

CONTINUATION REPORT

SCOPE ID: 2671986

EVENT #: LLV220300130756

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PRVCY

(Grandfather of PRVCY)

DOB: PII 1982

SS#: PII

PRVCY

PRVCY

(grandmother of PRVCY)

DOB: PII 1969

SS#: PII

PRVCY

PRVCY

PRVCY

Sunrise Hospital staff:

Dr. Eric Pearson- Pediatric Surgeon
 Sunrise Hospital
 3186 S. Maryland Parkway, Las Vegas, Nevada, 89109
 PH# 702-961-5000

Patrol response:

On March 31, 2022, PRVCY called 911 to report that his stepson had stabbed his granddaughter at 2523 Amber Crest St. Las Vegas Metropolitan Police Department (LVMPD) patrol officers from Southeast Area Command were immediately dispatched under event number 220300130756. PRVCY further stated that his stepson is Alan Wilson and that he left on foot from the residence. While PRVCY was providing this information, Clark County Fire Department (CCFD) called the LVMPD under event number 220300130765 to report that a female juvenile had been brought to their fire station with stab wounds to her stomach. The juvenile was transported to Sunrise Hospital by Medicwest 576 and CCFD 27. Upon arrival at Sunrise Hospital the juvenile was rushed into emergency surgery in extremely critical condition with multiple stab wounds.

Upon arrival on scene the patrol officers determined that suspect, Alan, was not on scene but that family were able to see location data for his cell phone which showed him in the area of Nellis and Charleston. While officers were working on locating Alan, Alan's aunt, PRVCY call 911 to report she had spoken to Alan, and he stated that he was sorry for what he had done and told her he was at a bar at Nellis and Charleston.

LEP

LEP

Officer Cynthia Novak located Alan on the camera in front of the 7-Eleven convenience store located at 10 N. Nellis. In the eight minute and fifty second video, Alan is seen pacing back in forth in front of the 7-Eleven, talking to two subjects and continuing to pace. As the patrol officers arrive in the parking lot, Alan places the water bottle he was holding on the ground, takes a hit off his vape pen, and then drops the vape pen on the ground. Alan immediately lifts his hands above his head and follows all the commands of the officers. Alan walks forward, spins in a circle to show he does not have a weapon and follows the commands to prone himself out on the ground. He is then taken into custody without incident. Alan was transported to the interview rooms at LVMPD headquarters located at 400 S. Martin Luther King Blvd.

Based on the severity of the injuries, Sgt. Miller, contacted me, Detective Sigal of the LVMPD Abuse/Neglect detail for assistance. Detectives from the abuse/neglect detail responded to the scene and Sunrise Hospital.

Detective Investigation:

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Arresting Officer: ROBERT SIGAL

P#: 8885

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Upon arrival at Sunrise Hospital, I learned that the juvenile, now identified as three-year **PRVCY** was still in emergency surgery and it was unknown if she would survive.

Interview with **PRVCY** (victim/witness)

I conducted a taped interview with **PRVCY**. **PRVCY** stated that he was in the living room with his brother, **PRVCY** his mother, **PRVCY** and father, **PRVCY**. His niece, **PRVCY** was sitting at the kitchen table eating butter noodles. His half-brother, Alan was pacing back and forth in the hallway between a bedroom and the kitchen table where **PRVCY** was sitting. **PRVCY** said this is not unusual behavior for Alan and he believes that Alan does this as a habit he developed in solitary confinement in prison. This continued for approximately thirty minutes until their bible study began. Suddenly and without warning, Alan walked behind **PRVCY** as if to hug her but instead began to stab her in the right side. **PRVCY** stated he witnessed Alan stab in an underhand motion into the side of **PRVCY** **PRVCY** without regard for his own safety, immediately raced to rescue **PRVCY** who was crying and on the floor being stabbed. While struggling with Alan over the knife Alan continually said, "I need to get the demons out of her. I need to save her." During the fight for the knife, **PRVCY** was stabbed in the right hand. **PRVCY** and **PRVCY** were able to push Alan into a corner while Julia grabbed **PRVCY** and raced her out of the home through the front door. **PRVCY** ran to the garage and got his truck. **PRVCY** followed through the front door, and they left in the truck to go to the nearby fire station for help. Alan fled through the front door and was last seen walking down their street. **PRVCY** injury was treated at Sunrise Hospital and required multiple stitches. He will need to see a hand specialist to determine if there is any long-term damage to his tendons.

PRVCY stated that Alan had been in prison for injuring a lady during a robbery and had physically attacked several family members, and was recently released from **MED**. **PRVCY** believes that Alan has been diagnosed as **MED**.

Interview with **PRVCY**

After speaking to **PRVCY** I spoke to **PRVCY**. **PRVCY** stated she was sitting in the living room with her two sons, **PRVCY** and **PRVCY** as well as her husband, **PRVCY**. Alan was pacing in the hallway and **PRVCY** was eating noodles at the kitchen table. She heard **PRVCY** scream and then her son and husband raced to the kitchen and began fighting with Alan. **PRVCY** was on the kitchen floor crying. **PRVCY** raced to **PRVCY** side and lifted her up. **PRVCY** stated that **PRVCY** heard Alan saying, "I had to get the demons out of her." Before leaving the house Alan said, "What did I do?"

PRVCY stated that Alan had gotten out of prison in late 2021 and since being out of prison had been in and out of **MED**. **MED** **PRVCY** believes Alan to be diagnosed as **MED** and was released from **MED** on March 25th.

Interview with **PRVCY**

Detective Ludwig interviewed **PRVCY** at 2523 Amber Crest St. He stated that the family was in the living room. **PRVCY** heard **PRVCY** scream and react by running into the kitchen. **PRVCY** followed and witnessed Alan stabbing **PRVCY** in the body. **PRVCY** and **PRVCY** fought with Alan until they got the knife away from him. **PRVCY** grabbed **PRVCY** and they ran out of the house and raced **PRVCY** to the fire station.

PRVCY stated the knife used in the stabbing is one that he normally carries with him on his pants, and it had been left in his bedroom which is linked to the hallway Alan was pacing. **PRVCY** stated that Alan had been out of prison and **MED**.

Interview with Pediatric Surgeon Dr. Pearson:

After the interviews, Detective Gilbert was able to speak to Dr. Pearson, a pediatric surgeon and one of three surgeons needed to care for **PRVCY**. Dr. Pearson stated that **PRVCY** had the following injuries: seven stab wounds to the back, one stab wound in the left armpit, one stab wound to the left forearm, one stab wound to her left index finger, one stab wound to her right triceps, **PRVCY, MED** a hole on the right side of her colon, **PRVCY, MED** 75% of her large aorta artery was destroyed, a punctured right kidney, a laceration to her spleen, and a penetrating wound to her posterior aorta. The internal damage required three surgeons, a trauma surgeon, pediatric surgeon, and cardiovascular surgeon. During the surgery, **PRVCY** **PRVCY, MED**

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LAS VEGAS METROPOLITAN POLICE DEPARTMENT
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PRVCY, MED

PRVCY will additional surgeries to rebuild the large aorta artery.

Interview with suspect Alan Wilson:

Alan was taken to LVMPD headquarters to be interviewed. While in the interview room it was noticed he had blood on his hand and what appeared to be a superficial cut. Alan stated he was having trouble moving his finger and requested medical to check on him. City Fire responded and determined he had a superficial injury and needed no additional medical care. Detective Sigmund and I attempted to interview Alan. Alan wanted confirmation that PRVCY was okay and then requested an attorney. No additional questioning was completed.

Search Warrant:

Detective Rogers authored a telephonic search warrant which was approved by the Honorable Tim Williams. The search warrant allowed for the scene located at 2523 Amber Crest St to be processed and the knife recovered, processing of the vehicle that PRVCY was transported to the fire station in, DNA belonging to Alan Wilson, and the taking of the bloody clothes of Alan Wilson as well as photographs of Alan.

Inside the home at 2523 Amber Crest St., a table was broken, and blood was seen in the kitchen and living room. The knife used to stab PRVCY was located near the front entrance. A blood trail from the front door to the driveway was seen.

Conclusion:

Because Alan Wilson did take a knife from a bedroom and viciously and repeatedly stabbed PRVCY a little four-year-old child, who was attempting to eat her dinner, causing significant and lifelong injuries, Alan was arrested for one count of attempt murder with deadly weapon. Because Alan did stab PRVCY multiple times, he was charged with one count of child abuse with substantial bodily harm with a deadly weapon. Because Alan did stab PRVCY in the hand, he was charged with one count of battery with use of deadly weapon resulting in substantial bodily harm. Alan was booked into CCDC for the above-mentioned charges.

***** End *****

Wherefore, Declarant prays that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charges are a felony or gross misdemeanor) or for trial (if charges are misdemeanor).

Arresting Officer: ROBERT SIGAL

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EV

Evidence

Your request is for evidence, not a public record.

A “record” is “[a] documentary account of past events, usually designed to memorialize those events.” BLACK’S LAW DICT., 7th ed. ab., at p. 1023 (2000). A “public record” is “[a] record that a governmental unit is required by law to keep, such as land deeds kept at a county courthouse.” *Id.* “A public record, strictly speaking, is one made by a public officer in pursuance of a duty, the immediate purpose of which is to disseminate information to the public, or to serve as a memorial of official transactions for public reference.” “Evidence,” on the other hand, is “[s]omething (including testimony, documents, and tangible objects) that tends to prove or disprove the existence of an alleged fact.” BLACK’S LAW DICT., 7th ed. ab., at p. 457 (2000).

Materials obtained from a third-party during a criminal investigation by legal process such as a warrant, subpoena or even consent are not public records – they are evidence. The government only possesses the evidence for the purpose of the criminal investigation. The evidence was not created by the government nor is it owned by the government. *Piedmont Publishing Co. v. City of Winston-Salem*, 434 S.E.2d 176, 177 (N.C. 1993) (holding that discovery of materials gathered by state for use in criminal prosecution may be obtained by defendant pursuant to rules of discovery, not by newspaper through a public records request).

Moreover, providing evidence obtained through legal process, including consent, would exceed the authority granted either by the court or by the owner. See e.g., *Wilson v. Layne*, 526 U.S. 603, 119 S. Ct. 1692 (1999) (holding

that when balancing a person's Fourth Amendment right to be secure in their persons, houses, papers, and effects, probable cause may justify a *police* entry and seizure but it does not justify the *media's* entry and/or seizure).

Here, you seek evidence, not a public record. Feel free to reformulate your request. If you seek a particular record that is not evidence and is readily available, LVMPD can proceed with researching your request.

LEP

Law Enforcement Privilege

The record(s) you seek are law enforcement records.

In *Donrey v. Bradshaw*, 106 Nev. 630, 798 P.2d 144, fn. 4 (1990), the Nevada Supreme Court referred to Exemption 7 of the federal Freedom of Information Act and recognized that law enforcement files are confidential when pertaining to a “pending or anticipated criminal proceeding,” if there are “confidential sources or investigative techniques to protect,” if there is a danger of “denying someone a fair trial,” or if there is “potential jeopardy to law enforcement personnel.” 106 Nev. at 636, 798 P.2d at 148. Exemption 7 is codified at 5 USC § 552(b)(7). Subparts (A)-(F) make law enforcement records confidential if disclosure “could reasonably be expected to interfere with enforcement proceedings,” “would deprive a person of a fair trial,” “could reasonably be expected to constitute an unwarranted invasion of personal privacy,” “could reasonably be expected to disclose the identity of a confidential source,” “would disclose techniques and procedures for law enforcement,” or “could reasonably be expected to endanger the life or physical safety of any individual.” See *also* Att. Gen. Op. 83-3 (recognizing the “legitimate public policy interests in maintaining confidentiality of criminal investigation records and criminal reports”).

Here, the record(s) you seek are law enforcement records. LVMPD’s interest in nondisclosure clearly outweighs the public’s interest in access. Thus, they are confidential and must be withheld or redacted.

MED

Medical

The record(s) you seek are medical records and contain information the disclosure of which would constitute an unwarranted invasion of a person's privacy interests

In *Clark County Sch. Dist. v. Las Vegas Review-Journal*, — Nev. —, 429 P.3d 313, 319-20 (2018), the Nevada Supreme Court cited extensively to *Cameranesi v. U.S. Dep't of Defense*, 856 F.3d 626 (9th Cir. 2017), which relies on federal Freedom of Information Act (FOIA) Exemption 6. The Court had previously referred to FOIA exemptions on several occasions when construing the Nevada Public Records Act. See *Donrey v. Bradshaw*, 106 Nev. 630, 798 P.2d 144, fn. 4 (1990) (Exemption 7); *DR Partners v. Board of County Comm'rs*, 116 Nev. 616, 6 P.3d 465 (2000) (Exemption 5).

Exemption 6 is codified at 5 USC § 552(b)(6), which makes confidential “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy.”

In *Reno Newspapers v. Sheriff*, 126 Nev. 211, 218, 234 P.3d 922, 927 (2010), the Nevada Supreme Court recognized that an individual's privacy must be balanced with the public's general right to open government, “especially because private and personal information may be recorded in government files”). Later, in *Clark County Sch. Dist. v. Las Vegas Review-Journal*, — Nev. —, 429 P.3d 313, 319-20 (2018), the Court adopted a balancing test in which the burden shifts to the requester of a record if the public agency demonstrates a “nontrivial personal privacy interest” including “intrusion[s] into a person's reasonable expectation of privacy, seclusion, or solitude.” Privacy interests include information that may cause “embarrassment, shame, stigma, [or] harassment” or “endangerment, or similar harm.” *Las Vegas Metro. Police Dep't*

v. Las Vegas Review-Journal, 136 Nev. Ad. Op 86, --- P.3d --- (2020). Medical information, personnel files, details about sexual orientation, and other information about a person's life give rise to privacy interests. *Clark County Office of the Coroner/Medical Examiner v. Las Vegas Review-Journal*, 136 Nev. Adv. Op. 5, --- P.3d --- (2020).

Here, the record(s) you seek contain information the disclosure of which would constitute an unwarranted invasion of a person's privacy interests. Therefore, they are confidential and must be withheld or redacted.

PII

Personal Identifying Information

The record(s) you seek contain personal identifying information.

NRS 239.001 provides that public records are open to inspection. However, NRS 239.010(1) expressly creates exemptions to the disclosure of records falling under various statutes, including NRS 239B.030. NRS 239B.030 makes “personal information” confidential. NRS 603A.040 defines “personal information” to include social security numbers, driver’s license numbers, account numbers, and the like.

Here, because the record(s) you seek contain confidential personal identifying information, they have been redacted.

PRVCVY

Privacy Interests

The record(s) you seek contain information the disclosure of which would constitute an unwarranted invasion of a person's privacy interests.

In *Reno Newspapers v. Sheriff*, 126 Nev. 211, 218, 234 P.3d 922, 927 (2010), the Nevada Supreme Court recognized that an individual's privacy must be balanced with the public's general right to open government, "especially because private and personal information may be recorded in government files"). Later, in *Clark County Sch. Dist. v. Las Vegas Review-Journal*, -- Nev. --, 429 P.3d 313, 319-20 (2018), the Court adopted a balancing test in which the burden shifts to the requester of a record if the public agency demonstrates a "nontrivial personal privacy interest" including "intrusion[s] into a person's reasonable expectation of privacy, seclusion, or solitude." Privacy interests include information that may cause "embarrassment, shame, stigma, [or] harassment" or "endangerment, or similar harm." *Las Vegas Metro. Police Dep't v. Las Vegas Review-Journal*, 136 Nev. Ad. Op 86, -- P.3d -- (2020). Medical information, personnel files, details about sexual orientation, and other information about a person's life give rise to privacy interests. *Clark County Office of the Coroner/Medical Examiner v. Las Vegas Review-Journal*, 136 Nev. Adv. Op. 5, -- P.3d -- (2020).

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