

STATE OF NEVADA -v-  
TERHAIN WOODS  
ID NO: 2684652  
☐ Interpreter Required

CLARK COUNTY  
COURTS

JUSTICE COURT CASE NO: 17F05843A DEPT: JC Department 2  
DISTRICT COURT CASE NO:  
TRACK DEPT.

REQUEST FOR EVALUATION(S) FOR COMPETENCY

I, Shane Zeller, on behalf of TERHAIN WOODS do hereby request that the  
above named defendant be evaluated for competency based on the following:

LAS VEGAS JUSTICE COURT  
FILED IN OPEN COURT

APR 19 2017

The defendant DOES NOT:

- ☒ appear to understand the charges or allegation  
☐ understand the adversarial nature of the legal process  
☒ appear to disclose to defense attorney pertinent facts  
☐ do you believe the defendant currently suffers from:  
☐ TBI ☐ Dementia ☐ Alzheimer's

- ☒ understand the range and nature of the penalties  
☒ display appropriate courtroom behavior  
☒ demonstrate ability to provide relevant testimony  
please indicate range of punishment:

CLERK

4/19/17  
Date

[Signature]  
Signature of Person Requesting Evaluation

Shane-Zeller@clarkcounty  
NV.gov  
702-455-4591  
Contact Number & Email

ORDER FOR COMPETENCY EVALUATION(S)

THIS MATTER having come before the Court at a hearing where the Defendant was  
☒ PRESENT ☐ NOT PRESENT

THE COURT FINDS AND ORDERS that doubt has arisen as to the competence of the Defendant and that the  
proceedings are suspended until the question of competence is determined.

IT IS FURTHER ORDERED that pursuant to N.R.S.178.415 the appropriate evaluation(s) will be conducted;  
the defendant having been charged with a

☐ MISDEMEANOR ☒ GROSS MISDEMEANOR / FELONY competency hearing to be set at 9:00 A.M. in  
District Court Department 9 on the 12th Day of May 2017

FURTHERMORE, IT IS ORDERED the following records be made available to the Specialty Court Division  
of the Clark County Courts: 1) Any and all jail records to include, but not limited to, custody records, psychiatric records,  
medical records and incident reports. 2) Any and all criminal records, including but not limited to, criminal complaint, police  
records and discovery.

ADDITIONALLY, it is ordered that the Clark County Detention Center and/or NaphCare shall provide the referring  
attorney and/or attorney's staff with any and all medical/psychiatric records of the defendant upon request and NaphCare staff  
including but not limited to physician and nursing records. Lastly, they shall speak with the referring attorney and/or their staff  
about the defendant's condition including but not limited to prognosis, diagnosis and treatment.

IT IS FINALLY ORDERED that the report(s) of said examination be submitted to the Specialty Courts Division  
no later than 5:00 PM on the third judicial day preceding the scheduled hearing.

DATED this 19 day of April, 20 17

[Signature]  
JUDGE

17F05843A  
RFEC  
Request for Evaluation for Competency  
7889518





**EIGHTH JUDICIAL DISTRICT COURT  
COMPETENCY COURT**

Regional Justice Center  
200 Lewis Avenue  
Las Vegas, Nevada 89155  
(702) 671-3291

Eighth Judicial District Court  
(702) 671-4528

Clark County Specialty Courts  
(702) 671-4528

**ADDITIONAL INFORMATION FOR EVALUATING DOCTOR**

DEFENDANT NAME: TERHAIN WOODS

ID NO.: 2684652 CASE NO.: 17F05843A

THIS INFORMATION MUST BE PROVIDED FOR THE DOCTOR TO DETERMINE  
WHETHER ADDITIONAL INFORMATION FROM THE ATTORNEY IS NEEDED:  
(use additional paper if necessary)

1. What are your specific concerns regarding the defendant's competency?

Mr. Woods has a lengthy history of mental illness  
and continues to exhibit behavior to that effect.  
Mr. Woods says one word over and over, wouldn't  
discuss the case with me. Gets very agitated and  
angry when I try to discuss the case  
with him.

2. What have you observed that makes you believe that the defendant is incompetent?

Mr. Woods has outbursts in court, rocking, screaming,  
and speaks to voices that are not there.

REVIEW BY EVALUATOR

I have reviewed the information submitted and do not require additional information \_\_\_\_\_.

BRIAN SANDOVAL  
GOVERNOR



Tom Durante, L.C.S.W.  
Agency Director



DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH  
LAKE'S CROSSING CENTER • FOR THE MENTALLY DISORDERED OFFENDER  
500 GALLETTI WAY  
Sparks, Nevada 89431-5574  
(775) 688-1900 • FAX (775) 688-1374



July 28, 2017

The Honorable Jennifer P. Togliatti  
Eighth Judicial District Court, Dept. 9  
200 Lewis Avenue  
Las Vegas, Nevada 89155-2311

RE: Terhain Woods, Jr.  
Case No. C-17-322941-1

Dear Judge Togliatti:

***This is a request to calendar a hearing date no later than 10 days from the date of receipt of this letter.***

Pursuant to the above referenced court order file dated May 18, 2017, Mr. Terhain Woods, Jr. was evaluated by Drs. Goswami and Dillinger, and at this time they find Mr. Woods meets the criteria to be considered competent to proceed with adjudication. Since the client was sent to Lake's Crossing Center pursuant to NRS 178.415, only two examiner's reports are required. Enclosed are copies of the examiners' reports.

If I can provide you with any further information please feel free to contact me.

Sincerely,

Tom Durante, L.C.S.W.  
Agency Director

TD:sc

cc: Barter Pace, Deputy District Attorney  
Claudia Romney, Deputy Public Defender

Enclosures: Psychiatric Evaluation  
Psychological Evaluation of Competency

17F05848A  
COMGOV  
Competency Evaluation Cover Sheet  
8453013



SEP 20 2017

BY

CLERK

0042  
PHILIP J. KOHN, PUBLIC DEFENDER  
NEVADA BAR NO. 0556  
SHANE J. ZELLER, DEPUTY PUBLIC DEFENDER  
NEVADA BAR NO. 12143  
**PUBLIC DEFENDERS OFFICE**  
309 South Third Street, Suite 226  
Las Vegas, Nevada 89155  
Telephone: (702) 455-4685  
Facsimile: (702) 455-5112  
Shane.Zeller@clarkcountynv.gov  
*Attorneys for Defendant*

**JUSTICE COURT, LAS VEGAS TOWNSHIP  
CLARK COUNTY, NEVADA**

THE STATE OF NEVADA,  
  
Plaintiff,

v.

TERHAIN WOODS,  
  
Defendant,

CASE NO. 17F05843A

DEPT. NO. 2

DATE: September 20, 2017  
TIME: 9:00 a.m.

**MOTION TO WITHDRAW DUE TO CONFLICT**

COMES NOW, the Defendant, TERHAIN WOODS, by and through SHANE J. ZELLER, Deputy Public Defender and respectfully moves this Honorable Court to allow the Public Defender to withdraw and to appoint independent counsel due to a conflict of interest.

This Motion is made and based upon all the papers and pleadings on file herein, the attached Declaration of Counsel, and oral argument at the time set for hearing this Motion.

DATED this 19th day of September, 2017.

PHILIP J. KOHN  
CLARK COUNTY PUBLIC DEFENDER

17F05843A  
MWC  
Motion to Withdraw Due to Conflict  
8531003



By: /s/Shane J. Zeller  
SHANE J. ZELLER, #12143  
Deputy Public Defender

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**DECLARATION**

SHANE J. ZELLER, makes the following declaration:

1. I am an attorney duly licensed to practice law in the State of Nevada; I am the Deputy Public Defender assigned to represent the Defendant in the instant matter, and the Defendant has represented the following facts and circumstances of this case.

2. That while on a video visit with Defendant Woods on September 19, 2017, Mr. Woods threatened physical harm to me and threatened my life.

3. That I did discuss this incident with my team chief, Virginia Eichacker, and she agreed that I motion to be removed from the case.

4. That I made this fact aware to the Deputy District Attorney and called the preliminary hearing off due to this fact.

5. That effective representation of the Defendant in the instant matter would necessarily prejudice the interests of any persons mentioned in this declaration.

6. Therefore, Defendant asks this Court to allow the Clark County Public Defender's Office to withdraw in this case due to conflict of interest and to appoint independent counsel to represent the Defendant.

7. The Defendant has been notified of the presentation of this motion.

I declare under penalty of perjury that the foregoing is true and correct. (NRS 53.045)

EXECUTED on this 19th day of September, 2017.

/s/Shane J. Zeller  
SHANE J. ZELLER

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**NOTICE OF MOTION**

TO: CLARK COUNTY DISTRICT ATTORNEY, Attorney for Plaintiff:

YOU WILL PLEASE TAKE NOTICE that the foregoing MOTION TO WITHDRAW  
DUE TO CONFLICT will be heard on September 20, 2017, at 9:00 a.m., Las Vegas Justice  
Court, Department 2 .

DATED this 19th day of September, 2017.

PHILIP J. KOHN  
CLARK COUNTY PUBLIC DEFENDER

By: /s/Shane J. Zeller  
SHANE J. ZELLER, #12143  
Deputy Public Defender

**CERTIFICATE OF ELECTRONIC SERVICE**

I hereby certify that service of the above and forgoing MOTION was served via  
electronic e-filing to the Clark County District Attorney's Office at [motions@clarkcountyda.com](mailto:motions@clarkcountyda.com)  
on this \_\_\_\_\_ day of September, 2017

By: /s/Shane J. Zeller - PD  
An employee of the  
Clark County Public Defender's Office