District Court Case No: C-23-372006-1

Electronically Filed
Nov 22 2024 01:33 PM
Elizabeth A. Brown
Clerk of Supreme Court

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

THE STATE OF NEVADA,

Plaintiff(s),

vs.

JESSICA DEFALCO,

Defendant(s).

NOTICE OF APPEAL PACKET COVER SHEET

Electronically Filed
11/21/2024 1:42 PM
Steven D. Grierson
CLERK OF THE COURT

NOAS

NANCY M. LEMCKE, PUBLIC DEFENDER
NEVADA BAR No. 5416
309 South Third Street, Suite 226
Las Vegas, Nevada 89155
(702) 455-4685
Attorney for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA, Plaintiff, v. JESSICA DEFALCO, Defendant.	CASE NO. C-23-372006-1 DEPT. NO. VII **NOTICE OF APPEAL**

TO: THE STATE OF NEVADA

STEVEN B. WOLFSON, DISTRICT ATTORNEY, CLARK COUNTY, NEVADA and DEPARTMENT NO. VII OF THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK.

NOTICE is hereby given that Defendant, Jessica Defalco, presently incarcerated in the Nevada State Prison, appeals to the Supreme Court of the State of Nevada from the judgment entered against said Defendant on the 28th day of October, 2024 whereby he was convicted of Ct. 1 – Attempt Murder With Use of a Deadly Weapon (Category B Felony); Ct. 2 – Attempt Murder With Use of a Deadly Weapon (Category B Felony); Ct. 3 – Battery With Use of a Deadly Weapon Resulting in Substantial Bodily Harm (Category B FelonY0, Ct. 4 – Battery With Use of a Deadly Weapon resulting in Substantial Bodily Harm (Category B Felony); Ct. 5 – Duty to Stop at Scene of Crash Involving Death or Personal Injury and sentenced to $25 Admin. Assessment fee; $4,399.52 restitution payable to

Melissa Garibay; $5,575.03 restitution payable to VC7000000, $144,331.70 restitution payable to Bryan Salcedo plus $3 DNA collection fee, the Defendant is sentenced to the Nevada Department of Corrections: Ct. 1 – 2-5 years plus a consecutive term of 2-5 years for the Deadly Weapon Enhancement. The aggregate total sentence is Ct. 1 – 4-10 years; Ct. 2 – 2-5 years plus a consecutive term of 2-5 years for the deadly weapon enhancement consecutive to Ct. 1. The aggregate total sentence is Ct. 2 – 4-10 years, Ct. 3 – 2-5 years concurrent with Ct. 2 and 1, Ct. 4 – 2-5 years concurrent with Cts, 3, 2, and 1. Ct. 5 – 4-10 years consecutive to Cts. 2 and 1 and concurrent with Cts. 3 and 4. 577 days CTS. $150 DNA analysis fee and genetic testing has been previously imposed, the fee and testing in the current case are waived.

DATED this 21st day of November, 2024.

NANCY M. LEMCKE
CLARK COUNTY PUBLIC DEFENDER

By: */s/ William M. Waters*
WILLIAM M. WATERS, #9456
Chief Deputy Public Defender
309 S. Third Street, Ste. 226
Las Vegas, Nevada 89155
(702) 455-4685

DECLARATION OF MAILING

Carrie Connolly, an employee with the Clark County Public Defender's Office, hereby declares that she is, and was when the herein described mailing took place, a citizen of the United States, over 21 years of age, and not a party to, nor interested in, the within action; that on the 21st day of November, 2024, declarant deposited in the United States mail at Las Vegas, Nevada, a copy of the Notice of Appeal in the case of the State of Nevada v. Jessica Defalco, Case No. C-23-372006-1, enclosed in a sealed envelope upon which first class postage was fully prepaid, addressed to Jessica Defalco, c/o Florence McClure Women's Correctional Center, 4370 Smiley Road, Las Vegas, NV 89115. That there is a regular communication by mail between the place of mailing and the place so addressed.

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

EXECUTED on the 21st day of November, 2024.

/s/ Carrie M. Connolly
An employee of the Clark County
Public Defender's Office

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that service of the above and foregoing was made this 21st day of November, 2024, by Electronic Filing to:

District Attorneys Office
E-Mail Address:

PDMotions@clarkcountyda.com

Jennifer.Hall@clarkcountyda.com

Eileen.Davis@clarkcountyda.com

/s/ Carrie M. Connolly
Secretary for the
Public Defender's Office

Electronically Filed
11/21/2024 1:42 PM
Steven D. Grierson
CLERK OF THE COURT

CAS

NANCY M. LEMCKE, PUBLIC DEFENDER
NEVADA BAR No. 5416
309 South Third Street, Suite 226
Las Vegas, Nevada 89155
(702) 455-4685
Attorney for Defendant

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,	)	
	)	
Plaintiff,	)	CASE NO. C-23-372006-1
	)	
v.	)	DEPT. NO. VII
	)	
JESSICA DEFALCO,	)	
	)	
Defendant.	)	
	)	

CASE APPEAL STATEMENT

1. **Appellant filing this case appeal statement:** Jessica Defalco.

2. **Judge issuing the decision, judgment, or order appealed from:** Danielle Pieper.

3. **All parties to the proceedings in the district court (the use of et al. To denote parties is prohibited):** The State of Nevada, Plaintiff; Jessica Defalco, Defendant.

4. **All parties involved in this appeal (the use of et. al. to denote parties is prohibited):** Jessica Defalco, Appellant; The State of Nevada, Respondent.

5. **Name, law firm, address, and telephone number of all counsel on appeal and party or parties whom they represent:**

NANCY M. LEMCKE
Clark County Public Defender
309 South Third Street, #226
Las Vegas, Nevada 89155-2610

Attorney for Appellant

STEVEN B. WOLFSON
Clark County District Attorney
200 Lewis Avenue, 3rd Floor
Las Vegas, Nevada 89155

AARON D. FORD
Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717
(702) 687-3538

Counsel for Respondent

6. **Whether appellant was represented by appointed or retained counsel in the district court:** Appointed.

7. **Whether appellant is represented by appointed or retained counsel on appeal:** Appointed.

8. **Whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:** N/A.

9. **Date proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed):** Information filed 06/28/23.

DATED this 21st day of November, 2024.

NANCY M. LEMCKE
CLARK COUNTY PUBLIC DEFENDER

By: */s/ William M. Waters*
WILLIAM M. WATERS, #9456
Chief Deputy Public Defender
309 S. Third Street, Ste. 226
Las Vegas, Nevada 89155
(702) 455-4685

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that service of the above and foregoing was made this 21st day of November, 2024, by Electronic Filing to:

District Attorneys Office
E-Mail Address:

PDMotions@clarkcountyda.com

Jennifer.Hall@clarkcountyda.com

Eileen.Davis@clarkcountyda.com

/s/ Carrie M. Connolly
Secretary for the
Public Defender's Office

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. C-23-372006-1

State of Nevada	§ Location:	**Department 7**
vs	§ Judicial Officer:	**Pieper, Danielle**
Jessica Defalco	§ Filed on:	**03/02/2023**
	§ Case Number History:	
	§ Cross-Reference Case Number:	**C372006**
	§ Defendant's Scope ID #:	**2808817**
	§ Lower Court Case # Root:	**22CRN000662**
	Lower Court Case Number:	**22CRN000662-0000**

CASE INFORMATION

Offense	Statute	Deg	Date
1. COMPETENCY DETERMINATION Arrest: 04/30/2022	COMPETENCY	O	04/30/2022
1. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON Arrest: 06/28/2023	200.010	F	04/30/2022
2. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON	200.010	F	04/30/2022
3. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM	200.481.2e2	F	04/30/2022
4. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM	200.481.2e2	F	04/30/2022
5. DUTY TO STOP AT SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY	484E.010	F	04/30/2022

Case Type: **Felony/Gross Misdemeanor**

Case Status: **10/28/2024 Closed**

Statistical Closures

10/28/2024 Guilty Plea with Sentence (before trial) (CR)
03/27/2023 Transferred (before/during trial)

Bonds

Surety #FCS50-2572160 $50,000.00
4/2/2024 Surrendered
4/3/2023 Active
Counts: 1, 1, 2, 3, 4, 5

DATE — CASE ASSIGNMENT

Current Case Assignment

Case Number	C-23-372006-1
Court	Department 7
Date Assigned	09/11/2024
Judicial Officer	Pieper, Danielle

PARTY INFORMATION

		Lead Attorneys
Defendant	**Defalco, Jessica**	**Public Defender** *Public Defender* 702-455-4685(W)
Plaintiff	**State of Nevada**	**Wolfson, Steven B** 702-671-2700(W)

DATE — EVENTS & ORDERS OF THE COURT — INDEX

EVENTS

03/02/2023	Commitment and Order *[1]*	*In #1*
03/23/2023	Competency Evaluations *[2]*	*In #2*
03/27/2023	Findings of Competency *[3] Findings of Competency*	*In #3*
03/27/2023	Order *[4] Order of Competency*	*In #4*
05/31/2023	Supplemental Brief Filed By: Defendant Defalco, Jessica *[5] SUPPLEMENTAL BRIEFING IN SUPPORT OF DEFENSE MOTION TO SUPPRESS STATEMENT OBTAINED IN VIOLATION OF FIFTH AMENDMENT*	*In #5*
06/20/2023	Order *[6] Order*	*In #6*
06/28/2023	Criminal Bindover - Confidential *[7]*	*In #7*
06/28/2023	Criminal Bindover *[8]*	*In #8*
06/28/2023	Information Party: Plaintiff State of Nevada *[9] Information*	*In #9*
07/06/2023	Bail Bond *[13] Power Number FCS50-2572160 amount $50k*	*In #13*
07/06/2023	Surety Bond Acceptance Notice *[14]*	*In #14*
07/19/2023	Recorders Transcript of Hearing Party: Plaintiff State of Nevada *[10] RECORDER'S TRANSCRIPT OF HEARING: PRELIMINARY HEARING; MAY 1, 2023*	*In #10*
07/19/2023	Recorders Transcript of Hearing Party: Plaintiff State of Nevada *[11] RECORDER'S TRANSCRIPT OF HEARING: STATUS CHECK; MAY 31, 2023*	*In #11*
07/19/2023	Recorders Transcript of Hearing Party: Plaintiff State of Nevada	*In #12*

	[12] RECORDER'S TRANSCRIPT OF HEARING: STATUS CHECK; JUNE 27, 2023	
08/08/2023	Ex Parte Motion *[15] Ex Parte Motion and Order for Release of Certified Medical Records and Order to File Under Seal*	*In #1*
08/08/2023	Ex Parte Motion *[16] Ex Parte Motion and Order for Release of Certified Medical Records and Order to File Under Seal*	*In #1*
08/28/2023	Motion to Continue Trial Filed By: Defendant Defalco, Jessica *[17] Defendant's Motion to Continue Trial Date*	*In #1*
08/28/2023	Clerk's Notice of Hearing *[18] Clerk's Notice of Hearing*	*In #1*
09/29/2023	Ex Parte Order *[19] Ex Parte Motion And Order For Release Of Certified Medical Records And Order To File Under Seal*	*In #1*
01/08/2024	Administrative Reassignment *Pursuant to Administrative Order 23-05*	
01/10/2024	Notice of Change of Hearing *[20] Notice of Change of Hearing*	*In #2*
02/05/2024	Notice of Witnesses and/or Expert Witnesses Filed By: Plaintiff State of Nevada *[21] State's Notice of Witnesses and/or Expert Witnesses*	*In #2*
02/12/2024	Motion to Continue Trial Filed By: Defendant Defalco, Jessica *[22] Motion To Continue Trial Date*	*In #2*
02/12/2024	Clerk's Notice of Hearing *[23] Notice of Hearing*	*In #2*
04/17/2024	Bond *[24] "Bond Surrendered; bonding company notified via mail". FCS50-2572160*	*In #2*
08/19/2024	Notice of Expert Witnesses Filed By: Defendant Defalco, Jessica *[25] State's Notice of Expert Witnesses*	*In #2*
08/30/2024	Supplemental Witness List Filed by: Plaintiff State of Nevada *[26] State's Supplemental Notice of Witnesses and/or Expert Witnesses*	*In #2*
08/30/2024	Notice Filed By: Plaintiff State of Nevada *[27] State's Notice to Introduce Certified Records*	*In #2*

09/09/2024	Waiver *[28] Defendant's Waiver of Right to a Jury Trial and Request for a Bench Trial - Filed in Open Court*	*In #2*
09/10/2024	Amended Information Filed By: Defendant Defalco, Jessica *[29] Amended Information*	*In #2*
09/11/2024	Jury List *[30] Jury List- Filed in Open Court*	*In #3*
09/12/2024	Amended Jury List *[31] Amended Jury List - Filed in Open Court*	*In #3*
09/13/2024	Amended Jury List *[32] Second Amended Jury List - Filed in Open Court*	*In #3*
09/13/2024	Verdict *[33] Verdict - Filed in Open Court*	*In #3*
09/13/2024	Instructions to the Jury *[34] Instructions to the Jury - Filed in open Court*	*In #3*
10/01/2024	PSI *[35]*	*In #3*
10/01/2024	PSI - Miscellaneous *[36]*	*In #3*
10/10/2024	PSI - Defendant Statements *[37]*	*In #3*
10/14/2024	Notice *[38] Speaker Reservation*	*In #3*
10/28/2024	Judgment of Conviction *[39] Judgment of Conviction*	*In #3*
11/21/2024	Notice of Appeal (Criminal) *[40] Notice of Appeal*	*In #4*
11/21/2024	Case Appeal Statement *[41] Case Appeal Statement*	*In #4*

DISPOSITIONS

03/24/2023 **Disposition** (Judicial Officer: Jones, Tierra)
1. COMPETENCY DETERMINATION
Remanded To Justice Court

PCN: Sequence:

07/05/2023 **Plea** (Judicial Officer: Pieper, Danielle)

1. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
   Not Guilty
   PCN: Sequence:

2. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
   Not Guilty
   PCN: Sequence:

3. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM
   Not Guilty
   PCN: Sequence:

4. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM
   Not Guilty
   PCN: Sequence:

5. DUTY TO STOP AT SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY
   Not Guilty
   PCN: Sequence:

10/23/2024 **Disposition** (Judicial Officer: Pieper, Danielle)

1. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
   Guilty
   PCN: Sequence:

2. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
   Guilty
   PCN: Sequence:

3. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM
   Guilty
   PCN: Sequence:

4. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM
   Guilty
   PCN: Sequence:

5. DUTY TO STOP AT SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY
   Guilty
   PCN: Sequence:

10/23/2024 **Adult Adjudication** (Judicial Officer: Pieper, Danielle)

1. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
04/30/2022 (F) 200.010 (DC50031)
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections
Term: Minimum:2 Years, Maximum:5 Years
Consecutive Enhancement: Minimum:2 Years, Maximum:5 Years

10/23/2024 **Adult Adjudication** (Judicial Officer: Pieper, Danielle)

2. ATTEMPT MURDER WITH USE OF A DEADLY WEAPON
04/30/2022 (F) 200.010 (DC50031)
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections

Term: Minimum:2 Years, Maximum:5 Years
Consecutive Enhancement: Minimum:2 Years, Maximum:5 Years
Consecutive: Charge 1

10/23/2024 **Adult Adjudication** (Judicial Officer: Pieper, Danielle)
3. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM
04/30/2022 (F) 200.481.2e2 (DC50226)
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections
Term: Minimum:2 Years, Maximum:5 Years
Concurrent: Charge 2 and 1

10/23/2024 **Adult Adjudication** (Judicial Officer: Pieper, Danielle)
4. BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM
04/30/2022 (F) 200.481.2e2 (DC50226)
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections
Term: Minimum:2 Years, Maximum:5 Years
Concurrent: Charge 3, 2 and 1

10/23/2024 **Adult Adjudication** (Judicial Officer: Pieper, Danielle)
5. DUTY TO STOP AT SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY
04/30/2022 (F) 484E.010 (DC53743)
PCN: Sequence:

Sentenced to Nevada Dept. of Corrections
Term: Minimum:4 Years, Maximum:10 Years
Consecutive: Charge 2 and 1
Credit for Time Served: 577 Days
Fee Totals:

Administrative Assessment Fee $25	25.00
Genetic Marker Analysis AA Fee $3	3.00
Fee Totals $	28.00

$150.00 DNA Analysis Fee and Genetic Testing has been previously imposed, the Fee and Testing in the current case are WAIVED.
Other Fees
1. , $144,331.70 Payable to Bryan Salcedo
2. , $5,575.03 Payable to VC7000000
3. , $4,399.52 Payable to Melissa Garibay
Comment (Total AGGREGATE sentence is THIRTY (30) YEARS MAXIMUM with a MINIMUM Parole Eligibility of TWELVE (12) YEARS.)

HEARINGS

03/24/2023 **Further Proceedings: Competency** (8:30 AM) (Judicial Officer: Craig, Christy)
Found Competent;
Journal Entry Details:
Also present: Jay Raman, Deputy District Attorney, Arlene Heshmati, Deputy Public Defender, and Nathaniel Alexander of the Specialty Courts. Defendant present. There being no challenge by Defense Counsel, COURT FINDS Defendant COMPETENT pursuant to the Dusky Standard as Defendant is capable of understanding the nature of the charges against him / her and is able to assist counsel in his / her defense and ORDERED, pursuant to 178.420, matter TRANSFERRED back to the originating court for further proceedings. Bond TRANSFERRED if any. CASE CLOSED. CUSTODY 4/3/23 8:30 AM FURTHER PROCEEDINGS: RETURN FROM COMPETENCY COURT NLVJC DEPT. 2 CLERK'S NOTE: The case was transferred to the originating department and track that were indicated on the automated competency court calendar (3/24/23 DG). ;

06/26/2023 *CANCELED* **Hearing** (8:30 AM) (Judicial Officer: Jones, Tierra)
Vacated - Case Closed
Hearing Re: Supplemental Briefing in Support of Defense Motion to Suppress Statement Obtained in Violation of Fifth Amendment

07/05/2023 **Initial Arraignment** (8:30 AM) (Judicial Officer: Jones, Tierra)
Trial Date Set;
Journal Entry Details:
DEFENDANT DEFALCO ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial. NIC 8/28/2023 8:30 A.M. CALENDAR CALL 9/5/2023 10:30 A.M. JURY TRIAL ;

08/09/2023 **Status Check** (8:30 AM) (Judicial Officer: Jones, Tierra)
Status Check Re: EMP Defendant's Return to Custody
Matter Heard; Status Check Re: EMP Defendant's Return to Custody
Journal Entry Details:
COURT STATED they did not receive notification as to why the Defendant was placed back into custody and ORDERED, Defendant shall receive OWN RECOGNIZANCE (OR) RELEASE WITH HIGH LEVEL ELECTRONIC MONITORING. HIGH LEVEL EMP 8/28/2023 8:30 A.M. CALENDAR CALL 9/5/2023 9:00 A.M. JURY TRIAL;

08/28/2023 **Calendar Call** (8:30 AM) (Judicial Officer: Jones, Tierra)
Trial Date Set;

08/28/2023 **Motion to Continue Trial** (8:30 AM) (Judicial Officer: Jones, Tierra)
Events: 08/28/2023 Motion to Continue Trial
Defendant's Motion to Continue Trial Date
Motion Granted;

08/28/2023 **All Pending Motions** (8:30 AM) (Judicial Officer: Jones, Tierra)
Matter Heard;
Journal Entry Details:
CALENDAR CALL.. MOTION TO CONTINUE TRIAL DATE. Mr. Bassett indicated he filed a Motion to Continue. Mr. Giles stated no objection. COURT ORDERED, Motion to Continue Trial Date ADVANCED and GRANTED. Upon Court's inquiry, Defendant WAIVED his speedy trial right. COURT ORDERED, trial date SET. BOND / HIGH LEVEL EMP 2/12/24 8:30 A.M. CALENDAR CALL 2/20//2023 10:30 A.M. JURY TRIAL ;

09/05/2023 *CANCELED* **Jury Trial** (10:30 AM) (Judicial Officer: Jones, Tierra)
Vacated - per Judge

02/12/2024 **Calendar Call** (8:30 AM) (Judicial Officer: Hardy, Joe)
Matter Heard;

02/12/2024 **Motion to Continue Trial** (8:30 AM) (Judicial Officer: Hardy, Joe)
Defendant's Motion To Continue Trial Date
Granted;

02/12/2024 **All Pending Motions** (8:30 AM) (Judicial Officer: Hardy, Joe)
Matter Heard;
Journal Entry Details:
CALENDAR CALL... DEFENDANT'S MOTION TO CONTINUE TRIAL DATE... CONFERENCE AT BENCH. Ms. Stone moved to continue the trial date, noting she needed more time to conduct investigation. There being no objection from the State, and there being good cause shown, COURT ORDERED, trial date, CONTINUED. Mr. Giles noted the trial would take about 4-5 days and there would be about 10-12 witnesses. BOND / HLEM 06/12/24 8:30 AM STATUS CHECK: TRIAL READINESS 07/08/24 8:30 AM CALENDAR CALL 07/15/24 10:30 AM JURY TRIAL;

02/20/2024 *CANCELED* **Jury Trial** (10:30 AM) (Judicial Officer: Jones, Tierra)
Vacated

03/06/2024 **Status Check** (8:30 AM) (Judicial Officer: Hardy, Joe)
03/06/2024, 03/11/2024, 03/20/2024

EMP Returned to Custody
Matter Continued;
Matter Continued;
Remanded;
Journal Entry Details:
Officer Armanderez present on behalf of parole and probation. Ms. Stone requested Defendant be released with the added condition of High Level Electronic Monitoring (HLEM) with inpatient treatment. Ms. Stone noted Defendant was previously in an outpatient treatment program, but hasn t been able to obtain those records yet. Statement by Defendant. Arguments by Mr. Giles against Defendant being released with High Level Electronic Monitoring and Inpatient treatment. Further arguments by Ms. Stone. Statement by Parole and Probation Officer. COURT ORDERED, Defendant REMANDED into custody; TRIAL dates STAND. CUSTODY ;
Matter Continued;
Matter Continued;
Remanded;
Journal Entry Details:
Ms. Stone requested a continuance to speak with the State regarding an agreement. No objection by the State. COURT ORDERED, matter CONTINUED. CUSTODY CONTINUED TO: 3/20/2024 8:30 AM;
Matter Continued;
Matter Continued;
Remanded;
Journal Entry Details:
Ms. Stone argued under the Johnston case for Defendant to be released because there was no House Arrest Officer present. Court reviewed the Johnston case Ms. Stone cited, noting it does state a hearing within a reasonable time, but it does not indicate a specific number of days in which a reasonable time is. Arguments by Mr. Thoman, noting an Officer may have gone to the wrong department with the department reassignments that took place, and requested the matter be continued. Arguments by Ms. Stone. COURT ORDERED, matter CONTINUED to Monday, to see if an Officer appears. CUSTODY CONTINUED TO: 03/11/24 8:30 AM;

06/12/2024 **Status Check: Trial Readiness** (8:30 AM) (Judicial Officer: Hardy, Joe)

MINUTES
Matter Heard;
Journal Entry Details:
CONFERENCE AT BENCH COURT ORDERED, GOOD CAUSE SHOWN for trial reset. Trial dates to be vacated. CUSTODY 06/24/24 8:30 AM STATUS CHECK- TRIAL RESET;

SCHEDULED HEARINGS

Status Check (06/24/2024 at 8:30 AM) (Judicial Officer: Hardy, Joe)
RESER TRIAL DATE

06/24/2024 **Status Check** (8:30 AM) (Judicial Officer: Hardy, Joe)
RESER TRIAL DATE

MINUTES
Matter Heard;
Journal Entry Details:
Ms. Stone informed the Court that she would prefer trial stack in early September 2024. Colloquy regarding status of trial readiness. CUSTODY 09/09/24 10:30 AM JURY TRIAL 08/28/24 8:30 AM CALENDAR CALL 08/07/24 8:30 STATUS CHECK: TRIAL READINESS;

SCHEDULED HEARINGS

CANCELED **Jury Trial** (09/09/2024 at 10:30 AM) (Judicial Officer: Hardy, Joe)
Vacated - Set in Error

Calendar Call (08/28/2024 at 8:30 AM) (Judicial Officer: Hardy, Joe)

Status Check: Trial Readiness (08/07/2024 at 8:30 AM) (Judicial Officer: Hardy, Joe)

07/08/2024 *CANCELED* **Calendar Call** (8:30 AM) (Judicial Officer: Hardy, Joe)
Vacated

07/15/2024 *CANCELED* **Jury Trial** (10:30 AM) (Judicial Officer: Hardy, Joe)
Vacated

08/07/2024 **Status Check: Trial Readiness** (8:30 AM) (Judicial Officer: Hardy, Joe)
Matter Heard;
Journal Entry Details:
Mr. Saxe advised there were no issues and announced ready for trial. Ms. Leon announced ready, noting she wasn't sure if defense would have the medical records in time for trial. COURT ORDERED, trial dates, STAND. CUSTODY;

08/28/2024 **Calendar Call** (8:30 AM) (Judicial Officer: Hardy, Joe)

MINUTES
Matter Heard;
Journal Entry Details:
Mr. Segerblom advised this is Deputy Stone's case, she indicated to be ready and as of now there has been no offer from State. Ms. Leon stated she cannot speak as to the negotiations; however, State anticipates to be ready. Colloquy regarding outstanding subpoenas. Upon Court's inquiry, Mr. Segerblom advised Defense has 1-3 witnesses; State has 10-12 witnesses; Deputy Michael Allmon will try the case; 5 days for trial. COURT ORDERED, matter REFERRED and SET for Central Calendar Call. CUSTODY 9/4/24 2:00 P.M. CENTRAL CALENDAR CALL (DEPT 10);

SCHEDULED HEARINGS
Central Calendar Call (09/04/2024 at 2:00 PM) (Judicial Officer: Jones, Tierra)
STATE: MICHAEL ALLMON / 10-12 WITNESSES // PD: ANNA STONE / 1-3 WITNESSES // 5 DAYS

09/04/2024 **Central Calendar Call** (2:00 PM) (Judicial Officer: Jones, Tierra)
STATE: MICHAEL ALLMON / 10-12 WITNESSES // PD: ANNA STONE / 1-3 WITNESSES // 5 DAYS
Trial Date Set;
Journal Entry Details:
Mr. Sax indicated he just received an offer from the State and requested to trail the matter to allow him to speak with the Defendant. MATTER TRAILED. MATTER RECALLED. All parties present as before. Mr. Sax requested more time to speak to the Defendant regarding the State's offer. COURT ORDERED, trial date SET; due to the Court's calendar case REASSIGNED to Department 7. COURT DIRECTED the Defense to provide clothes to the jail by the close of business tomorrow. COURT FURTHER ORDERED, status check as to possible negotiations SET. CUSTODY 09/05/2024 9:00 AM STATUS CHECK: NEGOTIATIONS (DEPT. 10) 09/09/2024 11:00 A.M. JURY TRIAL (DEPT 07) ;

09/05/2024 **Status Check** (9:00 AM) (Judicial Officer: Jones, Tierra)
Status Check: Negotiations
Matter Heard;
Journal Entry Details:
Mr. Schmidt indicated, the State revoked their offer. COURT ORDERED, trial date STANDS. CUSTODY 09/09/2024 11:00 AM JURY TRIAL (DEPT. 7);

09/06/2024 **Status Check** (8:30 AM) (Judicial Officer: Pieper, Danielle)
Status Check: Trial Exhibits
Matter Heard; Status Check: Trial Exhibits
Journal Entry Details:
Defendant not present. Court noted that an informal meeting had been arranged for counsel to submit evidence. Ms. Stone inquired as to various trial logistics, to which Court so noted, and informed of its likely daily trial schedule. Colloquy by Court and counsel regarding the questions posed during Voir Dire, the potential number of jury alternates, jury box seating, and the Court's requirement of non-speaking objections. Court instructed that the State's most recent offer would be placed on the record outside the presence of the prospective panel, on the forthcoming Monday. After a colloquy regarding the State's foreseeable number of witnesses, COURT ORDERED, State to ensure that witnesses appear on time throughout trial. CUSTODY ;

09/09/2024 *CANCELED* **Jury Trial** (10:30 AM) (Judicial Officer: Hardy, Joe)
Vacated - Set in Error

09/09/2024 **Jury Trial** (11:00 AM) (Judicial Officer: Pieper, Danielle)
09/09/2024-09/13/2024

MINUTES

Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
Verdict;
Journal Entry Details:
OUTSIDE THE PRESENCE OF THE JURY: Following a colloquy regarding the mention of punishment, prison and bail within Exhibit 6 and redaction thereto, COURT RULED, anything regarding prison must come out. State advised it was working on the redaction; colloquy regarding witness testimony. JURY PRESENT: Testimony and exhibits presented (see worksheets). CONFERENCES AT BENCH. OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding redacted jail call audio; Jury Instructions. Ms. Stone advised Deft. would not be testifying. Jury Instructions and Verdict Form FINALIZED. JURY PRESENT: Testimony and exhibits presented (see worksheets). Andrea Natali, Courtroom Clerk present at the hour of 1:52 pm. CONFERENCES AT BENCH. OUTSIDE THE PRESENCE OF THE JURY: Following a colloquy regarding written question from Juror where the Witness was present, corrections to Jury Instructions, order of charges on Verdict Form, and Jury deliberation were discussed. Arguments by Ms. Stone where she requested to do closings on Monday, September 16, 2024. Upon Court's inquiry, Mr. Allman advised the state was ready to close and have the Jurors deliberate. COURT ADVISED it would inquire to see how late the Jurors were willing to stay on the instant day. Following inquiry to the Jurors, the Court Marshal notified the Court as to the various Juror's time parameters for deliberation. JURY PRESENT: Krystle Roberson, Courtroom Clerk present at the hour of 2:05 pm. Testimony continued. CONFERENCE AT BENCH. State rested; Defense rested. OUTSIDE THE PRESENCE OF THE JURY: Jury Instructions and Verdict Form FINALIZED on the record. JURY PRESENT: Jury INSTRUCTED by the Court. Closing arguments by Mr. Hallquist. Closing arguments by Ms. Stone. Final closing by Mr. Allmon. Court Marshal and Judicial Executive Assistant SWORN to take charge of the Jury. At the hour of 4:35 pm, the Jury retired to deliberate. JURY PRESENT: At the hour of 5:10 pm, the JURY RETURNED with a VERDICT of GUILTY as to COUNT 1 AND COUNT 2 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON, GUILTY as to COUNT 3 AND COUNT 4 - BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM, and GUILTY as to COUNT 5 - DUTY TO STOP AT SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY. Jury polled at the request of Mr. Schmidt. Court thanked and EXCUSED the Jury. OUTSIDE THE PRESENCE OF THE JURY: Based on the Jury verdict, COURT REMANDED Deft. to the custody of the Sheriff without bail, ORDERED a Pre-sentence Investigation Report (PSI) and SET matter for sentencing. CUSTODY 10/23/24 8:30 AM SENTENCING;
Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
Verdict;
Journal Entry Details:
OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding Juror #5's impending biology exam, which the Juror was unable to be excused from, and the release of the said Juror. Testimony by Juror #5 regarding the said biology exam. Following testimony COURT ORDERED, over the Defense's objection, Juror #5 EXCUSED under NRS 6.030 where COURT FINDS there existed undue hardship or extreme inconvenience. Court further noted Juror #13 was now part of the Jury. JURY PRESENT: Testimony and exhibits presented (see worksheets). CONFERENCES AT BENCH. OUTSIDE THE PRESENCE OF THE JURY: Ms. Stone noted objections to the last couple of questions and made arguments thereto. Following arguments, Ms. Stone moved to strike. Arguments by Mr. Allmon. Colloquy regarding testimony of Witness and intoxication of Deft. where Mr. Allmon requested to reopen. JURY PRESENT: Testimony and exhibits presented (see worksheets). CONFERENCES AT BENCH. OUTSIDE THE PRESENCE OF THE JURY: Court noted it had not yet received a copy of the jury instructions and advised it needed a copy of the said instructions on the instant day. Colloquy regarding jury instructions. Following colloquy, Court instructed parties to send jury instructions via e-mail that instant night. Following a colloquy regarding the marking of Court's and Deft.'s exhibits, COURT ORDERED the clean, unmarked copy of Defense Exhibit A shall be MARKED as Defense Exhibit A-1. COURT FURTHER ORDERED, copies be made of two-party Jury questions and be MARKED as COURT'S EXHIBITS next in line. OUTSIDE THE PRESENCE OF THE JURY: Further colloquy regarding jury instructions. JURY PRESENT: Testimony and exhibits presented (see worksheets). CONFERENCES AT BENCH. OUTSIDE THE PRESENCE OF THE JURY: Witness present. Witness ADMONISHED not to speak of or bring up domestic violence incidents. OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding adverse witness, hostile testimony. Additionally, Court noted the inaccuracies of jurors listing their juror numbers as their badge numbers when identifying themselves on their written Jury questions. Statement by Mr. Schmidt regarding bias where he cited case law and argued instances of perceived of bias. Court responded to each argument and made statements thereto. Colloquy regarding the subjects discussed during Deft.'s "Hernandez" hearing/canvass. JURY PRESENT: Continued testimony and exhibits presented (see worksheets). CONFERENCES AT BENCH. JURORS RECESSED for the evening and instructed to return the following morning at 9:00 am. OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding witness testimony for the following day. Court reiterated its expectation of the delivery of jury instructions that instant night. COURT RECESSED for the evening; TRIAL CONTINUED. CUSTODY 09/13/24 9:00 AM CONTINUED: JURY TRIAL ;
Matter Continued;
Matter Continued;

Matter Continued;
Matter Continued;
Verdict;
Journal Entry Details:
OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Court noted the dismissal of a Prospective Juror. PROSPECTIVE JURORS PRESENT: Prospective Juror excused and replaced. Voir Dire conducted. CONFERENCE AT BENCH. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: For Cause Challenges conducted. Colloquy regarding the dismissal of Prospective Jurors where Ms. Stone renewed a Motion to Strike. Following colloquy, COURT ORDERED, Motions to Strike DENIED. Colloquy regarding Voir Dire. PROSPECTIVE JURORS PRESENT: Voir Dire conducted. Peremptory challenges conducted. A jury and two alternates SELECTED. OUTSIDE THE PRESENCE OF THE JURY AND THE STATE: Mr. Allman nor Mr. Hallquist present. Ms. Stone advised they were intending to concede certain charges and elements in their opening; colloquy regarding "Hernandez" hearing/canvass. Upon Court's inquiry, Ms. Stone advised they were conceding the "Failure to Stop" (DUTY TO STOP AT SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY) in its entirety, as well as the BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM, those two charges, as to Brian. Additionally, Ms. Stone advised they were conceding the element of BATTERY as to Melissa, but not the entire charge. Deft. CANVASSED as to conceding the said charges. OUTSIDE THE PRESENCE OF THE JURY: EXCLUSIONARY RULE INVOKED. Colloquy regarding expert witnesses, exclusion of certain statements by Defendant. Mr. Schmidt stated an objection to the State showing pictures in its opening, which the Court Overruled. JURY PRESENT: Jury SWORN, Amended Information READ on the record, and preliminary instructions read to the Jury. Opening statements by counsel. Testimony and exhibits presented (see worksheets). CONFERENCES AT BENCH. OUTSIDE THE PRESENCE OF THE JURY: Court advised of "Hernandez" hearing/canvass conducted prior to openings. Court made statements regarding Mr. Schmidt's opening statements and advised it did not canvass Deft. as to alcohol intoxication as the Court was unaware. Deft. FURTHER CANVASSED. Colloquy regarding Defense's prior discussions with Deft. OUTSIDE THE PRESENCE OF THE JURY: Statements by Ms. Stone regarding "Hernandez" hearing/canvass of Deft. where she advised, prior to openings, Defense counsel had spoken with Deft. about including drinking, however, they did not discuss added charges. Colloquy regarding non-probationable charges, content of opening arguments, potential jury admonishment. JURY PRESENT: Testimony and exhibits presented (see worksheets). CONFERENCES AT BENCH. JURORS RECESSED for the evening and instructed to return the following morning at 9:30 am. OUTSIDE THE PRESENCE OF THE JURY: Deft. advised of her right not to testify. COURT RECESSED for the evening; TRIAL CONTINUED. CUSTODY 09/12/24 9:30 AM CONTINUED: JURY TRIAL ;
Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
Verdict;
Journal Entry Details:
OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Court noted various prospective jurors' medical appointments verified by the Marshall. PROSPECTIVE JURORS PRESENT: Prospective Juror #2 not present. CONFERENCE AT BENCH. Voir dire conducted. CONFERENCES AT BENCH. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Colloquy regarding the dismissal of several Prospective Jurors. PROSPECTIVE JURORS PRESENT: Prospective Jurors excused and replaced. Introduction for Prospective Jury Panel #2. Roll call taken by the Clerk for Prospective Jury #2. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: COURT advised it was made aware Ms. Stone had spoken with the Appellate Division and had requested the Random List packet be made a Court's Exhibit and ORDERED, Court's Exhibit #1 ORDERED SEALED. PROSPECTIVE JURORS PRESENT: CONFERENCE AT BENCH. Voir dire conducted. CONFERENCE AT BENCH. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Colloquy regarding the dismissal of prospective jurors. PROSPECTIVE JURORS PRESENT: Prospective Jurors excused and replaced. Voir dire conducted. CONFERENCES AT BENCH. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Parties conducted challenges for cause. Colloquy and arguments regarding Mr. Allmon's for cause issue that the Court acknowledged as a potential Batson challenge. PROSPECTIVE JURORS PRESENT: Court advised jury selection would continue and instructed the Prospective Jurors to return the following day at 10:30 am. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Colloquy regarding the dismissal of several Prospective Jurors. COURT RECESSED for the evening; TRIAL CONTINUED. CUSTODY 09/11/24 10:30 AM CONTINUED: JURY TRIAL ;
Matter Continued;
Matter Continued;
Matter Continued;
Matter Continued;
Verdict;
Journal Entry Details:
Defendant's Waiver of Her Right to a Jury Trial and Request for a Bench Trial FILED IN OPEN COURT. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Upon Court's inquiry, Mr. Allman noted an offer had been made at one point, however, indicated the said offer was revoked. Ms. Stone made statements regarding the history of the case, indicated the said offer was revoked at Central Trial Readiness and noted Deft. was initially inclined to accept the offer. Additionally, Ms. Stone advised Deft. was requesting to waive her right to a jury trial and proceed with a

bench trial and presented a written Waiver to the Court. Upon Court's inquiry, Mr. Allman advised he was opposed to the said Waiver. Colloquy regarding response to Waiver. Following colloquy, Mr. Allman cited NRS 175.011, noted the plain language of the statute, and argued there were no grounds to move forward with a bench trial. Ms. Stone objected to the State's cited statute and argued in favor of the Request for Bench Trial. Further arguments by counsel. Following a brief recess, Prospective Jurors excused. Krystle Roberson, Courtroom Clerk present at the hour of 1:08 pm. Continued arguments by counsel as to Defendant's Waiver of Her Right to a Jury Trial and Request for a Bench Trial. Following a brief recess, Court cited Gallimort vs. State and advised the Nevada Supreme Court had requested Defts. be canvassed on specific items when requesting to waive their right to a jury trial. DEFT. SO CANVASSED. Following canvass, COURT noted it had read the instant Motion and ORDERED, Defendant's Waiver of Her Right to a Jury Trial and Request for a Bench Trial DENIED for all grounds stated. Colloquy regarding outstanding discovery. Additionally, Ms. Stone requested the Random List packet be made a Court's Exhibit. Upon Court's inquiry, Mr. Allman noted privacy concerns for the jurors and requested it be sealed. Colloquy as to sealing. Following colloquy, Court noted it would make its ruling as to the Jury List packet being either a Court's Exhibit or Sealed Court's Exhibit once it was confirmed by the Clerk if the public had access to Court's Exhibits or not. Colloquy regarding the schedule of the estimated five day trial. PROSPECTIVE JURORS PRESENT: Roll call taken by the Clerk. Voir dire oath ADMINISTERED. Voir dire conducted. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Colloquy regarding the excusal of Prospective Jurors following voir dire. Parties conducted challenges for cause. PROSPECTIVE JURORS PRESENT: Prospective Jurors excused and replaced. Court explained peremptory challenges. Voir dire conducted. OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS: Colloquy regarding the excusal of Prospective Jurors following voir dire. PROSPECTIVE JURORS PRESENT: Prospective Jurors excused and replaced. COURT RECESSED for the evening; TRIAL CONTINUED. CUSTODY 09/10/24 10:30 AM CONTINUED: JURY TRIAL;

SCHEDULED HEARINGS

Sentencing (10/23/2024 at 8:30 AM) (Judicial Officer: Pieper, Danielle)

09/10/2024 *CANCELED* **Jury Trial** (10:30 AM) (Judicial Officer: Pieper, Danielle)
Vacated - Set in Error

09/11/2024 *CANCELED* **Jury Trial** (10:30 AM) (Judicial Officer: Pieper, Danielle)
Vacated - Set in Error

10/23/2024 **Sentencing** (8:30 AM) (Judicial Officer: Pieper, Danielle)
Defendant Sentenced;
Journal Entry Details:
Court noted it read the letter from Matthew Weiss. Arguments by Mr. Allmon; exhibit presented (see worksheet). Colloquy regarding restitution. MATTER TRAILED for parties to confirm exact amounts of restitution. MATTER RECALLED. Same parties present. Following further colloquy regarding restitution as to the victims, Mr. Allmon advised the State was ready to proceed on the discussed amounts, and Ms. Stone noted the out of pocket amount. Statements by Defendant; arguments by Ms. Stone. Victim speakers, Bryan Salcedo and Melissa Garibay, SWORN and addressed the Court. In accordance with the laws of the State of Nevada and by Order of the Court, DEFT. DEFALCO ADJUDGED GUILTY of COUNTS 1 and 2- ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), COUNTS 3 and 4- BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (F), and COUNT 5- DUTY TO STOP AT SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY (F). COURT ORDERED, in addition to the $25.00 Administrative Assessment fee, the $150.00 DNA Testing fee, including testing to determine genetic markers, WAIVED, $3.00 DNA Collection fee, RESTITUTION payable to Melissa Garibay in the amount of $4,399.52, RESTITUTION payable to VC7000000 in the amount of $5,575.03, and RESTITUTION payable to Bryan Salcedo in the amount of $144,331.70, DEFT. SENTENCED as to: COUNT 1- a MINIMUM of TWO (2) YEARS and a MAXIMUM of FIVE (5) YEARS in the Nevada Department of Corrections (NDC) with a CONSECUTIVE TWO (2) to FIVE (5) YEARS in the Nevada Department of Corrections (NDC). COUNT 1 AGGREGATE SENTENCE is FOUR (4) to TEN (10) YEARS; and COUNT 2- a MINIMUM of TWO (2) YEARS and a MAXIMUM of FIVE (5) YEARS in the Nevada Department of Corrections (NDC) with a CONSECUTIVE TWO (2) to FIVE (5) YEARS in the Nevada Department of Corrections (NDC). COUNT 2 AGGREGATE SENTENCE is FOUR (4) to TEN (10) YEARS; COUNT 2 to run CONSECUTIVE to COUNT 1; and COUNT 3- a MINIMUM of TWO (2) YEARS and a MAXIMUM of FIVE (5) YEARS in the Nevada Department of Corrections (NDC); to run CONCURRENT with COUNTS 2 and 1; and COUNT 4- a MINIMUM of TWO (2) YEARS and a MAXIMUM of FIVE (5) YEARS in the Nevada Department of Corrections (NDC); to run CONCURRENT with COUNTS 3, 2, and 1; and COUNT 5- a MINIMUM of FOUR (4) YEARS and a MAXIMUM of TEN (10) YEARS in the Nevada Department of Corrections (NDC); to run CONSECUTIVE to COUNTS 2 and 1 and CONCURRENT with COUNTS 3 and 4; TOTAL AGGREGATE TERM of TWELVE (12) to THIRTY (30) YEARS; with FIVE HUNDRED SEVENTY-SEVEN (577) DAYS credit for time served. Following sentencing, Court noted State's presented exhibit and restitution paperwork MARKED as COURTS EXHIBITS. BOND, if any, EXONERATED. NDC ;

DATE	FINANCIAL INFORMATION

Defendant Defalco, Jessica	
Total Charges	31.50
Total Payments and Credits	3.50
Balance Due as of 11/22/2024	**28.00**

Electronically Filed
10/28/2024 3:47 PM
CLERK OF THE COURT

JOC

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

JESSICA DEFALCO,
#2808817

Defendant.

CASE NO. C-23-372006-1

DEPT. NO. VII

JUDGMENT OF CONVICTION

(JURY TRIAL)

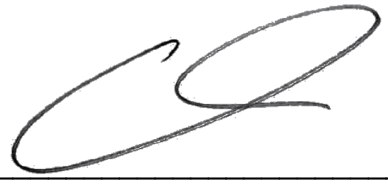
The Defendant previously entered a plea of not guilty to the crimes of COUNT 1 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 2 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 3 - BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (Category B Felony) in violation of NRS 200.481; COUNT 4 - BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (Category B Felony) in violation of NRS 200.481; and COUNT 5 – DUTY TO STOP AT SCENE OF CRASH INVOLVING DEATH, OR PERSONAL INJURY (Category B Felony) in violation of NRS 484E.010,

484E.030; and the matter having been tried before a jury and the Defendant having been found guilty of the crimes of COUNT 1 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 2 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (Category B Felony) in violation of NRS 200.010, 200.030, 193.330, 193.165; COUNT 3 - BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (Category B Felony) in violation of NRS 200.481; COUNT 4 - BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (Category B Felony) in violation of NRS 200.481; and COUNT 5 – DUTY TO STOP AT SCENE OF CRASH INVOLVING DEATH, OR PERSONAL INJURY (Category B Felony) in violation of NRS 484E.010, 484E.030; thereafter, on the 23rd day of October, 2024, the Defendant was present in court for sentencing with counsels, ANNA STONE, Deputy Public Defender, and ROBERT SCHMIDT, Deputy Public Defender, and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED guilty of said offenses and, in addition to the $25.00 Administrative Assessment Fee, $4,399.52 Restitution payable to Melissa Garibay, $5,575.03 Restitution payable to VC7000000, $144,331.70 Restitution payable to Bryan Salcedo, plus $3.00 DNA Collection Fee, the Defendant is SENTENCED to the Nevada Department of Corrections (NDC) as follows: **COUNT 1** - a MAXIMUM of FIVE (5) YEARS with a MINIMUM parole eligibility of TWO (2) YEARS, plus a CONSECUTIVE term of FIVE (5) YEARS with a MINIMUM parole eligibility of TWO (2) YEARS for the Deadly Weapon Enhancement; The AGGREGATE TOTAL sentence as to COUNT 1 is TEN (10) YEARS MAXIMUM with a MINIMUM Parole

Eligibility of FOUR (4) YEARS; **COUNT 2** - a MAXIMUM of FIVE (5) YEARS with a MINIMUM parole eligibility of TWO (2) YEARS, plus a CONSECUTIVE term of FIVE (5) YEARS with a MINIMUM parole eligibility of TWO (2) YEARS for the Deadly Weapon Enhancement, CONSECUTIVE to COUNT 1; The AGGREGATE TOTAL sentence as to COUNT 2 is TEN (10) YEARS MAXIMUM with a MINIMUM Parole Eligibility of FOUR (4) YEARS; **COUNT 3** - a MAXIMUM of FIVE (5) YEARS with a MINIMUM parole eligibility of TWO (2) YEARS, CONCURRENT with COUNT 2 and 1; **COUNT 4** - a MAXIMUM of FIVE (5) YEARS with a MINIMUM parole eligibility of TWO (2) YEARS, CONCURRENT with COUNT 3, 2 and 1; and **COUNT 5** - a MAXIMUM of TEN (10) YEARS with a MINIMUM parole eligibility of FOUR (4) YEARS, CONSECUTIVE to COUNT 2 and 1 and CONCURRENT with COUNT 3 and 4; with FIVE HUNDRED SEVENTY-SEVEN (577) DAYS credit for time served Total AGGREGATE sentence is THIRTY (30) YEARS MAXIMUM with a MINIMUM Parole Eligibility of TWELVE (12) YEARS. As the $150.00 DNA Analysis Fee and Genetic Testing has been previously imposed, the Fee and Testing in the current case are WAIVED.

Dated this 28th day of October, 2024



kr

A93 BBB AA18 5046
Danielle Pieper
District Court Judge

CSERV

DISTRICT COURT
CLARK COUNTY, NEVADA

State of Nevada	CASE NO: C-23-372006-1
vs	DEPT. NO. Department 7
Jessica Defalco	

AUTOMATED CERTIFICATE OF SERVICE

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing 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: 10/28/2024

Dept 15 Law Clerk	Dept15LC@clarkcountycourts.us
DC15 JEA Amanda Rivera	riveraa@clarkcountycourts.us
ANNA STONE	anna.stone@clarkcountynv.gov
Paola Castellanos Anguiano	paola.castellanos-anguiano@clarkcountynv.gov
jeremy dpd	jeremy.storms@clarkcountynv.gov
Michael Allmon	michael.allmon@clarkcountydanv.gov

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **March 24, 2023**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

March 24, 2023 **8:30 AM** **Further Proceedings: Competency**

HEARD BY: Craig, Christy **COURTROOM:** RJC Courtroom 05D

COURT CLERK: David Gibson

RECORDER: Kaihla Berndt

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- Also present: Jay Raman, Deputy District Attorney, Arlene Heshmati, Deputy Public Defender, and Nathaniel Alexander of the Specialty Courts. Defendant present.

There being no challenge by Defense Counsel, COURT FINDS Defendant COMPETENT pursuant to the Dusky Standard as Defendant is capable of understanding the nature of the charges against him / her and is able to assist counsel in his / her defense and ORDERED, pursuant to 178.420, matter TRANSFERRED back to the originating court for further proceedings. Bond TRANSFERRED if any. CASE CLOSED.

CUSTODY

4/3/23 8:30 AM FURTHER PROCEEDINGS: RETURN FROM COMPETENCY COURT NLVJC DEPT. 2

CLERK'S NOTE: The case was transferred to the originating department and track that were indicated on the automated competency court calendar (3/24/23 DG).

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **July 05, 2023**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

July 05, 2023 **8:30 AM** **Initial Arraignment**

HEARD BY: Jones, Tierra **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Kory Schlitz

RECORDER: Victoria Boyd

REPORTER:

PARTIES PRESENT:

Defalco, Jessica	Defendant
Smith, Taylor James	Attorney
State of Nevada	Plaintiff
Thunell, Peter I.	Attorney

JOURNAL ENTRIES

- DEFENDANT DEFALCO ARRAIGNED, PLED NOT GUILTY, and INVOKED the 60-DAY RULE. COURT ORDERED, matter set for trial.

NIC

8/28/2023 8:30 A.M. CALENDAR CALL

9/5/2023 10:30 A.M. JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor	**COURT MINUTES**	**August 09, 2023**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

August 09, 2023	**8:30 AM**	**Status Check**	**Status Check Re: EMP Defendant's Return to Custody**

HEARD BY: Jones, Tierra **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Kory Schlitz

RECORDER: Victoria Boyd

REPORTER:

PARTIES PRESENT:

Defalco, Jessica	Defendant
State of Nevada	Plaintiff
Storms, William J.	Attorney
Thoman, Charles W.	Attorney

JOURNAL ENTRIES

- COURT STATED they did not receive notification as to why the Defendant was placed back into custody and ORDERED, Defendant shall receive OWN RECOGNIZANCE (OR) RELEASE WITH HIGH LEVEL ELECTRONIC MONITORING.

HIGH LEVEL EMP

8/28/2023 8:30 A.M. CALENDAR CALL

9/5/2023 9:00 A.M. JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **August 28, 2023**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

August 28, 2023 **8:30 AM** **All Pending Motions**

HEARD BY: Jones, Tierra **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Kory Schlitz

RECORDER: Victoria Boyd

REPORTER:

PARTIES PRESENT:

Bassett, Alexander B.	Attorney
Defalco, Jessica	Defendant
Giles, Michael G	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- CALENDAR CALL.. MOTION TO CONTINUE TRIAL DATE.

Mr. Bassett indicated he filed a Motion to Continue. Mr. Giles stated no objection. COURT ORDERED, Motion to Continue Trial Date ADVANCED and GRANTED. Upon Court's inquiry, Defendant WAIVED his speedy trial right. COURT ORDERED, trial date SET.

BOND / HIGH LEVEL EMP

2/12/24 8:30 A.M. CALENDAR CALL

2/20//2023 10:30 A.M. JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **February 12, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

February 12, 2024 **8:30 AM** **All Pending Motions**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Nancy Maldonado
Candice Sanders-Castro

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

Giles, Michael G	Attorney
State of Nevada	Plaintiff
Stone, Anna Lee	Attorney

JOURNAL ENTRIES

- CALENDAR CALL... DEFENDANT'S MOTION TO CONTINUE TRIAL DATE...

CONFERENCE AT BENCH. Ms. Stone moved to continue the trial date, noting she needed more time to conduct investigation. There being no objection from the State, and there being good cause shown, COURT ORDERED, trial date, CONTINUED. Mr. Giles noted the trial would take about 4-5 days and there would be about 10-12 witnesses.

BOND / HLEM

06/12/24 8:30 AM STATUS CHECK: TRIAL READINESS

07/08/24 8:30 AM CALENDAR CALL

07/15/24 10:30 AM JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **March 06, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

March 06, 2024 **8:30 AM** **Status Check**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Nancy Maldonado

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

Defalco, Jessica	Defendant
State of Nevada	Plaintiff
Stone, Anna Lee	Attorney
Thoman, Charles W.	Attorney

JOURNAL ENTRIES

- Ms. Stone argued under the Johnston case for Defendant to be released because there was no House Arrest Officer present. Court reviewed the Johnston case Ms. Stone cited, noting it does state a hearing within a reasonable time, but it does not indicate a specific number of days in which a reasonable time is. Arguments by Mr. Thoman, noting an Officer may have gone to the wrong department with the department reassignments that took place, and requested the matter be continued. Arguments by Ms. Stone. COURT ORDERED, matter CONTINUED to Monday, to see if an Officer appears.

CUSTODY

CONTINUED TO: 03/11/24 8:30 AM

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **March 11, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

March 11, 2024 **8:30 AM** **Status Check**

HEARD BY: Vega, Valorie J. **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Katrina Ross

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

Defalco, Jessica	Defendant
Sharp, Tanner L.	Attorney
State of Nevada	Plaintiff
Stone, Anna Lee	Attorney

JOURNAL ENTRIES

- Ms. Stone requested a continuance to speak with the State regarding an agreement. No objection by the State. COURT ORDERED, matter CONTINUED.

CUSTODY

CONTINUED TO: 3/20/2024 8:30 AM

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **March 20, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

March 20, 2024 **8:30 AM** **Status Check**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Candice Sanders-Castro

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

Defalco, Jessica	Defendant
Giles, Michael G	Attorney
State of Nevada	Plaintiff
Stone, Anna Lee	Attorney

JOURNAL ENTRIES

- Officer Armanderez present on behalf of parole and probation.

Ms. Stone requested Defendant be released with the added condition of High Level Electronic Monitoring (HLEM) with inpatient treatment. Ms. Stone noted Defendant was previously in an outpatient treatment program, but hasn t been able to obtain those records yet. Statement by Defendant. Arguments by Mr. Giles against Defendant being released with High Level Electronic Monitoring and Inpatient treatment. Further arguments by Ms. Stone. Statement by Parole and Probation Officer. COURT ORDERED, Defendant REMANDED into custody; TRIAL dates STAND.

CUSTODY

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **June 12, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

June 12, 2024 **8:30 AM** **Status Check: Trial Readiness**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Candice Sanders-Castro

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

Bradford, Kristal D.	Attorney
Defalco, Jessica	Defendant
State of Nevada	Plaintiff
Thunell, Peter I.	Attorney

JOURNAL ENTRIES

- CONFERENCE AT BENCH

COURT ORDERED, GOOD CAUSE SHOWN for trial reset. Trial dates to be vacated.

CUSTODY

06/24/24 8:30 AM STATUS CHECK- TRIAL RESET

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **June 24, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

June 24, 2024 **8:30 AM** **Status Check**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Candice Sanders-Castro

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

Defalco, Jessica	Defendant
Stone, Anna Lee	Attorney

JOURNAL ENTRIES

- Ms. Stone informed the Court that she would prefer trial stack in early September 2024. Colloquy regarding status of trial readiness.

CUSTODY

09/09/24 10:30 AM JURY TRIAL

08/28/24 8:30 AM CALENDAR CALL

08/07/24 8:30 STATUS CHECK: TRIAL READINESS

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **August 07, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

August 07, 2024 **8:30 AM** **Status Check: Trial Readiness**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Nancy Maldonado

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

Defalco, Jessica	Defendant
Leon, Maricela	Attorney
Saxe, Benjamin R.	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Saxe advised there were no issues and announced ready for trial. Ms. Leon announced ready, noting she wasn't sure if defense would have the medical records in time for trial. COURT ORDERED, trial dates, STAND.

CUSTODY

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **August 28, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

August 28, 2024 **8:30 AM** **Calendar Call**

HEARD BY: Hardy, Joe **COURTROOM:** RJC Courtroom 11D

COURT CLERK: Terinda Mang

RECORDER: Matt Yarbrough

REPORTER:

PARTIES PRESENT:

Defalco, Jessica	Defendant
Leon, Maricela	Attorney
Segerblom, Carl Gunnar	Attorney
State of Nevada	Plaintiff

JOURNAL ENTRIES

- Mr. Segerblom advised this is Deputy Stone's case, she indicated to be ready and as of now there has been no offer from State. Ms. Leon stated she cannot speak as to the negotiations; however, State anticipates to be ready. Colloquy regarding outstanding subpoenas. Upon Court's inquiry, Mr. Segerblom advised Defense has 1-3 witnesses; State has 10-12 witnesses; Deputy Michael Allmon will try the case; 5 days for trial. COURT ORDERED, matter REFERRED and SET for Central Calendar Call.

CUSTODY

9/4/24 2:00 P.M. CENTRAL CALENDAR CALL (DEPT 10)

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **September 04, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

September 04, 2024 2:00 PM Central Calendar Call

HEARD BY: Jones, Tierra **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Ryan Cardwell

RECORDER: Victoria Boyd

REPORTER:

PARTIES PRESENT:

Allmon, Michael Donovan	Attorney
Defalco, Jessica	Defendant
Saxe, Benjamin R.	Attorney
State of Nevada	Plaintiff
Stone, Anna Lee	Attorney

JOURNAL ENTRIES

- Mr. Sax indicated he just received an offer from the State and requested to trail the matter to allow him to speak with the Defendant. MATTER TRAILED.

MATTER RECALLED. All parties present as before. Mr. Sax requested more time to speak to the Defendant regarding the State's offer. COURT ORDERED, trial date SET; due to the Court's calendar case REASSIGNED to Department 7. COURT DIRECTED the Defense to provide clothes to the jail by the close of business tomorrow. COURT FURTHER ORDERED, status check as to possible negotiations SET.

CUSTODY

09/05/2024 9:00 AM STATUS CHECK: NEGOTIATIONS (DEPT. 10)

09/09/2024 11:00 A.M. JURY TRIAL (DEPT 07)

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **September 05, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

September 05, 2024 9:00 AM Status Check

HEARD BY: Jones, Tierra **COURTROOM:** RJC Courtroom 14B

COURT CLERK: Kory Schlitz
Ryan Cardwell

RECORDER: Victoria Boyd

REPORTER:

PARTIES PRESENT:

Allmon, Michael Donovan	Attorney
Defalco, Jessica	Defendant
Schmidt, Robert J.	Attorney
State of Nevada	Plaintiff
Stone, Anna Lee	Attorney

JOURNAL ENTRIES

- Mr. Schmidt indicated, the State revoked their offer. COURT ORDERED, trial date STANDS.

CUSTODY

09/09/2024 11:00 AM JURY TRIAL (DEPT. 7)

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor	**COURT MINUTES**	**September 06, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

September 06, 2024	**8:30 AM**	**Status Check**	**Status Check: Trial Exhibits**

HEARD BY: Pieper, Danielle **COURTROOM:** RJC Courtroom 05B

COURT CLERK: Krystle Roberson

RECORDER: Stacey Ray

REPORTER:

PARTIES PRESENT:

Allmon, Michael Donovan	Attorney
Schmidt, Robert J.	Attorney
State of Nevada	Plaintiff
Stone, Anna Lee	Attorney

JOURNAL ENTRIES

- Defendant not present.

Court noted that an informal meeting had been arranged for counsel to submit evidence. Ms. Stone inquired as to various trial logistics, to which Court so noted, and informed of its likely daily trial schedule. Colloquy by Court and counsel regarding the questions posed during Voir Dire, the potential number of jury alternates, jury box seating, and the Court's requirement of non-speaking objections. Court instructed that the State's most recent offer would be placed on the record outside the presence of the prospective panel, on the forthcoming Monday. After a colloquy regarding the State's foreseeable number of witnesses, COURT ORDERED, State to ensure that witnesses appear on time throughout trial.

CUSTODY

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **September 09, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

September 09, 2024 11:00 AM Jury Trial

HEARD BY: Pieper, Danielle **COURTROOM:** RJC Courtroom 05B

COURT CLERK: Krystle Roberson
Ryan Cardwell

RECORDER: Stacey Ray

REPORTER:

PARTIES PRESENT:

Allmon, Michael Donovan	Attorney
Defalco, Jessica	Defendant
Hallquist, Corey John	Attorney
Schmidt, Robert J.	Attorney
State of Nevada	Plaintiff
Stone, Anna Lee	Attorney

JOURNAL ENTRIES

- Defendant's Waiver of Her Right to a Jury Trial and Request for a Bench Trial FILED IN OPEN COURT.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS:
Upon Court's inquiry, Mr. Allman noted an offer had been made at one point, however, indicated the said offer was revoked. Ms. Stone made statements regarding the history of the case, indicated the said offer was revoked at Central Trial Readiness and noted Deft. was initially inclined to accept the offer. Additionally, Ms. Stone advised Deft. was requesting to waive her right to a jury trial and proceed with a bench trial and presented a written Waiver to the Court. Upon Court's inquiry, Mr. Allman advised he was opposed to the said Waiver. Colloquy regarding response to Waiver. Following colloquy, Mr. Allman cited NRS 175.011, noted the plain language of the statute, and argued there were no grounds to move forward with a bench trial. Ms. Stone objected to the State's

cited statute and argued in favor of the Request for Bench Trial. Further arguments by counsel.

Following a brief recess, Prospective Jurors excused.

Krystle Roberson, Courtroom Clerk present at the hour of 1:08 pm. Continued arguments by counsel as to Defendant's Waiver of Her Right to a Jury Trial and Request for a Bench Trial. Following a brief recess, Court cited Gallimort vs. State and advised the Nevada Supreme Court had requested Defts. be canvassed on specific items when requesting to waive their right to a jury trial. DEFT. SO CANVASSED. Following canvass, COURT noted it had read the instant Motion and ORDERED, Defendant's Waiver of Her Right to a Jury Trial and Request for a Bench Trial DENIED for all grounds stated.

Colloquy regarding outstanding discovery.

Additionally, Ms. Stone requested the Random List packet be made a Court's Exhibit. Upon Court's inquiry, Mr. Allman noted privacy concerns for the jurors and requested it be sealed. Colloquy as to sealing. Following colloquy, Court noted it would make its ruling as to the Jury List packet being either a Court's Exhibit or Sealed Court's Exhibit once it was confirmed by the Clerk if the public had access to Court's Exhibits or not.

Colloquy regarding the schedule of the estimated five day trial.

PROSPECTIVE JURORS PRESENT:
Roll call taken by the Clerk. Voir dire oath ADMINISTERED. Voir dire conducted.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS:
Colloquy regarding the excusal of Prospective Jurors following voir dire. Parties conducted challenges for cause.

PROSPECTIVE JURORS PRESENT:
Prospective Jurors excused and replaced. Court explained peremptory challenges. Voir dire conducted.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS:
Colloquy regarding the excusal of Prospective Jurors following voir dire.

PROSPECTIVE JURORS PRESENT:
Prospective Jurors excused and replaced. COURT RECESSED for the evening; TRIAL CONTINUED.

CUSTODY

09/10/24 10:30 AM CONTINUED: JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **September 10, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

September 10, 2024 10:30 AM Jury Trial

HEARD BY: Pieper, Danielle **COURTROOM:** RJC Courtroom 05B

COURT CLERK: Krystle Roberson

RECORDER: Stacey Ray

REPORTER:

PARTIES PRESENT:

Allmon, Michael Donovan	Attorney
Defalco, Jessica	Defendant
Hallquist, Corey John	Attorney
Schmidt, Robert J.	Attorney
State of Nevada	Plaintiff
Stone, Anna Lee	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS:
Court noted various prospective jurors' medical appointments verified by the Marshall.

PROSPECTIVE JURORS PRESENT:
Prospective Juror #2 not present. CONFERENCE AT BENCH. Voir dire conducted. CONFERENCES AT BENCH.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS:
Colloquy regarding the dismissal of several Prospective Jurors.

PROSPECTIVE JURORS PRESENT:
Prospective Jurors excused and replaced. Introduction for Prospective Jury Panel #2. Roll call taken by the Clerk for Prospective Jury #2.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS:
COURT advised it was made aware Ms. Stone had spoken with the Appellate Division and had requested the Random List packet be made a Court's Exhibit and ORDERED, Court's Exhibit #1 ORDERED SEALED.

PROSPECTIVE JURORS PRESENT:
CONFERENCE AT BENCH. Voir dire conducted. CONFERENCE AT BENCH.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS:
Colloquy regarding the dismissal of prospective jurors.

PROSPECTIVE JURORS PRESENT:
Prospective Jurors excused and replaced. Voir dire conducted. CONFERENCES AT BENCH.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS:
Parties conducted challenges for cause. Colloquy and arguments regarding Mr. Allmon's for cause issue that the Court acknowledged as a potential Batson challenge.

PROSPECTIVE JURORS PRESENT:
Court advised jury selection would continue and instructed the Prospective Jurors to return the following day at 10:30 am.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS:
Colloquy regarding the dismissal of several Prospective Jurors. COURT RECESSED for the evening; TRIAL CONTINUED.

CUSTODY

09/11/24 10:30 AM CONTINUED: JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **September 11, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

September 11, 2024 10:30 AM Jury Trial

HEARD BY: Pieper, Danielle **COURTROOM:** RJC Courtroom 05B

COURT CLERK: Krystle Roberson

RECORDER: Stacey Ray

REPORTER:

PARTIES PRESENT:

Allmon, Michael Donovan	Attorney
Defalco, Jessica	Defendant
Hallquist, Corey John	Attorney
Schmidt, Robert J.	Attorney
State of Nevada	Plaintiff
Stone, Anna Lee	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS:
Court noted the dismissal of a Prospective Juror.

PROSPECTIVE JURORS PRESENT:
Prospective Juror excused and replaced. Voir Dire conducted. CONFERENCE AT BENCH.

OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURORS:
For Cause Challenges conducted. Colloquy regarding the dismissal of Prospective Jurors where Ms. Stone renewed a Motion to Strike. Following colloquy, COURT ORDERED, Motions to Strike DENIED. Colloquy regarding Voir Dire.

PROSPECTIVE JURORS PRESENT:
Voir Dire conducted. Peremptory challenges conducted. A jury and two alternates SELECTED.

OUTSIDE THE PRESENCE OF THE JURY AND THE STATE:
Mr. Allman nor Mr. Hallquist present. Ms. Stone advised they were intending to concede certain charges and elements in their opening; colloquy regarding "Hernandez" hearing/canvass. Upon Court's inquiry, Ms. Stone advised they were conceding the "Failure to Stop" (DUTY TO STOP AT SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY) in its entirety, as well as the BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM, those two charges, as to Brian. Additionally, Ms. Stone advised they were conceding the element of BATTERY as to Melissa, but not the entire charge. Deft. CANVASSED as to conceding the said charges.

OUTSIDE THE PRESENCE OF THE JURY:
EXCLUSIONARY RULE INVOKED. Colloquy regarding expert witnesses, exclusion of certain statements by Defendant. Mr. Schmidt stated an objection to the State showing pictures in its opening, which the Court Overruled.

JURY PRESENT:
Jury SWORN, Amended Information READ on the record, and preliminary instructions read to the Jury. Opening statements by counsel. Testimony and exhibits presented (see worksheets). CONFERENCES AT BENCH.

OUTSIDE THE PRESENCE OF THE JURY:
Court advised of "Hernandez" hearing/canvass conducted prior to openings. Court made statements regarding Mr. Schmidt's opening statements and advised it did not canvass Deft. as to alcohol intoxication as the Court was unaware. Deft. FURTHER CANVASSED. Colloquy regarding Defense's prior discussions with Deft.

OUTSIDE THE PRESENCE OF THE JURY:
Statements by Ms. Stone regarding "Hernandez" hearing/canvass of Deft. where she advised, prior to openings, Defense counsel had spoken with Deft. about including drinking, however, they did not discuss added charges. Colloquy regarding non-probationable charges, content of opening arguments, potential jury admonishment.

JURY PRESENT:
Testimony and exhibits presented (see worksheets). CONFERENCES AT BENCH. JURORS RECESSED for the evening and instructed to return the following morning at 9:30 am.

OUTSIDE THE PRESENCE OF THE JURY:
Deft. advised of her right not to testify. COURT RECESSED for the evening; TRIAL CONTINUED.

CUSTODY

09/12/24 9:30 AM CONTINUED: JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **September 12, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

September 12, 2024 9:30 AM Jury Trial

HEARD BY: Pieper, Danielle **COURTROOM:** RJC Courtroom 05B

COURT CLERK: Krystle Roberson

RECORDER: Stacey Ray

REPORTER:

PARTIES PRESENT:

Allmon, Michael Donovan	Attorney
Defalco, Jessica	Defendant
Hallquist, Corey John	Attorney
Schmidt, Robert J.	Attorney
State of Nevada	Plaintiff
Stone, Anna Lee	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY:
Colloquy regarding Juror #5's impending biology exam, which the Juror was unable to be excused from, and the release of the said Juror. Testimony by Juror #5 regarding the said biology exam. Following testimony COURT ORDERED, over the Defense's objection, Juror #5 EXCUSED under NRS 6.030 where COURT FINDS there existed undue hardship or extreme inconvenience. Court further noted Juror #13 was now part of the Jury.

JURY PRESENT:
Testimony and exhibits presented (see worksheets). CONFERENCES AT BENCH.

OUTSIDE THE PRESENCE OF THE JURY:
Ms. Stone noted objections to the last couple of questions and made arguments thereto. Following arguments, Ms. Stone moved to strike. Arguments by Mr. Allmon. Colloquy regarding testimony of

Witness and intoxication of Deft. where Mr. Allmon requested to reopen.

JURY PRESENT:
Testimony and exhibits presented (see worksheets). CONFERENCES AT BENCH.

OUTSIDE THE PRESENCE OF THE JURY:
Court noted it had not yet received a copy of the jury instructions and advised it needed a copy of the said instructions on the instant day. Colloquy regarding jury instructions. Following colloquy, Court instructed parties to send jury instructions via e-mail that instant night. Following a colloquy regarding the marking of Court's and Deft.'s exhibits, COURT ORDERED the clean, unmarked copy of Defense Exhibit A shall be MARKED as Defense Exhibit A-1. COURT FURTHER ORDERED, copies be made of two-party Jury questions and be MARKED as COURT'S EXHIBITS next in line.

OUTSIDE THE PRESENCE OF THE JURY:
Further colloquy regarding jury instructions.

JURY PRESENT:
Testimony and exhibits presented (see worksheets). CONFERENCES AT BENCH.

OUTSIDE THE PRESENCE OF THE JURY:
Witness present. Witness ADMONISHED not to speak of or bring up domestic violence incidents.

OUTSIDE THE PRESENCE OF THE JURY:
Colloquy regarding adverse witness, hostile testimony. Additionally, Court noted the inaccuracies of jurors listing their juror numbers as their badge numbers when identifying themselves on their written Jury questions. Statement by Mr. Schmidt regarding bias where he cited case law and argued instances of perceived of bias. Court responded to each argument and made statements thereto. Colloquy regarding the subjects discussed during Deft.'s "Hernandez" hearing/canvass.

JURY PRESENT:
Continued testimony and exhibits presented (see worksheets). CONFERENCES AT BENCH. JURORS RECESSED for the evening and instructed to return the following morning at 9:00 am.

OUTSIDE THE PRESENCE OF THE JURY:
Colloquy regarding witness testimony for the following day. Court reiterated its expectation of the delivery of jury instructions that instant night. COURT RECESSED for the evening; TRIAL CONTINUED.

CUSTODY

09/13/24 9:00 AM CONTINUED: JURY TRIAL

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **September 13, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

September 13, 2024 9:00 AM Jury Trial

HEARD BY: Pieper, Danielle **COURTROOM:** RJC Courtroom 05B

COURT CLERK: Krystle Roberson

RECORDER: Stacey Ray

REPORTER:

PARTIES PRESENT:

Allmon, Michael Donovan	Attorney
Defalco, Jessica	Defendant
Hallquist, Corey John	Attorney
Schmidt, Robert J.	Attorney
State of Nevada	Plaintiff
Stone, Anna Lee	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY:
Following a colloquy regarding the mention of punishment, prison and bail within Exhibit 6 and redaction thereto, COURT RULED, anything regarding prison must come out. State advised it was working on the redaction; colloquy regarding witness testimony.

JURY PRESENT:
Testimony and exhibits presented (see worksheets). CONFERENCES AT BENCH.

OUTSIDE THE PRESENCE OF THE JURY:
Colloquy regarding redacted jail call audio; Jury Instructions. Ms. Stone advised Deft. would not be testifying. Jury Instructions and Verdict Form FINALIZED.

JURY PRESENT:

Testimony and exhibits presented (see worksheets). Andrea Natali, Courtroom Clerk present at the hour of 1:52 pm. CONFERENCES AT BENCH.

OUTSIDE THE PRESENCE OF THE JURY:
Following a colloquy regarding written question from Juror where the Witness was present, corrections to Jury Instructions, order of charges on Verdict Form, and Jury deliberation were discussed. Arguments by Ms. Stone where she requested to do closings on Monday, September 16, 2024. Upon Court's inquiry, Mr. Allman advised the state was ready to close and have the Jurors deliberate. COURT ADVISED it would inquire to see how late the Jurors were willing to stay on the instant day. Following inquiry to the Jurors, the Court Marshal notified the Court as to the various Juror's time parameters for deliberation.

JURY PRESENT:
Krystle Roberson, Courtroom Clerk present at the hour of 2:05 pm. Testimony continued. CONFERENCE AT BENCH. State rested; Defense rested.

OUTSIDE THE PRESENCE OF THE JURY:
Jury Instructions and Verdict Form FINALIZED on the record.

JURY PRESENT:
Jury INSTRUCTED by the Court. Closing arguments by Mr. Hallquist. Closing arguments by Ms. Stone. Final closing by Mr. Allmon. Court Marshal and Judicial Executive Assistant SWORN to take charge of the Jury. At the hour of 4:35 pm, the Jury retired to deliberate.

JURY PRESENT:
At the hour of 5:10 pm, the JURY RETURNED with a VERDICT of GUILTY as to COUNT 1 AND COUNT 2 - ATTEMPT MURDER WITH USE OF A DEADLY WEAPON, GUILTY as to COUNT 3 AND COUNT 4 - BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM, and GUILTY as to COUNT 5 - DUTY TO STOP AT SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY. Jury polled at the request of Mr. Schmidt. Court thanked and EXCUSED the Jury.

OUTSIDE THE PRESENCE OF THE JURY:
Based on the Jury verdict, COURT REMANDED Deft. to the custody of the Sheriff without bail, ORDERED a Pre-sentence Investigation Report (PSI) and SET matter for sentencing.

CUSTODY

10/23/24 8:30 AM SENTENCING

DISTRICT COURT
CLARK COUNTY, NEVADA

Felony/Gross Misdemeanor **COURT MINUTES** **October 23, 2024**

C-23-372006-1 State of Nevada
vs
Jessica Defalco

October 23, 2024 **8:30 AM** **Sentencing**

HEARD BY: Pieper, Danielle **COURTROOM:** RJC Courtroom 05B

COURT CLERK: Krystle Roberson

RECORDER: Stacey Ray

REPORTER:

PARTIES PRESENT:

Allmon, Michael Donovan	Attorney
Defalco, Jessica	Defendant
Schmidt, Robert J.	Attorney
State of Nevada	Plaintiff
Stone, Anna Lee	Attorney

JOURNAL ENTRIES

- Court noted it read the letter from Matthew Weiss. Arguments by Mr. Allmon; exhibit presented (see worksheet). Colloquy regarding restitution. MATTER TRAILED for parties to confirm exact amounts of restitution.

MATTER RECALLED. Same parties present. Following further colloquy regarding restitution as to the victims, Mr. Allmon advised the State was ready to proceed on the discussed amounts, and Ms. Stone noted the out of pocket amount. Statements by Defendant; arguments by Ms. Stone. Victim speakers, Bryan Salcedo and Melissa Garibay, SWORN and addressed the Court. In accordance with the laws of the State of Nevada and by Order of the Court, DEFT. DEFALCO ADJUDGED GUILTY of COUNTS 1 and 2- ATTEMPT MURDER WITH USE OF A DEADLY WEAPON (F), COUNTS 3 and 4- BATTERY WITH USE OF A DEADLY WEAPON RESULTING IN SUBSTANTIAL BODILY HARM (F), and COUNT 5- DUTY TO STOP AT SCENE OF CRASH INVOLVING DEATH OR PERSONAL INJURY (F). COURT ORDERED, in addition to the $25.00 Administrative Assessment fee, the $150.00 DNA Testing fee, including testing to determine genetic markers, WAIVED, $3.00 DNA Collection

fee, RESTITUTION payable to Melissa Garibay in the amount of $4,399.52, RESTITUTION payable to VC7000000 in the amount of $5,575.03, and RESTITUTION payable to Bryan Salcedo in the amount of $144,331.70, DEFT. SENTENCED as to:

COUNT 1- a MINIMUM of TWO (2) YEARS and a MAXIMUM of FIVE (5) YEARS in the Nevada Department of Corrections (NDC) with a CONSECUTIVE TWO (2) to FIVE (5) YEARS in the Nevada Department of Corrections (NDC). COUNT 1 AGGREGATE SENTENCE is FOUR (4) to TEN (10) YEARS; and

COUNT 2- a MINIMUM of TWO (2) YEARS and a MAXIMUM of FIVE (5) YEARS in the Nevada Department of Corrections (NDC) with a CONSECUTIVE TWO (2) to FIVE (5) YEARS in the Nevada Department of Corrections (NDC). COUNT 2 AGGREGATE SENTENCE is FOUR (4) to TEN (10) YEARS; COUNT 2 to run CONSECUTIVE to COUNT 1; and

COUNT 3- a MINIMUM of TWO (2) YEARS and a MAXIMUM of FIVE (5) YEARS in the Nevada Department of Corrections (NDC); to run CONCURRENT with COUNTS 2 and 1; and

COUNT 4- a MINIMUM of TWO (2) YEARS and a MAXIMUM of FIVE (5) YEARS in the Nevada Department of Corrections (NDC); to run CONCURRENT with COUNTS 3, 2, and 1; and

COUNT 5- a MINIMUM of FOUR (4) YEARS and a MAXIMUM of TEN (10) YEARS in the Nevada Department of Corrections (NDC); to run CONSECUTIVE to COUNTS 2 and 1 and CONCURRENT with COUNTS 3 and 4; TOTAL AGGREGATE TERM of TWELVE (12) to THIRTY (30) YEARS; with FIVE HUNDRED SEVENTY-SEVEN (577) DAYS credit for time served.

Following sentencing, Court noted State's presented exhibit and restitution paperwork MARKED as COURTS EXHIBITS.

BOND, if any, EXONERATED.

NDC

EXHIBIT(S) LIST

Case No.: C-23-372006-1 **Jury Trial Date:** September 9, 2024

Dept. No.: 07 **Judge:** Honorable Danielle Pieper

Court Clerk: Ryan Cardwell, Krystle Roberson, Andrea Natali

Plaintiff: State of Nevada **Recorder:** Stacey Ray

Counsel for Plaintiff: Michael Allmon / Corey Hallquist

vs.

Defendant: Jessica Defalco **Counsel for Defendant:** Anna Stone / Robert Schmidt

JURY TRIAL BEFORE THE COURT

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	USB – Labeled Defalco Video Surveillance	09/11/24	NO	09/11/24
2	CD – Labeled Bryant Ramirez Castro -BRC 4/9/29	09/11/24	No	09/11/24
3	CD – Labeled Jerry Ramirez JR 09/04/24	09/11/24	No	09/11/24
4	CD – Cell Phone Video	09/12/24	Submit	09/12/24
5	CD – Labeled Store 243 – Lot –parking 8/30/24 C.B. 9/3/24			
6	USB – Audio Call	09/13/24	Stip	09/13/24
7	Picture – In-N-Out Sign	09/12/24		09/12/24
8	Picture –parking lot view 3 cars	↓		↓
9	Picture – Parking lot with marked items (red cloth, crocs, cup, car debris)			
10	Picture – Parking lot with red shirt, crocs			
11	Picture – Parking lot with marked items			
12	Picture – Parking lot with tire marks and marked items			
13	Picture – wider view of parking lot with 3 cars and marked items			
14	Picture – KIA with plate G86V			
15	Picture – KIA rear bumper			
16	Picture – KIA rear bumper close (view 1)			
17	Picture – KIA rear bumper close (view 2)	↓		↓

EXHIBIT(S) LIST

Case No: C-23-372006-1

State of Nevada vs. Jessica Defalco

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
18	Picture – Rear of KIA with Honda grill	09/12/24	No	09/12/24
19	Picture – Honda grill (view 1)	↓	↓	↓
20	Picture – Honda grill (view 2)			
21	Picture – Black bumper and 3 cars			
22	Picture – Black bumper front	09/12/24	No	09/12/24
23	Picture – Black bumper inside view	09/12/24	NO	09/12/24
24	Picture – Black bumper side view	09/12/24	No	09/12/24
25	Picture – Gray Kia and black bumper behind caution tape	09/12/24	No	09/12/24
26	Picture – Kia Soul driver's side	↓	↓	↓
27	Picture – Kia Sould rear (plate "MISSGRL")			
28	Picture – Plate "MISSGRL"	09/12/24	No	09/12/24
29	Picture – tire marks (view 1)			
30	Picture – tire marks (view 2)			
31	Picture – tire marks (view 3)			
32	Picture – tire marks (view 4)			
33	Picture – tire marks (view 5)			
34	Picture - tire marks (view 6)	09/13/24	NO	09/13/24
35	Picture - tire marks (view 7)	↓	↓	↓
36	Picture – debris in parking lot surrounding black Kia (plate #G86V)	09/13/24	NO	09/13/24
37	Picture - debris in parking lot in front of silver car			
38	Picture - debris in parking lot in front of silver car and black Kia (plate #G86V)			
39	Picture – In n Out parking lot with blue and orange markings	9/13/24	NO	9/13/24
40	Picture –blue and orange markings on ground (view 1)			
41	Picture - blue and orange markings on ground (view 2)			
42	Picture - blue and orange markings on ground (view 3)			
43	Picture – orange markings on ground			

EXHIBIT(S) LIST

Case No: C-23-372006-1

State of Nevada vs. Jessica Defalco

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
44	Picture – "V1 EXIT" (orange markings on asphalt)			
45	Picture - "V1 EXIT" (orange markings on asphalt) wider view			
46	Picture – "V1 ENTRY" (orange markings on asphalt)	09/13/24		09/13/24
47	Picture - "V1 ENTRY" (orange markings on asphalt) closer view			
48	Picture – tire marks, orange cones			
49	Picture – Street sign Hawthorn Woods Av & Maverick St			
50	Picture – House with black Honda in driveway (driver's side view of car)	09/12/24	NO	09/12/24
51	Picture - House with black Honda in driveway (passenger side view of car)	↓	↓	↓
52	Picture – rear view of black Honda showing license plate "DAYDREM"			
53	Picture – closer view of black Honda passenger side in driveway			
54	Picture - passenger side of black Honda showing damage to front end	09/12/24	NO	09/12/24
55	Picture - passenger side of black Honda (view 1)			
56	Picture - passenger side of black Honda (view 2)	09/12/24	NO	09/12/24
57	Picture – front passenger view of black Honda showing damage to front end	09/12/24	NO	09/12/24
58	Picture – closer front view of black Honda showing damage to front end (view 1)	↓	↓	↓
59	Picture – closer front view of black Honda showing damage to front end (view 2)			
60	Picture – closer front view of black Honda showing damage to front end (view 3)			
61	Picture - front driver's view of black Honda showing damage to front end			
62	Picture – driver's side view of black Honda (view 1)			
63	Picture - driver's side view of black Honda (view 2)			
64	Picture – close up of license plate "DAYDREM"			
65	Picture – driver's side of black Honda showing damage to front end			
66	Picture – closer view of driver's side of black Honda showing damage to front end	↓	↓	↓
67	Picture – closer view of front end damage to black Honda	09/12/24	NO	09/12/24

EXHIBIT(S) LIST

Case No: C-23-372006-1

State of Nevada vs. Jessica Defalco

STATE'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
68	Picture – close front passenger view of black Honda showing damage to front end (view 1)	09/12/24	No	09/12/24
69	Picture - close front passenger view of black Honda showing damage to front end (view 2)	↓	↓	↓
70	Picture - driver's side view of black Honda showing damage to front end and hood	09/12/24	No	09/12/24
71	Picture – black Honda inside of a garage showing damage to front end			
72	Picture – of woman in green shirt (Deft.?)	09/13/24		09/13/24
73	Picture- In-n-Out restaurant with white car (nighttime)	09/12/24	No	09/12/24
74	Picture- injuries to lower back/right hip/torso	09/12/24	No	09/12/24
75	Picture- injuries to right arm			
76	Picture- injuries to man's chest			
77	Picture- injuries to left chest/shoulder			
78	Picture- injuries to left forearm (with IV)			
79	Picture- injury to left knee			
80	Picture- injuries to right leg, with blue brace on left leg			
81	Picture- left profile of man's face, injuries to eyebrow, cheek			
82	Picture- injuries to person's back (right shoulder, right hip)	09/12/24	No	09/12/24
83	Photo of ~~Deft.~~ in vehicle	09/12/24	No	09/12/24
83A	CD disc of photo (digital photo of 83)	09/12/24	No	09/12/24
84	Cellphone video - Boyd - DISC CD	09/12/24	No	09/12/24
85	Map of intersection of Berg St + E Craig	09/11/24	No	09/11/24
86	Photo - Parking lot w/ green "V2 LR" Markings	09/13/25	No	09/13/24
87	Aerial map of North Las Vegas	09/13/24	No	09/13/24
88	Map of In-N-Out to 6120 Maverick St	09/13/24	Yes	—
89	Map of In-N-Out to 6901 E Lake Mead Blvd	09/13/24	Yes	—

EXHIBIT(S) LIST

Case No.: C-23-372006-1 **Jury Trial Date:** September 9, 2024

Dept. No.: 07 **Judge:** Honorable Danielle Pieper

Court Clerk: Krystle Roberson

Plaintiff: State of Nevada **Recorder:** Stacey Ray

Counsel for Plaintiff: Michael Allmon, Corey Hallquist

vs.

Defendant: Jessica Defalco **Counsel for Defendant:** Anna Stone; Robert Schmidt

JURY TRIAL BEFORE THE COURT

DEFENDANT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
A	Map of In-n-Out Parking Lot (marked)	09/12/24	Stip	09/12/24
A-1	Map of In-n-Out Parking Lot (clean version)	09/12/24		09/12/24

EXHIBIT(S) LIST

Case No.: C-23-372006-1 **Jury Trial Date:** September 9, 2024

Dept. No.: 07 **Judge:** Honorable Danielle Pieper

Court Clerk: Krystle Roberson, Andrea Natali

Plaintiff: State of Nevada **Recorder:** Stacey Ray

Counsel for Plaintiff: Michael Allmon / Corey Hallquist

vs.

Defendant: Jessica Defalco **Counsel for Defendant:** Anna Stone / Robert Schmidt

JURY TRIAL BEFORE THE COURT

COURT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	Random List - FILE UNDER SEAL			09/10/24
2	Jury List - unused due to error			09/11/24
3	Juror #13 Question (Asked)			09/11/24
4	Juror #8 Question (Not Asked) (bdg #50)			
5	Juror #5 Question (Asked) (badge #43)			
6	Juror #12 Question (Asked)			
7	Juror #1 Question (Asked)			
8	Juror #13 Question (Asked)			
9	Juror #7 Question (Asked)			
10	Juror #12 Question (Asked)			
11	Juror #9 Question (Not Asked)			
12	Juror #9 Question (Asked)			
13	Juror #13 Question (Asked)			
14	Juror #3 Question (Asked)			
15	Juror #14 Question (Asked) (badge #25)			
16	Juror #11 Question (Not Asked)			↓
17	Juror #14 Question (Asked)			09/11/24

EXHIBIT(S) LIST

Case No: C-23-372006-1

State of Nevada vs. Jessica Defalco

COURT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
18	Juror #3 Question (Asked)	—	—	09/11/24
19	Juror #5 Question (Asked) badge #43	—	—	↓
20	Juror #12 Question (Asked) badge #41	—	—	↓
21	Juror #7 Question (Asked) badge #33	—	—	09/11/24
22	Juror #1 Question (Asked) badge #37	—	—	09/12/24
23	Juror #12 Question (Asked)	—	—	↓
24	Juror #11 Question (Not asked) badge #47	—	—	↓
25	Juror #12 Question (Not asked)	—	—	↓
26	Juror #4 Questions (1st Question Asked)	—	—	↓
26A	↳ (2nd Question Not asked)	—	—	↓
27	Juror #9 Question (Asked) badge #14	—	—	↓
28	Juror #13 Question (Asked) badge #42	—	—	↓
29	Juror #14 Question (Asked) badge #25	—	—	↓
30	Juror #3 Questions (Q's 1,2,4 Asked)	—	—	↓
30A	↳ Question #3 (not asked)	—	—	↓
31	Juror #1 Question (Asked) badge #37	—	—	↓
32	Juror #9 Question (Asked) badge #14	—	—	↓
33	Juror #7 Question (Asked) badge #33	—	—	↓
34	Juror #1 Question (Asked) badge #37	—	—	↓
35	Juror #14 Question (Asked) badge #25	—	—	↓
36	Juror #13 Question (Asked) badge #42	—	—	09/12/24
37	Juror #14 Question (Asked)	—	—	09/13/24
38	Juror #14 Question (Not Asked) badge #25	—	—	9/13/24
39	Juror #13 Question (Not asked) badge #42	—	—	9/13/24
40	Juror #12 Question (Not asked) badge #41	—	—	9/13/24

EXHIBIT(S) LIST

Case No: C-23-372006-1

State of Nevada vs. Jessica Defalco

COURT'S EXHIBITS

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
41	Juror#3 Question (NOT asked)			09/13/24
42	Juror#14 Question (Not asked) badge#25			
43	" "			
44	Juror#1 Question (Asked) badge#37			
45	Juror#12 Question (Asked) badge#41			09/13/24
46	Defense-proposed Jury Instruction Re: Weight to			
	give witness testimony			
47	Defense - Proposed Jury Instruction Re: Using			
	Defendant's name instead of Defendant			
48	Defense - Proposed Jury Instructions (23 pgs)			
49	State's - Proposed Jury Instruction Re: Attempt			
	Murder			
50	State's - Proposed Jury Instruction Re: Voluntary			
	intoxication			
51	State's - Proposed Jury Instruction Re: Flight			
52	State's - Proposed Jury Instructions (34 pgs)			
53	State's - Opening PowerPoint (printout) (9 pgs)			
54	State's - Closing PowerPoint (printout) (39 pgs)			
55	State's - Closing Rebuttal (printout of video			
	icon (2 pgs)			09/13/24

Case No.: **C-23-372006-1**

Dept. No.: **07**

Plaintiff: **STATE OF NEVADA**

vs.

Defendant: **JESSICA DEFALCO**

Hearing Date: 10/23/24

Judge: Danielle Pieper

Court Clerk: Krystle Roberson

Recorder: Stacey Ray

Counsel for Plaintiff: Michael Allmon, Esq.

Counsel for Defendant: Anna Stone, Esq., Robert Schmidt, Esq.

HEARING BEFORE THE COURT

COURT'S EXHIBIT

Exhibit Number	Exhibit Description	Date Offered	Objection	Date Admitted
1	Flash drive containing cell phone video and jail call	—	—	10/23/24
2	Request for Restitution packet re Bryan Salcedo (35 pages)	—	—	10/23/24
3	Request for Restitution packet re Melissa Garibay (70 pages)	—	—	10/23/24

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; JUDGMENT OF CONVICTION (JURY TRIAL); DISTRICT COURT MINUTES; EXHIBITS LIST

STATE OF NEVADA,

Plaintiff(s),

vs.

JESSICA DEFALCO,

Defendant(s).

Case No: C-23-372006-1

Dept No: VII

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 22 day of November 2024.

Steven D. Grierson, Clerk of the Court

/s/ Cierra Borum
Cierra Borum, Deputy Clerk