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| **DIDS Attorney Observation Report** | | **Reviewer** | Derrick Lopez |
| Date | February 3, 2025 | County | Elko |
| Court | Fourth Judicial District Court Dept 3 | Judge | Mason Simons |
| Defense Attorney | Thomas Gunter  Deputy Public Defender | Prosecutor(s) | Jeff Slade  Deputy District Attorney |
| 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 | Arraignmenbt | | |
| **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 case today. | | | |
| **How knowledgeable was the Attorney about their cases?**  Thomas appeared to be knowledgeable about his case today. | | | |
| **The Attorney's courtroom advocacy skills were:**  Thomas did a good job advocating for his client 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 one client in court today. The client was in custody and present in person. The client pled No Contest, pursuant to a Guilty Plea Agreement, to one count of Driving Under the Influence with One or More Prior Felony Convictions, a category B felony. Probation is not possible. The sentencing range is 2-15 years prison.  **Remarks/Recommendations/Notes Continued from Previous Page:**  **Negotiations**: In exchange, State files no further charges arising out of this offense. State will recommend the statutory minimum penalties (2-5 years prison, $2,000 fine, plus fees and assessments). Other case pending will be dismissed with prejudice. ***Kripps*** agreement. The Court indicated that it intends to follow the agreement recommendations.  **Prior Felony Conviction**: State submits a prior felony DUI conviction from Nye County, NV. Defense does not contest the Constitutional validity of the prior felony conviction. Court finds that the prior conviction is Constitutionally valid. Court admits the Prior Conviction into evidence.  Following the court canvass, the court accepted the No Contest plea. Sentencing was set for April 7, 2025, at 3:00 p.m. A Presentence Investigation Report was ordered.  Custody status was not addressed. | | | |