discovery
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STATE V. CENTOFANTI

DEFENSE DISCOVERY

PREPARED: 2/28/04

Exhibit 9
Allen R. Bloom
4/23/10

The following is a list of discovery provided by the defense to the prosecution in the above entitled case.

This document will also act as a witness list to the extent that certain witness names and addresses had not been previously noticed.

- confirmed as already provided and rec'd by D.A. prior to 2/28/04

12/05 INCIDENT

- D334-349 (LVMPD Incident Report)
- #D872-880 (V. Centofanti Booking/Custody records)
- # D881-899 (LVMPD and City Hall Jail Shift Supervisor Reports)

AMBULANCE

- #- D1103-1106 (LV Fire & Rescue Incident Report 12/20)
- #- D1107-1109 (LV Fire Dept. Incident Report 12/20)
- D589 (Certificate of Custodian of Records 8/7/01)
- #- D595 (Declaration of Custodian of Records 10/11/01)
- #- D597 (American Medical Response records 12/20)

BROWNE, LORI

**432 STONEHEDGE PL., SAN MARCOS,
CALIFORNIA**

- D1253 (interview by Kelly Sharon 2/13/02, victim of Centofanti, V. 1992 assault)

BUGGART, JERRY

SAN DIEGO COUNTY PROBATION DEPARTMENT

- D1252 (interview by Kelly Sharon 2/13/02, probation officer)

CALIXTO, HECTOR

UNKNOWN

- D288-323 (medical records for Nicholas Centofanti)
- D1452-1468 (Nicholas Centofanti's medical records)

CENTOFANTI, A. III: 12/20 ACTIVITIES

- D806 (master schedule of mediation on 12/20/01)

CENTOFANTI, A. III: JAIL RECORDS

- D1110-1114 (Correctional Care Records)
- D1115 (Suicide Risk Assessment)
- D1116-1117 (LVMPD Temporary Custody Record)
- D1118 (Inventory of Clothing)
- D1119 (Inmate Property Intake)

D 3282

- D1120-1122 (LVMPD Record of Visitors)
- D1123 (LVMPD memo 1/8/01 re: visit with attorney Nehme)
- D1124 (LVMPD memo 12/23/00 re: Attorney of Record)
- D1125 (LVMPD memo 12/28/00 re: Religious Telephone Visit)
- D1126 (LVMPD Inmate Contact Info)
- D1127-1132 (Inmate Isolation Observation Form)
- D1133 (Ciulla request for notification or release from custody/change in bail status)
- D1134 (custody status)

CENTOFANTI, V. EAGLE SENTRY

- #- D731-732 (fax cover pages from Tom Thowsen)
- #- D733 (Eisenman, Lisa handwritten address)
- #- D734-739 (employee history)
- #- D740-741 (resume)
- #- D742-747 (application for employment)
- #- D748-749 (NEXTEL phone records for 702-604-5219 9/29/00-10/11/00)
- #- D750-757 (NEXTEL phone records for 702-604-5219 10/12/00-11/11/00)
- #- D758-766 (NEXTEL phone records for 702-604-5219 11/12/00-12/11/00)
- #- D767-770 (NEXTEL phone records for 702-604-5219 12/12/00-1/11/01)
- #- D771 (NEXTEL phone records for 702-604-5219 2/12/01-3/11/01)
- #- D772-787 (paychecks 10/23/00, 11/07/00, 11/22/00, 12/7/00, 12/21/00; commission schedule 10/01/00-11/30/00; alarm monitoring buy list 10/16/00-12/12/00, vehicle analysis report 11/24/00)

CENTOFANTI, V. GUN

- #- D2676-2682 (firearms purchase documents "The Gun Store, Inc.")
- #- D2683-2686 (Concealed Carry Permit Class 1/23/00)
- #- D2687 (Centofanti, V Concealed Weapon Permit Class Test 1/23/00)
- #- D2688 (Centofanti, A. III Concealed Weapon Permit Class Test 1/23/00)

CENTOFANTI, V. JUVENILE RECORD

- #- D2861-2944 (Juvenile Court records 1990-1993)

CENTOFANTI, V. JUVENILE RECORD (PROBATION DEPARTMENT RECORDS)

- #- D1264-1451 (Juvenile Probation Dept. Records 1990-1994)
- #- D2861-2944 (Juvenile Court Records)

CENTOFANTI, V. MEDICAL RECORDS

- D2689-2697 (Nevada Oral & Facial Surgery records 9/1/00; Gynecologic Cytology report 11/29/00)

CENTOFANTI, V. PERSONAL

- #- D809-820 (The Courage to Heal Workbook pp.19-29)
- #- D821 (Black Belt Taekwondo Studio statement 3/16/00)
- #- D823 (letter to Chip from Virginia re: looking forward to a future together)
- #- D824 (Best Buy receipt 11/19/00)
- #- D825-826 (emails to Chip from Virginia re: how much you mean to me 12/6/98, 11/5/00)
- #- D827 (movie ticket stubs (3) "Nicky" 11/25/00)
- #- D828 (Chevy's Fresh Mex receipt 12/2/00)
- #- D829-836 (greeting cards to Chip)
- #- D837 (Centofanti Christmas card 2000)
- #- D838-839 (photos)
- #- D840 (Southwest Airlines itinerary for Chip and Nicholas 9/26/00-10/3/00 to/from LV - BWI)
- #- D841 (Centofanti Christmas card 2000)
- #- D842 (Chip and Virginia "True Love" photo)
- #- D843-861 (greeting cards to Chip)

CENTOFANTI, V. PH. RECORDS - NEXTEL

- #- D748-757 (records for Eagle Sentry 702-604-5219 10/12/00-11/11/00),
- #-D767-771 (records for Eagle Sentry 702-604-5219 12/12/00-1/11/01, 2/12/01-3/11/01)

CENTOFANTI, V. PLASTIC SURGERY

- #- D567-576 (MENTOR Device Tracking report, A Better You Plastic Surgery Medical Group records - date of surgery 3/30/99)

CENTOFANTI, V. PRIOR CRIM. HISTORY

- #- D2945-2999f (Arrest/Incident report 9/28/92, Arrest/Juvenile Contact report 9/23/92, Conditions of Home Supervision 9/25/92, Petition Review form 10/29/92, Prior Records query 10/27/92, Arrest/Juvenile Contact report 9/24/92, Crime/Incident report 9/23/92, San Diego County Sheriff's Dept. Follow-Up Investigation Assault With Deadly Weapon report 9/24/92, San Diego Regional Arrest/Juvenile Contact report 12/20/91, San Diego Regional Crime/Incident report 12/20/91)

CENTOFANTI V. RENT RECORDS

- #- D515-519 (Statement of Security Deposit - Summit at Sunridge 1/5/01, letter from Jeffrey Shaner to Summit at Sunridge re: Virginia Centofanti's Statement of Security Deposit 1/17/01)
- #-D524-555 (Summit service request - change locks 12/22/00, Picerne apartment rental contract and info - Summit 12/9/00)

CENTOFANTI, V. SD DUI/CIVIL SUIT

- D220-240 (Gallo v. Eisenman, Municipal Court and Probation docs)

CISNEROS, EVA
- D1143

DELANEY, PLACIDO

1934 K AVE., #C
NATIONAL CITY, CA

#- D 442-444 (confidential attorney work product of Dan Albrecht - report 3/13/01 re: interview with Placida Delaney)

DIVORCE

- D267-278 (letter from Jim Thomas to Dan Albrechts 9/7/01 re: report on Edward Kainen, interview by Jim Thomas of Edward Kainen 9/7/01),
-D2710-2740 (letter from Edward Kainen to Gloria Navarro 11/26/01 re: representation of Chip in divorce action; Complaint for Divorce, Summons, Joint Preliminary Injunction, and Settings 12/11/00; Disclaimer and Acknowledgment of Self Representation by Virginia Centofanti 12/11/00; Answer in Proper Person, Decree of Divorce, and Notice of Entry of Order 12/12/00),
-D2754-2772 (Plaintiff's Ex Parte Request to Seal File, and Order Sealing File 12/21/00; Notice of Entry of Order 12/26/00; Notice of Withdrawal of Attorney 6/19/01; Application for a Temporary and/or Extended Order for Protection Against Domestic Violence 12/12/00; Temporary Order for Protection Against Domestic Violence 12/12/00),

DOMINGUEZ, RICARDO

1934 K AVE., #C
NATIONAL CITY, CA

EDWARDS, MIKE (*not on witness list)

#D797-800 (letter from Jim Thomas to Allen Bloom, Daniel Albrechts, and Gloria Navarro 10/19/01 re: contact with Mike Edwards)

FLOYD, GARY

SAN DIEGO COUNTY SHERIFF DEPT.

- D1251 (interview by Kelly Sharon 2/13/02)

FRASER, DR. SCOTT

2265 Westwood Blvd., Suite 969; Los Angeles, California - he will testify regarding the impact of "human factors" of stress on the reasoning and logic, often referred to as "flight or fright" syndrome. His CV is attached. He will not testify as to the defendant specifically, but rather as to the psychological impact of extreme stress in general.

#- D2698-2709 (professional resume of Scott Fraser),
#-D2816-2860 (Human Threat Detection System; Emotion, Memory and the Brain pp. 50-57; The Biology of Being Frazzled pp. 1711-1712; How Scary Things Get That Way pp. 887-888, 930-934; Biology; Handbook of

Emotions; Fear and Anxiety as Emotional Phenomena: Clinical Phenomenology, Evolutionary Perspectives, and Information-Processing Mechanisms pp. 511-536; Stress and Memory pp.172-185; Why Zebras Don't Get Ulcers)

KRUEGER, LOUSE 8551 W. LAKE MEAD; STE 100; LAS VEGAS, NEVADA

- D241-253 (interview by Jim Thomas 9/5/01)

LOPEZ, RAYMOND 2158 SAVONA CT., VISTA, CALIFORNIA

- D1257-1258 (interview by Kelly Sharon 2/12/02)

MUSCARA, SHIRLEY 8721 WINTRY GARDEN
LAS VEGAS, NV

- D414-415 (interview by Michael Okins 4/5/01), D472-487 (interview by Jim Thomas 8/22/01)

NUNO, ART

- D1256 (interview by Kelly Sharon 2/11/02)

NUNO, ROSARIO

- D1247-1248 (interview by Kelly Sharon 2/15/02)

PHOTOS

- Computer Disk OF DEFENSE PHOTOS D1-169

PROCK, CATHY UNKNOWN

- D3211-3219 (interview by Jim Thomas 2/19/04)

RANGEL, VERONICA

- D1254-1255 (interview by Kelly Sharon 2/11/02)

ROSS, BEN

- D2799-2804b (interview by Jim Thomas 12/17/01)

SIDERMAN, LORI

2343 32ND ST., SANTA MONICA,
CALIFORNIA

- D3200-3208 (interview by Jim Thomas 2/9/04)

RSPN
ALLEN R. BLOOM

ATTORNEY AT LAW

1551 FOURTH AVENUE, SUITE 801

SAN DIEGO, CALIFORNIA 92101-3156

TELEPHONE (619) 235-0508

CALIFORNIA STATE BAR NO. 65235

FILED

DEC 26 3 43 PM '01

Shirley L. Brumby
CLERK

*Canvassing
Don being the
shooter*

PHILIP J. KOHN

CLARK COUNTY SPECIAL PUBLIC DEFENDER

NEVADA STATE BAR #0556

GLORIA NAVARRO

DEPUTY SPECIAL PUBLIC DEFENDER

NEVADA STATE BAR #5434

309 SOUTH THIRD STREET, 4TH FLOOR

P.O. BOX 552316

LAS VEGAS, NEVADA 89155-2316

TELEPHONE (702) 455-6265

ATTORNEYS FOR DEFENDANT

DISTRICT COURT
CLARK COUNTY, NEVADA

STATE OF NEVADA,

Plaintiff

versus

ALFRED P. CENTOFANTI, III,

Defendant

CASE NO.

C172534

Dept No.

VII

Hon. Mark Gibbons, Judge
Presiding

DATE:

12/27/01

TIME:

9:00 a.m.

DEFENSE RESPONSE TO THE PROSECUTIONS REQUEST THAT
DEFENDANT BE "CANVASSED" BY THE COURT TO APPROVE OF
PRESENTATION OF SELF DEFENSE EVIDENCE

The defendant hereby files the following response to the
prosecution's request that the defendant be "canvassed" by the

COUNTY CLERK

DEC 26 2001

RECEIVED

1 court to approve of the presentation of self defense evidence.

2 On December 21, 2001, at the end of the day when the parties
3 were last in court, as the court was ready to adjourn, the prosecutor
4 told the court that since defense counsel has stated that it concedes
5 that the defendant fired the shots killing decedent and the only issue
6 is the state of mind of the defendant, ie whether or not he acted in
7 self defense, Nevada law requires that the court must "canvas" the
8 defendant and ask the defendant to make a statement to the court
9 that he admits he fired the shots and agrees with the tactic.

10 The prosecution cited "a case" which held that where an
11 attorney indicates that a defendant fired the shot but the only
12 question is "his state of mind", then the defendant must be
13 canvassed in order to confirm the attorney's decision.

14 The prosecutor did not cite the specific case. The defense has
15 requested that the prosecutor provide him the case authority for this
16 matter. To date, the prosecutor has not provided any authority for
17 this proposition.

18 Of course, the implications of the prosecutor's request are
19 monumental. We all are aware of the United States Constitutional
20 protection under the 5th Amendment right to remain silent. This right
21 has been held to be one of the true cornerstones of our judicial
22 system.

23 What the prosecutor was asking the court to do is to require
24 that the defendant give up that right and make a statement regarding
25 the facts of the case to the court.

26 The defense requested that the matter be researched prior to
27 taking any action. The court agreed to this.
28

1 The defense has expended considerable time researching this
2 issue (turning away from other critical matters in the case), and has
3 found no authority for the prosecution's proposition.

4 The defense did find one Nevada case: *Jones v. State* - a seven
5 year old case and one federal case from the 5th Circuit, *Haynes*,
6 which says that at the guilt phase of a capital case, where defense
7 counsel **ADMITS THAT HIS CLIENT IS GUILTY**, the defendant should
8 be canvassed to confirm he agrees with this tactic. *Jones* specifically
9 held that the decision applied ONLY TO THE FACTS OF THAT
10 SITUATION.

11 *Jones* and *Haynes* are obviously distinguishable from the case
12 at bar. Our case is not a situation where trial counsel is admitting the
13 **GUILT** of the defendant - quite the contrary. Counsel is vehemently
14 asserting his client's innocence by the justifiable shooting of a
15 woman who was reasonably perceived as wanting to and capable of
16 killing the defendant.

17 Trial counsel's admission that the defendant shot the gun in
18 justifiable self defense is worlds apart from trial counsel admitting
19 his client is guilty of murder. The conclusion is clear: a canvassing
20 is not required under the law and would actually violate the
21 defendant's U.S. Constitutional right to remain silent under the 5th
22 and 14th amendments.

23 As disturbing in this whole matter is the cavalier manner that
24 the prosecutor used in making the request. The prosecutor didn't
25 come to the court with a noticed memorandum or request in writing
26 which stated that it wanted the court to consider the potential of the
27 holding in *Jones* as a potential basis for having the court inquire of
28

3
1 the defendant if he agreed with his attorney's position.

2 What the prosecutor did, is motion by ambush. Without citing
3 any law, and with a statement to the court that a canvassing should
4 be done in a tone and using words which was so "matter of fact",
5 with the clear implication that the law is clear that a canvassing
6 must take place, both the court and the defense were placed in a
7 position where a disastrous event could have occurred. ..If the
8 defense did not request a continuance to research the matter and if
9 the court did not consent to that continuance, the court could have
10 become part of a error of constitutional proportions in requiring the
11 defendant to give up his 5th amendment right to remain silent.

12 The result could have been that the court might have had to
13 recuse itself from any further proceedings on the case; that defense
14 counsel could have to be replaced because of conflict of interest
15 stemming from a clear violation of his client's rights; and the trial
16 might have been forced to be continued. (This does not mention the
17 expenditure of time that the defense has had to spend on the
18 subject.)

19 Now, if the prosecution is not referring to the *Jones* or *Haynes*
20 cases and there is other authority for its position that the defendant
21 should be "canvassed", the undersigned will immediately withdraw
22 this motion and openly and publicly apologize to the prosecutor.
23 However, if there is no other authority for the prosecutor's request,
24 this court should be saddened by the cavalier manner displayed by
25 the prosecutor both as an officer of the court and as a prosecutor -
26 one who has an obligation to see that justice is done in every
27 criminal case. The court might also have to become all the more
28

1 cautious regarding any future the assertions of law by the
2 prosecutor.

3 This is not the first time in this case that this prosecutor has
4 played "fast and loose" with the law. For example, for over two
5 months, and over the course of five hearings, the prosecutor made
6 allegations against the defendant and Mr. Dan Albregts, prior
7 counsel, alleging some sort of fraud was perpetrated regarding the
8 defendant's sale of his San Diego Real Estate Property.

9 We need not review the entire sequence of that incident, but
10 suffice it to say, the prosecutor made repeated and vehement claims
11 to this court that Mr. Albregts should be relieved as counsel from the
12 case because of his role in San Diego Real Estate transaction. Hours
13 were spent before this court on the subject. More hours were spent
14 in preparation of the matter. All of which based upon dramatic and
15 unequivocal statements by the prosecution that they would present
16 evidence in their case in chief regarding the San Diego transaction
17 and that Mr. Albregts would be a witness in the matter. Thereafter,
18 after new counsel was retained, and after considerable effort
19 expended, the prosecutor made a complete about face and quietly
20 told the court that it was not going to present the San Diego Real
21 Estate issue in the case in chief and would not call Mr. Albregts to
22 the stand. It was conduct reminiscent of the character RoseAnn
23 Roseanna Danna's favorite line (from the NBC TV show, Saturday
24 Night Live, played by actress Gilda Radner): "Never Mind." It might
25 be funny on television. It's inappropriate in a court of law.

26 Perhaps the conduct of the prosecution in this matter was not
27 meant to improperly violate the defendant's Constitutional rights and
28

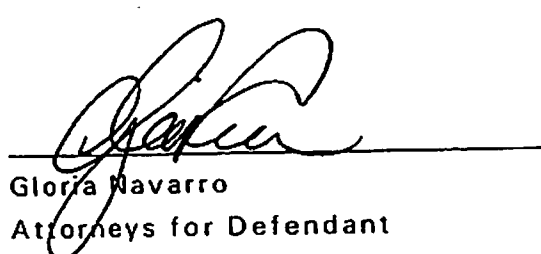
1 perhaps was not meant to maliciously mis-advise the court of the
2 law. Perhaps the cavalier "certainty" that the prosecutor used citing
3 the need for "canvassing" - as if it was a black letter principle of
4 Nevada criminal law - was not meant to cause the defense to spend
5 valuable time to research the issue and was not meant to purposely
6 mislead the court. Perhaps it was mere negligence.

7 And, for that reason, counsel is not requesting that any
8 sanctions be imposed by the court but counsel is urging the
9 prosecutor to, at the very least, be more circumspect and studied
10 when presenting positions of law to the court.

11 Dated this 25th day of December, 2001.

12 Respectfully submitted,

13
14 
15 Allen Bloom
16

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18 
19 Gloria Navarro
20 Attorneys for Defendant
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1 RECEIPT OF A COPY of the foregoing Defense Response to
2 Prosecution's Request that Defendant be "Canvassed" By the Court
3 to Approve of Presentation of Self-Defense Evidence is hereby
4 acknowledged this 26 day of December, 2001.

5 STEWART L. BELL
6 CLARK COUNTY DISTRICT ATTORNEY

7
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9 By Karen Miller
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The State of Nevada vs Alfred P Centofanti III

www.mhhe.com

Case Type: Felony/Gross
Misdemeanor
Date Filed: 01/10/2001
Location: Department 6
Case Number: C172534
Scope ID #: 1730555
Case Number: 00GJ00009
Case Court No.: 58562

Defendant Centofanti III, Alfred P

Lead Attorneys
Rochelle T. Nguyen

Retained

702-452-6299(W)

Plaintiff State of Nevada

David J. Roger
702-671-2700(W)

Charges: Centofanti III, Alfred P

1. MURDER.
1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.

Statute
200.010
193.165

**Level
Felony
Felony**

Date
01/01/1900
01/01/1900

12/02/2009 | Petition for Writ of Habeas Corpus (8:30 AM) ()

PTN FOR WRIT OF HABEAS CORPUS Court Clerk: Keith Reed Reporter/Recorder: Jessica Ramirez Heard By: CADISH, ELISSA

Minutes

12/02/2009 8:30 AM

- Argument in support of petition by Mr. Colucci requesting an evidentiary hearing be scheduled based upon ineffective assistance of counsel. Argument in opposition by Mr. Schwartz. COURT ORDERED, ALL CLAIMS DISMISSED EXCEPT for the claim as to ineffective assistance of counsel which is to be scheduled for an evidentiary hearing. Colloquy regarding the scheduling of the hearing which is expected to last an entire day. COURT ORDERED, state to prepare the transport order. Parties advised any discovery issues will be calendared to be addressed by the Court. NDC 3-19-10 9:00 AM EVIDENTIARY HEARING... PETITION FOR WRIT OF HABEAS CORPUS

Parties Present

[Return to Register of Actions](#)

REGISTER OF ACTIONS

CASE No. 01C172534

The State of Nevada vs Alfred P Centofanti III

Case Type: Felony/Gross Misdemeanor

Date Filed: 01/10/2001

Location: Department 6

Conversion Case Number: C172534

Defendant's Scope ID #: 1730535

Lower Court Case Number: 00GJ00009

Supreme Court No.: 58562

PARTY INFORMATION

Defendant Centofanti III, Alfred P

Lead Attorneys
Rochelle T. Nguyen

Retained

702-452-6299(W)

Plaintiff State of Nevada

David J. Roger
702-671-2700(W)

CHARGE INFORMATION

Charges: Centofanti III, Alfred P

1. MURDER.

1. USE OF A DEADLY WEAPON OR TEAR GAS IN COMMISSION OF A CRIME.

Statute

200.010

193.165

Level

Felony

Felony

Date

01/01/1900

01/01/1900

EVENTS & ORDERS OF THE COURT

06/01/2011 | All Pending Motions (8:30 AM) (Judicial Officer Cadish, Elissa F.)

Minutes

06/01/2011 8:30 AM

- DEFENDANT'S MOTION FOR CONSOLIDATION AND OTHER RELIEF...DEFENDANT'S MOTION FOR CONSIDERATION, WITHDRAWAL AND APPOINTMENT OF ALTERNATIVE COUNSEL, STAY OF PROCEEDINGS AND OTHER RELIEF...CONFIRMATION OF COUNSEL Deft. not present. Rochelle Nguyen, Esq., CONFIRMED as counsel. Colloquy between Court and counsel regarding previous proceedings. COURT ORDERED, Defendant's Motion for Consolidation and Other Relief, DENIED as MOOT. Court directed Ms. Nguyen to review the Deft's Motion for Reconsideration and proceed accordingly. COURT ORDERED, Deft's Motion for Consideration, Withdrawal and Appointment of Alternative Counsel, Stay of Proceedings and Other Relief, OFF CALENDAR; Ms. Nguyen to re-calendar if deemed appropriate. Court directed Mr. Stephens to submit Findings of Fact and run it past Ms. Nguyen. NDC

Parties Present

Return to Register of Actions

FILED 86

JUN 10 2011
Electronically Filed
06/10/2011 03:28 p.m.
Trace K. Lindeman
Clerk of Supreme Court

ALFRED CENTOFANTI # 85237
Defendant In Proper Person
P.O. Box 650 H.D.S.P.
Indian Springs, Nevada 89018

DISTRICT COURT
CLARK COUNTY NEVADA

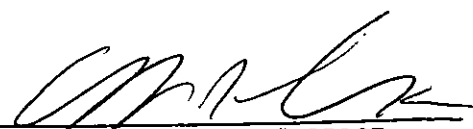
THE STATE OF NEVADA
Plaintiff
-v-
ALFRED P. CENTOFANTI III
Defendant


Case No. C-172534
Dept.No. 6
Docket

NOTICE OF APPEAL

Notice is hereby given that the Defendant, ALFRED
CENTOFANTI, by and through himself in proper person, does now appeal
to the Supreme Court of the State of Nevada, the decision of the District
Court of May 9, 2011 in which the Court issued it's Order Denying Petition
for Writ of Habeas Corpus

Dated this date, June 3, 2011.

Respectfully Submitted,

Alfred Centofanti # 85237
In Proper Person

01C172534
NOASC
Notice of Appeal (criminal)
1463645


RECEIVED
JUN 10 2011
CLERK OF THE COURT

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding _____

Notice of Appeal of the 5/9/2011 Order Denying Petition for Writ of Habeas Corpus
(Title of Document)

filed in District Court Case number C-172534

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

-OR-


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

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

(State specific law)

-or-

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


Signature

June 3, 2011
Date

Alfred Centofanti # 85237
Print Name
In person, 2011
Title

RECEIVED

JUN 03 2011

HIGH DESERT STATE PRISON
LAW LIBRARY



ORIGINAL

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALFRED P. CENTOFANTI, III,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

DOCKET NUMBER: 58562

FILED

JUL 26 2011

MOTION TO REMAND

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *R. Malone*
DEPUTY CLERK

NOW COMES, Appellant, ALFRED P. CENTOFANTI, III, by and through his court-appointed counsel, ROCHELLE T. NGUYEN, ESQ., of the Law Office of Rochelle T. Nguyen, Ltd., and requests that this Court grant the foregoing Motion to Remand. This Motion is based on the following points and authorities attached herein.

Dated this 22nd day of July, 2011.

Respectfully submitted,

LAW OFFICE OF ROCHELLE T. NGUYEN, LTD.

By *Rochelle T. Nguyen*

ROCHELLE T. NGUYEN, ESQ.
LAW OFFICE OF ROCHELLE T. NGUYEN, LTD.
NEVADA BAR IDENTIFICATION NUMBER 8205
324 S. THIRD STREET, SUITE 1
LAS VEGAS, NEVADA 89101
TELEPHONE: (702) 383-3200
FAX: (702) 382-6903
EMAIL: RTN@LASVEGASDEFENDER.COM

RECEIVED

JUL 26 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
DEPUTY CLERK

1 **POINTS AND AUTHORITIES**

2 **I. Procedural History**

3 On April 16, 2004, a jury found Mr. Centofanti guilty of First Degree Murder with Use of a
4 Deadly Weapon. Attorneys Gloria Navarro and Allen Bloom represented Mr. Centofanti at trial.

5 Subsequently, Mr. Centofanti retained attorney Carmine Colucci On May 25, 2004, Mr.
6 Colucci filed a Substitution of Counsel with the district court, and confirmed as counsel for Mr.
7 Centofanti. On March 4, 2005, Mr. Centofanti was sentenced to Life without the Possibility of
8 Parole plus an equal and consecutive Life without the Possibility of Parole for the deadly weapon
9 enhancement. Mr. Colucci represented Mr. Centofanti at sentencing.
10

11 The district court filed a Judgment of Conviction on March 11, 2005. Mr. Colucci also
12 represented Mr. Centofanti, on his direct appeal. The Nevada Supreme Court filed an Order of
13 Affirmance on December 27, 2006.
14

15 Mr. Colucci then filed a Petition for Writ of Habeas Corpus (Post-Conviction) on Mr.
16 Centofanti's behalf. The district court held an evidentiary hearing on the Writ on September 24,
17 2010. On May 9, 2011, the district court filed an Order denying Mr. Centofanti's post-conviction
18 writ.
19

20 On May 23, 2011, the district court granted Mr. Colucci's Motion to Withdraw as Counsel.
21 Subsequently, on June 1, 2011, Mr. Centofanti filed a "Motion for Consideration, Withdrawal and
22 Appointment of Alternative Counsel and Stay of Proceedings." On June 1, 2011, the district court
23 removed this Motion from its calendar, and appointed undersigned counsel to review the conflict
24 of interest claims alleged in the Motion. Mr. Centofanti was not present when the district court
25 appointed undersigned counsel. On June 13, 2011, undersigned counsel received Mr. Centofanti's
26 file from Mr. Colucci's office. The file consisted of nine (9) banker's boxes.
27
28

1 On June 13, 2011, Mr. Centofanti filed a timely proper person Notice of Appeal of the
2 district court's Order denying his post-conviction writ. At the time Mr. Centofanti filed this
3 Notice, he was unaware that undersigned counsel had been appointed to represent him.

4 Once Mr. Centofanti filed the Notice of Appeal, the district court lost jurisdiction to review
5 the conflict of interest claims that the district court specifically appointed undersigned counsel to
6 investigate.
7

8 II. Argument

9 This Court should remand this matter to the district court, because the district court has not
10 fully addressed the conflict of interest claims alleged in Mr. Centofanti's Motion for
11 Reconsideration. The district court specifically appointed undersigned counsel to review these
12 unresolved issues. Unfortunately, however, the district court filed the Order denying Mr.
13 Centofanti's post-conviction writ prior to appointing counsel. Further complicating matters is the
14 fact that Mr. Centofanti was not aware of undersigned counsel's appointment to his case prior to
15 filing his proper person Notice of Appeal.
16

17 Mr. Colucci represented Mr. Centofanti on several post-trial motions, at sentencing, on
18 direct appeal, and on the post-conviction writ. However, Mr. Colucci represented Mr. Centofanti
19 on the petition for writ of habeas corpus (post-conviction) and at the corresponding evidentiary
20 hearing without first seeking a formal waiver of the conflict of interest from Mr. Centofanti.
21 Consequently, Mr. Centofanti was never able to assert any ineffective assistance of counsel claims
22 against Mr. Colucci regarding his representation at the post-trial, sentencing, or direct appeal
23 stages.
24

25 In *Murphy v. People*, 863 P.2d 301 (Colo. 1993), the Colorado Court of Appeals held that
26 counsel who was the subject of a post-conviction movant's ineffectiveness claim could not be
27
28

1 appointed as counsel for movant in post-conviction proceedings, due to the inherent conflict and
2 appearance of impropriety. It was irrelevant whether movant had a right to appointed counsel.

3 Additionally, in *Carter v. State*, 293 S.C. 528, 362 S.E. 2d 20 (1987), the Supreme Court of
4 South Carolina held that trial counsel should not be appointed in post-conviction proceedings
5 unless the appellant has been specifically advised of hazards inherent in such representation and
6 waived the issue. In this case there was no waiver.
7

8 ///

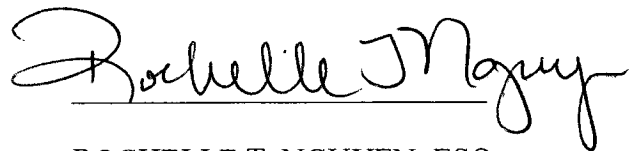
1 CONCLUSION

2 Undersigned counsel respectfully requests that this Court remand the instant matter to the
3 district court, so that the district court may address the fact that Mr. Centofanti was never advised
4 of the conflict, and, consequently, never waived the conflict. Undersigned counsel further requests
5 that this Court order the district court to allow undersigned counsel to review the effectiveness of
6 Mr. Colucci's representation of Mr. Centofanti, and supplement Mr. Centofanti's Motion for
7 Reconsideration and Petition for Writ of Habeas Corpus (post-conviction) appropriately.
8

9 The district court was clearly concerned with this particular issue, as it addressed the lack
10 of waiver and the inherent conflict at the end of the evidentiary hearing on the post-conviction w.
11 Additionally, the district court was apparently concerned enough to appointed undersigned counsel
12 to address the issue.
13

14 Dated this 22nd day of July, 2011.

15 LAW OFFICE OF ROCHELLE T. NGUYEN, LTD.
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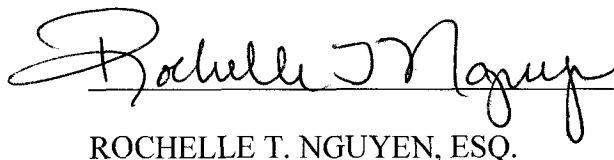
17 
18

19 ROCHELLE T. NGUYEN, ESQ.
20 Nevada Bar Identification Number 8205
21 LAW OFFICE OF ROCHELLE T. NGUYEN, LTD.
22 NEVADA BAR IDENTIFICATION NUMBER 8205
23 324 S. THIRD STREET, SUITE 1
24 LAS VEGAS, NEVADA 89101
25 TELEPHONE: (702) 383-3200
26 FAX: (702) 382-6903
27 EMAIL: RTN@LASVEGASDEFENDER.COM
28

1 CERTIFICATE OF MAILING

2 I hereby certify and affirm that on this 22nd day of July, 2011, I served a copy of the foregoing
3 Appellant's Motion to Remand by mailing a true and correct copy thereof, postage pre-paid,
4 addressed to:
5

6 ALFRED P. CENTOFANTI, III
7 Offender ID Number: 85237
8 High Desert State Prison
9 PO Box 650
10 Indian Springs, Nevada 89070-0650

11 
12 ROCHELLE T. NGUYEN, ESQ.

13
14
15
16
17 RECEIPT OF COPY

18 I hereby certify and affirm that on this 22nd day of July, 2011, I did receive a true and correct copy
19 of the foregoing Appellant's Motion to Remand.

20 DISTRICT ATTORNEY

21
22
23 BY: 
24
25
26
27
28

1 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

2
3
4
5 ALFRED P. CENTOFANTI, III,)

6 Appellant,)

7 v.)

8 THE STATE OF NEVADA,)

9 Respondent.)

Case No. 58562

Electronically Filed
Aug 02 2011 10:12 a.m.
Tracie K. Lindeman
Clerk of Supreme Court

10
11 **OPPOSITION TO APPELLANT'S MOTION
FOR REMAND**

12 COMES NOW the State of Nevada, by DAVID ROGER, Clark County District
13 Attorney, through his Chief Deputy, STEVEN S. OWENS, and submits this Opposition To
14 Appellant's Motion For Remand.

15 This opposition is based on the following memorandum and all papers and pleadings
16 on file herein.

17 Dated this 2nd day of August, 2011.

18 Respectfully submitted,

19 DAVID ROGER
20 Clark County District Attorney
Nevada Bar # 002781

21
22
23 BY /s/ Steven S. Owens

24 STEVEN S. OWENS
25 Chief Deputy District Attorney
Nevada Bar #004352

26 Attorney for Respondent
27
28

1 **MEMORANDUM**

2 This is an appeal from the denial of a petition for post-conviction relief following a
3 verdict of guilty for First Degree Murder with Use of a Deadly Weapon. The Notice of
4 Entry of Order was filed on June 6, 2011, and a pro per Notice of Appeal on June 10, 2011.
5 Appellate counsel now seeks remand so the district court can entertain a conflict of interest
6 claim alleged in a motion for reconsideration. The State is opposed.

7 Appellate counsel claims that remand is necessary because the district court has not
8 “fully addressed” a conflict of interest claim - - namely, that attorney Colucci was conflicted
9 from representing Centofanti on post-conviction because he had previously represented
10 Centofanti at sentencing and on direct appeal and could not allege his own ineffectiveness.
11 However, the district court entertained this precise issue:

12 THE COURT: Did you discuss with Mr. Colucci potential conflicts of interest
13 he might have as having been your counsel on your direct appeal?

14 THE DEFENDANT: Yes.

15 THE COURT: And you – did you agree to waive those conflicts after having
16 that discussion?

17 THE DEFENDANT: Yes.

18 THE COURT: Okay. All right.

19 Transcript of Evidentiary Hearing, 7/30/10, 163:16-22. Furthermore, on June 1, 2011, the
20 district court took the Motion for Reconsideration off calendar and aside from appointing
21 counsel to “review” the motion and “proceed accordingly,” has given no indication of any
22 intent to reconsider any prior ruling in the case. In fact, the filing of a Notice of Entry of
23 Order just five days later would indicate to the contrary.

24 Although this Court may remand without decision in an appropriate case, the record
25 in this case is already complete for purposes of resolving the issues presented and justice
26 does not require any further proceedings below. See 5 C.J.S. Appeal and Error § 1017;
27 Carter v. California Dep’t. of Veterans Affairs, 38 Cal.4th 914, 44 Cal.Rptr.3d 223, 135 P.3d
28 637 (2006). To the extent the court below did not “fully” address the conflict issue to

1 appellate counsel's satisfaction, any such alleged error is fully capable of review on appeal
2 without need for remand.

3 Dated this 2nd day of August, 2011.

4 Respectfully submitted,
5 DAVID ROGER
6 District Attorney

7
8 BY /s/ Steven S. Owens
9 STEVEN S. OWENS
10 Chief Deputy District Attorney
11 Nevada Bar #004352
12
13 Attorney for Respondent
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CERTIFICATE OF SERVICE

I hereby certify and affirm that this document was filed electronically with the Nevada Supreme Court on August 2, 2011. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

CATHERINE CORTEZ MASTO
Nevada Attorney General

ROCHELLE T. NGUYEN, ESQ.
Counsel for Appellant

STEVEN S. OWENS
Chief Deputy District Attorney

BY /s/ jennifer garcia
Employee, District Attorney's Office

SSO/jg

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALFRED P. CENTOFANTI, III,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 58562

FILED

NOV 18 2011

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING MOTION FOR REMAND

This is an appeal from a district court order denying a post-conviction petition for a writ of habeas corpus. Appellant has filed a motion to remand this matter to the district court. The motion is opposed. No good cause appearing, the motion is denied.

It is so ORDERED.

Douglas, J.
Douglas

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

cc: Nguyen & Lay
Attorney General/Carson City
Clark County District Attorney

IN THE SUPREME COURT OF THE STATE OF NEVADA

ALFRED P. CENTOFANTI III,

Appellant,

vs.

E.K. McDANIEL, WARDEN,
ELY STATE PRISON

Respondent.

Electronically Filed
Jan 24 2012 10:04 a.m.
DOCKET NUMBER: 58562
Tracie K. Lindeman
Clerk of Supreme Court

APPELLANT'S APPENDIX, VOLUME XVI

ROCHELLE T. NGYUYEN, ESQ.
NGUYEN & LAY
Nevada Bar Identification No. 8205
324 South Third Street
Las Vegas, Nevada 89101
(702) 383-3200

Clark County District Attorney
Regional Justice Center
200 Lewis Avenue, Third Floor
P.O. Box 552511
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Nevada Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717
(702) 687-3538

Attorney for Appellant
ALFRED P. CENTOFANTI III

Attorney for Respondent
E.K. McDANIEL, WARDEN
NEVADA STATE PRISON

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March 12, 2010

Allen Bloom, Esq.
550 W. C Street, Suite 1670
San Diego, CA 92101

Re: Centofanti v. McDaniel
Case No. C172534

Dear Allen:

I am writing to you with regards to the above referenced matter. As you are now aware, an evidentiary hearing has been scheduled on the Petition for Writ of Habeas Corpus Post Conviction for March 19, 2010. My attorney, Carmine J. Colucci, has contacted you and it is my understanding that you are claiming some sort of attorney client privilege and are refusing to speak with him further on that basis.

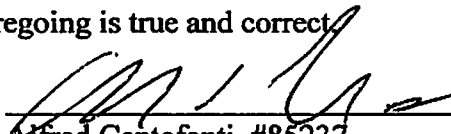
I hope the assertion of privilege was also communicated to the Office of the District Attorney, whom we understand has contacted you to discuss this matter.

Please be advised that under Nevada law I am the one who holds the privilege and I am hereby, by this letter, authorizing you to communicate with both Mr. Colucci and the Deputy District Attorney, Michael Schwartz, who I understand is handling this case, with whatever information, documents or other relevant materials you have to assist them in the preparation for the hearing. I cannot stress enough the importance of your anticipated cooperation.

For ease of reference, the Nevada Supreme Court has taken the position that you are allowed to disclose what is requested from you in this letter by nature of the claims of ineffective assistance of counsel, which will be litigated before the Court. See Molina v. State, 120 Nev. 185, 87 P.3d 533 (2004).

I am available to discuss this matter with you if necessary, but am confident this letter will suffice to set forth the applicable facts, law and other information necessary for you to now cooperate with Mr. Colucci and the Deputy District Attorney.

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


Alfred Centofanti, #85237
Ely State Prison
P.O. Box 1989
Ely, NV 89301

6.3

STATE V. CENTOFANTI

DEFENSE DISCOVERY

PREPARED: 2/28/04

Exhibit 7
Allen R. Bloom
4/23/10

The following is a list of discovery provided by the defense to the prosecution in the above entitled case.

This document will also act as a witness list to the extent that certain witness names and addresses had not been previously noticed.

- confirmed as already provided and rec'd by D.A. prior to 2/28/04

12/05 INCIDENT

- D334-349 (LVMPD Incident Report
- #D872-880 (V. Centofanti Booking/Custody records)
- # D881-899 (LVMPD and City Hall Jail Shift Supervisor Reports)

AMBULANCE

- #- D1103-1106 (LV Fire & Rescue Incident Report 12/20
- #- D1107-1109 (LV Fire Dept. Incident Report 12/20)
- D589 (Certificate of Custodian of Records 8/7/01)
- #- D595 (Declaration of Custodian of Records 10/11/01)
- #- D597 (American Medical Response records 12/20)

BROWNE, LORI

**432 STONEHEDGE PL., SAN MARCOS,
CALIFORNIA**

- D1253 (interview by Kelly Sharon 2/13/02, victim of Centofanti, V. 1992 assault)

BUGGART, JERRY

SAN DIEGO COUNTY PROBATION DEPARTMENT

- D1252 (interview by Kelly Sharon 2/13/02, probation officer)

CALIXTO, HECTOR

UNKNOWN

- D288-323 (medical records for Nicholas Centofanti)
- D1452-1468 (Nicholas Centofanti's medical records)

CENTOFANTI, A. III: 12/20 ACTIVITIES

- D806 (master schedule of mediation on 12/20/01)

CENTOFANTI, A. III: JAIL RECORDS

- D1110-1114 (Correctional Care Records)
- D1115 (Suicide Risk Assessment)
- D1116-1117 (LVMPD Temporary Custody Record)
- D1118 (Inventory of Clothing)
- D1119 (Inmate Property Intake)

D 3282

- D1120-1122 (LVMPD Record of Visitors)
- D1123 (LVMPD memo 1/8/01 re: visit with attorney Nehme)
- D1124 (LVMPD memo 12/23/00 re: Attorney of Record)
- D1125 (LVMPD memo 12/28/00 re: Religious Telephone Visit)
- D1126 (LVMPD Inmate Contact Info)
- D1127-1132 (Inmate Isolation Observation Form)
- D1133 (Ciulla request for notification or release from custody/change in bail status)
- D1134 (custody status)

CENTOFANTI, V. EAGLE SENTRY

- #- D731-732 (fax cover pages from Tom Thowsen)
- #- D733 (Eisenman, Lisa handwritten address)
- #- D734-739 (employee history)
- #- D740-741 (resume)
- #- D742-747 (application for employment)
- #- D748-749 (NEXTEL phone records for 702-604-5219 9/29/00-10/11/00)
- #- D750-757 (NEXTEL phone records for 702-604-5219 10/12/00-11/11/00)
- #- D758-766 (NEXTEL phone records for 702-604-5219 11/12/00-12/11/00)
- #- D767-770 (NEXTEL phone records for 702-604-5219 12/12/00-1/11/01)
- #- D771 (NEXTEL phone records for 702-604-5219 2/12/01-3/11/01)
- #- D772-787 (paychecks 10/23/00, 11/07/00, 11/22/00, 12/7/00, 12/21/00; commission schedule 10/01/00-11/30/00; alarm monitoring buy list 10/16/00-12/12/00, vehicle analysis report 11/24/00)

CENTOFANTI, V. GUN

- #- D2676-2682 (firearms purchase documents "The Gun Store, Inc.")
- #- D2683-2686 (Concealed Carry Permit Class 1/23/00)
- #- D2687 (Centofanti, V Concealed Weapon Permit Class Test 1/23/00)
- #- D2688 (Centofanti, A. III Concealed Weapon Permit Class Test 1/23/00)

CENTOFANTI, V. JUVENILE RECORD

- #- D2861-2944 (Juvenile Court records 1990-1993)

CENTOFANTI, V. JUVENILE RECORD (PROBATION DEPARTMENT RECORDS)

- #- D1264-1451 (Juvenile Probation Dept. Records 1990-1994)
- #- D2861-2944 (Juvenile Court Records)

CENTOFANTI, V. MEDICAL RECORDS

- D2689-2697 (Nevada Oral & Facial Surgery records 9/1/00; Gynecologic Cytology report 11/29/00)

CENTOFANTI, V. PERSONAL

- #- D809-820 (The Courage to Heal Workbook pp.19-29)
- #- D821 (Black Belt Taekwondo Studio statement 3/16/00)
- #- D823 (letter to Chip from Virginia re: looking forward to a future together)
- #- D824 (Best Buy receipt 11/19/00)
- #- D825-826 (emails to Chip from Virginia re: how much you mean to me 12/6/98, 11/5/00)
- #- D827 (movie ticket stubs (3) "Nicky" 11/25/00)
- #- D828 (Chevy's Fresh Mex receipt 12/2/00)
- #- D829-836 (greeting cards to Chip)
- #- D837 (Centofanti Christmas card 2000)
- #- D838-839 (photos)
- #- D840 (Southwest Airlines itinerary for Chip and Nicholas 9/26/00-10/3/00 to/from LV - BWI)
- #- D841 (Centofanti Christmas card 2000)
- #- D842 (Chip and Virginia "True Love" photo)
- #- D843-861 (greeting cards to Chip)

CENTOFANTI, V. PH. RECORDS - NEXTEL

- #- D748-757 (records for Eagle Sentry 702-604-5219 10/12/00-11/11/00),
- #-D767-771 (records for Eagle Sentry 702-604-5219 12/12/00-1/11/01, 2/12/01-3/11/01)

CENTOFANTI, V. PLASTIC SURGERY

- #- D567-576 (MENTOR Device Tracking report, A Better You Plastic Surgery Medical Group records - date of surgery 3/30/99)

CENTOFANTI, V. PRIOR CRIM. HISTORY

- #- D2945-2999f (Arrest/Incident report 9/28/92, Arrest/Juvenile Contact report 9/23/92, Conditions of Home Supervision 9/25/92, Petition Review form 10/29/92, Prior Records query 10/27/92, Arrest/Juvenile Contact report 9/24/92, Crime/Incident report 9/23/92, San Diego County Sheriff's Dept. Follow-Up Investigation Assault With Deadly Weapon report 9/24/92, San Diego Regional Arrest/Juvenile Contact report 12/20/91, San Diego Regional Crime/Incident report 12/20/91)

CENTOFANTI V. RENT RECORDS

- #- D515-519 (Statement of Security Deposit - Summit at Sunridge 1/5/01, letter from Jeffrey Shaner to Summit at Sunridge re: Virginia Centofanti's Statement of Security Deposit 1/17/01)
- #-D524-555 (Summit service request - change locks 12/22/00, Picerne apartment rental contract and info - Summit 12/9/00)

CENTOFANTI, V. SD DUI/CIVIL SUIT

- D220-240 (Gallo v. Eisenman, Municipal Court and Probation docs)

CISNEROS, EVA
- D1143

DELANEY, PLACIDO

1934 K AVE., #C
NATIONAL CITY, CA

#- D 442-444 (confidential attorney work product of Dan Albrecht - report 3/13/01 re: interview with Placida Delaney)

DIVORCE

- D267-278 (letter from Jim Thomas to Dan Albrechts 9/7/01 re: report on Edward Kainen, interview by Jim Thomas of Edward Kainen 9/7/01),
-D2710-2740 (letter from Edward Kainen to Gloria Navarro 11/26/01 re: representation of Chip in divorce action; Complaint for Divorce, Summons, Joint Preliminary Injunction, and Settings 12/11/00; Disclaimer and Acknowledgment of Self Representation by Virginia Centofanti 12/11/00; Answer in Proper Person, Decree of Divorce, and Notice of Entry of Order 12/12/00),
-D2754-2772 (Plaintiff's Ex Parte Request to Seal File, and Order Sealing File 12/21/00; Notice of Entry of Order 12/26/00; Notice of Withdrawal of Attorney 6/19/01; Application for a Temporary and/or Extended Order for Protection Against Domestic Violence 12/12/00; Temporary Order for Protection Against Domestic Violence 12/12/00),

DOMINGUEZ, RICARDO

1934 K AVE., #C
NATIONAL CITY, CA

EDWARDS, MIKE (*not on witness list)

#D797-800 (letter from Jim Thomas to Allen Bloom, Daniel Albrechts, and Gloria Navarro 10/19/01 re: contact with Mike Edwards)

FLOYD, GARY

SAN DIEGO COUNTY SHERIFF DEPT.

- D1251 (interview by Kelly Sharon 2/13/02)

FRASER, DR. SCOTT

2265 Westwood Blvd., Suite 969; Los Angeles, California - he will testify regarding the impact of "human factors" of stress on the reasoning and logic, often referred to as "flight or fright" syndrome. His CV is attached. He will not testify as to the defendant specifically, but rather as to the psychological impact of extreme stress in general.

#- D2698-2709 (professional resume of Scott Fraser),
#-D2816-2860 (Human Threat Detection System; Emotion, Memory and the Brain pp. 50-57; The Biology of Being Frazzled pp.1711-1712; How Scary Things Get That Way pp. 887-888, 930-934; Biology; Handbook of

Exhibit 8
Allen R. Bloom
4/23/10

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DEFENSE WORK PRODUCT

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**CHIP GIVEN MARCUM NOTICE IN JAIL AND WANTED TO TESTIFY (?)
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RICHARD WRIGHT REFUSED CHIP'S CASE (627)

**BLOOM RETAINED SEPT 2001

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(JUNE-JULY 2001-SEE MINUTES)

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GINA NOT KNOW HOW TO USE AUTOMATIC (629)
**CHIP FAILED MARKSMANSHIP CLASS (629)
TOOK CCW CLASS JANUARY, 2000 (BOTH DID) (629)

** "WHEN WE TOOK THE CLASS, I FAILED THE MARKSMANSHIP PORTION
OF THE TEST (SHE PASSED) AND RE-TOOK IT AND QUALIFIED TO CARRY
BOTH GUNS. I (CHIP) WENT DOWN AND FILLED OUT ALL OF THE
PAPERWORK AND GOT MY CONCEALED WEAPONS CARD AND
IDENTIFICATION, SHE NEVER DID BUT STILL CARRIED THE GUN (629)

THEY ALSO PURCHASED PEPPER SPRAY (630)

**EMELINE WAS ALWAYS COMPLAINING GINA STOLE AND WAS A LIAR (630)

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ASSAULT MEDIA STORIES ON CHIP SPECIFICALLY AND HOME
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D0631-0686

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**GINA STUDYING KARATE (687)
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ALLEN BLOOM - E-MAIL FROM CHIP 10/20/01
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ALLEN BLOOM - CHIP FAX TO ALLEN 10/26/01
- RE QUITO
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LISA EISENMAN ADDRESS

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|
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HANDS (1208)
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NO IMMEDIATE CALL FOR HELP

- **45. LISA EISENMAN TO ATTORNEY TANKO 10/22/01 D1210**
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12/4/00 CHECK IN 8:45 AM GINA
CHECK OUT 6:30 PM NO NAME
**WHAT TIME CHIP TAKE NICK TO E.R?
12/5/00 MOLLY CIVELLA CHECK IN AND OUT

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