

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE
PETITION OF MICHAEL LORENZO
ARAGON,

MICHAEL LORENZO ARAGON,
Appellant,

vs.

THE STATE OF NEVADA,
Respondent.

No. 79638 Electronically Filed
Jan 23 2020 12:17 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Dist. Ct. No. A-19-792350-S

APPELLANT'S APPENDIX

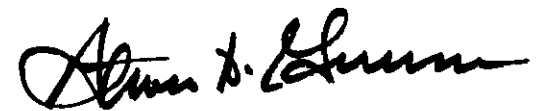
(Appeal from Order Denying Petition to Seal Records)

ROBERT M. DRASKOVICH, ESQ.
Nevada Bar No. 6275
815 S. Casino Center Blvd.
Las Vegas, Nevada 89101-6718
(702) 474-4222
Attorney for Appellant

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200 Lewis Avenue, 3rd Floor
Las Vegas, Nevada 89155
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Counsel for Respondent

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CLERK OF THE COURT

INFO
DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
CHRISTOPHER PANDELIS
Chief Deputy District Attorney
Nevada Bar #009143
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

I.A. 04/12/2010
9:00 A.M.
DRASKOVICH

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MICHAEL L. ARAGON,
#2582732

Defendant.

Case No: C263310

Dept No: XV

INFORMATION

STATE OF NEVADA }
COUNTY OF CLARK } ss.

DAVID ROGER, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That MICHAEL L. ARAGON, the Defendant above named, having committed the crime of **COERCION (Sexually Motivated) (Category B Felony - NRS 207.193, 175.547)** in the manner following, to-wit: That the said Defendant, on or about the 24th day of August, 2008, at and within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada,

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1 did, then and there, willfully, unlawfully, and feloniously use physical force, or the
2 immediate threat of such force, against JASMINE J. RODRIGUEZ, with intent to compel
3 her to do, or abstain from doing, an act which she had a right to do, or abstain from doing, by
4 said Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or fondle the leg(s)
5 and/or genital area of the said JASMINE J. RODRIGUEZ over her clothing.

6 DAVID ROGER
7 DISTRICT ATTORNEY
8 Nevada Bar #002781

9 BY /s/ CHRISTOPHER PANDELIS
10 CHRISTOPHER PANDELIS
11 Chief Deputy District Attorney
12 Nevada Bar #009143
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27 DA#09F00705X/hjc/SVU
28 LVMPD EV#0808283142
(TK05)

ORIGINAL

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

APR 12 2010
BY Maria Garibay
MARIA GARIBAY, DEPUTY

1 **GMEM**
2 **DAVID ROGER**
3 **DISTRICT ATTORNEY**
4 **Nevada Bar #002781**
5 **CHRISTOPHER PANDELIS**
6 **Deputy District Attorney**
7 **Nevada Bar #009143**
8 **200 Lewis Avenue**
9 **Las Vegas, NV 89155-2212**
10 **(702)671-2500**
11 **Attorney for Plaintiff**

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

9 **THE STATE OF NEVADA,**
10 **Plaintiff,**
11 **-vs-**
12 **MICHAEL L. ARAGON,**
13 **#2582732**
14 **Defendant.**

CASE NO: C263310
DEPT NO: XV

15 **GUILTY PLEA AGREEMENT**

16 I hereby agree to plead guilty to: **COERCION (Sexually Motivated) (Category B**
17 **Felony)**, as more fully alleged in the charging document attached hereto as Exhibit "1".

18 My decision to plead guilty is based upon the plea agreement in this case which is as
19 follows:

20 The State will not oppose Defendant receiving probation at the rendition of sentence
21 provided Defendant is deemed a low risk to reoffend pursuant to the psychosexual
22 evaluation. Otherwise, the State retains the right to argue. If Defendant successfully
23 completes probation, he may withdraw the instant plea and enter a plea of guilty to Open or
24 Gross Lewdness (Gross Misdemeanor) with credit for time served. If Defendant does not
25 successfully complete probation, the felony plea will stand and he will face revocation.

26 **CONSEQUENCES OF THE PLEA**

27 I understand that by pleading guilty I admit the facts which support all the elements of
28 the offense to which I now plead as set forth in Exhibit "1".

1 I understand that as a consequence of my plea of guilty the Court must sentence me to
2 imprisonment in the Nevada Department of Corrections for a minimum term of not less than
3 one (1) year and a maximum term of not more than six (6) years. The minimum term of
4 imprisonment may not exceed forty percent (40%) of the maximum term of imprisonment. I
5 understand that I may also be fined up to \$10,000.00. I understand that the law requires me
6 to pay an Administrative Assessment Fee.

7 I understand that, if appropriate, I will be ordered to make restitution to the victim of
8 the offense to which I am pleading guilty and to the victim of any related offense which is
9 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to
10 reimburse the State of Nevada for any expenses related to my extradition, if any.

11 I also understand that pursuant to NRS 176.139 and my plea of guilty to a sexual
12 offense for which the suspension of sentence or the granting of probation is permitted, the
13 Division of Parole and Probation shall arrange for a psychosexual evaluation as part of the
14 division's presentence investigative report to the Court.

15 I understand that I am not eligible for probation unless that psychosexual evaluation
16 certifies that I do not represent a high risk to reoffend. I understand that, except as otherwise
17 provided by statute, the question of whether I receive probation is in the discretion of the
18 sentencing judge.

19 Further, that before I am eligible for parole a panel consisting of the administrator of
20 the mental health and developmental services of the department of human resources or his
21 designee; the director of the department of corrections or his designee; and a psychologist
22 license to practice in this state or a psychiatrist license to practice medicine in this state
23 certifies that I was under observation while confined in an institution of the department of
24 corrections that I do not represent a high risk to reoffend based upon a currently accepted
25 standard of assessment.

26 I further understand that the Court will include as part of my sentence, in addition to
27 any other penalties provided by law, pursuant to NRS 179D.450, I must register as a sex
28 offender within 48 hours of release from custody.

1 I also understand that I must submit to blood and/or saliva tests under the Direction of
2 the Division of Parole and Probation to determine genetic markers and/or secretor status.

3 I understand that if more than one sentence of imprisonment is imposed and I am
4 eligible to serve the sentences concurrently, the sentencing judge has the discretion to order
5 the sentences served concurrently or consecutively.

6 I also understand that information regarding charges not filed, dismissed charges, or
7 charges to be dismissed pursuant to this agreement may be considered by the judge at
8 sentencing.

9 I have not been promised or guaranteed any particular sentence by anyone. I know
10 that my sentence is to be determined by the Court within the limits prescribed by statute.

11 I understand that if my attorney or the State of Nevada or both recommend any
12 specific punishment to the Court, the Court is not obligated to accept the recommendation.

13 I understand that if the State of Nevada has agreed to recommend or stipulate a
14 particular sentence or has agreed not to present argument regarding the sentence, or agreed
15 not to oppose a particular sentence; such agreement is contingent upon my appearance in
16 court on the initial sentencing date (and any subsequent dates if the sentencing is continued).
17 I understand that if I fail to appear for the scheduled sentencing date or I commit a new
18 criminal offense prior to sentencing the State of Nevada would regain the full right to argue
19 for any lawful sentence.

20 I understand if the offense(s) to which I am pleading guilty to was committed while I
21 was incarcerated on another charge or while I was on probation or parole that I am not
22 eligible for credit for time served toward the instant offense(s).

23 I understand that as a consequence of my plea of guilty, if I am not a citizen of the
24 United States, I may, in addition to other consequences provided for by federal law, be
25 removed, deported, excluded from entry into the United States or denied naturalization.

26 I understand that the Division of Parole and Probation will prepare a report for the
27 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
28 sentencing, including my criminal history. This report may contain hearsay information

1 regarding my background and criminal history. My attorney and I will each have the
2 opportunity to comment on the information contained in the report at the time of sentencing.
3 Unless the District Attorney has specifically agreed otherwise, then the District Attorney
4 may also comment on this report.

5 WAIVER OF RIGHTS

6 By entering my plea of guilty, I understand that I am waiving and forever giving up
7 the following rights and privileges:

8 1. The constitutional privilege against self-incrimination, including the right to refuse
9 to testify at trial, in which event the prosecution would not be allowed to comment to the
10 jury about my refusal to testify.

11 2. The constitutional right to a speedy and public trial by an impartial jury, free of
12 excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the
13 assistance of an attorney, either appointed or retained. At trial the State would bear the
14 burden of proving beyond a reasonable doubt each element of the offense charged.

15 3. The constitutional right to confront and cross-examine any witnesses who would
16 testify against me.

17 4. The constitutional right to subpoena witnesses to testify on my behalf.

18 5. The constitutional right to testify in my own defense.

19 6. The right to appeal the conviction, with the assistance of an attorney, either
20 appointed or retained, unless the appeal is based upon reasonable constitutional jurisdictional
21 or other grounds that challenge the legality of the proceedings and except as otherwise
22 provided in subsection 3 of NRS 174.035.

23 VOLUNTARINESS OF PLEA

24 I have discussed the elements of all of the original charge against me with my
25 attorney and I understand the nature of the charge against me.

26 I understand that the State would have to prove each element of the charge against me
27 at trial.

28 //

1 I have discussed with my attorney any possible defenses, defense strategies and
2 circumstances which might be in my favor.

3 All of the foregoing elements, consequences, rights, and waiver of rights have been
4 thoroughly explained to me by my attorney.

5 I believe that pleading guilty and accepting this plea bargain is in my best interest,
6 and that a trial would be contrary to my best interest.

7 I am signing this agreement voluntarily, after consultation with my attorney, and I am
8 not acting under duress or coercion or by virtue of any promises of leniency, except for those
9 set forth in this agreement.

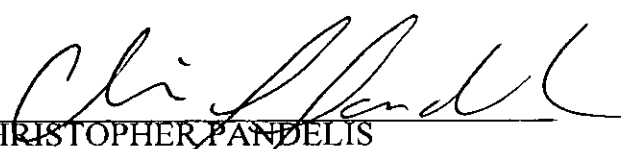
10 I am not now under the influence of any intoxicating liquor, a controlled substance or
11 other drug which would in any manner impair my ability to comprehend or understand this
12 agreement or the proceedings surrounding my entry of this plea.

13 My attorney has answered all my questions regarding this guilty plea agreement and
14 its consequences to my satisfaction and I am satisfied with the services provided by my
15 attorney.

16 DATED this 17 day of ^{April} March, 2010.

17 
18 MICHAEL L. ARAGON
19 Defendant

20 AGREED TO BY:

21 
22 CHRISTOPHER PANDELIS
23 Deputy District Attorney
24 Nevada Bar #009143
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1 CERTIFICATE OF COUNSEL:

2 I, the undersigned, as the attorney for the Defendant named herein and as an officer of
3 the court hereby certify that:

4 1. I have fully explained to the Defendant the allegations contained in the charge to
5 which guilty pleas are being entered.

6 2. I have advised the Defendant of the penalties for each charge and the restitution
7 that the Defendant may be ordered to pay.

8 3. All pleas of guilty offered by the Defendant pursuant to this agreement are
9 consistent with the facts known to me and are made with my advice to the Defendant.

10 4. To the best of my knowledge and belief, the Defendant:

11 a. Is competent and understands the charges and the consequences of pleading
12 guilty as provided in this agreement.

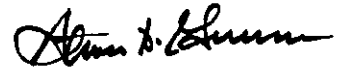
13 b. Executed this agreement and will enter all guilty pleas pursuant hereto
14 voluntarily.

15 c. Was not under the influence of intoxicating liquor, a controlled substance or
16 other drug at the time I consulted with the defendant as certified in paragraphs
17 1 and 2 above.

18 Dated: This 12 day of March, 2010.

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ATTORNEY FOR DEFENDANT

hjc/SVU



CLERK OF THE COURT

1 **INFO**
2 **DAVID ROGER**
3 Clark County District Attorney
4 Nevada Bar #002781
5 **CHRISTOPHER PANDELIS**
6 Chief Deputy District Attorney
7 Nevada Bar #009143
8 200 Lewis Avenue
9 Las Vegas, Nevada 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

12 **I.A. 04/12/2010**
13 **9:00 A.M.**
14 **DRASKOVICH**

DISTRICT COURT
CLARK COUNTY, NEVADA

15 THE STATE OF NEVADA,)
16)
17 Plaintiff,)

18 -vs-)

19 MICHAEL L. ARAGON,)
20 #2582732)
21 Defendant.)

Case No: C263310
Dept No: XV

INFORMATION

22 STATE OF NEVADA }
23 COUNTY OF CLARK } ss.

24 DAVID ROGER, District Attorney within and for the County of Clark, State of
25 Nevada, in the name and by the authority of the State of Nevada, informs the Court:

26 That MICHAEL L. ARAGON, the Defendant above named, having committed the
27 crime of **COERCION (Sexually Motivated) (Category B Felony - NRS 207.193, 175.547)**
28 in the manner following, to-wit: That the said Defendant, on or about the 24th day of
August, 2008, at and within the County of Clark, State of Nevada, contrary to the form, force
and effect of statutes in such cases made and provided, and against the peace and dignity of
the State of Nevada,

//

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EXHIBIT "1"

1 did, then and there, willfully, unlawfully, and feloniously use physical force, or the
2 immediate threat of such force, against JASMINE J. RODRIGUEZ, with intent to compel
3 her to do, or abstain from doing, an act which she had a right to do, or abstain from doing, by
4 said Defendant using his hand(s) and/or finger(s) to touch and/or rub and/or fondle the leg(s)
5 and/or genital area of the said JASMINE J. RODRIGUEZ over her clothing.

6 DAVID ROGER
7 DISTRICT ATTORNEY
8 Nevada Bar #002781

9 BY /s/ CHRISTOPHER PANDELIS
10 CHRISTOPHER PANDELIS
11 Chief Deputy District Attorney
12 Nevada Bar #009143
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27 DA#09F00705X/hjc/SVU
28 LVMPD EV#0808283142
(TK05)

ORIGINAL

FILED
NOV 16 2011
Clerk of Court
CLERK OF COURT

JOCP
DAVID ROGER
Clark County District Attorney
Nevada Bar #002781
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

-vs-

MICHAEL L. ARAGON,
#2582732

Defendant.

Case No: C-10-263310-1

Dept No: XV

10C263310
AJOC
Amended Judgment of Conviction
1695171



AMENDED
JUDGMENT OF CONVICTION
(PLEA OF GUILTY)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty to the crime of **COERCION (Sexually Motivated) (Category B Felony)**, in violation of **NRS 207.193, 207.190, 175.547**; thereafter, on the 19th day of August, 2010, the Defendant was present in court for sentencing with his counsel, **ROBERT DRASKOVICH, ESQ.**, and good cause appearing,

THE DEFENDANT IS HEREBY ADJUDGED GUILTY of said offense and, in addition to the \$25.00 Administrative Assessment Fee, \$760.00 Psycho/Sexual Evaluation and \$150.00 DNA Analysis fee and submitting to testing to determine genetic markers, the Defendant is sentenced as follows: to a **MAXIMUM of SIXTY (60) MONTHS** and a **MINIMUM of TWELVE (12) MONTHS** in the Nevada Department of Corrections (NDC);

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CLERK OF THE COURT

NOV 16 2011

RECEIVED

1 SUSPENDED; placed on PROBATION for a FIXED PERIOD of FOUR (4) YEARS.
2 CONDITIONS: 1. Except as otherwise provided in subsection 6, if a defendant is convicted
3 of a sexual offense and the court grants probation or suspends the sentence, the court shall, in
4 addition to any other condition ordered pursuant to NRS 176A.400, order as a condition of
5 or suspension of sentence that the defendant: a) Submit to a search and seizure of his person,
6 residence or vehicle or any property under his control, at any time of the day or night,
7 without a warrant, by any parole and probation officer or any peace officer, for the purpose
8 of determining whether the defendant has violated any condition of probation or suspension
9 of sentence or committed any crime. b) Reside at a location only if: 1) The residence has
10 been approved by the parole and probation officer assigned to the defendant. 2) If the
11 residence is a facility that houses more than three persons who have been released from
12 prison, the facility is a facility for transitional living for released offenders that is licensed
13 pursuant to chapter 449 of NRS. 3) The defendant keeps the parole and probation officer
14 assigned to the defendant informed of his current address. c) Accept a position of
15 employment or a position as a volunteer only if it has been approved by the parole and
16 probation officer assigned to the defendant and keep the parole and probation officer
17 informed of the location of his position of employment or position as a volunteer. d) Abide
18 by any curfew imposed by the parole and probation officer assigned to the defendant. e)
19 Participate in and complete a program of professional counseling approved by the Division.
20 f) submit to periodic tests, as requested by the parole and probation officer assigned to the
21 defendant, to determine whether the defendant is using a controlled substance. g) Submit to
22 periodic polygraph examinations, as requested by the parole and probation officer assigned
23 to the defendant. h) Abstain from consuming, possessing or having under his control any
24 alcohol. i) Not have contact or communicate with a victim of the sexual offense or a witness
25 who testified against the defendant or solicit another person to engage in such contact or
26 communication on behalf of the defendant, unless approved by the parole and probation
27 officer assigned to the defendant, and a written agreement is entered into and signed in the
28 manner set forth in subsection 5. j) Not use aliases or fictitious names. k) Not obtain a post

1 office box unless the defendant receives permission from the parole and probation officer
2 assigned to the defendant. l) Not have contact with a person less than 18 years of age in a
3 secluded environment unless another adult who has never been convicted of a sexual offense
4 is present and permission has been obtained from the parole and probation officer assigned
5 to the defendant in advance of each such contact. m) Unless approved by the parole and
6 probation officer assigned to the defendant and by a psychiatrist, psychologist or counselor
7 treating the defendant, if any, not knowingly be within 500 feet of any place, or if the place
8 is a structure, within 500 feet of the actual structure, that is designed primarily for use by or
9 for children, including, without limitation, a public or private school, a school bus stop, a
10 center or facility that provides day care services, a video arcade, an amusement park, a
11 playground, a park, an athletic field or facility for youth sports, or a motion picture theater.
12 The provisions of this paragraph apply only to a defendant who is a Tier III offender. n)
13 Comply with any protocol concerning the use of prescription medication prescribed by a
14 treating physician, including without limitation, any protocol concerning the use of
15 psychotropic medication. o) Not possess any sexually explicit material that is deemed
16 inappropriate by the parole and probation officer assigned to the defendant p) Not patronize
17 a business which offers a sexually related form of entertainment and which is deemed
18 inappropriate by the parole and probation officer assigned to the defendant. q) Not possess
19 any electronic device capable of accessing the Internet and not access the Internet through
20 any such device or any other means, unless possession of such a device or such access is
21 approved by the parole and probation officer assigned to the defendant. r) Inform the parole
22 and probation officer assigned to the defendant if the defendant expects to be or becomes
23 enrolled as a student at an institution of higher education or changes the date of
24 commencement or termination of his enrollment at an institution of higher education. As
25 used in this paragraph, "institution of higher education" has the meaning ascribed to it in
26 NRS 179d.045. 2. Except as otherwise provided in subsection 6, if defendant is convicted of
27 an offense listed in subsection 6 of NRS 213.1255 against a child under the age of 14 years,
28 the defendant is a Tier III offender and the court grants probation or suspends the sentence of

1 the defendant, the court shall, in addition to any other condition ordered pursuant to
2 subsection 1, order as a condition of probation or suspension of sentence that the defendant:
3 a) Reside at a location only if the residence is not located within 1,000 feet of any place, or if
4 the place is a structure, within 1,000 feet of the actual structure, that is designed primarily for
5 use by or for children, including, without limitation, a public or private school, a school bus
6 stop, a center or facility that provides day care services, a video arcade, an amusement park,
7 a playground, a park, an athletic field or a facility for youth sports, or a motion picture
8 theater. b) As deemed appropriate by the Chief Parole and probation Officer, be placed under
9 a system of active electronic monitoring that is capable of identifying his location and
10 producing, upon request, reports or records of his presence near or within a crime scene or
11 prohibited area or his departure from a specified geographic location. c) Pay any costs
12 associated with his participation under the system of active electronic monitoring, to the
13 extent of his ability to pay. 3. A defendant placed under the system of active electronic
14 monitoring pursuant to subsection 2 shall: a) Follow the instructions provided by the
15 Division to maintain the electronic monitoring device in working order. b) Report any
16 incidental damage or defacement of the electronic monitoring device to the Division within 2
17 hours after the occurrence of the damage or defacement. c) Abide by any other conditions set
18 forth by the Division with regard to his participation under the system of active electronic
19 monitoring. 4. Except as otherwise provided in this subsection, a person who intentionally
20 removes or disables or attempts to remove or disable an electronic monitoring device placed
21 on a defendant pursuant to this section is guilty of a gross misdemeanor. The provisions of
22 this subsection do not prohibit a person authorized by the Division from performing
23 maintenance or repairs to an electronic monitoring device. 5. A written agreement entered
24 into pursuant to paragraph (i) of subsection 1 must state that the contact or communication is
25 in the best interest of the victim or witness, and specify the type of contact or communication
26 authorized. The written agreement must be signed and agreed to by: a) The victim or the
27 witness; b) The defendant; c) the parole and probation officer assigned to the defendant; d)
28 The psychiatrist, psychologist or counselor treating the defendant, victim or witness, if any;

1 and e) If the victim or witness is a child under 18 years of age, each parent, guardian or
2 custodian of the child. 6. The court is not required to impose a condition of probation or
3 suspension of sentence listed in subsections 1 and 2 if the court finds that extraordinary
4 circumstances are present and the court enters those extraordinary circumstances in the
5 record. 7. Submit to genetic marker testing and pay the DNA Analysis fee. 8. Complete 16
6 hours of community service work, each month. 9. Any other condition deemed necessary by
7 the Division of Parole and Probation.

8 **COURT FURTHER ORDERED**, that the defendant register as a sex offender
9 within the first 48 hours of sentencing per NRS 179D.460.

10 **THEREAFTER**, a parole and probation officer provided the Court with a written
11 statement setting forth that the Defendant has, in the judgment of the parole and probation
12 officer, violated the conditions of probation; and on the 13th day of September, 2011, the
13 Defendant appeared in court with his counsel, ROBERT DRASKOVICH, ESQ., and
14 pursuant to a probation violation hearing/proceeding, and good cause appearing to amend
15 Judgment of Conviction; now therefor,

16 **IT IS ORDERED**, Deft. REINSTATED to PROBATION, with TWO (2) ADDED
17 probation conditions. ADDED PROBATION CONDITIONS: 1) Deft. shall serve NINETY
18 (90) DAYS in Clark County Detention Center (CCDC) with THIRTY (30) DAYS CREDIT
19 FOR TIME SERVED; 2) Deft. shall not be around any child under the age of 18, either
20 supervised or not.

21 DATED this 15 day of November, 2011.

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23
24 
25 DISTRICT JUDGE Abbi Silver
26
27
28

hjc/SVU

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Location : District Court Criminal Images Help

REGISTER OF ACTIONS

CASE No. 10C263310

The State of Nevada vs Michael L Aragon

න

Case Type: **Felony/Gross Misdemeanor**

Date Filed: 04/01/2010

Location: **Department 29**

Cross-Reference Case Number: **C263310**

Defendant's Scope ID #: 2582732

ITAG Booking Number: **900005608**

ITAG Case ID: 1019667

Lower Court Case # Root: 09F00705

Lower Court Case Number: **09F00705X**

RELATED CASE INFORMATION

Related Cases

09F00705X (Bind Over Related Case)

PARTY INFORMATION

Defendant	Aragon, Michael L
	Other Agency Numbers
	2582732 Scope ID Subject Identifier

Lead Attorneys
Robert M. Draskovich Jr
Retained
7024744222(W)

Plaintiff **State of Nevada**

Steven B Wolfson
702-671-2700(W)

CHARGE INFORMATION

Charges: Aragon, Michael L
1. OPEN OR GROSS LEWDNESS

Statute
201.210.1a

Level
Gross Misdemeanor

Date
01/01/1900

EVENTS & ORDERS OF THE COURT

05/05/2016 | Evidentiary Hearing (9:00 AM) (Judicial Officer Scotti, Richard F.)
Evidentiary Hearing: Motion to Set Aside Dishonorable Discharge

Minutes

05/05/2016 9:00 AM

- Officer Schubert f Parole and Probation (P & P) present. Mr. Draskovich argued in support of his motion stated defendant's counselor indicated defendant had successfully completed counseling requirements, and there were no additional violations after the 2013 reinstatement. Marcia Lee SWORN and TESTIFIED. Mr. Draskovich further argued the dishonorable discharge was in part based on an assumption that defendant had not followed through with counseling. Further arguments. Ms. Schifalacqua argued regarding the wording in the GPA, the fact that defendant's first polygraph was deceitful. Lastly, Ms. Schifalacqua argued the law is clear about a defendant who has fulfilled the conditions of probation for the entire period and argued that does not mean, for sometime after reinstatement and defendant did not do so for the entire period of probation. Following further arguments, Court stated its findings and ORDERED, motion GRANTED. Defendant is HONORABLY DISCHARGED from probation and entitled to the drop down. FURTHER, matter SET for status check. NIC 5/19/16 9:00 AM STATUS CHECK: WITHDRAW PLEA

Parties Present

[Return to Register of Actions](#)

Appendix, at 016

ORIGINAL

FILED IN OPEN COURT
STEVEN D. GRIERSON
CLERK OF THE COURT

JUL 07 2016

BY Shelly Landwehr
SHELLY LANDWEHR, DEPUTY

AINF
STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #002781
BARBARA SCHIFALACQUA
Chief Deputy District Attorney
Nevada Bar #010436
200 Lewis Avenue
Las Vegas, Nevada 89155-2212
(702) 671-2500
Attorney for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

MICHAEL L. ARAGON,
#2582732

Defendant.

Case No: 10C263310

Dept No: II

AMENDED
INFORMATION

STATE OF NEVADA }
COUNTY OF CLARK } ss.

STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State of Nevada, in the name and by the authority of the State of Nevada, informs the Court:

That MICHAEL L. ARAGON, the Defendant above named, having committed the crime of **OPEN OR GROSS LEWDNESS (Gross Misdemeanor - NRS 201.210 - NOC 50971)** in the manner following:

That the said Defendant, on or about the 24th day of August, 2008, at and within the County of Clark, State of Nevada, contrary to the form, force and effect of statutes in such cases made and provided, and against the peace and dignity of the State of Nevada,

//

//

//

10C263310
AINF
Amended Information
4582069



W:\2009\2009F\007\05\09F00705-AINF-(ARAGON_MICHAEL)-001.DOCX

Appendix, at 017

2

1 did, willfully and unlawfully commit an act of open or gross lewdness, by Defendant using his
2 hand(s) and/or finger(s) to touch and/or rub and/or fondle the leg(s) and/or genital area of
3 JASMINE J. RODRIGUEZ over her clothing.

4 STEVEN B. WOLFSON
5 DISTRICT ATTORNEY
6 Nevada Bar #001565

7 BY *Barbara Schifalacqua*
8 BARBARA SCHIFALACQUA
9 Chief Deputy District Attorney
10 Nevada Bar #010436
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27 DA#09F00705X/hjc/SVU
28 LVMPD EV#0808283142
(TK05)

Original

PSR

ROBERT M. DRASKOVICH, ESQ.

Nevada Bar No. 6275

THE DRASKOVICH LAW GROUP

815 S. CASINO CENTER BLVD.

Las Vegas, NV 89101-6718

(702) 474-4222

Attorney for Petitioner

DISTRICT COURT

CLARK COUNTY, STATE OF NEVADA

In the Matter of the Application of)

MICHAEL LORENZO ARAGON)

LVMPD ID#2582732)

Date of Birth: 10/07/1981)

Case No.:

Dept. No.:

Docket:

For an Order to Seal Records)

PETITION TO SEAL RECORDS

COMES NOW, MICHAEL LORENZO ARAGON, Petitioner, by and through counsel,
ROBERT M. DRASKOVICH, ESQ., and pursuant to the provisions of NRS 179.245 179.255,
176A.265, 179.259, 179.285 and/or 453.3365 and respectfully represents the following:

That the Petitioner has been arrested as follows:

Date of Arrest: 02/21/13

Arresting Agency: LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Charge: PROB VIOL COERC SEX MT, WARRANT

Court Case #: 09F00705X / 10C263310

Final Disposition: OPEN OR GROSS LEWDNESS (GROSS MISDEMEANOR)

Date of Arrest: 08/15/11

Arresting Agency: LAS VEGAS METROPOLITAN POLICE DEPARTMENT

Charge: PROB VIOL COERC SEX MT, WARRANT

Court Case #: 09F00705X / 10C263310

Final Disposition: OPEN OR GROSS LEWDNESS (GROSS MISDEMEANOR)

///

1 Date of Arrest: 08/15/11
2 Arresting Agency: LAS VEGAS METROPOLITAN POLICE DEPARTMENT
3 Charge: ILL STOP/STAND/PARK, WARRANT
4 Court Case #: 104088924
5 Final Disposition: ILL PARK

6 Date of Arrest: 01/28/09
7 Arresting Agency: LAS VEGAS METROPOLITAN POLICE DEPARTMENT
8 Charge: LEWDNESS BY PERS O/18 W/CHILD LESS THAN 14
9 Court Case #: 09F00705X / 10C263310
10 Final Disposition: OPEN OR GROSS LEWDNESS (GROSS MISDEMEANOR)

11 That the statutory time periods have been fulfilled and that, in the period prescribed for any
12 convictions, the petitioner has not been arrested, except for minor moving or standing traffic
13 violations, and that further action will not be brought concerning any arrests resulting in
14 dismissal or acquittal.

15 **WHEREFORE**, Petitioner waives a hearing in this matter and prays for an Order sealing all
16 records listed above, which are presently in the custody of this Court, of another court in the
17 State of Nevada or of a public or private agency, company or official of the State of Nevada,
18 including but limited to, the Las Vegas Metropolitan Police Department, the Las Vegas Justice
19 Court, Clark County District Court, Nevada Department of Public Safety, Nevada Department of
20 Parole and Probation, Federal Bureau of Investigations and Clark County District Attorney.

21 Pursuant to NRS 179.245(6), Petitioner also prays for an Order that this civil action be
22 sealed.

23 DATED this 7 day of March, 2019.

24
25 
26 ROBERT M. DRASKOVICH, ESQ.
27 Nevada Bar No. 6275
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VERIFICATION

STATE OF NEVADA)
)ss.
COUNTY OF CLARK)

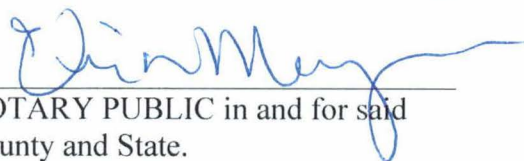
I, MICHAEL ARAGON, being first duly sworn, deposes and states as follows:

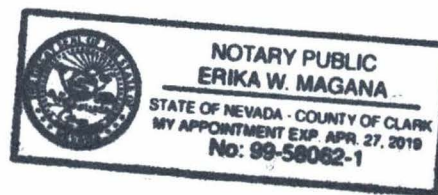
That I am the Petitioner in the above entitled action; that I have read the foregoing
Petition to Seal Records and know the contents thereof; that the same is true of my own
knowledge, except for those matters therein contained stated on information and belief, and as to
those matters, I believe them to be true.

DATED this 6 day of February, 2019.


MICHAEL ARAGON

SUBSCRIBED and SWORN to before me
This 6 day of February, 2019.


NOTARY PUBLIC in and for said
County and State.



NCJIS SQCH STANDARD RAPSHEET OUTPUT:

ORIG: CHR131720 anbracamontes CJIS: SQCH 01/29/2019-16:49:07
RESP: ARREST (NV0040184BA8) CJIS: SQCH 01/29/2019-16:49:07

THE FOLLOWING FROM NCJIS CRIMINAL JUSTICE IS A RESULT OF YOUR SQCH INQUIRY ON:
NAM/ CISNEROS ARAGON, MICHAEL DOB/ 19811007 SOC/

NCJIS BASE RECORD

BIN/ 1002497102

NAME: ARAGON, MICHAEL LORENZO
DOB: 10/07/1981 SOC:
RACE: WHITE SEX: M

HEIGHT: 510 WEIGHT: 180
HAIR: BROWN EYES: HAZEL

ALIAS NAMES:

ARAGON, MICHAEL L
ARAGON, MICHAEL
CISNEROSARAGON, MICHAEL L
CISNEROS, MICHAEL LORENZO
CISNEROSARAGON, MICHAEL LORENZO

OLN: 513191

OLS: NV

VEHICLES:

LIC PLATE NO: LVR4F4 STATE: NV EXP DT: 2016
VIN: JTHKD5BH5E2183449
YEAR: 2014 MAKE: LEXS STYLE: 4D COLOR: WHI

SCARS/MARKS/TATTOOS:DESC:

SC NECK 1"
SC R LEG 2" ON THIGH
SC L CALF 3 SCARS 4", DOG BITE
SC L ELB 1"

POB: NM

CITIZENSHIP: US

ADDRESS:

6011 SAINT PETERSBURG DRIVE
LAS VEGAS, NV 89142

PHONE NUMBER(S):
5052708450

EMPLOYER:

UNEMPLOYED
NONE
LAS VEGAS, NV 89142

SID: NV04367369

FINGERPRINTS ARE AVAILABLE.

=====

CRIMINAL HISTORY RECORD PCN/ 27401106
FINGERPRINT BASED RECORD

ARREST DATE: 2009-01-28

ARRESTING AGENCY: LAS VEGAS METROPOLITAN POLICE

ORI: NV0020100

NAME USED: ARAGON, MICHAEL L

OCA: 2582732

ARREST OFFENSE

1: LEWDNESS BY PERS OVER 18 W/CHILD LESS THAN 14 FELONY
NEVADA STATUTE NRS 201.230.2 NV OFFENSE CODE: 50975 NCIC: 3601

COURT/FINAL CHARGE

1: OPEN/GROSS LEWDNESS, 1ST GROSS MISDEMEANOR
NEVADA STATUTE NRS 201.210.1 NV OFFENSE CODE: 50971 NCIC: 5311
EIGHTH JUDICIAL DISTRICT COURT ORI: NV002015J

DISPOSITION: GLTY AT TRIAL/FOUND GLTY
CASE #: 10C263310

DISPOSITION DATE: 2010-09-08

NAME USED: ARAGON MICHAEL L

SENTENCE DATE: 2016-07-07

DATE: January 29, 2019
I HEREBY CERTIFY THAT THIS IS A TRUE
& ACCURATE COPY & THAT THE ORIGINAL
DOCUMENT IS CONTAINED IN THE FILES
OF THE NEVADA DEPARTMENT OF PUBLIC
SAFETY, RECORDS, COMMUNICATIONS
AND COMPLIANCE DIVISION.

BY: *Angelina Baeza*

SENTENCE:

MAX YEARS: 0

MOS: 0

DAYS: 0

HOURS: 0

MIN YEARS: 0

MOS: 0

DAYS: 0

HOURS: 0

CREDIT TIME SERVED:

YEARS: 0

MOS: 0

DAYS: 0

HOURS: 0

SPECIAL CONDITIONS: YES

RECORD CREATED: 2011-08-25 08:08:07

LAST UPDATED: 2018-04-08 15:54:33

WHEN AN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE DIRECTLY WITH THE AGENCY THAT FURNISHED THE DATA TO THE NEVADA CRIMINAL HISTORY RECORDS REPOSITORY.

IF FINGERPRINTS DID NOT ACCOMPANY THIS INQUIRY, THE NEVADA CRIMINAL HISTORY RECORDS REPOSITORY IS UNABLE TO GUARANTEE THAT THIS MATERIAL CONCERNS THE INDIVIDUAL IN WHOM YOU ARE INTERESTED.

IN REGARDS TO THE ABOVE NAMED SUBJECT, THIS DOES NOT PRECLUDE THE POSSIBLE EXISTENCE OF ADDITIONAL MATCHED RECORDS IN LOCAL OR FBI IDENTIFICATION DIVISION FILES WHICH ARE NOT INDEXED BY THE NEVADA STATE CRIMINAL HISTORY RECORDS REPOSITORY. THE USE OF THIS INFORMATION IS REGULATED BY LAW. IT IS PROVIDED FOR OFFICIAL USE AND MAY ONLY BE USED FOR THE PURPOSE REQUESTED. NEVADA AGENCIES - REFER TO NRS CHAPTER 179A.

***** END OF CRIMINAL HISTORY RECORD *****

DATE: January 29, 2019
I HEREBY CERTIFY THAT THIS IS A TRUE
& ACCURATE COPY & THAT THE ORIGINAL
DOCUMENT IS CONTAINED IN THE FILES
OF THE NEVADA DEPARTMENT OF PUBLIC
SAFETY, RECORDS, COMMUNICATIONS
AND COMPLIANCE DIVISION.

BY: *Angela P. Preece*

Judge Jacqueline Bluth

Department VI

District Court

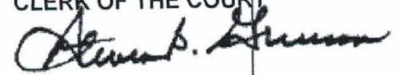
MEMO

To: Robert M. Draskovich, Esq.
From: Anise Roberson, Law Clerk, Department VI Telephone: 702-671-4354
Subject: Petition to Seal Records
Date: 05.07.2019
Re: In Re: Aragon (A792350)

Thank you for the recent submission. In order to process your request, we will need the following item(s):

- _____ Petitioner was convicted of a gross misdemeanor and it has not yet been 2 years from the date of release from actual custody or discharge from probation, whichever was latest.
- X Petitioner has requested the court to seal records relating to a conviction of:
- _____ a crime against a child
 - X a sexual offense
 - _____ a violation of NRS 484C.110 or 484C.120 that is punishable as a felony pursuant to paragraph (c) of subsection 1 of NRS 484C.400
 - _____ a violation of NRS 484C.430
 - _____ a homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430
 - _____ a violation of NRS 488.410 that is punishable as a felony pursuant to NRS 488.427
 - _____ a violation of NRS 488.420 or 488.425
- _____ The petition was not accompanied by the petitioner's current, verified records received from the Central Repository for Nevada Records of Criminal History
- _____ The petition references NRS 453.3365 or 458.330 but does not include a certificate of acknowledgment or the disposition of the proceedings for the records to be sealed from all agencies of criminal justice which maintain such records.
- _____ The petition does not include a list of any other public or private agency, company, official or other custodian of records that is reasonably known to the petitioner to have possession of records of the conviction and to whom the order to seal records, if issued, will be directed.
- _____ The petition does not include information that, to the best knowledge and belief of the petitioner, accurately and completely identifies the records to be sealed, including, without limitation, the:
- _____ Date of birth of the petitioner
 - _____ Specific conviction to which the records to be sealed pertain; and
 - _____ Date of arrest relating to the specific conviction to which the records to be sealed pertain.

Please return this memo with your Amended Petition reflecting the changes made. Thank you for your cooperation.



CASE NO: A-19-792350-S
Department 6

Original

PSR
ROBERT M. DRASKOVICH, ESQ.
Nevada Bar No. 6275
THE DRASKOVICH LAW GROUP
815 S. CASINO CENTER BLVD.
Las Vegas, NV 89101-6718
(702) 474-4222
Attorney for Petitioner

DISTRICT COURT

CLARK COUNTY, STATE OF NEVADA

In the Matter of the Application of)	
)	
MICHAEL LORENZO ARAGON)	
LVMPD ID#2582732)	Case No.:
Date of Birth: 10/07/1981)	Dept. No.:
)	Docket:
)	
)	
For an Order to Seal Records)	
)	
)	

PETITION TO SEAL RECORDS

COMES NOW, MICHAEL LORENZO ARAGON, Petitioner, by and through counsel,
ROBERT M. DRASKOVICH, ESQ., and pursuant to the provisions of NRS 179.245 179.255,
176A.265, 179.259, 179.285 and/or 453.3365 and respectfully represents the following:

That the Petitioner has been arrested as follows:

Date of Arrest: 02/21/13
Arresting Agency: LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Charge: PROB VIOL COERC SEX MT, WARRANT
Court Case #: 09F00705X / 10C263310
Final Disposition: OPEN OR GROSS LEWDNESS (GROSS MISDEMEANOR)

Date of Arrest: 08/15/11
Arresting Agency: LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Charge: PROB VIOL COERC SEX MT, WARRANT
Court Case #: 09F00705X / 10C263310
Final Disposition: OPEN OR GROSS LEWDNESS (GROSS MISDEMEANOR)

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2 Arresting Agency: LAS VEGAS METROPOLITAN POLICE DEPARTMENT
3 Charge: ILL STOP/STAND/PARK, WARRANT
4 Court Case #: 104088924
5 Final Disposition: ILL PARK

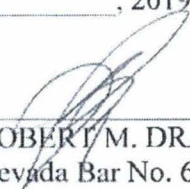
6 Date of Arrest: 01/28/09
7 Arresting Agency: LAS VEGAS METROPOLITAN POLICE DEPARTMENT
8 Charge: LEWDNESS BY PERS O/18 W/CHILD LESS THAN 14
9 Court Case #: 09F00705X / 10C263310
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16 records listed above, which are presently in the custody of this Court, of another court in the
17 State of Nevada or of a public or private agency, company or official of the State of Nevada,
18 including but limited to, the Las Vegas Metropolitan Police Department, the Las Vegas Justice
19 Court, Clark County District Court, Nevada Department of Public Safety, Nevada Department of
20 Parole and Probation, Federal Bureau of Investigations and Clark County District Attorney.

21 Pursuant to NRS 179.245(6), Petitioner also prays for an Order that this civil action be
22 sealed.

23 DATED this 7 day of March, 2019.

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26 ROBERT M. DRASKOVICH, ESQ.
27 Nevada Bar No. 6275
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VERIFICATION

STATE OF NEVADA)
)ss.
COUNTY OF CLARK)

I, MICHAEL ARAGON, being first duly sworn, deposes and states as follows:

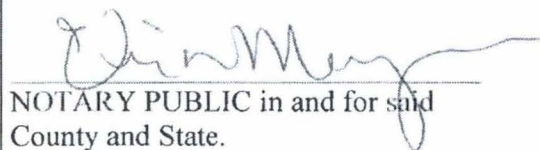
That I am the Petitioner in the above entitled action; that I have read the foregoing
Petition to Seal Records and know the contents thereof; that the same is true of my own
knowledge, except for those matters therein contained stated on information and belief, and as to
those matters, I believe them to be true.

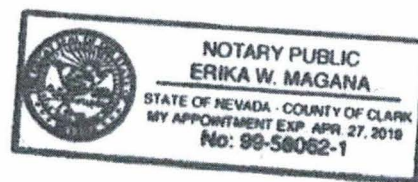
DATED this 6 day of February, 2019.


MICHAEL ARAGON

SUBSCRIBED and SWORN to before me

This 6 day of February, 2019.


NOTARY PUBLIC in and for said
County and State.



NCJIS SQCH STANDARD RAPSHEET OUTPUT:

ORIG: CHR131720 anbracamontes CJIS: SQCH 01/29/2019-16:49:07
RESP: ARREST (NV0040184BA8) CJIS: SQCH 01/29/2019-16:49:07

THE FOLLOWING FROM NCJIS CRIMINAL JUSTICE IS A RESULT OF YOUR SQCH INQUIRY ON:
NAM/ CISNEROS ARAGON, MICHAEL DOB/ 19811007 SOC/

NCJIS BASE RECORD

BIN/ 1002497102

NAME: ARAGON, MICHAEL LORENZO
DOB: 10/07/1981 SOC:
RACE: WHITE SEX: M

HEIGHT: 510 WEIGHT: 180
HAIR: BROWN EYES: HAZEL

ALIAS NAMES:

ARAGON, MICHAEL L
ARAGON, MICHAEL
CISNEROSARAGON, MICHAEL L
CISNEROS, MICHAEL LORENZO
CISNEROSARAGON, MICHAEL LORENZO

OLN: 513191

OLS: NV

VEHICLES:

LIC PLATE NO: LVR4F4 STATE: NV EXP DT: 2016
VIN: JTHKDSBH5E2183449
YEAR: 2014 MAKE: LEXS STYLE: 4D COLOR: WHI

SCARS/MARKS/TATTOOS:

DESC:
SC NECK 1"
SC R LEG 2" ON THIGH
SC L CALF 3 SCARS 4", DOG BITE
SC L ELB 1"

POB: NM

CITIZENSHIP: US

ADDRESS:

6011 SAINT PETERSBURG DRIVE
LAS VEGAS, NV 89142

PHONE NUMBER(S):
5052708450

EMPLOYER:

UNEMPLOYED
NONE
LAS VEGAS, NV 89142

SID: NV04367369

FINGERPRINTS ARE AVAILABLE.

=====

CRIMINAL HISTORY RECORD PCN/ 27401106
FINGERPRINT BASED RECORD

ARREST DATE: 2009-01-28

ARRESTING AGENCY: LAS VEGAS METROPOLITAN POLICE

ORI: NV0020100

NAME USED: ARAGON, MICHAEL L

OCA: 2582732

ARREST OFFENSE

1: LEWDNESS BY PERS OVER 18 W/CHILD LESS THAN 14 FELONY
NEVADA STATUTE NRS 201.230.2 NV OFFENSE CODE: 50975 NCIC: 3601

COURT/FINAL CHARGE

1: OPEN/GROSS LEWDNESS, 1ST GROSS MISDEMEANOR
NEVADA STATUTE NRS 201.210.1 NV OFFENSE CODE: 50971 NCIC: 5311
EIGHTH JUDICIAL DISTRICT COURT ORI: NV0020153

DISPOSITION: GLTY AT TRIAL/FOUND GLTY

DISPOSITION DATE: 2010-09-08

CASE #: 10C263310

NAME USED: ARAGON MICHAEL L

SENTENCE DATE: 2016-07-07

DATE: January 29, 2019
I HEREBY CERTIFY THAT THIS IS A TRUE
& ACCURATE COPY & THAT THE ORIGINAL
DOCUMENT IS CONTAINED IN THE FILES
OF THE NEVADA DEPARTMENT OF PUBLIC
SAFETY, RECORDS, COMMUNICATIONS
AND COMPLIANCE DIVISION.
[Signature]

SENTENCE:

MAX YEARS: 0
MIN YEARS: 0MOS: 0
MOS: 0DAYS: 0
DAYS: 0HOURS: 0
HOURS: 0

CREDIT TIME SERVED:

YEARS: 0

MOS: 0

DAYS: 0

HOURS: 0

SPECIAL CONDITIONS: YES

RECORD CREATED: 2011-08-25 08:08:07

LAST UPDATED: 2018-04-08 15:54:33

WHEN AN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE DIRECTLY WITH THE AGENCY THAT FURNISHED THE DATA TO THE NEVADA CRIMINAL HISTORY RECORDS REPOSITORY.

IF FINGERPRINTS DID NOT ACCOMPANY THIS INQUIRY, THE NEVADA CRIMINAL HISTORY RECORDS REPOSITORY IS UNABLE TO GUARANTEE THAT THIS MATERIAL CONCERNS THE INDIVIDUAL IN WHOM YOU ARE INTERESTED.

IN REGARDS TO THE ABOVE NAMED SUBJECT, THIS DOES NOT PRECLUDE THE POSSIBLE EXISTENCE OF ADDITIONAL MATCHED RECORDS IN LOCAL OR FBI IDENTIFICATION DIVISION FILES WHICH ARE NOT INDEXED BY THE NEVADA STATE CRIMINAL HISTORY RECORDS REPOSITORY. THE USE OF THIS INFORMATION IS REGULATED BY LAW. IT IS PROVIDED FOR OFFICIAL USE AND MAY ONLY BE USED FOR THE PURPOSE REQUESTED. NEVADA AGENCIES - REFER TO NRS CHAPTER 179A.

***** END OF CRIMINAL HISTORY RECORD *****

DATE: January 29, 2019
I HEREBY CERTIFY THAT THIS IS A TRUE
& ACCURATE COPY & THAT THE ORIGINAL
DOCUMENT IS CONTAINED IN THE FILES
OF THE NEVADA DEPARTMENT OF PUBLIC
SAFETY, RECORDS, COMMUNICATIONS
AND COMPLIANCE DIVISION.
BY: *Angela P. Preece*

OTS

ROBERT M. DRASKOVICH, ESQ.
Nevada Bar No. 6275
THE DRASKOVICH LAW GROUP
815 S. CASINO CENTER BLVD.
Las Vegas, NV 89101-6718
emagana@draskovich.com
(702) 474-4222
Attorney for Petitioner

DISTRICT COURT

CLARK COUNTY, STATE OF NEVADA

In the Matter of the Application of)
)
MICHAEL LORENZO ARAGON)
LVMPD ID#2582732)
Date of Birth: 10/07/1981)
)
)
)
For an Order to Seal Records)
)
)

Case No.: A-19-792350-S
Dept. No.: VI
Docket:

ORDER

The Court having reviewed the Petition of MICHAEL LORENZO ARAGON, Petitioner,
by and through counsel, ROBERT M. DRASKOVICH, and STEVEN WOLFSON, District
Attorney for Clark County, Nevada, having stipulated below, the Court finding that the statutory
requirements of NRS 179.245 179.255, 176A.265, 179.259, 179.285 and/or 453.3365 are
satisfied, and good cause appearing, therefore

Date of Arrest: 02/21/13
Arresting Agency: LAS VEGAS METROPOLITAN POLICE DEPARTMENT
Charge: PROB VIOL COERC SEX MT, WARRANT
Court Case #: 09F00705X / 10C263310
Final Disposition: OPEN OR GROSS LEWDNESS (GROSS MISDEMEANOR)

///

///

1 Date of Arrest: 08/15/11
2 Arresting Agency: LAS VEGAS METROPOLITAN POLICE DEPARTMENT
3 Charge: PROB VIOL COERC SEX MT, WARRANT
4 Court Case #: 09F00705X / 10C263310
5 Final Disposition: OPEN OR GROSS LEWDNESS (GROSS MISDEMEANOR)

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7 Arresting Agency: LAS VEGAS METROPOLITAN POLICE DEPARTMENT
8 Charge: ILL STOP/STAND/PARK, WARRANT
9 Court Case #: 104088924
10 Final Disposition: ILL PARK

11 Date of Arrest: 01/28/09
12 Arresting Agency: LAS VEGAS METROPOLITAN POLICE DEPARTMENT
13 Charge: LEWDNESS BY PERS O/18 W/CHILD LESS THAN 14
14 Court Case #: 09F00705X / 10C263310
15 Final Disposition: OPEN OR GROSS LEWDNESS (GROSS MISDEMEANOR)

16 A copy of this Order shall be sent by Petitioner to each public or private company,
17 agency or official of the State of Nevada, including but not limited to, the Las Vegas
18 Metropolitan Police Department, the Las Vegas Justice Court, Clark County District Court,
19 Nevada Department of Public Safety, Nevada Department of Parole and Probation, Federal
20 Bureau of Investigations and Clark County District Attorney as named in the Petition, and such
21 organization or individual shall seal the records in its custody which relate to the matters
22 contained in this Order, shall advise the Court of its compliance, and shall then seal the Order.

23 All proceedings recounted in the sealed records are deemed never to have occurred, and
24 the person to whom this order pertains may properly answer accordingly to any inquiry,
25 including without limitation an inquiry relating to an application for employment, concerning the

26 ///

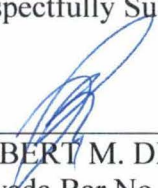
27 ///

1 sealed arrest, conviction dismissal or acquittal and the events and proceedings relating to the
2 arrest, conviction, or acquittal.
3
4

5 DATED this _____ day of _____, 2019.
6

7 _____
8 DISTRICT COURT JUDGE

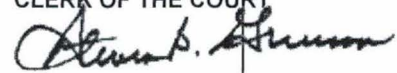
9 Respectfully Submitted By:
10

11  3/7/19
12 _____
13 ROBERT M. DRASKOVICH, ESQ.
14 Nevada Bar No. 6275
15 Attorney for Petitioner
16
17
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19

20 The District Attorney has reviewed the applicable Criminal History and agrees that the record is
21 statutorily eligible for sealing. The decision to order the sealing of a record remains solely within
22 the discretion of the court. The District Attorney has no objection to the granting of the Petition
23 to seal the criminal record(s) of the petitioner and stipulates to this Order pursuant to NRS
24 179.245.5.
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29 **Steven B. Wolfson Bar#001565**

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31 _____ #7518
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MOT
ROBERT M. DRASKOVICH, ESQ.
Nevada Bar No. 6275
THE DRASKOVICH LAW GROUP
815 S. CASINO CENTER BLVD.
Las Vegas, NV 89101-6718
(702) 474-4222
Attorney for Petitioner

DISTRICT COURT

CLARK COUNTY, STATE OF NEVADA

In the Matter of the Application of)
)
MICHAEL LORENZO ARAGON)
LVMPD ID#2582732)
Date of Birth: 10/07/1981)
)
)
)
For an Order to Seal Records)
)
)

Case No.: A-19-792350-S
Dept. No.: VI
(HEARING REQUESTED)

MOTION TO ADDRESS PETITION TO SEAL RECORDS

COMES NOW, MICHAEL LORENZO ARAGON, Petitioner, by and through counsel,
ROBERT M. DRASKOVICH, ESQ., and hereby submits his Motion to Place on Calendar to
Address Petition to Seal Records filed on April 4, 2019.

DATED this 17th day of June, 2019.

/s/ Robert M. Draskovich

ROBERT M. DRASKOVICH, ESQ.
Nevada Bar No. 6275
Attorney for Petitioner

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Therefore, Counsel hereby requests to have this matter placed on calendar to address the record sealing in the instant case.

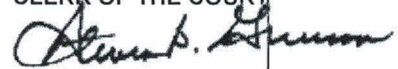
/s/ Robert M. Draskovich

ROBERT M. DRASKOVICH, ESQ.
Nevada Bar No. 6275
Attorney for Petitioner

I HEREBY CERTIFY that on the 17th day of June, 2019, I served a true and correct copy of the foregoing **MOTION TO ADDRESS PETITION TO SEAL RECORDS** upon the following:

/s/ Erika W. Magana

An Employee of The Draskovich Law Group



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5 DISTRICT COURT
6 CLARK COUNTY, NEVADA

7 In the Matter of the Application
8 of:

CASE#: A-19-792350-S

9 MICHAEL LORENZO ARAGON,
10 LVMPD ID #2582732
Date of birth: 10/7/1981

DEPT. VI

11 For an Order to Seal Records
12

13
14 BEFORE THE HONORABLE JACQUELINE BLUTH, DISTRICT COURT
15 JUDGE

16 TUESDAY, AUGUST 13, 2019

17 **RECORDER'S TRANSCRIPT OF HEARING**
18 **MOTION TO ADDRESS PETITION TO SEAL RECORDS**

19 APPEARANCES:

20 For the Petitioner:

ROBERT M DRASKOVICH,
ESQ.

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24 RECORDED BY: DE'AWNA TAKAS, COURT RECORDER
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1
2 Las Vegas, Nevada, Tuesday, August 13, 2019
3

4 [Case called at 10:21 a.m.]

5 THE COURT: Page 6, A-792350 in the matter of the petition of
6 Michael Lorenzo Aragon. Mr. Aragon is present. Thank you, sir. Mr.
7 Draskovich is present on his behalf.

8 This is the motion to address petition to seal records. So the
9 reason why I didn't -- I have this -- it was on chambers and then I asked
10 you to come in is because when I was reading the statute, my law clerks
11 and I were going over this.

12 So when I look at 179.245, under 6(a) and (b), it says a person
13 may not petition the Court to seal records relating to a conviction of A, a
14 crime against a child, or B, a sexual offense.

15 And the key word that I'm getting caught up on here is the word
16 relating, because I read the -- you know, if you go into Odyssey, I read the
17 bindover packet, which -- because I saw the original charges, but I didn't
18 under -- I didn't know the factors, because I think he originally pleads
19 guilty to a sexually motivated coercion.

20 MR. DRASKOVICH: That then was amended, yes.

21 THE COURT: And so, then it's dropped down to the open or
22 gross. So I needed to understand the underlying facts. And it does
23 appear to me that originally, it's a crime against a child, I think her name
24 was Jasmine [phonetic]. She was under 14 and it was a sexual offense.

25 So how do you get around that 6(a) and (b)? That's the thing.

1 MR. DRASKOVICH: And I wouldn't presume to tell Your Honor,
2 I mean, you're -- how to do it. I've had other courts do it. I think it's a
3 discretionary call. And if the Court would like additional briefing, I could
4 look into it, but I understand the Court's concern.

5 THE COURT: Yeah, so I think because if it were -- if the
6 language were more strict, right, and that word relating, and it just said
7 seal records of a conviction, because the conviction is not against -- I
8 mean, it's -- that doesn't have child language in it.

9 MR. DRASKOVICH: Correct.

10 THE COURT: And, I mean, I guess you could say open and
11 gross is still a sexual offense, but if you go further down, it says open and
12 gross as a felony.

13 MR. DRASKOVICH: As -- exactly.

14 THE COURT: So to me, that word, though, it really bothers me.
15 And I think it's --

16 MR. DRASKOVICH: I mean, the D.A., as you are well aware,
17 they agreed to it, I mean.

18 THE COURT: Agreed to what?

19 MR. DRASKOVICH: To the sealing.

20 THE COURT: Oh, oh, yeah, sorry.

21 MR. DRASKOVICH: Yes.

22 THE COURT: No, I see what you're saying. I just think that the
23 laws are the way they are for a reason. And so, I'm going to deny the
24 petition, because I find that under 6(a) and (b), a person may not petition
25 the Court to seal records relating to a conviction of A, a crime against a

1 child, B, a sexual offense. Finding that here, it is a crime related to a child
2 and a crime related to a sexual offense, because the original was
3 lewdness.

4 But if you want to take me up on it, I'd be happy to have clarity
5 from the Supreme Court on it --

6 MR. DRASKOVICH: Okay.

7 THE COURT: -- but that's my reading of it.

8 MR. DRASKOVICH: Okay, that's --

9 THE COURT: All right?

10 MR. DRASKOVICH: And we intend to. I appreciate Your
11 Honor saying this matter on making a record.

12 THE COURT: Okay, thank you.

13 MR. DRASKOVICH: Thank you.

14 THE COURT: Thank you, Mr. Aragon.

15 MR. ARAGON: Thank you for your time.

16 THE COURT: Thank you.

17 [Proceedings concluded at 10:24 a.m.]

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ATTEST: I do hereby certify that I have truly and correctly transcribed the audio/video proceedings in the above-entitled case to the best of my ability.

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Chris Hwang
Transcriber

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Felony/Gross Misdemeanor**COURT MINUTES****July 07, 2016**

10C263310

The State of Nevada vs Michael L Aragon

July 07, 2016**9:00 AM****Status Check: Further Disposition****HEARD BY:** Scotti, Richard F.**COURTROOM:** RJC Courtroom 11D**COURT CLERK:** Shelly Landwehr**RECORDER:** Elsa Amoroso**REPORTER:**

PARTIES	Aragon, Michael L.	Defendant
PRESENT:	Draskovich Jr, Robert M.	Attorney
	Schifalacqua, Barbara	Attorney
	State of Nevada	Plaintiff

JOURNAL ENTRIES

- Pursuant to negotiations, prior guilty plea is WITHDRAWN. DEFENDANT ARAGON ARRAIGNED and PLED GUILTY to the Amended Information FILED IN OPEN COURT CHARGING - OPEN OR GROSS LEWDNESS (GM). Court ACCEPTED plea, ADJUDGED DEFENDANT GUILTY and ORDERED, DEFENDANT SENTENCED to CREDIT TIME SERVED.

FURTHER, per NRS 179D.460, the Defendant shall register as a sex offender within 48 hours of release from any term of probation, parole or imprisonment. Defendant is not subject to lifetime supervision.

NIC