

Damon Earl

From: Damon Earl
Sent: Wednesday, December 18, 2019 4:49 PM
To: Lee, Matthew
Subject: RE: NDI 18I000440 - County; see attached

Good afternoon,

That look good. Thank you for sending this over.

Have a wonderful holiday season,

Respectfully,

Damon Earl, Detective

Nevada Department of Public Safety
Investigation Division, Major Crimes Unit
Office: (775) 684-7433
Cell: (775) 309-7685
Fax: (775) 684-7450
dearl@dps.state.nv.us



Nevada Department of
Public Safety
Investigations

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From: Lee, Matthew <mlee@da.washoecounty.us>
Sent: Wednesday, December 18, 2019 4:46 PM
To: Damon Earl <dearl@dps.state.nv.us>
Subject: RE: NDI 18I000440 - County; see attached

Detective Earl –

Please see the attached. Let me know if you need anything else or if you have questions/concerns.

Best,

From: Anne Langer <alanger@washoecounty.org>
Sent: Tuesday, December 17, 2019 11:09 AM
To: Damon Earl <dearl@dps.state.nv.us>; Orlando Guerra <orlando.guerra@dps.state.nv.us>
Cc: Debra Burns <dburns@washoecounty.org>; mlee@da.washoecounty.us
Subject: NDI 18I000440 - Washoe County; see attached
Importance: High

Det. Earl and Sgt. Guerra:

Debra forwarded this evidence release to me, however, as you are aware I have a conflict of interest in this case, therefore you should forward the release of evidence to Washoe County for their review.

Please contact Chief Deputy Matthew Lee, Washoe County District Attorney's Office, as follows:

775-328-3200

Thank you.

Anne M. Langer

County District Attorney

P.O. Box 496, 201 S C Street, Reno, NV

Phone: 775-847-0964 | Fax: 775-847-1007

alanger@washoecounty.org

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*** CASE CLOSURE / EVIDENCE RELEASE ***

Anne M. Langer
County District Attorney's Office
201 S. C. Street
 , Nevada

RE: NV DPS ID Case: 18I000440 Defendant: _____, Lance
_____.

Dear A. Langer:

Our records indicate that this case has been processed through your office. We request that a disposition be forwarded to our office to complete our case update.

The lower half of this letter can be utilized by you to document evidence destruction / evidence release.

Your cooperation in this matter is greatly appreciated. Please do not hesitate to give me a call should you have any questions.

Sincerely,

Damon Earl, Detective
NV DPS Investigations, Major Crimes

16 December 2019
Date

In reference to the case(s) pertaining to the above defendant(s), the following apply:

- ___ Case closed due to lack of / insufficient evidence.
- ___ Case closed witness no longer living in the area.
- ___ Case closed / dismissed in the interest of justice.
- ___ Case closed by adjudication.
- ___ Case closed because _____.
- ___ The evidence pertaining to this case may be destroyed or retained by the NCNTE in accordance to division policy.
- ___ The evidence may be processed as follows:
- ___ Case remains open.

District Attorney / Deputy District Attorney

Date



Matt Lee

Chief Deputy District Attorney | Washoe County District Attorney's Office

mlee@da.washoecounty.us | Office: 775.325.6709 | Fax: 775.325.6703

Mills B. Lane Justice Center

One South Sierra Street, 4th Floor

Reno, NV 89501



From: Damon Earl <dearl@dps.state.nv.us>
Sent: Tuesday, December 17, 2019 11:30 AM
To: Lee, Matthew <mlee@da.washoecounty.us>
Subject: FW: NDI 18I000440 - County; see attached
Importance: High

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Good morning,

Can you please complete this form by checking all that apply and sign it so I can officially close this case and forward to DPS Evidence for deposition of the evidence.

Thank you.

Respectfully,

Damon Earl, Detective

Nevada Department of Public Safety

Investigation Division, Major Crimes Unit

Office: (775) 684-7433

Cell: (775) 309-7685

Fax: (775) 684-7450

dearl@dps.state.nv.us



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Damon Earl

From: Damon Earl
Sent: Tuesday, December 17, 2019 11:30 AM
To: mlee@da.washoecounty.us
Subject: FW: NDI 18I000440 - County; see attached
Attachments: Washoe DA Evidence Destruct.pdf

Importance: High

Good morning,

Can you please complete this form by checking all that apply and sign it so I can officially close this case and forward to DPS Evidence for deposition of the evidence.

Thank you.

Respectfully,

Damon Earl, Detective
Nevada Department of Public Safety
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From: Anne Langer <alanger@ county.org>
Sent: Tuesday, December 17, 2019 11:09 AM
To: Damon Earl <dearl@dps.state.nv.us>; Orlando Guerra <orlando.guerra@dps.state.nv.us>
Cc: Debra Burns <dburns@ county.org>; mlee@da.washoecounty.us
Subject: NDI 18I000440 - County; see attached
Importance: High

Det. Earl and Sgt. Guerra:

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Please contact Chief Deputy Matthew Lee, Washoe County District Attorney's Office, as follows:

775-328-3200

Thank you.

Anne M. Langer

County District Attorney

P.O. Box 496, 201 S C Street, , NV

Phone: 775-847-0964 | Fax: 775-847-1007

alanger@washoe-county.org

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Damon Earl

From: Damon Earl
Sent: Monday, December 16, 2019 4:42 PM
To: Debra Burns
Subject: RE: NDI 18I000440 - County; see attached

Sorry,

From: Debra Burns <dburns@county.org>
Sent: Monday, December 16, 2019 4:41 PM
To: Damon Earl <dearl@dps.state.nv.us>
Cc: Anne Langer <alanger@county.org>; Teresa Sargent <tsargent@county.org>
Subject: NDI 18I000440 - County; see attached
Importance: High

Det. Earl:

Received and printed for Ms. Langer's review and signature to same.

By way of this email, copying to Ms. Langer as well.

-Debra, for CDA

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From: Damon Earl <dearl@dps.state.nv.us>
Sent: Monday, December 16, 2019 4:34 PM
To: Debra Burns <dburns@county.org>
Subject: RE: NDI 18I000440 - County; see attached
Importance: High

Hello,

Can you please give this to Ms. Langer to check what applies on the form and sign so I can close the case and advised DPS Evidence that they can dispose of the evidence. This form is required for them to do so.

My Sgt. instructed me to send this over.

Thank you,

Damon Earl, Detective
Nevada Department of Public Safety
Investigation Division, Major Crimes Unit
Office: (775) 684-7433

Cell: (775) 309-7685
Fax: (775) 684-7450
dearl@dps.state.nv.us



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From: Debra Burns <dburns@county.org>
Sent: Thursday, September 26, 2019 3:07 PM
To: Damon Earl <dearl@dps.state.nv.us>; Orlando Guerra <orlando.guerra@dps.state.nv.us>
Cc: Anne Langer <alanger@county.org>; Teresa Sargent <tsargent@county.org>
Subject: NDI 18I000440 - County; see attached

Please see courtesy copy of letter attached, as hand-delivered today.

Thank you.

Debra Burns

Legal Assistant, Sr.

County District Attorney's Office

P.O. Box 496

201 South C Street

, NV 89440

775-847-0964 Fax: 775-847-1007

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Damon Earl

From: Damon Earl
Sent: Monday, September 23, 2019 1:33 PM
To: Anne Langer; srye@lyon-county.org
Cc: Orlando Guerra; Steve Rye
Subject: RE: N.D.I. Case # 18I000440
Attachments: Case Closure_Evidence Destruction REQUEST.pdf

Importance: High

Good afternoon,

I have not heard anything from your office concerning this case since our last correspondence on or about August 5, 2019. I wanted to confirm your office that this case has been sent to Lyon Co. D.A. Rye for review per your last email.

I was contacted by Ms. Burn around the same time and was told your office needed to get the file together (or something to that effect) before it could be sent to D. A. Rye.

The case file/binder I submitted to your office was complete with reports, supporting documents, and digital media files. If you have not yet sent this file, it is no problem for me to send the complete file to D.A. Rye if you wish. I would have been more than happy to have assisted your office with this and provide D.A. Rye with a new case binder had it been requested by your office.

If you have decided not to send this case to D.A. Rye for review, or that your office is declining to prosecute for whatever reason, can you please complete and return the attached form so I can close this case; because it has been a considerable amount of time since this case was submitted.

I hope all is well, and I thank you for your time.

Respectfully,

Damon Earl, Detective
Nevada Department of Public Safety
Investigation Division, Major Crimes Unit
Office: (775) 684-7433
Cell: (775) 309-7685
Fax: (775) 684-7450
dearl@dps.state.nv.us



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From: Anne Langer [mailto:alanger@lyon-county.org]
Sent: Monday, August 05, 2019 10:15 AM
To: Damon Earl; srye@lyon-county.org
Cc: Orlando Guerra
Subject: Re: N.D.I. Case # 18I000440

Detective Damon-

I appreciate the input.

We are a small office and have had many cases going on at the same time. We have been looking at this case intermittently but have had interruptions due to cases that were in front of yours.

However, after reading your email I think it is best to send it to Steve and let him make his own decisions without any involvement from my office.

I am on vacation this week but I will make sure the case gets to Lyon County.

Thanks!

Sent from my iPhone

On Aug 5, 2019, at 9:38 AM, Damon Earl <dearl@dps.state.nv.us> wrote:

Good Morning Ms. Langer,

I recently spoke to Lyon County D.A. Rye, and was informed this case has not been sent to him, as I was under the impression it had been.

The Division submitted this case a number of months ago. It appears this case is not going to be moving forward, and has been lingering in limbo for quite some time.

There is nothing more to investigate or follow up with on our end; as a complete and thorough investigation was submitted. That being said, it is ultimately your decision.

If for whatever reason you feel there is not enough evidence to proceed with prosecution, can you please be so kind and fill out this form and mark "Case closed due to / insufficient evidence," and/or whatever else applies, so we can close this case out and move on. It would be very much appreciated, thank you.

Damon Earl

From: Damon Earl
Sent: Monday, September 23, 2019 3:10 PM
To: Anne Langer
Subject: Missed Call

I apologized, I was away from my desk and I believe your phone number popped up on my phone. I didn't listen to the message yet, because I thought it would be just a quick to send you and email. How can I assist you?

Damon Earl, Detective

Nevada Department of Public Safety
Investigation Division, Major Crimes Unit
Office: (775) 684-7433
Cell: (775) 309-7685
Fax: (775) 684-7450
dearl@dps.state.nv.us



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Damon Earl

From: Debra Burns <dburns@ county.org>
Sent: Thursday, September 26, 2019 3:07 PM
To: Damon Earl; Orlando Guerra
Cc: Anne Langer; Teresa Sargent
Subject: NDI 18I000440 - County; see attached
Attachments: 2019-09-26 Ltr to B. Hahn Asst WCDA re NDI 18I0000440.pdf

Please see courtesy copy of letter attached, as hand-delivered today.

Thank you.

Debra Burns

Legal Assistant, Sr.

County District Attorney's Office

P.O. Box 496

201 South C Street

City, NV 89440

775-847-0964 Fax: 775-847-1007

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ANNE M. LANGER
COUNTY DISTRICT ATTORNEY

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P.O. Box 496 • 201 S C Street •

, Nevada 89440

September 26, 2019

VIA HAND-DELIVERY

Bruce Hahn, Assistant District Attorney
Washoe County District Attorney's Office
Mills B. Lane Justice Center
1 South Sierra Street
South Tower, 4th Floor,
Reno, NV, 89501

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Re: NDI 18I000440 - County PENDING MATTER

Assistant District Attorney Bruce Hahn:

Our office is seeking assistance from you in the review and potential prosecution of the above-referenced matter as there is a conflict of interest wherein the alleged defendant is an elected official, an acting commissioner in County, who this office represents due to his position in the County.

Following review of the investigation received from the Storey County Sheriff's office, it was determined that further investigation was needed, and on June 28, 2018, the case was re-submitted to the Storey County Sheriff's office.

On or about July 20, 2018, both the Storey County Sheriff's office and our office presented the case to the Nevada Department of Public Safety Investigation Division (NDI), requesting an investigation.

Once NDI completed their investigation, a report dated April 23, 2019, was presented to both the Storey County Sheriff's office as well as the Attorney General's office.

On May 10, 2019, Michael Kovac, Chief Deputy Attorney General responded to Detective Earl of NDI that because the case involved a county officer or employee, the local district attorney has primary jurisdiction and that the Office of the Attorney General would be taking no further action. Detective Earl then forwarded the full report and case findings pursuant to their investigation on or about May 16, 2019, to our office for review.

Following further review of the original investigation along with NDI's investigation by our office, it was determined that review from a surrounding county District Attorney's office was warranted. The report and case findings was then forwarded to Stephen B. Rye, Lyon County District Attorney on August 15, 2019. Following the receipt of the file, Lyon County returned the case to our office on September 10, 2019, stating they did not have the staffing to review the matter at this time.

Subsequent to Lyon County returning the file to our office on September 24, 2019, I contacted Christine Brady, Second Assistant Attorney General, and requested a review of the file since I have a conflict. I was told by Ms. Brady that she knew about the file because NDI had originally sent the file to them earlier in the year for review. See Michael Kovac's statement above. Since Ms. Brady had already seen the file she believes that Washoe County also has jurisdiction to prosecute this case and determined that the file should be sent to Washoe County instead of the Attorney General's office at this time. Thus, I am hoping for your assistance in reviewing this file and advising me on whether your office will take this case.

Attached please find the confidential case received from NDI with contact information as follows:

Damon Earl, Detective 775-684-7433 Office

Email: orlando.guerra@dps.state.nv.us

Orlando Guerra, Sergeant 775-684-7407 Office / Cell 775-294-9082 / Email: orlando.guerra@dps.state.nv.us

Major Crimes Unit / NV DPS Investigation Division

Please do not hesitate to call regarding this matter.

Sincerely,


Anne M. Langer, County District Attorney

Attachment as stated

cc: Detective Damon Earl and Sgt. Orlando Guerra via email

Damon Earl

From: Damon Earl
Sent: Monday, August 05, 2019 9:38 AM
To: alanger@ county.org
Cc: Orlando Guerra
Subject: N.D.I. Case # 18I000440
Attachments: County DA Evid Dest_18I000440.doc

Importance: High

Tracking:	Recipient	Delivery	Read
	alanger@ county.org		
	Orlando Guerra	Delivered: 8/5/2019 9:38 AM	Read: 8/5/2019 9:53 AM

Good Morning Ms. Langer,

I recently spoke to Lyon County D.A. Rye, and was informed this case has not been sent to him, as I was under the impression it had been.

The Division submitted this case a number of months ago. It appears this case is not going to be moving forward, and has been lingering in limbo for quite some time.

There is nothing more to investigate or follow up with on our end; as a complete and thorough investigation was submitted. That being said, it is ultimately your decision.

If for whatever reason you feel there is not enough evidence to proceed with prosecution, can you please be so kind and fill out this form and mark "Case closed due to / insufficient evidence," and/or whatever else applies, so we can close this case out and move on. It would be very much appreciated, thank you.

Respectfully,

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Investigation Division, Major Crimes Unit
Office: (775) 684-7433
Cell: (775) 309-7685
Fax: (775) 684-7450
dearl@dps.state.nv.us

Office: (775) 684-7433
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<image002.png>

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< County DA Evid Dest_18I000440.doc>

Damon Earl

From: Anne Langer <alanger@ county.org>
To: Damon Earl
Sent: Monday, August 05, 2019 9:38 AM
Subject: Read: N.D.I. Case # 18I000440

Your message

To:
Subject: N.D.I. Case # 18I000440
Sent: Monday, August 5, 2019 9:38:16 AM (UTC-08:00) Pacific Time (US & Canada)

was read on Monday, August 5, 2019 9:38:26 AM (UTC-08:00) Pacific Time (US & Canada).

Damon Earl

From: Damon Earl
Sent: Monday, August 05, 2019 10:22 AM
To: Anne Langer
Cc: Orlando Guerra
Subject: RE: N.D.I. Case # 18I000440

Ms. Langer,

Thank you very much for your quick response. Have a great vacation.

Respectfully,

Damon Earl, Detective
Nevada Department of Public Safety
Investigation Division, Major Crimes Unit
Office: (775) 684-7433
Cell: (775) 309-7685
Fax: (775) 684-7450
dearl@dps.state.nv.us



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From: Anne Langer [mailto:alanger@ county.org]
Sent: Monday, August 05, 2019 10:15 AM
To: Damon Earl; srye@lyon-county.org
Cc: Orlando Guerra
Subject: Re: N.D.I. Case # 18I000440

Detective Damon-

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Respectfully,

Damon Earl, Detective

Nevada Department of Public Safety

Investigation Division, Major Crimes Unit

Office: (775) 684-7433

Cell: (775) 309-7685

Fax: (775) 684-7450

dearl@dps.state.nv.us

<image002.png>

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Damon Earl

From: Damon Earl
Sent: Tuesday, July 30, 2019 3:00 PM
To: Steve Rye
Cc: Orlando Guerra
Subject: NDI Case# 18I000440 - , Lance
Attachments: Lyon County DA Evid Dest.doc

Tracking:	Recipient	Delivery	Read
	Steve Rye		
	Orlando Guerra	Delivered: 7/30/2019 3:00 PM	Read: 7/30/2019 3:08 PM

Good afternoon Mr. Rye,

Hope all is well Sir.

From my understanding, D.A. Langer sent this case over to you a couple months ago, and I have not heard from you. So, if you decided to prosecute Mr. let me know if you need anything. IF you have decided not to prosecute , can you please sign the form so I can close this case out. This case is kind of lingering out there, so you can imagine my supervisors would like to see me close this case out. Thank you for your help.

Respectfully,

Damon Earl, Detective
Nevada Department of Public Safety
Investigation Division, Major Crimes Unit
Office: (775) 684-7433
Cell: (775) 309-7685
Fax: (775) 684-7450
dearl@dps.state.nv.us



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Public Safety
Investigations

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