

Advisory Commission on the Administration of Justice

I ask this Commission to continue on with the case study on wrongful convictions based on eyewitness testimony and eyewitness identification thru photo line ups. On June 9, 2008 I placed on the record the evidence showing the discrepancies in Mr. Nolan Klein's case and asked that his case be considered for the case study. As it stands now 148 people have identified Mr. Klein out of the tainted photo line up without any knowledge of what Mr. Klein or the suspect looked like, including some members on this Commission.

I would ask that this Advisory Commission recommend to the 2011 Legislature **NOLAN'S LAW**. **NOLAN'S LAW** would be once a defendant is **ARRESTED AND THEN CHARGED** the law enforcement agency **MUST** provide to the defense a copy of the evidence at the same time they provide the District Attorney with the evidence. This would level the playing field so that the defendant would receive a fair trial and would preclude an overzealous prosecutor from withholding evidence and violating **BRADY V MARYLAND** as is what happened in Mr. Klein's case. It will then be left up to the judge to determine what is or is not admissible for trial.

There are new members who are not privy to what has recently happened in Mr. Klein's case. On September 22, 2008 Washoe County District Attorney, Dick Gammick admitted that they opened up Mr. Klein's DNA and tested it. On October 29, 2008 Mr. Klein's attorney's Mr. Hager and Ms. Hearne appeared before the NV Pardons Board and provided them with the taped interview of DA Gammick admitting to this. Mr. Gammick hid the tests results for years from us. Mr. Hager was informed that Mr. Klein could litigate it. Mr. Klein was denied a Pardon.

In May, 2009 Judge Brent Adams ordered District Attorney Gammick to turn over the test results and the entire file in Mr. Kleins' case. On June 10, 2009 newly discovered evidence was found in the file. ADA Ron Rachow made notes that he was not turning over any of the **MATERIALITY OR EXCULPATORY EVIDENCE** that showed that Mr. Zarsky was responsible for the crime for which Mr. Klein was convicted of. On June 24, 2009 I personally appeared and provided to the Nevada Pardons Board the documents that were found in the file. The Nevada Pardons Board **KNEW THAT RON RACHOW VIOLATED BRADY V MARYLAND AND DID NOTHING BUT COVER IT UP THE WRONG DOINGS OF THE WASHOE COUNTY DISTRICT ATTORNEY'S OFFICE FOR THE LAST 21 YEARS**. Documents attached.

On September 21, 2009 I received word that Mr. Klein had passed away a few hours ago. I immediately informed his attorney's of his death. Nolan's attorney's were in the process that day of filing a **MOTION FOR BAIL** and a **MOTION FOR NEW TRIAL** based on newly discovered evidence that the prosecutor withheld the evidence that would have cleared Mr. Klein of the crime. Now they will be filing a **MOTION FOR EXONERATION**.

By passing this law it will cut the costs to taxpayers on incarcerating the innocent and the ongoing battle to fight the conviction thru appeals and anything else that may arise from the wrongful conviction during their incarceration. Thus far, Mr. Klein's wrongful incarceration has cost the state nearly ONE MILLION DOLLARS and that cost will now continue to rise.

Chair Horne, Commissioner Kohn, as a criminal defense attorney, I believe that you would want to do what is in the best interest of your client and I believe that NOLAN'S LAW would benefit your clients. Commissioner David Roger, as the Clark County District Attorney, I would believe that you would not want your staff to violate BRADY v MARYLAND and would want to take all precautions from this ever happening so that justice is truly served.

The link below to the June 9, 2008 minutes on misidentification thru eyewitness and photo lineup exhibits. In 1991 the evidence from the Sparks Police Department came forward at Mr. Klein's Post-conviction hearing. We could never prove if the Sparks Police Dept. turned over this evidence to the ADA Ron Rachow or if they had if he turned it over to our public defender Shelly O'Neill. We do know that after the trial the entire file from the Public Defender's office did not have any of these documents. On June 10, 2009 the truth finally came out Ron Rachow had withheld the evidence from the defense. We need transparency in government not cover up.

http://www.leg.state.nv.us/74th/Interim_Agendas_Minutes_Exhibits/Exhibits/AdminJustice/E060908P.pdf

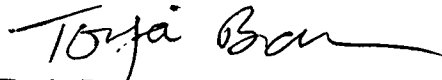
Tonja Brown commented on Agenda Item VI B and VI D. She submitted testimony for the Commission. (Exhibit P) She submitted a proposed bill dealing with DNA evidence and wrongful convictions. She requested the Commission recommend the bill to the 2009 Legislature. She said the bill entitled an inmate to have DNA testing at his own expense. She said her other item of discussion, Agenda Item VI-D, was eyewitness identification. She provided a large packet of exhibit material for the Commission. She asked the Commissioners to look at the photo lineup included in her materials. Ms. Brown read further statements from her exhibits. Chair Hardesty said the Commission had Ms. Brown's material and he asked her to make a policy issue. Ms. Brown recommended the Commission needed to study misidentification and recommend to the Legislature they do a case study.

The names of the people involved in Mr. Klein's case over the years who had access to the file and said nothing about the evidence that Ron Rachow withheld from the defense even though they were fighting Mr. Klein's writs. On July 1, 2009 when asked of Patrol Officer Steven Asher/Commander Steve Asher why he never said anything to the jury about their prime suspect Mr. Zarsky or the victim from April 21, 1988 who cleared Nolan of the crime, he said, because he was never asked.

ADA Ron Rachow, prosecuting attorney
ADA Scott Edwards, Post conviction
Dorothy Nash-Holmes, District Attorney

Mills Lane, District Attorney
ADA Karl Hall, perjury complaint
ADA Gary Hatlestead, missing DNA

Dick Gammick, District Attorney
ADA John Helzer, Pardons Board
Justice Parraguirre, covered up Rachow .
Justice Saita, covered up Rachow
Justice Douglas, covered up Rachow
Governor Gibbons, covered up Rachow
DAG Steven Quinn, covered up Rachow
Shelly O'Neill, public defender committed
perjury during 1991 post conviction hearing



Tonja Brown
2907 Lukens Lane
Carson City, NV 89706

Judge McGee, letter concealing DNA
Justice Hardesty, covered up Rachow's acts
Justice Gibbons, covered up Rachow
Justice Cherry, covered up Rachow
Justice Pickering, covered up Rachow
Attorney General Catherine Cortez Masto
DAG Robert Weiland, covered up Rachow

NOTE: There were over 200 pages of documents found in the District Attorney's file on Mr. Nolan Klein. We received a small percentage of what was found in discovery. In fact, on our Motion for Discovery ADA Ron Rachow made notes. Everything he wrote OK on is what he turned over to us. That would include our own statements from defense witnesses placing Nolan in Carson City the night of the crime. These statements were given to Det. Sherman Boxx in the summer of 1988. None of the statements from the states witnesses were turned over in discovery that would include the prime suspect and the other victims who cleared Nolan of the crime. Rachow could not take the chance of these victims being found out because it would have proven our case of mistaken identity. Rachow made NO SHOWING OF MATERIALITY, NO notes on our Motion that he was not going to turn it over despite Judge Peter Breen's court order to do so. Take a look at the memo where Rachow refers to Brady v Maryland. He knew when Judge Breen issued that order that he was defying the court order. Again, I refer you to the Exhibit P of the June 9, 2008 Advisory Commission meeting where other documents were discovered in 1991. We now can prove that the Sparks police turned over the evidence to Rachow. He never turned it over to us.

Response filed
11-8-88

FILED

1 No. CR88-1692
2 Dept. No. 7/8

'88 NOV -4 P2:44

JUDICIAL DISTRICT COURT
BY R. Ince
DEPT. 7

arriving 10-13
sent to 15
advising 1 week
before trial on
date required
Δ

6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF WASHOE
8 THE STATE OF NEVADA,
9 Plaintiff,
10 vs.
11 EDWARD ALLEN WILKINSON aka
12 NOLAN EDWARD KLEIN,
13 Defendant.
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MOTION FOR DISCOVERY
AND PRODUCTION OF
EXCULPATORY MATERIALS

16 The above-named Defendant, by and through the Washoe
17 County Public Defender's Office, moves this Honorable Court for
18 an Order granting discovery pursuant to NRS 174.235 and NRS
19 174.245.

20 Further, pursuant to Brady v. Maryland, 373 U.S. 83,
21 83 S. Ct. 1194 (1963), and its progeny, Defendant moves for an
22 Order directing the prosecution to disclose and produce for
23 inspection and copying all materials in the possession of the
24 prosecution, or others, which may be favorable to the Defendant
25 and be material to the issue of guilt or punishment, or
26 exculpate the Defendant's involvement in the criminal acts
charged by weakening or affecting any evidence proposed to be
introduced against the Defendant, or in any manner may aid
Defendant in the ascertainment of the truth. Said disclosure
and production to be made without regard to whether the evidence

1 to be disclosed and produced is deemed admissible at trial
2 herein.

3 Defendant respectfully requests that said production
4 and disclosure include, but not be limited to, the following
5 evidence.

6 1. Any written or recorded statements or, OK
7 confessions or admissions attributed to the Defendant, or copies
8 thereof, within the possession, custody or control of the
9 prosecution or their agents. (NRS 174.235);

10 2. All physical and tangible evidence obtained by
11 any law enforcement agency, including, but not limited to, the
12 Washoe County Sheriff's Department, Reno Police Department,
13 Sparks Police Department, or any other agents of the Washoe
14 County District Attorney; further, to produce and itemize any
15 and all evidence in possession of the State or its agents or
16 evidence recovered from the person, vehicle or residence of the
17 Defendant when apprehended or thereafter (NRS 174.245);

18 3. Results or reports of physical or mental
19 examinations, and of scientific tests or experiments made in
20 connection with this case, or copies thereof (NRS 174.235); none

21 4. Copies of all photographs or diagrams taken in
22 connection with this action (NRS 174.244); No such action

23 5. All statements of witnesses or reports thereof,
24 that in any way show favorably upon the Defendant's character or
25 guilt or innocence or possible punishment (Brady, supra; United
26 States v. Agurs, 427 U.S. 97, 96 S.Ct. 2392, 49 L.Ed.2d 342 OK

1 (1976));

OK 2 6. Any and all reports, summaries, or "rap sheets"
3 reflecting the criminal records or past police conduct of the
4 Defendant including prior bad acts (Brady, supra; Agurs, infra;
5 NRS 179A.100 4(b)); NRS 48.045;

NO 6 7. Any information reflecting upon the credibility
7 of any prosecution witnesses, including, but not limited to
8 criminal records, prior inconsistent or contradictory statements
9 (oral or written), and any consideration paid, promised or
10 expected for testimony or information provided, or to be
11 provided, in this case (Brady, supra; Giglio v. U.S., 405 U.S.
12 150 (1972));

13 8. For any other orders as the Court may deem just
14 and proper in the premises; including, that said Order for
15 Discovery be made a continuing one pursuant to NRS 174.295.

16 It is further moved that if the prosecution is unable
17 to determine the materiality or exculpatory nature of the
18 witnesses' statements or other material, it be ordered that said
19 materials be turned over the Court for determination in camera.
20 United States v. Agurs, 427 U.S. 97, 96 S.Ct. 2392, 49 L.Ed.2d
21 342 (1976); United States v. Gardner, 611 F.2d 770 (9th Cir.
22 1980); United States v. Heberman, 583 F.2d 622 (5th Cir. 1978).

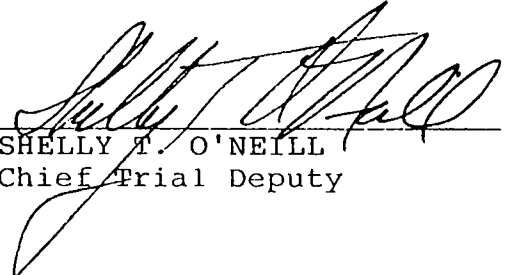
23 This Motion is made pursuant to the Points and
24 Authorities cited herein and upon the ground counsel for
25 Defendant believes production of the aforementioned materials
26

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1 and evidence is necessary for the preparation of the defense
2 under Defendant's constitutional rights to a fair trial and due
3 process of law.

4 DATED this 4th day of November, 1988.

5 DAVID G. PARRAGUIRRE
6 Washoe County Public Defender

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8 By: 
9 SHELLEY T. O'NEILL
10 Chief Trial Deputy
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MILLS LANE
District Attorney

Washoe County District Attorney

Washoe County Courthouse
South Virginia and Court Streets
P.O. Box 11130 • Reno, Nevada 89520

MEMORANDUM

TO: PUBLIC DEFENDER'S OFFICE
Attention: Shelly O'Neill

FROM: RONALD C. RACHOW
Deputy District Attorney

RE: EDWARD ALLEN WILKINSON
aka NOLAN EDWARD KLEIN
CR 88-1692

DATE: November 10, 1988

Attached to this memo, please find materials that may be exculpatory and/or statements of the Defendant. This information is provided to you pursuant to Nevada Revised Statutes Chapter 174 and Brady v. Maryland. I have also attached a copy of the rap sheet of the Defendant.

I have reviewed my file as of November 9, 1988, and believe that the attached material is all that falls within statutory discovery and Brady. If I discover any other material that arguably falls within Brady or within the provisions of the Nevada Revised Statutes, it will be provided to you in an expeditious manner.

MILLS LANE
District Attorney

By _____
RONALD C. RACHOW
Deputy District Attorney

10-58-4
Enclosures

88 NOV 10 AM 11:03

No. CR 88-1692

Dept. No.

S. Gray

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
IN AND FOR THE COUNTY OF WASHOE.

* * *

THE STATE OF NEVADA,

Plaintiff,

v.

OPPOSITION TO MOTION
FOR DISCOVERY

EDWARD ALLEN WILKINSON,
also known as
NOLAN EDWARD KLEIN,

Defendant.

COMES NOW, the State of Nevada, by and through MILLS
LANE, District Attorney of Washoe County, as prepared and
submitted by RONALD C. RACHOW, Deputy District Attorney, and
opposes the Motion filed on behalf of the above named Defendant
for discovery and production of other items and information.
This Opposition is based upon the following Points and
Authorities.

POINTS AND AUTHORITIES

The Defendant appeared for initial arraignment on
October 13, 1988, in the Second Judicial District Court. The
arraignment was continued until October 18, 1988, at which time

1 the Defendant entered pleas of not guilty. The Motion for
2 Discovery was filed on November 4, 1988.

3 Criminal discovery in the State of Nevada is
4 controlled by Chapter 174 of the Nevada Revised Statutes. NRS
5 174.285 provides:

6 A motion under NRS 174.235 to 174.295,
7 inclusive, may be made only within ten days
8 after arraignment or such reasonable later
time as the court may permit.

9 More than ten days have elapsed since the Defendant's
10 arraignment in district court. In addition, the Defendant did
11 not file a Motion for Discovery until only four working days
12 remained before the scheduled trial date. The State submits
13 that the Motion for Discovery is not timely before the court
14 and should be denied on procedural grounds. Defendant,
15 represented by experienced counsel, has made no representation
16 as to the reason for delay or a reason why this Court should
17 not summarily deny the Motion since the statutory time has
18 passed.

19 The statutory limits of discovery within the State of
20 Nevada are contained in Chapter 174 of the Nevada Revised
21 Statutes and have been upheld by the Nevada Supreme Court.
22 Franklin v. District Court, 85 Nev. 401, 403 (1969). The
23 Motion filed by the Defendant in this case goes beyond pretrial
24 discovery which is authorized under statutory and case law.
25 For that reason, the State of Nevada is hereby opposed to all
26 requested items which are outside the scope of proper

1 authority.

2 The State is willing to furnish the defense with all
3 discoverable material allowed under NRS 174.235 to and
4 including 174.295.

5 There is no general constitutional right to discovery
6 and any discovery granted by the court should be supported by
7 law. Weatherford v. Bursey, 429 U.S. 545, 97 S.Ct. 837, 846
8 (1977). For discovery to be required under Brady v. Maryland,
9 373 U.S. 83, 83 S.Ct. 1194 (1963), it must be material either
10 to guilt or punishment and must be evidence which is favorable
11 to an accused. Materiality has been further defined as
12 evidence which might have affected the outcome of the trial.
13 United States v. Valenzuela-Bernal, 458 U.S. 858, 102 S.Ct.
14 3440 (1982). United States v. Bagley, 473 U.S. 667 (1985). It
15 should also be remembered that exculpatory material is strictly
16 that which indicates that the defendant did not commit the
17 crime charged. The District Attorney's Office recognizes its
18 responsibilities in this area as well as possible sanctions if
19 materially exculpatory evidence is not provided. Therefore,
20 all material required under Brady and supporting cases will be
21 provided to the Defendant.

22 Since discovery is provided for by statutory and case
23 law, it is strongly urged that this Court closely adhere to
24 those parameters in allowing pretrial discovery. The State
25 would decline to provide any requested items not within the
26 boundary of the above cited authority and respectfully requests

1 this Court rule in a manner consistent with the authority cited
2 above.

3 RESPECTFULLY SUBMITTED this 9th day of November,
4 1988.

5 MILLS LANE
6 District Attorney

7
8 By Ronald C. Rachow
9 RONALD C. RACHOW
Deputy District Attorney

Rachow

FILED

'88 DEC -8 A10:15

1 Case No. CR88-1692

2 Dept. No. 7

JUD: BAILEY, CLERK
BY V. MURDOG
DEPUTY

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6

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7

IN AND FOR THE COUNTY OF WASHOE

8

THE STATE OF NEVADA,
Plaintiff,

9

vs.

ORDER

10

EDWARD ALLEN WILKINSON aka
NOLAN EDWARD KLEIN,
Defendant.

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IT IS HEREBY ORDERED that the Washoe County District
Attorney's Office shall provide the Defendant with the
following discovery:

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1. Written or recorded statements or confessions
made by the Defendant, or copies thereof, within the
possession, custody or control of the State, the existence of
which is known, or by the exercise of due diligence may become
known, to the District Attorney; and

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2. Results or reports of physical or mental
examinations, and of scientific tests or experiments made in
connection with the particular case, or copies thereof, within
the possession, custody or control of the State, the existence
of which is known, or by the exercise of due diligence may
become known, to the District Attorney.

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3. Copies of any books, papers, documents, tangible objects, buildings or places, or copies or portions thereof, which are within the possession, custody or control of the State.

4. Copies of all photographs or diagrams taken in connection with this action.

5. All statements of witnesses or reports thereof, that in any way show favorably upon the Defendant's character or guilt or innocence or possible punishment.

6. This Order for Discovery is a continuing one pursuant to NRS 174.295.

IT IS FURTHER ORDERED that if the prosecution is unable to determine the materiality or exculpatory nature of the witnesses' statements or other material, that said materials be turned over to the Court for determination in camera.

DATED this 6th day of Dec, 1988.

Paar 9. Breen

DISTRICT JUDGE

SPD 88-4892
AGENCY & NO: _____
Detective: _____
DA INVESTIGATOR: Nancy
BEGINNING BAIL AMOUNT: _____

DA: Rachow FILE NO: F88-1329
DEFENDANT: WILKINSON, EDWARD ALLEN
SS/DOB: 12/11/48 SS 530 19 2585
☐ Custody ☐ Warrant ☐ Summons
DEFENSE: PD O'Neill PHONE: _____
☐ Retained ☒ P.D. ☐ Ct. Appointed

PRELIMINARY HEARING:

Appearance DA: Rachow DEFENSE: O'Neill
DATE/TIME: 10-3-88 @ 11:00
Cont'd: _____ Request of: _____
Cont'd: _____ Request of: _____
Cont'd: _____ Request of: _____
☐ WAIVED ☒ B/O ☐ DISMISSED

GRAND JURY

Appearance DA: _____
DATE/TIME: _____
☐ TRUE BILL/Filed: _____
☐ NO TRUE BILL/ Filed: _____

Information/Indictment Charges: SAC

BAIL: \$43,500

J. Ct./D.Ct. PROCEEDINGS:

Arraignment:

DATE: 10-13-88 @ 1:30 DEPT: 5-9
Cont'd: 19 Oct 88 @ 1:30 Dept: 9
Request of: Defense Rachow
Cont'd: _____ Dept: _____
Request of: _____
Cont'd: _____ Dept: _____
Request of: _____
☒ TRUE NAME KLEIN, NANCY ☐ HANDED COPY
☐ CORRECTION ☒ WAIVED READING

Township & No.: S 88-713 D.Ct. No.: _____
Cmplt/Info/Indict Filed: _____
Amended or Supp Info/Cmplt Filed: _____
Charges: _____

Appearance DA: Rachow DEFENSE: JD
Appearance DA: Rachow DEFENSE: JD
Appearance DA: _____ DEFENSE: _____
Appearance DA: _____ DEFENSE: _____
☐ TIME TO PLEAD/DATE: _____
☐ SEE MOTIONS & WRITS

Plea:

☐ Not Guilty/Date: _____
☐ Not Guilty-Insanity/Date: _____
☐ Guilty or Nolo/Date: _____
Charge: _____

☐ J. Ct. D.Ct./Dept: _____
Appearance DA: _____ DEFENSE: _____
☐ Waived 60-Day Rule

Trial:

June 10-20
had discovery
11-10-88 @ 1:30 Mot for Discovery
DATE: 1-23-89 Dept: 2

☐ J. Ct. ☒ D.Ct.
Appearance DA: Rachow DEFENSE: O'Neill
☐ Jury Granted ☐ Jury Waived ☐ See Writs & Mot
Cont'd: _____ Request of: _____
Cont'd: _____ Request of: _____
Cont'd: _____ Request of: _____

VERDICT DATE: 1-27-89

RESULTS: G CT I G CT II G CT III

PENALTY HRG: _____

VERDICT DATE: _____

RESULTS: _____

Sentencing:

Sub to
TONJA F. BROWN

1 HAGER & HEARNE
ROBERT R. HAGER, ESQ.
2 SBN: 1482
TREVA J. HEARNE
3 SBN: 4450
HAGER & HEARNE
4 245 E. Liberty St., Ste. 110
Reno, NV 89501
5 Tel.: (775) 329 - 5800
Attorney for Petitioner-Appellant

7 UNITED STATES COURT OF APPEALS
8 FOR THE NINTH CIRCUIT \

9 NOLAN E. KLEIN,
10 Petitioner-Appellant

DOCK NO.: 09-15607

D.C.No. 3:01-cv-00211-ECR

11 vs.

**REPLY TO SUBSTITUTION
OF PARTIES**

12 DON HELLING, et al.,
13 Respondent-Appellees,
14 _____/

15 COMES NOW, Petitioner-Appellant, NOLAN E. KLEIN (deceased), by and
16 through his counsel of record, HAGER & HEARNE, TREVA J. HEARNE, and hereby
17 files and serves this Reply to the Opposition to the Substitution of Parties submitted
18 to this Court on the 30th day of October 2009.

19 Federal Rules Appellant Procedure 43

20 SUBSTITUTION OF PARTIES (a)(1) After Notice of Appeal is filed.
21 If a party dies after a notice of appeal has been filed or while a
22 proceeding is pending in the court of appeals, the decedent's
personal representative may be substituted as a party on motion
filed with the circuit clerk by the representative or by any party.

23 The Court has on file the Notice by TONJA F. BROWN as personal
24 representative of the Estate of Nolan Klein to be substituted as the Petitioner
25 Appellant within the instant cause of action. See, the Affidavit of Tonja F. Brown,
26 attached as Exhibit "1". Also attached as Exhibit "2", is a copy of the Order Granting
27 Petition for Probate of Will and Issuance of Letters Testamentary filed on December
28 1, 2009, filed In the Matter of the Estate of Nolan Edward Klein, First Judicial

HAGER & HEARNE
245 E. Liberty St., Ste. 110
Reno, NV 89501
(775) 329-5800; FAX (775) 329-5819

AFFIDAVIT OF TONJA F. BROWN

That I, TONJA F BROWN, sister of the late Mr. NOLAN E KLEIN was appointed as the Special Administrator of his Estate on October 26, 2009.

That, I make this affidavit being of sound mind; based upon personal knowledge, information or belief as to all matters within.

That prior to Mr. Klein's death he was naming me the Executor of his Estate. That on several occasions we had discussed what I was to do on behalf of his Estate. Mr. Klein directed me to continue on with all of his legal cases that are pending, including this one before the 9th Circuit Court of Appeals.

On or about September 3, 2009 I telephone the Nevada Attorney General's office and spoke to one Mr. Stephen Quinn in an act of desperation to get my innocent brother released earlier so that he did not have to die in prison for a crime he did not commit. I informed Mr. Quinn that on June 10, 2009 that the entire District Attorney's file on Mr. Klein was turned over to Mr. Klein's attorneys. At this time newly discovered evidence was found in file that had been withheld from the Defense that showed that someone else was responsible for the crime for which my brother was convicted of. I informed Mr. Quinn that the prosecuting attorney had made hand written

notes in the file that he was not going to turn over any of the Materiality or Exculpatory Evidence in the case, despite Judge Peter Breen's court order to do so.

On September 8, 2009 I filed a letter with the Nevada Attorney General's Office with the supporting documents that were found in the District Attorney's file. In the file evidence was found that supported Mr. Klein's claims of ineffective assistance of Counsel that are in the 9th Circuit. Statements of State's witness Luanne Grittier showed reason and motives to lie. All of this was withheld from the Defense. It was also pointed out to Mr. Quinn in the following snippets below from the letter I filed. "Mr. Quinn, I appreciate your willingness to turn this newly discovered evidence over to Mr. Weiland who is handling the State's case against Mr. Klein in the 9th Circuit Court of Appeals. These documents do support Mr. Klein's claims and therefore, I ask that you hold true to your word that you will ask Mr. Weiland with the newly discovered evidence that would it be in the best interest of the State of Nevada to pull out of the 9th Circuit Court of Appeals?"

"Had Ms. O'Neill been effective as Counsel, Ms. O'Neil would have realized that something was not right when she had filed the Motion for Discovery because, Mr. Rachow was not being forthcoming in turning over the evidence to her. Mr. Rachow went so far as to file a Motion in Opposition of her Motion for discovery. Mr. Rachow was fighting tooth and nail not to turn it over, however, Judge Breen's ordered Mr. Rachow to do so. Ms. O'Neill

WAS ineffective when Mr. Rachow turned over the evidence when there was nothing in evidence that showed any information regarding Ms. Gritter. Any effective attorney would know that a state's witness is not going to be listed unless there is something to base a reason on as to what and why they would be called as witness. To sum it up, where did they get ms. Luanne Gritter's name? There would have to be some kind of statement from this witness. Had ms. O'Neill been effective, she would have contacted the court and informed judge peter Breen that Mr. Rachow did not turn over the evidence, because, nothing in the file showed why Ms. Gritter should have been listed as a witness. This would have sent a red flag to judge Breen causing him to Order Mr. Rachow to turn over the entire file in the case. Just like what has recently happened in Mr. Klein's case when Judge Brent Adams ordered DA Dick Gammick to turn over the file case and now we know that truth and the truth is this."

That, based upon information and belief; I believe the State of Nevada Attorney General's Office is aware of the facts herein.

Under penalty of perjury.

Tonja Brown
Tonja Brown

2907 Lukens Lane

Carson City, Nevada 89706

11/24/09
Mercy I. Witty
MERCEDSE I. WITTY
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 93-1588-2 - Expires July 15, 2013
Subscribed and sworn
to before me

HAGER & HEARNE

Attorneys at Law

Robert R. Hager
Treva J. Hearne

245 E. Liberty, Ste. 110
Reno, Nevada 89501
(775) 329-5800-Telephone
(775) 329-5819-Facsimile

November 12, 2008

Hand Delivered:

Mr. Richard Gammick
Washoe County District Attorney
1 Sierra Street
Reno, Nevada 89501

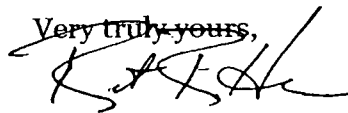
Re: *Nolan Klein*

Dear Mr Gammick:

Sometime in the week of September 22, 2008, you stated to a Channel 4 television producer that the sealed evidence envelope in the case of ***State v. Nolan Klein*** was opened and "used for testing." I represent Mr. Klein.

This letter is a formal demand for all documents reflecting the results of any and all tests performed on any and all evidence that was collected in that case. Also, please explain why the evidence was signed out of the evidence room in the basement of the Washoe County District Courthouse by someone from the Washoe County District Attorney's Office after the trial, and provide the name of the representative of the DA's office who removed the evidence in that case from the evidence room after the trial. Finally, please provide a court order or other documentation reflecting the authority under which the evidence was removed from the evidence room after the trial in that case. Please provide the documents and information requested within ten days.

Very truly yours,



Robert R. Hager

Advisory Commission on Admin. of Justice
Exhibit 4 pg 1 of 9 Date: 11-21-08
Submitted by: T. BROWN

Case Description: CR 3060 - Ord Granting Mtn
Filing Date: 06-Oct-2009
Case Type: CR - CRIMINAL
Status: 3060 - Ord Granting Mtn

Case Cross Reference

Cross Reference Number
37336
SCN 52019

Case Parties

Seq	(top)	Assoc	End Date	Type	Name	ID
2				PLTF - Plaintiff	STATE OF NEVADA,	STATE
3		2		DA - District Attorney	Gammick, Esq.,	1510
4				DEFT - Defendant	Richard Allen	
5		4		PD - Public Defender	KLEIN, NOLAN	@72821
6		5		APPD - Appellant/Deft or Respondent	EDWARD	
7		4		PROP - Pro Per - Pltf/Pet/Appellant	Specchio, Esq .	1017
8		3		RESL - Respondent/Pltf or Petitioner	Michael R	
9		2		DA - District Attorney	KLEIN, NOLAN	@72821
10				JUDG - Judge	EDWARD	
11		4		APPE - Appellant	KLEIN, NOLAN	@72821
12		11		PROP - Pro Per - Pltf/Pet/Appellant	EDWARD	
13		2		RESP - Respondent	STATE OF NEVADA,	STATE
14		13		DATY - Attorney - Deft/Adverse/Resp	Hatlestad, Esq ., Gary	1525
19		4		DATY - Attorney - Deft/Adverse/Resp	Howard	
					ADAMS, BRENT	D6
					KLEIN, NOLAN	@72821
					EDWARD	
					KLEIN, NOLAN	@72821
					EDWARD	
					STATE OF NEVADA,	STATE
					Hatlestad, Esq ., Gary	1525
					Howard	
					Hager, Esq ., Robert R	1482

Event Information

(top)	Scheduled Date and Time	Hearing Judge	Event Description	Outcome
1	07-Apr-2009 at 08 14	Honorable BRENT ADAMS	S1 - Request for Submission	S200 - Request for Submission Complet filed on: 09 -Apr-2009 Extra Text
2	14-Jan-2009 at 14 48	Honorable BRENT ADAMS	S1 - Request for Submission	S200 - Request for Submission Complet filed on 21 -Jan-2009 Extra Text ORDER
3	25-Jun-2008 at 10 00	Honorable BRENT ADAMS	S1 - Request for Submission	S200 - Request for Submission Complet filed on 26 -Jun-2008 Extra Text ORDER
4	13-May-2008 at 14 45	Honorable BRENT ADAMS	S1 - Request for Submission	S200 - Request for Submission Complet filed on 16 -May-2008 Extra Text order

Docket Entry Information

(top)	Docket Description	Date Filed	Extra Text
1	3060 - Ord Granting Mtn	04-May-2009	Extra Text: TO COMPEL - Transaction 749838 - Approved By. NOREVIEW 05 -04-2009 14 36 55
2	3795 - Reply	27-Apr-2009	Extra Text: REPLY TO RESPONSE TO MOTION TO COMPEL PRODUCTION OF EXCULPATORY EVIDENCE
3	3880 - Response	21-Apr-2009	Extra Text: RESPONSE TO MOTION TO COMPEL PRODUCTION OF EXCULPATORY EVIDENCE
4	4145 - Supreme Court Remittitur	15-Apr-2009	Extra Text SUPREME COURT CASE NO 52019
5	4111 - Supreme Ct Clk's Cert & Judg	15-Apr-2009	Extra Text SUPREME COURT CASE NO 52019
6	4134 - Supreme Court Order Affirming	15-Apr-2009	Extra Text SUPREME COURT CASE NO 52019
7	3370 - Order	09-Apr-2009	Extra Text. STATE HAS 15 DAYS TO RESPOND TO DEFENDANT'S MOTION TO COMPEL DEFENDANT HAS FIVE DAYS FROM THE STATE'S RESPONSE TO REPLY
8	3860 - Request for Submission	03-Apr-2009	Extra Text: DOCUMENT TITLE: MOTION TO COMPEL PRODUCTION OF EXCULPATORY EVIDENCE PARTY SUBMITTING ROBERT HAGER DATE SUBMITTED 04-06-09 SUBMITTED BY: C GALINDO DATE RECEIVED JUDGE OFFICE
9	1325 - ** Case Reopened	03-Apr-2009	Extra Text
10	4134 - Supreme Court Order Affirming	13-Mar-2009	Extra Text SUPREME COURT CASE NO 52019
11	3370 - Order	21-Jan-2009	Extra Text. MOTION TO COMPEL IS STAYED UNTIL RESOLUTION OF APPEAL TO THE SUPREME COURT
12	1315 - ** Case Closed	21-Jan-2009	Extra Text:
13	3860 - Request for Submission	14-Jan-2009	Extra Text DOCUMENT TITLE MOTION TO COMPEL PRODUCTION OF EXCULPATORY EVIDENCE PARTY SUBMITTING. ROBERT HAGER DATE SUBMITTED: 01-14-09 SUBMITTED BY: C GALINDO DATE RECEIVED JUDGE OFFICE
		14-Jan-2009	Extra Text
			Extra Text: MOTION TO COMPEL PRODUCTION OF EXCULPATORY

5B

3

PARKS POLICE DEPARTMENT

SUPPLEMENTAL OR CONTINUATION REPORT

Type of original report SEX ASS / ARM ROB	Date of original report 5-10-88	Case number 88-4892
Victim of complainant	Location of original occurrence 543 E. PATTEN	Date and time of supplement 5-11-88 0800

Additional details of offense, progress of investigation, etc

I RECEIVED A PHONE CALL FROM DEPUTY MIKE JUDD OF CHURCHILL COUNTY S.O. JUDD STATES THAT 5-10-88 WHILE COMING INTO TOWN HE OBSERVED A SUBJECT MATCHING THE COMPOSITE HITCHHIKING SOUTH OUT OF FALLON. JUDD STATES THAT HE LOOKED LIKE THE COMPOSITE AND WAS CARRYING A BLU SUITCASE. THE TIME HE OF THIS WAS DURING THE MORNING. I CONTACTED BOXX AND ADVISED HIM.

newly discovered evidence
on June 10, 2009


This Offense is now

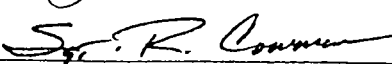
Unfounded ☐

Cleared by Arrest ☐

Cleared Otherwise ☐

Not Cleared (inactive) ☒


Investigating Officer 9387


Supervisor Approving 9427

Date 5-11-88

Date 5-12-88

0095

PAYLESS SHOES/RODELA. THERESA 543 E. PRATER

5/10/88 1355 HRS.

Additional details of offense, progress of investigation, etc.:

DETAILS:

On 5/10/88 I was asked by acting Sgt. BEATY to do some follow-up work per Det. Sgt. ZARUBI, on this case. I was asked to go to the different motels within the area and show them a composite of last night's incident and see if they know anybody that matched that description to be staying there and I was also looking for a vehicle that was involved in a robbery/kidnap/attempt sexual assault where the two composites match closely.

While checking the Abby Hotel located in the 800 blk. of B St., I made contact with a bartender there by the name of Jeff PETTY. I showed Mr. PETTY the three composites that I had and Mr. PETTY advised me that there was an individual matching the description of the composites with the hair from 88-4892 and the facial area of 88-4238. He advised me the individual's name was ZARSKY, Ricky Lee. I asked Mr. PETTY where Mr. ZARSKY lives, he advised me in #104. In further talking with Mr. PETTY, he gave me a brief description of the individual as being a tanned individual with a mustache that came down to $\frac{1}{2}$ " pass to the openings to the mouth and further advised me that the individual's description closely matched the descriptions given in the composites. Mr. PETTY then advised me that Mr. ZARSKY had left early this morning with two other friends and he had no idea where he was and that he could be back in his room.

I then went to room #104 where I listened and it did not sound like anybody was home. I then returned to the SPD and went to talk to Det. Sgt. ZARUBI and fill him in on what I had found. We then brought Mr. ZARSKY up on SCOPE and ascertained the following:

ZARSKY

Texas

I then recontacted Mr. PETTY at the Abby Hotel to ascertain from him if he knew where Mr. ZARSKY was employed. I was advised by Mr. PETTY that he was a dishwasher at Karls Casino. I then contacted Karls Casino and talked with an individual in Personnel who did advise me Mr. ZARSKY was an employee and was a dishwasher.

Det. BOXX also found out that Mr. ZARSKY works dayshift with Tue. & Wed. off. Det. BOXX & I then returned to the Abby Hotel, Rm. #104, to attempt to attempt to make contact with Mr. ZARSKY. While at the room, Det. BOXX & I made contact with a David LITTLE. Mr. ZARSKY's roommate.

IS INFORMATION PROVIDED BY _____ ON _____ IS RESTRICTED AS TO USE AND DISSEMINATION

This Offense is now

founded

☐

eared by Arrest

☐

eared Otherwise

☐et Cleared
inactive☐

Officer ASHER \$4534 Patrol

Date

5/10/88

Investigating Officer

Sgt. Lightfoot 3875

Superior, Approving

PROSECUTOR

Exhibit 1



SPARKS POLICE DEPARTMENT

SUPPLEMENTAL OR CONTINUATION REPORT

SEXUAL ASSAULT	Date of original report 5/9/88	Case number 88-4892
MISS SHOES/RODELA, THERESA	Location of original occurrence 543 E. PRATER	Date and time of supplement 5/10/88 1355 HRS.

Additional details of offense, progress of investigation, etc.

2

In talking with Mr. LITTLE, he advised us that Mr. ZARSKY was not home and when he returned home this morning after working graveyard, Mr. ZARSKY had left with two of his friends. Mr. LITTLE advised us that he left for work on 5/9/88 at approx. 2100 hrs. and did not return home until 5/10/88 at approx. 0830 hrs. Mr. LITTLE advised us that Mr. ZARSKY had planed to give plasma today in Reno at the Reno Plasma Center.

Det. BOXX & I then went to Nevada Plasma Center located on 2nd St. in Reno to attempt to locate Mr. ZARSKY. We made contact with a Nursing Supervisor at Nevada Plasma and she pulled the records on Mr. ZARSKY and advised us that Mr. ZARSKY had not been at Nevada Plasma since 1984. Nevada Plasma has a picture of Mr. ZARSKY but it is dated in 1984.

Det. BOXX & I then went to Reno Plasma Center located on 2nd St. in Reno to attempt to locate Mr. ZARSKY at this Plasma Center. We again made contact with a Nursing Supervisor and inquired if Mr. ZARSKY was there. The Nursing Supervisor brought us Mr. ZARSKY's file and told us he had not been there yet today. Reno Plasma also did have a picture of Mr. ZARSKY but it was dated in 1986. The Nursing Supervisor also advised us that the last time Mr. ZARSKY had been in there to give plasma was on 4 of 88.

Both of the photographs that I observed from Nevada Plasma & Reno Plasma did resemble the composites that were done in these cases. I then returned to the Abby Hotel and again made contact with Mr. ZARSKY's roommate, Mr. David LITTLE to inquire how many times, to his knowledge, that Mr. ZARSKY had given plasma. Mr. LITTLE advised me that he only knows of one other time, other than today, that Mr. ZARSKY has given plasma in the last two months. Again Mr. ZARSKY was not at home and Mr. LITTLE had no idea where he was.

I then went to the bartending area where I made contact with an individual who identified himself as being the Manager of the area and asked him if he observed Mr. ZARSKY come back would he please notify this Dept.

This is a supplement to case #88-4892. No further details.

*April 21st - victim cleared nolan,
withheld from defense too,*

IS INFORMATION PROVIDED BY _____ ON _____ IS RESTRICTED AS TO USE AND DISSEMINATION

This Offense is now

☐ Infounded
☐ Cleared by Arrest
☐ Cleared Otherwise
☐ Not Cleared (inactive)

Officer ASHER \$4534 Patrol

Date 5/10/88

Investigating Officer

Sgt. [Signature] 3875

Date 5/10/88

Supervisor Approving

SUPPLEMENTAL OR CONTINUATION REPORT

Type of original report SEXUAL ASSAULT & ARMED ROBBERY	Date of original report 5/9/88	Case number 88-4892
Victim of complainant 1. RODELA, Theresa 2. SLOAN, Bridget	Location of original occurrence 543 E. Prater, Sparks	Date and time of supplement 5/10/88 0350 hrs. 5.

Additional details of offense, progress of investigation, etc.

Dr. SCHERK stated that there was sperm present in RODELA's vagina. Detective TORRES interviewed SLOAN and had gotten information from her on a possible identification of the suspect. When we were through with RODELA at Washoe Medical Center I brought her to Sparks PD station where she was interviewed by Detective TORRES and RODELA assisted in making a composite drawing of the suspect. Both victims went home. I placed evidence from the hospital in the Evidence locker. It should be noted that there are similarities between the suspect in this case and the suspect in Case #88-4238. Nothing further at this time.

Cleared Nolan -
other victims

Cleared Nolan.

911 hidden from
defense

HIS INFORMATION PROVIDED BY _____ ON _____ IS RESTRICTED AS TO USE AND DISSEMINATION

Unfounded ☐ This Offense is now

Cleared by Arrest ☐

Cleared Otherwise ☐

Not Cleared
(inactive) ☐

OFFICER V. DEBILZAN #8329 Patrol

Investigating Officer

Date 5/10/88

[Signature] 10877

Supervisor Approving

Date 5/10/88

0070

PROSECUTOR

November 19, 2009

Pardons Board

On June 24, 2009 I appeared before this Pardons Board to bring it to your attention the ILLEGAL acts within in the Washoe County District Attorney's Office. I presented you with the documentation, the hand written notes that former ADA Ron Rachow made on the Motion for Discovery 21 years ago. Mr. Rachow violated BRADY V MARYLAND by withholding all of the Materiality and Exculpatory evidence that showed another person was responsible for the crime in which my innocent brother, NOLAN KLEIN, was convicted of.

Not only did Mr. Rachow withhold the evidence that would have cleared an innocent man, several employees within the Washoe District Attorney's Office knew about this AND SAID NOTHING OVER THE LAST 21 YEARS!! In fact, ADA John Helzer appeared before this Board on October 29, 2008 stating he looked in Mr. Klein's file. He looked, he saw and HE SAID NOTHING ABOUT THE OTHER SUSPECT, Mr. Zarsky to you. The Sparks Police Department's theory was that Mr. Zarsky was responsible for this crime as well as other crimes in which those other victims cleared my innocent brother, Nolan Klein. ALL OF THIS WAS WITHHELD FOR 21 YEARS IN VIOLATION OF BRADY V MARYLAND and EVERY MEMBER OF THIS PARDONS BOARD KNEW IT AND CHOSE TO DO NOTHING . What this Board should have done was placed Mr. Klein on this Agenda for a Pardon for EXONERATION. You did not. Instead you chose to CONDONE THE WRONG DOINGS OF THE WASHOE COUNTY DISTRICT ATTORNEY'S OFFICE FOR THE LAST 21 YEARS.

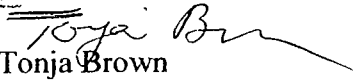
As members of the Indigent Defense, you speak so well of not wanting to see any innocent person wrongfully convicted, however, when the wrongfully convicted is brought to your attention you turn a blind eye to the truth, thereby protecting the bad acts of officials under the color of law.

On June 24, 2009 I asked that you adopt a policy by sanctioning and or disbaring those prosecutors who cover up evidence and lie to the Pardons Board. Again, you do nothing. But, when it comes to your family or friends you do everything to protect them, such as, Justice Hardesty did when he wrote a letter to a Federal Judge on behalf of one of the co-defendants in one of the largest LSD drug Bust in Reno's history. This co-defendant received approximately 6 months in a federal prison. Pretty nice when compared to those drug traffickers who have appeared before you. And let us not forget that years ago Justice Hardesty knew that there were on going problems with the missing DNA in Mr. Kleins case. Missing DNA was presented to this Board when Mr. Klein appeared before you and you denied him a Pardon.

On September 20, 2009 an INNOCENT MAN, NOLAN KLEIN, who was wrongfully convicted DIED in prison because of these ILLEGAL acts. The cover up still continues when I on September 8, 2009 filed with the Attorney General's Office the documents that were found in the DA's file that support Mr. Klein's claims that are pending within the 9th Circuit Court of Appeals. At the Board of Prison Commissioners meeting AG Masto and Governor Gibbons were provided with documentation showing that other evidence was found within the file in Mr. Klein's case. Instead of placing Mr. Klein on the Agenda for a Pardon for Exoneration, AG Masto and her staff are attempting to have his case dismissed.

On the June 24, 2009 Agenda you list considering hearing cases of those who maintain their innocence, yet, again you turn a blind eye to the truth. Why?

I made a promise to an innocent man that I would do whatever it takes to bring the truth out and if it means exposing the corruption then so be it. We will be filing a Petition for Exoneration and if it means taking it all the way to the United States Supreme Court we will do it. In the meantime I pray that there will be a federal investigation into the Washoe County District Attorney's Office and if it means that in order to protect the innocent that the guilty go free, then so be it. It falls on this PARDONS BOARD'S MEMBER'S HEADS.


Tonja Brown
2907 Lukens Lane
Carson City, NV 89706
671-5037

Successful litigator's like Nolan Klein whose work brings positive change to the entire judicial system are retaliated against for just being litigators.

Advisory Commission on the Administration of Justice Date: November 21, 2008 Page: 31
Tonja Brown stated for the record that Ms. Jones was correct and there was documentation that was given to Justice Hardesty, or Judge Hardesty, some years ago and she could present a copy to the Commission. She said he was aware of the problem. She continued her discussion on the biological evidence. She said there were members of the Advisory Commission who were not privy to the current chain of events of her proposed recommendations for the draft for the preservation of biological evidence. Ms. Brown said on September 22, 2008, in a press conference Washoe County District Attorney Dick Gammick said he opened DNA kits and tested the DNA evidence. She said no results were ever turned over to her. Ms. Brown referenced the material she gave the Commission Exhibit K. She said there had been problems with evidence as far back as Mills Lane.

http://www.leg.state.nv.us/74th/Interim_Agendas_Minutes_Exhibits/Exhibits/AdminJustice/E1121081..pdf

Subm. Helz June 24-2009

As an Advocate for the Innocent I am here to ask this Pardons Board to adopt a policy holding those accountable for misleading the Members of the Pardons Board. The Pardons Board is expected to make a fair, unbiased, informative decision based on the information that is provided to them.

I am now in possession of newly discovered exculpatory evidence as a result of the litigation that Washoe County Assistant District Attorney, Mr. Helzer, said we needed to litigate the disappearance of the missing cigarette filters that Justice Gibbons asked ADA Helzer about.

During the October 29, 2008 Pardons Board hearing in which my innocent brother, Nolan Klein was being considered for a Pardon, his Attorney, Mr. Hager repeatedly stated to this Pardons Board that Mr. Klein has always maintained his innocence and the Parole Board will not grant parole unless he admits guilt. Mr. Hager went on to say and provided to you a copy of the television interview of Washoe County District Attorney, Dick Gammick, who publicly admitted that he had opened up the DNA and tested it. Mr. Hager then demanded to know where the DNA test Results were?

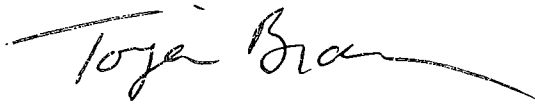
Immediately following Mr. Hager representation of my brother ADA Helzer spoke to the Pardons Board to why Mr. Klein should not be given a Pardon. He went on to say. "Now before I came here, it's kind interesting, but before I even knew this was going to be considered for a Pardon, I was reviewing his file because I wanted to know more about it. I KEPT HEARING THINGS. I went over and talked to Commander Asher at the Sparks Police Department." He continued on "And what is amazing to me, is that we have this continued denial in the sense that you are SUPPOSE TO BUY INTO IT.

On June 10, 2009 for the first time the Defense saw evidence that the prosecutor Ron Rachow hid from us. And after 21 years of incarceration it finally saw the light of day with Mr. Rachow's personal handwritten notes on it.

According to Commander Asher's report it would appear to be the THEORY OF THE Sparks Police Dept. that Mr. Zarsky committed this crime for which my brother was convicted of. In the documents provided to you the Prime Suspect's report of Zarsky refers to other crimes and the other victims that they believed Mr. Zarsky committed too. However, those victims from the crimes had cleared my brother and his car.

Don't you believe that as an Officer of the court ADA Helzer had a responsibility to speak the truth to you and the truth would be to inform you that while reviewing the file there was evidence that another person had committed the crime thus supporting my brother's claim of innocence? Clearly this information that has been withheld from us for all of these years is in violation of Brady and ADA Rachow makes a reference to Brady.

I ask that the Pardons Board adopt a policy, that when an inmate who maintains their innocence and appears before you, the District Attorney MUST DISCLOSE any evidence that was located in the file and inform the Pardons Board whether or not the evidence in the file was actually turned over during Discovery. If they do not and it is discovered that they knew about this and deliberately withheld it they must be sanctioned and or disbarred and this must be carried out.



Tonja Brown
2907 Lukens Lane
Carson City, NV 89706

NOTE: Additional newly discovered evidence was found in this file, showing that a Fallon Police Officer contacted the Sparks Police Dept the day after the crime, this officer recognized a man hitchhiking carry a blue suitcase out of town that resembled the composite sketch of the suspect that was just released. . This report was hidden from the defense for 21 years. Other exculpatory evidence pertaining to states witnesses were also found in this file, again hidden from us for 21 years. There is no doubt that all of this hidden evidence would have changed the outcome of the verdict, especially, since the jury was DEADLOCKED to begin with. I have spoken to some members of the jury.

On a personal note, Rachow referred to Brady in a personal memo in the file and then he filed a Motion in Opposition for Defense's Motion for Discovery. However, Judge Breen ordered him to turn over all evidence favorable to the Defendants guilt or innocence and Rachow never did.

CARSON CITY, NEVADA, WEDNESDAY

OCTOBER 29, 2008, 2:40 P.M.

-oOo-

AGENDA ITEM II

-oOo-

ITEM H

NOLAN KLEIN

NDOC #28074

-oOo-

GOVERNOR GIBBONS: We will undertake now the request of Inmate Nolan Klein, No. 28074.

The record will reflect Mr. Klein is present and represented by his attorney, Robert Hager. Mr. Hager, you have something you wish to contribute to the Board.

MR. HAGER: I do. Thank you. First I'd like to inform you that Mr. Klein has MRSA and a lot of the documents I submitted to you are medical records. I didn't submit all of those to you for you to look at each page, but for you to see the amount of medical records for Mr. Klein over the last -- since November of last year. The cost of his medical treatment has been \$130,000.

During one of his hospitalizations, and the psychological report reflects this, Mr. Klein was

1 near death and not expected to live. He has one foot
2 in the grave as he is here today.

3 What we're asking you to do is to commute
4 his sentence to time served. We feel that the
5 humanitarian aspect in this case is vital.

6 Mr. Klein was honorably discharged from
7 the military, and he's eligible for treatment by the
8 VA. If he drinks or takes any drugs, because of MRSA,
9 he will die. So it is the ultimate protection against
10 any drinking or drug use.

11 I'd like to go through, I notice a lot of
12 materials in this report, but I would like to go
13 through some of those materials, and I hope you all
14 received this letter from Eng Counseling in which the
15 issue of antisocial personality disorder is addressed.
16 And also the issue of whether Mr. Klein's failure to
17 admit guilt affects any risk of recidivism.

18 If you look at the psychological reports,
19 and in this case there is a dissenting report by
20 Dr. Scofield, what those reports clearly reflect is
21 that Mr. Klein's refusal to admit guilt has weighed
22 heavily with regard to the diagnosis of antisocial
23 personality disorder and with regard to his risk to
24 re-offend.

25 In the report by Eng Counseling, you see

1 that it is stated that the answer to the first
2 question posed there, if you have that report in front
3 of you, there is no positive research available in the
4 field of the treatment of sex offenders indicates that
5 the treatment effect found in those who admit sex
6 crimes is the same for those who deny.

7 The answer to the second question with
8 regard to the antisocial personality disorder
9 diagnosis, two out of the three psychologists
10 concluded that with regard to Mr. Klein, is that it's
11 internally inconsistent to say that Mr. Klein has no
12 obvious symptoms of major medical illness and he has
13 antisocial personality disorder.

14 Furthermore, specifically with regard to
15 the antisocial personality disorder, it was found that
16 Mr. Klein demonstrates no obvious symptoms of any
17 major mental illness.

18 One of the reasons why the risk assessment
19 in this case was written the way that it is, is
20 because Mr. Klein has not had the availability of sex
21 offenders treatment in the prison system because he
22 has maintained his innocence. He has maintained his
23 innocence since day one, since the day he was
24 arrested.

25 He sent a letter shortly after he was

1 convicted requesting that the evidence be preserved in
2 this case. That evidence also included two cigarette
3 butts with filters that the victims in the case said
4 that the perpetrator had smoked. Those cigarette
5 butts were removed from evidence without a court order
6 and are not available for testing.

7 Included within the materials that I
8 submitted to you is a letter from Barry Scheck of the
9 Innocence Project offering to represent Mr. Klein if
10 he could provide evidence that could be tested with
11 new DNA technology. That evidence is not there.

12 Also included in your documents are an
13 affidavit from my law partner who went to the evidence
14 locker and saw that the evidence post trial had been
15 taken out of the evidence locker by the District
16 Attorney, and that instead of those two cigarette
17 filters that could have been used to exonerate,
18 tested, and if the DNA was not Mr. Klein's, would have
19 exonerated him, what is instead there now is some
20 loose cigarette tobacco and some paper.

21 How that can happen is beyond me. How one
22 party can have access to evidence post trial and go in
23 and remove that evidence, whether it is defense or the
24 state, I don't understand. It would be like me going
25 in and switching evidence after a trial and placing

1 somebody else's cigarettes in instead of my client's.
2 It should never happen. But that's what happened in
3 this case.

4 Because Mr. Klein has maintained his
5 innocence since the time of his arrest, and because
6 that evidence that could prove his innocence is no
7 longer available, he'll die in prison if this Board
8 doesn't commute his sentence. Because he will never
9 admit that he committed these crimes.

10 I have had conversations with him. I have
11 encouraged him to just admit. He won't do it. The
12 Parole Board has made it clear that so long as he
13 denies that he committed these crimes, he will never
14 be paroled.

15 You are all familiar with the laws related
16 to spoliation of evidence and that when evidence is
17 spoiled, it is to be inferred against the party who
18 had control of that evidence. In this case Mr. Klein
19 and his attorney never had control over that evidence.
20 The state did.

21 So we find ourselves here today with
22 someone -- and now I can go through what he's done in
23 prison, but that is really what is dramatically
24 different about this case than what you have heard in
25 the other cases. Mr. Klein, if you ask him, will you

1 admit here today that you did this and we will let you
2 out of prison, he will tell you no. It's not
3 defiance.

4 He was convicted once before of battery
5 and did a prison term when he found his wife in bed
6 with another man. He immediately pled guilty and he
7 admitted that he did that. If you ask him today, he
8 will admit that he did that, but he will never admit
9 that he committed these other crimes.

10 Now it's not just the affidavit of my law
11 partner that reflects that the District Attorney's
12 Office removed these items from evidence. I have
13 here, if it is disputed, a portion of a videotape
14 interview of the District Attorney in Washoe County
15 stating a few weeks ago on TV that of course that
16 evidence is not there, it was tested.

17 Where is the report? Where is the report
18 of the testing of those cigarette filters? It's never
19 been produced. It would either be Brady material and
20 exculpatory or it would be incriminating.

21 I'll wrap up by telling you some of the
22 things that Mr. Klein has done since he's been in
23 prison. And I have gone in the materials past -- I
24 apologize, it is not Bates numbered -- but it is after
25 the end of the medical records. You will see some

1 photographs there relating to the evidence. I
2 understand that they are difficult to see, except you
3 can see clearly a cigarette filter in one of the
4 photographs.

5 The next thing you see is a November 25th,
6 1995, letter from the Innocence Project signed by
7 Barry Scheck stating that they would be interested in
8 taking Mr. Klein's case. Mr. Klein immediately filed
9 a motion to have these cigarette filters -- am I out
10 of time?

11 GOVERNOR GIBBONS: You have one minute,
12 Mr. Hager.

13 MR. HAGER: To have these cigarette
14 filters tested, but they are no longer available.

15 In the materials you also see that
16 Mr. Klein completed a legal assistant paralegal course
17 with Blacks Home School of Law. He completed another
18 paralegal course at Mountain High School, White Pine
19 County School District. He also completed a paralegal
20 diploma at the Northern Nevada Community College in
21 White Pine County School District in July of 1992.

22 He's participated in Vietnam Veterans of
23 America, and he's also been active in the largest
24 fundraiser ever in the Breast Cancer Foundation in
25 2003. Thank you.

1 GOVERNOR GIBBONS: Thank you, Mr. Hager.

2 Is there any member of the District
3 Attorney's Office here present wishing to speak in
4 opposition to this motion?

5 MR. HELZER: There is, Governor Gibbons.
6 John Helzer on behalf of the Washoe County District
7 Attorney's Office.

8 And again, I'd like to thank the members
9 of the Pardons Board for this opportunity.

10 Without going into great detail, there's
11 been a lot of litigation in this case, a lot of
12 litigation. There have been a lot of accusations.

13 We're here to determine whether in fact
14 this individual, this defendant, should be granted the
15 relief he's requested. And it's interesting, that
16 relief is telling because, yes, this defendant will
17 not admit. That doesn't mean he didn't do it. But he
18 will not admit.

19 And so he found himself kind of boxed
20 because after much effort, he ends up, as he
21 acknowledges in his application, that the Parole Board
22 is never going to turn him loose, because since he
23 won't admit, he will not meet the psychological
24 criteria to be released.

25 So what he has to do is come in front of

1 the Pardons Board and say, You are my last hope. I
2 want you to give me -- I thought it was a term of
3 years requested, now I hear it is just time served --
4 I want you to give me basically a ticket out of here,
5 without having to admit, with no tail, and so that
6 there will be no supervision, there will be no
7 admission, there will be no requirement that he
8 actually ever comes to grips with what he did.

9 And what he did is no mystery. Payless
10 Shoes in Sparks.

11 Now before I came here, it's kind of
12 interesting, but before I even knew this was going to
13 be considered for pardon, I was reviewing his file
14 because I wanted to know more about it. I keep
15 hearing things. I went over and talked to Commander
16 Asher at the Sparks Police Department, had my intern
17 kind of highlight in all of the statements as best he
18 could, and then I went through it.

19 The victims in this case, we have an
20 18-year-old young woman and we have a 21-year-old
21 young woman that work at Payless Shoes. And the
22 defendant comes in, the one is washing the window as
23 soon as you come in, and he has a knife in her.
24 Pushes her in. Isolates them.

25 Because the issue here is identity; right?

1 Think about this. He puts them into like a bathroom
2 or storage closet. I mean, because they pretty much
3 are a chattel at that point until he goes and picks
4 one out. The 21-year-old, you are going to come with
5 me on the floor, sexually assaulted.

6 How long do you think that took?

7 Well, it was about 20 minutes before he
8 retrieved one, one young woman from that room. And
9 then there was a sexual assault. And then there was a
10 placing of this individual back into the room with the
11 other victim.

12 Do you think they could ID that
13 individual? Do you think they know who locked them
14 up, who stabbed, put the knife to them, who raped
15 them? Do you think they know? That's this case.

16 And what is amazing to me, what is amazing
17 to me is that we have this continued denial in the
18 sense that you are supposed to buy into it. And we're
19 supposed to actually consider letting him have time
20 served and walk out of here.

21 All I have heard today from many members
22 of this Board is the value of admission, the value of
23 having -- even if it is a close call. I have heard
24 the discussions that have been going on saying, well,
25 he is just going to go to the Parole Board and they

1 won't let him go unless there are safeguards and our
2 community has some assurances that there will be some
3 protections. That is not what he says. He wants it
4 all or nothing.

5 It's time for Mr. Klein to realize he did
6 it. And it's time for you to send the message to him
7 we know you did it. Do not grant the request. Thank
8 you.

9 GOVERNOR GIBBONS: Thank you, Mr. Helzer.

10 CHIEF JUSTICE GIBBONS: Mr. Helzer, what
11 about the cigarette issue?

12 MR. HELZER: Well, Your Honor, I wasn't
13 really prepared for an appeal. I do know that is an
14 accusation, and those are the types of things that we
15 see are available for review through numerous, whether
16 it is the state court, the federal courts. There has
17 been a lot of litigation in this case.

18 And to come forward and just say that
19 there is this evidence problem, well, then go litigate
20 it. But don't come in and say that is a reason to sit
21 there and give him time served, just because they say
22 that and because they say it is of significance. Not
23 at all.

24 I thought it was interesting the comment
25 when counsel said, he told him, I said, just admit it.

1 He didn't say, just tell them. He said, just admit
2 it.

3 GOVERNOR GIBBONS: Is there any member of
4 the family or victim here present to testify in
5 opposition to this motion?

6 Any member of the Board have a question?
7 Hearing none, is there a motion by the Board?

8 JUSTICE SAITTA: Governor, I'll move to
9 deny.

10 JUSTICE CHERRY: I'll second. Justice
11 Cherry.

12 GOVERNOR GIBBONS: Motion made by Justice
13 Saitta, seconded by Justice Cherry.

14 Any comment or question by any member of
15 the Board on the motion?

16 Hearing none, Mr. Secretary, call the
17 roll.

18 MR. SMITH:

19	JUSTICE SAITTA:	Yes.
20	JUSTICE CHERRY:	Yes.
21	JUSTICE PARRAGUIRKE:	Yes.
22	JUSTICE HARDESTY:	Yes.
23	CHIEF JUSTICE GIBBONS:	Yes.
24	ATTORNEY GENERAL MASTO:	Yes.
25	GOVERNOR GIBBONS:	Yes.

MR. SMITH: Motion carries.

GOVERNOR GIBBONS: Request is denied.

October 13, 2009

Board of Prison Commissioners Meeting:

Out of Respect for an innocent man, Nolan Klein, who recently died in prison, I ask this Board to allow me read NOLAN'S LETTER to them after I have finished with my public comment. His letter pertains to what we have discussing for years.

As an Advocate for the inmates and for the Innocent I am here to give you the prime example as to why we need an OVERSIGHT COMMITTEE and OMBUDSMAN'S FOR EVERY PRISON INSTITUTION WITHIN OUR STATE.

Inmates are being denied access to practice their Religious beliefs that have been set in place in the AR 810. The agreement with the court was if they did not follow AR810 then all federal funding should be pulled from NDOC. They have yet to comply with this agreement. I've been informed that if NDOC does not comply with the agreement established within the court to allow the religious groups to function as they use to they will take back into court. They are not asking for anything they didn't have before. You will be given a one month notice to comply with Nolan Klein's court agreement or the inmates will begin taking legal actions against NDOC and ask the all federal monies to be taken away.

In the meantime, NDOC has informed me that due to an NRS statute unknown to me (ATTACHED) they are required to hold on to all of Nolan's personal property for 40 days. Due to AG Masto's Motions that have been filed in several of Nolan Klein's court proceedings in our Nevada Supreme Court and federal courts, including the 9th Circuit Court of Appeals in an attempt to stop Nolan's on going litigations. We have been ordered to appear in Federal Court on Oct. 28, 2009 regarding the cases in Klein V Bisbee and Klein v Corda. NDOC is in the control and custody of Nolan's personal property that will be required for us to argue against AG Masto at the upcoming hearing. I ask this Board to grant me access to Nolan's property now, so that we will be prepared to fight against these Motions that AG Masto has filed? (ATTACHED)

MEDICAL NEGLIGENCE LIES WITH IN NDOC. I base this on the following facts. On the morning of September 21, 2009 I received a call from the NDOC's Chaplain to inform me of my innocent brother's passing. I immediately informed his attorney's of Nolan's passing who were in the process of filing that day a Motion for bail and a MOTION FOR NEW TRIAL based on newly discovered evidence that Washoe County ADA Ron Rachow with held evidence that showed another person was responsible for the crime for which my brother was convicted of.

It is a fact that Nolan Klein would still be alive today and living outside the prison walls if he had been treated for a life threatening disease called Hemochromatosis that is a preventable and a treatable disease, untreated, it leads to Liver failure among other medical problems. NDOC and the PARDONS BOARD, knew of this life threatening

disease when they were provided a copy of his medical conditions during the October 29, 2008 PARDONS BOARD HEARING. (ATTACHED)

It was not until approximately 20 months after NDOC knew of Nolan Klein's condition that they started the treatment, and this only because I had just found out what he had and I had contacted Director Skolnik about the lack of treatment for Nolan Klein. Director Skolnik had Nolan immediately transferred back to RMF to begin his treatment. Nolan had one treatment and he said it felt like a miracle, his liver quite hurting.

The following week he was rushed to the hospital at a cost in excess of \$55,000.00 (attached). Had Nolan been treated for this medical condition this would not have happened for several years. . Nolan's death certificate is NOT ACCURATE. Hemochromatosis should have been listed as a CAUSE OF DEATH! (ATTACHED) An innocent man DID NOT HAVE TO DIE IN PRISON, BUT, HE DID.

This is THE PRIME EXAMPLE why we need an Oversight Committee and Ombudsman's at each institution.

I ask that you turn to the last page of the information I have provided to you.

Tonja Brown
2907 Lukens Lane
Carson City, NV 89706

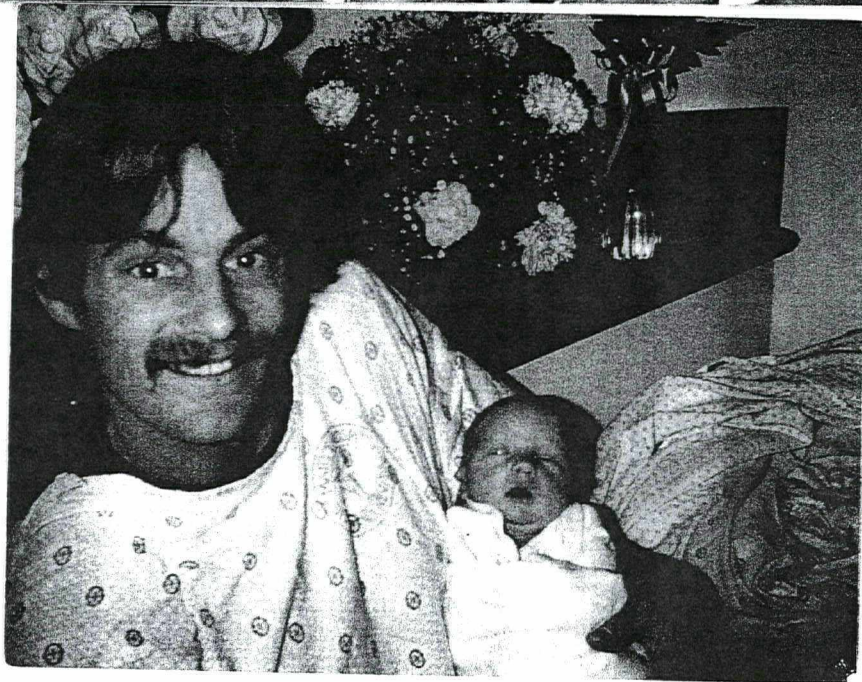
It would appear that Members of our Pardons Board, 4 of which, are running for re-election would rather CONDONE THE ACTIONS of a former ADA Ron Rachow who violated BRADY v MARYLAND BY THE WITHHOLDING THE EVIDENCE THAT SHOWED SOMEONE ELSE WAS RESPONSIBLE FOR THE CRIME FOR WHICH AN INNOCENT MAN, NOLAN KLEIN WAS CONVICTED and ultimately died from this ongoing cover up. This is clearly demonstrated by their refusal to place Nolan Klein for an exoneration on the upcoming November's Pardons Board Agenda.

We must take a stand and make our voices be heard that we, the people, will no longer allow our justice system to turn a blind eye to the wrong doings of over zealous prosecutors who have an agenda, for on crime there is one conviction. We must protect the innocent. Only we the people can stop this, by not allowing this type of corruption to continue. Who will be the next innocent person to die in prison for a crime they did not commit? Who will be the next person to die in prison from medical negligence?

Feb 1984



Nolan Klein
blue eyes
Sept. 1987



Sun 1984



ksn		
SUPPLEMENTAL OR CONTINUATION REPORT		
Date of original report	Case number	
ROBBERY SEXUAL ASSAULT	88-4892	
Location of original occurrence	Date and time of supplement	
PAYLESS SHOES	5-23-88 0143	

page 2

Additional details of offense, progress of investigation, etc.

alcohol coming from his person, and he inquired where he had been drinking. He stated to me that he had been drinking at Western Village in the main bar area. Later he told me that he had just had 5 or 6 beers, but had just went to the main bar, picked the drinks up, walked around inside of Western Village. It was in my opinion that the individual was too intoxicated at the time to take care of himself and I then placed him under arrest for CPC. Per SGT. DICKSON, I was to transport him back to the station and make contact with a Det. or DET. BOXX who is working this case.

I then contacted DET. SGT. ZARUBI and advised him of what we had and he instructed me to talk with Det. BOXX and attempt to make contact with a 2nd victim of another crime that occurred on 4-21-88, which was also a ROBBERY, KIDNAP AND ATTEMPTED SEXUAL ASSAULT. While the individual was at the station, Officer BENEDETTI located the car to be parked in the 600 blk of Pinemeadows and responded to the vehicle. For further information, please see Officer BENEDETTI's supplement. The individual inquired as to why he was brought to the police station instead of being taken to a detoxification center. I then advised him that he did match a description of the composites of 3 crimes that had been committed in the area. 2 polaroid pictures were taken of the individual at Flakey Jake's by SGT. DICKSON.

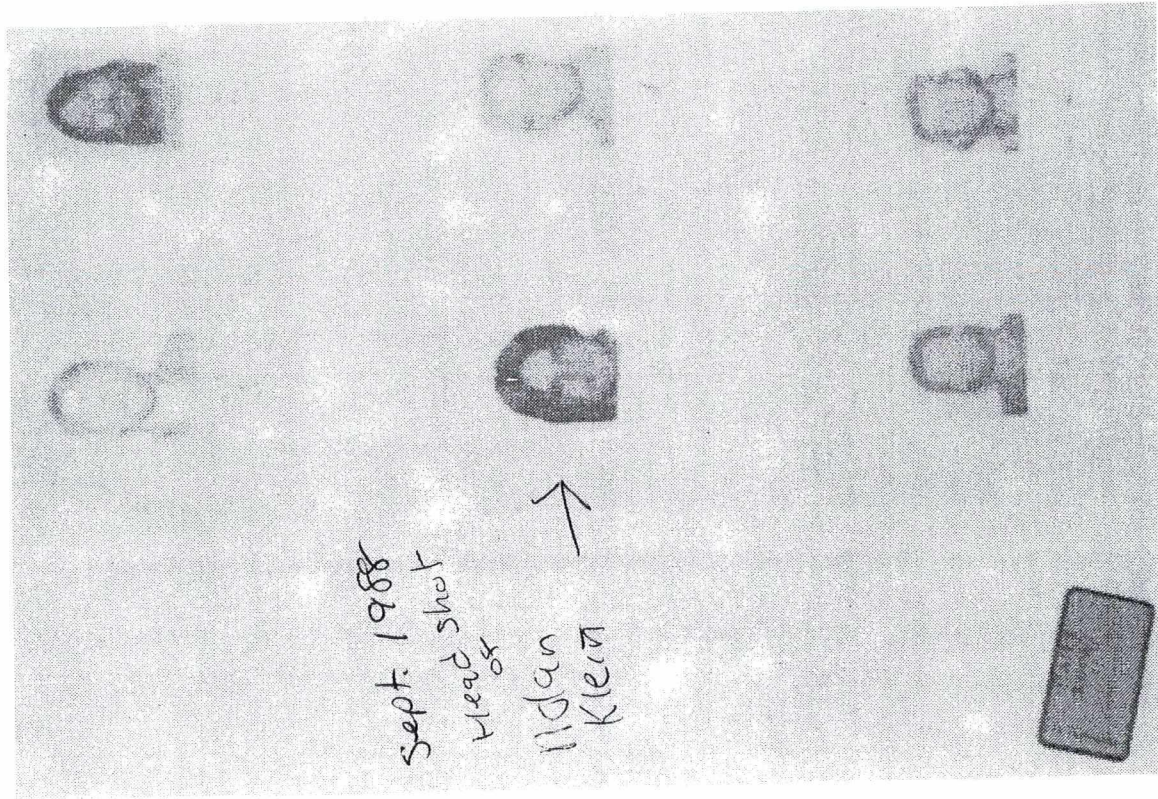
It was at this time, that Officer WILMOTT took custody of the individual and transported him to WCSO jail without incident where he was booked for CPC. I then contacted the victim of case #88-4238. Advised her that we had a possible vehicle and if it would be possible for her to come down and do a drive by a certain location where the vehicle was parked to see if she could pinpoint the vehicle. The victim advised me that she would be on her way and would be at the station in a little bit. I was then contacted by Det. BOXX. I filled him in on what we had. He stated that he would be at the station shortly. The victim from case #88-4238, showed up at the station. Officer CUNO and I then transported her to the 600 blk of Pinemeadows where we did a driveby of the vehicle. While doing the driveby in the area, the victim was unable to show us any vehicles that possibly matched the vehicle description that she recalled the night of the incident. She was then transported back to the station where she was talked to by Det. BOXX. Lighting conditions at the time of the driveby was dark and the street was poorly lit.

Victim from April 21st cleared Nolan & car. Weapon used Black/red just like what officer Asher, Deblizan, Boxx & Racher

IS INFORMATION PROVIDED BY new ON IS RESTRICTED AS TO USE AND DISSEMINATION

<input type="checkbox"/> Infounded <input type="checkbox"/> Cleared by Arrest <input type="checkbox"/> Cleared Otherwise <input type="checkbox"/> Not Cleared (negative)	This Offense is now <i>Klein's knife not Red/Black</i> ASHER, STEVE 4534 Patrol Investigating Officer Date 5-23-88 Supervisor Approving <i>Asher & Boxx see Zarky report</i>
---	--

RECORDS



Suspect line up photos

CHAPTER FOUR

THE ARREST...

Nolan watched Renee and Shane leave for Boise with emotion so diametrically opposed that he truly believed that twin bulls were pitted against one another. Those bulls had with no other mission than to exert all their power to tear him exactly into two parts. He felt a very certain relief at knowing that Renee and Shane were out of Reno for whatever strife Detective Boxx intended to visit upon him. Nolan had spent too much of his life dealing with his own problems, alone, sitting in the juvenile detention facility in Saratov County, making the money to get a bus ticket back from Denver. He had no reference for dealing with those problems while at the same time protecting Renee and Shane.

Yet he was struck with the emptiness that enveloped him without them. The unmistakable gnawing in the pit of his soul that this farewell was too final, too precious. At that very moment Nolan was half human, half ghost, trying to stay in the real world that would leave the real human being, Nolan Klein, make a home with Shane and Renee. The ghost, on the other hand, wanted to disappear so far from Reno that the good detective would never find him.

With more confusion than clarity, he returned to Renee's. He attended to some business that he felt was necessary and spent the rest of the day repairing things around the house just in case he couldn't later.

Nevada

Man robs shoe store, sexually assaults clerk

Sparks police are looking for a knife-wielding man who robbed a shoe store, sexually assaulted a clerk and then notified police.

A detective said he unidentified suspect's description was very similar to a man who kidnapped, robbed and attempted to sexually assault a woman on El Rancho Drive April 21.



The suspect

The latest case occurred at a shoestore on Prater ay. As two female employees, 18 and 20, were closing shortly before 9 p.m. Monday, a thin, dirty-looking man brandished a knife and abbed one of them. He ordered her to put down a telephone and forced both victims to go on the floor in a restroom. When he had a gun, he ordered them not to move, police said. Then, he went to the front of the store, rifled a cash drawer, locked the front door and returned to the restroom. He took one of the women to another room and sexually assaulted her.

At 10:15 p.m., a man telephoned Sparks police, saying, "There are two men tied up in the back room" of the store. "I robbed them."

On Tuesday, police released a composite drawing of the man. They described him as Caucasian, 30 to 35 years old, about 5 feet 10 inches tall, weighing about 145 pounds and having brown eyes, sandy-blond hair.

This composite sketch of the suspect was shown to the defense witnesses by Ms. Wilkins. Hillman, Bill Richards, Sharon Jackson, and all said this composite is not Nolan. Nolan had adult bearing the night of the crime. P.D. never mentioned that because she was looking at the composite photo of Nolan, away from the photo-line showing beard

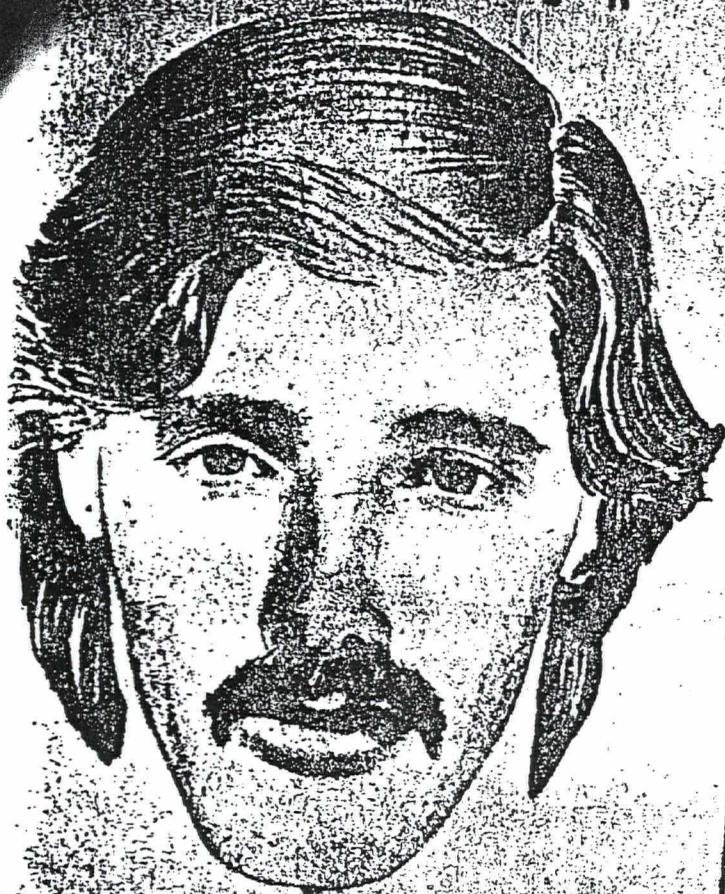
exhibit #3

Nolan's "crazy" report 88-4238 April 21st victim, clerk

SPARKS POLICE DEPARTMENT
1125 'C' STREET
SPARKS, NEVADA 89431
PHONE: (702) 356-2279

OFFENSE: Robbery / Kidnap /
Attempt - SEXUAL ABUSE

CASE NO: 88-4238



DATE AND TIME OCCURRED:

4-21-88 @ 0009

LOCATION OF OCCURRENCE:

1800 Block of EL Rancho

RACE:

W

DESCRIPTION OF SUSPECT

SEX:

M

AGE GROUP

28-30

HEIGHT:

5-10

WEIGHT:

150-155

BUILD:

M

COMPLEXION:

Light

HAIR COLOR
AND LENGTH:

BRN COLLAR
Length

EYES

UNK

IDENTIFYING MARKS:

NONE

JEWELRY:

NONE

SUSPECT CLOTHING DESCRIPTION:

BRN & Beige Vertical Striped Sweater & Gray Cords
SUSPECT VEHICLE DESCRIPTION

MAKE:

POSS. A

MODEL:

POSS. A

YEAR:

65-7

COLOR:

Dirty
White

LICENSE #:

UNK

STATE:

UNK

FURTHER VEHICLE DESCRIPTION: BENCH SEATS
BLU GRN IN COLOR

FRNT SEAT HAS SEAT COVER ON BOTTOM HALF ONLY
PROPERTY TAKEN BY SUSPECT: 120 B.L. 60d .18" NECKLACE

WEAPON USED BY SUSPECT:

HANDS

COMMENTS MADE BY SUSPECT:

TO DO WHAT I WANT YOU YOUR GOING
TO DO

COMPOSITE PREPARED BY:

C. MICHAEL

PATROL OFFICER: MICHAEL

PHONE #:

SPD 356-2231

DETECTIVE ASSIGNED:

PHONE #:

0155

ENTI-KIT CODE FOIL NUMBERS:
#44609 / CC08-NM03-EES0-LL35-HH188-
DD04-BB05

LL IN WORK DONE TO COMPOSITE

LS, REMARKS OR OTHER PERTINENT
MATION:

IR IS THICKER & SLIGHTLY SHORTER IN BACK

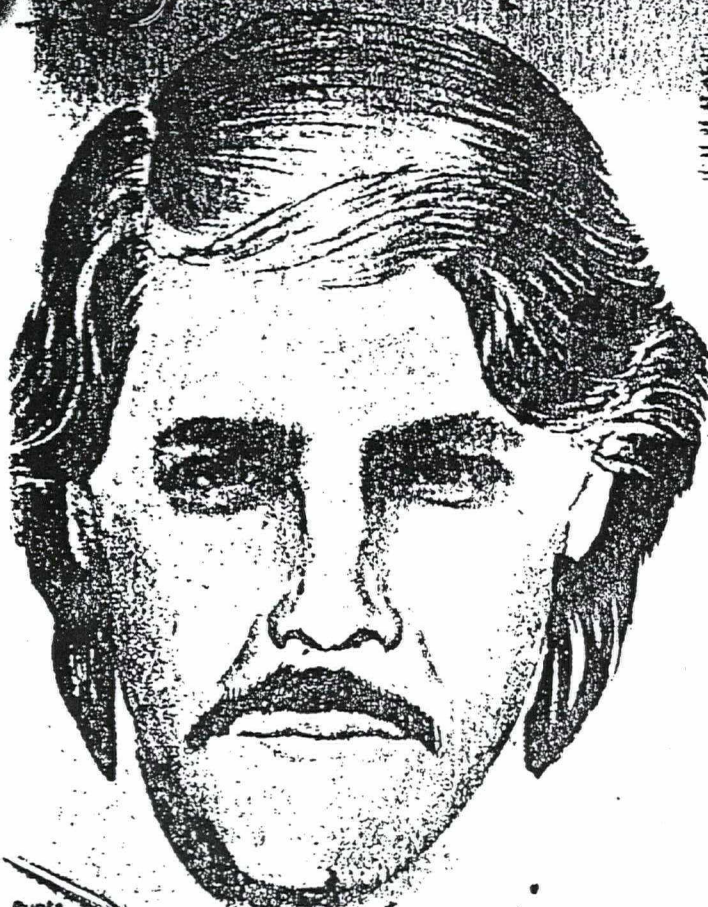
Slightly thinner & Bottom Lip Smaller

Susp. has Speech Impairment
A Cleft Palate

SPARKS POLICE DEPARTMENT
1125 'C' STREET
SPARKS, NEVADA 89431
PHONE: (702) 356-2279

OFFENSE: ARMED ROBBERY

CASE NO: 87-11777



01 07 77 05

BB
04

DATE AND TIME OCCURRED:

11-18-87 / 0048

LOCATION OF OCCURRENCE:

SAVE TIME

1825 FRATER WAY

DESCRIPTION OF SUSPECT

RACE:

SEX:

AGE GROU

W

M

32

HEIGHT:

WEIGHT:

BUILD:

5'5"

150

MEDIUM

COMPLEXION:

HAIR COLOR
AND LENGTH:

EYES

LIGHT

BROWN
LONG

IDENTIFYING MARKS:

JEWELRY:

SUSPECT CLOTHING DESCRIPTION:

RED - WHITE FLANNEL COAT

LEVIS

TENNIS SHOES

SUSPECT VEHICLE DESCRIPTION

MAKE:

MODEL:

YEAR:

COLOR:

LICENSE #:

STATE:

FURTHER VEHICLE DESCRIPTION:

PROPERTY TAKEN BY SUSPECT:

CASH, \$75.00, IN \$10s, \$5s, & \$1s.

WEAPON USED BY SUSPECT:

SIMULATED
HAND GUN

COMMENTS MADE BY SUSPECT:

DON'T GET EXCITED

I WANT YOUR BILLS

COMPOSITE PREPARED BY:

HOHNHOLZ 7506

PATROL OFFICER:

PHONE #:

HOHNHOLZ 7506

DETECTIVE ASSIGNED:

PHONE #:

0156

IDENTI-KIT CODE FOIL NUMBERS:
07 DOWN 1 / NN01 / LLOS DOWN 1 / EE 17 / AA05

198 TURNED AROUND / BB04

FILL IN WORK DONE TO COMPOSITE

AILS, REMARKS OR OTHER PERTINENT
FORMATION: