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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | February 24, 2025 | County | Elko |
| Court | Fourth Judicial District Court Dept 1 | Judge | Kriston Hill |
| Defense Attorney | Thomas O’Gara  Deputy Public Defender | Prosecutor(s) | Daniel Roche  Deputy District Attorney |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 4 |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Number of Clients  In Custody | 1 | Number of Clients  Out-of-Custody | 3 |
| Cases Continued  In Custody | 1 | Cases Continued  Out-of-Custody | 0 |
| Hearing Types | Arraignment, Sentencings | | |
| **Attorney's Preparedness** | | | |
| Did the Attorney appear for court? | | | Yes / No / N/A |
| Did the Attorney have the file? | | | Yes / No / N/A |
| Did the Attorney appear to have had a substantive, confidential meeting with  each client before court? | | | Yes / No / N/A |
| Did the Attorney appear prepared to handle their clients' cases? | | | Yes / No / N/A |
| **How prepared did the Attorney appear?**  Thomas appeared to be prepared for his cases today. | | | |
| **How knowledgeable was the Attorney about their cases?**  Thomas appeared to be knowledgeable about his cases today. | | | |
| **The Attorney's courtroom advocacy skills were:**  Thomas did a good job advocating for his clients during the court hearing. | | | |
| **How was the Attorney/client communication?**  The attorney-client communication appeared to be good. | | | |
| **Case Stage-Specific Issues** | | | |
| Did the Attorney argue for pretrial release/OR, or for reasonable bail? | | | Yes / No / N/A |
| Did the Attorney counsel each client to refrain from waiving trial rights until the  attorney completed investigation of the case? | | | Yes / No / Unknown |
| Did the Attorney appear to have counseled clients to refrain from waiving any  rights at arraignment? | | | Yes / No / N/A |
| Did the Attorney appear to adequately advise clients of the consequences of  accepting a plea or going to trial, including any collateral consequences? | | | Yes / No / Unknown |
| Did the Attorney present mitigating evidence and provide argument at  sentencing? | | | Yes / No / N/A |
| Did the Attorney address the Presentence Investigation Report (PSI) and/or  Psychosexual Evaluation/Risk Assessment appropriately? | | | Yes / No / N/A |
| Did the court require defendant(s) to reimburse the entity for representation? | | | Yes / No / N/A |
| **Overall Assessments** | | | |
| Does the Attorney appear to have a sustainable workload? | | | Yes / No / N/A |
| Overall, does the Attorney appear to be providing effective representation to  their clients? | | | Yes / No / N/A |
| **Remarks/Recommendations/Notes (continued from reverse side):**  Thomas had four clients on calendar today.  **Remarks/Recommendations/Notes Continued from Previous Page:**   1. First client: Sentencing hearing. The client was in custody and present in court. The PSI was addressed. The defense had 1 correction and 1 clarification. The correction was that the client had graduated from high school. The clarification was that the client had 5 events/cases that resulted in 7 felony convictions and 7 prison sentences. The State had no corrections. The defense had filed a Presentence Memorandum prior to today’s sentencing hearing which contained letters from the client and his family. It also contained a sentencing brief by the defense. Prior to sentencing arguments/recommendations, the defense requested a continuance because the substance abuse evaluation intended to be used by the defense at the sentencing hearing had not yet been completed by the evaluator. The State did not oppose the continuance. The court continued the sentencing to 3/24/2025 at 1:30 p.m. to enable the evaluator to complete the substance use evaluation. 2. Second client: Arraignment hearing. The client was out-of-custody and appeared by Zoom video from a residential treatment facility for survivors of sex trafficking, sexual assault, and substance use. The program is a one-year residential treatment program. The client pled No Contest, pursuant to a Guilty Plea Agreement, to one count of Attempted Possession of a Controlled Substance, a category E felony or gross misdemeanor. Following the court canvass, the court accepted the No Contest plea. The Sentencing hearing is set for 5/12/2025 at 1:30 p.m. The client is permitted to appear by Zoom from the treatment facility for the sentencing hearing. 3. Third client: Sentencing hearing. The client was out-of-custody and appeared in person.   The following corrections were made to the Presentence Investigation Report: The Court corrected the sentencing date to today’s date. Thomas corrected the client’s sex offender registration status pointing out that the client is currently and properly registered as a sex offender in Utah where he resides. The State made no corrections. Thomas submitted letters in support of the client prior to the sentencing hearing. The State recommended, pursuant to the Guilty Plea Agreement, a sentence of 12-48 months prison, suspended with probation. Thomas argued for a suspended sentence of 12-30 months with probation. The client made a statement in allocation. The court imposed the following sentence: $25 Administrative Assessment fee, $3 DNA assessment fee, 19-48 months in the Nevada Department of Corrections, suspended for 24 months with conditions of probation. The court left it to the discretion of Parole and Probation whether the client could use medical marijuana while on probation. The court ordered that the bail bond be exonerated.   1. Fourth client: Sentencing hearing. The client was out-of-custody and appeared in person. No corrections were made to the Presentence Investigation report. Pursuant to the GPA, the parties both recommended a Deferred Sentencing/Deferred Judgment with probation supervision. The court followed the joint recommendation and deferred sentencing pursuant to NRS 176.111 for 12 months with conditions that the client obtain a Substance Use Evaluation within 30 days and follow any and all treatment recommendations, not possess or consume any drugs or alcohol or marijuana, and be under the supervision of the Division of Parole and Probation with all standard conditions of probation. | | | |