


CLERK OF THE COURT

1 **OPPS**
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DISTRICT COURT
CLARK COUNTY, NEVADA

9	THE STATE OF NEVADA,)	
10	Plaintiff,)	CASE NO: C237890
11	-vs-)	DEPT NO: V
12	ORENTHAL JAMES SIMPSON,)	
13	#2648927)	
14	Defendant.)	

**STATE'S OPPOSITION TO DEFENDANT SIMPSON'S MOTION
FOR SETTING REASONABLE BAIL PENDING DEFENDANT'S
APPEAL TO THE NEVADA SUPREME COURT**

DATE OF HEARING: 12/9/08
TIME OF HEARING: 8:30 A.M.

19 COMES NOW, the State of Nevada, by DAVID ROGER, District Attorney, and
20 hereby submits the attached Points and Authorities in Opposition to Defendant Simpson's
21 Motion For Setting Reasonable Bail Pending Defendant's Appeal to the Nevada Supreme
22 Court.

23 This Opposition is made and based upon all the papers and pleadings on file herein,
24 the attached points and authorities in support hereof, and oral argument at the time of
25 hearing, if deemed necessary by this Honorable Court.

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1 **POINTS & AUTHORITIES**

2 NRS 178.488 permits the court to consider, but does not mandate, granting defendant
3 bail pending appeal to the Nevada Supreme Court. The evidence establishing defendant's
4 guilt was compelling. While defendant argued that the credibility of the victims and
5 witnesses were suspect, it was the tape recordings of defendant's own words which sealed
6 his fate.

7 Throughout this case, defendant went to great lengths to manipulate the witnesses and
8 affect the outcome of the case presented against him. For example, despite the court's order
9 that the defendant have no contact with his co-defendants and witnesses, defendant directed
10 his bail bondsman to convey a message to his co-defendant. In the recording, which was
11 provided to the court as part of the State's motion to revoke defendant's bail, the defendant
12 stated:

13 "Hey Miguel, it's me. I just want, want CJ to know that the
14 whole thing all the time he was tellin' me that shit, ya know, I
15 hope he was telling me the truth don't be trying to change the
16 mother fucking shit now, mother fucking assholes I'm tired of
this shit. Fed up with mother fuckers changing what they told
me. Alright?"

17 Defendant also had significant contact with the victim, Alfred Beardsley. After his
18 trial testimony, Alfred Beardsley confessed that defendant gave him defendant's "Hall of
19 Fame" ring to influence Beardsley's testimony. Beardsley explained that the ring was
20 valued at \$200,000. A copy of the report is attached as Exhibit A and incorporated by
21 reference.

22 Even after his conviction, Thomas Scotto, defendant's best friend, contacted
23 witnesses in an apparent attempt to discuss their testimony. Scotto promised to pay for the
24 witnesses travel expenses and accommodations if they would meet with him in California.
25 Scotto implied that the witnesses would benefit by meeting with him.

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that service of STATE'S OPPOSITION TO DEFENDANT SIMPSON'S MOTION FOR SETTING REASONABLE BAIL PENDING DEFENDANT'S APPEAL TO THE NEVADA SUPREME COURT, was made this 4th day of December, 2008, by facsimile transmission to:

GABRIEL GRASSO, ESQ.
FAX: 868-5778

BY: /s/ Kathleen J. Karstedt
Employee of the District Attorney's Office

CLARK COUNTY
DISTRICT ATTORNEY'S OFFICE
INVESTIGATOR'S REPORT

Case No. C237890

FILE No. n/a

OFFICER'S REPORT

Alfred Beardsley
Subject

11 October 2008 0800
Date and Time Occurred

Vehicle
Location of Occurrence

DETAILS: On the above date I along with D.A. Investigator Jerome Revels, P# 155, transported witness Alfred Beardsley to the California Institution for Men, in Chino, CA.

During the ride Mr. Beardsley expressed concern regarding a series of phone calls that were made between him and defendant Orenthal Simpson and both of them with Linda Deutsch an AP reporter. I asked him about those calls trying to determine what occurred and what the content of the calls were, and what role Linda Deutsch played in facilitating those calls. He stated that Ms. Deutsch gave Simpson his number and he agreed to let her do so.

Beardsley lamented that for all his trouble with this case, speaking of his incarcerations, that he hasn't received anything, to which I specifically asked about the apparent change Mr. Beardsley vocalized in the prosecution of Defendant Simpson. I specifically asked "What did O.J. give you to change your story?" Mr. Beardsley then stated that the only thing he got out of this case was a "Hall of Fame" ring. He stated that the ring had been promised to him 12 years ago, but only after the robbery was it delivered to him. He told me that it was a real nice ring but that he would sell it for \$200,000.00. He further stated that he and Attorney Galanter agreed that Linda Deutsch would be left out of the case, that her actions as intermediary between the parties would remain between them. Beardsley was upset that we knew about these phone calls and didn't inform him. He further stated that while waiting to testify for the defense in the courtroom secure holding area, both Mr. Galanter and Attorney Grasso tried to convince him to say that he first contacted Simpson.

" Exhibit A "

