

State v. Valentino

Case Number

S-19-0270

Case Audio

Download Audio

Call Date

December 3, 2019

Case Time

9:00 AM

Court Number

Lancaster

Case Location

Lincoln

Court Type

District Court

Case Summary

S-19-0270 State of Nebraska v. Vincent Valentino (Appellant)

Lancaster County District Court, Judge Jodi L. Nelson

Attorneys: Melissa Vincent (Office of the Attorney General, for Appellee); Robert Creager (Anderson, Creager & Wittstruck, for Appellant)

Criminal: Pretrial diversion; Selective prosecution; Gender discrimination

Proceedings Below: Appellant was denied participation in the Lancaster County pretrial diversion program. Appellant appealed the decision to the Lancaster County Attorney's Office. An administrative review hearing was held and affirmed the decision of the County Attorney. The county court convicted Appellant of solicitation. Appellant appealed to the district court, which affirmed the sentence.

Issues: Whether 1) the county court abused its discretion in denying [Appellant's] motion to stay prosecution and remand the case to Lancaster County pretrial diversion program with directions that the County Attorney articulate findings of fact and conclusions of law as required by Neb. Rev. Stat. § 29-3603(7) regarding [Appellant's] denial to participate in such diversion program; including his claim that such denial was based upon his gender; and 2) the county court erred in denying his motion to dismiss for selective investigation/prosecution based on his gender.

Schedule Code

SC
