COURT FURTHER ORDERED, pursuant to NRS 484C.340, 484C.460, prior to any reinstatement of driving privileges, the Defendant shall have an Interlock Device installed and inspected on Defendant's vehicle at Defendant's expense for a period of not less than 12 months nor more than 36 months, said period to commence after any period of imprisonment, residential confinement, confinement in a treatment facility or on parole or probation.

THEREAFTER, a clerical error having been discovered, the Amended Judgement of Conviction reflects the following correction: **Court deletes reference to a $60.00 Chemical Analysis Fee and further orders that the Defendant pay a $60.00 Drug Analysis Fee.**

Dated this 23rd day of January, 2024

Carli Kierny

0CA 5AF 2407 8743
Carli Kierny
District Court Judge

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

State of Nevada	CASE NO: C-23-371033-1
vs	DEPT. NO. Department 2
Fernando Reyes	

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Amended Judgment of Conviction was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 1/23/2024

Rosa Ramos	rosa@craigmuellerlaw.com
Craig Mueller	electronicservice@craigmuellerlaw.com
Patrick Hardy	PMHardy@strategicpi.com
Lawrence Phillips	lawrence@craigmuellerlaw.com
Steven Wolfson	motions@clarkcountyda.com
Yu Meng	yu.meng@clarkcountyda.com
Dulce Gomez	dulce@craigmuellerlaw.com

Electronically Filed
1/24/2024 5:09 PM
Steven D. Grierson
CLERK OF THE COURT

NOT
FERNANDO REYES
Inmate Name, ID 1279234
High Desert State Prison
P.O. Box 650
Indian Springs, Nevada 89070-0650
IN PROPER PERSON

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA

Plaintiff,

vs.

FERNANDO REYES,

Defendant.

Case No. **C-23-371033-1**

Dept No. II

NOTICE OF APPEAL

PURSUANT TO NRS 266.595, notice is hereby given that FERNANDO REYES, the Defendant above named, hereby appeals to the Supreme Court of Nevada from the Final Judgment entered in this action on January 16, 2024.

DATED this 24th day of January 2024.

By */s/ Fernando Reyes*
FERNANDO REYES
Inmate Name, ID 1279234
High Desert State Prison
P.O. Box 650
Indian Springs, Nevada 89070-0650
IN PROPER PERSON

CERTIFICATE OF ELECTRONIC SERVICE

I HEREBY CERTIFY that on the 24th of January 2024, I served a true and correct copy of the **NOTICE OF APPEAL** upon each of the parties by electronic service through Odyssey/Wiznet, the Eighth Judicial Court's e-filing/e-service system, pursuant to N.E.F.C.R.9; addressed as follows:

Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89101
motions@clarkcountyda.com
pdmotions@clarkcountyda.com

/s/ Fernando Reyes
FERNANDO REYES
Inmate Name, ID 1279234
High Desert State Prison
P.O. Box 650
Indian Springs, Nevada 89070-0650
IN PROPER PERSON

Electronically Filed
1/25/2024 8:51 AM
Steven D. Grierson
CLERK OF THE COURT

ASTA

IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA IN AND FOR THE COUNTY OF CLARK

STATE OF NEVADA,

Plaintiff(s),

vs.

FERNANDO REYES, aka, FERNANDO JOSE REYES,

Defendant(s),

Case No: C-23-371033-1

Dept No: II

CASE APPEAL STATEMENT

1. Appellant(s): Fernando Reyes

2. Judge: Carli Kierny

3. Appellant(s): Fernando Reyes

Counsel:

Fernando Reyes #1279234
P.O. Box 650
Indian Springs, NV 89070

4. Respondent: The State of Nevada

Counsel:

Steven B. Wolfson, District Attorney
200 Lewis Ave.

Case Number: C-23-371033-1

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. Has Appellant Ever Been 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: January 25, 2023

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

    Type of Judgment or Order Being Appealed: Judgment of Conviction

11. Previous Appeal: No

    Supreme Court Docket Number(s): N/A

12. Child Custody or Visitation: N/A

Dated This 25 day of January 2024.

Steven D. Grierson, Clerk of the Court

/s/ Cierra Borum
Cierra Borum, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512

cc: Fernando Reyes

#7767331

BAIL BOND

FILED
JUN 22 2023
CLERK OF COURT

In the Las Vegas District Court, County of Clark, State of Nevada.

STATE OF NEVADA

vs.

Bail Bond No: U250-2512502
(Power of attorney with this number must be attached.)

Exonerated

Defendant: Reyes, Fernando Case No. C-23-371033-1

PLEASE TAKE NOTICE:

That Defendant Fernando Reyes /Principal, and **United States Fire Insurance Company** as surety, heretofore authorized to transact bail bonds in the State of Nevada, are held and bound, to the above court, for payment in the sum of: Two Hundred Thousand Dollars whereof, we bind ourselves, our heirs, executors, administrators, and successors, and assigns, jointly, severally, and firmly, to this obligation. The condition of this obligation is such that Defendant shall appear at all scheduled court appearances to answer the charge(s) of:
DUI, ABOVE LEGAL LIMIT, R/D (X4CTS); Reckless Driving, R/D OSOBH (X4CTS)
Duty to Stop at Scene of Accnt W/DOPI (X4CTS)
and not depart the same without leave of court.

Exonerated

Pursuant to NRS 178.502, this bond:

(a) Extends to any action or proceeding in a Justice Court, Municipal Court or District Court: Arising from the charge on which bail was first given in any of these courts; and
(b) Remains in effect until exonerated by the Court.

The general legal requirements applicable to bail bonds, bail agents, and surety insurers (including, but not limited to, NRS Chapter 178 and NRS Chapter 697) apply to this bail bond and are hereby incorporated by reference.

Signed and sealed this 19th day of June, 2023

Signature

UNSWORN DECLARATION: Per NRS 53.045
"I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct."

Executed on: *(Date)*: June 19, 2023
(Signature):
(Typed or printed name): Heather Brooks
(Bail Agent License Number) 893896

C-23-371033-1
BAB
Bail Bond
5036864

By
Brooks Brothers Bail Bonds LLC
2657 Windmill Pkwy #586
Henderson NV 89074
(702) 989-8688 fax (702) 933-3248

Exonerated

United States Fire Insurance Company
11490 Westheimer Rd Suite 300
Houston, TX 77077
(713) 954-8100 fax (713) 954-8389

FOR SECURITY PURPOSES, THE FACE OF THIS DOCUMENT CONTAINS A VOID PANTOGRAPH PRINTED ON SECURITY PAPER WITH A TRUE WATERMARK

UNITED STATES FIRE INSURANCE COMPANY
11490 Westheimer Rd., Suite 300 • Houston, TX 77077
P.O. Box 2807 • Houston, Texas 77252-2807
(713) 954-8100 (713) 954-8368 FAX

POWER OF ATTORNEY

POWER NO. ***U250-21512502***

POWER AMOUNT $ ***250,000.00***

This Power of Attorney is granted pursuant to Article IV of the By-Laws of UNITED STATES FIRE INSURANCE COMPANY as now in full force and effect. Article IV, Execution of Instruments. Except as the Board of Directors may authorize by resolution, the Chairman of the Board, President, Vice President, Assistant Vice President, Secretary or any Assistant Secretary shall have power on behalf of the Corporation: (a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business, including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements; (b) to appoint in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a) including affixing the seal of the Corporation. Authority of such Attorney-In-Fact is limited to appearance bonds and cannot be construed to guarantee defendants future lawful conduct, adherence to travel limitations, fines, restitution, payments or penalties of any other conditions imposed by a court not specifically related to court appearance.

Brook's Panthers Bail Bonds 1057 Windmill Pkwy #586 Henderson NV 89074

This Power of Attorney is for use with Bail Bonds only. Not valid if used in connection with Federal Bonds or Immigration Bonds. This power void if altered or erased, void if used with other powers of this Company or in combination with powers from any other surety company, void if used to furnish bail in excess of the stated face amount of this power, and can only be used once.

The obligation of the Company shall not exceed the sum of ***Two Hundred Fifty Thousand Dollars and Zero Cents*** **and provided this Power of Attorney is filed with the bond and retained as a part of the court records. The said Attorney-In-Fact is hereby authorized to insert in this Power of Attorney the name of the person on whose behalf this bond was given.**

IN WITNESS WHEREOF, UNITED STATES FIRE INSURANCE COMPANY, has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 19th (DAY) of June (MONTH) 2023 (YEAR)

Bond Amount $ 200,000.00 Gross Premium $ _____

Defendant Reyes, Fernando

Charges DUI, 2nd Offense Within Limit, 2/10 (x4cts); Reckless Driving; R/DOSBH (x4cts); Duty to Stop at Scene of Accident (Prop); Failure to Maintain Lane

Court Las Vegas District

Case No. C-23-371033-1

City Las Vegas State NV

If rewrite, original No. _____

Executing Agent Brook Brooks / Hortmar Brooks
NAME

By: _____
Michael Ziemer
Senior Vice President

VOID IF NOT ISSUED BY: 06/30/2023

FOR STATE USE ONLY
NOT VALID IF USED IN FEDERAL COURT

S-0075US REV. (06/18)

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES A SECURITY BACKER

COURT COPY

BOND EXONERATED _____
STEVEN D. GRIERSON
CLERK OF THE COURT
BY _____ KAYE JENKS _____, DEPUTY

1/10/2024 C371033-1

C-23-371033-1

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor | **COURT MINUTES** | **March 19, 2024**

C-23-371033-1 State of Nevada
vs
Fernando Reyes

Department 2

March 19, 2024 **09:00 AM** **Appointment of Counsel**

HEARD BY: Kierny, Carli **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Sancen, Jessica

RECORDER: Kirkpatrick, Jessica

REPORTER:

PARTIES PRESENT:

Chad N. Lexis	**Attorney for Plaintiff**
Public Defender	**Attorney for Defendant**
State of Nevada	**Plaintiff**

JOURNAL ENTRIES

Ms. Murray accepted as counsel on behalf of the Public Defender's office. COURT ORDERED, COUNSEL CONFIRMED.

NDC

Electronically Filed
4/4/2024 12:22 PM
Steven D. Grierson
CLERK OF THE COURT

RTRAN

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,	)	
	)	
Plaintiff,	)	CASE NO. C-23-371033-1
	)	
vs.	)	DEPT. NO. XXX
	)	
FERNANDO REYES,	)	
	)	
Defendant.	)	
	)	

BEFORE THE HONORABLE JERRY A. WIESE, DISTRICT COURT JUDGE

WEDNESDAY, JANUARY 25, 2023

RECORDER'S TRANSCRIPT OF PROCEEDING:

GRAND JURY INDICTMENT

APPEARANCES:

For the State: MICHAEL DONOVAN ALLMON, ESQ.,
Deputy District Attorney

SAMUEL R. KERN, ESQ.,
Chief Deputy District Attorney

ALSO PRESENT: GARY DYMSKI, GRAND JURY FOREPERSON

RECORDED BY: VANESSA MEDINA, COURT RECORDER

LAS VEGAS, NEVADA; WEDNESDAY, JANUARY 25, 2023

[Proceeding commenced at 11:07 a.m.]

MR. KERN: Yesterday, the Grand Jury met on grand jury case number 21AGJ168X and by a vote of 12 or more returned a true bill against Fernando Reyes on the following charges: 4 counts of driving under the influence resulting in death, 4 counts of reckless driving resulting in death, and 4 counts of leaving the scene of an accident involving death or personal injury.

THE COURT: Mr. Foreperson, did at least 12 members of the Grand Jury concur in finding a true bill on each count as to this defendant charged in the Indictment?

MS. FOREPERSON: Yes, Your Honor.

THE COURT: Thank you. The Indictment will be filled and received case number C-23-371033-1, will be assigned to Department 2. State's position as to a warrant or summons?

MR. ALLMON: Your Honor, the State will be requesting a warrant. Additionally, there was a Valdez-Jimenez hearing in IA Court where it was determined that $200,000 would be an appropriate bail. We'd ask that the $200,000 remain the same. Additionally, there was a High Level Electronic Monitoring attached to that.

THE COURT: All right. Good cause appearing, if there was already a Valdez-Jimenez hearing, I think that that suffices, warrant will issue with $200,000 bail with High Level Electronic Monitoring. Looks like there are a bunch of Exhibits. Exhibit 5

was withdrawn but you're asking for Exhibits 1, 2, 2a, 3, 4, 6 through 42, and 42a be lodged with the Clerk. Is that correct?

MR. ALLMON: That is correct, Your Honor.

THE COURT: Those Exhibits will be lodged with the Clerk. Court will order a Pretrial Risk Assessment. Any material witness warrants that need to be quashed?

MR. ALLMON: No, Your Honor.

THE COURT: Okay. We will give you a one-week return date of --

THE CLERK: February 1st at 9:30 a.m. in Department 2.

THE COURT: All right. That's it; right?

MR. KERN: That's it.

THE COURT: Thanks, guys. Appreciate your time.

[Proceeding concluded at 11:09 a.m.]

* * * * * *

ATTEST: I do hereby certify that I have truly and correctly transcribed the audio/video proceedings in the above-entitled case to the best of my ability.

V Medina

Vanessa Medina
Transcriber

Electronically Filed
4/4/2024 7:47 AM
Steven D. Grierson
CLERK OF THE COURT

RTRAN

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, vs. FERNANDO REYES, Defendant.	CASE#: C-23-371033-1 DEPT. II

BEFORE THE HONORABLE CARLI KIERNY, DISTRICT COURT JUDGE

WEDNESDAY, FEBRUARY 1, 2023

RECORDER'S TRANSCRIPT OF HEARING:

INDICTMENT WARRANT RETURN INITIAL ARRAIGNMENT

APPEARANCES:

For the State: YU MENG, ESQ.
Chief Deputy District Attorney

For the Defendant: CRAIG MUELLER, ESQ.

RECORDED BY: JESSICA KIRKPATRICK, COURT RECORDER

Las Vegas, Nevada, Wednesday, February 1, 2023

[Case called at 9:38 a.m.]

THE COURT: Fernando Reyes, C371033.

THE COURT CLERK: He left, sorry.

THE COURT: Have a seat Mr. Reyes. Mr. Mueller just stepped out.

[Case trailed at 9:38 a.m.]

[Case recalled at 9:41 a.m.]

THE COURT: All right. Mr. Mueller, did I see him walk in? Oh there he is.

MR. MUELLER: Judge, I'm hiding from you though.

THE COURT CLERK: Page 7.

THE COURT: All right. Page 7, Fernando Reyes, C371033.

MR. MUELLER: Good morning, Fernando, how are you, sir?

THE DEFENDANT: Basically I'm good.

MR. MUELLER: It is my --

THE COURT: This is on for an indictment warrant return, initial arraignment.

Mr. Meng, can you let me know where we're at here. We do have another case, C-23-370576-1 set for trial.

MR. MENG: Right, Your Honor, we can keep the trial date. The State is going to invoke too. I'll be ready on that.

THE COURT: Wait, wait, wait, so is this the same facts --

MR. MENG: Yeah.

THE COURT: -- that are from that case?

MR. MENG: Correct.

THE COURT: And so you'll be dismissing that case?

MR. MENG: At this point, yes, Your Honor. We're -- yes, we can keep -- the same -- we got the same district court number. So I wasn't sure how exactly we're going to do that.

THE COURT: Okay.

MR. MENG: The 370576 from the Chief Judge. So if Your Honor wants to dismiss the original --

THE COURT: Hang on. Let me look and see.

MR. MENG: Yeah.

THE COURT: I had looked up -- what are the two cases you have? Do you have two different case numbers, Mr. Mueller?

MR. MUELLER: I had thought he was issued a superseding indictment, I hadn't realized --

THE COURT: If it's a superseding, then we can proceed under that and maybe I got it wrong.

MR. MENG: Oh, I apologize, Your Honor. It appears my -- there's some discrepancies in my note. The new case number I got is 371033.

THE COURT: Yes.

MR. MENG: So, yes, Your Honor, I move to dismiss the old case.

THE COURT: Okay. Do you have an indictment --

MR. MENG: Yes, Your Honor.

THE COURT: -- that you can give to Mr. Mueller for the 371033 case?

MR. MENG: Yes, Your Honor.

MR. MUELLER: And since my colleague has indicated that this is the same basic information, may he at least give -- enlighten me with the basic differences in this indictment versus the last one was.

MR. MENG: We fixed the charging language -- we -- I believe I added the marijuana as a basis of impairment. Which is frankly at that -- at the point of the initial arraignment, Mr. Mueller should be aware of. That is the basic difference. We did add based on new information two additional victims based on their degree of injuries. But the facts is --

THE COURT: And that was all presented to the grand jury, correct?

MR. MENG: Yes, Your Honor.

MR. MUELLER: I'm going to ask for 21 days to writ. And my colleague has spoke with me briefly. I'm handing him a --

MR. MENG: Oh yes, thank you.

MR. MUELLER: -- thumb drive --

THE COURT: Okay.

MR. MUELLER: -- for the discovery on the new indictment.

THE COURT: So at this point we're ready. Has Mr. Reyes had a chance to review that I can arraign him off of it or do you need a moment to go over that with him?

MR. MUELLER: I was just handed it moments ago. If you could trail it --

THE COURT: Sure.

MR. MUELLER: – for just a few minutes.

THE COURT: I will. Let me know when you're ready.

MR. MUELLER: Thank you.

[Case trailed at 9:44 a.m.]

[Case recalled at 9:50 a.m.]

THE COURT: Are you ready on your matter?

MR. MUELLER: Yes, I am, Your Honor.

THE COURT: Let's recall page 7, Fernando Reyes.

MR. MUELLER: Your Honor, before these proceedings go any further, I'm going to interpose an objection. And I'm going to object to the filing of the -- and the return to the grand jury. One of the things you do when you swear out a motion a writ of continuance as a prosecutor is that you are asking for a delay not in good faith or for purposes of delay. This appears to be a textbook example of willful indifference to the rights to the Defendant.

I stood up in justice court and I said are you going forward on this theory of Alazorpam [sic]? Yes, we are. If that's the case, then I'm going to waive. Now when the charges are filed the prosecutor must have a good faith basis to believe the evidence is true. You don't have to be right, but you have to have a good faith basis to believe it.

So we waived up here and then they tried to amend it. You denied that because we had relied on their representations. You denied the amendment. Then the State goes and seeks a superseding indictment and involuntarily dismisses the initial complaint. This

indictment contains nothing new to the file. There's nothing new that couldn't have been read if somebody had spent some time with it and filed this information. They did not file their initial charges in good faith and this is willful indifference to the rights to the Defendant.

Now he's been in custody for an entire month and we're starting all over. He's literally -- the government's put him in custody for a month without having a good faith basis to believe the charges are true. Now I'm going to ask that you reinstate the original charges, deny the superseding indictment and we keep the trial date. This is not good faith. This is gamesmanship for gamesmanship sake.

THE COURT: Okay. Mr. Meng, did you want to respond?

MR. MENG: Talks about -- talking about gamesmanship. He comes into the initial arraignment, waives the Defendant up. I don't know how much he reviewed the discovery. All this information was included. Defendant was found with a bag full of marijuana inside. The witnesses testified the Defendant -- or stated in the police report that he smelled of marijuana. So talks about gamesmanship; at the initial arraignment waives the Defendant up hoping that's going to be the complaint forever. That's not how it works, Your Honor, we're within the statute of limitation.

We put all the charges forward based on the same information that's provided to Mr. Mueller. No gamesmanship here. We're -- Your Honor, I ask you to dismiss the other charge, arraign the Defendant on this new indictment and we'll be ready for trial on March 6th, nothing has changes.