IN THE SUPREME COURT OF THE STATE OF NEVADA

KEVIN CALEB-HEIER,)	**Supreme Court No. 90126**
Appellant,)	
vs.)	District Court Case No. CR20-0059
THE STATE OF NEVADA)	
Respondent.)	

RECORD ON APPEAL

CR20-0059

Volume 3

Pages 001 – 26

THOMAS J GIBSON

1601 E Basin Ave, #302

Pahrump, Nevada 89060

ATTORNEY FOR KEVIN CALEB HEIER

Kevin Caleb Heier #1256486

Ely State Prison (ESP)

Post Office Box 1989

Ely, NV 89301

NYE COUNTY DISTRICT ATTORNEY

1520 E Basin Ave

Pahrump, NV 89060

ATTORNEY FOR RESPONDENT

Docket 90126 Document 2025-23202

ALPHABETICAL INDEX OF RECORD ON APPEAL

DISTRICT COURT CASE NO. CR20-0059

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PAHRUMP JUSTICE COURT
BY A. Malone
2020 MAY 20 A 8:34
RECEIVED AND FILED

Case No. 20CR01268

Department A

LEA Case No(s). 20NY-1467

ARR: _____

IN THE JUSTICE COURT OF PAHRUMP TOWNSHIP

COUNTY OF NYE, STATE OF NEVADA

THE STATE OF NEVADA,

Plaintiff,

v. **CRIMINAL COMPLAINT**

KEVIN CALEB HEIER,

Defendant. /

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

The undersigned, Chris Arabia, District Attorney, County of Nye, State of Nevada, by and through his deputy, Michael D. Allmon, complains and charges the above named defendant, KEVIN CALEB HEIER, with having committed the following offenses within said County of Nye, State of Nevada:

COUNT I

DOMESTIC BATTERY (STRANGULATION), in violation of **NRS 200.481 / 200.485, A CATEGORY 'C' FELONY,** committed in the following manner, to wit: That ON OR ABOUT MAY 7, 2020, in Pahrump Township, Nye County, Nevada, said Defendant did willfully and unlawfully use force or violence, by means of strangulation, upon the person of LINDA HEIER, who is a person to whom the Defendant is related by blood or marriage, by placing his hands around her neck and/or holding her head underwater in a bathtub;

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COUNT II

ABUSE OF AN OLDER PERSON, in violation of **NRS 200.5092 / NRS 200.5099, A GROSS MISDEMEANOR,** committed in the following manner, to wit: That **ON OR ABOUT MAY 7, 2020**, in Pahrump Township, Nye County, Nevada, said Defendant, willfully and unlawfully inflict pain or injury on a person 60 years of age or older, by doing the acts referenced in Count I;

COUNT III

ATTEMPTED MURDER, in violation of **NRS 193.330, 200.010, 200.030, A CATEGORY 'B' FELONY,** committed in the following manner, to wit: That **ON OR ABOUT MARCH 20, 2020**, in Pahrump Township, Nye County, Nevada, said Defendant, did willfully, unlawfully, and with malice aforethought attempt to murder LINDA HEIER, a human being, by strangling her with his hands and then following that up by holding her head underwater as referenced in Counts I and II;

COUNT IV

ASSAULT WITH A DEADLY WEAPON, in violation of **NRS 200.471, A CATEGORY 'B' FELONY,** committed in the following manner, to wit: That **ON OR ABOUT MAY 7, 2020**, in Pahrump Township, Nye County, Nevada, said Defendant did intentionally and unlawfully place the victim, JOHNATHAN MORRIS, in reasonable apprehension of immediate bodily harm, while using a deadly weapon, to wit: by throwing an axe at him;

COUNT V

ASSAULT WITH A DEADLY WEAPON, in violation of **NRS 200.471, A CATEGORY 'B' FELONY,** committed in the following manner, to wit: That **ON OR ABOUT MAY 7, 2020**, in Pahrump Township, Nye County, Nevada, said Defendant did intentionally and unlawfully place the victim, JOHNATHAN MORRIS, in reasonable apprehension of immediate bodily harm, while using a deadly weapon, to wit: by picking up the axe after having thrown it at JOHNATHAN MORRIS and closing in on him with the axe in hand;

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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

COUNT VI

ATTEMPTED MURDER WITH USE OF A DEADLY WEAPON, in violation of **NRS 193.330, 200.010, 200.030, 193.165, A CATEGORY 'B' FELONY,** committed in the following manner, to wit: That **ON OR ABOUT MARCH 20, 2020**, in Pahrump Township, Nye County, Nevada, said Defendant, did willfully, unlawfully, and with malice aforethought attempt to murder JOHNATHAN MORRIS, a human being, with a deadly weapon, by throwing an axe at him, then picking it up and closing in on him with the axe in hand as referenced in Counts III and IV;

COUNT VII

OFFENSE INVOLVING STOLEN VEHICLE, in violation of **NRS 205.273, A CATEGOR 'C' FELONY,** committed in the following manner, to wit: That **ON OR ABOUT MAY 7, 2020**, in Pahrump Township, Nye County, Nevada, said Defendant, did willfully and unlawfully have in his/her possession a Chevy pickup, belonging to GINA INGRASSI, which vehicle Defendant knew or had reason to know was stolen;

COUNT VIII

ASSAULT UPON AN OFFICER, in violation of **NRS 200.471, A GROSS MISDEMEANOR,** committed in the following manner, to wit: That **ON OR ABOUT MAY 7, 2020** in Pahrump Township, Nye County, Nevada, said Defendant did intentionally and unlawfully place, SERGEANT N. AUGUSTINE in reasonable apprehension of immediate bodily harm by holding a long pole to prevent SERGEANT N. AUGUSTINE from arresting or detaining the Defendant and then throwing the pole at him, and the Defendant did so while SERGEANT N. AUGUSTINE was performing his duty as a peace officer and the Defendant knew or should have known that SERGEANT N. AUGUSTINE was a peace officer.

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NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

All of which is contrary to the form, force and effect of the statutes in such cases made and provided, and against the peace and dignity of the State of Nevada. Said complainant makes this declaration under penalty of perjury.

DATED this 14th day of May, 2020.

CHRIS ARABIA
NYE COUNTY DISTRICT ATTORNEY

By _____
MICHAEL D. ALLMON
Deputy District Attorney

NYE COUNTY DISTRICT ATTORNEY
P.O. BOX 39
PAHRUMP, NEVADA 89041
(775) 751-7080

OFFICE OF THE NYE COUNTY CLERK
SANDRA L. MERLINO

Tonopah Office
Nye County Courthouse
P.O. Box 1031
101 Radar Road
Tonopah, Nevada 89049
Phone (775) 482-8127
Fax (775) 482-8133

Pahrump Office
Government Complex
1520 East Basin Avenue
Pahrump, Nevada 89060
Phone (775) 751-7040
Fax (775)751-7047

December 21, 2020

Hand Delivery

Pahrump Justice Court

Re:CR20-0059

The State of Nevada

-vs-

KEVIN HEIER

Enclosed please find the original case file being remanded to your Court by Order Remand, filed 12/18/2020.

Please contact me if you have any questions.

Sincerely,
SANDRA L. MERLINO
NYE COUNTY CLERK
BY: _____
Brittani K. Smith, Deputy Clerk

Received by: Amanda Smith **Pahrump Justice Court on**

December 21, 2020.

CASE & EVIDENCE RECEIPT

Case Caption: **State of Nevada vs KEVIN CALEB HEIER**
PJC Case No.: **20CR01268**

☒ Entire Case File 20CR01268

☐ Bail Bond – Power No. Bond Amount – $

EXHIBIT #	DESCRIPTION



RECEIVED FROM: C.Foss

RECEIVED BY: _____

DATE: 6/5/20

Name Information

PAHRUMP JUSTICE COURT

IN CUSTODY FORMAL ARRAIGNMENT NOTIFICATION

DATE: 05/19/2020

DEFENDANT: KEVIN CALEB HEIER

PJC CASE NO: 20PC01268

LAW ENFORCEMENT AGENCY CASE NO: 20NY-1467

ARRESTING OFFICER: Cory Fowles

CHARGES: PENDING

FORMAL ARRAIGNMENT DATE: **May 26, 2020**

RECEIVED BY: _____ District Attorney's office

FROM: P. Trice, Deputy Clerk

THIS IS YOUR ONLY NOTIFICATION

* * * * * * * *

IF THE COMPLAINT IS NOT RECEIVED BY 1:30 PM, THE DAY PRIOR TO THE DATE SET FOR FORMAL ARRAIGNMENT, THE DEFENDANT WILL BE RELEASED FROM CUSTODY NO CHARGES FILED.

NEVADA PRETRIAL RISK (NPR) ASSESSMENT

Assessment Date: 5/19/20 Assessor: Judge C County: _____

Defendant's Name: Auer, K DOB: __/__/__ Case/Booking #: _____

Address: _____ ____ _____ Contact Phone#: _____ # of Current Charges: _____
City State Zip

Most Serious Charge: _____ Initial Total Bail Set: $ _____

Demographic Information (optional): Gender: Male _____ Female _____
Race: Hispanic _____ White _____ Black _____ Asian _____ Nat. Amer. _____ Other/Unknown _____

SCORING ITEMS	**SCORE**
1. Does the Defendant Have a Pending Pretrial Case at Booking?	
a. Yes - 2 pts. If yes, list case # and jurisdiction: _____	
b. No - 0 pts.	0
2. Age at First Arrest (include juvenile arrests) First Arrest Date: __/__/2015	
a. 20 yrs. and under - 2 pts.	
b. 21-35 yrs. – 1 pt.	
c. 36 yrs. and over - 0 pts.	0
3. Prior Misdemeanor Convictions (past 10 years)	
a. None – 0 pts.	
b. One to five – 1 pt.	
c. Six or more – 2 pts.	1
4. Prior Felony/Gross Misd. Convictions (past 10 years)	
a. None – 0 pts.	
b. One or more – 1 pt.	0
5. Prior Violent Crime Convictions (past 10 years)	
a. None – 0 pts.	
b. One – 1 pt.	
c. Two or more - 2 pts.	0
6. Prior FTAs (past 24 months)	
a. None – 0 pts.	
b. One FTA Warrant – 1 pt.	
c. Two or more FTA Warrants – 2 pts.	0
7. Substance Abuse (past 10 years)	
a. Other – 0 pts.	
b. Prior ***multiple*** arrests for drug use or possession/alcohol/drunkenness - 2 pts.	0
8. Mitigating Verified Stability Factors (limit of -2 pts. total deduction)	
a. Employed, Student or Retired (-1) pt. 0	
b. Nevada Resident - Living in current residence 6 mos. or longer (-1) pt. -1	
c. Verified Cell Phone/Landline (-1) pt. 0	+1
TOTAL SCORE:	0

Risk Level (Circle One): LOW (0-3 pts.) MODERATE (4 – 8 pts.) HIGHER (9+ pts.) **OVERRIDE?:** Yes ___ No ___

Override Reason(s): Mental Health _____ Disability _____ Gang Member _____ Flight Risk _____
Prior Record More Severe Than Scored _____ Prior Record Less Severe Than Scored _____
Other, explain: _____

Final Recommended Risk Level: LOW ____ MODERATE ____ HIGHER V

Supervisor/Designee Signature: _____ **Date:** 5/19/20

PAHRUMP JUSTICE COURT

CASE & EVIDENCE RECEIPT

Case Caption: **State of Nevada vs KEVIN CALEB HEIER**
PJC Case No.: **20CR01268**

☒ Entire Case File 20CR01268

☐ Bail Bond – Power No. Bond Amount – $

	EXHIBIT #	DESCRIPTION
JCH	#1	AERIAL PHOTO OF RESIDENCE
JCH		MEDICAL RECORDS

RECEIVED FROM: P. Trice

RECEIVED BY: _____

DATE: 5/18/21

Case Summary

HEIER, KEVIN CALEB ~ DOMESTIC BATTERY (STRANGULATION)

Court : 20CR01268
LEA : 20NY-1467
Agency: Pahrump Justice Court
CaseID: 20-1578
Type: CRIMINAL
Received Date: 5/20/2020
Status: Bindover
Status Date: 5/6/2021
Age: 363 days Active Age: 159 days

Case Attributes
Defendant In Custody: $50,000 CASH OR BOND

Involvements
Primary Involvements
HEIER, KEVIN CALEB Defendant, Notify
Other Involvements
Gibson, Thomas J Esq. - tgibson2 Conflict Attorney
Currie-Diamond, Katherine Esq. - kcurrie-diamond Public Defender, Inactive
HEIER, LINDA DIANE Victim
MORRIS, JOHNATHAN Victim
INGRASSI, GINA THERESA Victim
Percival, Brent D Esq. - bpercival1 Public Defender, Inactive
Pahrump Justice Court (20CR01268)
Chamlee, Lisa - lmchamlee Judge, Notify
Nye County Sheriff's Office (20NY-1467)
Fowles, Cory - cfowles Deputy
Nye County District Attorney
Allmon, Michael - mallmon Prosecuting Attorney
Chairez, Don - dchairez Prosecuting Attorney

Charges
1. NRS 200.481 / 200.485 - DOMESTIC BATTERY (STRANGULATION) Occurred: 5/7/2020
Felony - CATEGORY 'C' - Domestic Violence
Count History: NRS 200.481 / 200.485-DOMESTIC BATTERY (STRANGULATION) **Change Date:** 5/6/2021 **Change Type:** Disposition **Dispo:** Waiver of Preliminary Hearing

PC-PENDING CHARGES **Change Date:** 5/20/2020 **Change Type:** ORIGINAL CHARGES

Disposition: [Preliminary Hearing] Bindover Dispo Date: 5/6/2021
Location: 3961 W QUAIL RUN RD
2. NRS 200.5099.1(a) - ABUSE OLDER OR VULNERABLE PERSON, FIRST OFFENSE Occurred: 5/7/2020
Gross Misdemeanor Elder Abuse
Count History: NRS 200.5092(F)~ABUSE OF AN OLDER PERSON **Change Date:** 5/10/2021 **Change Type:** ORIGINAL CHARGES

NRS 200.5092(F)~ABUSE OF AN OLDER PERSON **Change Date:** 5/6/2021 **Change Type:** Disposition **Dispo:** Waiver of Preliminary Hearing

Disposition: [Preliminary Hearing] Bindover Dispo Date: 5/6/2021

Case Summary

3. NRS 200.010/193.330.1A1 - ATTEMPTED MURDER Occurred: 3/20/2020
Felony CATEGORY 'B' Crimes Against Persons
Count History: NRS 200.010/193.330.1A1-ATTEMPTED MURDER **Change Date:** 5/6/2021 **Change Type:** Disposition **Dispo:** Waiver of Preliminary Hearing

Disposition: [Preliminary Hearing] Bindover Dispo Date: 5/6/2021

4. NRS 200.471.2B - ASSAULT WITH A DEADLY WEAPON Occurred: 5/7/2020
Felony CATEGORY 'B' Crimes Against Persons
Count History: NRS 200.471.2B-ASSAULT WITH A DEADLY WEAPON **Change Date:** 5/6/2021 **Change Type:** Disposition **Dispo:** Waiver of Preliminary Hearing

Disposition: [Preliminary Hearing] Bindover Dispo Date: 5/6/2021

5. NRS 200.471.2B - ASSAULT WITH A DEADLY WEAPON Occurred: 5/7/2020
Felony CATEGORY 'B' Crimes Against Persons
Count History: NRS 200.471.2B-ASSAULT WITH A DEADLY WEAPON **Change Date:** 5/6/2021 **Change Type:** Disposition **Dispo:** Waiver of Preliminary Hearing

Disposition: [Preliminary Hearing] Bindover Dispo Date: 5/6/2021

6. NRS 200.010 - ATTEMPTED MURDER WITH THE USE OF A DEADLY WEAPON OR TEAR GAS Occurred: 3/20/2020
Felony CATEGORY 'B' Crimes Against Persons
Count History: NRS 200.010-ATTEMPTED MURDER WITH THE USE OF A DEADLY WEAPON OR TEAR GAS **Change Date:** 5/6/2021 **Change Type:** Disposition **Dispo:** Waiver of Preliminary Hearing

Disposition: [Preliminary Hearing] Bindover Dispo Date: 5/6/2021

7. NRS 205.273(3) - OFFENSE INVOLVING A STOLEN VEHICLE, VALUE LESS THAN $3500 Occurred: 5/7/2020
Felony CATEGORY 'C' Crimes Against Property
Count History: NRS 205.273(3)-OFFENSE INVOLVING A STOLEN VEHICLE, VALUE LESS THAN $3500 **Change Date:** 5/6/2021 **Change Type:** Disposition **Dispo:** Waiver of Preliminary Hearing

Disposition: [Preliminary Hearing] Dismissed (during prelim) Dispo Date: 5/6/2021

8. NRS 200.471.2E - ASSAULT ON OFFICER/SCHOOL EMPL/TRANS OPERATOR Occurred: 5/7/2020
Gross Misdemeanor Crimes Against Persons
Count History: NRS 200.471.2E-ASSAULT ON OFFICER/SCHOOL EMPL/TRANS OPERATOR **Change Date:** 5/6/2021 **Change Type:** Disposition **Dispo:** Waiver of Preliminary Hearing

Disposition: [Preliminary Hearing] Dismissed (during prelim) Dispo Date: 5/6/2021

Related Cases

Search Warrant
3961 WEST QUAIL RUN, PAHRUMP NEVADA 89060 ~ SEARCH WARRANT
Court : 20SW00072 Agency: Pahrump Justice Court
Type: SEARCH WARRANT Status: Closed Status Date: 5/29/2020

Case Status History

5/6/2021 4:34:00 PM | Bindover
5/6/2021 3:59:00 PM | Open
12/22/2020 10:25:00 AM | Remanded
6/4/2020 9:42:00 AM | Bindover
5/20/2020 | Open
5/11/2020 8:09:00 AM | Pending

Docket Entries

5/18/2021 1:18:25 PM | Bindover Receipt-P | Bindover Receipt-P (3).rtf | 5/18/2021

5/18/2021 1:18:10 PM | Unknown Document | BINDOVER ORDER (2).pdf | 5/18/2021
BINDOVER ORDER SIGNED AND FILED. A COPY EMAILED TO THE DISTRICT ATTORNEY'S OFFICE AND ATTORNEY GIBSON. FILE HAND CARRIED TO THE NYE COUNTY CLERK'S OFFICE. PT

5/13/2021 3:40:29 PM | Unknown Document | ACC.pdf | 5/13/2021
AMENDED CRIMINAL COMPLAINT FILED BY THE STATE AMENDING THE COMPLAINT BY REMOVING CHARGES VII AND VIII. A COPY EMAILED TO THE DISTRICT ATTORNEY'S OFFICE. PT

5/10/2021 3:27:07 PM | Bindover Prelim Held-P | Bindover Prelim Held-P.rtf | 5/10/2021
PREPARED FOR SIGNATURE. PT

5/6/2021 9:00:00 AM | Preliminary Hearing | Pahrump Justice Court, Department A | Prelim Hearing Held
Thelaner, Brian - thelaner (Bailiff) - PRESENT
Robnett, Jaime - jrobnett (Court Clerk) - NOT PRESENT
Gibson, Thomas J Esq. - tgibson2 (Conflict Attorney) - PRESENT
HEIER, KEVIN CALEB (Defendant) - PRESENT
IN CUSTODY, ACCOMPANIED BY DEPUTY JENSEN
Trice, Phyllis - ptrice (Court Clerk) - PRESENT
Chamlee, Lisa - lmchamlee (Judge) - PRESENT
Pitaro, Nicholas - npitaro - PRESENT

ALL PARTIES CALLED, READY TO PROCEED. ATTORNEY GIBSON REQUESTED PERMISSION FOR HIS INVESTIGATOR TO REMAIN IN THE COURTROOM. THE STATE WAS NOT OPPOSED. PERMISSION GRANTED BY THE COURT.
STATE'S WITNESSES SWORN AND TESTIFIED:
WITNESS #1 - CORY FOWLES (D)
WITNESS #2 - LINDA HEIER (D-C-RD)
WITNESS #3 - JONATHAN MORRIS (D-C-RD-RC-RD)

DDA PITARO ADVISED THE STATE WILL NOT PROCEED ON COUNTS VII & VIII. ATTORNEY GIBSON WAS NOT OPPOSED.
STATE RESTS, DEFENSE RESTS.
AFTER HEARING CLOSING ARGUMENTS, THE COURT FOUND THAT THE STATE HAD MET ITS BURDEN OF PROOF ON COUNTS I, II, III, IV, V, AND VI. THE COURT FURTHER ORDERED DEFENDANT BOUND OVER TO APPEAR IN DEPT. 1 OF THE FIFTH JUDICIAL DISTRICT COURT ON 5/27/2021 AT 9:00 AM, UNDER DISTRICT COURT CASE NO. CR20-0059. THE DEFENDANT WAS REMANDED TO THE CUSTODY OF THE NYE COUNTY SHERIFF'S OFFICE.
Evidence:
On Behalf Of: KEVIN HEIER, DEFENDANT
Evidence Text:
EXHIBIT #A - AERIAL PHOTO OF RESIDENCE (MARKED & ADMITTED)

4/29/2021 9:00:00 AM | Preliminary Hearing | Pahrump Justice Court, Department A | Vacated
CONVERTED TO PRE-TRIAL

4/29/2021 9:00:00 AM | Pre-Trial Hearing | Pahrump Justice Court, Department A | Pre-Trial Hearing Held
Thelaner, Brian - thelaner (Bailiff) - PRESENT
Shoults, Alisa - ashoults (Court Clerk) - PRESENT
Gibson, Thomas J Esq. - tgibson2 (Conflict Attorney) - PRESENT
HEIER, KEVIN CALEB (Defendant) - PRESENT
IN CUSTODY, APPEARING VIA VIDEO CONFERENCE
Trice, Phyllis - ptrice (Court Clerk) - PRESENT
Kindel, Christi M - ckindel (Prosecuting Attorney) - PRESENT
Chamlee, Lisa - lmchamlee (Judge) - PRESENT

ALL PARTIES APPEARING VIA GOTOMEETING. THE COURT BRIEFED THE RECORD. THE PRE-TRIAL WAS CONTINUED FROM 4/22/2021. THE COURT EXPRESSED CONCERN THAT THIS MATTER HAS BEEN CONTINUED MULTIPLE TIMES AND DEFENDANT HAS BEEN IN CUSTODY SINCE MAY 2020. ATTORNEY GIBSON STATED HE'S BEEN HAVING DIFFICULTY COMMUNICATING WITH THE DISTRICT ATTORNEY'S OFFICE. THE COURT ADVISED THAT IT WILL NOT CONTINUE THE PRE-TRIAL HEARING AND SET A PRELIMINARY HEARING ON 5/6/2021 AT 9 A.M. IN DEPT. A. DEFENDANT WAS REMANDED TO THE CUSTODY OF THE NYE COUNTY SHERIFF'S OFFICE. PT

4/22/2021 9:00:00 AM | Preliminary Hearing | Pahrump Justice Court, Department A | Vacated
CONVERTED TO PRE-TRIAL

4/22/2021 9:00:00 AM | Pre-Trial Hearing | Pahrump Justice Court, Department A | Continued Per Defense Request
Thelaner, Brian - thelaner (Bailiff) - PRESENT
Dunbar, Cheryl - cdunbar (Court Clerk) - PRESENT
Gibson, Thomas J Esq. - tgibson2 (Conflict Attorney) - PRESENT
HEIER, KEVIN CALEB (Defendant) - PRESENT
IN CUSTODY, APPEARING VIA VIDEO CONFERENCE
Trice, Phyllis - ptrice (Court Clerk) - PRESENT
Kindel, Christi M - ckindel (Prosecuting Attorney) - PRESENT
Chamlee, Lisa - lmchamlee (Judge) - PRESENT
ALL PARTIES PRESENT VIA GOTOMEETING. THE COURT BRIEFED THE RECORD. THIS IS THE TIME SET FOR PRE-TRIAL. THE PRELIMINARY HEARING IS SET FOR 4/29/2021. ATTORNEY GIBSON ADVISED THAT THERE IS NO NEGOTIATION AT THIS TIME, HOWEVER, THERE ARE SOME ISSUES SURROUNDING THIS CASE AND HE IS MEETING WITH THE DISTRICT ATTORNEY AND DDA PITARO TO DISCUSS THIS MATTER. HE REQUESTED THE PRELIMINARY HEARING BE CONVERTED TO A PRE-TRIAL HEARING. THE COURT REMINDED THE PARTIES THAT THE DEFENDANT HAS BEEN IN CUSTODY SINCE MAY 7, 2020. THE PARTIES ACKNOWLEDGED. THE COURT CONVERTED THE PRELIMINARY HEARING TO A PRE-TRIAL HEARING ON 4/29/2021 AT 9 A.M. IN DEPT. A. DEFENDANT WAS REMANDED TO THE CUSTODY OF THE NYE COUNTY SHERIFF'S OFFICE. PT

4/1/2021 1:37:17 PM | Substitution of Counsel-P | SUBSTITUTION OF COUNSEL.pdf | 4/1/2021
SUBSTITUTION OF COUNSEL SIGNED AND FILED. COPY EMAILED TO THE DA'S OFFICE, ATTORNEY GIBSON AND ATTORNEY CURRIE-DIAMOND. CF

4/1/2021 9:00:00 AM | Status Hearing | Pahrump Justice Court, Department A | Hearing Held
Thelaner, Brian - thelaner (Bailiff) - PRESENT
Dunbar, Cheryl - cdunbar (Court Clerk) - PRESENT
Foss, Connie - cfoss (Court Clerk) - PRESENT
HEIER, KEVIN CALEB (Defendant) - PRESENT
IN CUSTODY, APPEARING VIA VIDEO
Kindel, Christi M - ckindel (Prosecuting Attorney) - PRESENT
Chamlee, Lisa - lmchamlee (Judge) - PRESENT
Currie-Diamond, Katherine Esq. - kcurrie-diamond (Public Defender) - PRESENT
ALL PARTIES PRESENT VIA GOTOMEETING. THE COURT BRIEFED THE RECORD. DEFENDANT HAD PREVIOUSLY WAIVED THE RIGHT TO A PRELIMINARY HEARING WITHIN 15 DAYS. THE PRELIMINARY HEARING WAS THEN CONTINUED FOR POSSIBLE NEGOTIATIONS. HOWEVER, ATTORNEY CURRIE-DIAMOND WILL BE GOING OUT ON LEAVE. AT THIS TIME, DUE TO THE CHARGES AND DEFENDANT BEING IN CUSTODY, THE COURT SUBSTITUTED IN ATTORNEY THOMAS GIBSON. ATTORNEY CURRIE-DIAMOND ADVISED THAT SHE PREPARED A SUBSTITUTION OF COUNSEL WHICH WAS EMAILED TO THE COURT CLERK. THE COURT REVIEWED AND SIGNED THE SUBSTITUTION. ATTORNEY CURRIE-DIAMOND ADVISED THAT THE DISCOVERY WILL BE FORWARDED TO ATTORNEY GIBSON. THE COURT CONVERTED THE 04/22/2021 PRELIMINARY HEARING TO A PRE-TRIAL HEARING, SET A PRELIMINARY HEARING ON 04/29/2021 AT 9:00 A.M. AND REMANDED THE DEFENDANT TO THE CUSTODY OF THE NYE COUNTY SHERIFF'S OFFFICE. CF

3/31/2021 12:35:25 PM | Stipulation-P | STIPULATION TO CONTINUE (3).pdf | 3/31/2021
STIPULATION TO CONTINUE FILED BY ATTORNEY CURRIE-DIAMOND. THE 2 COPIES PROVIDED WHERE FORWARDED TO THE DA'S OFFICE AND ATTORNEY CURRIE-DIAMOND. CF

3/31/2021 12:29:00 PM | Telephone
TELEPHONE CALL TO ATTORNEY GIBSON'S OFFICE TO INQUIRE IF HE WOULD BE ABLE TO TAKE THIS CASE AS A CONFLICT ATTORNEY. I SPOKE WITH SUNNY AND ADVISED HER OF THE UPCOMING 04/22/2021 PRELIMINARY HEARING AND OF THE DEFENDANT'S CUSTODY STATUS. SHE ADVISED THAT ATTORNEY GIBSON COULD TAKE THE CASE. HOWEVER, HE WOULD REQUEST THAT THE 04/22/2021 PRELIMINARY HEARING BE CONVERTED TO A PRE-TRIAL HEARING. SHE FURTHER ADVISED THAT HE WOULD BE AVAILABLE FOR A PRELIMINARY HEARING ON 04/29/2021. CF

3/31/2021 12:28:00 PM | Case Note
FILE REVIEWED BY THE COURT. DUE TO ATTORNEY CURRIE-DIAMOND GOING ON LEAVE, ATTORNEY GIBSON TO BE SUBSTITUTED IN WHICH WILL BE ADDRESSED ON 04/01/2021. CF

3/31/2021 12:26:41 PM | Case Note
FILE AND STIPULATION TO CONTINUE REVIEWED BY THE COURT. PER THE COURT, THIS MATTER TO BE PLACED ON CALENDAR FOR 04/01/2021 AT 9:00 A.M. EMAIL SENT TO THE DA'S OFFICE, ATTORNEY CURRIE-DIAMOND AND THE NCDC ADVISING THEM OF THE SAME. CF

3/31/2021 11:36:16 AM | Case Note
STIPULATION AND ORDER TO CONTINUE THE 04/22/2021 PRELIMINARY HEARING RECEIVED FROM ATTORNEY CURRIE-DIAMOND. FILE AND STIP TO THE COURT FOR REVIEW. CF

3/2/2021 10:01:06 AM | Case Note
MEDICAL RECORDS RECEIVED FROM DESERT VIEW HOSPITAL ON 3/1/21 AND PLACED IN EVIDENCE ROOM. RECORDS OPENED 3/2/21 WITH KASSIE FROM D.A'S OFFICE AND SCANNED. MEDICAL RECORDS RETURNED TO EVIDENCE ROOM. AS

2/11/2021 9:00:00 AM | Preliminary Hearing | Pahrump Justice Court, Department A | Continued Per Stipulation
HEIER, KEVIN CALEB (Defendant)
Currie-Diamond, Katherine Esq. - kcurrie-diamond (Public Defender)

2/4/2021 9:00:00 AM | Preliminary Hearing | Pahrump Justice Court, Department A | Continued Per Stipulation
HEIER, KEVIN CALEB (Defendant)
Currie-Diamond, Katherine Esq. - kcurrie-diamond (Public Defender)

2/4/2021 6:11:27 AM | Order-P | ORDER TO CONTINUE (2).pdf | 2/4/2021
ORDER TO CONTINUE THE 02/11/2021 PRELIMINARY HEARING TO 04/22/2021 AT 9:00 A.M., SIGNED AND FILED. COPY OF FILED STIPULATION AND ORDER FORWARDED TO THE DA'S OFFICE AND ATTORNEY CURRIE-DIAMOND. CF

2/3/2021 11:39:29 AM | Stipulation-P | STIPULATION TO CONTINUE (2).pdf | 2/3/2021
STIPULATION TO CONTINUE THE 02/11/2021 PRELIMINARY HEARING FILED BY THE STATE, WITH THE REQUEST OF AT LEAST A 60 DAY CONTINUANCE. FILE AND ORDER TO THE COURT FOR REVIEW. CF

2/1/2021 7:47:37 AM | Waiver of Fifteen (15) Day Rule-P | WAIVER OF 15-DAY RULE (2).pdf | 2/1/2021
WAIVER OF 15-DAY RULE SIGNED AND FILED. COPY FORWARDED TO THE DA'S OFFICE AND ATTORNEY CURRIE-DIAMOND. CF

1/28/2021 6:36:34 AM | Order-P | ORDER TO CONTINUE.pdf | 1/28/2021
ORDER TO CONTINUE SIGNED AND FILED. PRELIMINARY HEARING CONTINUED TO 02/11/2021 AT 9:00 A.M. COPY FORWARDED TO THE DA'S OFFICE AND ATTORNEY CURRIE-DIAMOND. CF

1/28/2021 6:19:53 AM | Stipulation-P | STIPULATION TO CONTINUE.pdf | 1/28/2021
STIPULATION TO CONTINUE THE 02/04/2021 PRELIMINARY HEARING FILED BY THE STATE. COPY FORWARDED TO THE DA'S OFFICE AND ATTORNEY CURRIE-DIAMOND. CF

1/27/2021 3:56:23 PM | Case Note
STIPULATION AND ORDER TO CONTINUE THE 02/04/2021 PRELIMINARY HEARING RECEIVED FROM THE STATE. FILE TO THE COURT FOR REVIEW. CF

1/21/2021 9:00:00 AM | Pre-Trial Hearing | Pahrump Justice Court, Department A | Pre-Trial Hearing Held
Wright, Tracy L - twright (Court Clerk) - PRESENT
Foss, Connie - cfoss (Court Clerk) - PRESENT
HEIER, KEVIN CALEB (Defendant) - PRESENT
IN CUSTODY, APPEARING VIA VIDEO
Chamlee, Lisa - lmchamlee (Judge) - PRESENT
Pitaro, Nicholas - npitaro (Prosecuting Attorney) - PRESENT
Currie-Diamond, Katherine Esq. - kcurrie-diamond (Public Defender) - PRESENT
ALL PARTIES PRESENT VIA GOTOMEETING. ATTORNEY CURRIE-DIAMOND MOTIONED FOR A PRELIMINARY HEARING AS THE OFFER HAS BEEN REJECTED AND FURTHER INVOKED DEFENDANT'S RIGHT TO A PRELIMINARY HEARING WITHIN 15 DAYS. THE COURT ACKNOWLEDGED THAT A WAIVER OF 15-DAY RULE HAD BEEN SIGNED BACK IN 06/2020, BUT WAS FOR COMPETENCY CONCERNS ONLY. THE COURT FURTHER SET A PRELIMINARY HEARING ON 02/04/2021 AT 9:00 A.M. DEFENDANT WAS REMANDED TO THE CUSTODY OF THE NYE COUNTY SHERIFF'S OFFICE. CF

1/7/2021 9:00:00 AM | Pre-Trial Hearing | Pahrump Justice Court, Department A | Continued Per Defense Request
Foss, Connie - cfoss (Court Clerk) - PRESENT
HEIER, KEVIN CALEB (Defendant) - PRESENT
IN CUSTODY, APPEARING VIA VIDEO
Trice, Phyllis - ptrice (Court Clerk) - PRESENT
Chamlee, Lisa - lmchamlee (Judge) - PRESENT
Pitaro, Nicholas - npitaro (Prosecuting Attorney) - PRESENT
Currie-Diamond, Katherine Esq. - kcurrie-diamond (Public Defender) - PRESENT
CASE CALLED. ALL PARTIES PRESENT VIA GOTOMEETING. ATTORNEY CURRIE-DIAMOND ADVISED THAT SHE SPOKE WITH DDA PITARO WHICH BOTH PARTIES ARE REQUESTING A 2 WEEK CONTINUANCE. THE COURT CONTINUED THE PRE-TRIAL HEARING TO 01/21/2021 AT 9:00 A.M. DEFENDANT WAS REMANDED TO THE CUSTODY OF THE NYE COUNTY SHERIFF'S OFFICE. CF

12/22/2020 11:55:29 AM | Unknown Document | REMAND ORDER.pdf | 12/22/2020
REMAND ORDER SIGNED AND FILED. A COPY TO THE NYE COUNTY DA'S OFFICE AND A COPY TO ATTORNEY CURRIE-DIAMOND. PT

12/22/2020 11:46:39 AM | Remand Order-P | Remand Order-P.rtf | 12/22/2020
PREPARED FOR SIGNATURE. PT

12/22/2020 10:56:00 AM | Email

EMAIL RECEIVED FROM ATTORNEY CURRIE-DIAMOND REQUESTING A PRE-TRIAL HEARING BE SET. PT
12/22/2020 8:01:37 AM | Order-P | Dept A PD Change - Order 2020-12.pdf | 12/21/2020
PURSUANT TO THE NEW NYE COUNTY PUBLIC DEFENDER CONTRACT, ATTORNEY CURRIE-DIAMOND HAS REPLACED ATTORNEY PERCIVAL AS COUNSEL FOR THE DEFENDANT. CF
12/22/2020 7:58:06 AM | Email
EMAIL SENT TO ATTORNEY CURRIE-DIAMOND ASKING WHAT TYPE OF HEARING SHE WOULD LIKE SET ON THIS MATTER. PT
12/22/2020 7:57:59 AM | Unknown Document | ORDER OF REMAND.pdf | 12/21/2020
FILE REMANDED TO THE PAHRUMP JUSTICE COURT ON 12/21/2020. REMAND ORDER TO BE PREPARED. PT
6/11/2020 9:00:00 AM | Preliminary Hearing | Pahrump Justice Court, Department A | Prelim Waived
6/5/2020 3:16:25 PM | Bindover Receipt-P | BINDOVER RECEIPT.pdf | 6/5/2020
6/5/2020 2:58:44 PM | Bindover - Conditional Waiver-P | BINDOVER ORDER.pdf | 6/5/2020
BINDOVER ORDER SIGNED AND FILED. COPY FORWARDED TO THE DA'S OFFICE AND ATTORNEY PERCIVAL. CF
6/5/2020 2:57:42 PM | Bindover - Conditional Waiver-P | CONDITIONAL WAIVER.pdf | 6/5/2020
CONDITIONAL WAIVER OF PRELIMINARY HEARING FILED. COPY FORWARDED TO THE DA'S OFFICE AND ATTORNEY PERCIVAL. CF
6/5/2020 2:42:19 PM | Waiver of Fifteen (15) Day Rule-P | WAIVER OF 15-DAY RULE.pdf | 6/5/2020
WAIVER OF 15-DAY RULE SIGNED AND FILED. COPY FORWARDED TO THE DA'S OFFICE AND ATTORNEY PERCIVAL. CF
6/4/2020 1:14:58 PM | Bindover - Conditional Waiver-P | Bindover - Conditional Waiver-P.rtf | 6/4/2020
PREPARED FOR SIGNATURE. CF
6/4/2020 9:00:00 AM | Pre-Trial Hearing | Pahrump Justice Court, Department A | Pre-Trial Hearing Held
Thelaner, Brian - thelaner (Bailiff) - PRESENT
Dunbar, Cheryl - cdunbar (Court Clerk) - PRESENT
Foss, Connie - cfoss (Court Clerk) - PRESENT
Percival, Brent D Esq. - bpercival1 (Public Defender) - PRESENT
HEIER, KEVIN CALEB (Defendant) - PRESENT
IN CUSTODY, ACCOMPANIED BY DEPUTY MOUNCE & DEPUTY EISENLOFFEL
Chamlee, Lisa - lmchamlee (Judge) - PRESENT
Chairez, Don - dchairez (Prosecuting Attorney) - PRESENT
Allmon, Michael - mallmon (Prosecuting Attorney) - PRESENT
ATTORNEY PERCIVAL BRIEFED THE RECORD. THE DEFENSE WILL CONDITIONALLY WAIVE THE PRELIMINARY HEARING FOR THE PURPOSE OF A COMPETENCY EVALUATION. CONDITIONAL WAIVER OF PRELIMINARY HEARING EXECUTED BY ATTORNEY PERCIVAL ON BEHALF OF DEFENDANT. THE COURT FOUND THAT THE DEFENDANT HAS CONDITIONALLY WAIVED HIS RIGHT TO A PRELIMINARY HEARING FOR THE PURPOSE OF A COMPETENCY EVALUATION. THE COURT ORDERED THE DEFENDANT BOUND OVER TO APPEAR IN THE FIFTH JUDICIAL DISTRICT COURT ON 06/26/2020 AT 9:00 A.M. DEPT. 1. DEFENDANT WAS REMANDED TO THE CUSTODY OF THE NYE COUNTY SHERIFF'S OFFICE. THE 06/11/2020 PRELIMINARY HEARING WAS VACATED. CF
6/3/2020 3:33:27 PM | Unknown Document | RECEIPT OF COPY.pdf | 6/3/2020
RECEIPT OF COPY FILED BY THE STATE. COPIES RETURNED TO THE NYE COUNTY DA'S OFFICE. PT
6/1/2020 10:23:55 AM | Telephone
TELEPHONE CALL FROM A GENTLEMAN, NAME NOT GIVEN, INQUIRING IF HE OR THE FAMILY NEEDS TO APPEAR ON 06/04/2020. HE STATED HE IS A VICTIM IN THIS MATTER. I ADVISED HIM THAT SINCE IT'S A PRE-TRIAL HEARING, THE ONLY TIME A VICTIM WOULD APPEAR AT THE PRE-TRIAL HEARING IS TO PROVIDE A VICTIM IMPACT STATEMENT. HOWEVER, THE DISTRICT ATTORNEY WOULD HAVE CONTACTED THE VICTIM(S) IF THIS MATTER WAS BEING NEGOTIATED. HE INQUIRED IF HE SHOULD CONTACT THE DA'S OFFICE TO FIND OUT. I PROVIDED HIM THE D.A.'S OFFICE'S TELEPHONE NUMBER. CF
5/26/2020 4:01:16 PM | Telephone
TELEPHONE CALL FROM A GENTLEMAN, NAME NOT GIVEN, INQUIRING ON THE OUTCOME OF TODAY'S HEARING. I ADVISED HIM THAT A PRE-TRIAL HEARING IS SET FOR 06/04/2020 AT 9:00 A.M. AND A PRELIMINARY HEARING IS SET FOR 06/11/2020 AT 9:00 A.M. HE INQUIRED IF HE WAS STILL IN CUSTODY. I ADVISED HIM HE WAS WITH BAIL SET AT $50,000 CASH OR BOND. HE UNDERSTOOD. CF
5/26/2020 1:30:00 PM | Status Hearing | Pahrump Justice Court, Department A | Vacated
Percival, Brent D Esq. - bpercival1 (Public Defender)
HEIER, KEVIN CALEB (Defendant)
5/26/2020 8:00:00 AM | Formal Arraignment | Pahrump Justice Court, Department A | Arraignment Hearing Held
Earnest, Jason Lane Esq. - jearnest2 - PRESENT
FOR ATTORNEY PERCIVAL
Thelaner, Brian - thelaner (Bailiff) - PRESENT
Percival, Brent D Esq. - bpercival1 (Public Defender) - NOT PRESENT

HEIER, KEVIN CALEB (Defendant) - PRESENT
IN CUSTODY, ACCOMPANIED BY DEPUTY ASHFORD
Thorn, Michelle A - mthorn (Court Clerk) - PRESENT
Trice, Phyllis - ptrice (Court Clerk) - PRESENT
Chamlee, Lisa - lmchamlee (Judge) - PRESENT
Chairez, Don - dchairez (Prosecuting Attorney) - PRESENT

DEFENDANT WAS GIVEN A COPY OF THE COMPLAINT, ADVISED OF HIS RIGHTS AND SCREENED AS TO THE HIS TRUE AND CORRECT NAME. DEFENDANT STATED HIS TRUE NAME IS SPELLED CORRECTLY ON THE COMPLAINT AND WAIVED THE FORMAL READING. ATTORNEY EARNEST, STANDING IN FOR ATTORNEY PERCIVAL, INVOKED DEFENDANT'S RIGHT TO A SPEEDY PRELIMINARY HEARING AND ADVISED THAT HE WILL HAVE ATTORNEY PERCIVAL REVIEW THE ADMONISHMENT OF RIGHTS WITH THE DEFENDANT. THE COURT SET A PRE-TRIAL HEARING ON 6/4/20 AT 9 A.M. AND A PRELIMINARY HEARING ON 6/11/20 AT 9 A.M., FIRST AVAILABLE DATE ON THE COURT CALENDAR. DEFENDANT WAS REMANDED TO THE CUSTODY OF THE NYE COUNTY SHERIFF'S OFFICE. PT

5/20/2020 8:47:34 AM | Unknown Document | CRIMINAL COMPLAINT.pdf | 5/20/2020

CRIMINAL COMPLAINT FILED. A COPY WAS SENT TO THE DISTRICT ATTORNEY'S OFFICE. AM

5/19/2020 10:01:59 AM | Formal Arraignment Notification-P | Formal Arraignment Notification-P_20200519100159313Sddb1.rtf

Added by EventEngineResult for 20-1578

5/19/2020 8:00:00 AM | First Appearance | Pahrump Justice Court, Department A | Probable Cause Hearing Held
Thelaner, Brian - thelaner (Bailiff) - PRESENT
HEIER, KEVIN CALEB (Defendant) - PRESENT
IN CUSTODY, ACCOMPANIED BY NCDC, VIA VIDEO CONFERENCE
Trice, Phyllis - ptrice (Court Clerk) - PRESENT
Chamlee, Lisa - lmchamlee (Judge) - PRESENT
Pitaro, Nicholas - npitaro (Prosecuting Attorney) - PRESENT

DEFENDANT WAS ADVISED OF HIS RIGHTS, THE REASONS FOR ARREST AND PROCEDURES. THE COURT ADVISED THAT THE DECLARATION OF ARREST WAS PREVIOUSLY REVIEWED AND PROBABLE CAUSE WAS FOUND. THE COURT BRIEFED THE RECORD. DEFENDANT WAS ARRESTED ON 5/7/20, HOWEVER, HE WAS HOSPITALIZED AND BROUGHT TO DETENTION YESTERDAY. WHILE IN THE HOSPITAL, THE COURT APPOINTED ATTORNEY PERCIVAL TO REPRESENT HIM. DEFENDANT WAS SCREENED AS TO HIS FINANCIAL AND EMPLOYMENT STATUS. THE COURT ADVISED THE APPOINTMENT WILL STAND. THE COURT CONDUCTED A PRE-TRIAL RISK ASSESSMENT. DEFENDANT SCORED A "0," WHICH IS IN THE LOW CATEGORY, HOWEVER, THE COURT EXPRESSED CONCERN THAT DEFENDANT MAY BE A DANGER TO THE COMMUNITY AS WELL AS A FLIGHT RISK. DDA PITARO STATED THAT GIVEN THE NATURE AND SEVERITY OF THE CHARGES, BAIL IS REASONABLE. THE COURT ADVISED THAT PER THE VALEZ-JIMENEZ OPINION, DEFENDANT'S FINANCIAL SITUATION IS TO BE TAKEN INTO CONSIDERATION. ATTORNEY PERCIVAL CONCURRED AND MADE AN ORAL MOTION TO REDUCE THE BAIL TO $50,000 CASH OR BOND. DDA PITARO ACKNOWLEDGED DEFENDANT'S LACK OF CRIMINAL HISTORY AS WELL AS HIS FINANCIAL SITUATION, BUT REITERATED THE SEVERITY OF THE CHARGES AND THE RISK FACTORS. THE STATE CHOSE TO STAND SILENT. THE COURT REMINDED THE PARTIES THAT ALTHOUGH IT USES THE PRE-TRIAL RISK ASSESSMENT AS A TOOL, THE SCORE IS BASED ON THE DEFENDANT'S RESPONSES AND THE ANSWERS ARE NOT VERIFIED. THE COURT FURTHER GRANTED DEFENSE MOTION, REDUCED BAIL TO $50,000 CASH OR BOND AND ADVISED DEFENDANT THAT IF BAIL IS POSTED, THE FOLLOWING CONDITIONS WILL APPLY: NO CONTACT WITH LINDA HEIER, JOHNATHAN MORRIS OR RACHEL MORRIS, IN PERSON, THIRD PARTY OR ELECTRONIC; STAY AWAY FROM 3961 QUAIL RUN RD; RANDOM UA'S THROUGH THE FIFTH JUDICIAL DRUG COURT; NO ACCESS TO FIREARMS. ADDITIONALLY, IF BAIL IS POSTED, THE COURT IS TO NOTIFY THE DISTRICT ATTORNEY'S OFFICE AND WELL AS ATTORNEY PERCIVAL, SO THE STATE CAN CHECK FOR FIREARMS AT DEFENDANT'S RESIDENCE. THE COURT SET A FORMAL ARRAIGNMENT FOR 5/26/20 AT 1:30 P.M. IN DEPT. A. DEFENDANT WAS REMANDED TO THE CUSTODY OF THE NYE COUNTY SHERIFF'S OFFICE. PT

5/18/2020 2:20:15 PM | Telephone

FILE REVIEWED WITH JUDGE CHAMLEE. DEFENDANT TO BE SCHEDULED FOR A FIRST APPEARANCE ON 5/19/20 AT 9 A.M. VIA VIDEO CONFERENCE. INSTANT MESSAGE TO AMY KRUEGER IN DETENTION NOTIFYING HER OF SAME. PT

5/18/2020 2:14:57 PM | Instant Message

I.M. FROM A. KRUEGER, NCDC STAFF, ADVISING THAT THE DEFENDANT IS NOW AT THE DETENTION CENTER. INFORMATION RELAYED TO JUDGE CHAMLEE. CKD

5/15/2020 10:32:10 AM | Telephone

TELEPHONE CALL FROM AN UNIDENTIED MALE ASKING THE OUTCOME OF YESTERDAY'S HEARING. I ADVISED THAT DEFENDANT WAS STILL IN THE HOSPITAL AND TECHNICALLY IN CUSTODY AND A STATUS HEARING IS SET FOR 5/26/20 AT 1:30 P.M. IN DEPT. A. HE UNDERSTOOD. PT

5/15/2020 8:00:00 AM | Follow-up | Complete
Foss, Connie - cfoss 5/14/2020

TO BE ADDRESSED ON 05/26/2020. CF
DEFT.'S HOSPITALIZATION STATUS?

5/14/2020 11:30:00 AM | Instant Message
INSTANT MESSAGE SENT TO EMILY, IN THE NCDC, WHILE IN SESSION ON 05/14/2020, TO INQUIRE IF THERE WAS AN ESTIMATED DATE OF WHEN THE DEFENDANT WOULD BE RELEASED FROM THE HOSPITAL. EMILY ADVISED THAT THE NCDC DID NOT HAVE A RELEASE DATE. CF

5/14/2020 9:00:00 AM | Bail Hearing | Pahrump Justice Court, Department A | Hearing Held
Dunbar, Cheryl - cdunbar (Court Clerk) - PRESENT
Foss, Connie - cfoss (Court Clerk) - PRESENT
Percival, Brent D Esq. - bpercival1 (Public Defender) - PRESENT
HEIER, KEVIN CALEB (Defendant) - NOT PRESENT
Chamlee, Lisa - lmchamlee (Judge) - PRESENT
Chairez, Don - dchairez (Prosecuting Attorney) - PRESENT
THE COURT BRIEFED THE RECORD, THIS MATTER IS SET FOR A BAIL HEARING AND ALL PARTIES ARE PRESENT VIA VIDEO CONFERENCE, OTHER THAN THE DEFENDANT, WHO IS STILL IN THE HOSPITAL, RECEIVING TREATMENT AND BEING GUARDED BY A NCSO DEPUTY. THE COURT FURTHER ADVISED THAT PROBABLE CAUSE WAS PREVIOUSLY FOUND. HOWEVER, A PRE-TRIAL RISK ASSESSMENT COULD NOT BE DONE SINCE DEFENDANT HAS NOT BEEN ABLE TO APPEAR. ATTORNEY PERCIVAL STATED THAT HE REVIEWED THE DECLARATION OF ARREST AND THOUGHT BAIL WAS ALREADY SET. HOWEVER, HE WOULD SUGGEST THAT BAIL BE ADDRESSED WHEN THE DEFENDANT IS PRESENT. THE COURT CONFIRMED THAT $173,000 CASH OR BOND BAIL WAS SET WHEN THE DEFENDANT WAS BOOKED IN ON THE CHARGES. DDA CHAIREZ INFORMED THE COURT THAT HE AND ATTORNEY PERCIVAL DISCUSSED THAT THE DEFENDANT MAY NEED AN EVALUATION AND FURTHER INQUIRED IF IT WAS KNOWN OF HOW LONG THE DEFENDANT WILL BE IN THE HOSPITAL. THE COURT CLERK ADVISED THAT THE NCDC TECHNICIAN DID NOT HAVE THAT INFORMATION AT THIS TIME. ATTORNEY PERCIVAL SUGGESTED SETTING A STATUS HEARING ON 05/26/2020. DDA CHAIREZ DID NOT OPPOSE. THE COURT SET A STATUS HEARING ON 05/26/2020 AT 1:30 PM. FOR BAIL SETTING AND/OR DEFENDANT'S HOSPITALIZATION STATUS. CF

5/12/2020 4:06:07 PM | Unknown Document | APPT OF COUNSEL.pdf | 5/12/2020
AFFIDAVIT AND APPLICATION FOR APPOINTMENT OF COUNSEL SIGNED AND FILED. A COPY FORWARDED TO THE NYE COUNTY DA'S OFFICE. A COPY EMAILED TO ATTORNEY PERCIVAL. PT

5/12/2020 1:14:48 PM | Telephone
TELEPHONE CALL FROM A GENTLEMAN, NAME NOT GIVEN, INQUIRING ON WHY THERE'S A HEARING SET FOR TODAY. I ADVISED HIM THAT THE COURT NEEDS TO SET BAIL AND POSSIBLY APPOINT AN ATTORNEY IF NEEDED. HE STATED THE FAMILY WAS CONCERNED IN REGARDS TO THE DEFENDANT'S CUSTODY STATUS. I ADVISED HIM THAT THE COURT WAS INFORMED BY THE NCDC THAT THE DEFENDANT WAS STILL IN THE HOSPITAL. HE CONCURRED. I ADVISED HIM TO CALL BACK THIS AFTERNOON TO FIND OUT THE OUTCOME OF TODAY'S HEARING. HE UNDERSTOOD. CF

5/12/2020 8:00:00 AM | Status Hearing | Pahrump Justice Court, Department A | Hearing Held
HEIER, KEVIN CALEB (Defendant) - NOT PRESENT
Thorn, Michelle A - mthorn (Court Clerk) - PRESENT
Trice, Phyllis - ptrice (Court Clerk) - PRESENT
Chamlee, Lisa - lmchamlee (Judge) - PRESENT
Chairez, Don - dchairez (Prosecuting Attorney) - PRESENT
THE COURT BRIEFED THE RECORD. PC WAS PREVIOUSLY FOUND ON THIS MATTER. DEFENDANT WAS TRANSPORTED TO A LAS VEGAS HOSPITAL AT THE TIME OF ARREST. THE COURT APPOINTED ATTORNEY PERCIVAL TO REPRESENT THE DEFENDANT AND SET A BAIL HEARING FOR 5/14/20 AT 9 A.M. IN DEPT. A. PT

5/11/2020 8:13:27 AM | Unknown Document | BOOKING SHEET.pdf | 5/11/2020

5/11/2020 8:13:01 AM | Case Note
PROBABLE CAUSE FOUND ON 05/09/2020 AT 11:36 A.M. BY JUDGE CHAMLEE. PER THE NCDC, THE DEFENDANT IS CURRENTLY IN THE HOSPITAL. CF

5/11/2020 8:10:41 AM | Case Note
ATT MURDER, E/DW; DOM BATTERY, 1ST; DOM BATTERY BY STRANGULATION; ABUSE OLD/VULN PERS; ASSAULT PROTECTED PERS BY PRSNR/PNP; CONSP GRAND LARCENY OF AUTO. AM

5/11/2020 8:00:00 AM | First Appearance | Pahrump Justice Court, Department A | Vacated
HEIER, KEVIN CALEB (Defendant)

Case Summary

Case Event Tree (Events with Relationships)

Bonds

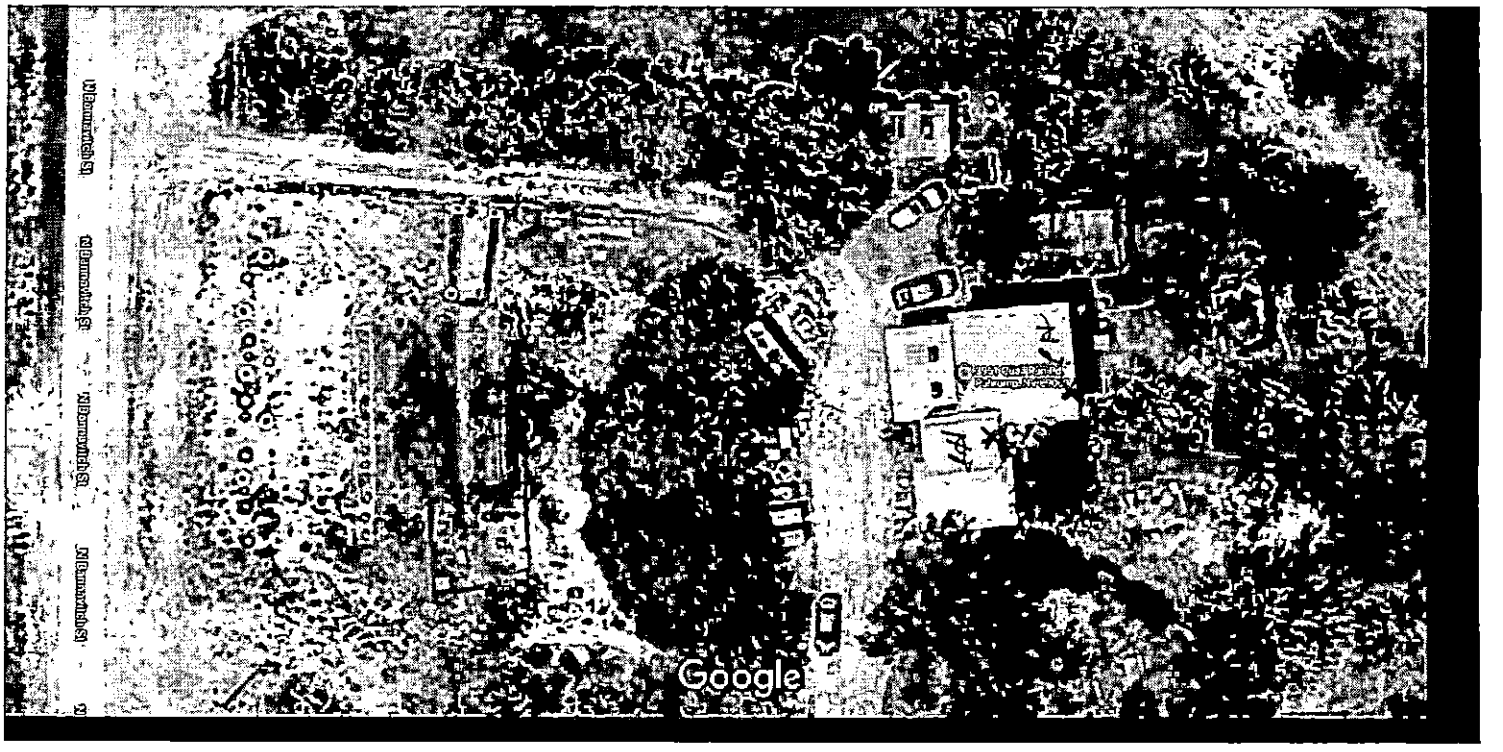
For	Bond Type	Bond Status	Amt Due
1 ~ KEVIN CALEB HEIER	Bail	Reduced	$50,000

History

For	Type	Status	Amount	%	Due	Set Dt
KEVIN CALEB HEIER	Bail	In Custody	$173000.00		$173000.00	5/11/2020

Official Seal
Certified copy
Certified copy of the original document(s) on file in Pahrump Justice Court
By: [signature] Date: 5/18/21

Google Maps 3961 Quail Run Rd



Map data ©2021 , Map data ©2021 20 ft



3961 Quail Run Rd

Directions Save Nearby Send to your phone Share

3961 Quail Run Rd, Pahrump, NV 89060

7W57+JX Pahrump, Nevada

Photos

DEFENDANT'S EXHIBIT

EXHIBIT # A

CASE # 20CR01265

TO:
Clerk of The court.
1520 E Basin Rd. #105
Pahrump Nev. 89060

From:
Kevin Heier
PoBox 650 HDSP
Indian Springs, Nev 89070

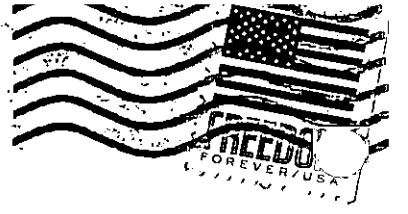
RE:, STATE V Kevin Heier case no. CR20-0059
I'm in need of the following INFormation.
Date of my Arrest.
Date I was sentenced
Total days of presentence incarceration.

Respectfully Submitted.
/s/
Kevin Heier
PoBox 650 HDSP
Indian Springs, Nev 89070

NYE COUNTY
RECEIVED
MAY 15 2021
CLERKS
OFFICE

Kevin Heier #1256486
P.O. Box 650 HDSP
Indian Springs, NV 89070

LAS VEGAS NV 890
13 MAY 2024 PM 4 L



CLERK of the Court
1520 E. Basin Rd #105
Pahrump NV. 89060

NYE COUNTY
RECEIVED
MAY 15 2024
CLERKS
OFFICE

89060-214230

CR20-0059 22

OFFICE OF THE NYE COUNTY CLERK
Cori A. Freidhof

Tonopah Office
Nye County Courthouse
P.O. Box 1031
101 Radar Road
Tonopah, Nevada 89049
Phone (775) 482-8127
Fax (775) 482-8133

Pahrump Office
Government Complex
1520 East Basin Avenue
Pahrump, Nevada 89060
Phone (775) 751-7040
Fax (775)751-7047

December 17, 2024

Kevin C Heier , #1256486
ESP
PO BOX 1989
ELY, NV 89301

Re: CR20-0059

To Whom It May Concern:

Please see enclosed copies of the Motion for County Jail Time. I have sent your motion over to the department for review. You will receive no further communication from the Clerk's office regarding this matter. If you have any questions, please contact the Pahrump Office.

Sincerely,

Cori A. Freidhof
NYE COUNTY CLERK

By: Terri Little
Terri Little, Deputy Court Clerk II

Enclosure

12-11-2024

To Clerk of the Courts
5th Judicial District court
NYE County, Pahrump NV

Please File Enclosed Motion For County Jail credits with the court ASAP and send me back a File stamped copy (I have Enclosed a copy for that purpose. Thank you kindly.

Respectfully,

Kevin Heier

Kevin Heier
ESP - P.O. Box 1989
ELY NV 89301



US POSTAGE PITNEY BOWES

ZIP 89301 $ 002.04⁰
02 4W
0000389424 DEC 12 2024

[redacted]

[redacted]

[redacted]

[redacted]



[redacted]

Kevin Heier #125648
ESP - P.O. Box 1989
Ely NV 89301

Fifth Judi
CLERK of the
1520 E. Bas
Pahrump NV.

STATE OF NEVADA
COUNTY OF NYE

ALEXANDER W JENSEN, the duly, appointed Deputy Fifth Judicial District Court Clerk, in the State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the original documents. In the action entitled:

KEVIN CALEV-HEIER,
Appellant,

vs.

THE STATE OF NEVADA
Respondent.

Now on file and of record in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Fifth Judicial District Court at my office, Tonopah, Nevada, on the 23th day of May, 2025.

WHITNEY B RICHARDSON,
FIFTH DISTRICT COURT CLERK

By: _____
Alexander W Jensen,
Deputy District Court Clerk

