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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | April 7, 2025 | County | Pershing |
| Court | Eleventh Judicial District Court | Judge | Jim Shirley |
| Defense Attorney | Kyle Swanson  Pershing County Public Defender | Prosecutor(s) | Bryce Shields, District Attorney  Paul Yohey, Deputy DA |
| Attorney Present | In Person / Virtual / w/Client | Number of Clients | 1 |
| Defendants Present | In Person / Virtual / Off-Site | Custodial Status | IC / OOC / Blend |
| Number of Clients  In custody | 1 | Number of Clients Out-of-Custody | 0 |
| Cases Continued  In Custody | 0 | Cases Continued  Out-of-Custody | 0 |
| Hearing Types | Arraignment hearings | | |
| **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?**  Kyle appeared prepared for court. | | | |
| **How knowledgeable was the Attorney about their cases?**  Kyle appeared to be knowledgeable about his case. | | | |
| **The Attorney's courtroom advocacy skills were:**  Good. | | | |
| **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 / N/A |
| 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:**  Kyle had 1 adult client on today’s court calendar:  First Client: Sentencing hearing. The client is in custody and present in person.  The client waived a formal reading of the Information, confirmed that his name is correctly shown in the Information and then entered Not Guilty pleas to all four charges:   * Discharging Firearm from a Vehicle, a category B felony (1-10 years, $5,000 fine). * Discharging Firearm from a Vehicle, a category B felony (1-10 years, $5,000 fine). * Discharging Firearm into a Structure (an occupied residence), a category B felony (1-10 years, $5,000 fine). * Second Degree Kidnapping, category B felony (1-20 years, $10,000).   The parties confirmed that probation is possible for all 4 counts.  The court informed the client of his rights. The State informed the client of the elements of the offenses and possible penalties. Swanson corrected the State on Count 4 explaining that the penalty range for that offense is 2-15 years, $15,000.  The client invoked his right to a speedy trial. The parties estimated that the trial will take 4 days. The court set the Trial set for 4 days: May 26-29, 2025  The court also scheduled a Pretrial Conference for May 21, 2025, at 9:00 a.m.  Steve, on behalf of his client, requested a Settlement Conference. Steve also argued for a bail reduction for his client (a bail reduction from $250,000 to $5,000 with conditions.). The State opposed the bail reduction by arguing that the serious nature of the charges and the serious threat posed by the client to the safety of others justify the high bail. The court ordered that there would be no change to the bail amount or conditions today but that the defense may file a written motion for a bail reduction and the court will consider the written motion. | | | |