

Brendan Nasby  
I.D. No. 63618  
Lovelock Correctional Center  
1200 Prison Road  
Lovelock, NV 89419  
(Appellant/Petitioner In Pro Se)

Electronically Filed  
03/13/2015 04:08:57 PM

*Tracie K. Lindeman*  
CLERK OF THE COURT

DISTRICT COURT  
CLARK COUNTY, NEVADA

Electronically Filed  
Mar 17 2015 11:05 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

BRENDAN NASBY,  
Appellant/Petitioner,

Case No.: 98CI54293-2

VS.

E.K. McDaniel, et., al.,  
Respondent.

Dept.: XIX

Sup. Ct. Case No.: 67476

NOTICE OF APPEAL

Notice is hereby given that, Brendan Nasby, Petitioner  
above named, hereby appeals to the Supreme Court of the  
State of Nevada from the final judgment/order Denying  
Petition For Writ of Habeas Corpus and Petitioner's Reply and Motion  
To Strike State's Response and Motion to Dismiss entered in  
this action on the 25th day of February, 2015.  
Dated this 6th day of March, 2015.

By: *[Signature]*

Brendan Nasby #63618  
LCC, 1200 Prison Rd.  
Lovelock, NV 89419  
-1- (Appellant/Petitioner In Pro Se)

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RECEIVED  
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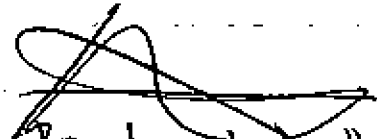
## Certificate Of Mailing

I, Brendan Nasby, hereby certify pursuant to Rule 5(b) of NRCF, that on this 6th day of March, 2015, I served a true and correct copy of the above-entitled Notice Of Appeal postage prepaid and addressed as follows:

1) Clark County, DA  
P.O. Box 552212  
Las Vegas, NV 89155-2212

2) State Of Nevada  
Attorney General's Office  
Attorney General  
Suite #3900  
555 Washington Ave.  
Las Vegas, NV 89101

Dated This day 6th, of March, 2015.

By:   
Brendan Nasby #63618  
LCC; 1260 Prison Rd.  
~~Las Vegas~~ Lovelock, NV 89419  
(Appellant/Petitioner In Pro Se)

Brendan Nashby #63618  
Lovelock Correctional Center  
1200 Prison Rd.  
Lovelock, NV 89419

INMATE LEGAL  
MAIL CONFIDENTIAL

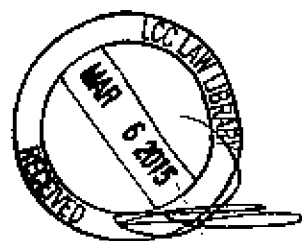


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Steven D. Grierson  
Clerk of the Court  
200 Lewis Ave., 3rd Floor  
Las Vegas, NV 89155-1160


89101\$8300





Affirmation Pursuant To: NRS 239B.010

I, hereby ~~swear~~ certify that I am the under-  
signed individual and that the attached Document that  
is entitled: Notice Of Appeal, does not contain the  
social security number of any person, under the  
pains and penalties of perjury, this 6th day of  
March, 2015.

By:   
Brendan Nasby #63618  
Lovelock Correctional Center  
200 Prison Road  
Lovelock, NV 89419  
(Appellant/Petitioner In Prose)

  
CLERK OF THE COURT

1 ASTA  
2  
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7 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**  
8 **STATE OF NEVADA IN AND FOR**  
9 **THE COUNTY OF CLARK**

10 STATE OF NEVADA,

11 Plaintiff(s),

12 vs.

13 BRENDAN J. NASBY,

14 Defendant(s),  
15

Case No: 98C154293-2

Dept No: XIX

16  
17 **CASE APPEAL STATEMENT**  
18

19 1. Appellant(s): Brendan Nasby

20 2. Judge: William D. Kephart

21 3. Appellant(s): Brendan Nasby

22 Counsel:

23 Brendan Nasby #63618  
24 1200 Prison Rd.  
Lovelock, NV 89419

25 4. Respondent: The State of Nevada

26 Counsel:

27 Steven B. Wolfson, District Attorney  
28 200 Lewis Ave.  
Las Vegas, NV 89101

(702) 671-2700

5. Appellant(s)'s Attorney Licensed in Nevada: N/A  
Permission Granted: N/A

Respondent(s)'s Attorney Licensed in Nevada: Yes  
Permission Granted: N/A

6. Appellant Represented by Appointed Counsel In District Court: No

7. Appellant Represented by Appointed Counsel On Appeal: N/A

8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A

9. Date Commenced in District Court: October 21, 1998

10. Brief Description of the Nature of the Action: Criminal

Type of Judgment or Order Being Appealed: Writ of Habeas Corpus


11. Previous Appeal: Yes

Supreme Court Docket Number(s): 35319, 47130, 58579, 67476

12. Child Custody or Visitation: N/A

Dated This 16 day of March 2015.

Steven D. Grierson, Clerk of the Court



---

Heather Ungermann, Deputy Clerk  
200 Lewis Ave  
PO Box 551601  
Las Vegas, Nevada 89155-1601  
(702) 671-0512

cc: Brendan Nasby

DEPARTMENT 19  
**CASE SUMMARY**  
**CASE NO. 98C154293-2**

**The State of Nevada vs Brendan J Nasby**

§ Location: **Department 19**  
§ Judicial Officer: **Kephart, William D**  
§ Filed on: **10/21/1998**  
§ Case Number History:  
§ Cross-Reference Case **C154293**  
§ Number:  
§ Defendant's Scope ID #: **1517690**  
§ Lower Court Case # Root: **98F11168**  
§ Lower Court Case Number: **98F11168B**  
§ Supreme Court No.: **58579**  
**67476**

**CASE INFORMATION**

Offense	Deg	Date	Case Type:
1. CONSPIRACY TO COMMIT MURDER.	F	01/01/1900	<b>Felony/Gross Misdemeanor</b>
2. MURDER WITH A DEADLY WEAPON	F	01/01/1900	Case Flags: <b>Bail Set Appealed to Supreme Court Custody Status - Nevada Department of Corrections</b>

**Related Cases**

98C154293-1 (Multi-Defendant Case)

98C154293-3 (Multi-Defendant Case)

98C154293-4 (Multi-Defendant Case)

**Statistical Closures**

12/13/1999 USJR Reporting Statistical Closure

05/13/2009 USJR Reporting Statistical Closure

**DATE**

**CASE ASSIGNMENT**

**Current Case Assignment**

Case Number	98C154293-2
Court	Department 19
Date Assigned	01/05/2015
Judicial Officer	Kephart, William D

**PARTY INFORMATION**

**Defendant** **Nasby, Brendan J**

**Plaintiff** **State of Nevada**

**Wolfson, Steven B**  
702-671-2700(W)

**DATE**

**EVENTS & ORDERS OF THE COURT**

**INDEX**








01/01/1900 **Plea** (Judicial Officer: User, Conversion)  
1. CONSPIRACY TO COMMIT MURDER.  
Not Guilty

01/01/1900 **Plea** (Judicial Officer: User, Conversion)  
2. MURDER WITH A DEADLY WEAPON  
Not Guilty

10/21/1998  Information

10/21/1998 Hearing  
*INITIAL ARRAIGNMENT*

DEPARTMENT 19  
**CASE SUMMARY**  
**CASE No. 98C154293-2**

10/22/1998	 Criminal Bindover
10/23/1998	Conversion Case Event Type <i>AGREEMENT TO APPEAR IN COURT AND TO WAIVE EXTRADITION AFTER ADMISSION TO BAIL. NRS 176.484 BAIL NRS 176.484</i>
10/27/1998	<b>Initial Arraignment (9:00 AM)</b> Events: 10/21/1998 Hearing <i>INITIAL ARRAIGNMENT Relief Clerk: CAROL GREEN Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>
10/27/1998	Hearing <i>ARRAIGNMENT CONTINUED</i>
11/09/1998	Hearing <i>INITIAL ARRAIGNMENT</i>
11/09/1998	 Information
11/12/1998	<b>Arraignment Continued (8:30 AM)</b> Events: 10/27/1998 Hearing <i>ARRAIGNMENT CONTINUED Court Clerk: CAROL GREEN/cg Relief Clerk: PAULA GOODLELL Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>
11/12/1998	Conversion Case Event Type <i>SENTENCING</i>
11/12/1998	 Conversion Case Event Type <i>Agreement to Testify</i>
11/12/1998	 Memorandum <i>Guilty Plea Agreement</i>
11/13/1998	 Criminal Bindover
11/24/1998	<b>Initial Arraignment (8:30 AM)</b> Events: 11/09/1998 Hearing <i>INITIAL ARRAIGNMENT Court Clerk: LINDA SKINNER/ts Relief Clerk: CAROL GREEN Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>
12/03/1998	 Information
12/04/1998	Hearing <i>INITIAL ARRAIGNMENT</i>
12/04/1998	Hearing <i>INITIAL ARRAIGNMENT</i>
12/04/1998	 Criminal Bindover
12/04/1998	Criminal Bindover <i>CRIMINAL BINDER</i>
12/06/1998	Information <i>INFORMATION</i>
12/10/1998	<b>Initial Arraignment (8:30 AM)</b>

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**CASE SUMMARY**  
**CASE No. 98C154293-2**

	Events: 12/04/1998 Hearing <i>INITIAL ARRAIGNMENT</i>
12/10/1998	<b>Initial Arraignment (8:30 AM)</b> Events: 12/04/1998 Hearing <i>INITIAL ARRAIGNMENT</i>
12/10/1998	<b>All Pending Motions (8:30 AM)</b> <i>ALL PENDING MOTIONS 12/10/98 Relief Clerk: CAROL GREEN Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>
12/10/1998	 Motion <i>Motion for Own Recognizance Release or House Arrest</i>
12/10/1998	Motion <i>ALL PENDING MOTIONS 12/10/98</i>
12/10/1998	Motion <i>DEFT'S REQUEST FOR O.R. RELEASE OR BAIL REDUCTION</i>
12/10/1998	Conversion Case Event Type <i>SENTENCING</i>
12/10/1998	Conversion Case Event Type <i>SENTENCING</i>
12/10/1998	Reporters Transcript <i>REPORTER'S TRANSCRIPT OF PRELIMINARY HEARING</i>
12/10/1998	 Memorandum <i>Guilty Plea Agreement</i>
12/10/1998	 Memorandum <i>Guilty Plea Agreement</i>
12/10/1998	 Reporters Transcript <i>Reporter's Transcript of November 5, 1998</i>
12/14/1998	 Reporters Transcript <i>Reporter's Transcript of December 2, 1998</i>
12/15/1998	<b>Motion for Own Recognizance Release/Setting Reasonable Bail (8:30 AM)</b> Events: 12/10/1998 Motion <i>DEFT'S MOTION FOR O.R. RELEASE OR HOUSE ARREST Heard By: Joseph Pavlikowski</i>
12/15/1998	<b>Motion for Own Recognizance Release/Setting Reasonable Bail (8:30 AM)</b> Events: 12/10/1998 Motion <i>DEFT'S REQUEST FOR O.R. RELEASE OR BAIL REDUCTION Heard By: Joseph Pavlikowski</i>
12/15/1998	<b>All Pending Motions (8:30 AM)</b> <i>ALL PENDING MOTIONS 12/15/98 Court Clerk: LINDA SKINNER Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>
12/16/1998	Motion <i>ALL PENDING MOTIONS 12/15/98</i>
12/18/1998	 Expert Witness List

DEPARTMENT 19  
**CASE SUMMARY**  
**CASE No. 98C154293-2**

*Notice of Witnesses [NRS 174.234 (1)(b)]*

12/18/1998



Expert Witness List

*Notice of Expert Witnesses [NRS 174.234 (2)]*

12/21/1998



Order

*Order Denying Defendants Motion for Own Recognizance Release or House Arrest*

12/21/1998

Order

*ORDER DENYING DEFENDANTS MOTION FOR OWN RECOGNIZANCE RELEASE OR HOUSE ARREST*

01/05/1999



Expert Witness List

*Superseding Notice of Witnesses [NRS 174.234 (1)(b)]*

01/06/1999



Motion

*Notice of Motion and Motion to Revoke Defendant Nashy's Jail Privileges and to Place him in Isolation*

01/06/1999

Request

*NOTICE OF MOTION AND MOTION TO REVOKE DEFENDANT NASBYS JAIL PRIVILEGES AND TO PLACE HIM IN ISOLATION TO PLACE HIM IN ISOLATION*

01/07/1999



Order

*Order for Transcript*

01/07/1999

Order

*ORDER FOR TRANSCRIPT - RELATED PARTYID: 98C154293\_0003*

01/07/1999

Order

*ORDER FOR TRANSCRIPT*

01/08/1999

**Motion to Revoke Own Recognizance Release (8:30 AM)**

Events: 01/06/1999 Motion

*STATE'S MOTION TO REVOKE DEFT NASBY'S JAIL PRIVILEGES AND PLACE IN ISOLATION Relief Clerk: CAROL GREEN Reporter/Recorder: JAMES HELLESO Heard By: Pavlikowski, Joseph S.*

01/21/1999



Subpoena Duces Tecum

*Subpoena Regular*

01/22/1999

**Motion to Revoke Own Recognizance Release (9:00 AM)**

*STATE'S MOTION TO REVOKE DEFT NASBY'S JAIL PRIVILEGES AND PLACE IN ISOLATION Court Clerk: CAROL GREEN Relief Clerk: CONNIE KALSKICK Reporter/Recorder: JAMES HELLESO Heard By: Pavlikowski, Joseph S.*

01/28/1999

**Calendar Call (8:30 AM)**

*CALENDAR CALL Court Clerk: LINDA SKINNER Reporter/Recorder: JAMES HELLESO Heard By: Pavlikowski, Joseph S.*

01/28/1999



Subpoena Duces Tecum

*Subpoena Regular*

01/29/1999

**Calendar Call (8:30 AM)**

*CALENDAR CALL*

01/29/1999







**Motion to Revoke Own Recognizance Release (8:30 AM)**

*STATE'S MOTION TO REVOKE DEFT NASBY'S JAIL PRIVILEGES AND PLACE IN*










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**CASE SUMMARY**  
**CASE No. 98C154293-2**

	<i>ISOLATION Heard By: Joseph Pavlikowski</i>
01/29/1999	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS 1/29/99 Relief Clerk: CAROL GREEN Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>
01/29/1999	Hearing <i>STATUS CHECK: TRIAL SETTING</i>
01/29/1999	Motion <i>ALL PENDING MOTIONS 1/29/99</i>
02/01/1999	<b>Motion to Revoke Own Recognizance Release (8:30 AM)</b> <i>STATE'S MOTION TO REVOKE DEFT NASBY'S JAIL PRIVILEGES AND PLACE IN ISOLATION Heard By: Joseph Pavlikowski</i>
02/01/1999	<b>Status Check (8:30 AM)</b> Events: 01/29/1999 Hearing <i>STATUS CHECK: TRIAL SETTING Heard By: Joseph Pavlikowski</i>
02/01/1999	<b>All Pending Motions (8:30 AM)</b> <i>ALL PENDING MOTIONS 2/1/99 Relief Clerk: CAROL GREEN Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>
02/01/1999	<b>CANCELED Jury Trial (9:00 AM)</b> <i>Vacated</i>
02/01/1999	Motion <i>ALL PENDING MOTIONS 2/1/99</i>
02/02/1999	<b>Motion to Revoke Own Recognizance Release (8:30 AM)</b> <i>STATE'S MOTION TO REVOKE DEFT NASBY'S JAIL PRIVILEGES AND PLACE IN ISOLATION Heard By: Joseph Pavlikowski</i>
02/02/1999	<b>Status Check (8:30 AM)</b> <i>STATUS CHECK: TRIAL SETTING Heard By: Joseph Pavlikowski</i>
02/02/1999	<b>All Pending Motions (8:30 AM)</b> <i>ALL PENDING MOTIONS 2/2/99 Relief Clerk: CAROL GREEN Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>
02/02/1999	Motion <i>ALL PENDING MOTIONS 2/2/99</i>
02/08/1999	<b>Sentencing (8:30 AM)</b> Events: 11/12/1998 Conversion Case Event Type <i>SENTENCING Court Clerk: LINDA SKINNER Reporter/Recorder: JAMES HELLESO Heard By: Pavlikowski, Joseph S.</i>
02/08/1999	Hearing <i>AT THE REQUEST OF THE COURT</i>
02/10/1999	<b>Request of Court (8:30 AM)</b> Events: 02/08/1999 Hearing <i>AT THE REQUEST OF THE COURT Court Clerk: LINDA SKINNER Reporter/Recorder: JAMES HELLESO Heard By: Pavlikowski, Joseph S.</i>
02/12/1999	<b>Request of Court (8:30 AM)</b> <i>AT THE REQUEST OF THE COURT Court Clerk: LINDA SKINNER Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>












DEPARTMENT 19  
**CASE SUMMARY**  
**CASE No. 98C154293-2**

02/24/1999	 Order <i>Order for Visitation of Inmate by Parent, Child and Finance</i>
02/24/1999	 Reporters Transcript <i>Reporter's Transcript of November 12, 1998</i>
02/24/1999	 Reporters Transcript <i>Reporter's Transcript of December 10, 1998</i>
02/25/1999	<b>Sentencing (8:30 AM)</b> Events: 12/10/1998 Conversion Case Event Type <i>SENTENCING Court Clerk: LINDA SKINNER/LS Relief Clerk: CONNIE KALSKI Reporter/Recorder: JAMES HELLESO Heard By: Pavlikowski, Joseph S.</i>
02/25/1999	<b>Sentencing (8:30 AM)</b> Events: 12/10/1998 Conversion Case Event Type <i>SENTENCING Court Clerk: LINDA SKINNER/LS Relief Clerk: CONNIE KALSKI Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>
02/26/1999	 Judgment <i>Judgment of Conviction (Plea)</i>
02/26/1999	Judgment <i>ADMINISTRATION/ASSESSMENT FEE</i>
03/04/1999	<b>Sentencing (8:30 AM)</b> <i>SENTENCING Court Clerk: CAROL GREEN Relief Clerk: SHARRY FRASCARELLI/sf Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>
03/09/1999	 Expert Witness List <i>Notice of Witnesses [NRS 174.234 (1)(b)]</i>
03/09/1999	Expert Witness List <i>NOTICE OF EXPERT WITNESSES</i>
03/15/1999	 Judgment <i>Judgment of Conviction (Plea)</i>
03/15/1999	Judgment <i>ADMINISTRATION/ASSESSMENT FEE</i>
04/29/1999	<b>Calendar Call (8:30 AM)</b> <i>CALENDAR CALL Relief Clerk: CAROL GREEN Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>
04/30/1999	<b>Calendar Call (9:00 AM)</b> <i>CALENDAR CALL (OVERFLOW FROM DEPT III) COUMOU/SCISCENTO-17 WIT/2 OUTSTATE/5DAYS Court Clerk: RITA LOPEZ Reporter/Recorder: JOE D'AMATO Heard By: Mosley, Donald M.</i>
05/03/1999	<b>Calendar Call (9:00 AM)</b> <i>CALENDAR CALL (OVERFLOW FROM DEPT III) COUMOU/SCISCENTO-17 WIT/2 OUTSTATE/5DAYS Court Clerk: JUDY NORMAN Reporter/Recorder: MAUREEN SCHORN Heard By: Donald Mosley</i>
05/03/1999	<b>CANCELED Jury Trial (1:00 PM)</b> <i>Vacated</i>

DEPARTMENT 19  
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**CASE NO. 98C154293-2**








05/03/1999	Hearing <i>TRIAL SETTING</i>
05/06/1999	<b>Conversion Hearing Type</b> (8:30 AM) Events: 05/03/1999 Hearing <i>TRIAL SETTING Court Clerk: LINDA SKINNER Reporter/Recorder: JAMES HELLESO</i> <i>Heard By: Joseph Pavlikowski</i>
05/13/1999	<b>Sentencing</b> (8:30 AM) <i>SENTENCING Relief Clerk: CAROL GREEN Reporter/Recorder: JAMES HELLESO Heard</i> <i>By: Pavlikowski, Joseph S.</i>
06/09/1999	 Expert Witness List <i>Notice of Expert Witnesses [NRS 174.234 (2)]</i>
06/09/1999	 Expert Witness List <i>Notice of Witnesses [NRS 174.234 (1)(b)]</i>
07/09/1999	 Motion <i>Motion and Notice of Motion in Limine to Preclude Evidence of Witness Intimidation</i>
07/12/1999	 Notice <i>Notice of Alibi Witnesses</i>
07/13/1999	 Expert Witness List <i>Notice of Witnesses</i>
07/13/1999	 Notice <i>Supplemental Notice of Alibi Witnesses</i>
07/14/1999	 Response <i>Response to Motion in Limine to Preclude Evidence of Witness Intimidation</i>
07/15/1999	<b>Calendar Call</b> (8:30 AM) <i>CALENDAR CALL</i>
07/15/1999	<b>Motion in Limine</b> (8:30 AM) Events: 07/09/1999 Motion <i>DELT'S MOTION IN LIMINE PRECLUDE EVIDENCE OF WITNESS INTIMIDATION Heard</i> <i>By: Joseph Pavlikowski</i>
07/15/1999	<b>All Pending Motions</b> (8:30 AM) <i>ALL PENDING MOTIONS 7/15/99 Court Clerk: LINDA SKINNER Reporter/Recorder:</i> <i>JAMES HELLESO Heard By: Joseph Pavlikowski</i>
07/19/1999	<b>CANCELED Jury Trial</b> (9:00 AM) <i>Vacated</i>
07/19/1999	Motion <i>ALL PENDING MOTIONS 7/15/99</i>
07/20/1999	 Motion <i>Motion and Notice of Motion for Discovery</i>
07/27/1999	 Motion <i>Motion and Notice of Motion in Limine to Preclude Evidence of Other Guns Not Used in the</i>

DEPARTMENT 19  
**CASE SUMMARY**  
**CASE No. 98C154293-2**










	<i>Crime</i>
07/28/1999	 Errata <i>Errata to Motion and Notice of Motion in Limine to Preclude Evidence of Other Guns Not Used in the Crime</i>
07/28/1999	 Receipt of Copy
07/29/1999	<b>Sentencing</b> (8:30 AM) <i>SENTENCING Court Clerk: LINDA SKINNER Reporter/Recorder: JAMES HELLESO Heard By: Pavlikowski, Joseph S.</i>
07/29/1999	<b>Motion for Discovery</b> (8:30 AM) Events: 07/20/1999 Motion <i>DEFT'S MOTION FOR DISCOVERY</i>
07/29/1999	<b>Motion in Limine</b> (8:30 AM) Events: 07/27/1999 Motion <i>DEFT'S MOTION IN LIMINE PRECLUDE EVID OF OTHER GUNS NOT USED IN THE CRIME Heard By: Joseph Pavlikowski</i>
07/29/1999	<b>All Pending Motions</b> (8:30 AM) <i>ALL PENDING MOTIONS 7/29/99 Court Clerk: LINDA SKINNER Reporter/Recorder: JAMES HELLESO Heard By: Joseph Pavlikowski</i>
07/29/1999	 Order <i>Order Granting Motion for Discovery</i>
08/03/1999	Motion <i>ALL PENDING MOTIONS 7/29/99</i>
08/16/1999	 Response <i>Response to Defendant's Motion in Limine to Preclude Evidence of Other Guns Not Used in the Crime</i>
08/19/1999	 Reply <i>Defendants Reply to State's Opposition to Motion in Limine to Preclude Evidence of Other Guns Not Used in the Crime</i>
08/25/1999	 Motion <i>Motion for Order to Take Video Deposition of Witness and to Use Video Deposition at Trial</i>
08/31/1999	 Association of Counsel <i>Notice of Association of Counsel</i>
08/31/1999	 Receipt of Copy
08/31/1999	 Expert Witness List <i>Notice of Witnesses</i>
09/02/1999	 Response <i>Response to Defendant's Motion for Order to take Video Deposition of Witness and to Use Video Deposition at Trial</i>
09/03/1999	 Reply

DEPARTMENT 19  
**CASE SUMMARY**  
**CASE No. 98C154293-2**

*Reply to State's Opposition to Defendant's Motion for Order to Take Video Deposition of Witness and to Use Video Deposition at Trial*








09/07/1999	<b>Motion</b> (8:30 AM) Events: 08/25/1999 Motion <i>DEFT'S MOTION FOR ORDER TO TAKE VIDEO DEPOSITION AT TRIAL Court Clerk: LINDA SKINNER Reporter/Recorder: JAMES HELLESO Heard By: Pavlikowski, Joseph S.</i>
09/07/1999	 <b>Expert Witness List</b> <i>Notice of Expert Witnesses [NRS 174.234 (2)]</i>
09/07/1999	 <b>Expert Witness List</b> <i>Notice of Witnesses [NRS 174.234 (1)(b)]</i>
09/09/1999	<b>Motion</b> (9:00 AM) <i>DEFT'S MOTION FOR ORDER TO TAKE VIDEO DEPOSITION AT TRIAL Court Clerk: TINA HURD Reporter/Recorder: PATSY SMITH Heard By: Mark Gibbons</i>
09/16/1999	 <b>Order</b> <i>Order for Production of Inmate Jotee Burnside, BAC #60729</i>
09/16/1999	 <b>Order</b> <i>Order for Production of Inmate Tommie Burnside, BAC #60772</i>
09/28/1999	 <b>Substitution of Attorney</b> <i>Substitution of Attorneys</i>
10/01/1999	 <b>Notice</b> <i>Supplemental Notice of Alibi Witnesses</i>
10/04/1999	 <b>Expert Witness List</b> <i>Supplemental Notice of Expert Witnesses [NRS 174.234 (2)]</i>
10/07/1999	<b>Motion in Limine</b> (9:00 AM) <i>DEFT'S MOTION IN LIMINE PRECLUDE EVIDENCE OF WITNESS INTIMIDATION Heard By: Joseph Pavlikowski</i>
10/07/1999	<b>Calendar Call</b> (9:00 AM) <i>CALENDAR CALL</i>
10/07/1999	<b>Motion in Limine</b> (9:00 AM) <i>DEFT'S MOTION IN LIMINE PRECLUDE EVID OF OTHER GUNS NOT USED IN THE CRIME Heard By: Joseph Pavlikowski</i>
10/07/1999	<b>All Pending Motions</b> (9:00 AM) <i>ALL PENDING MOTIONS 10-7-99 Court Clerk: TINA HURD Reporter/Recorder: PATSY SMITH Heard By: Mark Gibbons</i>
10/07/1999	<b>Motion</b> <i>ALL PENDING MOTIONS 10-7-99</i>
10/11/1999	<b>Jury Trial</b> (1:30 PM) <i>TRIAL BY JURY Court Clerk: JOSEPHINE BOHN Reporter/Recorder: RENEE SILVAGGIO Heard By: Gibbons, Mark</i>
10/12/1999	<b>Jury Trial</b> (11:00 AM) <i>TRIAL BY JURY Court Clerk: JOSEPHINE BOHN Reporter/Recorder: RENEE SILVAGGIO Heard By: Gibbons, Mark</i>

DEPARTMENT 19  
**CASE SUMMARY**  
**CASE No. 98C154293-2**











10/12/1999	<b>Hearing (11:00 AM)</b> <i>HEARING Court Clerk: JOSEPHINE BOHN Reporter/Recorder: RENEE SILVAGGIO Heard By: Mark Gibbons</i>
10/12/1999	 Jury List
10/12/1999	Expert Witness List <i>JURY LIST</i>
10/12/1999	 Reporters Transcript <i>Reporter's Transcript of October 11, 1999</i>
10/13/1999	<b>Jury Trial (1:30 PM)</b> <i>TRIAL BY JURY Court Clerk: JOSEPHINE BOHN Reporter/Recorder: RENEE SILVAGGIO Heard By: Gibbons, Mark</i>
10/13/1999	 Order
10/13/1999	 Reporters Transcript <i>Reporter's Transcript of October 12, 1999</i>
10/14/1999	<b>Jury Trial (11:00 AM)</b> <i>TRIAL BY JURY Court Clerk: JOSEPHINE BOHN Reporter/Recorder: RENEE SILVAGGIO Heard By: Gibbons, Mark</i>
10/14/1999	 Reporters Transcript <i>Reporter's Transcript of October 13, 1999</i>
10/15/1999	<b>Jury Trial (1:30 PM)</b> <i>TRIAL BY JURY Court Clerk: TINA HURD Reporter/Recorder: Renee Silvaggio Heard By: Gibbons, Mark</i>
10/15/1999	 Order <i>Order for Transcript</i>
10/15/1999	 Reporters Transcript <i>Reporter's Transcript of October 14, 1999</i>
10/18/1999	<b>Jury Trial (9:00 AM)</b> <i>TRIAL BY JURY Court Clerk: TINA HURD/th Relief Clerk: Blanca Madrigal Reporter/Recorder: PATSY SMITH Heard By: Gibbons, Mark</i>
10/18/1999	 Reporters Transcript <i>Reporter's Transcript of October 15, 1999</i>
10/19/1999	<b>Jury Trial (9:00 AM)</b> <i>TRIAL BY JURY Court Clerk: TINA HURD/th Relief Clerk: Blanca Madrigal Reporter/Recorder: PATSY SMITH Heard By: Mark Gibbons</i>
10/19/1999	Conversion Case Event Type <i>SENTENCING</i>
10/19/1999	 Reporters Transcript <i>Reporter's Transcript of October 18, 1999</i>

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**CASE SUMMARY**  
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10/19/1999	 Instructions to the Jury
10/19/1999	 Verdict <i>Verdict - Count I</i>
10/19/1999	 Verdict <i>Verdict - Count II</i>
10/21/1999	Notice <i>NOTICE OF TRANSCRIPTS ON THE SHELVES</i>
10/22/1999	 Expert Witness List <i>Letters in Support of Defendant</i>
10/27/1999	Hearing <i>HEARING</i>
10/28/1999	<b>Sentencing</b> (9:00 AM) <i>SENTENCING Court Clerk: JOSEPHINE BOHN Reporter/Recorder: RENEE SILVAGGIO Heard By: Mark Gibbons</i>
11/08/1999	 Judgment <i>Judgment of Conviction (Plea)</i>
11/08/1999	Judgment <i>ADMINISTRATION/ASSESSMENT FEE</i>
11/08/1999	Judgment <i>FINE</i>
11/16/1999	 Order <i>Order Admitting Defendant to Probation and Fixing the Terms Thereof</i>
11/18/1999	 PSI
11/29/1999	<b>Sentencing</b> (9:00 AM) Events: 10/19/1999 Conversion Case Event Type <i>SENTENCING Court Clerk: TINA HURD Reporter/Recorder: PATSY SMITH Heard By: Mark Gibbons</i>
11/29/1999	<b>Disposition</b> (Judicial Officer: User, Conversion) 1. CONSPIRACY TO COMMIT MURDER. Guilty
11/29/1999	<b>Disposition</b> (Judicial Officer: User, Conversion)
11/29/1999	<b>Disposition</b> (Judicial Officer: User, Conversion) 2. MURDER WITH A DEADLY WEAPON Guilty
11/29/1999	<b>Disposition</b> (Judicial Officer: User, Conversion)
11/29/1999	<b>Sentence</b> (Judicial Officer: User, Conversion) 1. CONSPIRACY TO COMMIT MURDER. Adult Adjudication Converted Disposition:









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	Sentence# 0001: Minimum 48 Months to Maximum 120 Months Placement: NSP Converted Disposition: Sentence# 0002: CREDIT FOR TIME SERVED Minimum 480 Days to Maximum 480 Days Converted Disposition: Sentence# 0003: ADMINISTRATION FEE Amount: \$25.00
11/29/1999	<b>Sentence</b> (Judicial Officer: User, Conversion) 2. MURDER WITH A DEADLY WEAPON Adult Adjudication Converted Disposition: Sentence# 0001: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0001 and Sentence#: 0001 Converted Disposition: Sentence# 0002: LIFE WITH POSSIBILITY OF PAROLE Cons/Conc: Consecutive w/Charge Item: 0002 and Sentence#: 0001
12/02/1999	 Judgment <i>Judgment of Conviction (Jury Trial)</i>
12/02/1999	Judgment <i>ADMINISTRATION/ASSESSMENT FEE</i>
12/08/1999	 Order <i>Order Appointing Counsel</i>
12/08/1999	 Order <i>Order Waiving Costs (Insufficient Property of Income with Which to Pay Costs of Filing)</i>
12/14/1999	 Notice of Appeal
12/14/1999	 Statement <i>Case Appeal Statement</i>
12/15/1999	 Certificate <i>Certificate of Mailing</i>
12/15/1999	 Certificate <i>Certificate of Mailing</i>
12/21/1999	 Order <i>Order for Transcript</i>
01/13/2000	 Reporters Transcript <i>Reporter's Transcript of October 28, 1999</i>
01/28/2000	 Reporters Transcript <i>Reporter's Transcript of October 19, 1999</i>

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03/19/2001	 Judgment <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
05/31/2001	 Petition <i>Petition for Release of Evidence</i>
05/31/2001	 Order <i>Order Releasing Evidence</i>
05/31/2001	 Petition <i>Petition for Release of Evidence</i>
09/07/2001	 Motion <i>Motion for Discovery Production and Transmission of Documents</i>
09/07/2001	 Affidavit in Support <i>Affidavit in Support of Motion for Discovery Production and Transmission of Documents</i>
09/14/2001	 Opposition <i>State's Opposition to Defendant's Motion for Discovery Production and Transmission of Documents</i>
09/17/2001	<b>Motion (9:00 AM)</b> Events: 09/07/2001 Motion <i>DEFT'S PRO PER MTN TO DISCOVERY PRODUCTION/TRANSMISSION OF DOCUMENTS/38 Court Clerk: Denise Husted Heard By: Nancy Saitta</i>
09/21/2001	 Order <i>Order Denying Defendant's Pro Per Motion for Discovery Production and Transmission of Documents</i>
09/25/2001	 Reply <i>Reply to State's Opposition to Petitioner's Motion for Discovery Production and Transmission of Documents</i>
01/30/2002	 Petition <i>Petition for Writ of Habeas Corpus (Post-Conviction)</i>
01/30/2002	 Request <i>Motion for Appointment of Counsel</i>
01/30/2002	 Points and Authorities <i>Memorandum of Points and Authorities in Support of Petition for Writ of Habeas Corpus (Post-Conviction N.R.S. 34.720)</i>
01/30/2002	 Request <i>Motion for Leave to Proceed in Forma Pauperis</i>
02/01/2002	Petition <i>DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS /39</i>
02/01/2002	Motion <i>DEFT'S PRO PER MTN FOR APPOINTMENT CNSL/40</i>

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02/01/2002	 Motion <i>Order Re Petition for Writ of Habeas Corpus</i>
02/01/2002	 Order <i>Order Re Petition for Writ of Habeas Corpus</i>
02/04/2002	 Motion <i>Motion for Discovery Production and Transmission of Documents</i>
02/04/2002	 Affidavit in Support <i>Affidavit in Support of Motion for Discovery Production and Transmission of Documents</i>
02/11/2002	 Motion <i>Motion to Attach Supplemental Exhibit to Petition for Post Conviction Relief</i>
02/25/2002	<b>Motion (9:00 AM)</b> Events: 02/04/2002 Motion <i>DEFT'S PRO PER MTN FOR DISCOVERY PRODUCTION AND TRANSMISSIONS OF DOCUMENTS/42 Court Clerk: Denise Husted Reporter/Recorder: Kristine Cornelius Heard By: Saitta, Nancy M</i>
04/01/2002	 Motion <i>Motion to Withdraw as Attorney of Record</i>
04/01/2002	 Receipt of Copy
04/03/2002	 Motion <i>Motion for Evidentiary Hearing</i>
04/03/2002	 Certificate <i>Certificate of Mailing</i>
04/04/2002	<b>Petition for Writ of Habeas Corpus (9:00 AM)</b> Events: 02/01/2002 Petition <i>DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS /39</i>
04/04/2002	<b>Motion for Appointment (9:00 AM)</b> Events: 02/01/2002 Motion <i>DEFT'S PRO PER MTN FOR APPOINTMENT CNSI/40 Heard By: Nancy Saitta</i>
04/04/2002	<b>Petition to Proceed in Forma Pauperis (9:00 AM)</b> Events: 02/01/2002 Motion <i>DEFT'S PRO PER MTN TO PROCEED IN FORMA PAUPERIS /41</i>
04/04/2002	<b>Motion (9:00 AM)</b> Events: 02/11/2002 Motion <i>DEFT'S PRO PER MTN TO ATTACH SUPPLEMENTAL EXHIBIT TO PETITION FOR/43</i>
04/05/2002	 Response <i>State's Response to Defendant's Petition for Writ of Habeas Corpus (Post-Conviction)</i>
04/05/2002	 Response <i>State's Response to Defendant's Motion for Evidentiary Hearing</i>
04/05/2002	

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Response

*State's Response to Defendant's Motion for Appointment of Counsel*

04/08/2002

**Petition for Writ of Habeas Corpus (9:00 AM)**

*DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS /39*

04/08/2002

**Motion for Appointment (9:00 AM)**

*DEFT'S PRO PER MTN FOR APPOINTMENT CNSL/40 Heard By: Nancy Saitta*

04/08/2002

**Petition to Proceed in Forma Pauperis (9:00 AM)**

*DEFT'S PRO PER MTN TO PROCEED IN FORMA PAUPERIS /41*

04/08/2002

**Motion (9:00 AM)**

*DEFT'S PRO PER MTN FOR DISCOVERY PRODUCTION AND TRANSMISSIONS OF  
DOCUM/42*

04/08/2002

**Motion (9:00 AM)**

*DEFT'S PRO PER MTN TO ATTACH SUPPLEMENTAL EXHIBIT TO PETITION FOR/43*

04/08/2002

**All Pending Motions (9:00 AM)**

*ALL PENDING MOTIONS 4/8/02 Court Clerk: Amber Farley Reporter/Recorder: Kristine  
Cornelius Heard By: Nancy Saitta*

04/08/2002

**Motion to Withdraw as Counsel (1:00 PM)**

Events: 04/01/2002 Motion

*FREDERICK SANTACROCE'S MTN TO WITHDRAW AS COUNSEL /44 Heard By: Nancy  
Saitta*

04/08/2002

**Motion (1:00 PM)**

Events: 04/03/2002 Motion

*DEFT'S PRO PER MTN FOR EVIDENTIARY HEARING/45*

04/08/2002



Order

04/09/2002

Motion

*ALL PENDING MOTIONS 4/8/02*

04/19/2002



Reply

*Petitioner's Reply to State's Opposition to Writ of Habeas Corpus (Post Conviction)*

05/06/2002

**Petition for Writ of Habeas Corpus (9:00 AM)**

*DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS /39*

05/06/2002

**Motion for Appointment (9:00 AM)**

*DEFT'S PRO PER MTN FOR APPOINTMENT CNSL/40 Heard By: Nancy Saitta*

05/06/2002

**Petition to Proceed in Forma Pauperis (9:00 AM)**

*DEFT'S PRO PER MTN TO PROCEED IN FORMA PAUPERIS /41*

05/06/2002

**Motion (9:00 AM)**

*DEFT'S PRO PER MTN FOR DISCOVERY PRODUCTION AND TRANSMISSIONS OF  
DOCUM/42*

05/06/2002

**Motion (9:00 AM)**


*DEFT'S PRO PER MTN TO ATTACH SUPPLEMENTAL EXHIBIT TO PETITION FOR/43*

05/06/2002

**Motion (9:00 AM)**

*DEFT'S PRO PER MTN FOR EVIDENTIARY HEARING/45*

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05/06/2002	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS 5/6/02 Court Clerk: Amber Farley Reporter/Recorder: Debra Vanblaricom Heard By: Nancy Saitta</i>
05/06/2002	Motion <i>ALL PENDING MOTIONS 5/6/02</i>
05/23/2002	 Order <i>Order for Production of Inmate Brendan James Nashy, BAC #63618</i>
06/24/2002	<b>Petition for Writ of Habeas Corpus (9:00 AM)</b> <i>DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS /39</i>
06/24/2002	<b>Motion for Appointment (9:00 AM)</b> <i>DEFT'S PRO PER MTN FOR APPOINTMENT CNSL/40 Heard By: Nancy Saitta</i>
06/24/2002	<b>Petition to Proceed in Forma Pauperis (9:00 AM)</b> <i>DEFT'S PRO PER MTN TO PROCEED IN FORMA PAUPERIS /41</i>
06/24/2002	<b>Motion (9:00 AM)</b> <i>DEFT'S PRO PER MTN FOR DISCOVERY PRODUCTION AND TRANSMISSIONS OF DOCUM/42</i>
06/24/2002	<b>Motion (9:00 AM)</b> <i>DEFT'S PRO PER MTN TO ATTACH SUPPLEMENTAL EXHIBIT TO PETITION FOR/43</i>
06/24/2002	<b>Motion (9:00 AM)</b> <i>DEFT'S PRO PER MTN FOR EVIDENTIARY HEARING/45</i>
06/24/2002	<b>All Pending Motions (9:00 AM)</b> <i>ALL PENDING MOTIONS 6/24/02 Court Clerk: Amber Farley Reporter/Recorder: Kristine Cornelius Heard By: Nancy Saitta</i>
06/24/2002	Hearing <i>CONFIRMATION OF COUNSEL (J. TEICHER)</i>
06/25/2002	Motion <i>ALL PENDING MOTIONS 6/24/02</i>
07/01/2002	<b>Petition for Writ of Habeas Corpus (9:00 AM)</b> <i>DEFT'S PRO PER PTN FOR WRIT OF HABEAS CORPUS /39</i>
07/01/2002	<b>Petition to Proceed in Forma Pauperis (9:00 AM)</b> <i>DEFT'S PRO PER MTN TO PROCEED IN FORMA PAUPERIS /41</i>
07/01/2002	<b>Motion (9:00 AM)</b> <i>DEFT'S PRO PER MTN FOR DISCOVERY PRODUCTION AND TRANSMISSIONS OF DOCUM/42</i>
07/01/2002	<b>Motion (9:00 AM)</b> <i>DEFT'S PRO PER MTN TO ATTACH SUPPLEMENTAL EXHIBIT TO PETITION FOR/43</i>
07/01/2002	<b>Motion (9:00 AM)</b> <i>DEFT'S PRO PER MTN FOR EVIDENTIARY HEARING/45</i>
07/01/2002	<b>Motion for Confirmation of Counsel (9:00 AM)</b> Events: 06/24/2002 Hearing <i>CONFIRMATION OF COUNSEL (J. TEICHER) Heard By: Nancy Saitta</i>
07/01/2002	<b>All Pending Motions (9:00 AM)</b>

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*ALL PENDING MOTIONS 7/1/02 Court Clerk: Amber Farley Reporter/Recorder: Tina Smith  
Heard By: Kathy Hardeastle*










07/01/2002	Hearing <i>STATUS CHECK: PENDING MOTIONS</i>
07/01/2002	Motion <i>ALL PENDING MOTIONS 7/1/02</i>
08/07/2002	 Order <i>Order Appointing Counsel</i>
08/16/2002	 Order <i>Nunc Pro Tunc Order Appointing Counsel</i>
08/19/2002	<b>Status Check</b> (9:00 AM) Events: 07/01/2002 Hearing <i>STATUS CHECK: PENDING MOTIONS Court Clerk: Amber Farley Reporter/Recorder: Kristine Cornelius Heard By: Nancy Saitta</i>
08/19/2002	Conversion Case Event Type <i>ARGUMENT: POST-CONVICTION WRIT (SAO 2/26/03)</i>
10/31/2002	 Request <i>Ex-Parte Motion for Appointment of Investigator and Excess Fees</i>
11/06/2002	 Order
12/05/2002	 Motion <i>Motion for Extension of Time to File Supplemental Petition</i>
12/18/2002	<b>CANCELED Motion</b> (9:00 AM) Events: 12/05/2002 Motion <i>Vacated</i>
12/19/2002	 Order <i>Stipulation and Order</i>
02/05/2003	<b>Hearing</b> (9:00 AM) Events: 08/19/2002 Conversion Case Event Type <i>ARGUMENT: POST-CONVICTION WRIT (SAO 2/26/03) Heard By: Nancy Saitta</i>
02/26/2003	 Order <i>Stipulation and Order (Second Degree Request)</i>
04/08/2003	 Substitution of Attorney <i>Substitution of Attorneys</i>
05/29/2003	 Order <i>Order Authorizing First Interim Payment</i>
06/25/2003	<b>Hearing</b> (10:00 AM) <i>ARGUMENT: POST-CONVICTION WRIT (SAO 2/26/03) Heard By: Nancy Saitta</i>
01/21/2004	 Motion

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*Motion for Substitute Counsel*

01/28/2004	 Response <i>State's Response to Defendant's Motion for Substitution of Attorneys</i>
02/02/2004	<b>Motion for Substitution</b> (9:00 AM) Events: 01/21/2004 Motion <i>DEFT'S PRO PER MTN FOR SUBSTITUTION COUNSEL/54 Court Clerk: Amber Farley Reporter/Recorder: Kristine Cornelius Heard By: Nancy Saitta</i>
02/02/2004	Hearing <i>STATUS CHECK: BRIEFING SCHEDULE</i>
02/04/2004	 Notice <i>Notice of Confirmation of Appointment of Counsel</i>
02/04/2004	 Order <i>Order Appointing Counsel</i>
03/01/2004	<b>Status Check</b> (9:00 AM) Events: 02/02/2004 Hearing <i>STATUS CHECK: BRIEFING SCHEDULE Court Clerk: Amber Farley Reporter/Recorder: Dick Kangas Heard By: Nancy Saitta</i>
03/01/2004	Conversion Case Event Type <i>ARGUMENT: POST-CONVICTION WRIT</i>
11/02/2004	 Order <i>Petition and Order for Honorable Discharge from Probation</i>
11/03/2004	 Request <i>Ex Parte Motion for Extension of Time to File Post Conviction Memorandum of Points and Authorities</i>
11/03/2004	 Affidavit in Support <i>Affidavit in Support of Ex Parte Motion for Extension of Time to File Post Conviction Memorandum of Points and Authorities</i>
11/05/2004	 Order <i>Order Granting Ex Parte Motion for Extension of Time to File Post Conviction Memorandum of Points and Authorities</i>
11/10/2004	 Order <i>Stipulation and Order</i>
11/17/2004	 Points and Authorities <i>Memorandum of Points and Authorities in Support of Petitioner's Post Conviction Relief</i>
11/24/2004	 Certificate <i>Certificate of Mailing</i>
01/10/2005	<b>Hearing</b> (9:00 AM) Events: 03/01/2004 Conversion Case Event Type <i>ARGUMENT: POST-CONVICTION WRIT Heard By: Nancy Saitta</i>

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02/01/2005	 Order <i>Stipulation and Order</i>
02/04/2005	 Opposition <i>State's Opposition to Defendant's Petition for Writ of Habeas Corpus Post-Conviction</i>
02/09/2005	<b>Hearing (9:00 AM)</b> <i>ARGUMENT: POST-CONVICTION WRIT Heard By: Nancy Saitta</i>
02/22/2005	 Reply <i>Defendant's Reply to State's Opposition to Defendant's Petition for Writ of Habeas Corpus Post-Conviction</i>
02/28/2005	 Receipt of Copy
03/02/2005	<b>Hearing (9:00 AM)</b> <i>ARGUMENT: POST-CONVICTION WRIT Court Clerk: Kristen Brown Reporter/Recorder: Jo Anne Pierpont Heard By: Cory, Ken</i>
03/14/2005	<b>Hearing (9:00 AM)</b> <i>ARGUMENT: POST-CONVICTION WRIT Heard By: Nancy Saitta</i>
03/25/2005	 Order <i>Stipulation and Order</i>
03/28/2005	<b>Hearing (9:00 AM)</b> <i>ARGUMENT: POST-CONVICTION WRIT Heard By: Nancy Saitta</i>
05/02/2005	<b>Hearing (9:00 AM)</b> <i>ARGUMENT: POST-CONVICTION WRIT Relief Clerk: Jennifer Kimmel Reporter/Recorder: Jo Anne Pierpont Heard By: Nancy Saitta</i>
05/02/2005	Hearing <i>EVIDENTIARY HEARING RE: TRIAL STRATEGY (INEFFECTIVE ASSISTANCE OF COUNSEL)</i>
05/04/2005	 Order <i>Order for Production of Inmate Brendan J. Nasby, BAC #63618</i>
06/10/2005	<b>Evidentiary Hearing (9:00 AM)</b> Events: 05/02/2005 Hearing <i>EVIDENTIARY HEARING RE: TRIAL STRATEGY (INEFFECTIVE ASSISTANCE OF COUNSEL) Heard By: Nancy Saitta</i>
06/16/2005	 Order <i>Stipulation and Order</i>
08/10/2005	 Order <i>Stipulation and Order</i>
08/11/2005	<b>Evidentiary Hearing (11:00 AM)</b> <i>EVIDENTIARY HEARING RE: TRIAL STRATEGY (INEFFECTIVE ASSISTANCE OF COUNSEL) Heard By: Nancy Saitta</i>
08/12/2005	 Certificate <i>Certificate of Facsimile and Mailing</i>

















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09/02/2005	<b>Evidentiary Hearing (11:00 AM)</b> <i>EVIDENTIARY HEARING RE: TRIAL STRATEGY (INEFFECTIVE ASSISTANCE OF COUNSEL) Relief Clerk: Theresa Lee Reporter/Recorder: Jo Anne Pierpont Heard By: Saitta, Nancy M</i>
09/26/2005	<b>Evidentiary Hearing (10:30 AM)</b> <i>EVIDENTIARY HEARING RE: TRIAL STRATEGY (INEFFECTIVE ASSISTANCE OF COUNSEL) Court Clerk: Kristen Brown Reporter/Recorder: Jo Anne Pierpont Heard By: Saitta, Nancy M</i>
11/02/2005	<b>Evidentiary Hearing (10:30 AM)</b> <i>EVIDENTIARY HEARING RE: TRIAL STRATEGY (INEFFECTIVE ASSISTANCE OF COUNSEL) Heard By: Nancy Saitta</i>
11/09/2005	<b>Evidentiary Hearing (10:30 AM)</b> <i>EVIDENTIARY HEARING RE: TRIAL STRATEGY (INEFFECTIVE ASSISTANCE OF COUNSEL) Court Clerk: Kristen Brown Reporter/Recorder: Jo Anne Pierpont Heard By: Nancy Saitta</i>
11/09/2005	Conversion Case Event Type <i>ARGUMENT</i>
11/28/2005	 Reporters Transcript <i>Reporter's Transcript of November 9, 2005</i>
01/11/2006	<b>Hearing (11:00 AM)</b> Events: 11/09/2005 Conversion Case Event Type <i>ARGUMENT Court Clerk: Kristen Brown Reporter/Recorder: Jo Anne Pierpont Heard By: Pavlikowski, Joseph S.</i>
02/14/2006	 Brief <i>Defendant's Supplemental Reply Brief to State's Opposition to Defendant's Petition for Writ of Habeas Corpus Post-Conviction</i>
02/15/2006	<b>Hearing (11:00 AM)</b> <i>ARGUMENT Court Clerk: Kristen Brown Reporter/Recorder: Jo Anne Pierpont Heard By: Saitta, Nancy M</i>
02/27/2006	<b>Hearing (10:30 AM)</b> <i>ARGUMENT Court Clerk: Kristen Brown Reporter/Recorder: Jo Anne Pierpont Heard By: Saitta, Nancy M</i>
03/27/2006	<b>Hearing (10:30 AM)</b> <i>ARGUMENT Relief Clerk: Cynthia Georgilas Reporter/Recorder: Jo Anne Pierpont Heard By: Nancy Saitta</i>
04/12/2006	 Notice of Appeal
04/12/2006	 Statement <i>Case Appeal Statement</i>
04/13/2006	 Statement <i>Case Appeal Statement</i>
04/26/2006	 Judgment <i>Findings of Fact, Conclusions of Law and Order</i>

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04/27/2006	 Notice of Entry of Decision and Order
05/05/2006	 Request <i>Ex Parte Motion for Authorization of Payment of Fees</i>
05/08/2006	 Order <i>Order Authorizing Payment of Fees</i>
05/24/2006	 Notice of Appeal <i>Notice of Appeal to Supreme Court</i>
05/24/2006	 Statement <i>Case Appeal Statement</i>
06/16/2006	 Request <i>Request for Rough Draft Transcripts</i>
06/20/2006	 Reporters Transcript <i>Reporter's Transcript of March 27, 2006</i>
06/20/2006	 Request <i>Request for Rough Draft Transcripts</i>
01/29/2007	 Request <i>Ex Parte Motion for Authorization of Payment of Fees</i>
02/12/2007	 Order <i>Order Authorizing Payment of Fees</i>
07/16/2007	 Judgment <i>Nevada Supreme Court Clerk's Certificate Judgment - Affirmed</i>
02/18/2011	 Petition for Writ of Habeas Corpus Filed by: Defendant Nasby, Brendan J <i>Petition for Writ of Habeas Corpus (PostConviction)</i>
02/18/2011	 Motion for Leave to Proceed in Forma Pauperis Filed By: Defendant Nasby, Brendan J
02/18/2011	 Affidavit in Support Filed By: Defendant Nasby, Brendan J <i>Affidavit in Support of Motion to Proceed in Forma Pauperis</i>
02/18/2011	 Motion Filed By: Defendant Nasby, Brendan J <i>Motion for Evidentiary Hearing</i>
02/18/2011	 Memorandum of Points and Authorities Filed By: Defendant Nasby, Brendan J <i>Memorandum of Points and Authorities in Support of Petitioner's Petition for Writ of Habeas Corpus (Post-Conviction N.R.S. 34.720)</i>

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02/18/2011	 Motion for Appointment of Attorney Filed By: Defendant Nasby, Brendan J <i>Motion for Appointment of Counsel</i>
02/28/2011	 Order for Petition for Writ of Habeas Corpus
04/08/2011	 Response <i>State's Response and Motion to Dismiss Defendant's Petition for Writ of Habeas Corpus</i>
04/27/2011	 <b>Petition for Writ of Habeas Corpus</b> (8:15 AM) (Judicial Officer: Barker, David) <b>04/27/2011, 05/11/2011</b> Events: 02/28/2011 Order for Petition for Writ of Habeas Corpus
04/29/2011	 Reply Filed by: Defendant Nasby, Brendan J <i>Petitioner's Reply to State's Response and Motion to Dismiss Petitioner's Petition for Writ of Habeas Corpus</i>
06/06/2011	 Motion Filed By: Defendant Nasby, Brendan J <i>Notice to the Court and Motion Requesting Update</i>
06/13/2011	 Notice of Appeal (criminal) Party: Defendant Nasby, Brendan J <i>Notice of Appeal</i>
06/16/2011	 Case Appeal Statement
06/17/2011	 Finding of Fact and Conclusions of Law Filed By: Plaintiff State of Nevada <i>Findings of Fact, Conclusions of Law and Order</i>
06/20/2011	 <b>Motion</b> (8:15 AM) (Judicial Officer: Barker, David) Events: 06/06/2011 Motion <i>Notice to the Court and Motion Requesting Update</i>
06/27/2011	 Notice of Entry of Decision and Order
03/12/2012	 NV Supreme Court Clerks Certificate/Judgment - Affirmed
07/01/2014	 Motion <i>Motion to Expand the Record</i>
07/11/2014	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition To Defendant's Pro Per Motion To Expand The Record</i>
07/14/2014	 <b>Motion</b> (8:15 AM) (Judicial Officer: Barker, David) <i>Def't's Pro Per Motion to Expand the Record</i>
08/14/2014	 Order Denying Motion Filed By: Plaintiff State of Nevada

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**CASE SUMMARY**  
**CASE No. 98C154293-2**






*Order Denying Defendant's Pro Per Motion To Expand The Record*

12/09/2014	 Inmate Filed - Petition for Writ of Habeas Corpus Party: Defendant Nasby, Brendan J <i>Petition for Writ of Habeas Corpus</i>
12/16/2014	 Motion Filed By: Defendant Nasby, Brendan J <i>Motion for Evidentiary Hearing</i>
12/17/2014	 Order for Petition for Writ of Habeas Corpus
12/18/2014	 Application to Proceed in Forma Pauperis Filed By: Defendant Nasby, Brendan J <i>Application to Proceed in Forma Pauperis</i>
12/18/2014	 Motion Filed By: Defendant Nasby, Brendan J <i>Motion for Appointment of Counsel</i>
01/02/2015	 Opposition Filed By: Plaintiff State of Nevada <i>State's Opposition to Defendant's Motion for an Evidentiary Hearing</i>
01/05/2015	Case Reassigned to Department 19 <i>District Court Case Reassignment 2015</i>
01/07/2015	 <b>Motion (8:30 AM)</b> (Judicial Officer: Kephart, William D) <i>Defendant's Pro Per Motion for Evidentiary Hearing</i>
01/09/2015	 Opposition <i>State's Opposition to Defendant's Motion for Appointment of Counsel</i>
01/12/2015	 <b>Motion for Appointment of Attorney (8:30 AM)</b> (Judicial Officer: Kephart, William D) <i>Defendant's Pro Per Motion for Appointment of Counsel</i>
01/12/2015	<b>CANCELED Motion (8:30 AM) (Judicial Officer: Barker, David)</b> <i>Vacated - On in Error</i> <i>Motion for Hearing to Remove Unconstitutional "Pre-Trial Punishment Stipulation"</i>
01/27/2015	 Motion for Appointment of Attorney Filed By: Defendant Nasby, Brendan J <i>Renewed Motion for Appointment of Counsel</i>
01/27/2015	 Motion Filed By: Defendant Nasby, Brendan J <i>Motion for Leave of Court to File Renewed Motion for Appointment of Counsel</i>
01/27/2015	 Application to Proceed in Forma Pauperis Filed By: Defendant Nasby, Brendan J <i>Application to Proceed in Forma Pauperis</i>
02/04/2015	 Response Filed by: Plaintiff State of Nevada

DEPARTMENT 19  
**CASE SUMMARY**  
**CASE No. 98C154293-2**

	<i>State's Response And Motion To Dismiss To Defendant's Pro Per Petition For Writ Of Habeas Corpus</i>
02/05/2015	 Opposition <i>State's Opposition To Defendant's Renewed Pro Per Motion For Appointment Of Counsel</i>
02/11/2015	 Order Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion For Evidentiary Hearing</i>
02/11/2015	 Order Filed By: Plaintiff State of Nevada <i>Order Denying Defendant's Pro Per Motion For Appointment Of Counsel</i>
02/18/2015	 <b>Motion for Leave</b> (8:30 AM) (Judicial Officer: Kephart, William D) <i>Defendant's Pro Per Motion for Leave of Court to File Renewed Motion for Appointment of Counsel</i>
02/23/2015	 Affidavit <i>Affidavit/Declaration for Entry of Default</i>
02/23/2015	 Application Filed By: Defendant Nasby, Brendan J <i>Application for A Judgment by Default</i>
02/23/2015	 Affidavit Filed By: Defendant Nasby, Brendan J <i>Affidavit/Declaration for Entry of Default</i>
02/23/2015	 Application Filed By: Defendant Nasby, Brendan J <i>Application for Default Judgment and Sanctions</i>
02/23/2015	 Reply to Opposition Filed by: Defendant Nasby, Brendan J <i>Reply to State's Opposition to Defendant's Renewed Motion for Appointment of Counsel and Petitioner's Request for Sanctions</i>
02/24/2015	 Notice of Appeal (criminal) Party: Defendant Nasby, Brendan J <i>Notice of Appeal</i>
02/25/2015	<b>Petition for Writ of Habeas Corpus</b> (8:30 AM) (Judicial Officer: Kephart, William D) <i>Defendant's Pro Per Petition for Writ of Habeas Corpus</i>
02/25/2015	<b>Motion to Dismiss</b> (8:30 AM) (Judicial Officer: Kephart, William D) <i>State's Response and Motion to Dismiss to Defendant's Pro Per Petition for Writ of Habeas Corpus</i>
02/25/2015	 <b>All Pending Motions</b> (8:30 AM) (Judicial Officer: Kephart, William D)
02/25/2015	 Case Appeal Statement Filed By: Defendant Nasby, Brendan J <i>Case Appeal Statement</i>

DEPARTMENT 19  
**CASE SUMMARY**  
**CASE NO. 98C154293-2**

02/25/2015	 Reply Filed by: Defendant Nasby, Brendan J <i>Reply and Motion to Strike State's Response and Motion to Dismiss</i>
02/26/2015	 Motion Filed By: Defendant Nasby, Brendan J <i>Renewed Motion for Evidentiary Hearing and Motion to Produce Inmate</i>
02/26/2015	 Motion Filed By: Plaintiff State of Nevada <i>Motion for Leave of Court to File Renewed Motion for Evidentiary Hearing</i>
03/13/2015	 Notice of Appeal (criminal) Party: Defendant Nasby, Brendan J <i>Notice of Appeal</i>
03/16/2015	 Case Appeal Statement Filed By: Defendant Nasby, Brendan J <i>Case Appeal Statement</i>
03/23/2015	<b>Motion</b> (8:30 AM) (Judicial Officer: Kephart, William D) <i>Defendant's Pro Per Renewed Motion for Evidentiary Hearing and Motion to Produce Inmate</i>
03/23/2015	<b>Motion</b> (8:30 AM) (Judicial Officer: Kephart, William D) <i>Defendant's Pro Per Motion for Leave of Court to File Renewed Motion for Evidentiary Hearing</i>

DATE	FINANCIAL INFORMATION
<b>Defendant</b> Nasby, Brendan J	
Total Charges	49.00
Total Payments and Credits	24.00
<b>Balance Due as of 3/16/2015</b>	<b>25.00</b>

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 27, 1998**

98C154293-2

The State of Nevada vs Brendan J Nasby

**October 27, 1998****9:00 AM****Initial Arraignment**

**INITIAL  
ARRAIGNMENT  
Relief Clerk: CAROL  
GREEN  
Reporter/Recorder:  
JAMES HELLESO  
Heard By: Joseph  
Pavlikowski**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Coumou, Frank

Attorney

**JOURNAL ENTRIES**

- Mr. Coumou requested continuance until 11/10 to finalize negotiations. No objection by Mr. Golightly. COURT ORDERED, matter CONTINUED.

BOND

11/12/98 8:30 AM ARRAIGNMENT CONTINUED

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****November 12, 1998**

98C154293-2

The State of Nevada vs Brendan J Nasby

**November 12, 1998****8:30 AM****Arraignment Continued**

**ARRAIGNMENT  
CONTINUED Court  
Clerk: CAROL  
GREEN/cg Relief  
Clerk: PAULA  
GOODELL  
Reporter/Recorder:  
JAMES HELLESO  
Heard By: Joseph  
Pavlikowski**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

**JOURNAL ENTRIES**

- AGREEMENT TO TESTIFY FILED IN OPEN COURT. NEGOTIATIONS are as contained in the GUILTY PLEA AGREEMENT FILED IN OPEN COURT. Defendant DESKIN ARRAIGNED AND PLED GUILTY TO ACCESSORY TO MURDER (F). COURT ACCEPTED plea, ADJUDGED DEFENDANT GUILTY and ORDERED, matter referred to Parole and Probation and set for sentencing.

**BOND**

2/8/99 8:30 AM SENTENCING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****November 24, 1998**

98C154293-2

The State of Nevada vs Brendan J Nasby

**November 24, 1998****8:30 AM****Initial Arraignment**

**INITIAL  
ARRAIGNMENT  
Court Clerk: LINDA  
SKINNER/Is Relief  
Clerk: CAROL  
GREEN  
Reporter/Recorder:  
JAMES HELLESO  
Heard By: Joseph  
Pavlikowski**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Lalli, Christopher J.	Attorney
	Nasby, Brendan J	Defendant
	Sciscento, Joseph S.	Attorney

**JOURNAL ENTRIES**

- DEFT ARRAIGNED, PLED NOT GUILTY AND INVOKED THE 60 DAY RULE. COURT ORDERED, matter set for trial. Court advised this date is a few days past the 60 day rule. All parties agreed. Mr. Sciscento will have 21 days from the filing of the transcript to file a writ.

**CUSTODY**

1/28/99 8:30 AM CALENDAR CALL

2/1/99 9:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****December 10, 1998**

98C154293-2

The State of Nevada vs Brendan J Nasby

**December 10, 1998****8:30 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 12/10/98  
Relief Clerk: CAROL  
GREEN  
Reporter/Recorder:  
JAMES HELLESO  
Heard By: Joseph  
Pavlikowski**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Coumou, Frank

Attorney

**JOURNAL ENTRIES**

- ARRAIGNMENT (TOMMIE BURNSIDE JR and JOTEE BURNSIDE)

Defendant TOMMIE BURNSIDE, JR.: GUILTY PLEA AGREEMENT FILED IN OPEN COURT.

NEGOTIATIONS: Deft. waived right to a Preliminary Hearing to enter plea of guilty to Information; State retains right to argue, but will not oppose with Defendant's other case. Defendant TOMMIE BURNSIDE, JR. ARRAIGNED AND PLED GUILTY TO ACCESSORY TO MURDER (F). COURT ACCEPTED plea, ADJUDGED DEFENDANT GUILTY and ORDERED, matter referred to Parole and Probation and set for sentencing. Further, COURT ORDERED, Police Report will be made a part of this plea.

Defendant JOTEE BURNSIDE: GUILTY PLEA AGREEMENT FILED IN OPEN COURT.

NEGOTIATIONS: Deft. waived right to a Preliminary Hearing to enter plea of guilty to Information; State retains right to argue. Defendant JOTEE BURNSIDE ARRAIGNED AND PLED GUILTY TO ACCESSORY TO MURDER (F). COURT ACCEPTED plea, ADJUDGED DEFENDANT GUILTY and

ORDERED, matter referred to Parole and Probation and set for sentencing. Further, COURT ORDERED, Police Report will be made a part of this plea.

Regarding request for O.R. Release on behalf of Deft. Jotee Burnside, Court advised counsel to file written motion and get something from Intake Services and matter will be put on 12/15 calendar. Counsel advised that Deft. Tommie Burnside would join in motion. Matter will be on calendar as to both Defendants.

CUSTODY (BOTH)

12/15/98 8:30 AM DEFTS' REQUEST FOR O.R. RELEASE (BOTH)

2/25/99 8:30 AM SENTENCING (BOTH)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****December 15, 1998**

98C154293-2

The State of Nevada vs Brendan J Nasby

**December 15, 1998****8:30 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 12/15/98  
Court Clerk: LINDA  
SKINNER  
Reporter/Recorder:  
JAMES HELLESO  
Heard By: Joseph  
Pavlikowski**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Coumou, Frank

Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION FOR OWN RECOGNIZANCE RELEASE OR HOUSE ARREST (JOTEE)...DEFT'S REQUEST FOR O.R. RELEASE (TOMMIE)

Mr. Brooks advised the Intake Services Report denies an O.R. release, but would request house arrest as Deft's mother has a full time job and can afford the fees. Mr. Figler stated this applies to Tommie as well. Mr. Coumou opposed both motions because of Deft's gang affiliation and their records. COURT ORDERED, both Motions are DENIED, however, reduced the bail to \$10,000 for each Deft. CUSTODY (BOTH)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 08, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**January 08, 1999****8:30 AM****Motion to Revoke Own  
Recognizance Release**

**STATE'S MOTION  
TO REVOKE DEFT  
NASBY'S JAIL  
PRIVILEGES AND  
PLACE IN  
ISOLATION Relief  
Clerk: CAROL  
GREEN  
Reporter/Recorder:  
JAMES HELLESO  
Heard By:  
Pavlikowski, Joseph  
S.**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
Nasby, Brendan J  
Sciscento, Joseph S.

Attorney  
Defendant  
Attorney

**JOURNAL ENTRIES**

- Mr. Sciscento advised that Defendant will stipulate to isolation until matter can be set for and Evidentiary hearing and Defendant would only request contact with his parents, daughter and two attorneys. Mr. Coumou stated no objection to contact with close family members. COURT ORDERED, matter CONTINUED for hearing; Defendant, having stipulated to being placed in isolation, will be allowed contact with parents, daughter and two attorneys.

98C154293-2

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 22, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**January 22, 1999****9:00 AM****Motion to Revoke Own  
Recognizance Release**

**STATE'S MOTION  
TO REVOKE DEFT  
NASBY'S JAIL  
PRIVILEGES AND  
PLACE IN  
ISOLATION Court  
Clerk: CAROL  
GREEN Relief Clerk:  
CONNIE  
KALSKI/CK  
Reporter/Recorder:  
JAMES HELLESO  
Heard By:  
Pavlikowski, Joseph  
S.**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
Nasby, Brendan J  
Sciscento, Joseph S.

Attorney  
Defendant  
Attorney

**JOURNAL ENTRIES**

- Mr. Sciscento advised that the allegations made against Defendant will require him to call witnesses. Mr. Sciscento, therefore, requested matter be continued and be put at the end of the court's calendar. COURT ORDERED, matter CONTINUED.

**CUSTODY**

PRINT DATE: 03/16/2015

Page 9 of 84

Minutes Date: October 27, 1998



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 28, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**January 28, 1999****8:30 AM****Calendar Call**

**CALENDAR CALL**  
**Court Clerk: LINDA**  
**SKINNER**  
**Reporter/Recorder:**  
**JAMES HELLESO**  
**Heard By:**  
**Pavlikowski, Joseph**  
**S.**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Philip H.  
 Nasby, Brendan J  
 Sciscento, Joseph S.

Attorney  
 Defendant  
 Attorney

**JOURNAL ENTRIES**

- Mr. Brown appeared for Mr. Coumou and upon Court's inquiry, Mr. Sciscento advised he would not be ready for trial as he has a civil matter going on Monday. COURT ORDERED, matter CONTINUED with Motion set for Friday.  
 CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 29, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**January 29, 1999****9:00 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 1/29/99  
Relief Clerk: CAROL  
GREEN  
Reporter/Recorder:  
JAMES HELLESO  
Heard By: Joseph  
Pavlikowski**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Duffy, John L.

Attorney

Nasby, Brendan J

Defendant

Sciscento, Joseph S.

Attorney

**JOURNAL ENTRIES**

- CALENDAR CALL...STATE'S MOTION TO REVOKE DEFT'S JAIL PRIVILEGES AND TO PLACE HIM IN ISOLATION

Argument by Mr. Coumou and Mr. Sciscento. Regarding Jury Trial, Mr. Sciscento advised that as he will be in another trial on Monday, he would request a continuance. Defendant had no objection to continuance of trial. COURT ORDERED, Trial Date VACATED; matter CONTINUED for Decision and Status Check on trial setting. Defendant's custody status will remain status quo.

CUSTODY

2/1/99 8:30 AM STATUS CHECK: TRIAL SETTING...STATE'S MOTION TO REVOKE DEFT'S JAIL PRIVILEGES AND TO PLACE HIM IN ISOLATION



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 01, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**February 01, 1999****8:30 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 2/1/99  
Relief Clerk: CAROL  
GREEN  
Reporter/Recorder:  
JAMES HELLESO  
Heard By: Joseph  
Pavlikowski**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, Philip H.

Attorney

Duffy, John L.

Attorney

Nasby, Brendan J

Defendant

**JOURNAL ENTRIES**

- STATUS CHECK: TRIAL SETTING...STATE'S MOTION TO REVOKE DEFT'S JAIL PRIVILEGES  
AND TO PLACE HIM IN ISOLATION

Mr. Duffy advised that Mr. Sciscento is in Los Angeles and is requesting that matter be continued  
until tomorrow. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 2/2/99 8:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 02, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**February 02, 1999****8:30 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 2/2/99  
Relief Clerk: CAROL  
GREEN  
Reporter/Recorder:  
JAMES HELLESO  
Heard By: Joseph  
Pavlikowski**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
Nasby, Brendan J  
Sciscento, Joseph S.

Attorney  
Defendant  
Attorney

**JOURNAL ENTRIES**

- STATUS CHECK: TRIAL SETTING...STATE'S MOTION TO REVOKE DEFT'S JAIL PRIVILEGES  
AND PLACE HIM IN ISOLATION

COURT ORDERED, Deft's request to be released from isolation is DENIED; Defendant to remain in  
isolation, with contact only by Mr. Duffy, Mr. Sciscento, fiance, mother and child. Further, COURT  
ORDERED, matter set for Trial.

CUSTODY

4/29/99 8:30 AM CALENDAR CALL

5/3/99 9:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 08, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**February 08, 1999****8:30 AM****Sentencing**

**SENTENCING**  
**Court Clerk: LINDA**  
**SKINNER**  
**Reporter/Recorder:**  
**JAMES HELLESO**  
**Heard By:**  
**Pavlikowski, Joseph**  
**S.**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Coumou, Frank

Attorney

**JOURNAL ENTRIES**

- Dawn Williams from the Division of Parole and Probation present. CONFERENCE AT BENCH.  
 Pursuant to that conference, COURT ORDERED, matter CONTINUED.  
 BOND

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 10, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**February 10, 1999****8:30 AM****Request of Court**

**AT THE REQUEST  
OF THE COURT  
Court Clerk: LINDA  
SKINNER  
Reporter/Recorder:  
JAMES HELLESO  
Heard By:  
Pavlikowski, Joseph  
S.**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Duffy, John L.

Attorney

Nasby, Brendan J

Defendant

Sciscento, Joseph S.

Attorney

**JOURNAL ENTRIES**

- Mr. Coumou advised he had no objection to Deft's fiancée being allowed to visit Deft. Mr. Sciscento to prepare Order adding her name, Colleen Warner, to the list of visitors.

**CUSTODY**

**CLERK'S NOTE:** After calendar, Secretary advised an issue was not addressed and requested matter be put back on calendar for Friday. ls.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 12, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**February 12, 1999****8:30 AM****Request of Court**

**AT THE REQUEST  
OF THE COURT  
Court Clerk: LINDA  
SKINNER  
Reporter/Recorder:  
JAMES HELLESO  
Heard By: Joseph  
Pavlikowski**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
Nasby, Brendan J

Attorney  
Defendant

**JOURNAL ENTRIES**

- Court advised there was a question regarding correspondence to and from Deft. Mr. Coumou advised he did not have a problem with Deft receiving or sending correspondence as long as it is monitored. COURT SO ORDERED and Mr. Coumou advised he would prepare the Order.  
DURING CALENDAR: Mr. Sciscento appeared and was apprised of what happened. Mr. Sciscento advised he would speak with Mr. Coumou as he wanted the Order to also contain the information regarding visitation.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 25, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**February 25, 1999****8:30 AM****Sentencing**

**SENTENCING**  
**Court Clerk: LINDA**  
**SKINNER/LS Relief**  
**Clerk: CONNIE**  
**KALSKI**  
**Reporter/Recorder:**  
**JAMES HELLESO**  
**Heard By:**  
**Pavlikowski, Joseph**  
**S.**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Coumou, Frank

Attorney

**JOURNAL ENTRIES**

- J.R. Haggerty from the Division of Parole and Probation present. Speaker Helen Jones tried to address the Court. Court directed Mr. Coumou to have Ms. Jones prepare a written statement and ORDERED, matter CONTINUED.  
 CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 25, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**February 25, 1999****8:30 AM****Sentencing****SENTENCING****Court Clerk: LINDA****SKINNER/LS Relief****Clerk: CONNIE****KALSKI****Reporter/Recorder:****JAMES HELLESO****Heard By: Joseph****Pavlikowski****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Coumou, Frank

Attorney

**JOURNAL ENTRIES**

- J.R. Haggerty from the Division of Parole and Probation present. Mr. Brooks advised Deft did not want to proceed with sentencing, but would like this continued for several months so that he might bail out. Upon Court's inquiry, Court DENIED this request. Parties argued and submitted. Statement by Deft. Having been ADJUDGED GUILTY of ACCESSORY TO MURDER (F), COURT ORDERED, in addition to the \$25 Administrative Assessment Fee, DEFT JOTEE BURNSIDE SENTENCED to the Nevada Department of Prisons for a MAXIMUM term of (30) MONTHS with a MINIMUM parole eligibility of TWELVE (12) MONTHS with 121 days credit for time served. BOND, if any, EXONERATED.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 04, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**March 04, 1999****8:30 AM****Sentencing**

**SENTENCING**  
**Court Clerk: CAROL**  
**GREEN Relief Clerk:**  
**SHARRY**  
**FRASCARELLI/sf**  
**Reporter/Recorder:**  
**JAMES HELLESO**  
**Heard By: Joseph**  
**Pavlikowski**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Coumou, Frank

Attorney

**JOURNAL ENTRIES**

- Roy Stuart from the Division of Parole and Probation present. Statement by Mr. Coumou. Ms. Dickinson argued her case (C152990) be treated as a gross misdemeanor and Mr. Figler argued for boot camp and continuance of sentencing in this case. Defendant made statement. DEFENDANT BURNSIDE, having been ADJUDGED GUILTY of ACCESSORY TO MURDER (F), COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, Defendant SENTENCED to a MAXIMUM term of THIRTY SIX (36) MONTHS in the Nevada Department of Prisons with a MINIMUM parole eligibility of TWELVE (12) MONTHS with 139 DAYS credit for time served.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 29, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**April 29, 1999****8:30 AM****Calendar Call**

**CALENDAR CALL**  
**Relief Clerk: CAROL**  
**GREEN**  
**Reporter/Recorder:**  
**JAMES HELLESO**  
**Heard By: Joseph**  
**Pavlikowski**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Duffy, John L.

Attorney

Nasby, Brendan J

Defendant

Sciscento, Joseph S.

Attorney

**JOURNAL ENTRIES**

- Mr. Coumou advised that State is ready, with 17 witnesses, with two out-of-State witnesses. Mr. Sciscento stated that he is ready, but co-counsel, Mr. Duffy may be in another trial beginning next week. COURT ORDERED, matter sent to OVERFLOW.

**CUSTODY**

4/30/99 9:00 AM CALENDAR CALL IN DEPT XIV (OVERFLOW FROM DEPT III)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 30, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**April 30, 1999****9:00 AM****Calendar Call**

**CALENDAR CALL  
(OVERFLOW FROM  
DEPT III)  
COUMOU/SCISCEN  
TO-17 WIT/2  
OUTSTATE/5DAYS  
Court Clerk: RITA  
LOPEZ  
Reporter/Recorder:  
JOE D'AMATO  
Heard By: Mosley,  
Donald M.**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Duffy, John L.

Attorney

Nasby, Brendan J

Defendant

Sciscento, Joseph S.

Attorney

**JOURNAL ENTRIES**

- Mr. Sciscento advised the Court Mr. Duffy is co-counsel in this matter. Colloquy between Court and Counsel regarding the length of trial and number of witnesses. Due to the Judge's Conference next week, COURT ORDERED, MATTER CONTINUED IN DEPARTMENT XIV TO SEE IF THE TRIAL CAN BE ENTERTAINED.

**CUSTODY**



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 03, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**May 03, 1999****9:00 AM****Calendar Call**

**CALENDAR CALL  
(OVERFLOW FROM  
DEPT III)  
COUMOU/SCISCEN  
TO-17 WIT/2  
OUTSTATE/5DAYS  
Court Clerk: JUDY  
NORMAN  
Reporter/Recorder:  
MAUREEN  
SCHORN Heard By:  
Donald Mosley**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Duffy, John L.

Attorney

Nasby, Brendan J

Defendant

Sciscento, Joseph S.

Attorney

**JOURNAL ENTRIES**

- Mr. Sciscento advised Mr. Duffy would be setting second chair in this matter. There not being a Courtroom available, COURT ORDERED, matter referred back to Dept. III for Trial setting; TRIAL DATE VACATED.

CUSTODY

5/6/99 8:30 AM TRIAL SETTING



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 06, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**May 06, 1999****8:30 AM****Conversion Hearing Type**

**TRIAL SETTING**  
**Court Clerk: LINDA**  
**SKINNER**  
**Reporter/Recorder:**  
**JAMES HELLESO**  
**Heard By: Joseph**  
**Pavlikowski**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
 Nasby, Brendan J  
 Sciscento, Joseph S.

Attorney  
 Defendant  
 Attorney

**JOURNAL ENTRIES**

- CONFERENCE AT BENCH. Pursuant to that conference, COURT ORDERED, matter set for trial. Mr. Sciscento inquired if the Order for visit of Deft's mother, could also include Deft's father. Mr. Coumou had no opposition. COURT SO ORDERED.

**CUSTODY**

7/15/99 8:30 AM CALENDAR CALL

7/19/99 9:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 13, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**May 13, 1999****8:30 AM****Sentencing**

**SENTENCING**  
**Relief Clerk: CAROL**  
**GREEN**  
**Reporter/Recorder:**  
**JAMES HELLESO**  
**Heard By:**  
**Pavlikowski, Joseph**  
**S.**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Coumou, Frank

Attorney

**JOURNAL ENTRIES**

- Tom Tatten of the Division of Parole and Probation present. Mr. Golightly advised that State is aware that Defendant is out of the jurisdiction. Further, State is requesting a continuance and he has no objection. Mr. Coumou requested continuance until after July 19. COURT ORDERED, matter CONTINUED.

BOND

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 15, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**July 15, 1999****8:30 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 7/15/99  
Court Clerk: LINDA  
SKINNER  
Reporter/Recorder:  
JAMES HELLESO  
Heard By: Joseph  
Pavlikowski**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
Nasby, Brendan J  
Sciscento, Joseph S.

Attorney  
Defendant  
Attorney

**JOURNAL ENTRIES**

- CALENDAR CALL...DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS  
INTIMIDATION

Upon Court's inquiry, Mr. Coumou advised he is not ready for trial as the witness that examined the gun and cassings will be unavailable. Further, Mr. Coumou advised Mr. Sciscento served an Amended Notice of Witnesses within 10 days of trial and two of these witnesses live out of State and there will not be enough time before trial to interview them. For these reasons, Mr. Coumou requested a continuance. Mr. Sciscento had no objection to a short continuance. COURT ORDERED, trial date VACATED and RESET and Motion set for today will be CONTINUED to calendar call. CUSTODY

10/7/99 8:30 AM CALENDAR CALL

**98C154293-2**

10/11/99 9:00 AM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 29, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**July 29, 1999****8:30 AM****Sentencing****SENTENCING****Court Clerk: LINDA  
SKINNER****Reporter/Recorder:  
JAMES HELLESO****Heard By:  
Pavlikowski, Joseph  
S.****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Coumou, Frank

Attorney

**JOURNAL ENTRIES**

- Larry Scott from the Division of Parole and Probation present. Mr. Golightly advised Deft is out of State and requested a continuance until after co-deft's trial, which is October 11. There being no objection, COURT SO ORDERED.  
BOND

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 29, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**July 29, 1999****8:30 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 7/29/99  
Court Clerk: LINDA  
SKINNER  
Reporter/Recorder:  
JAMES HELLESO  
Heard By: Joseph  
Pavlikowski**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
Nasby, Brendan J  
Sciscento, Joseph S.

Attorney  
Defendant  
Attorney

**JOURNAL ENTRIES**

- DEFT'S MOTION FOR DISCOVERY...DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS NOT USED IN THE CRIME

CONFERENCE AT BENCH. Upon Court's inquiry, Mr. Coumou had no objection to Deft's Motion for Discovery. COURT ORDERED, Motion GRANTED. Pursuant to conference, Mr. Sciscento to prepare Order to reproduce file. Mr. Coumou requested time to respond to Deft's second motion. Court directed Mr. Coumou to answer by 5 pm on 8/13 and Mr. Sciscento to reply by 5 pm on 8/20. Further, matter will be CONTINUED for argument to calendar call.

CUSTODY

10/7/99 8:30 AM DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS NOT USED IN THE CRIME



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****September 07, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**September 07, 1999****8:30 AM****Motion**

**DEFT'S MOTION  
FOR ORDER TO  
TAKE VIDEO  
DEPOSITION AT  
TRIAL Court Clerk:  
LINDA SKINNER  
Reporter/Recorder:  
JAMES HELLESO  
Heard By:  
Pavlikowski, Joseph  
S.**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
Nasby, Brendan J  
Sciscento, Joseph S.

Attorney  
Defendant  
Attorney

**JOURNAL ENTRIES**

- CONFERENCE AT BENCH. Pursuant to that conference, COURT ORDERED, matter  
CONTINUED and TRANSFERED TO DEPT. 7  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****September 09, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**September 09, 1999****9:00 AM****Motion**

**DEFT'S MOTION  
FOR ORDER TO  
TAKE VIDEO  
DEPOSITION AT  
TRIAL Court Clerk:  
TINA HURD  
Reporter/Recorder:  
PATSY SMITH  
Heard By: Mark  
Gibbons**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
Nasby, Brendan J  
Sciscento, Joseph S.

Attorney  
Defendant  
Attorney

**JOURNAL ENTRIES**

- Court advised he has read the pleadings. Mr. Sciscento advised the witness, Nina Hoque, is getting married and moving out of the country to Bangladesh or Thailand and may not be available for trial. Mr. Coumou advised there are too many questions regarding the availability of the witness. Court advised Ms. Hoque can be placed under subpoena and, if she is available, the deposition will not be used. Mr. Coumou objected to the video deposition and argued there is no authority for it and he does not want the other witnesses to decide not to appear and have their depositions taken as well. Mr. Coumou advised it is the State's position this is a concocted story and if this deposition is on tape, it can be shared with the other witnesses to solidify their story; these witnesses have been extremely

uncooperative with the State. Mr. Coumou further argued there is no attached affidavit from this witness stating she is not going to be available. Mr. Sciscento advised he became aware of this recently and wants to preserve her testimony; further, he gave the witnesses names and phone numbers to the State and it is not his responsibility if they do not cooperate with the State. Mr. Sciscento advised these witnesses have also received threats. COURT ORDERED, motion GRANTED and the video deposition will be taken in this courtroom at a time mutually convenient for both counsel; if the witness is available, the tape will not be used and the witness will be subpoenaed to be here, however, the deposition may be used for impeachment. At request of Mr. Coumou, COURT FURTHER ORDERED, this testimony is not to be shared with anyone and admonished deft. not to share the testimony he hears during the deposition. Counsel to contact the Court for a time. CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 07, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**October 07, 1999****9:00 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 10-7-99  
Court Clerk: TINA  
HURD  
Reporter/Recorder:  
PATSY SMITH  
Heard By: Mark  
Gibbons**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
Nasby, Brendan J  
Sciscento, Joseph S.

Attorney  
Defendant  
Attorney

**JOURNAL ENTRIES**

- AS TO DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF OTHER GUNS NOT USED IN THE CRIME...Court FINDS the probative value is outweighed by the prejudicial effect, however, this would be proper for rebuttal if it comes up. COURT ORDERED, motion GRANTED.  
AS TO DEFT'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF WITNESS INTIMIDATION..  
.COURT ORDERED, motion DENIED as this is relevant if deft. is shown to be the source of the intimidation. Colloquy regarding a pre-trial evidentiary hearing. Mr. Coumou advised he has a handwriting expert that states deft. Nasby is the source of these letters. Mr. Sciscento advised he is not prepared for trial at this time as he got the report of the firearms expert, Tory Johnson, a little late. Mr. Coumou objected to a continuance and advised this case has been continued countless times. AS to the discovery motion, Mr. Coumou advised it is speculative and Mr. Sciscento had ample time to

do this as the motion was granted on July 29 and all paperwork requested had been photocopied previously as the State had no objection. Further, Mr. Coumou advised defense counsel has a duty to provide notice of an expert which he has not received. Mr. Sciscento advised his request was for Mr. Johnson's personal notes and when his office called, they were told by Mr. Johnson's office that they would get to it when they got to it. COURT ORDERED, motion to continue is DENIED and trial will go forward Monday afternoon.

CUSTODY

10-11-99 1:30 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 11, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**October 11, 1999****1:30 PM****Jury Trial****TRIAL BY JURY****Court Clerk:****JOSEPHINE BOHN****Reporter/Recorder:****RENEE SILVAGGIO****Heard By: Gibbons,  
Mark****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Nasby, Brendan J

Defendant

Santacroce, Frederick A.

Attorney

Sciscento, Joseph S.

Attorney

**JOURNAL ENTRIES**

- OUTSIDE THE PRESENCE OF THE JURY. Mr. Sciscento stated there was a motion granted regarding guns not used and he was concerned that witness Johnson would mention them. Mr. Coumou stated he has already spoken to the witness regarding that issue and they will not be mentioned. Colloquy regarding the removal of clips from the gun used outside the presence of the jury and the assault rifle not being admitted but released back to the crime scene analyst. Mr. Sciscento addressed the issue of a letter intercepted by the District Attorney's office as well as an audio tape. Court noted the letter was provided to the Court and it was reviewed. Mr. Coumou advised that the letter was obtained by search warrant, but he has found nothing of evidentiary value on the audio tape. Colloquy as to an evidentiary hearing on the issue of the letter. Court stated jury selection would begin and the hearing can be held tomorrow. IN THE PRESENCE OF THE JURY

PANEL. Conference at the bench. Jury selection proceeded. Prospective panel admonished and excused for the evening. OUTSIDE THE PRESENCE OF THE JURY. Court permitted the State to make its first peremptory challenge, juror #137 McNeal. Batson objection by Mr. Sciscento. Arguments by counsel. Court found the State had a rational basis for the challenge and, ORDERED, CHALLENGE APPROVED. Court in recess.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 12, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**October 12, 1999****11:00 AM****Jury Trial**

**TRIAL BY JURY**  
**Court Clerk:**  
**JOSEHINE BOHN**  
**Reporter/Recorder:**  
**RENEE SILVAGGIO**  
**Heard By: Gibbons,**  
**Mark**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Nasby, Brendan J

Defendant

Santacroce, Frederick A.

Attorney

Sciscento, Joseph S.

Attorney

**JOURNAL ENTRIES**

- Court reconvened with all present as before. Counsel stipulated to the PRESENCE OF THE JURY. Jury and alternates selected and sworn. Conference at the bench. Information ready by the Clerk of the Court. EXCLUSIONARY RULE INVOKED BY THE COURT. Opening statements by Mr. Coumou and Mr. Sciscento. Jury admonished and excused for the evening. OUTSIDE THE PRESENCE OF THE JURY. Mr. Santacroce moved for a mistrial based on the State's opening statement regarding the letter which was the basis for the hearing this date. Following arguments by counsel, COURT ORDERED DD, motion is DENIED. Court in recess.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 12, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**October 12, 1999****11:00 AM****Hearing**

**HEARING Court**  
**Clerk: JOSEPHINE**  
**BOHN**  
**Reporter/Recorder:**  
**RENEE SILVAGGIO**  
**Heard By: Mark**  
**Gibbons**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Nasby, Brendan J

Defendant

Santacroce, Frederick A.

Attorney

Sciscento, Joseph S.

Attorney

**JOURNAL ENTRIES**

- Court noted this is a hearing regarding the intimidation of witnesses. Testimony and exhibits presented. (See worksheets.) Mr. Sciscento moved to exclude testimony under the Fifth Amendment as well as the letter received after November 4. He stated that any statements made prior to that date are not a part of this motion. Opposition by Mr. Coumou who argued that this is a motion in limine and should have been brought before the Court 10 days prior to the calendar call. Arguments of counsel regarding witness Holmes being an agent of the State. Court stated it will reserve decision until after reviewing the transcript of this hearing which the Court Reporter is ORDERED to prepare and submit to the Court. Court advised counsel the transcript will be reviewed to determine when the letters were delivered and when the witness spoke to the police. COURT ORDERED, RULING RESERVED on the Fifth Amendment issue and witness Holmes working as an agent of the State. Mr.

Santacroce moved to exclude testimony and conclusions of Kelly Daubert regarding handwriting comparisons. Court stated the defense can cross examine on that issue and ORDERED, motion is DENIED.

CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 13, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**October 13, 1999****1:30 PM****Jury Trial****TRIAL BY JURY****Court Clerk:****JOSEPHINE BOHN****Reporter/Recorder:****RENEE SILVAGGIO****Heard By: Gibbons,  
Mark****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Nasby, Brendan J

Defendant

Santacroce, Frederick A.

Attorney

Sciscento, Joseph S.

Attorney

**JOURNAL ENTRIES**

- Court reconvened with all present as before. Counsel stipulated to the PRESENCE OF THE JURY. Testimony and exhibits presented. (See worksheets.) Jury admonished and excused for lunch recess. Court reconvened with all present as before. Counsel stipulated to the PRESENCE OF THE JURY. Testimony continued. Exhibits admitted. Jury admonished and excused. Evening recess.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 14, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**October 14, 1999****11:00 AM****Jury Trial****TRIAL BY JURY****Court Clerk:****JOSEPHINE BOHN****Reporter/Recorder:****RENEE SILVAGGIO****Heard By: Gibbons,  
Mark****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Nasby, Brendan J

Defendant

Santacroce, Frederick A.

Attorney

Sciscento, Joseph S.

Attorney

**JOURNAL ENTRIES**

- Court reconvened with all present as before. Counsel stipulated to the PRESENCE OF THE JURY. Testimony and exhibits presented. (See worksheets.) Counsel stipulated to the chain of custody of exhibits 52, 52A, 52B and 52C. Counsel further stipulated to exhibit 52 being WITHDRAWN AND RETURNED TO Officer McPhail of Metro. Jury admonished and excused. Evening recess.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 15, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**October 15, 1999****1:30 PM****Jury Trial**

**TRIAL BY JURY**  
**Court Clerk: TINA**  
**HURD**  
**Reporter/Recorder:**  
**Renee Silvaggio**  
**Heard By: Gibbons,**  
**Mark**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Nasby, Brendan J

Defendant

Santacroce, Frederick A.

Attorney

Sciscento, Joseph S.

Attorney

**JOURNAL ENTRIES**

- 11:15 A.M.--OUTSIDE THE PRESENCE OF THE JURY, Court advised records from the jail have been subpoenaed and he has reviewed them with Mitchell Cohen, DDA, and there are two possible names that may pertain to this case. Court advised he has asked Mr. Cohen to make copies of those two possibilities and provide those to counsel. Mr. Sciscento advised there is an issue regarding the visitation records. Off record conference between Court and Mr. Cohen. On the record, Court advised he did not see any names of anyone involved in this case on the records except Mr. Buczek. 11:20 a.m.--Counsel stipulated to the presence of the Jury. Further testimony and exhibits presented per worksheets. 12:42 p.m.--Jury admonished and excused for lunch, to return at 2:00 p.m. OUTSIDE THE PRESENCE OF THE JURY, Court admonished deft. Nasby regarding his right not to be compelled to testify. Upon Court's inquiry, counsel and deft. stipulated to WAIVE the penalty phase

if there is a conviction and deft. is to be sentenced by the Court. COURT SO ORDERED.

2:05 P.M.--Counsel stipulated to the presence of the Jury. Further testimony and exhibits presented.

3:41 p.m.--OUTSIDE THE PRESENCE OF THE JURY, Court addressed the issue of John Holmes' testimony. Colloquy regarding when John Holmes spoke with law enforcement. State advised there was no interrogation going on, however, there may be a Sixth Amendment issue; John Holmes subsequently received a letter with names and addresses of people deft. wanted intimidated or killed and that is a separate crime. Court advised that sounds like a Petrocelli issue. Court stated his findings and ORDERED, the letter will be EXCLUDED as the prejudice outweighs the probative value. Brief recess taken. 4:08 p.m.--Counsel stipulated to the presence of the Jury. Further testimony and exhibits presented. Court admonished the Jury and excused them for the weekend at 5:10 p.m. to return at 1:30 p.m. Monday afternoon. OUTSIDE THE PRESENCE OF THE JURY, colloquy regarding scheduling. Mr. Sciscento requested the State bring back Jeremiah Deskin. COURT SO ORDERED. Court adjourned for the weekend.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 18, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**October 18, 1999****9:00 AM****Jury Trial**

**TRIAL BY JURY**  
**Court Clerk: TINA**  
**HURD/th Relief**  
**Clerk: Blanca**  
**Madrigal**  
**Reporter/Recorder:**  
**PATSY SMITH**  
**Heard By: Gibbons,**  
**Mark**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
 Nasby, Brendan J  
 Sciscento, Joseph S.

Attorney  
 Defendant  
 Attorney

**JOURNAL ENTRIES**

- 11:28 A.M.--Deft's presence waived. Counsel stipulated instructions may be settled on the record before both sides rest on the record with counsel having the right to additional instructions if further issues arise. Jury Instructions settled on the record. Off the record at 11:38 a.m.

1:30 P.M.--Counsel stipulated to the presence of the Jury. State rested. Conference at the bench. 1:33 p.m.--OUTSIDE THE PRESENCE OF THE JURY, Mr. Sciscento moved to dismiss on the grounds the State did not prove their case beyond a reasonable doubt and argued. State argued this should be argued to the Jury as an issue of fact. Court FINDS the State has set forth a prima facie case and ORDERED, motion DENIED. 1:36 p.m.--IN THE PRESENCE OF THE JURY, Defense rested. Court instructed the Jury. Closing arguments by counsel. 3:25 p.m.--Bailiff sworn to take charge of the

Jury. Court explained the scheduling to the Jury. At the hour of 3:28 p.m. this date, Jury retired to commence deliberations. Court in recess.

5:00 P.M.--Jury admonished and excused for the evening to return at 9:00 a.m. tomorrow morning.  
CUSTODY

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 19, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**October 19, 1999****9:00 AM****Jury Trial**

**TRIAL BY JURY**  
**Court Clerk: TINA**  
**HURD/th Relief**  
**Clerk: Blanca**  
**Madrigal**  
**Reporter/Recorder:**  
**PATSY SMITH**  
**Heard By: Mark**  
**Gibbons**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
 Nasby, Brendan J  
 Sciscento, Joseph S.

Attorney  
 Defendant  
 Attorney

**JOURNAL ENTRIES**

- 9:00 A.M.--Jury retired to continue deliberations.

1:34 P.M.--Counsel stipulated to the presence of the Jury. Jury returned with VERDICTS of GUILTY OF COUNT I - CONSPIRACY TO COMMIT MURDER (F) and GUILTY OF COUNT II - FIRST DEGREE MURDER WITH USE OF A DEADLY WEAPON (F). Jury polled at request of Mr. Sciscento; 12 affirmed. Court thanked and excused the Jury at 1:38 p.m. OUTSIDE THE PRESENCE OF THE JURY, deft. Nasby having been found guilty, COURT ORDERED, matter REFERRED to P&P and set for sentencing; deft. REMANDED TO CUSTODY.

**CUSTODY****11-29-99 9:00 AM SENTENCING**



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****October 28, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**October 28, 1999****9:00 AM****Sentencing****SENTENCING****Court Clerk:****JOSEPHINE BOHN****Reporter/Recorder:****RENEE SILVAGGIO****Heard By: Mark****Gibbons****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

**JOURNAL ENTRIES**

- Susan Bowler of Parole and Probation present. DEFENDANT DESKIN ADJUDGED GUILTY of ACCESSORY TO MURDER (F). Statements by counsel and defendant. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, Defendant SENTENCED to a MAXIMUM of SIXTY (60) MONTHS and a MINIMUM of TWENTY-FOUR (24) MONTHS in the Nevada Department of Prisons SUSPENDED; placed on PROBATION for a FIXED period of FIVE (5) YEARS. CONDITIONS: 1. Search clause for the detection of weapons and evidence of gang affiliation. 2. Complete 40 hours of community service work each month of probation not to exceed the provisions of NRS 176.087 unless employed full time. 3. Have no association with Brendan Nasby, Tommie Burnside and Jotee Burnside during probation. 4. Have no contact or association with any member of a gang during probation. 5. Pay a \$10,000.00 fine during the term of probation on a monthly basis. Defendant ORDERED to report to P & P immediately upon leaving the courtroom or a bench warrant will issue. BOND, if any, EXONERATED.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****November 29, 1999**

98C154293-2

The State of Nevada vs Brendan J Nasby

**November 29, 1999****9:00 AM****Sentencing****SENTENCING****Court Clerk: TINA  
HURD****Reporter/Recorder:  
PATSY SMITH****Heard By: Mark  
Gibbons****HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Nasby, Brendan J

Defendant

Santacroce, Frederick A.

Attorney

Sciscento, Joseph S.

Attorney

**JOURNAL ENTRIES**

- Tom Tatten of Parole and Probation present. Mr. Sciscento requested a brief continuance as he received the PSI report late Wednesday afternoon at which time he was out of state; further, he has received additional letters over the weekend. Mr. Sciscento stated he understands there are speakers and suggested a bifurcated hearing, allowing the speakers to speak today and continuing the rest of the sentencing. State objected to bifurcating as the victim's family has travelled a great distance and want to see deft. sentenced so they can have closure; however, he would have no objection to trailing the matter so Mr. Sciscento can go over the PSI report with deft. Colloquy. COURT ORDERED, matter TRAILED until 2:00 p.m. this afternoon.

2:20 P.M.--Matter recalled with all present as before. DEFT. NASBY ADJUDGED GUILTY OF COUNT I - CONSPIRACY TO COMMIT MURDER (F) and COUNT II - FIRST DEGREE MURDER

WITH USE OF A DEADLY WEAPON (F). Sworn statements made by victim's grandmother and mother, ELLEN BEAVER-JONES and VELMA BEASLEY, and deft's mother, BRENDA NASBY. Matter argued and submitted. COURT ORDERED, in addition to the \$25.00 Administrative Assessment fee, deft. is SENTENCED to a MAXIMUM term of ONE HUNDRED TWENTY (120) MONTHS with a MINIMUM parole eligibility of FORTY-EIGHT (48) MONTHS in the Nevada Department of Prisons for Count I and SENTENCED to LIFE WITH THE POSSIBILITY OF PAROLE plus an equal and CONSECUTIVE term of LIFE WITH THE POSSIBILITY OF PAROLE for use of a deadly weapon, for Count II, CONSECUTIVE to Count I, with 480 DAYS credit for time served. BOND, if any, EXONERATED. Mr. Sciscento advised deft's visitors have been restricted to his mother, fiancée and child by court order and requested that be lifted. State advised he moved for that when he found all his witnesses were being intimidated and threatened; deft. is obviously not in isolation now or he would not have these new charges for Battery on a Corrections Officer. COURT ORDERED, the Court order restricting visitation is LIFTED and matter is left to the discretion of the jail commander. Mr. Sciscento advised, as to the appeal, he believes there will be a conflict as the Special Public Defender represented one of the co-defts. and requested the Court appoint Mr. Santacroce. State took no position. COURT ORDERED, Mr. Santacroce is APPOINTED to represent deft. Nasby on appeal. Off the record at 3:16 p.m.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****September 17, 2001**

98C154293-2

The State of Nevada vs Brendan J Nasby

**September 17, 2001****9:00 AM****Motion**

**DEFT'S PRO PER  
MTN TO  
DISCOVERY  
PRODUCTION/TRA  
NSMISSION OF  
DOCUMENTS/38  
Court Clerk: Denise  
Husted Heard By:  
Nancy Saitta**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Brower, Keith

Attorney

**JOURNAL ENTRIES**

- COURT noted Defendant has failed to file a writ and is not entitled to the documents, therefore ORDERED, motion DENIED.  
NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 25, 2002**

98C154293-2

The State of Nevada vs Brendan J Nasby

**February 25, 2002****9:00 AM****Motion**

**DEFT'S PRO PER  
MTN FOR  
DISCOVERY  
PRODUCTION AND  
TRANSMISSIONS  
OF DOCUM/42  
Court Clerk: Denise  
Husted  
Reporter/Recorder:  
Kristine Cornelius  
Heard By: Saitta,  
Nancy M**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Goettsch, Becky S.

Attorney

**JOURNAL ENTRIES**

- COURT noted no opposition from the State and ORDERED, motion CONTINUED to 4/8/02; State to file response.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 08, 2002**

98C154293-2

The State of Nevada vs Brendan J Nasby

**April 08, 2002****9:00 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 4/8/02  
Court Clerk: Amber  
Farley  
Reporter/Recorder:  
Kristine Cornelius  
Heard By: Nancy  
Saitta**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Santacroce, Frederick A.

Attorney

**JOURNAL ENTRIES**

- F. SANTACROCE'S MOTION TO WITHDRAW AS COUNSEL Mr. Santacroce stated he took this case on the appeal, the appeal was denied and the conviction was affirmed. COURT ORDERED, Motion GRANTED, order signed in open court.

DEFT'S PRO PER MOTION FOR DISCOVERY PRODUCTION...DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S PRO PER MOTION FOR APPOINTMENT OF COUNSEL ...DEFT'S PRO PER MOTION TO PROCEED IN FORMA PAUPERIS...DEFT'S PRO PER MOTION TO ATTACH SUPPLEMENTAL EXHIBIT TO PETITION FOR POST CONVICTION RELIEF...DEFT'S PRO PER MOTION FOR EVIDENTIARY HEARING

Mr. Coumou stated he doesn't believe an evidentiary hearing is needed and that the motions can be ruled on. Court indicated that it will continue this matter for thirty days to ensure that everything has been fully reviewed, and SO ORDERED.

**98C154293-2**

NDC

ABOVE MOTIONS CONTINUED TO: 5/6/02 9:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 06, 2002**

98C154293-2

The State of Nevada vs Brendan J Nasby

**May 06, 2002****9:00 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 5/6/02  
Court Clerk: Amber  
Farley  
Reporter/Recorder:  
Debra Vanblaricom  
Heard By: Nancy  
Saitta**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:** Lawson, Tamara F.

Attorney

**JOURNAL ENTRIES**

- DEFT'S PRO PER MOTION FOR DISCOVERY PRODUCTION...DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S PRO PER MOTION FOR APPOINTMENT OF COUNSEL ...DEFT'S PRO PER MOTION TO PROCEED IN FORMA PAUPERIS...DEFT'S PRO PER MOTION TO ATTACH SUPPLEMENTAL EXHIBIT TO PETITION FOR POST CONVICTION RELIEF...DEFT'S PRO PER MOTION FOR EVIDENTIARY HEARING

COURT ORDERED, Mr. Christiansen appointed as counsel. Neither Defendant nor Mr. Christiansen present, COURT ORDERED, matters CONTINUED.

NDC

CONTINUED TO: 6/24/02 9:00 AM

CLERK'S NOTE: Minute Order AMENDED to reflect the Court's appointment of counsel. /af  
5/10/02

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****June 24, 2002**

98C154293-2

The State of Nevada vs Brendan J Nasby

**June 24, 2002****9:00 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 6/24/02  
Court Clerk: Amber  
Farley  
Reporter/Recorder:  
Kristine Cornelius  
Heard By: Nancy  
Saitta**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Brown, David T.

Attorney

Lawson, Tamara F.

Attorney

Nasby, Brendan J

Defendant

**JOURNAL ENTRIES**

- DEFT'S PRO PER MOTION FOR DISCOVERY PRODUCTION AND TRANSMISSION OF DOCUMENTS...DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S PRO PER MOTION TO PROCEED IN FORMA PAUPERIS...DEFT'S PRO PER MOTION TO ATTACH SUPPLEMENTAL EXHIBIT TO PETITION FOR POST CONVICTION RELIEF... DEFT'S PRO PER MOTION FOR EVIDENTIARY HEARING  
MATTERS CONTINUED to 7/1/02.  
DEFT'S PRO PER MOTION FOR APPOINTMENT OF COUNSEL  
Conference at bench. Pursuant to same, Mr. Christiansen's office is REMOVED from the case and Lori Teicher is APPOINTED. Matter set for confirmation of counsel.  
NDC

**98C154293-2**

7/1/02 9:00 AM CONFIRMATION OF COUNSEL (L. TEICHER)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 01, 2002**

98C154293-2

The State of Nevada vs Brendan J Nasby

**July 01, 2002****9:00 AM****All Pending Motions**

**ALL PENDING  
MOTIONS 7/1/02  
Court Clerk: Amber  
Farley  
Reporter/Recorder:  
Tina Smith Heard  
By: Kathy Hardcastle**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Teicher, Lori C.  
Wall, David T.

Attorney  
Attorney

**JOURNAL ENTRIES**

- DEFT'S PRO PER MOTION FOR DISCOVERY PRODUCTION AND TRANSMISSION OF DOCUMENTS...DEFT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS...DEFT'S PRO PER MOTION TO PROCEED IN FORMA PAUPERIS...DEFT'S PRO PER MOTION TO ATTACH SUPPLEMENTAL EXHIBIT TO PETITION FOR POST CONVICTION RELIEF... DEFT'S PRO PER MOTION FOR EVIDENTIARY HEARING...CONFIRMATION OF COUNSEL (L. TEICHER)  
Ms. Teicher confirmed as counsel. COURT ORDERED, counsel to work out a briefing schedule and ORDERED, matter set for a status check in forty-five days.  
NDC  
8/19/02 9:00 AM STATUS CHECK: PENDING MOTIONS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****August 19, 2002**

98C154293-2

The State of Nevada vs Brendan J Nasby

**August 19, 2002****9:00 AM****Status Check**

**STATUS CHECK:**  
**PENDING**  
**MOTIONS Court**  
**Clerk: Amber Farley**  
**Reporter/Recorder:**  
**Kristine Cornelius**  
**Heard By: Nancy**  
**Saitta**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES**

<b>PRESENT:</b>	Nasby, Brendan J	Defendant
	Teicher, Lori C.	Attorney
	Wall, David T.	Attorney

**JOURNAL ENTRIES**

- Ms. Teicher stated she has met with the Defendant and now has the file; requested a briefing schedule be set. COURT SO ORDERED, as follows:

Opening due 11/22/02 Response due 12/20/02 Reply due 1/24/02

Matter set for hearing.

NDC

2/5/03 9:00 AM ARGUMENT: POST-CONVICTION WRIT

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 02, 2004**

98C154293-2

The State of Nevada vs Brendan J Nasby

**February 02, 2004****9:00 AM****Motion for Substitution**

**DEFT'S PRO PER  
MTN FOR  
SUBSTITUTION  
COUNSEL/54 Court  
Clerk: Amber Farley  
Reporter/Recorder:  
Kristine Cornelius  
Heard By: Nancy  
Saitta**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Owens, Steven S.

Attorney

**JOURNAL ENTRIES**

- Court noted that prior appointed counsel, Ms. Teicher, has gone to the Federal Public Defender's office, and ORDERED, new counsel is appointed.

NDC

CLERK'S NOTE: The Clerk contacted Tony Sgro, who stated he would accept the appointment, and confirmed as counsel. Status check date set in court for confirmation is changed to a status check on the setting of a briefing schedule.

3/1/04 9:00 AM STATUS CHECK: BRIEFING SCHEDULE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 01, 2004**

98C154293-2

The State of Nevada vs Brendan J Nasby

**March 01, 2004****9:00 AM****Status Check**

**STATUS CHECK:**  
**BRIEFING**  
**SCHEDULE Court**  
**Clerk: Amber Farley**  
**Reporter/Recorder:**  
**Dick Kangas Heard**  
**By: Nancy Saitta**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Owens, Steven S.  
 Sgro, Anthony P.

Attorney  
 Attorney

**JOURNAL ENTRIES**

- Mr. Sgro stated the writ was filed in July 2002 and never litigated, and recounted the procedural history regarding the writ. Mr. Sgro stated the writ was filed 1/30/02, which cures the one-year time bar. Mr. Owens requested that issue be argued, stating that good cause must be shown for the delay. Bench conference. The Court set a briefing schedule, as follows: Opening due 9/3/04; Response due 11/12/04; Reply due 11/17/04; and matter set for argument.

NDC

1/10/05 9:00 AM ARGUMENT: WRIT

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 02, 2005**

98C154293-2

The State of Nevada vs Brendan J Nasby

**March 02, 2005****9:00 AM****Hearing**

**ARGUMENT: POST-  
CONVICTION  
WRIT Court Clerk:  
Kristen Brown  
Reporter/Recorder: Jo  
Anne Pierpont  
Heard By: Cory, Ken**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
Sgro, Anthony P.

Attorney  
Attorney

**JOURNAL ENTRIES**

- At the request of counsel, COURT ORDERED, matter CONTINUED to be heard in front of Judge Saitta.  
NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****May 02, 2005**

98C154293-2

The State of Nevada vs Brendan J Nasby

**May 02, 2005****9:00 AM****Hearing**

**ARGUMENT: POST-  
CONVICTION  
WRIT Relief Clerk:  
Jennifer Kimmel  
Reporter/Recorder: Jo  
Anne Pierpont  
Heard By: Nancy  
Saitta**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
Sgro, Anthony P.

Attorney  
Attorney

**JOURNAL ENTRIES**

- Argument by counsel. COURT NOTED, an Evidentiary Hearing shall be conducted to ascertain if the conduct of the trial attorney rises to a level of effectiveness in this matter. Court additionally STATED that ineffectiveness at the appellate level may or may not be the result of certain issues not being raised. COURT directed counsel to limit testimony to Mr. Santacroce and Mr. Sciscento at the upcoming hearing. Discussion regarding tactical decisions for trial. COURT ORDERED, Evidentiary Hearing set.

NDC

6/10/05 9:00 A.M. EVIDENTIARY HEARING: TRIAL STRATEGY (INEFFECTIVE ASSISTANCE OF COUNSEL)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****September 02, 2005**

98C154293-2

The State of Nevada vs Brendan J Nasby

**September 02, 2005****11:00 AM****Evidentiary Hearing**

**EVIDENTIARY  
HEARING RE:  
TRIAL STRATEGY  
(INEFFECTIVE  
ASSISTANCE OF  
COUNSEL) Relief  
Clerk: Theresa Lee  
Reporter/Recorder: Jo  
Anne Pierpont  
Heard By: Saitta,  
Nancy M**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Michaelides, Thomas C.

Attorney

**JOURNAL ENTRIES**

- (Witnesses present, Joseph Sciscento, Esq. and Frederick Santacroce, Esq.)

Deft not present. Mr. Michaelides contacted Mr. Sgro whom he is appearing for and was informed he wanted the deft present for the hearing. COURT ORDERED, hearing CONTINUED, State to prepare a new Order to Transport. Counsel believed the hearing could take one hour.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****September 26, 2005**

98C154293-2

The State of Nevada vs Brendan J Nasby

**September 26, 2005****10:30 AM****Evidentiary Hearing**

**EVIDENTIARY  
HEARING RE:  
TRIAL STRATEGY  
(INEFFECTIVE  
ASSISTANCE OF  
COUNSEL) Court  
Clerk: Kristen Brown  
Reporter/Recorder: Jo  
Anne Pierpont  
Heard By: Saitta,  
Nancy M**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
Nasby, Brendan J

Attorney  
Defendant

**JOURNAL ENTRIES**

- Court advised the deft. that it received information that the deft. was not transported and called off Mr. Sciscento, therefore, ORDERED, matter CONTINUED.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****November 09, 2005**

98C154293-2

The State of Nevada vs Brendan J Nasby

**November 09, 2005****10:30 AM****Evidentiary Hearing**

**EVIDENTIARY  
HEARING RE:  
TRIAL STRATEGY  
(INEFFECTIVE  
ASSISTANCE OF  
COUNSEL) Court  
Clerk: Kristen Brown  
Reporter/Recorder: Jo  
Anne Pierpont  
Heard By: Nancy  
Saitta**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Michaelides, Thomas C.

Attorney

Nasby, Brendan J

Defendant

**JOURNAL ENTRIES**

- Frederick Santacroce, Esq. and Joseph Sciscento, Esq., sworn and testified. Argument by Mr. Coumou. Mr. Michaelides requested to file a written response. Court stated it will give Mr. Michaelides 30 days to file a written response and will give the State 30 days to file a reply. COURT ORDERED, matter set for argument.

NDC

1/11/06 11:00 AM ARGUMENT

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 11, 2006**

98C154293-2

The State of Nevada vs Brendan J Nasby

**January 11, 2006****11:00 AM****Hearing**

**ARGUMENT Court**  
**Clerk: Kristen Brown**  
**Reporter/Recorder: Jo**  
**Anne Pierpont**  
**Heard By:**  
**Pavlikowski, Joseph**  
**S.**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
 Nasby, Brendan J

Attorney  
 Defendant

**JOURNAL ENTRIES**

- COURT ORDERED, matter CONTINUED.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 15, 2006**

98C154293-2

The State of Nevada vs Brendan J Nasby

**February 15, 2006****11:00 AM****Hearing**

**ARGUMENT Court  
Clerk: Kristen Brown  
Reporter/Recorder: Jo  
Anne Pierpont  
Heard By: Saitta,  
Nancy M**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank

Attorney

Michaelides, Thomas C.

Attorney

Nasby, Brendan J

Defendant

**JOURNAL ENTRIES**

- Mr. Coumou advised the Court that he just received deft's supplemental pleading and is prepared to respond. COURT ORDERED, matter CONTINUED for oral argument.  
NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 27, 2006**

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98C154293-2

The State of Nevada vs Brendan J Nasby

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**February 27, 2006****10:30 AM****Hearing**

**ARGUMENT Court  
Clerk: Kristen Brown  
Reporter/Recorder: Jo  
Anne Pierpont  
Heard By: Saitta,  
Nancy M**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
Nasby, Brendan J

Attorney  
Defendant

**JOURNAL ENTRIES**

- COURT ORDERED, matter CONTINUED.  
NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****March 27, 2006**

98C154293-2

The State of Nevada vs Brendan J Nasby

**March 27, 2006****10:30 AM****Hearing**

**ARGUMENT Relief**  
**Clerk: Cynthia**  
**Georgilas**  
**Reporter/Recorder: Jo**  
**Anne Pierpont**  
**Heard By: Nancy**  
**Saitta**

**HEARD BY:****COURTROOM:****COURT CLERK:****RECORDER:****REPORTER:****PARTIES****PRESENT:**

Coumou, Frank  
 Nasby, Brendan J  
 Sgro, Anthony P.

Attorney  
 Defendant  
 Attorney

**JOURNAL ENTRIES**

- Mr. Sgro summarized the facts of the case. Argument by Mr. Sgro regarding counsel's representation at the time of trial. Argument by Mr. Coumou regarding potential alibi witness and handwriting expert, and requested the Court deny Defendant's Post Conviction for Writ of Habeas Corpus. Court FINDS, the decisions by counsel were reasonable and within the discretion of decision making and the evidence does not support ineffective assistance of counsel and therefore counsels' actions were effective. Mr. Coumou to prepare the Order.  
 NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****April 27, 2011**

98C154293-2

The State of Nevada vs Brendan J Nasby

**April 27, 2011****8:15 AM****Petition for Writ of Habeas  
Corpus****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Phyllis Irby**RECORDER:** Richard Kangas**REPORTER:****PARTIES****PRESENT:**Raman, Jay  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Deft not present. Mr. Sgro Deft's counsel not present. COURT ORDERED, MATTER CONTINUED.  
Mr. Sgro needs to be present next date to make representations.

NDC

5-11-11 8:00 AM SAME (DEPT. XVIII)

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Felony/Gross Misdemeanor****COURT MINUTES****May 11, 2011**

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98C154293-2

The State of Nevada vs Brendan J Nasby

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**May 11, 2011****8:15 AM****Petition for Writ of Habeas  
Corpus****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Roshonda Mayfield**RECORDER:** Richard Kangas**REPORTER:****PARTIES****PRESENT:**Raman, Jay  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Court advised, Defense counsel is not present for today's matter. This matter has been passed twice for counsel to provide additional information. The State has filed a response and defense counsel has failed to file documents. Therefore, this Court will render a decision based upon what has been presented to the Court. COURT ORDERED, petition DENIED under NRS 34.726 and NRS 34.810 as being excessively time barred. The State is to prepare the order of Conclusions of Law and/or the Procedural Grounds.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****June 20, 2011**

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98C154293-2

The State of Nevada vs Brendan J Nasby

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**June 20, 2011****8:15 AM****Motion****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** Billie Jo Craig**RECORDER:** Richard Kangas**REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- Deputy District Attorney Frank Ponticello present for the State. Kevin Leik appearing for Anthony Sgro representing defendant. Defendant not present.

Colloquy regarding status of case. COURT ORDERED, Defendant's Pro Per Motion is DENIED. At request of Mr. Leik, COURT ORDERED, Sgro allowed to WITHDRAW as Counsel of Record. RECALLED LATER. The State advised the Findings of Facts and Conclusions of Law were previously filed and forwarded to defendant at Ely.

NDC

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****July 14, 2014**

98C154293-2

The State of Nevada vs Brendan J Nasby

**July 14, 2014****8:15 AM****Motion****Deft's Pro Per Motion  
to Expand the Record****HEARD BY:** Barker, David**COURTROOM:** RJC Courtroom 11B**COURT CLERK:** April Watkins**RECORDER:** Cheryl Carpenter**REPORTER:****PARTIES****PRESENT:**Burton, Chris  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Per review, Supreme Court Remittitur, over two years ago, order of affirmance of the denial of post-conviction petition noting certain procedurally aspects that Deft. did not meet in the first instance as a result of the jury verdict from 1999. Deft. request to expand record even though Deft. has not persuaded any Court during the time he has been in custody on this first degree murder conviction and wishes to expand the record regarding aggregation of consecutive sentences. Court FINDS no basis under Chapter 34 by which this relief could be remotely granted, no basis therefore to expand record, no basis to spend tax payer monies in that fashion and ORDERED, motion DENIED.

NDC

CLERK'S NOTE: The above minute order has been distributed to: Brendan James Nasby #63618, Lovelock Correctional Center, 1200 Prison Road, Lovelock, NV 89419. aw

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 07, 2015**

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98C154293-2

The State of Nevada vs Brendan J Nasby

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**January 07, 2015****8:30 AM****Motion****Defendant's Pro Per  
Motion for  
Evidentiary Hearing****HEARD BY:** Kephart, William D**COURTROOM:** RJC Courtroom 03E**COURT CLERK:** Ying Pan**RECORDER:** Christine Erickson**REPORTER:****PARTIES****PRESENT:**Overly, Sarah  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Defendant not present.

COURT FINDS, the motion is premature, and ORDERED, Motion DENIED. State to prepare a proposed Order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****January 12, 2015**

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98C154293-2

The State of Nevada vs Brendan J Nasby

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**January 12, 2015****8:30 AM****Motion for Appointment of  
Attorney****Defendant's Pro Per  
Motion for  
Appointment of  
Counsel****HEARD BY:** Kephart, William D**COURTROOM:** RJC Courtroom 03E**COURT CLERK:** Ying Pan**RECORDER:** Christine Erickson**REPORTER:****PARTIES****PRESENT:**Burton, Chris  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- Defendant not present.

COURT FINDS, Defendant did not meet the prerequisite, and ORDERED, Motion DENIED. State to prepare a proposed Order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 18, 2015**

98C154293-2

The State of Nevada vs Brendan J Nasby

**February 18, 2015****8:30 AM****Motion for Leave**

**Defendant's Pro Per  
Motion for Leave of  
Court to File  
Renewed Motion for  
Appointment of  
Counsel**

**HEARD BY:** Kephart, William D**COURTROOM:** RJC Courtroom 03E**COURT CLERK:** Ying Pan**RECORDER:** Christine Erickson**REPORTER:****PARTIES****PRESENT:**

Keeler, Brett O.  
State of Nevada

Attorney  
Plaintiff

**JOURNAL ENTRIES**

- Defendant not present.

Court NOTED, this Motion was heard previously, Defendant has not established anything overcoming the prerequisites. COURT ORDERED, Motion DENIED.

NDC

CLERK'S NOTE: The above minute order has been distributed via U.S. Regular Mail to: Defendant:

Brendan Nasby #63618  
Lovelock Correctional Center  
1200 Prison Road  
Lovelock, NV 89419

PRINT DATE: 03/16/2015

Page 81 of 84

Minutes Date: October 27, 1998

98C154293-2

- YP 2-24-15

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Felony/Gross Misdemeanor****COURT MINUTES****February 25, 2015**

98C154293-2

The State of Nevada vs Brendan J Nasby

**February 25, 2015****8:30 AM****All Pending Motions****HEARD BY:** Kephart, William D**COURTROOM:** RJC Courtroom 03E**COURT CLERK:** Ying Pan**RECORDER:** Christine Erickson**REPORTER:****PARTIES****PRESENT:**Benedict, Susan M  
State of NevadaAttorney  
Plaintiff**JOURNAL ENTRIES**

- DEFENDANT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS ... STATE'S RESPONSE AND MOTION TO DISMISS TO DEFENDANT'S PRO PER PETITION FOR WRIT OF HABEAS CORPUS

Defendant not present.

COURT ORDERED, State's Motion to Dismiss to Defendant's Petition GRANTED and Defendant's Petition for Writ of Habeas Corpus DENIED. State to prepare a proposed Order including finding of facts and conclusion of law.

CLERK'S NOTE: The above minute order has been distributed via U.S. Regular Mail to: Defendant:

BRENDAN JAMES NASBY #63618  
LOVELOCK CORRECTIONAL CENTER  
1200 PRISON ROAD  
LOVELOCK, NV 89419

- YP 2-26-15



## Exhibit List

Case: 98C154293-2 Party: Sort Order: Status Defendant Name: Nasby, Brendan DOB  
J

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P	Plaintiff			JUSTICE COURT EXHIBITS		State of Nevada	District Court Criminal/Civil 11/13/1998	Evidence Vault
	<b>Comment:</b> ExhibitID : 40094							
P-13	Plaintiff			13 & 14 NOT PROVIDED		State of Nevada		
	<b>Comment:</b> ExhibitID : 52388							
P-16	Plaintiff			16 THRU 19 NOT PROVIDED		State of Nevada		
	<b>Comment:</b> ExhibitID : 52390							
P-52	Plaintiff			EVIDENCE BAG (RELEASED BY CLERK)		State of Nevada		
	<b>Comment:</b> ExhibitID : 52394							
P-54	Plaintiff			54 & 55 WITHDRAWN		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
	<b>Comment:</b> ExhibitID : 52397							
P-59	Plaintiff			COPY OF "THE GIRL'S" STATEMENT		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
	<b>Comment:</b> ExhibitID : 52399							
P-60	Plaintiff			COPY OF LIST OF NAMES & ADDRESSES		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
	<b>Comment:</b> ExhibitID : 52400							
P-61	Plaintiff			NOT PROVIDED		State of Nevada		
	<b>Comment:</b> ExhibitID : 52401							

## Exhibit List

Case: 98C154293-2 Party: Sort Order: Status Defendant Name: Nasby, Brendan DOB  
J

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P-70	Plaintiff			LETTER		State of Nevada	District Court Criminal/Civil 01/01/1900	Evidence Vault
<b>Comment:</b> ExhibitID : 52405								
P-1	Plaintiff	Admitted 10/12/1999		HANDWRITTEN NOTES		State of Nevada	District Court Criminal/Civil 10/12/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 49436 NO OBJECTION								
P-2	Plaintiff	Admitted 10/12/1999		HANDWRITTEN STATEMENT		State of Nevada	District Court Criminal/Civil 10/12/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 49437 NO OBJECTION								
P-01	Plaintiff	Admitted 11/29/1999		SMALL PHOTO		State of Nevada	District Court Criminal/Civil 11/29/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 49438 NO OBJECTION								
P--1	Plaintiff	Admitted 10/13/1999		1 THRU 3 BLOW-UPS		State of Nevada	District Court Criminal/Civil 10/13/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52384 NO OBJECTION								
P-4	Plaintiff	Admitted 10/13/1999		SEALED EVIDENCE ENVELOPE & CONTENTS		State of Nevada	District Court Criminal/Civil 10/13/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52385 NO OBJECTION								

## Exhibit List

Case: 98C154293-2 Party: Sort Order: Status Defendant Name: Nasby, Brendan DOB  
J

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P-5	Plaintiff	Admitted 10/13/1999		EVIDENCE ENVELOPE W/ 5A-D CONTENTS		State of Nevada	District Court Criminal/Civil 10/13/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52386 NO OBJECTION								
P-6	Plaintiff	Admitted 10/13/1999		6 THRU 12 PHOTOS		State of Nevada	District Court Criminal/Civil 10/13/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52387 NO OBJECTION								
P-15	Plaintiff	Admitted 10/13/1999		PHOTO		State of Nevada	District Court Criminal/Civil 10/13/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52389 NO OBJECTION								
P-20	Plaintiff	Admitted 10/13/1999		20 THRU 40 PHOTOS		State of Nevada	District Court Criminal/Civil 10/13/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52391								
P-41	Plaintiff	Admitted 10/13/1999		EVIDENCE ENVELOPE W/ 41A-G CONTENTS		State of Nevada	District Court Criminal/Civil 10/13/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52392 NO OBJECTION								
P-42	Plaintiff	Admitted 10/13/1999		42 THRU 51 PHOTOS		State of Nevada	District Court Criminal/Civil 10/13/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52393 OBJECTION								

## Exhibit List

Case: 98C154293-2 Party: Sort Order: Status Defendant Name: Nasby, Brendan DOB  
J

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
P-52A	Plaintiff	Admitted 10/14/1999		52A THRU 52C CONTENTS OF BAG		State of Nevada	District Court Criminal/Civil 10/14/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52395 NO OBJECTION								
P-53	Plaintiff	Admitted 10/14/1999		PHOTO		State of Nevada	District Court Criminal/Civil 10/14/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52396 NO OBJECTION								
P-56	Plaintiff	Admitted 10/14/1999		56 THRU 58 PHOTOS		State of Nevada	District Court Criminal/Civil 10/14/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52398 NO OBJECTION								
P-62	Plaintiff	Admitted 10/14/1999		62 THRU 65 PHOTOS		State of Nevada	District Court Criminal/Civil 10/14/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52402 NO OBJECTION								
P-66	Plaintiff	Admitted 10/14/1999		66 & 67 FORENSIC REPORTS		State of Nevada	District Court Criminal/Civil 10/14/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52403 STIPULATION								
P-68	Plaintiff	Admitted 10/15/1999		68 & 69 JUDGMENT OF CONVICTIONS		State of Nevada	District Court Criminal/Civil 10/15/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52404 NO OBJECTION								

## Exhibit List

Case: 98C154293-2 Party: Sort Order: Status Defendant Name: Nasby, Brendan DOB J

Exhibit ID	On Behalf Of	Status/Date	Return/Destroy Date	Type and Description	Exhibit Flag	Source	In Custody Of	Location
D/A	Defendant	Admitted 10/13/1999		AUTOPSY REPORT		Nasby, Brendan J	District Court Criminal/Civil 10/13/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52406 NO OBJECTION								
D/B	Defendant	Admitted 10/15/1999		B & C 0CARTRIDGE CASE WORKSHEETS		Nasby, Brendan J	District Court Criminal/Civil 10/15/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52407 OBJECTION								
D/D	Defendant	Admitted 10/15/1999		D & E HANDWRITTEN NOTES		Nasby, Brendan J	District Court Criminal/Civil 10/15/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52408 NO OBJECTION								
D/F	Defendant	Admitted 10/15/1999		F THRU I COPY OF VIDEOPRINTS OF BULLET		Nasby, Brendan J	District Court Criminal/Civil 10/15/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52409 NO OBJECTION								
D/J	Defendant	Admitted 10/15/1999		J & K HANDWRITTEN NOTES		Nasby, Brendan J	District Court Criminal/Civil 10/15/1999	Evidence Vault
<b>Comment:</b> ExhibitID : 52410 NO OBJECTION								



**EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE**  
**NOTICE OF DEFICIENCY**  
**ON APPEAL TO NEVADA SUPREME COURT**

**BRENDAN NASBY #63618**  
**1200 PRISON RD.**  
**LOVELOCK, NV 89419**

**DATE: March 16, 2015**  
**CASE: C154293-2**

**RE CASE: STATE OF NEVADA vs. BRENDAN J. NASBY**

NOTICE OF APPEAL FILED: March 13, 2015

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:

- ☐ Case Appeal Statement  
- NRAP 3 (a)(1), Form 2
- ☒ Order
- ☒ Notice of Entry of Order

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NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT  
DOCKET ENTRIES; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

STATE OF NEVADA,

Plaintiff(s),

vs.

BRENDAN J. NASBY,

Defendant(s).

Case No: 98C154293-2

Dept No: XIX

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 16 day of March 2015

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk