

1 CASE NO: ORDER
 2 DEPT NO: 14
 3
 4 IN THE JUSTICE COURT OF LAS VEGAS TOWNSHIP
 5 COUNTY OF CLARK, STATE OF NEVADA
 6
 7
 8 THE STATE OF NEVADA,)
 9 Plaintiff,)
 10 vs.) CASE NO. 18F09605X
 11 NICKOLAS ROBERT DIAZ,)
 12 Defendant.)
 13 _____)
 14
 15 REPORTER'S TRANSCRIPT
 16 OF
 17 PROCEEDINGS
 18 BEFORE THE HONORABLE AMY CHELINI
 19 JUSTICE OF THE PEACE
 20 Thursday, August 30, 2018
 21 10:00 a.m.
 22
 23 APPEARANCES:
 24 For the State: BRYAN SCHWARTZ, ESQ.
 25 DEPUTY DISTRICT ATTORNEY
 For the Defendant: ROSS GOODMAN, ESQ.
 Reported by: KRISTINE A. FLUKER, CCR NO. 403

1 prejudice.
 2 MR. GOODMAN: Thank you, Your Honor.
 3 THE COURT: I mean, the easiest way to
 4 District Court is through the Grand Jury, and they say
 5 you can indict a ham sandwich so that tells me
 6 everything I need to know.
 7 And it's not on the State, what's happened,
 8 but they couldn't indict this case. To your credit, you
 9 see it for what it is and you're doing the right thing
 10 and you're dismissing this case.
 11 The frustrating thing for me is we have a
 12 lot of true victims out there and when you see stuff
 13 like this and you take strained resources from the true
 14 victims, and it's frustrating for the Court. But you
 15 did the right thing. And it's not you. I'm more upset
 16 with people calling 9-1-1 because they're pissed off.
 17 MR. GOODMAN: I just want the Court to
 18 recall that we were ready to move forward twice for a
 19 preliminary hearing, then we went to a Grand Jury and
 20 came back, and now we're ready to proceed again.
 21 THE COURT: I know. And I understand that
 22 with the seriousness of these charges, these cases are
 23 different than most cases, so they need to look at it,
 24 and they did. And when -- and to Mr. Schwartz's credit,
 25 they came to the conclusion that the Grand Jury was

1 LAS VEGAS, CLARK COUNTY, NEVADA, THURS, AUG 30, 2018
 2 10:00 A.M.
 3 P R O C E E D I N G S
 4 THE COURT: Nickolas Robert Diaz, Case No.
 5 18F09605X.
 6 MR. GOODMAN: Good morning, Your Honor.
 7 There's a preliminary hearing scheduled for 1:00 this
 8 afternoon.
 9 THE COURT: Correct.
 10 MR. GOODMAN: I had a conversation with the
 11 DA's office yesterday, and I think they're going to make
 12 a motion to dismiss with prejudice.
 13 THE COURT: Okay. State?
 14 MR. SCHWARTZ: The State is not proceeding
 15 on this case, Your Honor.
 16 MR. GOODMAN: Well, it has to be with
 17 prejudice.
 18 MR. SCHWARTZ: We're going to dismiss per
 19 statute, Your Honor, at this point.
 20 THE COURT: It's got to be -- I mean, you
 21 tried to Grand Jury it and you couldn't Grand Jury it.
 22 Now you're not ready to go forward on this
 23 and you want it per statute?
 24 MR. SCHWARTZ: We're not proceeding, Your
 25 Honor.
 THE COURT: I'm going to dismiss this with

1 right.
 2 MR. GOODMAN: Thank you, Your Honor.
 3 THE COURT: All right. It's dismissed with
 4 prejudice. See you.
 5 -oOo-
 6 ATTEST: FULL, TRUE AND ACCURATE TRANSCRIPT OF
 7 PROCEEDINGS.
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 9
 10 /S/Kristine Fluker
 11 _____
 12 KRISTINE A. FLUKER, CCR NO. 403
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