

IN THE SUPREME COURT OF THE STATE OF NEVADA

APRIL PARKS,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

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Supreme Court Case No. 82876

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Exhibit 2

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
OFFICER'S REPORT

Event #: 150819-2043

Billing Fraud/Theft – Bank Deposits Scheme

SUBJECT

DIVISION
REPORTING: HSD

DIVISION OF
OCCURRENCE: HSD

DATE & TIME
OCCURRED: November 10, 2011, through July 31, 2015

LOCATION OF
OCCURRENCE: Jurisdiction of Clark County, NV

INVESTIGATION:

This investigation into April Parks (PARKS) and the operation of her guardianship business, A Private Professional Guardian, LLC, (APPG) identified that Parks exploited the elderly and vulnerable adults over whom she had guardianship through the use of several variations of an Inflated Invoicing/Billing scheme. These schemes can be broadly described as duplicate billing, double-billing, and "padding" the bill through the provision of unnecessary services.

Generally, false billing schemes of this nature involve a person or business making claims for payment for goods or services where the goods or services were either not provided at all; provided to a lesser degree than claimed; or were provided, but were unnecessary and the recipient of the goods or services was unaware of the lack of necessity. In the latter instance, the provision of the goods or services is chiefly engaged in for the purpose of generating additional fees/payments which benefit the provider, regardless of the recipient's need for the goods/services.

In this case, PARKS occupied a unique position, in that, as guardian, she was the decider of whether a service was necessary, the decider of how that service would be provided and by whom, the decider of how much would be paid for the service; and where she was the provider, she also decided how much should be charged for the service and ultimately she was the beneficiary of payments made for services she provided. Unlike most transactions, where there are at least two parties to the transaction, usually including a purchaser of service and a seller of service, PARKS occupied all positions within these transactions and had absolute discretion regarding all aspects of the transactions.

In addition, due to the vulnerable nature of the wards over whom PARKS had guardianship, their inability to manage their own financial affairs, their lack of access to information concerning their financial affairs, and in many cases, their complete inability to comprehend what was occurring, PARKS could engage in these billing practices unimpeded.

BANK DEPOSIT OVER-BILLING SCHEME

During the course of this investigation, investigators located a contract between A Private Professional Guardian, LLC and SEM Applications, Inc. This contract showed that SEM Applications, Inc. provided PARKS with web-based case management software through which she was able to manage her ward's affairs and document her activities and billing for each ward. On October 13, 2015, a Grand Jury subpoena was issued to SEM Applications, Inc. to obtain documents contained in the system pertaining to PARKS and her management of her clients.

Date and Time of Report: 11/01/2016

Officer: Jaclyn O'Malley

P#: 089

Approved By: _____

Officer: Colin Haynes

P#: 6160

SIGNATURE: _____

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
CONTINUATION

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On October 27, 2015, Stanley Meng (MENG), owner of SEM Applications, Inc. provided documents responsive to this subpoena. Among the documents produced by MENG were spreadsheets containing the data extracted from this case management system. The first, titled "**Time and Expense**" contained the daily activities documented by PARKS and her staff showing what service was provided for each ward, including the date of service, description of service, categorizing the service, duration of service, bill rate for the service, total cost of the service, name of staff member providing the service or documenting the service and the date the entry was made into to system and the date the entry was last modified. The second spreadsheet, titled "**Case Notes**" contained the case notes that PARKS and her staff made for each ward, providing more details of the activities.

MENG confirmed that SIMMONS was assigned his own log-in identification that enabled him to log into the EMS system and make entries. MENG also confirmed that the system defaulted to identifying the logged in user as the "Staff Name", unless this was manually changed by the user to identify another staff member.

A comparison of the information entered into the Time and Expense and Case Notes component of this case management system against the accounting reports submitted by PARKS to the court revealed that the Invoices submitted by PARKS as exhibits to her accountings were prepared using the information in the Time and Expense data. A review of the EMS Online Manual revealed the instructions for how PARKS would create her Invoices by selecting certain items from within the system to create the invoice the way she wanted it to appear. For this reason, the data contained in this spreadsheets provided by MENG has been used throughout this investigation to identify the activities performed by PARKS and her staff. Where this has revealed information relevant to this investigation, the data was compared to the actual documents filed by PARKS in each case to verify the accuracy of the information in the spreadsheets and confirm that the same information was submitted to the court.

A linear review of the billing pattern across PARKS' wards identified multiple days on which PARKS billed her wards 30 minutes for an activity documented in the Time & Expense section of the Case Management database as "Travel to Bank, Make Deposit" (Exhibit 1). I noted that on some dates PARKS billed as many as 26 individual wards for this activity at 30 minutes each. This would equate to PARKS or one of her staff taking thirteen hours to go to the bank and deposit a check into an account belonging to each ward.

All of these entries made in the case management system used by PARKS that documented performing bank deposits between November 10, 2011, and July 31, 2015, appeared to have been made by Mark Simmons (SIMMONS), a manager and principle person with APPG. During the interview of Angelica Sanchez (SANCHEZ), an ex-employee and case manager for PARKS, SANCHEZ stated that during the time she was employed by PARKS, SIMMONS was responsible for managing the banking of the wards accounts, including making deposits to their accounts and paying bills from their accounts. SANCHEZ stated that she would occasionally go to the bank and deposit checks into ward accounts at the request of SIMMONS. SANCHEZ further described that SIMMONS was responsible for most of the financial affairs of the wards such as paying their bills, handling their cash and creating and maintaining their accountings.

Located in the documents seized from the APPG offices were documents that described the various roles and responsibilities of the employees of APPG, including SIMMONS (Exhibit 2). These documents included that SIMMONS was responsible for:

"Day to day office matters, Bill Pay, Daily mail, day to day banking ..."

"Office Manager, ... Invoicing Clients, Entering Bank Statements,... Accounting..."

I located copies of deposit slips for the deposits made to ward bank account and examined the handwriting on the deposit slips. The handwriting appears to match other examples of SIMMONS handwriting, further supporting that SIMMONS was responsible for the process of depositing the checks to wards accounts. There is no direct evidence of who actually performed the physical act of travelling to the bank to make the deposits in every case, through the statement of SANCHEZ, the list of duties and responsibilities of the APPG employees, the data entries made into the case management system, and the writing on the deposit slips shows that SIMMONS managed and invoiced this activity.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
CONTINUATION

Event #: 150819-2043

Most of the ward bank accounts were located at either Wells Fargo Bank or at Bank of America; therefore PARKS would have been able to conduct all or most of the deposits at one or two banks, allowing her to make a bank run for all wards simultaneously or in two runs.

According to Google Maps, mapping software readily available online, there is a branch of both Wells Fargo Bank and Bank of America within 1.8 miles of PARKS office; travel time of just 5 minutes (Exhibit 3). The two branches are very close together, with the Bank of America branch being located at 2638 W. Horizon Ridge Parkway, Henderson and the Wells Fargo Bank branch being located at 2658 W. Horizon Ridge Parkway, Henderson. I also confirmed with both banks that these were, in fact, the branches at which PARKS and her staff made these deposits.

While most of the wards bank accounts were held at Bank of America or Wells Fargo Bank, some were at Chase Bank or US Bank and occasionally Nevada State Bank or Citibank. Using Google Maps, I identified that there is a branch of each of these banks within 2.1 miles of PARKS office. The travel time to each of these banks was approximately the same as for Bank of America and Wells Fargo Bank, and the route was the same, with all branches located fairly close together around S. Eastern Ave and W. Horizon Ridge Parkway, Henderson.

I examined four separate dates on which PARKS invoiced wards for making bank deposits in this fashion to see how much time the actual deposits took once PARKS staff reached a bank teller.

March 1, 2014

PARKS documented that on March 1, 2014, her staff made deposits into bank accounts of 25 wards, documenting that the activity took 30 minutes per ward at \$150.00 per hour and billing a total of \$1,875.00 to these wards (Exhibit 4). According to the data in PARKS case management system, this activity was performed by SIMMONS. From a review of their bank accounts I identified that 12 wards had accounts at Wells Fargo Bank and 5 wards had accounts at Bank of America. For the purpose of this review I did not factor the remaining 8 wards whose accounts were at other banks such as Chase Bank, US Bank or Citibank.

According to the records of Bank of America, the first deposit made to one of the wards accounts on this date was made at 4.17 PM (Exhibit 4). The last deposit was made at 4.21 PM and all the other deposits were made between these two times. As can be seen, the total time taken to actually complete the deposits was just 4 minutes, while PARKS billed these wards 2.5 hours for this activity.

According to the records of Wells Fargo Bank, the first deposit made to one of the wards accounts on this date was made at 4.28 PM (Exhibit 4). The last deposit was made at 4.36 PM and all the other deposits were made between these two times. As can be seen, the total time taken to actually complete the deposits was just 8 minutes, while PARKS billed the wards 6 hours for this activity.

From among the documents seized during the service of the search warrant at PARKS office, I was able to locate a number of deposit slips and copies of deposited items for several of these accounts (Exhibit 4).

The total time between the first deposit made at Bank of America and the last deposit made at Wells Fargo Bank, including travel between the two banks was just **19 minutes**. When observed in this way, it becomes clear that the 8.5 hours billed to these wards to deposit these checks is clearly not reflective of the time actually taken for this activity. While this does not include possible wait time at Bank of America, it clearly does include the wait time at Wells Fargo Bank, since the time between the last deposit made at Bank of America and the first deposit made at Wells Fargo Bank was just 7 minutes, which included travelling between the two banks.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
CONTINUATION

Event #: 150819-2043

Ward	Qty Min	Price/Hour	Fee	Bank	Account #	Deposit time
Barry Gore	30	\$150.00	\$75.00	Bank of America	501014500121	16.17.40
Rennie North	30	\$150.00	\$75.00	Bank of America	501015308115	16.18.06
William Preston	30	\$150.00	\$75.00	Bank of America	501014169944	16.18.33
Elizabeth Indig	30	\$150.00	\$75.00	Bank of America	501014171822	16.19.22
Rudy North	30	\$150.00	\$75.00	Bank of America	501015308128	16.21.13
Lewis Morse	30	\$150.00	\$75.00	Wells Fargo Bank	2818611903	16.28.14
Frank Papapietro	30	\$150.00	\$75.00	Wells Fargo Bank	5678278689	16.29.35
Bryan Kapp	30	\$150.00	\$75.00	Wells Fargo Bank	6357098448	16.30.19
Marilyn Scholl	30	\$150.00	\$75.00	Wells Fargo Bank	2818605277	16.30.41
Herman Mesloh	30	\$150.00	\$75.00	Wells Fargo Bank	6357026530	16.31.08
Delmond Foster	30	\$150.00	\$75.00	Wells Fargo Bank	8227959734	16.32.10
James Poya	30	\$150.00	\$75.00	Wells Fargo Bank	2606860019	16.32.31
Yoshiko Kindaichi	30	\$150.00	\$75.00	Wells Fargo Bank	7559448449	16.32.57
Martha Ornelas	30	\$150.00	\$75.00	Wells Fargo Bank	8357083560	16.34.24
Barbara Klijian	30	\$150.00	\$75.00	Wells Fargo Bank	2606860118	16.35.13
Daniel Currie	30	\$150.00	\$75.00	Wells Fargo Bank	9323564568	16.36.06
Roy Franklin	30	\$150.00	\$75.00	Wells Fargo Bank	5614651304	16.36.26
Total Time	8.5 Hours		\$1,275.00		Total Time	19 Minutes

June 2, 2014

PARKS documented that on June 2, 2014, her staff made deposits into bank accounts of 23 wards, documenting that the activity took 30 minutes per ward at \$150.00 per hour and billing a total of \$1,725.00 to these wards (Exhibit 5). According to the data in PARKS case management system, this activity was performed by SIMMONS. From a review of their bank accounts I identified that 14 wards had accounts at Wells Fargo Bank and 6 wards had accounts at Bank of America. For the purpose of this review I did not factor the remaining 3 wards whose accounts were at other banks such as Chase Bank, US Bank or Citibank.

According to the records of Bank of America, the first deposit made to one of the wards accounts on this date was made at 12.06 PM (Exhibit 5). The last deposit was made at 12.10 PM and all the other deposits were made between these two times. As can be seen, the total time taken to actually complete the deposits was just 4 minutes, while PARKS billed these wards 3 hours for this activity.

According to the records of Wells Fargo Bank, the first deposit made to one of the wards accounts on this date was made at 12.21 PM (Exhibit 5). The last deposit was made at 12.36 PM and all the other deposits were made between these two times. As can be seen, the total time taken to actually complete the deposits was just 15 minutes, while PARKS billed the wards 7 hours for this activity.

From among the documents seized during the service of the search warrant at PARKS office, I was able to locate a number of deposit slips and copies of deposited items for several of these accounts (Exhibit 5).

The total time between the first deposit made at Bank of America and the last deposit made at Wells Fargo Bank, including travel between the two banks was just **30 minutes**. When observed in this way, it becomes clear that the 10 hours billed to these wards to deposit these checks is clearly not reflective of the time actually taken for this activity. While this does not include possible wait time at Bank of America, it clearly does include the wait time at Wells Fargo Bank, since the time between the last deposit made at Bank of America and the first deposit made at Wells Fargo Bank was just 11 minutes, which included travelling between the two banks.

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Ward	Qty Min	Price/Hour	Fee	Bank	Account #	Deposit time
Barry Gore	30	\$150.00	\$75.00	Bank of America	501014500121	12.06.00
Sung Ock Kang	30	\$150.00	\$75.00	Bank of America	501016347573	12.06.51
William Preston	30	\$150.00	\$75.00	Bank of America	501014169944	12.08.01
Lucienne Lambert	30	\$150.00	\$75.00	Bank of America	501016347544	12.09.24
Carl Pardy	30	\$150.00	\$75.00	Bank of America	501016347560	12.09.56
Joseph McCue	30	\$150.00	\$75.00	Bank of America	501016347557	12.10.18
Marilyn Scholl	30	\$150.00	\$75.00	Wells Fargo Bank	2818605277	12.21.42
Yoshiko Kindaichi	30	\$150.00	\$75.00	Wells Fargo Bank	7559448449	12.24
Norbert Wilkening	30	\$150.00	\$75.00	Wells Fargo Bank	8838719832	12.25.57
Michael Coombs	30	\$150.00	\$75.00	Wells Fargo Bank	6640909989	12.26.43
Patricia Zearfoss	30	\$150.00	\$75.00	Wells Fargo Bank	6640910003	12.29
Kenneth Edwards	30	\$150.00	\$75.00	Wells Fargo Bank	3790232692	12.31.11
Perry Wolf	30	\$150.00	\$75.00	Wells Fargo Bank	1641066665	12.32.06
Richard Turner	30	\$150.00	\$75.00	Wells Fargo Bank	3357104474	12.33
William Vlick	30	\$150.00	\$75.00	Wells Fargo Bank	8640978758	12.34
Edward Zavattian	30	\$150.00	\$75.00	Wells Fargo Bank	5641124556	12.35
John Mihalik	30	\$150.00	\$75.00	Wells Fargo Bank	3641067966	12.36
Eric Bonin	30	\$150.00	\$75.00	Wells Fargo Bank	2818256097	12.36.24
Sam Donitz	30	\$150.00	\$75.00	Wells Fargo Bank	5638798214	
Bruce Basden	30	\$150.00	\$75.00	Wells Fargo Bank	1357201654	
Total Time	10 Hours		\$1,500.00		Total Time	30 Minutes

August 4, 2014

PARKS documented that on August 4, 2014, her staff made deposits into bank accounts of 26 wards, documenting that the activity took 30 minutes per ward at \$150.00 per hour and billing a total of \$1,950.00 to these wards (Exhibit 6). According to the data in PARKS case management system, this activity was performed by SIMMONS. From a review of their bank accounts I identified that 17 wards had accounts at Wells Fargo Bank and 7 wards had accounts at Bank of America. For the purpose of this review I did not factor the remaining 2 wards whose accounts were at other banks such as Chase Bank, US Bank or Citibank.

According to the records of Wells Fargo Bank, the first deposit made to one of the wards accounts on this date was made at 2.58 PM (Exhibit 6). The last deposit was made at 3.08 PM and all the other deposits were made between these two times. As can be seen, the total time taken to actually complete the deposits was just 10 minutes, while PARKS billed the wards 8.5 hours for this activity.

According to the records of Bank of America, the first deposit made to one of the wards accounts on this date was made at 3.17 PM (Exhibit 6). The last deposit was made at 3.21 PM and all the other deposits were made between these two times. As can be seen, the total time taken to actually complete the deposits was just 4 minutes, while PARKS billed these wards 3.5 hours for this activity.

From among the documents seized during the service of the search warrant at PARKS office, I was able to locate a number of deposit slips and copies of deposited items for several of these accounts (Exhibit 6).

The total time between the first deposit made at Wells Fargo Bank and the last deposit made at Bank of America, including travel between the two banks was just **23 minutes**. When observed in this way, it becomes clear that the 12 hours billed to these wards to deposit these checks is clearly not reflective of the time actually taken for this activity. While this does not include possible wait time at Wells Fargo Bank, it clearly does include the wait time at Bank

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
CONTINUATION**

Event #: **150819-2043**

of America, since the time between the last deposit made at Wells Fargo Bank and the first deposit made at Bank of America was just 9 minutes, which included travelling between the two banks.

Ward	Qty Min	Price/Hour	Fee	Bank	Account #	Deposit time
Maria Zuniga-Gutierrez	30	\$150.00	\$75.00	Wells Fargo Bank	5641124549	14.58.26
Norbert Wilkening	30	\$150.00	\$75.00	Wells Fargo Bank	8838719832	15.00.21
John Mihalik	30	\$150.00	\$75.00	Wells Fargo Bank	3641067966	15.00.53
William Vlick	30	\$150.00	\$75.00	Wells Fargo Bank	8640978758	15.01.22
Patricia Zearfoss	30	\$150.00	\$75.00	Wells Fargo Bank	6640910003	15.01.56
Michael Coombs	30	\$150.00	\$75.00	Wells Fargo Bank	6640909989	15.02.26
Edward Zavattian	30	\$150.00	\$75.00	Wells Fargo Bank	5641124556	15.02.58
William McCall	30	\$150.00	\$75.00	Wells Fargo Bank	1641103278	15.03.31
Velma Hartl	30	\$150.00	\$75.00	Wells Fargo Bank	7641006957	15.03.58
Richard Turner	30	\$150.00	\$75.00	Wells Fargo Bank	3357104474	15.04.26
Rex Lyons	30	\$150.00	\$75.00	Wells Fargo Bank	7389925269	15.04.55
Kenneth Edwards,	30	\$150.00	\$75.00	Wells Fargo Bank	3790232692	15.05.31
James Poya	30	\$150.00	\$75.00	Wells Fargo Bank	2606860019	15.06.01
Ronald Hawkes	30	\$150.00	\$75.00	Wells Fargo Bank	6641053720	15.06.30
Perry Wolf	30	\$150.00	\$75.00	Wells Fargo Bank	1641066665	15.07.03
Marilyn Scholl	30	\$150.00	\$75.00	Wells Fargo Bank	2818605277	15.07.39
Yoshiko Kindaichi	30	\$150.00	\$75.00	Wells Fargo Bank	7559448449	15.08.24
Barry Gore	30	\$150.00	\$75.00	Bank of America	501014500121	15.17.39
Sung Ock Kang	30	\$150.00	\$75.00	Bank of America	501016347573	15.18.16
Carol Lind	30	\$150.00	\$75.00	Bank of America	501017780582	15.18.51
Lucienne Lambert	30	\$150.00	\$75.00	Bank of America	501016347544	15.19.25
Joseph McCue	30	\$150.00	\$75.00	Bank of America	501016347557	15.20.13
Carl Pardy	30	\$150.00	\$75.00	Bank of America	501016347560	15.20.50
William Preston	30	\$150.00	\$75.00	Bank of America	501014169944	15.21.21
Total Time	10 Hours		\$1,800.00		Total Time	23 Minutes

November 3, 2014

PARKS documented that on November 3, 2014, her staff made deposits into bank accounts of 17 wards, documenting that the activity took 30 minutes per ward at \$150.00 per hour and billing a total of \$1,275.00 to these wards (Exhibit 7). According to the data in PARKS case management system, this activity was performed by SIMMONS. From a review of their bank accounts I identified that 12 wards had accounts at Wells Fargo Bank and 5 wards had accounts at Bank of America.

According to the records of Wells Fargo Bank, the first deposit made to one of the wards accounts on this date was made at 13.43 PM (Exhibit 7). The last deposit was made at 13.50 PM and all the other deposits were made between these two times. As can be seen, the total time taken to actually complete the deposits was just 7 minutes, while PARKS billed the wards 6 hours for this activity.

According to the records of Bank of America, the first deposit made to one of the wards accounts on this date was made at 2.36 PM (Exhibit 7). The last deposit was made at 2.38 PM and all the other deposits were made between these two times. As can be seen, the total time taken to actually complete the deposits was just 2 minutes, while PARKS billed these wards 5.5 hours for this activity.

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
CONTINUATION

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From among the documents seized during the service of the search warrant at PARKS office, I was able to locate a number of deposit slips and copies of deposited items for several of these accounts (Exhibit 7).

The total time between the first deposit made at Wells Fargo Bank and the last deposit made at Bank of America, including travel between the two banks was just **55 minutes**. When observed in this way, it becomes clear that the 8.5 hours billed to these wards to deposit these checks is clearly not reflective of the time actually taken for this activity. While this does not include possible wait time at Wells Fargo Bank, it clearly does include the wait time at Bank of America, since the time between the last deposit made at Wells Fargo Bank and the first deposit made at Bank of America was just 46 minutes, which included travelling between the two banks.

Ward	Qty Min	Price/Hour	Fee	Bank	Account #	Deposit time
Edward Atherton	30	\$150.00	\$75.00	Wells Fargo Bank	1641066673	13.43
Marilyn Scholl	30	\$150.00	\$75.00	Wells Fargo Bank	2818605277	13.44
Ronald Hawkes	30	\$150.00	\$75.00	Wells Fargo Bank	6641053720	13.45
Blanca Ginorio	30	\$150.00	\$75.00	Wells Fargo Bank	7390140676	13.46
William Vlick	30	\$150.00	\$75.00	Wells Fargo Bank	8640978758	13.46
William McCall	30	\$150.00	\$75.00	Wells Fargo Bank	1641103278	13.47
Richard Turner	30	\$150.00	\$75.00	Wells Fargo Bank	3357104474	13.47
James Poya	30	\$150.00	\$75.00	Wells Fargo Bank	2606860019	13.48.10
Rex Lyons	30	\$150.00	\$75.00	Wells Fargo Bank	7389925269	13.48.37
Kenneth Edwards	30	\$150.00	\$75.00	Wells Fargo Bank	3790232692	13.49.13
Marlene Homer	30	\$150.00	\$75.00	Wells Fargo Bank	7041558821	13.50
Charles Maddera	30	\$150.00	\$75.00	Wells Fargo Bank	2819374352	13.50.22
Total Time						7 Minutes
William Preston	30	\$150.00	\$75.00	Bank of America	501014169944	14.36.09
Joseph McCue	30	\$150.00	\$75.00	Bank of America	501016347557	14.36.46
Phyllis Moskowitz-Crowe	30	\$150.00	\$75.00	Bank of America	501018012000	14.37.17
Carolyn Rickenbaugh	30	\$150.00	\$75.00	Bank of America	501017912570	14.37.48
Barry Gore	30	\$150.00	\$75.00	Bank of America	501014500121	14.38.26
Total Time	10 Hours		\$1,275.00	Total Time		2 Minutes

From this detailed review of these four dates, it is clear that the actual time taken to make the deposits in the ward's accounts is a matter of seconds per ward and just a few minutes for all the deposits to be made in a single day; not the 8, 10 or even 13 hours that PARKS and her staff documented the activity took. While making a deposit to a ward bank account involves more than simply travelling to the bank and making the deposit, I noted that PARKS charges monthly flat fees to her wards for administrative and bill payment services. Much of the other activity that might be part of preparing to make a bank deposit is already billed to the ward through these monthly flat fees.

In the guardianship cases of Marie Long (G-12-037438-A) (Exhibit 8) and Rudy North (G-13-039133-A) (Exhibit 8), in response to challenges to the monthly flat fees charged by PARKS, PARKS filed explanations of what was included in the 2 hours of monthly flat fees she was charging to each ward:

"Balance ESTATE MANAGEMENT SYSTEM with bank (10min)"

"Review mail that comes into office, file in proper section of Ward's file (15min)"

"Should the tasks require more time than the minimum allotted time, the Guardianship is not billed for the excess time to complete the tasks."

This statement, made by PARKS in court petitions, shows that the activity of receiving mail, opening the mail and examining the contents, including locating ward income checks, is already billed as part of a flat monthly fee. Also, the maintenance of the wards accounting and balancing the wards bank accounts is also included as part of this flat monthly

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fee. As such, wards are already billed for the time taken to perform these functions as part of the flat fee. Performing a bank deposit would, therefore, simply consist of completing a deposit slip with the amount of the check and bank account number, traveling to one of several banks that are just 5 minutes from the APPG office and waiting to deposit the checks to each account, one after the other; which we can see takes just a few minutes for all deposits.

During the interview of Angelica Sanchez (SANCHEZ), SANCHEZ stated that during the time she was employed by PARKS, she would occasionally go to the bank and deposit checks into ward accounts at the request of SIMMONS. When she would perform this function, she was instructed to document 10 or 15 minutes per ward for depositing checks to their accounts. SANCHEZ stated that prior to the case management system, she would document her time in emails and on Word documents that she would send or give to SIMMONS.

Located within the documents seized from PARKS during the service of the search warrant were copies of word documents and printouts of calendar dated entries that detailed banking deposits for numerous wards' (Exhibits 9). These documents corroborated the statement of SANCHEZ, showing that in 2010 and early 2011, the time taken to deposit checks into ward's bank account varied from 5 minutes to 15 minutes, but was **not** consistently documented at 30 minutes per ward, as PARKS subsequently chose to bill.

I also noted that the exploitative scheme of double-billing multiple wards for the entire duration of a single activity that provided some benefit to an individual ward (as documented in the main Double-Billing report) was evident in the billing for banking activity as early as 2010. Word documents completed by SANCHEZ dated July 2010 – October 2010, showed that SANCHEZ documented travelling to Bank of America, Wells Fargo Bank and US Bank and depositing money into multiple wards' accounts (Exhibit 9). The activity was divided into travel time and deposit time and reflected that travel time took between 10 minutes and 20 minutes. The invoice for fees that PARKS subsequently submitted to the court these wards showed that this travel time was billed to multiple wards in the same double-billing pattern for other activities that benefitted multiple wards, such as ward visits, shopping and court trips.

A further review of the fees billed by PARKS for depositing checks to wards accounts showed that towards the end of 2015, after the service of the search warrant and PARKS becoming aware of the investigation, the amount of time documented for this activity in the case management system and ultimately submitted to the court, dropped from 30 minutes per deposit per ward to just 10 or 15 minutes (Exhibit 1).

This evidence shows that depositing checks to ward account took just a few minutes prior to 2011 and again took just a few minutes in late 2015, yet between 2011 and 2015, this activity apparently increased in time to 30 minutes for every deposit, costing every ward for whom the activity was performed \$60.00 to \$75.00 per deposit for apparent reason.

In the guardianship case of Frank Papapietro (G-12-037226-A), PARKS was challenged on several issues related to the fees she charged to Papapietro, including charging 30 minutes to deposit a check into Papapietro's bank account. On July 17, 2015, PARKS filed, Pro Se, a response to this challenge in which she stated (Exhibit 10):

"Banking is more than just going to the bank. It requires a bank slip to be completed, documentation to keep track of the wards' funds, drive time, standing in line at the bank and balancing the account." (Page 3 Line 1 – 3)

"However, Counsel must realize that an invoice is also testimony to the work that was done during the guardianship" (Page 3 line 22 – 23)

This response shows that PARKS was **not** claiming a flat fee for conducting this activity (30 minutes); rather she was billing 30 minutes for each deposit because she was claiming that each deposit actually took her or her staff at least 30 minutes to perform. As documented above, this claim is clearly false.

Further evidence that supports that this billing practice was a deliberately exploitative activity intended to enrich PARKS at the expense of her wards can be found in another disputed guardianship matter. On February 4, 2015,

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in response to an objection to the fees that PARKS was charging to Norbert Wilkening (G-13-038438-A), PARKS filed, under penalty of perjury, a petition and supporting affidavit, through her attorney Aileen Cohen of Phillip Hack & Associates, in which she stated in pertinent part (Exhibit 11):

"I make every effort to coordinate visits to the wards in my care in order to minimize travel costs to the wards' estates"

While PARKS stated in this sworn affidavit that she coordinates ward visits to minimize costs, which would match the pattern of depositing checks to each wards accounts at the same time to minimize costs, she does not address that she then charges an excessive amount of time for completing that activity to each and every ward who benefits and how that pattern minimizes costs.

On September 4, 2015, PARKS was deposed in this same matter by Laura Deeter Esq. of Ghandi Deeter Law Offices. Also present at this deposition was Amy Wilkening, daughter of Norbert Wilkening. The deposition was transcribed by Jackie Jennelle, Certified Court Reporter with Litigation Services (Extract provided as Exhibit 11 – full deposition provided as Exhibit 160 in Main Report 2 of 2) PARKS stated in this deposition that she billed wards for the exact time an activity took (Page 15 line 12 – 18). This answer was clearly false, as the evidence shows PARKS rounded-up her billing and applied it to multiple wards, regardless of the actual time an activity took:

Q. And in what increments do they bill out?

A. We bill out in -- let me think.

Q. Is it a .1, a minimum?

A. We just do it by the minute. So it's if ten minutes, it's ten minutes. If it's seven minutes, it's seven minutes. If it's 15 minutes, it's 15 minutes.

Also relevant to this issue, the APPG Policy and Procedure Manual located during the service of the search warrant contained the following language (Exhibit 12):

"...we only get paid for documented work, billing out at 1/10 increments at \$120 an hour.... It is the policy of APPG to document all work done and to ensure accuracy in billing to provide the best and most economical service for our clients."

"Much of what we document in EMS gets printed on invoices which eventual get sent to the courts and are then public record...."

The language in this policy manual clearly shows that PARKS requires all her staff to document their activities in the case management system and in doing so, intends that this documented activity form the basis of the invoices she will submit to court as proof of the fees she is paying herself from her ward's funds.

During the service of the search warrant at PARKS offices, a five page document was located that appeared to be a letter of introduction or solicitation for work prepared by PARKS for a potential referral source (Exhibit 13). On the fourth page of this letter, under the heading **APPG RATES**, PARKS documented that she always uses the "lowest rate employee appropriate for the situation".

In reviewing the fees charged for depositing checks to wards accounts, I noted that the hourly rate PARKS charged for this activity varied. In many cases, PARKS charged \$120.00 per hour for this activity, particularly when performed by SANCHEZ. On multiple occasions, PARKS charged either \$150.00 per hour or even \$170.00 per hour for the exact same activity. In some case SIMMONS documented that he performed the activity and charged \$120.00 per hour and in other cases he documented \$150.00 for the exact same activity. Clearly, PARKS claim that she used the lowest rate employee appropriate for the situation was not true.

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During the service of the search warrant at PARKS offices, a two page document was located that appeared to be a set of rules that PARKS required co-guardians to read and acknowledge regarding the role of a Private Professional Guardian (Exhibit 14).

- Item 2 on this list stated that *"All banking is done during the first 5 business days of the month. Any banking that arrives after the 5th business day will be held until the following month, unless postponing the banking will result in undo [sic] financial hardship to the ward."*
- Item 6 stated that *"Requesting A Private Professional Guardian to run errands, or to complete tasks for the ward that could be completed by family or co-guardian can create a financial burden to the ward and may be declined."*

Clearly PARKS understands the concept that performing unnecessary tasks for a ward creates fees and costs to the ward. She also acknowledges that she will only bank the wards funds once per month unless necessary. Despite these claims, I noted that in many months, PARKS charged fees to the same wards for going to the bank multiple times, instead of once per month. Just a few examples of this include:

- December 9, 2012, and December 30, 2012, PARKS made deposits into the accounts of William Arnold, Larry Coble, Harry McCann, Ilse Mitte and James Poya; charging each of them \$60.00 per time
- May 5, 2012 and May 10, 2012, PARKS made deposits into the account of Harold Lockwood; charging him \$60.00 per time
- June 4, 2012, and June 15, 2012, PARKS made deposits into the account of William Arnold; charging him \$60.00 per time
- July 3, 2012, July 12, 2012 and July 25, 2012, PARKS made deposits into the accounts of William Arnold, Daniel Currie, Marlene Homer, Harold Lockwood, and Harry McCann; charging him \$60.00 per time
- This pattern of going to the bank multiple times per month for individual wards continued through 2013, 2014, and 2015, with the ward being billed \$60.00 or \$75.00 each time a deposit was made to the wards account.

I also noted, when examining the checks that were being deposited to each wards accounts, the checks being deposited were frequently from Social Security Administration, other government pensions, and private pension schemes. This is of note because all of these income sources are regular monthly income and in all cases it is simple and easy to arrange for the funds to be direct-deposited to the wards bank account. In fact, a review of PARKS activity and several ward accounts identified that PARKS frequently arranged for direct deposit of ward income, eliminating the need to run to the bank every month to deposit these checks (Exhibit 15). As such, in many cases there was absolutely no need for PARKS to be performing this "Travel to Bank; Make Deposit" activity in the first place. The decision to continue to deposit checks when direct deposit was available was beneficial only to PARKS, who earned additional, inflated fees for continuing to perform this unnecessary task.

As noted in the main reports in this case, in addition to PARKS own acknowledgement that performing unnecessary tasks creates a financial burden on the ward, the NGA Standards of Practice and NRS create a duty on the guardian to act in the best interest of the ward and preserve the estate of the ward; something that clearly is not being adhered to in this exploitative pattern of billing.

The records maintained by PARKS and her billing patterns reveal that the process of depositing a check to a wards account took less than 30 minutes in 2010 and 2011 and again went back down to just 10 minutes in late 2015 onwards; yet between 2011 and 2015, PARKS consistently charged her wards \$60.00 or \$75.00 each time she deposited a check to a ward account. When challenged about the time she was invoicing for this activity, PARKS claimed that this process actually took 30 minutes to complete for each ward, suggesting that her staff spent up to 13 hours to complete this activity on a single day. The evidence documented in the report clearly shows that it did not take 30 minutes to deposit each check to a ward's bank account, including the time taken to complete the deposit slip, drive to the bank and complete the deposit. As such, when SIMMONS documented this fees in the case

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management system, knowing that this cost had not been incurred and that the cost would be charged to each ward, and when PARKS took fees for this activity and justified those fees by submitting invoices to the court, PARKS and SIMMONS knowingly exploited/embezzled funds from these vulnerable seniors.

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Payment of Fees

I reviewed the accountings filed by PARKS in each case in which she billed a ward for a 30 minute bank deposit on the four dates shown above to determine if PARKS paid herself fees incurred in this excessively billed banking activity. I also reviewed the deposits made to the APPG business bank account (details in main report) to confirm that payments made from ward accounts were deposited to the APPG bank account for these fees.

I noted that PARKS normal business practice in regard to paying her own fees was, at the end of each month or the start of the following month, to print out a list of activities performed in the preceding month for each ward (monthly invoice) and then cut a check from the wards funds to herself or her business for the amount of fees showing as owed. Essentially PARKS was paying herself at the end of each month for work claimed to have been performed the preceding month. This was evident from the pattern of checks drawn on wards account and deposited to the APPG business account at the start of each month. I also located multiple examples of the checks stapled to the printout of the preceding month's activity further confirming that this was PARKS standard practice.

In those cases where the ward had insufficient funds for PARKS to pay her fees at the end of each month, I noted that there would frequently be larger payments some months later when funds became available that would incorporate all or some of the accrued fees owed to date.

I identified all the payments PARKS made to herself following the date of each of the "Travel to Bank, Make Deposit" activities examined and verified through the deposits to the APPG bank account that PARKS received payment for the bank deposit activities identified. I noted that with the exception of Elizabeth Indig, Perry Wolf, Carol Lind, and Carl Pardy, PARKS paid herself fees for the excessively billed banking activity documented on these four dates. Accordingly, PARKS exploited fees from her wards as follows:

March 1, 2014

NAME	Ward Date of Birth	Date Accounting submitted to court	Date Parks took fees after activity
Barry Gore	12/16/1943	11/14/2014	04/07/2014
Rennie North	12/03/1938	05/08/2015	04/07/2014
William Preston	04/30/1950	No Accounting filed	04/07/2014
Rudy North	07/29/1936	05/08/2015	04/07/2014
Lewis Morse	04/24/1939	11/14/2014	06/03/2014
Frank Papapietro	06/14/1939	07/04/2014	04/07/2014
Marilyn Scholl	12/15/1934	11/14/2014	04/07/2014
Herman Mesloh	05/04/1944	06/19/2015	04/07/2014
Delmond Foster	08/11/1930	01/09/2015	04/07/2014
James Poya	06/25/1948	12/18/2014	04/07/2014
Yoshiko Kindaichi	01/03/1935	11/22/2015	04/07/2014
Martha Ornelas	01/30/1948	03/03/2015	04/07/2014
Barbara Klijian	01/18/1935	05/28/2014	06/16/2014
Bryan Kapp	07/29/1957	03/13/2014	05/05/2014
Daniel Currie	06/27/1935	04/28/2015	04/07/2014
Roy Franklin	06/27/1925	08/20/2014	04/07/2014
TOTAL FEES TAKEN			\$1,200.00

PARKS invoiced each ward 30 minutes for depositing checks to their ward bank accounts, a task that, based on the evidence outlined in this report, did not take 30 minutes to complete. When challenged on this billing practice in

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the case of Frank Papapietro, PARKS claimed that, in fact, the time needed to perform this activity was 30 minutes and that she was owed fees for that amount of time. This claim was clearly false. PARKS then abused her authority and control as the guardian of each ward by taking fees from the money belonging to each ward for performing activities that were not perform to the duration claimed.

June 2, 2014

NAME	Ward Date of Birth	Date Accounting submitted to court	Date Parks took fees after activity
Barry Gore	12/16/1943	11/14/2014	07/03/2014
Sung Ock Kang	01/10/1934	02/20/2015	07/03/2014
William Preston	04/30/1950	No Accounting Filed	07/03/2014
Lucienne Lambert	02/02/1923	03/31/2015	11/04/2014
Joseph McCue	09/09/1939	03/31/2015	08/05/2014
Yoshiko Kindaichi	01/03/1935	11/22/2015	07/03/2014
Patricia Zearfoss	07/28/1947	11/21/2014	08/05/2014
Richard Turner	03/10/1929	02/26/2015	03/03/2015
William Vlick	12/05/1927	05/13/2016	07/16/2014
Edward Zavatjian	06/03/1951	03/31/2015	11/19/2014
John Mihalik	11/10/1930	01/21/2015	07/03/2014
Bruce Basden	05/15/1946	01/21/2015	07/03/2014
Eric Bonin	05/16/1926	03/09/2015	07/03/2014
Michael Coombs	08/22/1950	03/26/2015	07/03/2014
Sam Donitz	03/22/1926	07/16/2014	08/03/2014
Kenneth Edwards	12/04/1944	01/21/2015	07/03/2014
Marilyn Scholl	08/19/1930	11/14/2014	07/03/2014
Norbert Wilkening	01/09/1932	12/02/2014	07/03/2014
TOTAL FEES TAKEN			\$1,350.00

PARKS invoiced each ward 30 minutes for depositing checks to their ward bank accounts, a task that, based on the evidence outlined in this report, did not take 30 minutes to complete. When challenged on this billing practice in the case of Frank Papapietro, PARKS claimed that, in fact, the time needed to perform this activity was 30 minutes and that she was owed fees for that amount of time. This claim was clearly false. PARKS then abused her authority and control as the guardian of each ward by taking fees from the money belonging to each ward for performing activities that were not perform to the duration claimed.

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August 4, 2014

NAME	Ward	Date of Birth	Date Accounting submitted to court	Date Parks took fees after activity
Maria Zuniga-Gutierrez		01/01/1935	01/21/2015	01/05/2015
Norbert Wilkening		01/09/1932	12/02/2014	09/04/2014
John Mihalik		11/10/1930	01/21/2015	09/04/2014
William Vlick		12/05/1927	05/13/2016	01/15/2015
Patricia Zearfoss		07/28/1947	11/21/2014	09/04/2014
Michael Coombs		08/22/1950	03/26/2015	09/03/2015
Edward Zavattian		06/03/1951	03/31/2015	11/19/2014
William McCall		07/03/1973	02/26/2015	09/17/2014
Velma Hartl		12/02/1939	11/11/2015	09/04/2014
Richard Turner		03/10/1929	02/26/2015	03/03/2015
Rex Lyons		03/28/1925	07/07/2015	09/04/2014
Kenneth Edwards,		12/04/1944	01/21/2015	09/04/2014
James Poya		06/25/1948	12/18/2014	09/04/2014
Ronald Hawkes		01/23/1936	03/31/2015	10/03/2014
Marilyn Scholl		08/19/1930	11/14/2014	09/04/2014
Yoshiko Kindaichi		01/03/1935	11/22/2015	09/04/2014
Barry Gore		12/16/1943	08/05/2015	09/04/2014
Sung Ock Kang		01/10/1934	02/20/2015	09/04/2014
Lucienne Lambert		02/02/1923	03/31/2015	11/04/2014
Joseph McCue		09/09/1939	03/31/2015	11/04/2014
William Preston		04/30/1950	No Accounting Filed	10/03/2014
TOTAL FEES TAKEN				\$1,575.00

PARKS invoiced each ward 30 minutes for depositing checks to their ward bank accounts, a task that, based on the evidence outlined in this report, did not take 30 minutes to complete. When challenged on this billing practice in the case of Frank Papapietro, PARKS claimed that, in fact, the time needed to perform this activity was 30 minutes and that she was owed fees for that amount of time. This claim was clearly false. PARKS then abused her authority and control as the guardian of each ward by taking fees from the money belonging to each ward for performing activities that were not perform to the duration claimed.

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November 3, 2014

NAME	Ward Date of Birth	Date Accounting submitted to court	Date Parks took fees after activity
Edward Atherton	07/16/1935	07/24/2015	01/05/2015
Marilyn Scholl	08/19/1930	08/31/2015	12/03/2014
Ronald Hawkes	01/23/1936	03/31/2015	12/18/2014
Blanca Ginorio	05/04/1923	03/15/2016	01/05/2015
William Vlick	12/05/1927	05/13/2016	01/05/2015
William McCall	07/03/1973	02/26/2015	12/08/2014
Richard Turner	03/10/1929	02/26/2015	03/03/2015
Marlene Homer	06/06/1939	02/20/2016	09/03/2015
Kenneth Edwards	12/04/1944	01/21/2015	12/03/2014
Rex Lyons	03/28/1925	07/07/2015	12/08/2014
Charles Maddera	07/18/1935	03/26/2015	12/03/2014
James Poya	06/25/1948	12/18/2014	12/03/2014
William Preston	04/30/1950	No Accounting Filed	07/03/2015
Joseph McCue	09/09/1939	03/31/2015	01/20/2015
Phyllis Moskowitz-Crowe	02/27/1938	08/06/2015	12/08/2014
Carolyn Rickenbaugh	12/28/1942	03/15/2016	12/03/2014
Barry Gore	12/16/1943	08/05/2015	12/03/2014
TOTAL FEES TAKEN			\$1,275.00

PARKS invoiced each ward 30 minutes for depositing checks to their ward bank accounts, a task that, based on the evidence outlined in this report, did not take 30 minutes to complete. When challenged on this billing practice in the case of Frank Papapietro, PARKS claimed that, in fact, the time needed to perform this activity was 30 minutes and that she was owed fees for that amount of time. This claim was clearly false. PARKS then abused her authority and control as the guardian of each ward by taking fees from the money belonging to each ward for performing activities that were not perform to the duration claimed.

ALL BANK DEPOSITS

The four dates examined in this report are reflective of the pattern of billing across all wards for all "Travel to Bank; Make Deposit" activity documented in the case management system as occurring between November 10, 2011, and July 31, 2015. These activities were ultimately billed to the wards in the form of accountings filed by PARKS in each case.

As noted in the main reports, PARKS paid herself fees from the wards fund for the activities she claimed to have performed. These fees were taken on an ongoing basis where the wards had funds from which PARKS could pay herself.

I reviewed the accountings filed by PARKS in each case in which she billed a ward for a 30 minute bank deposit (as shown in exhibit 1) to determine if PARKS paid herself fees incurred in this excessively billed banking activity. I also reviewed the deposits made to the APPG business bank account (details in main report) to confirm that payments were made from ward accounts to APPG for these fees.

There were a total of 146 wards for whom these bank deposits were documented in PARKS case management system as having been performed in this fashion. I examined the accounting and invoices actually filed with the court in all 146 of these cases and noted that the activity documented in the case management system was included in these invoices and submitted to the court as evidence of activity performed for each ward and fees owed for those activities.

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Where the "Travel to Bank; Make Deposit" was not included in an invoice or billed to a ward, I removed that from the total.

According to the accountings filed in these cases and the deposits made to the AGGP bank account, PARKS did not receive fees from 16 of these wards. From another 6 of these wards, PARKS received payments for most of the bank deposits SIMMONS documented in the case management system. For the other 124 wards, PARKS received payment for all of this activity. The total fees PARKS received from these wards for this activity was \$67,775.70 (Exhibit 16).

According to the bank deposits, all of the payments taken from these 130 wards for the "Travel to Bank; Make Deposit" activity were taken between February 1, 2012, and October 7, 2015 (Exhibit 17).

All of the victims exploited in this way were either over the age of 60 years, as shown in the attached chart (Exhibit 18) or were vulnerable adults, as defined in NRS 200.5092 (8). In each case PARKS was the guardian of each person and their guardianship was based on the ward being deemed incompetent to handle their affairs or of limited capacity per NRS 159.019 and NRS 159.022.

Between February 1, 2012, and October 7, 2015, through the use of her guardianship over 130 elderly or vulnerable persons, April Parks and Mark Simmons converted \$67,775.70, belonging to those persons with the intention of permanently depriving them of the ownership, use, benefit or possession of said funds contrary to NRS 200.5099 (3) (b), a category B felony.

Between February 1, 2012, and October 7, 2015, through the use of her guardianship over 130 elderly or vulnerable persons, April Parks and Mark Simmons, without lawful authority, knowingly converted \$67,775.70, belonging to those wards and entrusted to Parks for a limited use, namely to manage for the benefit of each ward, contrary to NRS 205.0832 (b) Actions which constitute Theft, a category B felony.

Exhibit 3

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
OFFICER'S REPORT

Event #: 150819-2043

Billing Fraud/Theft – TAYLOR Court Scheme

SUBJECT

DIVISION REPORTING: <u>HSD</u>	DIVISION OF OCCURRENCE: <u>HSD</u>
DATE & TIME OCCURRED: <u>May 2, 2012 and October 7, 2015</u>	LOCATION OF OCCURRENCE: <u>Jurisdiction of Clark County, NV</u>

INVESTIGATION:

This investigation into April PARKS (PARKS) and the operation of her guardianship business, A Private Professional Guardian, LLC, (APPG) identified that PARKS exploited the elderly and vulnerable adults over whom she had guardianship through the use of several variations of an Inflated Invoicing/Billing scheme. These schemes can be broadly described as duplicate billing, double-billing, and "padding" the bill through the provision of unnecessary services.

Generally, false billing schemes of this nature involve a person or business making claims for payment for goods or services where the goods or services were either not provided at all; provided to a lesser degree than claimed; or were provided, but were unnecessary and the recipient of the goods or services was unaware of the lack of necessity. In the latter instance, the provision of the goods or services is chiefly engaged in for the purpose of generating additional fees/payments which benefit the provider, regardless of the recipient's need for the goods/services.

In this case, PARKS occupied a unique position, in that, as guardian, she was the decider of whether a service was necessary, the decider of how that service would be provided and by whom, the decider of how much would be paid for the service; and where she was the provider, she also decided how much should be charged for the service and ultimately she was the beneficiary of payments made for services she provided. Unlike most transactions, where there are at least two parties to the transaction, usually including a purchaser of service and a seller of service, PARKS occupied all positions within these transactions and had absolute discretion regarding all aspects of the transactions.

In addition, due to the vulnerable nature of the wards over whom PARKS had guardianship, their inability to manage their own financial affairs, their lack of access to information concerning their financial affairs, and in many cases, their complete inability to comprehend what was occurring, PARKS could engage in these billing practices unimpeded.

COURT TRIP OVER-BILLING SCHEME

During the course of this investigation, investigators located a contract between A Private Professional Guardian, LLC and SEM Applications, Inc. This contract showed that SEM Applications, Inc. provided PARKS with web-based case management software through which she was able to manage her ward's affairs and document her activities and billing for each ward. On October 13, 2015, a Grand Jury subpoena was issued to SEM Applications, Inc. to obtain documents contained in the system pertaining to PARKS and her management of her clients.

Date and Time of Report: 11/01/2016 Officer: Jaclyn O'Malley P#: 089

Approved By: _____ Officer: Colin Haynes P#: 6160

SIGNATURE: _____

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On October 27, 2015, Stanley Meng (MENG), owner of SEM Applications, Inc. provided documents responsive to this subpoena. Among the documents produced by MENG were spreadsheets containing the data extracted from this case management system. The first, titled "**Time and Expense**" contained the daily activities documented by PARKS and her staff showing what service was provided for each ward, including the date of service, description of service, categorizing the service, duration of service, bill rate for the service, total cost of the service, name of staff member providing the service or documenting the service and the date the entry was made into to system and the date the entry was last modified. The second spreadsheet, titled "**Case Notes**" contained the case notes that PARKS and her staff made for each ward, providing more details of the activities.

MENG confirmed that TAYLOR was assigned his own log-in identification that enabled him to log into the EMS system and make entries. MENG also confirmed that the system defaulted to identifying the logged in user as the "Staff Name", unless this was manually changed by the user to identify another staff member.

A comparison of the information entered into the Time and Expense and Case Notes component of this case management system against the accounting reports submitted by PARKS to the court revealed that the Invoices submitted by PARKS as exhibits to her accountings were prepared using the information in the Time and Expense data. A review of the EMS Online Manual revealed the instructions for how PARKS would create her Invoices by selecting certain items from within the system to create the invoice the way she wanted it to appear. For this reason, the data contained in this spreadsheets provided by MENG has been used throughout this investigation to identify the activities performed by PARKS and her staff. Where this has revealed information relevant to this investigation, the data was compared to the actual documents filed by PARKS in each case to verify the accuracy of the information in the spreadsheets and confirm that the same information was submitted to the court.

A linear review of the billing pattern across PARKS' wards identified multiple days on which PARKS billed her wards several hours at a time in varying amounts for activities documented in the Time & Expense section of the Case Management database as "**File Court Documents**", "**File Paperwork for Ward**", "**Pick up paperwork for Ward**", "**Certify letters and orders for Ward**" (Exhibit 1). According to the data in PARKS case management system, PARKS documented over 849 hours spent on these court activities, spread across 141 dates between 03/07/2012 and 09/30/2015 and affecting 143 of her wards. The total fees documented due to the performance of these activities were \$98,167.40.

I noted that on all dates, PARKS logged the same documented activity for multiple wards, sometimes as many as 6 or 7 wards per day; billing each ward an identical or similar amount of time and money for the activity. I also noted that on some dates this level of activity resulted in PARKS documenting that her staff were at court for as many as 18 hours, 19 hours, 20 hours, 24 hours, and even 31 hours on one date. Given that the family court is only open to the public from 09.00 to 16.00, 7 hours per day, even with travel to the court, documenting that her staff was at court dropping off or picking up documents for this length of time in a single day is clearly impossible.

I examined the case notes contained within the case management system for these same wards and dates/activities and located case notes describing the activity in slightly more detail for many of the entries (Exhibit 2). The case notes further described the actual activity performed as dropping off paperwork, collecting paperwork, obtaining court dates from the master calendar, and getting certified copies of filed documents and orders.

Most of these entries made in the case management system appeared to have been made by Gary Neal TAYLOR (TAYLOR), PARKS boyfriend/husband, or were made by someone else, but identifying TAYLOR as the person performing the activity.

Double-Billing Court Activity

During the course of this investigation, we identified that PARKS had implemented a policy of overbilling her wards for guardianship activities performed by her staff in several ways. One of those methods of overbilling her wards was to "double-bill" her activities to multiple wards. According to two employees of PARKS, Angelica Sanchez (SANCHEZ) and Heidi Kramer (KRAMER), both of whom were case managers for APPG for many years, PARKS and SIMMONS instructed

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them that if they performed a guardianship activity for multiple wards at the same time, such as visiting multiple wards at a facility, shopping for multiple wards, and going to court to drop off or pick up documents for multiple wards, they were to document the entire time taken for the activity to each ward that received some benefit of the activity. (Transcripts of the statements/interviews of SANCHEZ and KRAMER are included with the main reports).

SANCHEZ and KRAMER both described that this meant that if they performed an activity that benefitted four wards, such as visiting a facility at which four wards lived, and the activity including travel time took one hour, they would document the entire hour in each of the four wards files; essentially giving the appearance that the entire hour was used solely for the benefit of each ward and effectively billing four hours for one hour of work.

SANCHEZ specifically stated that this included documenting time spent taking paperwork to court or collecting paperwork from court (KRAMER did not do court activities, but described that this billing method was standard operating procedure for all activities). During the interview with SANCHEZ on October 6, 2016, she specifically stated:

CH: ...did you run court errands? Going and dropping off and picking up...

AS: I did.

CH: ...court paperwork?

AS: Yeah.

CH: Were you - were you billing that in the same way that if you went and took paperwork for four people...

AS: Mm-hm.

CH: ...four people paid for the hour to the two hours or whatever it took.

AS: Yes. Now, and - and April actually was the one who asked me to do that with her. Um, so I would - she - she went and showed me how to navigate family court.

CH: Mm-hm.

AS: Which was always interesting.

CH: Mm-hm.

AS: Ya know? Going - get on calendar, go sit, go do this, and then at one point, um, for the pro se court on Thursdays.

CH: Mm-hm.

AS: April would - had - had trained me and spent time with me so that way when things were approved and granted, um, I could go and pick up....

AS: ... Mark would do the filing on line...

CH: Mm-hm.

AS: ...and then I would go get us on calendar.

JO: What do you mean, 'get us on calendar'?

AS: So, like, Mark would give me a packet of - of guardianship paperwork that he would, um, essentially draft.

JO: Okay.

AS: ...when we didn't have to go through an attorney. So Mark, um, Mark and I both were shown, um, how to get the guardianship packets and we would go ahead and start to fill out our own petitions for guardianship and then April taught me how to go down and file with the clerk.

CH: Mm-hm.

AS: Ya know? W- would do the noticing, um, get a calendar date, ya know, and I would sit down there.

JO: How long would that take you?

AS: On some days it would take a while. I mean, I would be there for hours and sometimes I would try to correlate it the best I could in the early mornings to get in and get out, but...

CH: We saw a lot of billing, similar to the ward visits where it would maybe show travel time and then the time at court and it might add up to, just as an example, two and a half hours.

AS: Mm-hm.

CH: And we would see that billed to four or five people.

AS: Yep.

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CH: So is that the same billing pattern as we've seen - as you've described with the ward visits, that the - the total trip took two and a half hours and...

AS: Mm-hm.

CH: ...each person was made to pay for that two and a half hours?

AS: Correct.

CH: Hm.

AS: So, like, if - even if I had a court hearing and I went and I sat in court and I had to wait for the pro se calendar, if we had five - if - for an example, if we had five things approved and grated...

CH: Mm-hm.

AS: ...all five of those wards would get that - that - that block of time.

CH: They would be billed that time?

AS: Mm-hm. Same thing with, if I had to go down and file or pick up orders.

CH: Mm.

AS: 'Cause sometimes she would ask me to go pick up orders, get them certified, um, which, ya know, I had to do there.

CH: Mm-hm.

AS: And get the copies.

I noted that this double-billing pattern, as described by SANCHEZ and KRAMER, was evident from the hours documented by TAYLOR in PARKS' case management system for running to court to drop off and pick up paperwork in guardianship cases.

For example, on February 6, 2013, TAYLOR documented that he went to court to "File paperwork for ward" for **nine** wards. TAYLOR documented that this activity took 2 hours and 10 minute;, divided into 40 minutes travel to court and 90 minutes at the court building. TAYLOR documented this amount of for all nine wards, suggesting that he spent six hours traveling to the court house and 13.5 hours in the court house. That amount of travel time is unbelievable at best considering that Google Maps, mapping software readily available online, shows that the family court building located at Bonanza and Pecos is approximately 17 miles from PARKS office; travel time of about 21 minutes (Exhibit 3). Additionally that amount of time in the court building is impossible, given that it is only open for 7 hours per day.

There are many other examples of these excessive and impossible hours in the 141 dates shown in Exhibit 1 and this documentation tends to support the statements of SANCHEZ and KRAMER and show that TAYLOR was also double-billing his hours in the same way that they had been instructed to do.

Also of note, nowhere in any of PARKS accountings or petitions for fees does PARKS inform the court that she is double-billing in this way; that she has billed the exact same time for attending court to multiple wards at the same time and is making multiple wards pay for time spent for the benefit of other wards. At the moment that TAYLOR is collecting or filing documents for one ward, he is providing no direct benefit to any other ward, yet he is documenting, and PARKS is billing, all wards for that time. I reviewed multiple accountings that PARKS filed with the court under penalty of perjury and I found no instances of PARKS informing the court that she was billing this way when requesting confirmation of her fees.

As documented in detail in the main reports, Judge HOSKIN and Hearing Master NORHEIM, who were approving these accountings, stated that they were unaware that PARKS was billing her wards this way. They both stated that at no time did she inform them of this fact and, given the way the accountings were filed, they had no way to know that PARKS was billing this way. Both HOSKIN and NORHEIM stated that had they known this fact, they would never have approved the fees PARKS requested and they considered her failure to disclose this fact to be a fraud upon the court.

Additional evidence that establishes that TAYLOR was double-billing his time in this fashion comes from court employees Eloise Caldwell (CALDWELL) and Diane Ford (FORD), both of whom worked as clerks in the Family court clerk's office. As detailed later in this report, both CALDELL and FORD recalled serving TAYLOR on multiple occasions. Both stated that he would frequently file documents, obtain file stamped copies of documents, or get certified copies of documents

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for multiple wards during the same visit to the court (See exhibits 12 & 13). Both also described the average wait and service times as ordinarily less than 30 minutes to conduct business and waits times of less than 80 minutes, even at the busy times.

This would be consistent with the descriptions of PARKS billing practices as provided by SANCHEZ and KRAMER; that the entire duration of an activity would be billed in full to each ward that received some benefit. TAYLOR was documenting between 1.5 hours and 3.5 hours for a court visit, which generally matched the statements of CALDWELL and FORD regarding the duration; he would just bill this time to multiple wards.

During the course of this investigation a search warrant was served on the home and office of PARKS. Recovered during the service of the search warrant at PARKS home was an iPad 2 Serial Number DMQJ8YJJDFHW belonging to TAYLOR and an iPad 2 Serial Number DN6G85LUDKPJ belonging to PARKS. Both iPad's were impounded and search warrants served to examine the contents. This examination was conducted by Forensic Computer Analyst Todd Bishop (BISHOP) who produced a series of report detailing his examination and the contents of the iPad's (Exhibit 16) Located on TAYLOR'S iPad were a series of text messages, Instant Messages and what appeared to be memos or notes documenting guardianship activities for entry into the case management system. Many of these notes documented court activities by date and identified the ward for whom the activities were conducted, but did not include the amount of time the activity took. However, a number of these entries included the amount of time the activity took (Exhibit 4). I noted that where the amount of time was noted, the notes stated an amount of time that was consistent with the statements of the court staff, such as "45 min court time" or "60 min court time". When I checked these times against the data in the case management system, I found that TAYLOR had documented the full amount of time for each ward identified; double-billing this time as described by SANCHEZ and KRAMER.

Additional Instant Messages located on TAYLOR'S electronic device identified a date on which he stated he had left the Family Court building by a certain time, showing that the number of hours he was documenting as spent in the court was not reflective of the actual time spent there (Exhibit 5). On 01/09/2015, a message was sent from TAYLOR'S device at 12.58 PM stating "*Just walked out of court, where do you want to meet for lunch?*" Given that the court does not open to the public until 08.00 AM, this means that even if TAYLOR arrived at the court at 08.00, he could only have been there for 5 hours. A review of the hours documented in the case management system revealed that TAYLOR document over 13 hours traveling to and being at court that day; 6.3 hours of which PARKS received fees for.

Performing and billing for Unnecessary Services

The second method employed by PARKS to over-bill her wards for guardianship activities was to bill them for unnecessary services, including billing them to perform services that were available either free of charge or at a much reduced cost if she utilized third party providers. An explanation of PARKS providing services to her wards personally or through the use of her staff, billed at guardian rates of \$100.00 - \$170.00 per hour is provided in main Report One.

This investigation identified that PARKS had free or much cheaper alternatives to drop off, file, collect, and certify documents and obtain court dates than to send her staff to court, billed to the wards at \$100.00 or \$120.00 per hour. These alternatives included using an online court filing system called Wiznet or using legal courier services such as Legal Wings.

On September 26, 2016 LVMPD Senior Financial Analyst Colin Haynes (Haynes) and I conducted a voluntary interview with Kris O'Conner (O'CONNER), the Eighth Judicial District Family Court's Division Administrator (Exhibit 6). O'CONNER provided us with information on how court documents are filed and processed related to guardianship matters.

O'CONNER stated that the court clerk's office routinely works with courier services, or runners, who conduct filing and other services related to court documents on behalf of clients. O'CONNER said it is common knowledge that petitioners in guardianship cases have alternatives to physically coming down to the clerk's office to file documents, pick up documents or obtain certified copies of documents. Legal courier services, such as Legal Wings, routinely pick up orders, file orders, and obtain certified copies of court documents for clients.

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O'CONNER said another highly used and commonly known alternative to attending court to file documents is using the e-filing system through a court software program called Wiznet. This manner of filing court documents is web-based which allows users to file documents from any location such as their home or office.

O'CONNER explained the e-filing process as logging into the system under your account information. A document that would need to be filed with the court is submitted. The user would receive an email that states the filing is pending. Once the document has been filed, the user receives an email confirmation of the filing that includes a PDF copy of the filed document that is adorned with the court's filing stamp.

O'CONNER stated that the petition for guardianship can be e-filed, as can all other documents and petitions required to be filed in guardianship cases. No documents need to be physically brought to the court house for filing. The confidential information sheet that must also be filed with each case cannot be e-filed through Wiznet, but can be mailed to the court after a case number is issued related to the petition.

Prior to mid-2015, the court had a long-time process called the "Approved and Granted List". Once the hearing master reviewed a petition to ensure accuracy and that proper notice was given to the required interested parties, it would be placed on the "Approved and Granted List" if there were no objections filed to the petition. The list was regularly posted on the Internet for petitioners to review to make sure there were no problems with their petition. A hearing would be scheduled for the petition – even if it were on the List. However, attendance at a hearing on the approved and granted list was not required because the petitioner would know that the petition was approved, absent an objection raised in court when the case was called.

If no one objects to the petition, the court officially approves the guardianship appointment. To streamline the process, petitioners were able to submit with their petition and their order approving the appointment that required the judge's signature at the same time. All of these documents could be submitted via Wiznet from a remote location, negating the need for a trip to the court building.

O'CONNER stated that once the order was signed, the petitioner could collect a copy themselves or use a courier service to pick up the order from the court. A courier could then file the signed order with the court clerk and return the file stamped copy to a petitioner. O'CONNER explained that it is very common for couriers to perform this service at the court house on behalf of attorneys and other clients.

At the same time the order granting guardianship is electronically filed at the clerk's office, O'CONNER said the petitioner or a courier could present the clerk with a pre-written, signed under penalty of perjury/notarized Letters of Guardian document. The clerk would then review the document for accuracy, sign it, and electronically file it. At the same time, the clerk would be able to provide the petitioner or courier with certified copies of the order approving guardianship and the letters of guardianship.

During the guardianship petitioning process, there are times when a Notice of Hearing needs to be filed. This document is mailed to legally recognized interested parties alerting them of an upcoming hearing where the judge has been asked to make a decision based upon a petition filed by the guardian, or potential guardian. O'CONNER stated that this document is routinely e-filed where the user fills out the form and leaves the space blank for the date of the hearing. Once court staff receives the electronic document, a clerk checks with the court's hearing schedule and selects the first available date. That date is then written onto the document and filed. The user receives an email confirmation of the filing, along with a PDF copy of the notice that now contains the hearing date.

O'CONNER said there is no reason a petitioner would have to physically come to court to obtain a court date needed for the Notice of Entry. She said once the Notice of Hearing is e-filed, clerks quickly process it and cause no delays in obtaining a hearing date.

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O'CONNER stated that the only time a petition might require a personal appearance at the court house when it is filed is when an Order to Shorten Time of a hearing is being requested. The judge would be required to review the petition and grant the order approving it. However, even then, a courier can perform the task in lieu of the petitioner.

O'CONNER provided documents showing that PARKS had her own active Wiznet account dating back to June 2011 (Exhibit 7). PARKS wiznet account was opened on June 17, 2011, under the name of A Private Professional Guardian. The email address registered to this account was mark@appgnv.com. Since June 2011, PARKS had submitted 2008 e-filings through Wiznet. A review of the documents filed through Wiznet by PARKS revealed that she had filed every type of document and petition relevant to a guardianship case including:

- Notice of Entry of Order
- Citation to Appear and Show Cause
- Affidavit of Mailing
- Certificate of Mailing for the Notice of Hearing regarding Accounting
- Petition for Appointment of Guardian
- Supplemental Petition Requesting a Ten Day Temporary Guardianship
- Order for Approval of Accounting
- Order Regarding Termination of Guardianship (Estate or Person and Estate)
- Order Appointing Guardian
- Inventory, Appraisal and Record of Value
- Order Allowing Ex Parte Petition for Temporary Restraining Order
- Admonishment Adult Ward Pursuant to NRS 159.044(2)(j)(3)
- Exhibit
- Order Terminating Guardianship and Approving Final Accounting
- Temporary Letters of Guardianship
- Order for Appointment of Temporary Guardian of Person and Estate
- Order Appointing General Guardian of the Person and Estate
- General Letters of Guardianship
- Affidavit of Service
- Notice of Hearing
- Order Accepting Resignation of Co-Guardian and Approval for Ward to Relocate
- Order Terminating Guardianship and Approval of Final Accounting
- Amended Inventory
- Petition to Terminate Guardianship

Clearly, PARKS was aware that she could file every type of document via Wiznet from her own office without the need to send one of her staff members to court to file anything. Based on this Wiznet information provided by O'CONNER, PARKS had significant experience of filing document, notices, citations and every other document relevant to her guardianship cases.

In addition to having access and experience using Wiznet, PARKS was familiar with legal courier services such as legal wings. Several facts show that PARKS was familiar with the services and costs of using a courier service to make court runs. Firstly, according to PARKS own description of her work history, (as documented in Main Report 1 and established from PARKS resume), before opening her own guardianship business PARKS worked as both a para-legal and a guardian case manager for attorneys for many years. Secondly, PARKS utilized attorneys on many of her own guardianship cases. As guardian, she was responsible for reviewing the attorney invoices, deciding whether the attorney fees were reasonable and approving payment from the wards funds. Included with the attorney invoices was a breakdown of the expenses incurred by the attorney, which almost always included courier fees (Exhibit 8 includes small sample of

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these invoices to illustrate). PARKS was approving the legal fees, which ultimately were her own fees, though paid with ward funds and as such, was seeing these courier fees and how inexpensive they were in comparison to using her own staff for this task.

On September 1, 2016 LVMPD Senior Financial Analyst Colin Haynes (Haynes) and I conducted a voluntary interview with Ed KIELTY (KIELTY) regarding how KIELTY'S legal courier business, Legal Wings, provides court "runner" services in Clark County. His book keeper Rena Brown (BROWN) also provided us with information. We were also given a brochure that outlined his services and costs (Exhibit 9).

KIELTY is the president/owner of Legal Wings, a courier service opened in Las Vegas in 1984. The business provides court filing services through the use of runners who pick up documents from customers and travel to various courts to file legal papers and related services. His clients range from law firms to occasional, one-time use customers.

KIELTY explained that long term clients first meet with him to discuss their on-going service needs. He will then negotiate a service cost based on the volume of work he expects to get. He said clients can choose to sign up for a monthly service if they will have enough use for runners, or use a per trip cost.

KIELTY said his runners do travel to Henderson where PARKS has her office on St. Rose Parkway. That area would be considered Area D which is the furthest from his downtown Las Vegas business location.

A monthly flat fee service cost for a client in Area D would cost \$205.00 per month, which would include a runner traveling to their business once a day to pick up/drop off court documents. The price would rise to \$280.00 per month if the runner made two trips per day to the business. KIELTY stated that the client can give the runner as many documents as they need to be filed or copied in as many cases as they need and will not be charged additionally.

The customer uses either a carbon-copy "run slip" to hand write their specific instructions to the runner regarding the various court documents or they can also complete the slips online. Services that a customer can request from a runner include obtaining certified copies of documents, obtaining court dates, and filing documents. KIELTY said the services performed by his runners eliminate the need for clients, including any professional guardians, to have to personally come to court, except for actual court appearances.

One of his staff members for the last ten years has been tasked with specifically serving clients who need services completed at family court, where guardianship cases are conducted. KIELTY explained that a guardian can also provide his runners with a pre-signed "letters of guardianship" document that a runner can file after the runner first picks up the signed order for guardianship. Letters of guardianship cannot be issued before the order of guardianship is signed.

The runner would first file the signed order approving guardianship, and then file the letters of guardianship. The runner, in this same trip to court, could then obtain certified copies of the letters of guardianship or any other documents. All of these actions would be covered under the monthly service flat-fee charge; although there would be additional costs for copies, which the customer can pre-pay with a check. The runner would either drop off the filed orders, letters and certified copies the same day, or the next day, depending on the monthly service agreement with the customer.

KIELTY stated that in the last year or so, the court started accepting Letters of Guardianship from runners when the guardian signed the document under penalty of perjury. Previously, the Letters needed to be notarized for a runner to file them. KIELTY said his company also provides a notary service to clients, if needed.

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BROWN explained that a client can include money to cover the costs of filing fees or copies with their run slip when a runner arrives to their business to pick up documents. Or, Legal Wings can front the costs and then send the client an invoice for the expenses.

Legal Wings also has an account through Wiznet, an online system used to electronically file (E-File) court documents in Clark County.

KIELTY stated that his staff will perform all of the activities that a guardian might need from court, including collecting documents from the client, filing them in court, obtaining court calendar dates, and obtaining certified copies of documents. All of these services are included in the standard fees charged to the customer..

KIELTY said in lieu of a monthly service, clients can choose to pay for individual filing needs. He said a client located in Area D, such as PARKS, would pay a fee of \$32 to have documents picked up, filed, certified, or to obtain court documents and then get the copies dropped back off at their business. Extra fees of between \$15.00 or \$25.00 can be billed if filing services need to be expedited.

Located in the documents seized from PARKS during the service of the search warrant was a Legal Wings run sheet completed in December 2012 on the Dorothy Trumbich case (G-12-038049-A) (Exhibit 10). While this run sheet was requested by PARKS attorney at that time, it further demonstrates PARKS knowledge of and familiarity with alternative methods to file and collect documents from the court at a significantly cheaper cost to the ward then sending her own staff to court on these menial tasks and billing \$100.00 - \$120.00 per hour to perform them.

Also located in the documents seized during the service of the search warrant was an Action Messenger Service order form completed by APPG requesting that documents be delivered to NV Title Company (Exhibit 11) in 2013; again providing evidence that PARKS was familiar with the services offered by courier services and the costs to use those services.

Based on the evidence shown above, PARKS had available alternatives that she could have used to perform all the court pick up and drop off activities documented in Exhibit 1. PARKS could have filed all of her documents via Wiznet, which she used frequently, or she could have utilized the services of a legal courier, a service that she was familiar with. PARKS decision to utilize her own staff to perform this function provided no benefit to the ward, but enabled PARKS to bill additional fees to the wards that enriched herself.

By way of illustration, on February 6, 2013, the date TAYLOR went to court to file paperwork for nine wards, PARKS documented that those wards received guardian services costing them \$2,343.60, all of which was payable to her for the provision of those services. Had PARKS utilized Wiznet to file those documents, the cost for using Wiznet would have been \$3.50 per filing. Had she used Legal Wings, the cost would have been \$32.00 divided between the nine wards (\$3.55 each). Any filing fees due to the court for these documents would be due regardless of how PARKS filed the documents. The only beneficiary of PARKS performing these services herself was PARKS.

During the interview with SANCHEZ on October 6, 2016, in regards PARKS not using Wiznet or a legal courier services, SANCHEZ specifically stated:

CH: Now let me ask you this, um, why didn't you know why April didn't use, uh, Legal Wings or some other legal courier service, 'cause having spoken to them, that's exactly the function that they perform.

AS: Mm-hm.

CH: They'll drop off. They'll get court hearing dates. They will file, get certified copies, they will collect.

AS: Mm-hm.

CH: And do the court filing. So they'll do that whole thing that you've just described.

AS: Mm-hm.

CH: Other than being in court, obviously that's...

AS: Right.

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CH: ...not a function. But, in terms of dropping off and picking up, they'll do all of that. Why was she using you or any other employee at \$120 an hour to do something that would've cost, s- well it's actually \$32 - what - what it costs, so if there's two and a half hours for four people, then...

JO: And the both of you worked at law firms, so you know all about couriers and fees that the attorneys charge, uh, to have courier services to do what you're doing.

AS: Mm-hm.

JO: So...

CH: Tell me, with - with four wards having to drop off, two and a half hours, that's 300 bucks per person, that's \$1200.00

AS: Mm.

CH: Or call Legal Wings and it'll cost 32 bucks, why 12, h- why was she choosing \$1200.00 to bill the wards instead of just paying 32 bucks to Legal Wings to do the exact same function.

AS: I'm going to make the safe assumption here that it was so she could bill our hours, bill our time.

CH: Did you ever talk to her and say, "Ya know, what don't we use Legal Wings?"

AS: No.

CH: Did you ever hear Mark ask her? Like, why are we - why are we doing this?

AS: No.

CH: Why are we sending and billing this when we could use, uh, a legal cour- I say Legal Wings, but I mean any legal courier service.

AS: Right.

CH: Sorry, I'm not particularly picking one.

AS: No. I know what you're saying. I don't know why she didn't set up an account and I never asked her why she didn't. I just did as I s- as I was asked and, ya know, I know that we specifically did not use attorneys because it - it did save money for the ward.

CH: Mm-hm.

AS: And it - it - did cost less money all the way around.

CH: Mm-hm.

AS: Which obviously, ya know, we could use...

CH: Yeah.

AS: ...to bill against. And - and the reason I know that so well is because it caused a lot of friction with the firm that we were at, at the time.

CH: Noel?

AS: Yes.

CH: Was there - th- the statement you just made there, was that what was talked about? That - by not paying attorneys, there was more money for you guys to bill against?

AS: There was more money for us to use for the ward.

CH: Mm.

AS: That - that's all that was said.

CH: Okay.

AS: Nothing specific for, like, there's more money April to bill against, it was just, "There's more money in the ward's estate."

CH: Okay.

JO: So, uh, going back to the - your court tasks.

AS: Mm-hm.

JO: So is it that Mark Simmons is E-filing documents, right?

AS: Correct.

JO: But then he's saying, "Here's a pack of documents I drafted. I need you to run down to court and file these for me."?

AS: So I believe initially we weren't set up with E-Wiz, is that what it was called?

CH: Yeah, WIZnet.

AS: Okay, WIZnet, thank you.

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JO: No, you were. You were.
AS: So - oh, we were?
JO: Mm-hm.
AS: Oh, I don't - see, I don't know.
JO: So I'm just asking...
AS: I wasn't on Mark's computer.
JO: ...so it sounds like you're aware that...
AS: So...
JO: ...he's E-filing things and then at the same time he's telling you, "Here's some stuff I just did, go file it in person."
AS: Correct. Yeah. So there were times that I would go into the clerk's office, and I would - and initially I thought it was, ya know, now looking back, I just thought April was showing me how to work all the - the ins and outs of the - the courthouse. And so yes, I would go in, file things in the back, that - off the little printer.

JO: Okay.
AS: And then, that's where I would E-file, or if I would get certified(s), or if Mark got an E-file back...

JO: Okay. So I just wanna make sure. So Mark Simmons has the capability to E-file documents?
AS: Yeah.
JO: And at the same time he's saying, "Angelica, here's some petitions I drafted. I want you to physically drive to court and I want you to go to the court kiosk..."
AS: Mm-hm.
JO: ...and I want you to manually use the E-filing system and then drive back."
AS: Initially, I would do, like, the petitions that way and then at some point we stopped and Mark would E-file the petitions and then if I went to court and I sat in court and if things were approved, I would get the order from the bailiff, go downstairs, I would E-file it while I was there, get the certified orders while I was there.

AS: And so at that point, then - yeah, I could dip in and if there wasn't a lot on the pro se calendar. So I went on - I went on occasion, yeah. And then I'd go downstairs and file and, like, I said, I would just do whatever they asked me to do. If they needed me to go drop off orders, I'd go drop off orders. If they needed me to go pick up certs, go sit in court, get this on calendar, those were, ya know, I'm - just did it.

On September 26, 2016 LVMPD Senior Financial Analyst Colin Haynes (Haynes) and I conducted a voluntary interview with Eloise Caldwell (CALDWELL) who is employed by the Clark County Family Court (Exhibit 12). Since 2010 she offered as-need support to employees who helped the public file court documents at the clerk's window, including guardianship documents.

CALDWELL provided us with information related to assisting Gary Neal TAYLOR (TAYLOR) in various court filing services.

CALDWELL said she recalls helping PARKS at the clerk's window. Later, she said PARKS sent her "husband" whom she identified as TAYLOR, to obtain filing services on her behalf. She said all the clerks were aware TAYLOR was married to PARKS because he told everyone.

CALDWELL recalled a time in either February or March 2016 where she assisted TAYLOR file documents in roughly 50 separate guardianship cases. She recalled these documents were mostly orders terminating guardianship.

CALDWELL said she asked TAYLOR why he or PARKS didn't just file these documents themselves electronically by e-filing through their WizNet account. She said he replied it was "easier" to physically come to court and have the clerks do it. CALDWELL said she offered TAYLOR to come back at a later time to spare him any wait time because he had so many documents that needed to be filed. He again refused and insisted on waiting through the duration of her filing all of the documents.

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Also during that visit CALDWELL asked TAYLOR if he instead wanted to use the court's e-filing kiosk that scans and files documents for free. He also refused. She said clerks typically will ask customers like TAYLOR - who are runners for established businesses and are not family members related to one guardianship case - to use the kiosks so that the lines and clerks' windows are freed up for the public. CALDWELL said after he refused her offer to use the kiosk and to come back later, he stood at her window for approximately two hours while he played on his smart phone.

CALDWELL said she had previously asked TAYLOR between five and seven other times throughout the last few years if she could help him use the kiosk so that he would save time in the future waiting in line to file documents; and waiting at the clerk's window. She said every time he refused.

CALDWELL said that during times when there was a shortage of filing clerks, the longest wait times would be around 80 minutes.

CALDWELL recalled that TAYLOR in the past had appeared at her window with letters of guardianship that were already notarized or signed under penalty of perjury. She said she found it odd that he would come back at a later time to obtain certified copies of the filed letters when he could have obtained the copies at the same time he filed them.

CALDWELL said clerks will automatically ask customers who are filing letters of guardianship if they want certified copies even if they do not ask for them. She said it's common that customers will need certified copies and by asking if they want the copies, they are saving the customer an unnecessary trip to court to obtain them.

CALDWELL estimated the time he would spend at her window at roughly 15 to 20 minutes. She said "it doesn't take that long to issue a letter (of guardianship)."

CALDWELL said when TAYLOR was at her window, there were times when he asked for services related to several guardianship cases during the singular transaction.

CALDWELL said when receipts are issued for filing or copy fees, it's common that if the receipt related to multiple guardianship cases, the clerk will most likely just use the name of one of the cases to write on the receipt.

On September 26, 2016 LVMPD Senior Financial Analyst Colin Haynes (Haynes) and I conducted a voluntary interview with Diane Ford (FORD) who is employed by the Clark County Family Court (Exhibit 13). Until August 2015 FORD was a legal office specialist who helped the public file court documents at the clerk's window, including guardianship documents.

FORD stated that she was familiar with Neal Taylor (TAYLOR) because she had served him at the clerk's office many times over the years. FORD described TAYLOR as PARKS' "runner" because he was frequently at the clerk's office filing documents on her behalf as guardian.

FORD estimated she personally provided TAYLOR assistance once every week to two weeks while there are a total of 13 windows he could approach for help. FORD said she would see him in the clerk's office during different time periods on different days.

FORD said TAYLOR would wait in line and approach her window with prewritten documents, such as petitions for guardianship and letters of guardianship and orders appointing guardianship.

FORD explained if a new guardianship case was being filed, the petition would be filed, a hearing date would be set and citations to appear and show cause in court related to the petition would be filed at the clerk's window during one transaction. She estimated this process could take up to 30 minutes.

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If someone wanted to file a notice of an upcoming hearing, FORD said it could take a little longer. FORD said some clerks would transfer the customer to the "master calendar" window to obtain a hearing date for the customer to list on the hearing notice. However, some clerks like herself, were able to obtain the dates from their own windows.

FORD said if a customer approached her with a signed order appointing guardianship, and a prewritten letters of guardianship form, she said she would verify information on both documents matched, and would file them both at the same time. FORD said she would also provide the customer with certified copies of those documents in that same transaction if they wanted certified copies.

FORD said it is common practice when a customer files an order of guardianship and their letters of guardianship that they obtain certified copies of the documents. She said these copies are needed to present to banks and used for other financial business. FORD said if the customer does not ask for certified copies of these documents, she and the other clerks will automatically ask them if they want certified copies because it is so common the customer will need them.

FORD said that most often, TAYLOR would approach her counter wanting services on behalf of multiple guardianship cases at the same time. FORD said it usually took between five and thirty minutes to help TAYLOR depending on how many cases he presented for filing services.

A review of text messages and instant messages exchanged between PARKS' iPad and TAYLOR'S iPad between 2013 and through September 2015 reveal TAYLOR'S work schedule was very flexible, and sometimes PARKS was not aware if he was even working that day. Most often, his biggest daily task at PARKS' direction was to pick up her daughter from school – which was unrelated to his employment, but created a curfew of when he could perform APPG errands because the child's school day ended around 2 p.m. I have seen messages that specifically state TAYLOR has to pick the child up at 2:10 p.m. or that PARKS texts TAYLOR just prior to 2 p.m. to state she is on her way to pick up her daughter from school.

A text message exchange I located and reviewed dated December 18, 2014 (Exhibit 14) between PARKS' iPad and TAYLOR's iPad began with TAYLOR'S device sending a message to PARKS device to ask if PARKS could pick up her daughter herself because TAYLOR was still at the DMV and still had to go to court. The time stamp of the text was 12:37 p.m. The response from PARKS' device was: "I have to be in court. Let me figure it out." TAYLOR'S device: "If not it's ok. I'll just go to court and pick up the items on the third floor. Master calendar will have to wait."

At 12:41 p.m. TAYLOR'S device texted PARKS' device to say TAYLOR was headed to court while PARKS said she was in a meeting. In a text time stamped at 12:52 p.m. TAYLOR'S sent a message stating he would pick up her daughter (who gets out of school around 2 p.m.)

According to TAYLOR'S billing in EMS (Exhibit 1), on December 18, 2014 – the date of the text exchange – TAYLOR billed three wards to "pick up court documents for ward." TAYLOR billed two of the wards \$129.60 each, while the third was billed \$219.60.

On December 19, 2014, TAYLOR'S billing in EMS reflects he billed four wards to "file court documents for ward." Each ward was billed \$189.60. For those two consecutive visits to court – that occurred because TAYLOR didn't have enough time due to picking up PARKS' daughter from school during the first visit – wards were billed a combined total of \$1,237.20.

The case notes completed by TAYLOR (Exhibit 2) for those consecutive court visits on December 18 and December 19, 2014, state his first trip was on behalf of Edwin Hooker (Hooker); Irene Hydock (Hydock) and Patricia Zearfoss (Zearfoss). Each ward was billed by TAYLOR for a 50-minute travel fee to and from court. Hydock and Zearfoss were billed 15 minutes for "pick up paperwork from the 3rd floor while Hooker was billed 60 minutes for "picking up paperwork for 3rd floor and obtain certified copy of temporary general Letters for the ward."

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The billing pattern TAYLOR used for this singular court trip is double-billing the wards and excessively billing them by rounding up the time it takes to perform the activity.

Taylor represented though his billings on December 18, 2014, it took him a total of 3.99 hours to pick up paperwork and to obtain certified copies of documents. Wards were billed a combined total of \$478.80 for this trip to court.

However, the timings of these text messages showed a time period of 1 hour 19 minutes between the message sent at 12:41 p.m. stating TAYLOR was headed to court and would pick up documents and 2.00 p.m., the time by which the daughter finished school.

PARKS' demand for TAYLOR to prioritize picking up her daughter instead of performing his employment tasks in the most efficient and economical way for wards, created an intentional and additional opportunity for TAYLOR to bill the wards for an unnecessary service where PARKS profited \$100 for every \$20 she paid her boyfriend, TAYLOR by causing TAYLOR to have to make a second trip to court the following day.

Billing records show TAYLOR returned to court the next day on December 19, 2014, on behalf of Cecilia Cass (Cass); Kenneth Gray (Gray); and James Poya (Poya). Poya received a duplicate billing for this court trip where all wards were billed for "file court documents for wards." In this trip, TAYLOR represented this single trip to court took him 6.32 hours and cost wards a combined total of \$758.40 (with Poya billed \$379.20 through duplicate billing). TAYLOR'S case notes reflect he billed all three people 50 minutes for traveling to court and 45 minutes to "obtain notice of hearing date from Master Calendar for Ward."

At no point in the text exchange did PARKS object and state that would cause an unnecessary expense to the wards over whom she was their court-appointed guardian/fiduciary. Instead, she inquires if he can still pick up her daughter with the knowledge doing so means he will have to bill for an additional trip to court the next day when he was already there performing similar services.

I noted that the amount of time documented for TAYLOR'S court trips began to decrease around May 2015. Prior to May 2015, the time taken to drop off or collect paperwork varied from 1 hour 5 minutes to 3 hours 30 minutes with an average amount of time of slightly over 2 hours. From May 2015 ongoing, the time dropped to less than 1 hour on most occasions. Nothing about the court process or wait times changed markedly at that time, so there is no explanation for why TAYLOR suddenly started documenting less time taken for the same activities. It should be noted that in May 2015, PARKS was the subject of a news report by Channel 13 that identified excessive and exploitative billing practices (See Main Report 2 for full details and exhibits).

Also located on TAYLOR'S iPad among the memo/notes were several entries dated July 2, 2015, and documenting activities for June 2015 (Exhibit 15). In these notes documenting court trips, TAYLOR started to document that the time taken for these activities needed to be split between the wards identified in the memo. This is a complete departure from all the prior entries and appears to be consistent with the fact that the amount of time documented in the case management system for the June 2015 court activities suddenly began to drop.

I also noted that the average amount of time documented by TAYLOR for these court drop offs and pickups, at over 2 hours per trip, was also almost double the average amount of time documented by SANCHEZ in 2012; which averaged slightly over 1 hour per event.

Further evidence that supports that this billing practice was a deliberately exploitative activity intended to enrich PARKS at the expense of her wards can be found in a disputed guardianship matter. On February 4, 2015, in response to an objection to the fees that PARKS was charging to Norbert Wilkening (G-13-038438-A), PARKS filed, under penalty of perjury, a petition and supporting affidavit, through her attorney Aileen Cohen of Phillip Hack & Associates, in which she stated in pertinent part (Exhibit 17):

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"I make every effort to coordinate visits to the wards in my care in order to minimize travel costs to the wards' estates"

While PARKS stated in this sworn affidavit that she coordinates ward visits to minimize costs, which would match the pattern of dropping off and picking up documents at court for multiple wards at the same time to minimize costs, she does not address that she then bills each ward the full cost of the time the activity took for all the wards, without dividing up the time between them and billing each ward only for their share of the time, or how that double-billing pattern minimizes costs.

On September 4, 2015, PARKS was deposed in this same matter by Laura Deeter Esq. of Ghandi Deeter Law Offices. Also present at this deposition was Amy Wilkening, daughter of Norbert Wilkening. The deposition was transcribed by Jackie Jennelle, Certified Court Reporter with Litigation Services (Extract provided as Exhibit 18 – full deposition provided as Exhibit 160 in Main Report 2 of 2). PARKS stated in this deposition that she billed wards for the exact time an activity took (Page 15 line 12 – 18). This answer was clearly false, as the evidence shows PARKS rounded-up her billing and applied it to multiple wards, regardless of the actual time an activity took:

Q. And in what increments do they bill out?

A. We bill out in -- let me think.

Q. Is it a .1, a minimum?

A. We just do it by the minute. So it's if ten minutes, it's ten minutes. If it's seven minutes, it's seven minutes. If it's 15 minutes, it's 15 minutes.

Also relevant to this issue, the APPG Policy and Procedure Manual located during the service of the search warrant contained the following language (Exhibit 19):

"...we only get paid for documented work, billing out at 1/10 increments at \$120 an hour.... It is the policy of APPG to document all work done and to ensure accuracy in billing to provide the best and most economical service for our clients."

"Much of what we document in EMS gets printed on invoices which eventual get sent to the courts and are then public record...."

The language in this policy manual clearly shows that PARKS requires all her staff to document their activities in the case management system and in doing so, intends that this documented activity form the basis of the invoices she will submit to court as proof of the fees she is paying herself from her ward's funds. A signature page was located that appeared to be signed by TAYLOR acknowledging these Policies and Procedures (Exhibit 19).

During the service of the search warrant at PARKS offices, a five page document was located that appeared to be a letter of introduction or solicitation for work prepared by PARKS for a potential referral source (Exhibit 20). On the fourth page of this letter, under the heading **APPG RATES**, PARKS documented that she always uses the *"lowest rate employee appropriate for the situation"*.

In reviewing the fees charged for making these court trips, I noted that the hourly rate PARKS charged for this activity varied. From February 2012 to December 2014, PARKS charged \$120.00 per hour for TAYLOR to run to court. From January 2015 to May 2015, PARKS charged \$100.00 per hour for TAYLOR to perform the exact same activities. In July 2015, the rate went back up to \$120.00 per hour and then in August 2015 some court trips were billed at \$120.00 per hour and some were billed at \$100.00 per hour. Clearly, PARKS claim that she used the *lowest rate employee appropriate for the situation* was not true.

During the service of the search warrant at PARKS offices, a two page document was located that appeared to be a set of rules that PARKS required co-guardians to read and acknowledge regarding the role of a Private Professional

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Guardian (Exhibit 21). Item 6 on this list stated that *“Requesting A Private Professional Guardian to run errands, or to complete tasks for the ward that could be completed by family or co-guardian can create a financial burden to the ward and may be declined.”* Clearly PARKS understands the concept that performing unnecessary tasks for a ward creates fees and costs to the ward.

As noted in the main reports in this case, in addition to PARKS own acknowledgement that performing unnecessary tasks creates a financial burden on the ward, the NGA Standards of Practice and NRS create a duty on the guardian to act in the best interest of the ward and preserve the estate of the ward; something that clearly is not being adhered to in this exploitative pattern of billing. The NGA Standards of Practice also specifically address guardians providing services themselves and through family members when those services are available through third party providers at a significantly cheaper cost.

NGA Standard 5 – The Guardian’s Relationship with Other Professionals and Providers of Service to the Person

- II. The guardian shall develop and maintain a working knowledge of the services, providers and facilities available in the community.
- III. The guardian shall stay current with changes in community resources to ensure that the person under guardianship receives high-quality services from the most appropriate provider.
- IV. A guardian who is not a family member guardian may not provide direct service to the person. The guardian shall coordinate and monitor services needed by the person to ensure that the person is receiving the appropriate care and treatment.

NGA Standard 16 – Conflict of Interest: Ancillary and Support Services

The guardian shall avoid all conflicts of interest and self-dealing or the appearance of a conflict of interest and self-dealing when addressing the needs of the person under guardianship. Impropriety or conflict of interest arises where the guardian has some personal or agency interest that can be perceived as self-serving or adverse to the position or best interest of the person. Self-dealing arises when the guardian seeks to take advantage of his or her position as a guardian and acts for his or her own interests rather than for the interests of the person.

- III. Rules relating to specific ancillary and support service situations that might create an impropriety or conflict of interest include the following:
 - A. The guardian may not directly provide housing, medical, legal, or other direct services to the person. Some direct services may be approved by the court for family guardians.
 - 1. The guardian shall coordinate and assure the provision of all necessary services to the person rather than providing those services directly.
 - 2. The guardian shall be independent from all service providers, thus ensuring that the guardian remains free to challenge inappropriate or poorly delivered services and to advocate on behalf of the person.
 - 3. When a guardian can demonstrate unique circumstances indicating that no other entity is available to act as guardian, or to provide needed direct services, an exception can be made, provided that the exception is in the best interest of the person. Reasons for the exception must be documented and the court notified.
 - D. The guardian may not be in a position of representing both the person and the service provider.
 - G. The guardian may not employ his or her friends or family to provide services for a profit or fee unless no alternative is available and the guardian discloses this arrangement to the court.

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- I. The guardian shall consider various ancillaries or support service providers and select the providers that best meet the needs of the person.

Also of note, the payroll records for TAYLOR revealed that between October 2012 and June 2014, TAYLOR was paid \$20.00 per hour for the functions he performed for PARKS. While PARKS was paying TAYLOR, her husband, just \$20.00 per hour for running paperwork to court, as unnecessary as this task was given the alternatives that were available to PARKS, she was charging her wards either \$100.00 or \$120.00 per hour for this service. This means PARKS had a mark-up of 500 – 600 % for this activity. Add to that the fact that PARKS was also double-billing these activities across multiple wards, this ensured that if TAYLOR performed a court trip that took 2.5 hours (03/06/2013 for instance) at \$20.00 per hour cost to PARKS (total cost to PARKS of \$150.00), PARKS was able to bill her wards \$1,500.00 for this activity, a profit of \$1,350.00 or 900 % profit.

Nothing about this manner of billing her wards appears to be in line with any part of the NGA Standards of Practice or in line with NRS 159.183 that details guardian compensation must be reasonable.

- *Reasonable compensation and services must be based upon similar services performed for persons who are not under a legal disability. In determining whether compensation is reasonable, the court may consider:*
 - (a) *The nature of the guardianship;*
 - (b) *The type, duration and complexity of the services required; and*
 - (c) *Any other relevant factors.*

Specific evidence of Taylor's participation

As documented in the main investigative reports, while PARKS was the court appointed guardian and owner of APPG and as such was principally responsible for the exploitative policies and activities of this company, SIMMONS occupied a position of authority within the company, was responsible for directing staff to document their hours in an exploitative fashion, and was responsible for reviewing time and expenses entries of employees, managing wards finances and preparing accountings for submission to court. As such, SIMMONS was equally responsible for the exploitative billing practices of APPG.

No evidence exists supporting that TAYLOR held a position of authority or control with APPG, however, as noted in this report, TAYLOR was double-billing his hours in the manner described by other employees with APPG. Additionally, TAYLOR was directly benefitting from this double-billing activity, being paid for hours that he documented but did not work.

TAYLOR was an hourly employee from at least October 2012 until July 2014. A review of the APPG bank account (as detailed in Main Report Two) identified that TAYLOR'S payroll checks (Exhibit 22) varied each month and often identified the number of hours he was being paid at \$20.00 per hour. From July 2014, TAYLOR'S pay checks became steady, at \$3,200.00 per month.

I examined these hourly paychecks and cross-referenced them to the number of hours TAYLOR had documented in the Time and Expense section of the APPG case management system. I noted the following:

- TAYLOR payroll check dated 10/04/2012 for \$1,551.80 was for 77.59 hours at \$20.00 per hour (noted on the memo line). I reviewed the number of hours documented in the case management system for the months preceding October 2014 and noted that between 08/24/2012 and 09/28/2012 the hours were exactly 77.59 hours.

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- Check dated 01/04/2013 for \$446.40 had 22.32 hours written on the memo line. This number of hours corresponded to the data entered into the case management system for TAYLOR for the period December 2012.
- Check dated 04/04/2013 for \$2,834.80 was for 141.74 hours at \$20.00 per hour. This amount matched exactly the number of hours documented for TAYLOR during the month of March 2013.
- Check dated 05/04/2013 for \$1,357.80 had 66.98 written on the memo line. This corresponded exactly with the number of hours documented for TAYLOR in the month of April.
- All other checks exceeded the number of hours documented in the case management system for the month preceding the date of the check, in some cases by just one of two hours and in other cases by over 20 hours

This is significant because the number of hours documented in the Time and Expense section of the case management system each month for TAYLOR were inflated by the excessive and double-billed hours he documented for these court trips. For example, the hours of work documented for TAYLOR in March 2013 was 141.74 hours. This included double-billed hours for court on 03/06/2013 (10 hours extra) and 03/21/2013 (14 hours extra). TAYLOR would obviously know that he was only at court for 2.5 hours on 03/06/2013 and 3.5 hours on 03/21/2013, yet he accepted pay for the full 12.5 hours on 03/06/2013 and for the full 17.5 hours on 03/21/2013. As such, TAYLOR received direct benefit of the inflated hours that he documented.

Payment of Fees

I noted that PARKS normal business practice in regard to paying her own fees was, at the end of each month or the start of the following month, to print out a list of activities performed in the preceding month for each ward (monthly invoice) and then cut a check from the wards funds to herself or her business for the amount of fees showing as owed. Essentially PARKS was paying herself at the end of each month for work claimed to have been performed the preceding month. This was evident from the pattern of checks drawn on wards account and deposited to the APPG business account at the start of each month. I also located multiple examples of the checks stapled to the printout of the preceding month's activity further confirming that this was PARKS standard practice.

In those cases where the ward had insufficient funds for PARKS to pay her fees at the end of each month, I noted that there would frequently be larger payments some months later when funds became available that would incorporate all or some of the accrued fees owed to date.

According to the data in PARKS case management system, PARKS documented over 849 hours spent on these court activities, spread across 141 dates between 03/07/2012 and 09/30/2015 and affecting 143 of her wards. The total fees documented due to the performance of these activities were \$98,167.40.

I examined the accounting and invoices actually filed with the court in all 143 of these cases and noted whether the activity documented in the case management system was included in these invoices and submitted to the court as evidence of activity performed for each ward and fees owed for those activities. Where the court activity performed by TAYLOR was not included in an invoice or billed to a ward, I removed that from the total.

According to the accountings filed in these cases and the deposits made to the AGGP bank account, PARKS did not receive fees from 34 of these wards. From another 3 of these wards, PARKS received payments for most of the court activity documented in the case management system for TAYLOR. For the other 106 wards, PARKS received payment for all of this activity. The total fees PARKS received from these wards for this activity was **\$74,229.90** (Exhibit 23).

According to the bank deposits, all of the payments taken from these 109 wards for TAYLOR'S unnecessary court activity were taken between May 2, 2012, and October 7, 2015 (Exhibit 24).

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Between May 2, 2012, and October 7, 2015, through the use of her guardianship over 109 elderly or vulnerable persons, **April PARKS, Gary Neal TAYLOR, and Mark SIMMONS** converted **\$74,229.90**, belonging to those persons with the intention of permanently depriving them of the ownership, use, benefit or possession of said funds contrary to NRS 200.5099 (3) (b) a category B felony.

Between May 2, 2012, and October 7, 2015, through the use of PARKS role as guardian over multiple wards, **April PARKS, Gary TAYLOR, and Mark SIMMONS**, without lawful authority, knowingly converted **\$74,229.90**, belonging to multiple wards and entrusted to Parks for a limited use, namely to manage for the benefit of those wards, contrary to NRS 205.0832 (b) Actions which constitute Theft, a category B felony.



April L Parks

A Private Professional Guardian, LLC

Taylor Court Trip Scheme

Prepared By:

Jaclyn O'Malley

AG - Criminal Investigator

Colin Haynes

-LVMPD - Sr. Intelligence Analyst – Financial

1

All Unnecessary and Exploitive Court Trips

Ward Name	Date	Description	Category	qty	mi	qty	dex	Price	Amount	Staff Name	Created	Modified
Collings, Joseph	3/7/2012	pick up order, get letters and orders certified	Court	60	1			\$120.00	\$120.00	Sanchez, Angelica	4/1/12 12:10	4/1/12 12:10
Weber, Audrey	3/7/2012	pick up order, get letters and orders	Court	60	1			\$120.00	\$120.00	Sanchez, Angelica	4/1/12 12:15	4/1/12 12:15
	3/7/2012 Total								\$240.00			
Vitek, Mary	4/23/2012	Cert. Orders and Lettes	Court	75	1.25			\$120.00	\$150.00	Sanchez, Angelica	5/1/12 0:22	5/1/12 0:22
Wright, Walter	4/23/2012	Cert. Orders and Lettes	Court	75	1.25			\$120.00	\$150.00	Sanchez, Angelica	4/30/12 23:50	5/1/12 0:12
	4/23/2012 Total								\$300.00			
Bonin, Eric	2/6/2013	File paperwork	Court	130.2	2.17			\$120.00	\$260.40	Taylor, Neal	3/2/13 12:21	3/2/13 12:21
Braslow, Ruth	2/6/2013	File paperwork	Court	130.2	2.17			\$120.00	\$260.40	Taylor, Neal	3/2/13 12:25	3/2/13 12:25
Holmquist, Ann	2/6/2013	File paperwork	Court	130.2	2.17			\$120.00	\$260.40	Taylor, Neal	3/2/13 12:33	3/2/13 12:33
Holmquist, Charles	2/6/2013	File Paperwork for Ward	Court	130.2	2.17			\$120.00	\$260.40	Taylor, Neal	3/2/13 12:48	3/2/13 12:48
Kapp, Bryan	2/6/2013	File paperwork for Ward	Court	130.2	2.17			\$120.00	\$260.40	Taylor, Neal	3/2/13 13:06	3/2/13 13:06
Kent, Richard	2/6/2013	File paperwork for Ward	Court	130.2	2.17			\$120.00	\$260.40	Taylor, Neal	3/2/13 13:08	3/2/13 13:08
Kiljian, Barbara	2/6/2013	File paperwork for Ward	Court	130.2	2.17			\$120.00	\$260.40	Taylor, Neal	3/2/13 13:09	3/2/13 13:09
Lampopa, Rita	2/6/2013	File paperwork for Ward	Court	130.2	2.17			\$120.00	\$260.40	Taylor, Neal	3/2/13 13:10	3/2/13 13:10
Moore, William	2/6/2013	File paperwork for Ward	Court	130.2	2.17			\$120.00	\$260.40	Taylor, Neal	3/2/13 13:11	3/2/13 13:11
	2/6/2013 Total								\$2,343.60			
Bonin, Eric	3/6/2013	File Court Documents	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	4/2/13 1:31	4/2/13 1:32
Kapp, Bryan	3/6/2013	File court documents	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	4/2/13 1:34	4/2/13 1:34
Kent, Richard	3/6/2013	File Court documents	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	4/2/13 1:38	4/2/13 1:38
Kiljian, Barbara	3/6/2013	File Court Documents	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	4/2/13 1:39	4/2/13 1:39
Lampopa, Rita	3/6/2013	File Court documents	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	4/2/13 1:40	4/2/13 1:40
	3/6/2013 Total								\$1,500.00			
Holmquist, Ann	3/21/2013	File court Documents	Court	210	3.5			\$120.00	\$420.00	Taylor, Neal	4/2/13 1:24	4/2/13 1:26
Holmquist, Charles	3/21/2013	File Court Documents	Court	210	3.5			\$120.00	\$420.00	Taylor, Neal	4/2/13 1:28	4/2/13 1:28
Maddera, Charles	3/21/2013	File Court documents	Court	210	3.5			\$120.00	\$420.00	Taylor, Neal	4/2/13 2:19	4/2/13 2:19
McGraw, Hallie	3/21/2013	File Court documents	Court	210	3.5			\$120.00	\$420.00	Taylor, Neal	4/2/13 2:20	4/2/13 2:20
Moore, William	3/21/2013	File Court documents	Court	210	3.5			\$120.00	\$420.00	Taylor, Neal	4/2/13 2:17	4/2/13 2:17
	3/21/2013 Total								\$2,100.00			
Donitz, Sam	4/2/2013	File Court Documents	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	4/3/13 17:28	4/3/13 17:28
Holmquist, Charles	4/2/2013	File Court documents	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	4/3/13 17:22	4/3/13 17:22
Moore, William	4/2/2013	File Court Documents	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	4/3/13 17:25	4/3/13 17:25
Reithmeier, Lieselotte	4/2/2013	File Court Documents	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	4/3/13 17:27	4/3/13 17:27
Zuniga-Gutierrez, Maria	4/2/2013	File Court Documents	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	5/2/13 10:20	5/2/13 10:20
	4/2/2013 Total								\$1,500.00			
Holmquist, Ann	4/3/2013	File Court Documents	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	4/3/13 17:21	4/3/13 17:21
	4/3/2013 Total								\$300.00			
Belgzin, Gwen	4/15/2013	Certify letters and orders for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	5/2/13 11:54	5/2/13 11:54
Donitz, Sam	4/15/2013	Certify letters and orders for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	5/2/13 11:41	5/2/13 11:41
Ervin, Betty	4/15/2013	Certify letters and orders for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	5/2/13 11:42	5/2/13 11:42
Johnson, Diane	4/15/2013	Certify temporary letters and orders for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	5/2/13 11:53	5/2/13 11:53
Wilkening, Barbara	4/15/2013	Certify letters and orders for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	5/2/13 11:40	5/2/13 11:40
Wilkening, Norbert	4/15/2013	Certify letters and orders for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	5/2/13 11:38	5/2/13 11:38
	4/15/2013 Total								\$1,440.00			
Belgzin, Gwen	5/14/2013	Certify letters and orders for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	6/4/13 0:07	6/4/13 0:07

Jaclyn O'Malley
Criminal Investigator NV AG

All Unnecessary and Explosive Court Trips

Ward Name	Date	Description	Category	qty	ml	qty	der	Price	Amount	Staff Name	Created	Modified
Gore, Barry	5/14/2013	Visit Master Calendar to get court date for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	6/4/13 0:09	6/4/13 0:09
Wilkening, Norbert	5/14/2013	Pick up certified copies of Letters and Orders for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	6/4/13 0:15	6/4/13 0:15
Zuniga-Gutierrez, Maria	5/14/2013	Pick up certifies copies of Letters and Orders for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	6/4/13 0:16	6/4/13 0:16
	5/14/2013	Total							\$1,200.00			
Gore, Barry	6/26/2013	File Court Documents for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	6/26/13 18:45	6/26/13 18:45
Matheson, Fumi	6/26/2013	File Court Documents for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	6/26/13 18:47	6/26/13 18:47
McInnis, Benjamin	6/26/2013	File Court Documents for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	6/26/13 18:40	6/26/13 18:40
Okudo, George	6/26/2013	File Court Documents for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	6/26/13 18:49	6/26/13 18:49
Weber, Audrey	6/26/2013	File Court Documents for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	6/26/13 18:51	6/26/13 18:51
	6/26/2013	Total							\$1,200.00			
Gore, Barry	7/10/2013	File paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	8/1/13 3:30	8/1/13 3:30
Jones, Dakota	7/10/2013	File paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	8/1/13 3:29	8/1/13 3:29
Scalabrini, Mary Lou	7/10/2013	File paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	8/1/13 3:27	8/1/13 3:27
	7/10/2013	Total							\$900.00			
Collings, Joseph	7/15/2013	Pick up Order	Court	60	1			\$120.00	\$120.00	Simmons, Mark	8/1/13 18:07	8/1/13 18:07
Jobson, Douglas	7/15/2013	Pick up Order	Court	60	1			\$120.00	\$120.00	Simmons, Mark	8/1/13 18:07	8/1/13 18:07
Matheson, Fumi	7/15/2013	pick up paperwork at Court for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	8/1/13 3:25	8/1/13 3:25
Okudo, George	7/15/2013	Pick up Order	Court	60	1			\$120.00	\$120.00	Simmons, Mark	8/1/13 18:08	8/1/13 18:08
Stewart, George	7/15/2013	Pick up order	Court	60	1			\$120.00	\$120.00	Simmons, Mark	8/1/13 18:04	8/1/13 18:04
Weber, Audrey	7/15/2013	Pick up Order	Court	60	1			\$120.00	\$120.00	Simmons, Mark	8/1/13 18:08	8/1/13 18:08
	7/15/2013	Total							\$900.00			
Brady, William	7/24/2013	File paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	8/1/13 2:37	8/1/13 2:37
Franklin, Roy	7/24/2013	File paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	8/1/13 2:40	8/1/13 2:40
Specksgoor, Gerard	7/24/2013	File paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	8/1/13 2:52	8/1/13 2:52
	7/24/2013	Total							\$900.00			
Poplasia, Dorothy	7/26/2013	Pick up and file paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	8/1/13 2:31	8/1/13 2:31
	7/26/2013	Total							\$300.00			
Scholl, Hans	8/1/2013	Travel to Court, P/U Orders, get letters issued	Court	60	1			\$120.00	\$120.00	Simmons, Mark	9/2/13 10:11	9/2/13 10:11
Scholl, Marilyn	8/1/2013	Travel to court, P/U Orders, get letters issued	Court	60	1			\$120.00	\$120.00	Simmons, Mark	9/2/13 10:11	9/2/13 10:11
	8/1/2013	Total							\$240.00			
Jones, Dakota	8/23/2013	File Court Documents	Court	75	1.25			\$120.00	\$150.00	Taylor, Neal	9/2/13 14:03	9/2/13 14:03
Scalabrini, Mary Lou	8/23/2013	File Court Documents	Court	75	1.25			\$120.00	\$150.00	Taylor, Neal	9/2/13 14:02	9/2/13 14:02
	8/23/2013	Total							\$300.00			
Mesloft, Kathy	9/27/2013	File and retrieve paperwork at Court for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	10/2/13 12:46	10/2/13 12:46
	9/27/2013	Total							\$240.00			
Ellison, Marion	10/3/2013	File Court Documents for Ward	Court	210	3.5			\$120.00	\$420.00	Taylor, Neal	10/15/13 14:06	10/15/13 14:11
Fraser, Cyprian	10/3/2013	File Paperwork for Ward	Court	210	3.5			\$120.00	\$420.00	Taylor, Neal	10/4/13 13:50	10/4/13 13:50
Graham, Donald	10/3/2013	File Court Documents for Ward	Court	210	3.5			\$120.00	\$420.00	Taylor, Neal	10/4/13 13:54	10/4/13 13:54
Graham, Juanita	10/3/2013	File Court Documents for Ward	Court	210	3.5			\$120.00	\$420.00	Taylor, Neal	10/4/13 13:54	10/4/13 13:54
North, Renne	10/3/2013	File Court Documents for Ward	Court	105	1.75			\$120.00	\$210.00	Taylor, Neal	10/4/13 13:55	10/4/13 13:55
North, Rudy	10/3/2013	File Court Documents for Ward	Court	105	1.75			\$120.00	\$210.00	Taylor, Neal	10/4/13 13:56	10/4/13 13:56
Omegas, Martha	10/3/2013	File Court Documents for Ward	Court	210	3.5			\$120.00	\$420.00	Taylor, Neal	10/4/13 13:58	10/4/13 13:58
Wilkening, Barbara	10/3/2013	File Court Documents for Ward	Court	210	3.5			\$120.00	\$420.00	Taylor, Neal	10/15/13 14:26	10/15/13 14:26
	10/3/2013	Total							\$2,940.00			

Jadyn O'Malley
Criminal Investigator NV AG

All Unnecessary and Exploitive Court Trips

Ward Name	Date	Description	Category	qty	mi	qty	der	Price	Amount	Staff Name	Created	Modified
Ellison, Marion	10/8/2013	File Court Documents for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	10/15/13 14:04	10/15/13 14:04
Graham, Donald	10/8/2013	File Court Documents for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	10/15/13 14:01	10/15/13 14:01
Graham, Juanita	10/8/2013	File Court Documents for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	10/15/13 14:02	10/15/13 14:02
Mesloh, Kathy	10/8/2013	Pick up paperwork for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	10/15/13 14:19	6/5/15 13:57
North, Rennie	10/8/2013	File Court Documents for Ward	Court	60	1			\$120.00	\$120.00	Taylor, Neal	10/15/13 14:09	5/1/15 16:11
North, Rudy	10/8/2013	File Court Documents for Ward	Court	60	1			\$120.00	\$120.00	Taylor, Neal	10/15/13 14:17	5/1/15 16:15
Ornelas, Martha	10/8/2013	File Court Documents for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	10/15/13 14:20	10/15/13 14:20
Wilkening, Barbara	10/8/2013	File Court Documents for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	10/15/13 14:22	10/15/13 14:22
	10/8/2013	Total							\$1,680.00			
Broadway, Patricia	10/11/2013	File Court Documents for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	10/15/13 14:29	10/15/13 14:29
	10/11/2013	Total							\$240.00			
Kindaichi, Yoshiko	11/6/2013	File paperwork for Ward	Court	210	3.5			\$120.00	\$420.00	Taylor, Neal	12/3/13 1:19	12/3/13 1:19
Mesloh, Kathy	11/6/2013	File paperwork for Ward	Court	210	3.5			\$120.00	\$420.00	Taylor, Neal	12/3/13 1:41	6/5/15 13:58
Zearfoss, Patricia	11/6/2013	File Paperwork for Ward	Court	135	2.25			\$120.00	\$270.00	Taylor, Neal	12/3/13 1:55	12/3/13 1:55
	11/6/2013	Total							\$1,110.00			
Kindaichi, Yoshiko	11/8/2013	Pick up and file paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	12/3/13 1:23	12/3/13 1:23
Zearfoss, Patricia	11/8/2013	File Paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	12/3/13 1:57	12/3/13 1:57
	11/8/2013	Total							\$600.00			
Cass, Cecilia	12/6/2013	File Paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	1/2/14 14:43	1/2/14 14:43
Cass, Roy	12/6/2013	File Paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	1/2/14 14:45	1/2/14 14:45
Kortinek, Nancy	12/6/2013	File Paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	12/10/13 13:14	12/10/13 13:14
	12/6/2013	Total							\$900.00			
Cass, Cecilia	12/9/2013	File Paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	12/10/13 13:04	12/10/13 13:04
Cass, Roy	12/9/2013	File Paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	12/10/13 13:05	12/10/13 13:05
Kortinek, Nancy	12/9/2013	File Paperwork for Ward	Court	150	2.5			\$120.00	\$300.00	Taylor, Neal	12/10/13 13:03	12/10/13 13:03
Mesloh, Kathy	12/9/2013	File Paperwork for Ward	Court	45	0.75			\$120.00	\$90.00	Taylor, Neal	12/10/13 13:06	6/5/15 14:00
	12/9/2013	Total							\$990.00			
Fogg, Richard	12/19/2013	File Paperwork for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	1/2/14 14:57	1/2/14 14:57
Howard, Pauline	12/19/2013	File Paperwork for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	1/2/14 14:58	1/2/14 14:58
Hydock, Irene	12/19/2013	File Paperwork for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	1/2/14 14:59	1/2/14 14:59
Turner, Richard	12/19/2013	File Paperwork for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	1/2/14 14:52	1/2/14 14:52
	12/19/2013	Total							\$960.00			
Edwards, Kenneth	1/2/2014	File Paperwork for Ward	Court	169.8	2.83			\$120.00	\$339.60	Taylor, Neal	1/16/14 13:24	2/3/14 14:25
Kish, Barbara	1/2/2014	File Paperwork for Ward	Court	169.8	2.83			\$120.00	\$339.60	Taylor, Neal	2/3/14 13:35	2/3/14 13:35
West, Gary	1/2/2014	File Paperwork for Ward	Court	120	2			\$120.00	\$240.00	Taylor, Neal	1/16/14 13:23	1/16/14 13:23
	1/2/2014	Total							\$919.20			
Bearden, Bruce	1/7/2014	File Paperwork for Ward	Court	145.2	2.42			\$120.00	\$290.40	Taylor, Neal	2/3/14 14:44	2/3/14 14:44
Turner, Richard	1/7/2014	File Court Documents for Ward	Court	145.2	2.42			\$120.00	\$290.40	Taylor, Neal	2/3/14 12:44	2/3/14 14:46
	1/7/2014	Total							\$580.80			
Bearden, Bruce	1/9/2014	File Court Documents for Ward	Court	79.8	1.33			\$120.00	\$159.60	Taylor, Neal	1/16/14 13:14	1/16/14 13:14
West, Gary	1/9/2014	File Court Documents for Ward	Court	79.8	1.33			\$120.00	\$159.60	Taylor, Neal	1/16/14 13:17	1/16/14 13:17
	1/9/2014	Total							\$319.20			
Fogg, Richard	1/14/2014	Pick up paperwork for Ward	Court	60	1			\$120.00	\$120.00	Taylor, Neal	1/14/14 18:39	1/14/14 18:39
Howard, Pauline	1/14/2014	Pick up paperwork for Ward	Court	60	1			\$120.00	\$120.00	Taylor, Neal	1/14/14 18:40	1/14/14 18:40

Jaclyn O'Malley
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All Unnecessary and Exploitive Court Trips

Ward Name	Date	Description	Category	qty	ml	qty der	Price	Amount	Staff Name	Created	Modified
Hydock, Irene	1/14/2014	Pick up paperwork for Ward	Court	60		1	\$120.00	\$120.00	Taylor, Neal	1/14/14 18:41	1/14/14 18:41
	1/14/2014 Total							\$360.00			
Edwards, Kenneth	1/21/2014	File Paperwork for Ward	Court	175.2		2.92	\$120.00	\$350.40	Taylor, Neal	2/3/14 14:27	2/3/14 14:27
Kish, Barbara	1/21/2014	File Paperwork for Ward	Court	175.2		2.92	\$120.00	\$350.40	Taylor, Neal	2/3/14 13:39	2/3/14 13:39
Papepietro, Frank	1/21/2014	File Paperwork for Ward	Court	145.2		2.42	\$120.00	\$290.40	Taylor, Neal	2/3/14 14:52	2/3/14 14:52
Scholl, Marilyn	1/21/2014	Pick up Paperwork for Ward	Court	85.2		1.42	\$120.00	\$170.40	Taylor, Neal	2/3/14 14:55	2/3/14 14:55
	1/21/2014 Total							\$1,161.60			
Edwards, Kenneth	1/22/2014	File Paperwork for Ward	Court	79.8		1.33	\$120.00	\$159.60	Taylor, Neal	2/3/14 14:30	2/3/14 14:30
	1/22/2014 Total							\$159.60			
Kish, Barbara	1/23/2014	File Paperwork for Ward	Court	79.8		1.33	\$120.00	\$159.60	Taylor, Neal	2/3/14 13:41	2/3/14 13:41
	1/23/2014 Total							\$159.60			
Edwards, Kenneth	2/3/2014	File Court Documents for Ward	Court	139.8		2.33	\$120.00	\$279.60	Taylor, Neal	3/4/14 14:06	3/4/14 14:06
Kish, Barbara	2/3/2014	File Court Documents for Ward	Court	139.8		2.33	\$120.00	\$279.60	Taylor, Neal	3/4/14 14:07	3/4/14 14:07
Mesloh, Kathy	2/3/2014	File Court Documents for Ward	Court	139.8		2.33	\$120.00	\$279.60	Taylor, Neal	3/4/14 14:08	6/5/15 14:02
Scholl, Marilyn	2/3/2014	File Court Documents for Ward	Court	139.8		2.33	\$120.00	\$279.60	Taylor, Neal	3/4/14 14:10	3/4/14 14:10
	2/3/2014 Total							\$1,118.40			
Gray, Kenneth	2/19/2014	File Court Documents for Ward	Court	175.2		2.92	\$120.00	\$350.40	Taylor, Neal	3/4/14 14:16	3/4/14 14:16
Jernigan, Virginia	2/19/2014	File Court Documents for Ward	Court	175.2		2.92	\$120.00	\$350.40	Taylor, Neal	3/4/14 14:17	3/4/14 14:17
Kling, Jack	2/19/2014	File Court Documents for Ward	Court	175.2		2.92	\$120.00	\$350.40	Taylor, Neal	3/4/14 14:18	3/4/14 14:18
	2/19/2014 Total							\$1,051.20			
Hawkes, Ronald	3/3/2014	File Court Documents for Ward	Court	145.2		2.42	\$120.00	\$290.40	Taylor, Neal	3/25/14 12:27	3/25/14 12:27
Lambert, Lucienne	3/3/2014	File Court Documents for Ward	Court	145.2		2.42	\$120.00	\$290.40	Taylor, Neal	3/25/14 12:32	3/25/14 12:32
McCue, Joseph	3/3/2014	File Court Documents for Ward	Court	145.2		2.42	\$120.00	\$290.40	Taylor, Neal	3/25/14 12:28	3/25/14 12:28
Mihalik, John	3/3/2014	File Court Documents for Ward	Court	145.2		2.42	\$120.00	\$290.40	Taylor, Neal	3/25/14 12:29	3/25/14 12:29
Smith, Robert	3/3/2014	File Court Documents for Ward	Court	145.2		2.42	\$120.00	\$290.40	Taylor, Neal	3/25/14 12:44	3/25/14 12:44
	3/3/2014 Total							\$1,452.00			
Hawkes, Ronald	3/4/2014	File Court Documents for Ward	Court	109.8		1.83	\$120.00	\$219.60	Taylor, Neal	3/31/14 16:53	3/31/14 16:53
Lambert, Lucienne	3/4/2014	File Court Documents for Ward	Court	109.8		1.83	\$120.00	\$219.60	Taylor, Neal	3/31/14 17:22	3/31/14 17:22
McCue, Joseph	3/4/2014	File Court Documents for Ward	Court	109.8		1.83	\$120.00	\$219.60	Taylor, Neal	3/31/14 17:01	3/31/14 17:01
Mihalik, John	3/4/2014	File Court Documents for Ward	Court	109.8		1.83	\$120.00	\$219.60	Taylor, Neal	3/31/14 17:13	3/31/14 17:13
	3/4/2014 Total							\$878.40			
Hawkes, Ronald	3/6/2014	File Court Documents for Ward	Court	124.8		2.08	\$120.00	\$249.60	Taylor, Neal	3/31/14 16:56	3/31/14 16:56
Lambert, Lucienne	3/6/2014	File Court Documents for Ward	Court	124.8		2.08	\$120.00	\$249.60	Taylor, Neal	3/31/14 17:23	3/31/14 17:23
McCue, Joseph	3/6/2014	File Court Documents for Ward	Court	124.8		2.08	\$120.00	\$249.60	Taylor, Neal	3/31/14 17:04	3/31/14 17:04
Mihalik, John	3/6/2014	File Court Documents for Ward	Court	124.8		2.08	\$120.00	\$249.60	Taylor, Neal	3/31/14 17:15	3/31/14 17:15
	3/6/2014 Total							\$998.40			
Hawkes, Ronald	3/7/2014	File Court Documents for Ward	Court	109.8		1.83	\$120.00	\$219.60	Taylor, Neal	3/31/14 16:58	3/31/14 16:58
McCue, Joseph	3/7/2014	File Court Documents for Ward	Court	109.8		1.83	\$120.00	\$219.60	Taylor, Neal	3/31/14 17:06	3/31/14 17:06
Mihalik, John	3/7/2014	File Court Documents for Ward	Court	109.8		1.83	\$120.00	\$219.60	Taylor, Neal	3/31/14 17:16	3/31/14 17:16
	3/7/2014 Total							\$658.80			
Coombes, Michael	3/10/2014	File Court Documents for Ward	Court	130.2		2.17	\$120.00	\$260.40	Taylor, Neal	3/31/14 17:49	3/31/14 17:49
	3/10/2014 Total							\$260.40			
Coombes, Michael	3/12/2014	File Court Documents for Ward	Court	100.2		1.67	\$120.00	\$200.40	Taylor, Neal	3/31/14 17:52	3/31/14 17:52
Lambert, Lucienne	3/12/2014	File Court Documents for Ward	Court	100.2		1.67	\$120.00	\$200.40	Taylor, Neal	3/31/14 17:26	3/31/14 17:26

Jaclyn O'Malley
Criminal Investigator NV AG

All Unnecessary and Exploitive Court Trips

Ward Name	Date	Description	Category	qty	mi	qty	det	Price	Amount	Staff Name	Created	Modified
Scholt, Marilyn	3/12/2014	File Court Documents for Ward	Court	100.2	1.67			\$120.00	\$200.40	Taylor, Neal	3/31/14 17:54	3/31/14 17:54
	3/12/2014 Total								\$601.20			
Kapp, Bryan	3/17/2014	File Court Documents for Ward	Court	145.2	2.42			\$120.00	\$290.40	Taylor, Neal	3/31/14 17:56	3/31/14 17:56
Lambert, Lucienne	3/17/2014	File Court Documents for Ward	Court	145.2	2.42			\$120.00	\$290.40	Taylor, Neal	3/31/14 17:46	3/31/14 17:46
	3/17/2014 Total								\$580.80			
Korinek, Nancy	3/25/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	3/31/14 18:00	3/31/14 18:00
Turner, Richard	3/25/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	3/31/14 18:02	3/31/14 18:02
	3/25/2014 Total								\$439.20			
Hawkes, Ronald	3/31/2014	File Court Documents for Ward	Court	199.8	3.33			\$120.00	\$399.60	Taylor, Neal	3/31/14 19:37	3/31/14 19:37
Lambert, Lucienne	3/31/2014	File Court Documents for Ward	Court	199.8	3.33			\$120.00	\$399.60	Taylor, Neal	3/31/14 19:36	3/31/14 19:36
McCue, Joseph	3/31/2014	File Court Documents for Ward	Court	199.8	3.33			\$120.00	\$399.60	Taylor, Neal	3/31/14 19:38	3/31/14 19:38
Mihalik, John	3/31/2014	File Court Documents for Ward	Court	199.8	3.33			\$120.00	\$399.60	Taylor, Neal	3/31/14 19:36	3/31/14 19:36
Smith, Robert	3/31/2014	File Court Documents for Ward	Court	199.8	3.33			\$120.00	\$399.60	Taylor, Neal	3/31/14 19:35	3/31/14 19:35
Zavatjian, Edward	3/31/2014	File Court Documents for Ward	Court	199.8	3.33			\$120.00	\$399.60	Taylor, Neal	3/31/14 19:33	3/31/14 19:33
	3/31/2014 Total								\$2,397.60			
Jones, Robert	4/3/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	4/3/14 18:29	4/3/14 18:29
Pardy, Carl	4/3/2014	File court documents	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	5/1/14 23:08	5/1/14 23:08
	4/3/2014 Total								\$349.20			
Hart, Veima	4/29/2014	File court documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	5/1/14 23:15	5/1/14 23:15
Pardy, Carl	4/29/2014	File court documents	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	5/1/14 23:13	5/1/14 23:13
	4/29/2014 Total								\$559.20			
Mitchell, Janice	4/30/2014	File Court Documents for Ward	Court	79.8	1.33			\$120.00	\$159.60	Taylor, Neal	4/30/14 18:45	4/30/14 18:45
	4/30/2014 Total								\$159.60			
Atherton, Edward	5/8/2014	File Court Documents for Ward	Court	169.8	2.83			\$120.00	\$339.60	Taylor, Neal	5/30/14 14:54	5/30/14 14:58
Kish, Barbara	5/8/2014	File Court Documents for Ward	Court	169.8	2.83			\$120.00	\$339.60	Taylor, Neal	5/30/14 15:08	5/30/14 15:08
Moskowitz-Crowe, Phyllis	5/8/2014	File Court Documents for Ward	Court	169.8	2.83			\$120.00	\$339.60	Taylor, Neal	5/28/14 19:35	5/28/14 19:37
Wolf, Perry	5/8/2014	File Court Documents for Ward	Court	169.8	2.83			\$120.00	\$339.60	Taylor, Neal	5/30/14 15:21	5/30/14 15:21
	5/8/2014 Total								\$1,358.40			
Atherton, Edward	5/9/2014	Pick up paperwork for Ward	Court	60	1			\$120.00	\$120.00	Taylor, Neal	5/30/14 15:54	5/30/14 15:54
Wolf, Perry	5/9/2014	Pick up paperwork for Ward	Court	60	1			\$120.00	\$120.00	Taylor, Neal	5/30/14 15:55	5/30/14 15:55
	5/9/2014 Total								\$240.00			
Atherton, Edward	5/12/2014	File Court Documents for Ward	Court	75	1.25			\$120.00	\$150.00	Taylor, Neal	5/30/14 15:18	5/30/14 15:18
Moskowitz-Crowe, Phyllis	5/12/2014	File Court Documents for Ward	Court	75	1.25			\$120.00	\$150.00	Taylor, Neal	5/28/14 19:37	5/28/14 19:37
Wolf, Perry	5/12/2014	File Court Documents for Ward	Court	75	1.25			\$120.00	\$150.00	Taylor, Neal	5/30/14 15:20	5/30/14 15:20
	5/12/2014 Total								\$450.00			
Atherton, Edward	5/14/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	5/30/14 15:25	5/30/14 15:25
McCall, William	5/14/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	5/30/14 15:27	5/30/14 15:27
Moskowitz-Crowe, Phyllis	5/14/2014	File Paperwork for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	5/28/14 19:39	5/28/14 19:39
Robinson, Germaine	5/14/2014	Pick up paperwork for Ward	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	5/30/14 15:28	5/30/14 15:28
Wolf, Perry	5/14/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	5/30/14 15:24	5/30/14 15:24
	5/14/2014 Total								\$1,008.00			
Mitchell, Janice	5/15/2014	Pick up paperwork for Ward	Court	60	1			\$120.00	\$120.00	Taylor, Neal	5/30/14 15:36	5/30/14 15:36
Robinson, Germaine	5/15/2014	File Court Documents for Ward	Court	90	1.5			\$120.00	\$180.00	Taylor, Neal	5/30/14 15:33	5/30/14 15:33
	5/15/2014 Total								\$300.00			

Jaclyn O'Malley
Criminal Investigator NY AG

All Unnecessary and Exploitive Court Trips

Ward Name	Date	Description	Category	qty	mi	qty	dec	Price	Amount	Staff Name	Created	Modified
Robinson, Germaine	5/20/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	5/30/14 15:38	5/30/14 15:38
	5/21/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	5/30/14 15:41	5/30/14 15:41
	5/21/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	5/30/14 15:43	5/30/14 15:43
	5/23/2014	File Court Documents for Ward	Court	135	2.25			\$120.00	\$270.00	Taylor, Neal	5/30/14 15:44	5/30/14 15:44
	5/23/2014	File Court Documents for Ward	Court	165	2.75			\$120.00	\$330.00	Taylor, Neal	5/30/14 15:47	5/30/14 15:47
	5/27/2014	File Court Documents for Ward	Court	135	2.25			\$120.00	\$270.00	Taylor, Neal	5/30/14 15:49	5/30/14 15:49
	5/29/2014	File Court Documents for Ward	Court	135	2.25			\$120.00	\$270.00	Taylor, Neal	5/30/14 15:48	5/30/14 15:48
	5/29/2014	File Court Documents for Ward	Court	135	2.25			\$120.00	\$270.00	Taylor, Neal	5/30/14 15:50	5/30/14 15:50
	5/29/2014	Pick up paperwork for Ward	Court	64.8	1.08			\$120.00	\$79.60	Taylor, Neal	5/30/14 15:45	5/30/14 15:45
	5/29/2014	File Court Documents for Ward	Court	135	2.25			\$120.00	\$270.00	Taylor, Neal	5/30/14 15:51	5/30/14 15:51
	5/29/2014	File Court Documents for Ward	Court	105	1.75			\$120.00	\$126.00	Taylor, Neal	5/30/14 16:58	5/30/14 16:58
	6/4/2014	File Court Documents for Ward	Court	105	1.75			\$120.00	\$126.00	Taylor, Neal	6/30/14 17:01	6/30/14 17:01
	6/4/2014	File Court Documents for Ward	Court	169.8	2.83			\$120.00	\$339.60	Taylor, Neal	6/30/14 17:10	6/30/14 17:10
	6/9/2014	File Court Documents for Ward	Court	169.8	2.83			\$120.00	\$339.60	Taylor, Neal	6/30/14 17:11	6/30/14 17:11
	6/9/2014	File Paperwork for Ward	Court	169.8	2.83			\$120.00	\$339.60	Taylor, Neal	6/30/14 17:13	6/30/14 17:13
	6/9/2014	File Paperwork for Ward	Court	169.8	2.83			\$120.00	\$339.60	Taylor, Neal	6/30/14 17:14	6/30/14 17:14
	6/9/2014	File Paperwork for Ward	Court	169.8	2.83			\$120.00	\$339.60	Taylor, Neal	6/30/14 17:15	6/30/14 17:15
	6/9/2014	File Paperwork for Ward	Court	169.8	2.83			\$120.00	\$339.60	Taylor, Neal	6/30/14 17:15	6/30/14 17:15
	6/9/2014	File Paperwork for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	6/30/14 17:23	6/30/14 17:23
	6/10/2014	File Court Documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	6/30/14 17:25	6/30/14 17:25
	6/10/2014	File Court Documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	6/30/14 17:26	6/30/14 17:26
	6/10/2014	File Court Documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	6/30/14 17:27	6/30/14 17:27
	6/10/2014	File Court Documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	6/30/14 17:23	6/30/14 17:23
	6/10/2014	File Court Documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	6/30/14 17:21	6/30/14 17:21
	6/17/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	6/30/14 17:57	6/30/14 17:57
	6/17/2014	File Court Documents for Ward	Court	64.8	1.08			\$120.00	\$79.60	Taylor, Neal	6/30/14 19:09	6/30/14 19:09
	6/18/2014	Pick up paperwork for Ward	Court	64.8	1.08			\$120.00	\$79.60	Taylor, Neal	6/30/14 19:04	6/30/14 19:04
	6/18/2014	Pick up paperwork for Ward	Court	64.8	1.08			\$120.00	\$79.60	Taylor, Neal	6/30/14 19:10	6/30/14 19:10
	6/18/2014	Pick up paperwork for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	6/30/14 18:12	6/30/14 18:12
	6/19/2014	File Court Documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	6/30/14 18:13	6/30/14 18:13
	6/19/2014	File Paperwork for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	6/30/14 18:14	6/30/14 18:14
	6/19/2014	File Court Documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	6/30/14 18:15	6/30/14 18:15
	6/23/2014	File Court Documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	6/30/14 18:16	6/30/14 18:16

Jaclyn O'Malley
Criminal Investigator NV AG

All Unnecessary and Exploitive Court Trips

Ward Name	Date	Description	Category	qty	mi	qty	Price	Amount	Staff Name	Created	Modified
Moskowitz-Crowe, Phyllis	6/23/2014	File Paperwork for Ward	Court	139.8	2.33		\$120.00	\$279.60	Taylor, Neal	6/30/14 18:18	6/30/14 18:18
Schoening, James	6/23/2014	File Court Documents for Ward	Court	139.8	2.33		\$120.00	\$279.60	Taylor, Neal	6/30/14 18:17	6/30/14 18:17
	6/23/2014 Total							\$1,118.40			
Freeman, Leonard	6/25/2014	Pick up paperwork for Ward	Court	64.8	1.08		\$120.00	\$129.60	Taylor, Neal	6/30/14 18:47	6/30/14 18:47
Und, Carol	6/25/2014	File Court Documents for Ward	Court	109.8	1.83		\$120.00	\$219.60	Taylor, Neal	6/30/14 18:49	6/30/14 18:49
Lyons, Rex	6/25/2014	File Court Documents for Ward	Court	109.8	1.83		\$120.00	\$219.60	Taylor, Neal	6/30/14 18:50	6/30/14 18:50
Schoening, James	6/25/2014	File Court Documents for Ward	Court	109.8	1.83		\$120.00	\$219.60	Taylor, Neal	6/30/14 18:51	6/30/14 18:51
	6/25/2014 Total							\$788.40			
Martin, Ava	6/30/2014	File Court Documents for Ward	Court	109.8	1.83		\$120.00	\$219.60	Taylor, Neal	6/30/14 18:53	6/30/14 18:53
Turner, Richard	6/30/2014	File Court Documents for Ward	Court	109.8	1.83		\$120.00	\$219.60	Taylor, Neal	6/30/14 18:54	6/30/14 18:54
	6/30/2014 Total							\$439.20			
Cravedi, Georgann	8/22/2014	File Court Documents for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 17:00	9/2/14 17:00
Franklin, Roy	8/22/2014	File Paperwork for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 17:12	9/2/14 17:12
Holmquist, Ann	8/22/2014	File Paperwork for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 17:13	9/2/14 17:13
Indig, Elizabeth	8/22/2014	File Court Documents for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 17:16	9/2/14 17:16
Kalan, Audrey	8/22/2014	File Court Documents for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 17:01	9/2/14 17:01
Lampka, Rita	8/22/2014	File Court Documents for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 17:16	9/2/14 17:16
Maddera, Charles	8/22/2014	File Paperwork for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 17:17	9/2/14 17:17
Mcinnis, Benjamin	8/22/2014	File Court Documents for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 17:11	9/2/14 17:11
Moore, William	8/22/2014	File Court Documents for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 17:10	9/2/14 17:10
Rickenbaugh, Carolyn	8/22/2014	File Court Documents for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 17:04	9/2/14 17:04
Vitek, Mary	8/22/2014	File Court Documents for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 17:09	9/2/14 17:09
	8/22/2014 Total							\$3,795.60			
Cravedi, Georgann	8/29/2014	File Court Documents for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 16:43	9/2/14 16:43
Kalan, Audrey	8/29/2014	File Court Documents for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 16:44	9/2/14 16:44
Moskowitz-Crowe, Phyllis	8/29/2014	File Paperwork for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 16:45	9/2/14 16:45
Poe, Berna	8/29/2014	File Paperwork for Ward	Court	169.8	2.83		\$120.00	\$339.60	Taylor, Neal	9/2/14 16:46	9/2/14 16:46
	8/29/2014 Total							\$1,358.40			
Mura, Edward	9/8/2014	File Court Documents for Ward	Court	109.8	1.83		\$120.00	\$219.60	Taylor, Neal	9/8/14 16:42	9/8/14 16:42
	9/8/2014 Total							\$219.60			
Marquez, George	9/15/2014	File Court Documents for Ward	Court	109.8	1.83		\$120.00	\$219.60	Taylor, Neal	9/16/14 13:17	9/16/14 13:17
	9/15/2014 Total							\$219.60			
Marquez, George	9/16/2014	File Court Documents for Ward	Court	94.8	1.58		\$120.00	\$189.60	Taylor, Neal	9/17/14 13:13	9/17/14 13:13
Ruward, Barbara	9/16/2014	Pick up paperwork for Ward	Court	64.8	1.08		\$120.00	\$129.60	Taylor, Neal	9/17/14 13:16	9/17/14 13:16
	9/16/2014 Total							\$319.20			
Neely, Ann (Barbara)	9/17/2014	File Court documents for Ward	Court	94.8	1.58		\$120.00	\$189.60	Taylor, Neal	9/30/14 23:52	9/30/14 23:52
Ruward, Barbara	9/17/2014	File Court Documents	Court	109.8	1.83		\$120.00	\$219.60	Taylor, Neal	9/18/14 13:07	7/22/15 12:42
	9/17/2014 Total							\$409.20			
Lopez, Judith	9/18/2014	File Court documents for Ward	Court	94.8	1.58		\$120.00	\$189.60	Taylor, Neal	9/30/14 23:57	9/30/14 23:57
Ruward, Barbara	9/18/2014	File Court Documents	Court	70.2	1.17		\$120.00	\$140.40	Taylor, Neal	9/18/14 16:03	7/22/15 12:42
	9/18/2014 Total							\$330.00			
Palmer, Reiko	9/22/2014	File Court documents for Ward	Court	64.8	1.08		\$120.00	\$129.60	Taylor, Neal	10/1/14 0:02	10/1/14 0:02
Rickenbaugh, Carolyn	9/22/2014	File Court documents for Ward	Court	64.8	1.08		\$120.00	\$129.60	Taylor, Neal	10/1/14 0:14	10/1/14 0:14
Ruward, Barbara	9/22/2014	File Court documents	Court	79.8	1.33		\$120.00	\$159.60	Taylor, Neal	9/30/14 23:59	7/22/15 12:42

Jaclyn O'Malley
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All Unnecessary and Exploitive Court Trips

Ward Name	Date	Description	Category	qty	ml	qty	dec	Price	Amount	Staff Name	Created	Modified
Hagen, James	9/22/2014	Total							\$418.80			
Neely, Ann (Barbara)	9/23/2014	File Court Documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	9/30/14 16:23	9/30/14 16:23
Palmer, Reiko	9/23/2014	File Court documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	9/30/14 23:55	9/30/14 23:55
Rickenbaugh, Carolyn	9/23/2014	File Court documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	10/1/14 0:06	10/1/14 0:06
	9/23/2014	Total							\$1,118.40			
Hagen, James	9/25/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	9/30/14 16:19	9/30/14 16:19
Neely, Ann (Barbara)	9/25/2014	File Court documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	9/30/14 23:53	9/30/14 23:53
Palmer, Reiko	9/25/2014	File Court documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	10/1/14 0:04	10/1/14 0:04
Rickenbaugh, Carolyn	9/25/2014	File Court documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	10/1/14 0:15	10/1/14 0:15
Ruward, Barbara	9/25/2014	File Court documents for Ward	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	9/30/14 23:47	9/30/14 23:47
	9/25/2014	Total							\$1,008.00			
Vitek, Mary	9/29/2014	File Court Documents for Ward	Court	94.8	1.58			\$120.00	\$189.60	Taylor, Neal	9/30/14 16:16	9/30/14 16:16
	9/29/2014	Total							\$189.60			
Dempsey, Doris	10/8/2014	File Court documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	11/3/14 0:17	11/3/14 0:17
Rickenbaugh, Carolyn	10/8/2014	File documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	11/3/14 0:34	11/3/14 0:34
Schwerin, Doty	10/8/2014	File documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	11/3/14 0:39	11/3/14 0:39
	10/8/2014	Total							\$838.80			
Dempsey, Doris	10/15/2014	Pick up documents for Ward	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	11/3/14 0:18	11/3/14 0:18
Schwerin, Doty	10/15/2014	Pick up documents for Ward	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	11/3/14 1:07	11/3/14 1:07
Vitek, Mary	10/15/2014	File documents for Ward	Court	94.8	1.58			\$120.00	\$189.60	Taylor, Neal	11/3/14 1:12	11/3/14 1:12
Wright, Walter	10/15/2014	File documents for Ward	Court	94.8	1.58			\$120.00	\$189.60	Taylor, Neal	11/3/14 1:18	11/3/14 1:18
	10/15/2014	Total							\$638.40			
Dempsey, Doris	10/16/2014	File documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	11/3/14 0:22	11/3/14 0:22
Schwerin, Doty	10/16/2014	File documents for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	11/3/14 1:01	11/3/14 1:01
Vitek, Mary	10/16/2014	Pick up documents for Ward	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	11/3/14 1:13	11/3/14 1:13
	10/16/2014	Total							\$688.80			
Dempsey, Doris	10/23/2014	Pick up documents for Ward	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	11/3/14 0:24	11/3/14 0:24
Schwerin, Doty	10/23/2014	Pick up documents for Ward	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	11/3/14 1:03	11/3/14 1:03
Vitek, Mary	10/23/2014	File documents for Ward	Court	79.8	1.33			\$120.00	\$159.60	Taylor, Neal	11/3/14 1:15	11/3/14 1:15
	10/23/2014	Total							\$418.80			
Dempsey, Doris	10/27/2014	File documents for Ward	Court	79.8	1.33			\$120.00	\$159.60	Taylor, Neal	11/3/14 0:26	11/3/14 0:26
Marquez, George	10/27/2014	File documents for Ward	Court	79.8	1.33			\$120.00	\$159.60	Taylor, Neal	11/3/14 1:21	11/3/14 1:21
Ruward, Barbara	10/27/2014	Pick up documents for Ward	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	11/3/14 1:23	11/3/14 1:23
Schwerin, Doty	10/27/2014	File court documents for Ward	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	11/3/14 1:06	11/3/14 1:06
	10/27/2014	Total							\$578.40			
Marquez, George	10/29/2014	File documents for Ward	Court	94.8	1.58			\$120.00	\$189.60	Taylor, Neal	11/3/14 1:26	11/3/14 1:26
Ruward, Barbara	10/29/2014	File documents for Ward	Court	94.8	1.58			\$120.00	\$189.60	Taylor, Neal	11/3/14 1:29	11/3/14 1:29
	10/29/2014	Total							\$379.20			
Dempsey, Doris	11/7/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	12/1/14 15:17	12/1/14 15:17
Lane, Wesley	11/7/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	12/1/14 15:19	12/1/14 15:19
Oakley, Dennis	11/7/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	12/1/14 15:05	12/1/14 15:05
Rickenbaugh, Carolyn	11/7/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	12/1/14 15:28	12/1/14 15:28
Schwerin, Doty	11/7/2014	File Court Documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	12/1/14 15:29	12/1/14 15:29

Jacklyn O'Malley
Criminal Investigator NV AG

All Unnecessary and Explosive Court Trips

Ward Name	Date	Description	Category	qty	ml	qty	det	Price	Amount	Staff Name	Created	Modified
	11/7/2014	Total							\$1,098.00			
Dempsey, Doris	11/10/2014	File Court Documents for Ward	Court	100.2	1.67			\$120.00	\$200.40	Taylor, Neal	12/1/14 16:14	12/1/14 17:53
Lane, Wesley	11/10/2014	File Court Documents for Ward	Court	100.2	1.67			\$120.00	\$200.40	Taylor, Neal	12/1/14 17:54	12/1/14 17:55
Rickenbaugh, Carolyn	11/10/2014	File Court Documents for Ward	Court	100.2	1.67			\$120.00	\$200.40	Taylor, Neal	12/1/14 17:55	12/1/14 17:55
Schweflin, Doty	11/10/2014	File Court Documents for Ward	Court	100.2	1.67			\$120.00	\$200.40	Taylor, Neal	12/1/14 17:56	12/1/14 17:56
	11/10/2014	Total							\$801.60			
Godfrey, Kathy	11/18/2014	File Paperwork for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	12/1/14 18:01	12/1/14 18:01
Gore, Barry	11/18/2014	File Paperwork for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	12/1/14 18:13	12/1/14 18:13
Morse, Lewis	11/18/2014	File Paperwork for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	12/1/14 18:13	12/1/14 18:13
Oakley, Dennis	11/18/2014	File Paperwork for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	12/1/14 18:08	12/1/14 18:08
Phillips, Linda	11/18/2014	File Paperwork for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	12/1/14 18:11	12/1/14 18:11
Ruward, Barbara	11/18/2014	Pick up paperwork for Ward	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	12/1/14 18:16	12/1/14 18:16
Scholl, Marilyn	11/18/2014	File Paperwork for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	12/1/14 18:12	12/1/14 18:12
Vitek, Mary	11/18/2014	File Paperwork for Ward	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	12/1/14 18:14	12/1/14 18:14
	11/18/2014	Total							\$2,086.80			
Godfrey, Kathy	11/19/2014	File Court Documents for Ward	Court	100.2	1.67			\$120.00	\$200.40	Taylor, Neal	12/1/14 18:31	12/1/14 18:31
Oakley, Dennis	11/19/2014	File Court Documents for Ward	Court	100.2	1.67			\$120.00	\$200.40	Taylor, Neal	12/1/14 18:29	12/1/14 18:29
Ruward, Barbara	11/19/2014	File Court Documents for Ward	Court	100.2	1.67			\$120.00	\$200.40	Taylor, Neal	12/1/14 18:27	12/1/14 18:27
Vitek, Mary	11/19/2014	File Court Documents for Ward	Court	100.2	1.67			\$120.00	\$200.40	Taylor, Neal	12/1/14 18:32	12/1/14 18:32
	11/19/2014	Total							\$801.60			
Godfrey, Kathy	11/20/2014	File Court Documents for Ward	Court	100.2	1.67			\$120.00	\$200.40	Taylor, Neal	12/1/14 18:44	12/1/14 18:44
Oakley, Dennis	11/20/2014	File Court Documents for Ward	Court	100.2	1.67			\$120.00	\$200.40	Taylor, Neal	12/1/14 18:45	12/1/14 18:45
	11/20/2014	Total							\$400.80			
Hydock, Irene	11/25/2014	File Court Documents for Ward	Court	94.8	1.58			\$120.00	\$189.60	Taylor, Neal	12/1/14 18:48	12/1/14 18:48
Zearfoss, Patricia	11/25/2014	File Court Documents for Ward	Court	94.8	1.58			\$120.00	\$189.60	Taylor, Neal	12/1/14 18:47	12/1/14 18:47
	11/25/2014	Total							\$379.20			
Daquisto, Eileen	12/4/2014	Pick up court documents	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	1/2/15 23:42	5/28/15 15:58
Oakley, Dennis	12/4/2014	Pick up paperwork for Ward	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	12/4/14 16:40	12/4/14 16:40
Schachner, Donald	12/4/2014	Pick up court documents	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	1/2/15 23:43	1/2/15 23:43
	12/4/2014	Total							\$388.80			
Daquisto, Eileen	12/5/2014	File Court documents for Ward	Court	124.8	2.08			\$120.00	\$249.60	Taylor, Neal	1/2/15 23:55	5/28/15 15:58
Fisher, Linda	12/5/2014	File court documents for Ward	Court	124.8	2.08			\$120.00	\$249.60	Taylor, Neal	1/2/15 23:51	1/2/15 23:51
Oakley, Dennis	12/5/2014	File Court documents for Ward	Court	124.8	2.08			\$120.00	\$249.60	Taylor, Neal	1/2/15 23:56	1/2/15 23:56
Schachner, Donald	12/5/2014	File Court documents for Ward	Court	124.8	2.08			\$120.00	\$249.60	Taylor, Neal	1/2/15 23:57	1/2/15 23:57
	12/5/2014	Total							\$998.40			
Hooker, Edwin	12/12/2014	File Court Documents for Ward	Court	85.2	1.42			\$120.00	\$170.40	Taylor, Neal	12/12/14 16:24	12/12/14 16:24
	12/12/2014	Total							\$170.40			
Hooker, Edwin	12/18/2014	Pick up Court documents for Ward	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	1/3/15 0:31	1/3/15 0:31
Hydock, Irene	12/18/2014	Pick up Court documents for Ward	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	1/3/15 0:35	1/3/15 0:35
Zearfoss, Patricia	12/18/2014	Pick up Court documents for Ward	Court	64.8	1.08			\$120.00	\$129.60	Taylor, Neal	1/3/15 0:36	1/3/15 0:36
	12/18/2014	Total							\$478.80			
Cass, Cecilia	12/19/2014	File Court documents for Ward	Court	94.8	1.58			\$120.00	\$189.60	Taylor, Neal	1/3/15 0:13	1/3/15 0:13
Gray, Kenneth	12/19/2014	File Court documents for Ward	Court	94.8	1.58			\$120.00	\$189.60	Taylor, Neal	1/3/15 0:14	1/3/15 0:14
Poye, James	12/19/2014	File Court documents for Ward	Court	94.8	1.58			\$120.00	\$189.60	Taylor, Neal	1/3/15 0:17	1/3/15 0:17

Jackyn O'Malley
Criminal Investigator NV AG

All Unnecessary and Exploitive Court Trips

Ward Name	Date	Description	Category	qty_mi	qty	der	Price	Amount	Staff Name	Created	Modified
Poya, James	12/19/2014	File Court documents for Ward	Court	94.8	1.58		\$120.00	\$189.60	Taylor, Neal	1/3/15 0:17	1/3/15 0:17
	12/19/2014 Total							\$758.40			
Shelton, James	1/2/2015	File Court Documents for Ward	Court	85.2	1.42		\$100.00	\$142.00	Taylor, Neal	1/31/15 21:34	1/31/15 21:34
	1/2/2015 Total							\$142.00			
Shelton, James	1/5/2015	File Court Documents for Ward	Court	94.8	1.58		\$100.00	\$158.00	Taylor, Neal	1/31/15 21:36	1/31/15 21:36
	1/5/2015 Total							\$158.00			
Cass, Cecilia	1/9/2015	Pick up paperwork for Ward	Court	64.8	1.08		\$100.00	\$108.00	Taylor, Neal	2/1/15 23:21	2/1/15 23:21
Hooker, Edwin	1/9/2015	Pick up paperwork for Ward	Court	64.8	1.08		\$100.00	\$108.00	Taylor, Neal	2/1/15 23:17	2/1/15 23:17
Hydock, Irene	1/9/2015	File Court Documents for Ward	Court	139.8	2.33		\$100.00	\$233.00	Taylor, Neal	2/1/15 23:15	2/1/15 23:15
Long, Marie	1/9/2015	File Court Documents for Ward	Court	111	1.85		\$100.00	\$185.00	Taylor, Neal	2/1/15 23:13	2/1/15 23:13
Oakley, Dennis	1/9/2015	File Court Documents for Ward	Court	139.8	2.33		\$100.00	\$233.00	Taylor, Neal	2/1/15 23:14	2/1/15 23:14
Poya, James	1/9/2015	Pick up paperwork for Ward	Court	64.8	1.08		\$100.00	\$108.00	Taylor, Neal	2/1/15 23:22	2/1/15 23:22
Ruward, Barbara	1/9/2015	File Court Documents for Ward	Court	139.8	2.33		\$100.00	\$233.00	Taylor, Neal	2/1/15 23:12	2/1/15 23:12
Shelton, James	1/9/2015	Pick up paperwork for Ward	Court	64.8	1.08		\$100.00	\$108.00	Taylor, Neal	2/1/15 23:18	2/1/15 23:18
	1/9/2015 Total							\$1,316.00			
Hooker, Edwin	1/13/2015	File Court Documents for Ward	Court	150	2.5		\$100.00	\$250.00	Taylor, Neal	2/1/15 23:27	2/1/15 23:27
Ruward, Barbara	1/13/2015	File Court Documents for Ward	Court	150	2.5		\$100.00	\$250.00	Taylor, Neal	2/1/15 23:31	2/1/15 23:31
Shelton, James	1/13/2015	File Court Documents for Ward	Court	150	2.5		\$100.00	\$250.00	Taylor, Neal	2/1/15 23:29	2/1/15 23:29
	1/13/2015 Total							\$750.00			
Adams, Anna	1/22/2015	File Court Documents for Ward	Court	115.2	1.92		\$100.00	\$192.00	Taylor, Neal	2/1/15 23:33	2/1/15 23:33
Basden, Bruce	1/22/2015	File Court Documents for Ward	Court	115.2	1.92		\$100.00	\$192.00	Taylor, Neal	2/1/15 23:36	2/1/15 23:36
Edwards, Kenneth	1/22/2015	File Court Documents for Ward	Court	115.2	1.92		\$100.00	\$192.00	Taylor, Neal	2/1/15 23:35	2/1/15 23:35
Lane, Wesley	1/22/2015	File Court Documents for Ward	Court	115.2	1.92		\$100.00	\$192.00	Taylor, Neal	2/1/15 23:39	2/1/15 23:39
Milhall, John	1/22/2015	File Paperwork for Ward	Court	115.2	1.92		\$100.00	\$192.00	Taylor, Neal	2/1/15 23:43	2/1/15 23:43
Morse, Lewis	1/22/2015	File Court Documents for Ward	Court	115.2	1.92		\$100.00	\$192.00	Taylor, Neal	2/1/15 23:44	2/1/15 23:44
Zuniga-Gutierrez, Maria	1/22/2015	File Court Documents for Ward	Court	115.2	1.92		\$100.00	\$192.00	Taylor, Neal	2/1/15 23:37	2/1/15 23:37
	1/22/2015 Total							\$1,344.00			
Edwards, Kenneth	2/6/2015	Pick up paperwork for Ward	Court	64.8	1.08		\$100.00	\$108.00	Taylor, Neal	2/6/15 13:49	2/6/15 13:49
	2/6/2015 Total							\$108.00			
Bowman, Clyde	2/10/2015	File Court Documents for Client	Court	109.8	1.83		\$100.00	\$183.00	Taylor, Neal	2/11/15 16:29	2/11/15 16:29
Leone, Henry	2/10/2015	Pick up paperwork for Client	Court	64.8	1.08		\$100.00	\$108.00	Taylor, Neal	2/13/15 13:59	2/13/15 13:59
	2/10/2015 Total							\$291.00			
Leone, Henry	2/12/2015	File Court Documents for Client	Court	139.8	2.33		\$100.00	\$233.00	Taylor, Neal	2/13/15 14:02	2/13/15 14:02
Rickenbaugh, Carolyn	2/12/2015	File Court Documents for Client	Court	139.8	2.33		\$100.00	\$233.00	Taylor, Neal	2/13/15 14:03	2/13/15 14:03
	2/12/2015 Total							\$466.00			
Glenn, Clayton	2/13/2015	File Court Documents for Client	Court	109.8	1.83		\$100.00	\$183.00	Taylor, Neal	2/19/15 13:42	2/19/15 13:42
	2/13/2015 Total							\$183.00			
Hoffman, Frances	2/19/2015	File Court Documents for Client	Court	109.8	1.83		\$100.00	\$183.00	Taylor, Neal	3/1/15 21:15	3/1/15 21:15
Ruward, Barbara	2/19/2015	Pick up paperwork for Client	Court	64.8	1.08		\$100.00	\$108.00	Taylor, Neal	2/19/15 16:33	2/19/15 16:33
	2/19/2015 Total							\$291.00			
Hoffman, Frances	2/23/2015	File Court Documents for Client	Court	109.8	1.83		\$100.00	\$183.00	Taylor, Neal	3/1/15 21:07	3/1/15 21:07
Leone, Henry	2/23/2015	Pick up paperwork for Client	Court	109.8	1.83		\$100.00	\$183.00	Taylor, Neal	3/1/15 21:02	3/1/15 21:02
Massa, Joseph	2/23/2015	File Court Documents for Client	Court	109.8	1.83		\$100.00	\$183.00	Taylor, Neal	3/1/15 21:10	3/1/15 21:10
Neely, Ann (Barbara)	2/23/2015	File Court Documents for Client	Court	109.8	1.83		\$100.00	\$183.00	Taylor, Neal	3/1/15 21:14	3/1/15 21:14

Jadyn O'Malley
Criminal Investigator NY AG

All Unnecessary and Exploitive Court Trips

Ward Name	Date	Description	Category	qty	mi	qty	dec	Price	Amount	Staff Name	Created	Modified
Ruward, Barbara	2/23/2015	File Court Documents for Client	Court	109.8	1.83			\$100.00	\$183.00	Taylor, Neal	3/1/15 21:05	3/1/15 21:05
	2/23/2015	Total							\$915.00			
Behrens, Rosemarie	3/4/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	3/9/15 19:27	3/9/15 19:27
Cherhonlak, Mary	3/4/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	3/9/15 19:27	3/9/15 19:27
Graham, Juanita	3/4/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	3/9/15 19:24	3/9/15 19:24
King, Jack	3/4/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	3/9/15 19:28	3/9/15 19:28
McCall, William	3/4/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	3/9/15 19:26	3/9/15 19:26
Ornelas, Martha	3/4/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	3/9/15 19:25	3/9/15 19:25
Ruward, Barbara	3/4/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	3/9/15 19:22	3/9/15 19:22
Turner, Richard	3/4/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	3/9/15 19:25	3/9/15 19:25
	3/4/2015	Total							\$1,864.00			
Rickenbaugh, Carolyn	3/5/2015	File Court Documents for Client	Court	120	2			\$100.00	\$200.00	Taylor, Neal	3/9/15 19:13	3/9/15 19:13
	3/5/2015	Total							\$200.00			
Hart, Velma	3/9/2015	File Court Documents for Client	Court	109.8	1.83			\$100.00	\$183.00	Taylor, Neal	3/9/15 19:09	3/9/15 19:09
Mitchell, Janice	3/9/2015	File Court Documents for Client	Court	109.8	1.83			\$100.00	\$183.00	Taylor, Neal	3/9/15 19:11	3/9/15 19:11
Wyka, Edward	3/9/2015	File Court Documents for Client	Court	109.8	1.83			\$100.00	\$183.00	Taylor, Neal	3/31/15 18:24	3/31/15 18:24
	3/9/2015	Total							\$549.00			
Borish, Eric	3/13/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	3/31/15 18:19	3/31/15 18:19
Lamppe, Rita	3/13/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	3/31/15 18:20	5/28/15 15:40
Leone, Henry	3/13/2015	File Paperwork for Ward	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	3/31/15 18:22	3/31/15 18:22
Wyka, Edward	3/13/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	3/31/15 18:17	3/31/15 18:17
	3/13/2015	Total							\$807.00			
Leone, Henry	3/16/2015	File Court Documents for Client	Court	94.8	1.58			\$100.00	\$158.00	Taylor, Neal	3/31/15 17:34	3/31/15 17:34
Wyka, Edward	3/16/2015	File Court Documents for Client	Court	94.8	1.58			\$100.00	\$158.00	Taylor, Neal	3/31/15 17:36	3/31/15 17:36
	3/16/2015	Total							\$316.00			
Bailey, Charles	3/20/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	3/31/15 16:53	3/31/15 16:53
Behrens, Rosemarie	3/20/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	3/31/15 16:56	3/31/15 16:56
Cherhonlak, Mary	3/20/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	3/31/15 16:54	3/31/15 16:54
Graham, Juanita	3/20/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	3/31/15 16:57	3/31/15 16:57
King, Jack	3/20/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	3/31/15 16:55	3/31/15 16:55
McCall, William	3/20/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	3/31/15 16:58	3/31/15 16:58
Ornelas, Martha	3/20/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	3/31/15 17:04	3/31/15 17:04
Turner, Richard	3/20/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	3/31/15 16:41	3/31/15 16:41
	3/20/2015	Total							\$864.00			
Marquez, George	3/23/2015	File Court Documents for Client	Court	150	2.5			\$100.00	\$250.00	Taylor, Neal	3/31/15 16:50	3/31/15 16:50
	3/23/2015	Total							\$250.00			
Coombs, Michael	3/27/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	3/31/15 16:44	3/31/15 16:44
Maddera, Charles	3/27/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	3/31/15 16:46	3/31/15 16:46
Mitchell, Janice	3/27/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	3/31/15 16:48	3/31/15 16:48
Moore, William	3/27/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	3/31/15 16:45	3/31/15 16:45
	3/27/2015	Total							\$807.00			
Glenn, Clayton	4/2/2015	Pick up paperwork for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	4/30/15 21:36	4/30/15 21:36
Lewis, Cezee	4/2/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	4/30/15 21:37	4/30/15 21:37
	4/2/2015	Total							\$466.00			

Jadyn O'Malley
Criminal Investigator NV AG

All Unnecessary and Exploitive Court Trips

Ward Name	Date	Description	Category	qty	mi	qty	der	Price	Amount	Staff Name	Created	Modified
Bonin, Eric	4/7/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	4/30/15 21:40	4/30/15 21:40
Lamppa, Rita	4/7/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	4/30/15 21:41	5/28/15 15:40
Mayer, Pat	4/7/2015	Pick up paperwork for Client	Court	109.8	1.83			\$100.00	\$183.00	Taylor, Neal	4/30/15 21:42	4/30/15 21:42
	4/7/2015	Total							\$399.00			
Leone, Henry	4/13/2015	File court documents for Client	Court	150	2.5			\$100.00	\$250.00	Taylor, Neal	4/30/15 15:57	4/30/15 15:57
Lothman, Dorothy	4/13/2015	File Court Documents for Client	Court	150	2.5			\$100.00	\$250.00	Taylor, Neal	4/30/15 21:49	4/30/15 21:49
Marquez, George	4/13/2015	File Court Documents for Client	Court	150	2.5			\$100.00	\$250.00	Taylor, Neal	4/30/15 21:50	4/30/15 21:50
	4/13/2015	Total							\$750.00			
Leone, Henry	4/15/2015	Pick up paperwork for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	4/30/15 21:53	4/30/15 21:53
Lothman, Dorothy	4/15/2015	Pick up paperwork for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	4/30/15 21:54	4/30/15 21:54
	4/15/2015	Total							\$466.00			
Daquisto, Eileen	4/17/2015	File Court Documents for Client	Court	205.2	3.42			\$100.00	\$342.00	Taylor, Neal	4/30/15 22:03	5/28/15 15:58
Foster, Rosclaire	4/17/2015	File Court Documents for Client	Court	205.2	3.42			\$100.00	\$342.00	Taylor, Neal	4/30/15 21:58	4/30/15 21:58
Franklin, Roy	4/17/2015	File Court Documents for Client	Court	205.2	3.42			\$100.00	\$342.00	Taylor, Neal	4/30/15 22:02	4/30/15 22:02
Hawkes, Ronald	4/17/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	4/30/15 22:12	4/30/15 22:12
Lambert, Lucienne	4/17/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	4/30/15 22:11	4/30/15 22:11
Lamppa, Rita	4/17/2015	File Court Documents for Client	Court	205.2	3.42			\$100.00	\$342.00	Taylor, Neal	4/30/15 22:01	5/28/15 15:40
Lothman, Dorothy	4/17/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	4/30/15 22:06	4/30/15 22:06
McCue, Joseph	4/17/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	4/30/15 22:10	4/30/15 22:10
Smith, Robert	4/17/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	4/30/15 22:09	4/30/15 22:09
Zavattien, Edward	4/17/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	4/30/15 22:08	4/30/15 22:08
	4/17/2015	Total							\$2,016.00			
Foster, Rosclaire	4/21/2015	Pick up paperwork for Client	Court	169.8	2.83			\$100.00	\$283.00	Taylor, Neal	4/30/15 22:16	4/30/15 22:16
Lothman, Dorothy	4/21/2015	Pick up paperwork for Client	Court	169.8	2.83			\$100.00	\$283.00	Taylor, Neal	4/30/15 22:14	4/30/15 22:14
	4/21/2015	Total							\$566.00			
Foster, Rosclaire	4/23/2015	File Court Documents for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	4/30/15 22:17	4/30/15 22:17
	4/23/2015	Total							\$233.00			
Foster, Rosclaire	4/27/2015	Pick up paperwork for Client	Court	105	1.75			\$100.00	\$175.00	Taylor, Neal	4/30/15 22:21	4/30/15 22:21
	4/27/2015	Total							\$175.00			
Moskowitz-Crowe, Phyllis	4/29/2015	Pick up paperwork for Client	Court	139.8	2.33			\$100.00	\$233.00	Taylor, Neal	4/30/15 22:22	4/30/15 22:22
Willis, Sandra	4/29/2015	Pick up paperwork for Client	Court	64.8	1.08			\$100.00	\$108.00	Taylor, Neal	4/30/15 22:24	4/30/15 22:24
	4/29/2015	Total							\$341.00			
Willis, Sandra	4/30/2015	File Court Documents for Client	Court	169.8	2.83			\$100.00	\$283.00	Taylor, Neal	4/30/15 22:25	4/30/15 22:25
	4/30/2015	Total							\$283.00			
Lamppa, Rita	5/5/2015	Pick up paperwork for Client	Court	33	0.55			\$100.00	\$55.00	Taylor, Neal	5/5/15 17:18	5/28/15 15:40
Marquez, George	5/5/2015	Pick up paperwork for Client	Court	33	0.55			\$100.00	\$55.00	Taylor, Neal	5/5/15 17:20	5/5/15 17:20
	5/5/2015	Total							\$110.00			
Willis, Sandra	5/6/2015	File Court Documents for Client	Court	109.8	1.83			\$100.00	\$183.00	Taylor, Neal	5/6/15 16:33	5/6/15 16:33
	5/6/2015	Total							\$183.00			
Monghur, Mary	5/28/2015	Pick up paperwork for Client	Court	4.2	0.07			\$120.00	\$8.40	Taylor, Neal	5/31/15 23:02	5/31/15 23:02
Monghur, Mary	5/28/2015	Pick up paperwork for Client	Court	40.2	0.67			\$100.00	\$67.00	Taylor, Neal	5/31/15 23:03	5/31/15 23:03
	5/28/2015	Total							\$75.40			
Franklin, Roy	7/1/2015	File Court Documents for Client	Court	139.8	2.33			\$120.00	\$279.60	Taylor, Neal	8/3/15 7:55	8/3/15 7:57
Graham, Juanita	7/1/2015	Late June Billing- File Court documents for Client	Court	34.8	0.58			\$120.00	\$69.60	Taylor, Neal	8/3/15 9:11	8/3/15 9:11

Jaclyn O'Malley
Criminal Investigator NV AG

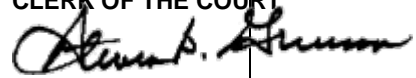
All Unnecessary and Exploitive Court Trips

Ward Name	Date	Description	Category	qty	mi	qty	dec	Price	Amount	Staff Name	Created	Modified
Hagen, James	7/1/2015	Late June Billing- File Court documents for Client	Court	49.8	0.83			\$120.00	\$99.60	Taylor, Neal	8/3/15 8:48	8/3/15 8:48
Leone, Henry	7/1/2015	Late June Billing- File Court documents for Client	Court	49.8	0.83			\$120.00	\$99.60	Taylor, Neal	8/3/15 8:46	8/3/15 8:46
Long, Marie	7/1/2015	Late June Billing- File Court documents for Client	Court	34.8	0.58			\$120.00	\$69.60	Taylor, Neal	8/3/15 9:12	8/3/15 9:12
Losch, Candis	7/1/2015	Late June Billing- File Court documents for Client	Court	34.8	0.58			\$120.00	\$69.60	Taylor, Neal	8/3/15 9:13	8/3/15 9:13
Neeff, Douglas	7/1/2015	Late June Billing- File Court documents for Client	Court	49.8	0.83			\$120.00	\$99.60	Taylor, Neal	8/3/15 8:49	8/3/15 8:49
Sanborn, Inessa	7/1/2015	Late June Billing- File Court documents for Client	Court	109.8	1.83			\$120.00	\$219.60	Taylor, Neal	8/3/15 9:16	8/3/15 9:16
Scholl, Marilyn	7/1/2015	Late June Billing- File Court documents for Client	Court	34.8	0.58			\$120.00	\$69.60	Taylor, Neal	8/3/15 9:11	8/3/15 9:11
Turner, Richard	7/1/2015	Late June Billing- Check Client's Property	Court	60	1			\$120.00	\$120.00	Taylor, Neal	8/3/15 9:03	8/3/15 9:03
Wright, Walter	7/1/2015	Late June Billing- File Court documents for Client	Court	34.8	0.58			\$120.00	\$69.60	Taylor, Neal	8/3/15 9:13	8/3/15 9:13
	7/1/2015 Total								\$1,266.00			
Cooper, Maria	7/9/2015	File Court Documents for Client	Court	30	0.5			\$120.00	\$60.00	Taylor, Neal	8/3/15 8:04	8/3/15 8:04
Currie, Daniel	7/9/2015	File Court Documents for Client	Court	30	0.5			\$120.00	\$60.00	Taylor, Neal	8/3/15 8:03	8/3/15 8:03
Hestad, Alfred	7/9/2015	File Court Documents for Client	Court	30	0.5			\$120.00	\$60.00	Taylor, Neal	8/3/15 8:00	8/3/15 8:00
Hoffman, Frances	7/9/2015	File Court Documents for Client	Court	30	0.5			\$120.00	\$60.00	Taylor, Neal	8/3/15 8:01	8/3/15 8:01
Smook, Patricia	7/9/2015	File Court Documents for Client	Court	30	0.5			\$120.00	\$60.00	Taylor, Neal	8/3/15 8:05	8/3/15 8:05
	7/9/2015 Total								\$300.00			
Lyons, Rex	7/10/2015	File Court Documents for Client	Court	70.2	1.17			\$120.00	\$140.40	Taylor, Neal	8/3/15 8:09	8/3/15 8:09
Turner, Richard	7/10/2015	File Court Documents for Client	Court	70.2	1.17			\$120.00	\$140.40	Taylor, Neal	8/3/15 8:10	8/3/15 8:10
	7/10/2015 Total								\$280.80			
Foster, Rosclere	7/14/2015	File Court Documents for Client	Court	49.8	0.83			\$120.00	\$99.60	Taylor, Neal	8/3/15 8:13	8/3/15 8:13
Ruward, Barbara	7/14/2015	File Court Documents for Client	Court	49.8	0.83			\$120.00	\$99.60	Taylor, Neal	8/3/15 8:15	8/3/15 8:15
Smith, Dolores	7/14/2015	File Court Documents for Client	Court	49.8	0.83			\$120.00	\$99.60	Taylor, Neal	8/3/15 8:16	8/3/15 8:16
	7/14/2015 Total								\$298.80			
Atherton, Edward	7/20/2015	File Court Documents for Client	Court	169.8	2.83			\$120.00	\$339.60	Taylor, Neal	8/3/15 8:19	8/3/15 8:19
	7/20/2015 Total								\$339.60			
Atherton, Edward	7/24/2015	File Court Documents for Client	Court	30	0.5			\$120.00	\$60.00	Taylor, Neal	8/3/15 8:28	8/3/15 8:28
Cooper, Maria	7/24/2015	File Court Documents for Client	Court	30	0.5			\$120.00	\$60.00	Taylor, Neal	8/3/15 8:26	8/3/15 8:26
Currie, Daniel	7/24/2015	File Court Documents for Client	Court	30	0.5			\$120.00	\$60.00	Taylor, Neal	8/3/15 8:26	8/3/15 8:26
Dempsey, Doris	7/24/2015	File Court Documents for Client	Court	30	0.5			\$120.00	\$60.00	Taylor, Neal	8/3/15 8:30	8/3/15 8:30
Franklin, Roy	7/24/2015	File Court Documents for Client	Court	30	0.5			\$120.00	\$60.00	Taylor, Neal	8/3/15 8:31	8/3/15 8:31
	7/24/2015 Total								\$300.00			
Donth, Jean	7/30/2015	File Court Documents for Client	Court	34.8	0.58			\$120.00	\$69.60	Taylor, Neal	8/3/15 8:36	8/3/15 8:36
Lothman, Dorothy	7/30/2015	File Court Documents for Client	Court	34.8	0.58			\$120.00	\$69.60	Taylor, Neal	8/3/15 8:37	8/3/15 8:37
Mong'huir, Mary	7/30/2015	File Court Documents for Client	Court	34.8	0.58			\$120.00	\$69.60	Taylor, Neal	8/3/15 8:35	8/3/15 8:35
Neeff, Douglas	7/30/2015	File Court Documents for Client	Court	34.8	0.58			\$120.00	\$69.60	Taylor, Neal	8/3/15 8:34	8/3/15 8:34
Smook, Patricia	7/30/2015	File Court Documents for Client	Court	34.8	0.58			\$120.00	\$69.60	Taylor, Neal	8/3/15 8:38	8/3/15 8:38
	7/30/2015 Total								\$348.00			
Corso, Alice	8/3/2015	File Court Documents for Client	Court	30	0.5			\$100.00	\$50.00	Taylor, Neal	8/31/15 13:32	8/31/15 13:32
Graham, Juanita	8/3/2015	File Court Documents for Client	Court	30	0.5			\$100.00	\$50.00	Taylor, Neal	8/31/15 13:30	8/31/15 13:30
Phillips, Linda	8/3/2015	File Court Documents for Client	Court	30	0.5			\$100.00	\$50.00	Taylor, Neal	8/31/15 13:33	8/31/15 13:33
Poya, James	8/3/2015	File Court Documents for Client	Court	30	0.5			\$100.00	\$50.00	Taylor, Neal	8/31/15 13:33	8/31/15 13:33
Scholl, Marilyn	8/3/2015	File Court Documents for Client	Court	30	0.5			\$100.00	\$50.00	Taylor, Neal	8/31/15 13:31	8/31/15 13:31
	8/3/2015 Total								\$250.00			
Gore, Barry	8/11/2015	File Court Documents for Client	Court	40.2	0.67			\$100.00	\$67.00	Taylor, Neal	8/31/15 13:39	8/31/15 13:39

Jaclyn O'Malley
Criminal Investigator NV AG

All Unnecessary and Exploitive Court Trips

Ward Name	Date	Description	Category	qty_mi	qty_der	Price	Amount	Staff Name	Created	Modified
Hawkes, Ronald	8/11/2015	File Court Documents for Client	Court	40.2	0.67	\$100.00	\$67.00	Taylor, Neal	8/31/15 13:40	8/31/15 13:40
King, Jack	8/11/2015	File Court Documents for Client	Court	40.2	0.67	\$100.00	\$67.00	Taylor, Neal	8/31/15 13:38	8/31/15 13:38
Mesloh, Kathy	8/11/2015	File Court Documents for Client	Court	40.2	0.67	\$100.00	\$67.00	Taylor, Neal	8/31/15 13:36	8/31/15 13:36
Neeff, Douglas	8/11/2015	File Court Documents for Client	Court	40.2	0.67	\$100.00	\$67.00	Taylor, Neal	8/31/15 13:37	8/31/15 13:37
Ruward, Barbara	8/11/2015	File Court Documents for Client	Court	40.2	0.67	\$100.00	\$67.00	Taylor, Neal	8/31/15 13:37	8/31/15 13:37
	8/11/2015 Total						\$402.00			
Horner, Marlene	8/12/2015	File Court Documents for Client	Court	55.2	0.92	\$100.00	\$92.00	Taylor, Neal	8/31/15 13:45	8/31/15 13:45
Smook, Patricia	8/12/2015	File Court Documents for Client	Court	55.2	0.92	\$100.00	\$92.00	Taylor, Neal	8/31/15 13:45	8/31/15 13:45
	8/12/2015 Total						\$184.00			
Thomas, Richard	8/19/2015	File Court Documents for Client	Court	109.8	1.83	\$100.00	\$183.00	Taylor, Neal	8/31/15 13:48	8/31/15 13:48
	8/19/2015 Total						\$183.00			
Atherton, Edward	8/20/2015	File Court Documents for Client	Court	169.8	2.83	\$120.00	\$339.60	Taylor, Neal	8/31/15 8:18	8/31/15 8:18
	8/20/2015 Total						\$339.60			
Atherton, Edward	8/24/2015	File Court Documents for Client	Court	30	0.5	\$120.00	\$60.00	Taylor, Neal	8/31/15 8:27	8/31/15 8:27
	8/24/2015 Total						\$60.00			
Behrens, Rosemarie	8/25/2015	File Court Documents for Client	Court	49.8	0.83	\$100.00	\$83.00	Taylor, Neal	8/31/15 13:49	8/31/15 13:49
Lockwood, Harold	8/25/2015	File Court Documents for Client	Court	49.8	0.83	\$100.00	\$83.00	Taylor, Neal	8/31/15 13:50	8/31/15 13:50
	8/25/2015 Total						\$166.00			
Hawkes, Ronald	9/8/2015	File Paperwork for Client	Court	55.2	0.92	\$100.00	\$92.00	Taylor, Neal	10/4/15 1:35	10/4/15 1:35
	9/8/2015 Total						\$92.00			
Long, Marie	9/30/2015	File Court Documents for Client	Court	70.2	1.17	\$100.00	\$117.00	Taylor, Neal	10/4/15 1:31	10/4/15 1:31
Mesloh, Kathy	9/30/2015	File Paperwork for Client	Court	19.8	0.33	\$100.00	\$33.00	Taylor, Neal	10/4/15 1:33	10/4/15 1:36
	9/30/2015 Total						\$150.00			
	Grand Total									



RPLY

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Attorney for Petitioner

DISTRICT COURT

CLARK COUNTY, NEVADA

APRIL PARKS,

Petitioner,

vs.

DWIGHT NEVEN, WARDEN, THE STATE OF
NEVADA,

Respondents.

Case No.: A-19-807564-W

Dept. No: X

**REPLY TO STATE'S RESPONSE TO
SUPPLEMENT TO PETITION FOR WRIT OF
HABEAS CORPUS (POST-CONVICTION)**

Date of Hearing: February 8, 2021

Time of Hearing: 8:30 a.m.

COMES NOW, Petitioner, April Parks, by and through her attorney, Jamie J. Resch, Esq., and hereby files this reply to the State's Response to Petition for Writ of Habeas Corpus (Post-Conviction). This reply is based on the pleadings and papers herein, any attached exhibits, and any argument as may be presented to the Court at the time of hearing.

CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that service of the foregoing Reply to Response to Petition for Writ of Habeas Corpus (Post-Conviction) was made this 25th day of January, 2021, by Electronic Filing

Service to:

Clark County District Attorney's Office

Motions@clarkcountyda.com

PDmotions@clarkcountyda.com

Nevada Attorney General

mbongard@ag.nv.gov



An Employee of Conviction Solutions

I.

POINTS AND AUTHORITIES

The State's response raises procedural and substantive arguments which this Court should reject. Instead, as explained herein, Parks's petition should be granted, or at least the matter further explored via evidentiary hearing or development of the record.

As to Ground One, the State spent most of its response arguing the merits of the claim. The State does not dispute that deficient advice to take or reject a plea offer can arise to the level of ineffective assistance of counsel.

Parks explained in her verified petition several aspects of why she chose to take the plea offer that she did, including (1) assurances counsel would perform effectively at the time of

1 sentencing, and (2) the fact counsel allegedly performed a reasonable investigation of the case.
2 But the investigation was not reasonable, because counsel did not fully investigate the matter,
3 such as by failing to have a forensic account review the allegations and evidence. Likewise,
4 counsel did not adequately prepare for or present evidence at sentencing, and instead allowed
5 the court to be inundated with inappropriate and un rebutted victim testimony.
6

7
8 These allegations are not "Monday morning quarterbacking" as the State suggests, but
9 rather, reflect the serious nature of sentencing proceedings and the Constitutional rights that
10 accompany those proceedings. It's impossible to characterize Parks' decision to take one offer
11 as opposed to another as "strategic" without examining what led to that decision. Here, Parks
12 relied on counsel's advice in making that decision, and that advice was misguided and
13 formulated after a less-than-adequate investigation. Parks should at least receive the benefit of
14 an evidentiary hearing so that counsel can tell the court what factors he and Ms. Parks relied on
15 in deciding to accept the State's offer.
16

17
18 As to Ground Two, the State has chosen to ignore all of the evidence Parks presented
19 with her supplemental petition. Instead, the State has simply proclaimed claims of ineffective
20 assistance of counsel at sentencing cannot be raised after a guilty plea, citing the Court of
21 Appeals' decision in Gonzales v. State, 2020 WL 5889017 (October 1, 2020). The State provides
22 no response to the merits of any evidence offered by Parks.
23

24
25 This Court should take notice that on January 8, 2021, the Nevada Supreme Court
26 vacated the Court of Appeals decision in Gonzales after a petition for review was filed. See
27 Gonzales v. State, NSC #78152. Therefore, the decision of the Court of Appeals no longer exists
28 and is not controlling, if it ever was.

1 The decision was likely vacated because it is at odds with the Nevada Supreme Court's
2 prior precedents that allowed challenges to the effectiveness of counsel after a guilty plea.
3
4 Hathaway v. State, 119 Nev. 248, 71 P.3d 503 (2003). Naturally, if the right to counsel attaches
5 under the Sixth Amendment, it includes the right to effective assistance of counsel.
6
7 Cunningham v. State, 94 Nev. 128, 575 P.2d 936 (1978), citing Gardner v. Florida, 430 U.S. 349
8 (1977). The State hopefully does not dispute that sentencing is a critical stage proceeding at
9 which the right to counsel attaches.

10 Because the State does not challenge Parks' evidence, this Court should perform its own
11 independent review of it to determine if any of it would have affected the sentence imposed by
12 the Court. Parks understands this is largely a judgment call directed to this Court, which heard
13 the original sentencing and is now asked to consider the additional information.

14
15 While there was a lot of new information, it largely rebuts allegations from the
16 sentencing that Parks used friendly doctors to "impose" guardianships on underserving
17 individuals. The new evidence unequivocally shows this did not occur in that she rarely used the
18 same doctor twice, and in all but the rarest cases, the medical need for a guardianship was clear
19 from the record from the guardianship's inception. In closer cases, the guardianship was
20 frequently lifted once the ward's condition improved. There simply is no actual support for the
21 theme, repeated by many speakers at sentencing, that Ms. Parks forced guardianships on
22 individuals in order to obtain control of their assets.

23
24 Further, easily accessible public information revealed that many of the speakers could
25 not serve as guardian for the wards because they themselves were previously suspected of
26 exploiting or abusing the individuals in question. Additionally, many factual contentions by
27
28

1 speakers, such as that wards were healthy or were living in safe conditions, were easily rebutted
2 by independent evidence. Trial counsel could just as easily have accessed the public
3 guardianship filings to figure these things out.
4

5 Another overarching topic was the amount of restitution. Here again, the State's shoddy
6 investigation was subject to exposure had counsel attempted to do so. Parks suspects the
7 sentence imposed was inextricably linked to the amount of loss computed, so errors which
8 affected the amount of restitution have a direct bearing on the sentence imposed. That
9 sentence was itself far outside the norm as demonstrated by dozens of cases with millions more
10 in losses where the sentence imposed was no where close to what Ms. Parks received. There is a
11 credible argument Ms. Parks' sentence was unreasonable where it was far outside the norm and
12 itself based on factual assertions that were not just highly suspect, but often completely
13 incorrect.
14

15
16 In total, Parks believes the vitriolic testimony by victim speakers had an effect on the
17 sentence imposed in this matter. Parks never suggested, and does not here, that trial counsel
18 should have cross-examined the speakers on these issues. But competent counsel, armed with a
19 proper speaker notice, would have been able to provide the same information to the Court at
20 sentencing that is provided in this post-conviction case, and could have provided this Court the
21 same arguments provided here that show the victim speaker's positions in a much different
22 light.
23
24
25
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28

1 Finally, Parks contends she was deprived of her right to a direct appeal. The State all but
2 concedes an evidentiary hearing is necessary on this issue. The State seems to focus on a letter
3 Parks wrote counsel. There are two issues with their interpretation of it. First, the letter asks for
4 a "sentence modification." Parks is not a lawyer and has little familiarity with criminal justice
5 issues. By asking her lawyer for a "sentence modification," it would reasonably be understood
6 that she wanted to challenge her sentence to include through a direct appeal. Certainly, the
7 Nevada Supreme Court could modify the sentence any way it wanted had a direct appeal been
8 filed.
9
10

11 Second, the letter is not the universe of communications between Parks and her trial
12 lawyer on this topic. Parks also more directly verbally requested a direct appeal, and the
13 allegation in the verified petition is that counsel declined to do so while redirecting her to the
14 post-conviction process. But as explained in the petition, not only was that improper, but Parks
15 had little to lose from filing a direct appeal. There is no "strategy" in declining to appeal where
16 the client wants to appeal. If an appeal is requested, it must be filed. Relief should therefore be
17 granted on this claim.
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II.

CONCLUSION

The writ should issue and this Court should grant Parks relief in the form of a new sentencing proceeding, a belated direct appeal, or compel the State to re-offer the 8 to 20 year plea offer. Alternatively the Court should hold an evidentiary hearing on all of Parks' claims.

DATED this 25th day of January, 2021.

Submitted By:

RESCH LAW, PLLC d/b/a Conviction Solutions

By: 
JAMIE J. RESCH
Attorney for Petitioner



1 **RTRAN**

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3
4
5 **DISTRICT COURT**
6 **CLARK COUNTY, NEVADA**

7
8 **APRIL PARKS,**

9 **Plaintiff,**

10 **vs.**

11 **DWIGHT NEVEN,**

12 **Defendant.**

13 **CASE NO: A-19-807564-W**

14 **DEPT. X**

15 ***BEFORE THE HONORABLE TIERRA JONES,***
16 ***DISTRICT COURT JUDGE***
17 **MONDAY, FEBRUARY 22, 2021**

18 ***RECORDER'S TRANSCRIPT OF HEARING RE:***
19 ***PETITION FOR WRIT OF HABEAS CORPUS***

20 **APPEARANCES:** [All appearances via videoconference]

21 **For the Petitioner:** **JAMIE J. RESCH, ESQ.**

22 **For the Defendant:** **MICHAEL J. BONGARD, ESQ.**
Senior Deputy Attorney General

23 **JAY P. RAMAN, ESQ.**
24 **Chief Deputy District Attorney**

25 **RECORDED BY: VICTORIA BOYD, COURT RECORDER**

AA 1011

1 **Las Vegas, Nevada; Monday, February 22, 2021**

2 [Proceeding commenced at 8:59 a.m.]

3 THE COURT: All right. Let's go to page 9. A807564. April
4 Parks versus Dwight Neven. Do we have --

5 MR. RESCH: Good morning.

6 MR. BONGARD: Michael Bongard for the Attorney General's
7 Office, bar number 7997.

8 THE COURT: Okay. And Mr. Resch is here on behalf of Ms.
9 Parks. All right. So this is the date and time set for the Petition for Writ
10 of Habeas Corpus. I do -- it looks like that it really worked out, Mr.
11 Resch, because you were able to cite to the case that the Supreme
12 Court was still deciding on, so I have read the petition. I've read the
13 supplement. I have read the State's answer as well as I have read the
14 reply. Mr. Resch, do you have anything you would like to add to what
15 you previously submitted in those documents?

16 MR. RESCH: If I could, yes, just maybe a quick two-minute
17 discussion of the issues.

18 THE COURT: Okay.

19 MR. RESCH: Just to march through them and very briefly, of
20 course. Ground one was a question of which guilty plea? Again, Ms.
21 Parks is not trying to withdraw her plea, but she was offered two different
22 offers and ended up taking one that greatly increased her exposure.

23 The basis, specifically, that she took that offer was that it was
24 represented to her, number one, that counsel would perform effectively
25 at sentencing, which we'll address in the next issue. And number two,

1 that it was -- a recommendation to take that offer was based on an
2 adequate investigation. But what we've presented in the petition was
3 again that maybe Counsel did not perform effectively at sentencing.
4 There was quite a bit more of information that could have been
5 presented. And, number two, that even though counsel did consult with
6 a forensic accounting expert that firm was never, ultimately, retained and
7 the benefit of the information they could have provided never given to
8 the Court. So with respect to ground one, that's the issue, is how did
9 she end up taking the deal that had much greater exposure than the 8 to
10 20 that she was offered originally?

11 On Count 2, the Court is right; *Gonzalez* is the only basis the
12 State cited to refute the argument that counsel is ineffective at
13 sentencing. The *Gonzalez*' decision has been vacated. So it's out the
14 window, and no matter what the Nevada Supreme Court decides. They
15 can certainly replace it with a similar decision, but I doubt this. I think
16 longstanding law would suggest that Defendants have a right to effective
17 counsel at the time of sentencing.

18 So assuming that's true, we had three specific points and
19 there were a lot of exhibits. But they really come down to this. Number
20 one, there was this theme presented at sentencing that Ms. Parks
21 colluded with doctors or somehow was out to get people into a
22 guardianship. I think we're able to demonstrate that that's not true. She
23 largely relied on different doctors every single time out, and there were
24 always declarations or affidavits, with the exception of maybe one case
25 where there was quite detailed information about the condition of the

1 wards that was presented. We believe that could have been given to the
2 Court to refute those points.

3 The second issue -- and there really isn't any way around this,
4 the restitution and loss amounts were in error. And I think everyone
5 would hopefully agree that there's a strong relationship between the
6 amount of loss and the sentence imposed when it comes to theft cases.

7 I'm specifically talking about two issues. Number one, that
8 there is some 58,000 in restitution that was documented as having been
9 repaid. So, again, the State has done nothing to respond to these facts.
10 They've only relied on *Gonzalez*, but we've gone through the math, and
11 we're able to show that she repaid that amount.

12 Number two, just in the amount of the judgment based on
13 \$500,000 there was \$146,000 that was not even designated to a victim,
14 yet, was awarded as a loss and as restitution. We believe if these
15 amounts were removed, it would substantially decrease the amount of
16 exposure and potentially the sentence as well.

17 Speaking of, number three, we provided some statistics. You
18 know, it could be hard to compare sentences between Defendants, but I
19 think we make a compelling case that this was truly an outlier of a
20 sentence. Maybe it's not outlier of a case, but certainly not based on the
21 amount of loss. There are people throughout Nevada who have stolen
22 substantially more, ten or even more times more and have received way
23 lower sentences. Ms. Parks' sentence, at least if you're looking at purely
24 based on the amount of loss, was in the top one percent of sentencing
25 imposed for theft cases.

1 Now, it's a little challenging arguing this to the same Judge
2 that heard the sentencing. Sometimes the cases move around, it's a
3 little easier. But I guess I'm saddled with the reality that Your Honor was
4 in the position better than anyone to make a decision that these things
5 would have affected the sentence or not. It's not a hypothetical question
6 of what a reasonable jurist might have done. It's a question of how you
7 would view the evidence, and so we hope that taking it all into account
8 you could agree that there been a reasonable probability of a better
9 sentence had this information been presented at the time of sentencing.

10 And Count 3 is simply a claim that Ms. Parks was denied her
11 direct appeal. It's practically undisputed that she wanted to challenge
12 the sentence that was imposed and certainly was the -- much higher
13 than what she had anticipated. And there really wasn't any
14 disadvantage to doing so, and there's evidence that she wanted to do
15 so. So we believe she is entitled to a direct appeal, none of which was
16 filed at the time, but which can be ordered belatedly as part of post
17 convictions proceedings. So that's our take on the three claims
18 presented in the petition.

19 THE COURT: State.

20 MR. BONGARD: Your Honor, Michael Bongard. Briefly
21 addressing the various grounds in the appeal, on ground one, in the
22 petition Mr. Resch focus specifically on the fact that Ms. Parks got
23 allegedly improper advice from counsel. I briefed that rather extensively
24 as far as the differences between the fact that there's a difference
25 between constitutionally deficient advice and advice that in hindsight

1 was incorrect. The first instance is constitutionally deficient. The
2 second instance is something that happens in courtrooms everyday
3 across America. People make the wrong decision, and they suffer the
4 consequences for that.

5 Mr. Resch in his reply never discussed what the specific
6 advice was that was allegedly deficient. Instead now in ground one, he
7 substitutes two different sub-arguments that assurance counsel would
8 perform effectively at sentencing and that reasonable investigation was
9 done. Those weren't raised as part of ground one. Your Honor, I don't
10 see where they have met their burden as to ground one.

11 Let me skip to ground three first, Your Honor. With regards to
12 whether or not Ms. Parks asked for an appeal, Mr. Resch in his reply
13 talks about the fact that, well because Ms. Parks was not schooled in the
14 law, obviously, when she asked for a sentence modification, she was
15 asking for a direct appeal. Well, Your Honor, if that's the case why didn't
16 she, in that letter, specifically ask for an appeal rather than sentence
17 modification? So while Mr. Resch is correct that we don't have all the
18 records of conversations between them, it's quite clear the fact that at
19 page 507 she's not asking for an appeal, which is the word that if
20 someone was truly unschooled in the law they would use when they
21 want an appeal. They wouldn't use sentence modification instead of
22 appeal.

23 So, and again the conversation back from -- excuse me -- Mr.
24 Goldstein was that he explained what was going on. He discussed their
25 prior conversations and explained what she needed to do to challenge

1 the sentence. I think from the exhibits it is clear that she wasn't asking
2 for an appeal. That she was asking for a modification.

3 With regards to the second argument, Your Honor, I was
4 placed at a disadvantage because the Court did vacate *Gonzalez* in
5 between the time I submitted my answer in this hearing. Your Honor, I
6 believe that under Strickland they can't satisfy the prejudice prong. They
7 have to show that but for the actions of counsel the result would have
8 been different.

9 And again as Mr. Resch conceded, Your Honor, you are the
10 gatekeeper as far as whether prejudice occurred in this case because
11 you can look at what was presented, and you can make the
12 determination well would I have imposed a different sentence or not.

13 And I think the record is clear in a couple of instances. He
14 talks about improper argument and improper references. And the Court
15 did admonish speakers who made inappropriate comments, were
16 addressing their comments to the petitioner whether than the Court.

17 With regards to the number of charges, I can't -- I have a
18 problem with Mr. Resch arguing that as an issue, because the State
19 obviously has the right to charge what they feel are crimes and whether
20 it is against an enterprise or individuals, that's the facts of the case. And
21 in this case the State made a plea offer that included a sentencing -- a
22 joint sentencing recommendation which was rejected. And the record is
23 clear that the joint recommendation was rejected by Ms. Parks, because
24 at the time her change of plea the Court asked her, are you rejecting the
25 sentencing recommendation? And she said, yes.

1 So that clearly reached an alternative that the State can make a different
2 recommendation.

3 And while Mr. Resch seems to make a point or tries to make a
4 point out of the fact that the State didn't certify that they were going to
5 ask for more, clear that they weren't going to ask for less if there was a
6 sentencing recommendation that was rejected, I think they don't have to
7 say how much more they're going to ask for. All they need to know is
8 that there may be an argument, which there was for a more severe
9 sentence.

10 I think what the Court has to look at is it has to look at
11 ultimately what formed the basis for the Court imposing this sentence.
12 And my read of the transcript the Court imposed a sentence because of
13 Ms. Parks' actions, not because of improper argument, not because of
14 the number of charges but -- and the Court emphasized this at one point
15 -- the acts of the Defendant and her failure to recognize that the actions
16 were wrong after the investigation in this case started. In other words,
17 she didn't do anything to change what she was doing.

18 So I think the record is clear, Your Honor, that there is no relief
19 that the Defendant is entitled to in this case, because they clearly
20 haven't satisfied their burden of showing constitutionally deficient
21 conduct as well as prejudice, in other words, a likelihood of a different
22 outcome. The only likelihood of a different outcome would have been if
23 she had been accepted or she had accepted the stipulation, and it's
24 clear that she rejected that. And I think the record reflects and the
25 sentence memorandum filed by the defense in this case shows the

1 motivation of why they did that.

2 There is a question, Your Honor, as to whether an appeal
3 would have been appropriate to address the amount of restitution, and
4 I'll submit on that, Your Honor.

5 THE COURT: Okay.

6 MR. RAMAN: And, Your Honor, Jay P. Raman for the State.
7 I don't know if Your Honor received the Clark County District Attorney's
8 Office briefing on these issues, but we've --

9 THE COURT: I did not. I did not receive them.

10 MR. RAMAN: -- in kind in tandem responded to these
11 petitions.

12 THE COURT: Okay. Yeah, I didn't receive anything from the
13 DA's Office. I only have the responses from the Attorney General's
14 Office. So I don't know if you guys --

15 MR. RAMAN: That's unusual.

16 THE COURT: -- maybe filed them in the C case. Because if
17 you filed them in the C case --

18 MR. RAMAN: That I don't know, but we did extensive briefing.

19 THE COURT: Okay. Yeah, I never -- let me see if they're
20 filed in the C case. Yeah, I don't have -- nothing's been filed in the C
21 case since 2020.

22 MR. RAMAN: Let me double check the filing on the front of
23 this. It's double captioned the A19 and the C17.

24 THE COURT: Yeah, I don't -- hold on. Yeah, and everything
25 in the A case came from the Attorney General. There was an answer

1 that was filed December 31st that came from the Attorney General's
2 Office, and that's it. I don't have anything that was filed by the DA's
3 Office.

4 MR. RAMAN: Oh, that's unusual. If I could just respond to
5 one point, I think that --

6 THE COURT: Well, I can't let you respond Mr. Raman,
7 because I haven't read it and neither has Mr. Resch because it was
8 never filed. So I'm not going to let Mr. Resch be -- have to respond to
9 something that he's never read, so the Attorney General's Office --

10 MR. RAMAN: Okay. It was --

11 THE COURT: Counsel, I know you guys weren't co-counsel
12 on this, but the Court is going to accept the Attorney General's response
13 on behalf of the State of Nevada.

14 MR. RAMAN: Okay. Not a problem, Your Honor. Thank you.

15 THE COURT: Mr. Resch, your response?

16 MR. RESCH: Thank you, just very briefly. And the Court's
17 correct; I never received anything from the DA's Office, so I couldn't
18 begin to explain how that happened or where they filed it.

19 On the points raised by Mr. Bongard, here's a very brief
20 response. With respect to ground one, pages 7 and 8 of the
21 supplement, I think we've pretty extensively discussed both the advice to
22 take one plea over the other, and we specifically mentioned the retention
23 of forensic experts. That's all discussed on those pages, so I would
24 simply suggest that we did raise those issues.

25 As to the denial of the direct appeal, I don't have the statute

1 handy, but there certainly is one that says that the Nevada Supreme
2 Court on appeal can modify, affirm, or reverse a sentence. So I think it's
3 well understood that they have the right to do whatever they want if the
4 sentence is appealed.

5 Relatedly, it's a pretty thin read to deny someone's their
6 constitutional right to a direct appeal based on what we're apparently
7 styling as inartful language requesting an appeal on Ms. Parks' part.
8 Again, whatever we think of her professional guardianship experience,
9 she certainly isn't a professional criminal Defendant, so the language
10 used to request the appeal might not have been up to Mr. Bongard's
11 snuff, but that's not to say she didn't want to challenge her sentence.
12 She clearly did.

13 With respect to the issue of ineffectiveness at the time of
14 sentencing, sounds like, we're all in agreement. Again, the Court is in
15 the best position to decide if the information we provided would have
16 made any difference.

17 And the brief point of the number of charges, I would just point
18 out the District Attorney or Attorney General as the case may be, they
19 have discretion to aggregate charges if they so choose or they
20 apparently in this case exercise their discretion to charge some serial
21 300 plus felonies for what largely amounts to one scheme. So the
22 manner of presentation of the case, while it may be within their
23 discretion, is certainly something the Supreme Court has criticized and
24 we put that in the brief as well.

25 I guess, I would just close with this as well to the extent that

1 the State is claiming Ms. Parks did not cooperate with the State, she
2 does have a Fifth Amendment Right not to cooperate with the
3 government in terms of both the investigation or any response thereto,
4 so I don't think that should be held against her either. I will submit it with
5 all of that.

6 THE COURT: All right. Well, after reading everything -- and I
7 was the Judge who took the plea as well as I was the judge who
8 presided over the sentencing.

9 As to ground one, Ms. Parks has failed to meet the burden of
10 the *Strickland* to demonstrate that Mr. Goldstein performance was
11 deficient and that she suffered prejudice. The evidence as represented
12 regarding that shows she rejected the State's plea deal that was
13 specifically listed in the Guilty Plea Agreement. And I specifically
14 canvassed her in regards to that when I took that plea from her, as well
15 as and I canvassed her regarding the fact that she could receive any
16 legal sentence and that sentencing was strictly up to the Court.

17 In regards to ground two, again, Ms. Parks has failed to meet
18 her burden under *Strickland* that the sentencing performance was
19 deficient, and there's been no evidence provided that the result would
20 have been different. And having been the sentencing judge who
21 sentenced her, I'm here to say had I known all of that stuff the result
22 would not have been different in the sentence that she received.

23 This Court is not in any way bound by a recommendation from
24 the Division of Parole and Probation. It is simply that, a
25 recommendation. And they don't even include them anymore in the

1 Presentence Investigation Reports because sentencing is strictly up to
2 the Court. And this Court utilized its discretion and gave the sentence
3 that I believed was deserving of those crimes. So the petition is going to
4 be denied in regards to grounds one and two. However, I do believe
5 that there is a need for an evidentiary hearing regarding ground three as
6 to whether or not she expressed interest in Mr. Goldstein in pursuing an
7 appeal.

8 In light of the Covid restrictions, we have to do some
9 scheduling in order to get evidentiary hearings setup, so my JEA is
10 going reach out to the parties as well as. State, either you or Mr. Resch
11 is going to need to arrange to get Mr. Goldstein here for that hearing,
12 because that would be the witness for that hearing. So my JEA will
13 reach out to you guys, and we'll get back to you guys with dates and set
14 up the evidentiary hearing regarding ground three. The evidentiary
15 hearing is only going to be regarding ground three. We are not going to
16 take any evidence on the other grounds at the evidentiary hearing.

17 MR. RESCH: Understood. Thank you so much.

18 THE COURT: Thank you.

19 MR. BONGARD: Thank you, Your Honor.

20 [Proceeding concluded at 9:17 a.m.]

21 * * * * *

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

24 

25 Deloris Scott
Court Recorder/Transcriber

CLERK OF THE COURT
Alvin P. Hanson

RTRAN

DISTRICT COURT
CLARK COUNTY, NEVADA

APRIL PARKS,

Petitioner,

VS.

DWIGHT NEVEN,

Respondent.

CASE#: A-19-807564-W

DEPT. X

BEFORE THE HONORABLE TIERRA JONES, DISTRICT COURT JUDGE
THURSDAY, MARCH 18, 2021

**RECORDER'S TRANSCRIPT OF PROCEEDINGS:
EVIDENTIARY HEARING**

APPEARANCES VIA VIDEO CONFERENCE:

For the Petitioner: JAMIE J. RESCH, ESQ.

For the Respondent: MICHAEL J. BONGARD, ESQ.,
Senior Deputy Attorney General
JAY P. RAMAN, ESQ.
Chief Deputy District Attorney

RECORDED BY: VICTORIA BOYD, COURT RECORDER

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THURSDAY, MARCH 18, 2021 AT 1:28 P.M.

MR. BONGARD: Bongard for the State.

THE COURT: Okay. And I see Mr. Raman is here as well.

All right. And, Mr. Resch, it is your --

Are you guys prepared to go forward with the hearing?

MR. BONGARD: Yes, Your Honor.

THE COURT: Okay. And I --

MR. RESCH: Yes, looks like it. I see Mr. Goldstein on the video there.

THE COURT: He is.

And I would just like to remind the parties that we are having an evidentiary hearing on the limited issue about whether or not Ms. Parks was denied her right to appeal.

MR. RESCH: Your Honor, I did submit proposed Exhibits 1 and 2. I guess it's just a question. I haven't had to deal with those on video before. Did the Court get them or does everyone have them?

THE COURT: I don't have them.

MR. RESCH: Okay.

THE COURT: So, where did you submit them to?

MR. RESCH: There was a email for evidence submissions as well as what I thought was your law clerk.

THE COURT CLERK: I'll check, Judge.

THE COURT: Okay. We're checking.

THE COURT CLERK: One second.

1 MR. RESCH: May I ask if the State's representatives received
2 them?

3 MR. BONGARD: I received them, Mr. Resch, yes.

4 THE COURT CLERK: Yes, I will go get them for you, Judge.

5 THE COURT: I see them now. They were just emailed to me
6 right now.

7 THE COURT CLERK: I will print them.

8 MR. RESCH: Okay. I mean, they're one page each; nothing
9 earth shattering.

10 THE COURT: All right. Hold on. Let me look at them now.
11 Okay. All right. So, I --

12 MR. RESCH: All right.

13 THE COURT: -- can see them.

14 MR. RESCH: All right. I guess maybe before we begin, is
15 there any objection to them by the State? Maybe I can just offer them at
16 this time. They're not new; they were part of the record submitted with
17 the case.

18 THE COURT: Any objection by the State to these exhibits?

19 MR. BONGARD: No, Your Honor. And I do have a question.
20 We can refer to the other exhibits in the record and the Court will
21 consider them for this hearing, correct?

22 THE COURT: Which other exhibits are you talking about?

23 MR. BONGARD: Mr. Resch's supplement that he submitted
24 with his petition.

25 THE COURT: Yes, anything that's attached to the petition,

1 yes, the Court will -- can refer to that.

2 MR. BONGARD: Thank you.

3 THE COURT: Okay. So, in State's 1 -- I'm sorry -- Defense's
4 1 and 2 -- well, I guess this is Petitioner's 1 and 2 will be admitted --

5 MR. RESCH: Right.

6 THE COURT: -- pursuant to no objection by the Respondent.

7 **[PETITIONER'S EXHIBITS 1 AND 2 ADMITTED]**

8 THE COURT: All right, Mr. Resch, it's your burden, you may
9 call your first witness.

10 MR. RESCH: Thank you. So, we'll call Anthony Goldstein.

11 THE COURT: Mr. Goldstein, I see you. Can you hear us?

12 MR. GOLDSTEIN: Yes, Your Honor.

13 THE COURT: Okay. Mr. Goldstein, can you please raise
14 your right hand so the clerk can swear you in?

15 **ANTHONY GOLDSTEIN**

16 [having been called as a witness and being first duly sworn,
17 testified via video conference as follows:]

18 THE COURT CLERK: Please state your full name, spelling
19 your first and last name for the record.

20 THE WITNESS: Anthony Goldstein, A-N-T-H-O-N-Y, last
21 name is G-O-L-D-S-T-E-I-N.

22 THE COURT: Okay. Mr. Resch, whenever you're ready.

23 MR. RESCH: Your Honor, before we begin can we have the
24 Petitioner waive the right to attorney-client privilege for this hearing?

25 THE COURT: Correct.

1 Ms. Parks, can you hear me?

2 THE PETITIONER: I can.

3 THE COURT: Okay. Ms. Parks, you understand that Mr.
4 Goldstein is being called as a witness and he's going to have to testify to
5 some things -- some discussions that were had between you and him.
6 You and Mr. Goldstein had an attorney-client privilege. Are you willing
7 to waive that privilege for the limited purpose of his testimony at this
8 hearing?

9 THE PETITIONER: I am.

10 THE COURT: I'm sorry?

11 THE PETITIONER: I am.

12 THE COURT: Okay. That privilege is waived for the limited
13 purpose of Mr. Goldstein testifying at this hearing.

14 All right, Mr. Resch?

15 MR. RESCH: Okay. Thank you.

16 **DIRECT EXAMINATION**

17 BY MR. RESCH:

18 Q So, Mr. Goldstein, how are you employed?

19 A I'm an attorney.

20 Q How long have you been licensed here in Nevada?

21 A Since 2001, so right around 20 years.

22 Q What types of cases do you normally handle?

23 A At this point exclusively criminal defense.

24 Q I take it you remember representing April Parks in this matter?

25 A Yes, I do.

1 Q All right. Is it safe to say there were hundreds of counts filed
2 against her?

3 A I don't recall the exact number, but yes, it was a hundred and
4 something-page Indictment as I recall, so there were quite a few counts.

5 Q Okay. Directing you to November of 2018, do you recall that
6 Ms. Parks decided to accept a plea offer around that time?

7 A Yes.

8 Q Is it true there were two separate plea offers extended that
9 she could have accepted?

10 A That -- you mean -- can you clarify that? I'm sorry. Make sure
11 I want to -- I want to make sure I heard you right.

12 Q Oh, okay, sure. Asking if you recall if there were two separate
13 plea offers extended to her before she decided to accept one of them.

14 A Yes, I don't have the details of that in front of me, but one of
15 them was a right to argue and I believe one of them was a stipulated
16 sentence.

17 Q Okay. Stipulated 8 to 20; does that sound familiar?

18 A I recall 8 years on the bottom; that sounds right.

19 Q Okay. And now, she ended up taking the right to argue deal;
20 is that correct?

21 A Yes.

22 Q Could you illuminate for us -- do you have any information why
23 she would have chosen one offer over the other, the right to argue
24 instead of the stipulated sentence?

25 A I recall discussing the deal with her, the options in great depth

1 with her. I don't remember her -- or her -- what she told me as to why
2 she opted for the right to argue. So, you asked me what she was
3 thinking, so I don't know. I don't remember the exact reasons that were
4 in her head at the time.

5 Q Okay. Well, how about your own head? Well, sir, what did
6 you think was the best way for her to proceed given those two options?

7 A I thought that a plea bargain was definitely in her best interest
8 rather than going to trial on all those charges, and my opinion in
9 speaking with her was that we should opt for the right to argue option,
10 and that's what she ended up deciding.

11 Q Can we presume that you felt at the time of sentencing you'd
12 be able to improve on the stipulated offer in terms of the sentence
13 given?

14 A Yeah, and before the time of sentencing as well. Even before
15 she entered her plea when I was advising her as to which, if any, offers
16 to accept, it was definitely my opinion that we could have -- that we had
17 a chance of doing better than the stipulated 8 years. By doing better I
18 mean obviously a lesser sentence than the 8 years on the bottom that
19 was the stipulated option from Mr. Raman, the DA.

20 Q Okay. So, skipping ahead, the sentencing comes and do you
21 remember what the ultimate sentence that was imposed was?

22 A I haven't reviewed it. It was somewhere around 14 or 15
23 years on the bottom, but I don't remember the exact aggregate sentence
24 at this time.

25 Q Okay. Well, if I refer to the judgment and the aggregate was

1 192 months to 480 months, does that sound right?

2 A That sounds right.

3 Q Okay. Which is 16 years to 40 years?

4 A Right, I said 14 to 15 earlier, again, yes, that sounds right.

5 Q Okay.

6 A Sixteen years seems right.

7 Q I'm not quibbling with you about a year or two, but just to have
8 it specific. So --

9 A Sure.

10 Q -- sixteen years on the bottom end.

11 A Yes.

12 Q Which, to be sure, was double the 8 years that we just
13 discussed she could have committed to.

14 A Correct.

15 Q Very well. So, what was your reaction then at the time you
16 heard the sentencing there in court, 16 years to 40 years?

17 A Disappointed. I mean, I understood why Her Honor decided
18 as she did, but obviously as an advocate for Ms. Parks I was hoping for
19 something less than -- way less than that. But it was within -- her
20 sentencing was within the statutory guidelines, so I was I guess the right
21 word is disappointed because I'd obviously hoped for something
22 significantly less than that.

23 Q Let me ask you some questions here. And for these just focus
24 on being in the courtroom at the time of sentencing if you would, please,
25 all right? Do you know at that time what April's reaction to the sentence

1 was?

2 A I recall speaking with her briefly in court afterwards, and I don't
3 recall the details of the conversation except I believe I said I'm going to
4 come visit you to talk about this soon. But no, I don't recall what she
5 said so far as her reaction to the sentence immediately afterwards. Like,
6 if you're talking about at the sentencing hearing, I don't recall.

7 Q Okay. Yeah, just at the sentencing. So, you do recall having
8 a discussion along the lines of that you would come see her sometime in
9 the future.

10 A That's -- there might have been other things that we talked
11 about, but sitting here right now what I remember is approaching her
12 afterwards and just having a very brief exchange and I just said I'll visit
13 you soon to talk about this. And I don't remember when I visited her,
14 but, you know, within a couple court days after the actual sentencing
15 hearing I went to visit her at the detention center.

16 Q And so at the time of sentencing in the courtroom you -- do
17 you recall having a discussion with her about whether she could appeal
18 or how an appeal would work?

19 A No.

20 Q You don't recall or you didn't have that discussion?

21 A I -- well, the only thing I remember about the conversation, like
22 I said, was that I said something to the effect of I'll come visit you to
23 discuss this. If we had -- if she had mentioned an appeal, that would
24 have for sure raised a red flag in my head because that triggers my
25 responsibility to do something and I would have remembered if she had

1 said something like that at the hearing like I want you to appeal,
2 especially, you know, moments after hearing the sentence. So, to
3 answer your question, no, I don't remember her -- I specifically don't
4 remember her requesting an appeal while standing in court.

5 Q Do you remember her being satisfied or expressing anything
6 to you at all about how she felt about the sentence?

7 A Looking back, the only -- we were -- as I recall, we were -- at
8 least I was trying to do the math to figure out the exact amount. I don't
9 recall whether Her Honor stated the aggregate sentence on the record
10 and I missed it or -- but I remember doing math trying to figure out what
11 the actual bottom end of the sentence was. Just because of the way
12 she structured it or announced the structure of the sentence, I was trying
13 to add up the exact amount of time that Her Honor had ordered.

14 And so far as Ms. Parks' reaction, I mean, I'm sure she was
15 disappointed as well. I don't recall her expressing it in court that day,
16 but, you know, I would imagine her reaction was similar to mine or, I
17 mean, obviously worse, but, you know, surprised or disappointed or
18 however you want to phrase it.

19 Q Okay. So, let's move on then to this meeting that you had with
20 her in person. Was this the day after sentencing or -- it sounds like it
21 was pretty close to it.

22 A Pretty close to it is all I can tell you. I didn't pull up my
23 schedule. My -- you know, I have my calendar from a couple years ago,
24 I could look it up, but, you know, CCDC keeps those records, so, you
25 know, every visit I do with her or anybody else gets registered. So, my

1 best recollection is within a couple days -- a couple court days after, but I
2 just don't remember how soon after, but it was shortly after sentencing.

3 Q All right. Fair enough. Do you recall what you -- what was the
4 purpose of the meeting?

5 A I wanted to go over the sentence itself to confirm the exact
6 time because again, walking out -- I can recall walking out of there and
7 having a general idea of what the total amount of time was, but I didn't
8 sit there and finish adding everything up in court. So, I wanted to A,
9 speak with her about -- you know, make sure she understood the length
10 of the sentence and just ask her if she had any questions. I commonly
11 do that in a -- after a sentencing like that.

12 This was a unique case, so I shouldn't say a sentencing like
13 that because there's not many sentencings that go down like that or that
14 have that much of a crowd in the courtroom or media attention, things
15 like that. I just wanted to touch base with her to see if she had any
16 questions about anything that had taken place at the hearing, including
17 clarifying the actual sentence itself.

18 Q Did she share with you at that time her reaction to the
19 sentence?

20 A I mean, I don't recall any specific words, but yeah, I mean, I
21 think shell-shocked might have been the right word at that time. You
22 know, she was surprised at the amount of time given, I think. But that's
23 all I can recall.

24 Q She ask you to do anything about the sentence?

25 A I don't remember when she first -- like, she sent me a letter

1 shortly -- in late January, which was, you know, two or three weeks after
2 the sentencing. And I know we had talked about a motion to modify the
3 sentence because I think she was hoping for obviously a much lighter
4 sentence than Her Honor gave, but I recall explaining the process where
5 they -- at that point, I -- and it's continuing to now, I don't think there's --
6 there are legitimate legal grounds to file a motion to modify the
7 sentence. Getting a higher sentence than anticipated or expected or
8 hoped for, it just -- that's not a reason to file a motion to modify
9 sentence. So, I recall having that conversation with her. Like, she
10 asked about it and I, you know, explained that I don't think there's
11 legitimate legal basis to file a motion to modify the sentence because
12 Her Honor's sentence was within statutory guidelines. In other words, it
13 wasn't an illegal sentence, it was just higher than expected or hoped for.

14 Q Sure. All right. Well, let's keep focusing on at the time of this
15 in-person, meaning did anybody bring up an appeal, you or her, either
16 one of you?

17 A Just to clarify, in-person, as I recall, it was a video visit, so I
18 was at the detention center at an attorney booth downstairs, not --

19 Q Okay.

20 A -- quote, unquote, contact visit. [Indiscernible] with COVID
21 obviously, so there were contact visits possible, but as I recall, it was a
22 video visit where I'm at the detention center downstairs and she was up
23 in her module.

24 Q Okay. All right. So, with that clarification, the jail visit, did you
25 discuss an appeal with her at any time during the visit?

1 A No, I mean, we talked about -- I know we talked about
2 modifying the sentence, but if she had discussed -- if she had asked for
3 an appeal, I mean, I have a duty to file it and I would have filed it. I
4 would have timely filed the Notice of Appeal.

5 There weren't grounds. I mean, I -- being the -- being her trial
6 counsel and having -- I'd been her attorney for quite some time at that
7 point, I mean, I knew how the plea went down, I knew how many times I
8 had visited her to discuss the deal. I visited her the -- a day or two
9 before sentencing -- I think it was the actual day before -- just to make
10 sure if she had any -- answer any last minute questions. So, to -- in my
11 head there weren't any legitimate legal grounds for appeal.

12 And I understand that regardless of the existence of grounds,
13 if a defendant asks for an appeal, I have to file it. There's no -- it's not
14 my decision, it's hers regardless of the existence of legal grounds, but
15 I -- she definitely never asked for one or I would have filed it.

16 Q And how about for yourself, did you bring up the right to
17 appeal or that she could appeal, anything like that?

18 A I don't recall having the conversation with her, but every client
19 I have, before entry of plea I go over the Guilty Plea Agreement. And in
20 this case I know I went it over with -- I went over the GPA with her
21 extensively, and the GPA addresses appellate rights. I haven't reviewed
22 the -- discussed it with her in the context of going [indiscernible] GPA
23 with her or prior to her entering her plea. I don't recall the date, but
24 sometime in November or so.

25 And also, I didn't review the transcript of her plea, but I'm

1 sure-- I've been in Judge Jones' court, I don't know how many cases I've
2 had in there, but she thoroughly canvasses defendants and she usually
3 addresses the element of the GPA that talks about waiving your
4 appellate -- waiving one's appellate rights when they accept a plea
5 bargain as well. So, again, I can only assume that's in the transcript,
6 just practice in Department X, but I go over appellate rights with
7 defendants and the Court does as well.

8 Q So, as far as talking to her about the right to appeal, it sounds
9 like that only ever happened, that you can recall, in the context of
10 discussing the plea agreement; is that right?

11 A I'm sorry, say that again?

12 Q As far as you discussing the right to appeal with April, that
13 only happened in the context of discussing the plea agreement?

14 A No, I mean, it's possible we talked about it at the visit post
15 sentencing, but it wasn't a legitimate -- though obviously we could file it, I
16 wrote her a letter at some point after receiving the letter saying, you
17 know, we talked about this when I visited you, or words to that effect,
18 and the only legitimate ground would be -- the only legitimate
19 mechanism would be a post-conviction petition for writ of habeas corpus,
20 but, again, I didn't think there was any legitimate legal grounds for that
21 either.

22 I also have advised her of her right to seek post-conviction
23 counsel in that -- if she decided to pursue that. In other words, post-
24 conviction counsel that wasn't me in case she was going to claim that I
25 was ineffective for whatever reason. Obviously, I didn't think I was

1 ineffective in any way, but if she thought that or wanted to pursue that
2 post conviction, you know, that's part of it, so I advised her about that as
3 well.

4 Q Just to be clear, at the time of the jail visit, you knew she
5 wasn't happy with the sentence, didn't you?

6 A Of course, I mean, that's not just her, but any defendant who
7 gets sentenced longer than expected or to prison when they were
8 expecting probation, something like that, that's very common, yes,
9 including in her case.

10 Q All right. So, we'll turn -- we'll go forward now. And you did
11 receive our Exhibit 1 and Exhibit 2, right?

12 A Which one are they? I -- I'm not sure.

13 Q Oh, okay. So, one was the letter that she wrote to you and the
14 other one was the letter you wrote her back, yeah. Did you get those
15 when I --

16 A Yeah.

17 Q -- emailed them?

18 A I have those in front of me, yes.

19 Q Oh, okay. All right. Okay.

20 A I mean now I do, not the [indiscernible] video.

21 Q Very well. Let's refer to what we marked Exhibit 1, and it's the
22 letter that she wrote to you. Do you have that in front of you?

23 A Yes.

24 Q Okay. Is it something you recall being -- that you received
25 from April in January of 2019?

1 A Yes, and when you and I spoke either last week or the week
2 before, I pulled these up. I have them saved in my cloud and I reviewed
3 them as well. This -- yeah, this was a letter that -- it's dated January 21st
4 and postmarked -- the letter -- the envelope in which she sent that letter
5 was postmarked on the 24th, and I probably got the letter -- 24th was a
6 Friday, so I probably got it, you know, Monday or Tuesday the following
7 week, and then sent her that letter on -- sent her reply letter on the 30th,
8 which was a Thursday. So, I had it for a day or two and sent the letter
9 back -- my response letter on the --

10 Q Okay. So, if the Judgment of Conviction was filed January
11 10th and these letters are going back and forth the end of January, then
12 that's -- you would agree that's still within the time where an appeal
13 could have been filed.

14 A Definitely, yes.

15 Q All right. Let's take a look at each of these real quick.
16 Referring to her letter to you, Exhibit 1, the letter requests you to, quote,
17 get the paperwork signed for a sentence modification, end quote. Do
18 you see that?

19 A Yes.

20 Q Okay. Was that a phrase that you had ever used with Ms.
21 Parks prior to receiving that letter?

22 A I think I said earlier, I think, during my visit with her a couple
23 days after sentencing -- and when I say a couple days, again, I don't
24 know the exact date, but shortly after sentencing -- we talked about a
25 sentence modification. I said there's just no legal grounds because it's

1 a -- it wasn't an illegal sentence, it was just higher than expected. So,
2 yeah, I had that conversation with her about a sentence modification at
3 the -- yeah, my meeting with her at the detention center shortly after
4 sentencing.

5 Q Are you able to agree that the Nevada Supreme Court could, if
6 it wanted to, modify a sentence following a direct appeal?

7 A Or vacate the conviction in general, sure. Nevada Supreme
8 Court has the power to do any other -- any number of remedial -- yes,
9 yeah, sure.

10 Q Okay. Okay. That's an easy question, so, yeah, I'm not trying
11 to make more of it. They -- broad authority to do what they want.

12 A Yes, if they found grounds, I -- yes, the Nevada Supreme
13 Court could definitely do that.

14 Q All right. Turn really quick if you would to Exhibit 2, which is --
15 so, this is your letter back to her.

16 A Yes.

17 Q All right. So, just referencing the first paragraph, you had
18 discussed a motion to modify a sentence. Are you able to agree that --
19 she didn't use the word motion in her letter to you, did she?

20 A No, she said get the -- looks like she did get the paperwork
21 started for a motion to -- for a sentence modification.

22 Q All right. And then if you kind of skip down to I think it's the
23 third paragraph, according to your letter, you direct April she could
24 assert any gripes she had in a post-conviction petition. Do you see that
25 language?

1 A Yes.

2 Q Did you view her dissatisfaction with the sentence as griping?

3 A No, that -- the context of that sentence is any gripes that you
4 may have about my representation of you throughout the case. I
5 represented her -- I don't recall the date I was appointed, but for quite
6 some time before that. So, I mean, you know, in theory, she could have
7 taken issue or had gripes with my representation with her since the day I
8 was appointed.

9 Also in the letter, I mean, the next sentence is she's always --
10 she was always very complimentary of me and thankful for what I did,
11 for my work on her behalf during the case. But, you know, again, in this
12 situation I don't -- I understand because I've been doing this a while that
13 defendants will very commonly seek post-conviction relief if they're not
14 satisfied with the sentence, so I kind of anticipated it, which is why I sent
15 her this letter providing her with the statutes and paperwork and -- or the
16 timeline and -- of all of her deadlines so far as a post-conviction petition.

17 Q All right. Just to kind of wrap up that -- that you -- you never
18 did file a Notice of Appeal in this case?

19 A Correct.

20 Q Then assuming again the judgment was January 9th or 10th, 30
21 days after that, the time would have run out; is that fair?

22 A Yeah, I don't know the exact date, but yeah, the exchange of
23 correspondence between Ms. Parks and I would have been within the --
24 would have been prior to the appellate deadline, correct, the deadline to
25 file a Notice of Appeal if that's what you're asking.

1 MR. RESCH: Yeah, I think that answers that. All right. Really
2 appreciate it.

3 Pass the witness at this time. Thank you.

4 THE COURT: Cross?

5 MR. BONGARD: Thank you, your Honor.

6 **CROSS-EXAMINATION**

7 BY MR. BONGARD:

8 Q Mr. Goldstein, can you hear me?

9 A Yes.

10 Q Okay.

11 A Loud and clear.

12 Q Thank you. So, summing up your testimony, based on the
13 questions that Mr. Resch asked you, fair to say that Ms. Parks never
14 expressly asked for an appeal; is that correct?

15 A Not just expressly, I mean, if I had thought she wanted me to
16 file an appeal but didn't use the word appeal, I still would have -- I mean,
17 I would have clarified that with her and advised her accordingly, but, I
18 mean, I -- there was never -- she didn't use the -- kind of a, quote, magic
19 word appeal, nor did she say words to the effect of an appeal where I
20 could infer that she was trying to use the word appeal but, you know,
21 didn't know the terminology or something. And neither of those applied.

22 Q Okay. And you've mentioned this briefly as far as going
23 through the appeal rights and the plea agreement and you said you
24 didn't remember for sure, but it wouldn't surprise you in this case if the
25 plea agreement expressly waived appellate rights and then contained a

1 further sentence, however, I remain free to challenge my conviction
2 through other post-conviction remedies, including a habeas corpus
3 petition pursuant to NRS Chapter 34. Does that sound like something
4 you've seen before?

5 A Absolutely. What I was saying earlier is just I don't -- since I
6 didn't review the transcript of the plea, you know, I can only assume that
7 took place because it takes place in virtually every plea. So, yeah, that's
8 in there and I'm certain it was and I'm certain Her Honor went over it with
9 her during her canvass as well. But the answer to your question is yes,
10 that's, you know, boilerplate language that's in virtually every Guilty Plea
11 Agreement.

12 Q So, in other words then, it wouldn't be surprising to you that
13 the Court during the plea canvass asked Ms. Parks about the waiver of
14 her appellate rights in this case.

15 A Wouldn't surprise me at all, but, again, I didn't confirm that by
16 reviewing the transcript, but it would be surprising if Her Honor
17 overlooked that because, again, I'm in her courtroom -- even prior to
18 the -- that hearing I was in her courtroom probably as often as any other
19 defense attorney because that was my track, I think, since Her Honor
20 took the bench, so I was very familiar with her canvasses and how she
21 oversees her courtroom.

22 MR. BONGARD: And, Your Honor, just to enable the Court to
23 access those two pages whether now or at some other point, I'm
24 referring to page 5 and page 20 of Mr. Resch's supplement to the
25 petition.

1 THE COURT: Okay. Thank you for clarifying that, counsel.

2 MR. BONGARD: You're welcome, Your Honor.

3 BY MR. BONGARD:

4 Q One last question I think I have for you because I think you
5 answered a lot of what I was looking for, even if the plea agreement said
6 that Ms. Parks waived her appellate rights and even if the Court -- you
7 know, in light of what happened in this case that Ms. Parks was
8 canvassed on the waiver of her rights, if Ms. Parks asked you to file an
9 appeal in this case, would you have filed an appeal knowing that the
10 State had every right to file a motion to dismiss the appeal based on the
11 waiver of Ms. Parks' right to an appeal?

12 A I can't speak to whether the State would have filed a motion to
13 dismiss, but what I can tell you is if she had in any way expressed
14 interest in my -- a desire for me to file a -- an -- a direct appeal, I
15 certainly would have.

16 When I filed a motion to withdraw as her counsel after the
17 appellate period had expired, I -- in my affidavit I attached to the
18 motion -- I don't have the date where I filed it, but I filed it because I was
19 a -- it was a court-appointed case, and in that affidavit I included, you
20 know, that -- words to the effect of now that the appellate period has
21 expired, and I commonly mail those -- I'm sure I did to Ms. Parks -- mail
22 a copy of that motion to my client when I'm seeking withdrawal.

23 So, I don't recall whether I would have sent it to CCDC or to
24 Smiley Road at that point because I'm not sure where she was at at that
25 point in time, but at that time she would have received this motion with

1 my affidavit that says, you know, the appellate period has already
2 expired and the Defendant never asked me to -- an appeal. That's not
3 verbatim what's in my affidavit, but it's words to that effect.

4 So, she would have had notice at that time that, in my opinion,
5 the -- she -- the appellate period had expired and that she -- in my
6 opinion, she never asked me this to pursue an appeal. And that was --
7 that would have been a matter of weeks after the amended -- there were
8 two JOCs filed, there was a JOC and an amended. This would have
9 been after -- sometime after the second -- the expiration of the appellate
10 period after the second JOC was filed.

11 Q And your letter to Ms. Parks references, please review the
12 enclosed statutes and then feel free to write with any additional
13 questions. Did she ever write you with any additional questions or
14 directions such as to pursue an appeal?

15 A No, and I checked with Mr. -- I hadn't heard from you, sir,
16 before today, before our -- you know, these questions here in court
17 today. I spoke with Mr. Resch a couple weeks ago; he reached out to
18 me and, you know, I guess, interviewed me. I looked into my file that I
19 do a good job of keeping and, you know, preserving in my cloud and
20 there were no further correspondence after that.

21 I had appeared in court on a couple of Ms. Parks' matters that
22 involved Family Court. She was involved -- she had a couple bench
23 warrants that were issued in I think they were contempt hearings as I
24 recall, not related to this case, and as kind of a I guess you could call it a
25 favor, I quashed the warrants in those cases and advised each of those

1 judges what was going on. In other words, there were bench warrants
2 and I let both courts know that she was in custody at Smiley Road, so
3 any future service or whatever actions had to be taken in those cases,
4 they knew where to find her. But I didn't want her to have active bench
5 warrants because that can affect her programming while in prison.

6 Q Understood. And I --

7 A And that would have been -- I don't recall -- I can look up
8 those dates, but that was, you know, within a couple months after the
9 sentencing. I was just wrapping up all of her other affairs, again, just
10 kind of as a favor, so to speak, because they didn't directly relate to this
11 criminal case.

12 Q Thank you. I'm assuming since you've been exclusively
13 practicing criminal law lately, but you've been in practice for roughly 20
14 years, you've dealt with a number of criminal cases that have resolved
15 themselves through a plea?

16 A Yes, I don't know the exact number, but, you know,
17 thousands, probably a thousand.

18 Q Have you ever had -- sir, your -- based upon your recollection
19 of those cases, have you ever had someone ask for an appeal in a
20 manner other than using the word appeal; in other words, asking for a
21 sentence modification?

22 A No, because I would have clarified. I mean, it's rare that
23 somebody asks for an appeal after a plea, not unheard of, but rare. And
24 I -- I'm -- I can't think of the case offhand where somebody has asked
25 me in different words, but I would have, you know, had the conversation

1 with him or her about what specifically they're looking for because
2 sometimes defendants don't know the right word to use; they're looking
3 for some sort of remedy, but don't know the procedure.

4 I was aware that Ms. Parks had significant legal experience,
5 not necessarily in criminal law, but, you know, she'd been working in --
6 you know, in the guardian program for I don't know how many years and
7 was very experienced, so she wasn't a rookie, quote, unquote, when it
8 comes to court procedures and words like appeal. That -- that's not a
9 particularly advanced word when we're talking about legal lexicon, I
10 mean, the word appeal. I'm sure she would have been familiar with it
11 from her prior experience in law, but my client range is from, you know,
12 completely uneducated to people like Ms. Parks who are obviously
13 educated and experienced, people who have experience and education
14 in the law.

15 So, to answer your question, I don't recall a specific case
16 where somebody used other words, but I would have fleshed it out with
17 the client to make sure I understood what he or she was asking for
18 before advising as to which -- and a legal avenue to take if any were
19 applicable.

20 Q So, in other words, would it be your testimony today that when
21 discussing with April Parks in the visit by a video, that if she had used
22 what would have been in your mind some euphemism for the word
23 appeal, you would have fleshed out to determine whether she was
24 actually asking for an appeal?

25 A Well, and I did with -- when we were talking about the

1 sentence modification and I specifically advised her about the post-
2 conviction petition or -- for writ of habeas corpus. There were just no
3 legitimate legal grounds for an appeal, but, like I said before, even if
4 there weren't any, I would have had a duty to file the Notice of Appeal
5 just because she asked for it.

6 I've done that for clients as recently as, I believe, last year.
7 Either 2020 or 2019, I had a different client who entered a plea, got his
8 sentence, and asked me to appeal it, and I did. It was a -- you know,
9 kind of a baseless appeal, but that's not my decision to make, it's the
10 client's.

11 So, if she would have asked me or even, again, by using a
12 different word, I would have, but, again, I think April probably would have
13 known the word appeal. And I certainly discussed the more -- the
14 options that could possibly have been successful, like a -- like the
15 petition. Again, I don't think there's necessarily grounds for a post-
16 conviction petition for writ of habeas corpus, but it's worth taking a shot,
17 particularly if she, you know, retained counsel or somebody who
18 specializes in that.

19 MR. BONGARD: Thank you.

20 Your Honor, I have no other questions.

21 THE COURT: Any redirect?

22 MR. RESCH: Very briefly.

23 **REDIRECT EXAMINATION**

24 BY MR. RESCH:

25 Q So, Mr. Goldstein, just to kind of sum this up, it sounds like the

1 driving force for a lack of discussion about an appeal, at least coming
2 from you, was that you just didn't think there was grounds for one; is that
3 what you're telling us?

4 A Well, I don't think there was a lack of discussion. I -- I'm sure
5 that I had -- I mean, prior to the plea and then during the plea, from the
6 Court and then me at -- while visiting her after, I'm sure there was
7 discussion of it. What I mean is I would have advised her that there's
8 better -- I'm not saying they would have been successful, but there -- the
9 better option would have been a post-conviction petition for writ of
10 habeas corpus. But regardless, again, if she had said yeah, well, go
11 ahead and file the appeal anyway and then I'll file the post-conviction
12 later, the petition later, I would have filed a Notice of Appeal.

13 So, there was no -- I didn't talk her out of it or, you know, tell
14 her that she can't. She never asked for it or hinted at it or, you know,
15 used a different word because she didn't know the word appeal, it was
16 just that wasn't -- she never expressed my -- her desire for me to pursue
17 that avenue, so that's why I sent all the documents or statutes about the
18 post-conviction petition.

19 MR. RESCH: All right. And I think I have nothing --

20 THE WITNESS: Appreciate it.

21 MR. RESCH: No, that's -- I think he answered it, so nothing
22 further from my end.

23 THE COURT: Any recross?

24 MR. BONGARD: No, Your Honor.

25 THE COURT: Okay. Thank you very much, Mr. Goldstein.

1 Thank you for testifying here today.

2 THE WITNESS: Do you want me to stick around, Your Honor,
3 in case somebody recalls me?

4 THE COURT: Are -- do you guys have any intentions of
5 recalling Mr. Goldstein?

6 MR. RESCH: I do not.

7 MR. BONGARD: Not at this point, Your Honor.

8 THE WITNESS: And, Mr. Resch, you have my cell number
9 if -- I'll log out of BlueJeans, but if you need me, I'll stick around. I have
10 my cell, so feel free to text me and I'll get back on as soon as possible if
11 necessary.

12 THE COURT: Okay.

13 MR. RESCH: Fair enough. Thank you.

14 THE COURT: Thank you, Mr. Goldstein.

15 All right. Mr. Resch, do you have any other witnesses you'd
16 like to call?

17 MR. RESCH: Yes, we'll call April Parks.

18 THE COURT: Okay. Ms. Parks, if you could raise your right
19 hand.

20 Madame Clerk, if you could swear her in.

21 **APRIL PARKS**

22 [having been called as a witness and being first duly sworn,
23 testified via video conference as follows:]

24 THE COURT CLERK: Please state your name, spelling your
25 first and last name for the record.

1 THE PETITIONER: April Parks, April, common spelling,
2 A-P-R-I-L, Parks, P-A-R-K-S.

3 THE COURT: Okay. Mr. Resch, whenever you're ready.

4 MR. RESCH: All right. Thank you.

5 Ms. Parks, can you hear me?

6 THE PETITIONER: Yeah. I just want to mention that I'm
7 being -- pictures are being taken of me. I don't know if that's okay, but I
8 just think the Court should know that.

9 THE COURT: And I'm sorry, Ms. Parks. Hold on just one
10 second.

11 Whoever's videotaping on their phone and taking pictures, you
12 are not allowed to do that. We cannot have you videotaping and taking
13 pictures. If I see someone else using their cell phone, then I'm going to
14 cut you out of the meeting.

15 THE PETITIONER: Thank you.

16 THE COURT: Ms. Parks, may you please -- can you please
17 repeat what you said? I apologize. I was trying to figure out who was
18 videotaping.

19 THE PETITIONER: I -- just my first and last name, April, the
20 common spelling, A-P-R-I-L, and Parks, P-A-R-K-S.

21 THE COURT: Okay. And what did you say right after that?

22 THE PETITIONER: I just said that -- I just mentioned that
23 someone was recording me.

24 THE COURT: Okay, yeah.

25 THE PETITIONER: [Indiscernible] 0527 was recording.

1 THE COURT: Okay.
2 MR. RESCH: All right. Should I --
3 THE COURT: Okay. Mr. Resch --
4 MR. RESCH: Thank you.

5 **DIRECT EXAMINATION**

6 BY MR. RESCH:

7 Q So, Ms. Parks, did you -- I take it you heard Mr. Goldstein's
8 testimony?

9 A I did.

10 Q Okay. So, let's -- we'll just dive right in assuming that some of
11 those baselines have been established, okay? So, specifically, you
12 recall that at some point you took a plea deal and you have this choice
13 between this 8 to 20-year offer and the so-called right to argue deal.
14 Does that all sound familiar?

15 A It does.

16 Q You ended up going with the right to argue deal?

17 A I did.

18 Q Is that a decision that you made in conjunction with Mr.
19 Goldstein?

20 A It is.

21 Q Did you -- can you give us an idea based on that discussion or
22 decisions that were to take that deal -- what did you think was going to
23 happen going into the sentencing proceeding?

24 MR. BONGARD: Your Honor, I'm going to object at this point.
25 I don't think it's relevant to the issue that the Court wanted to address at

1 this hearing, which was the appeal issue.

2 THE COURT: Mr. Resch, your response to that?

3 MR. RESCH: Yeah, Your Honor, it's absolutely relevant
4 because one basis under which she'd be entitled to an appeal is if she
5 expressed dissatisfaction with the result of the sentence she received.
6 We can't establish that without knowing what she anticipated was going
7 to happen or at least what would have satisfied her.

8 THE COURT: Well, you can establish that. And I was
9 actually wondering why there was no objection made when all of this
10 testimony was elicited from Mr. Goldstein because the purpose of this
11 hearing is for the limited purpose of whether or not Ms. Parks expressed
12 to Mr. Goldstein that she wanted an appeal.

13 You can ask her about what she told to Mr. Goldstein, but
14 what she expected to happen as a result of the plea agreement and why
15 she took the 8 -- the right to argue over the 8 to 20 is not relevant to that.
16 She can absolutely tell us how she felt after the sentencing, she could
17 tell us what was expressed to Mr. Goldstein, if she's going to testify that
18 there was an additional visit that's not what he mentioned, but as far as
19 why she took what deal she took, that is not relevant. That objection is
20 sustained.

21 MR. RESCH: All right. Very well. We'll --

22 BY MR. RESCH:

23 Q Ms. Parks, let's move forward then to your actual sentencing.
24 I take it you remember that proceeding as well?

25 A I do.

1 Q Mr. Goldstein was present in court with you when you were
2 sentenced?

3 A That's correct, he was.

4 Q All right. Do you recall -- at the moment you were sentenced,
5 did you have a good understanding of what sentence the Court imposed
6 right there after it was imposed?

7 A I did not. There was a lot of numbers, there was a lot of
8 consecutives and concurrents and I was not clear on what the time
9 frame was at that time.

10 Q Did you have some sense that it was greater than the original
11 8 to 20 offer that you rejected?

12 A I did, yes.

13 Q Do you have a conversation with Mr. Goldstein at the time of
14 sentencing about the sentence?

15 A Immediately after, he and I spoke, yes.

16 Q All right. Can you tell us what you said to him at that time?

17 A My first question to Mr. Goldstein was how much time was
18 that, how much time did I get. He expressed to me that he did not have
19 that number. I said it's a lot, and he said yes, don't panic, we can do
20 appeals and there's things that can happen. At that time, I --

21 THE COURT: Okay. Hold on just one second. Ms. Parks,
22 Ms. Parks, hold on just one second. Can you come closer to the
23 microphone? Because I'm having a difficult time hearing you.

24 Officer, can she move that chair? That's a yes?

25 THE PETITIONER: Is that better?

1 THE COURT: Hold on just one second.
2 Officer, is that a yes?
3 THE CORRECTIONS OFFICER: Yes.
4 THE COURT: Okay. Thank you very much.
5 Yes. And, Ms. Parks, the last thing I heard you say was Mr.
6 Goldstein said -- hold on.
7 [Pause while the Defendant gets situated closer to the microphone]
8 THE PETITIONER: Okay. Is that better?
9 THE COURT: Yeah, that's better. Because the last thing I
10 heard --
11 THE PETITIONER: Okay.
12 THE COURT: -- you say was Mr. Goldstein said don't panic.
13 And then what did you say after that?
14 BY MR. RESCH:
15 A He told me -- he said don't panic, there's appeals and things
16 that we can do. And at that point, I expressed to him that I wanted him
17 to do everything possible, that I wanted to appeal it. In that moment, I
18 told him that.
19 Q So, you're telling us he was actually the one who first used the
20 word appeal. This was at the time of sentencing?
21 A Yes.
22 Q And you told him to do everything he could?
23 A I did.
24 Q Did you express to him your feelings about the sentence at
25 that time?

1 A I'm not a huge feeling person.

2 Q Okay.

3 A But I did tell him that I had concerns about my child and that I
4 needed to do everything possible to change this so that I could be home
5 with her.

6 Q Was -- at that --

7 THE COURT: And I'm sorry, what did you -- what was the last
8 thing you said? We needed to do everything possible to do what?

9 THE PETITIONER: To be home with my child.

10 THE COURT: Okay.

11 THE PETITIONER: My daughter.

12 BY MR. RESCH:

13 Q So, at the time of sentencing, were -- did you express any
14 dissatisfaction to him about the number or the -- what you understood
15 the sentence to be?

16 A I expressed that it was more than the original deal, the first
17 deal and I was just very -- I was shocked. I mean, it was a very brief
18 conversation, but it was -- I was very clear that I wanted him to do
19 everything he could do.

20 Q Now, you recall the testimony about that he was going to
21 come see you after that hearing.

22 A Yes.

23 Q You do? Okay. Is that something that did happen?

24 A That did, I believe he came the next day on a video visit.

25 Q Do you remember -- what did the two of you talk about during

1 that visit?

2 A I again asked him about my time, the time I got; he still wasn't
3 able to give me a number. I -- he -- we talked about different things that
4 could happen and he asked me to contact him --

5 MR. BONGARD: Your Honor, I'm going to object as to
6 hearsay.

7 THE COURT: Mr. Resch?

8 MR. RESCH: Well, Your Honor, the entire premise of the
9 hearing is the strategy between these two and the statements that are
10 made and the plans of legal -- future legal proceedings that would arise
11 therefrom. So, the entire hearing is determining what the future course
12 of conduct is going to be between these two, which by definition is either
13 not hearsay or is an exception to the hearsay rule.

14 THE COURT: So, you're saying it's being offered to prove
15 what Mr. Goldstein did next?

16 MR. RESCH: Well, it's being offered to indicate that she
17 wanted to continue to challenge her sentence; she wasn't happy with it.
18 Those are more like feelings and less like for the truth of the matter, but
19 if -- to the extent it was something that we're taking for the truth, then it's
20 a statement of future intent or plan, which is a clear exception to the
21 hearsay rule.

22 THE COURT: The objection will be --

23 MR. BONGARD: Your Honor, I think they can --

24 THE COURT: The objection will be --

25 MR. BONGARD: I was going to say I think they can talk about

1 subjects discussed, but rather than the hearsay, I think the same
2 information comes in and that's what the -- that's the information the
3 Court's looking for.

4 THE COURT: Well, I mean, she -- I'm going to allow her to
5 testify to the conversation between her and Mr. Goldstein as that is the
6 entirety of the purpose for this hearing is whether or not she expressed
7 that she -- a desire to appeal. And I think I need to understand the
8 entirety of the conversation between her and Mr. Goldstein to make that
9 determination. So, that objection will be overruled.

10 MR. RESCH: Thank you. So --

11 THE COURT: Mr. Resch, can you re-ask that question?

12 THE PETITIONER: I'm sorry?

13 MR. RESCH: Certainly. I think I can re-ask it or maybe
14 narrow it down a little.

15 BY MR. RESCH:

16 Q So, Ms. Parks, thinking about the meeting at the jail, okay,
17 we're trying to figure out what you and Mr. Goldstein discussed. And I
18 don't mean a generally, like, how are your kids, we're talking about in
19 terms of what you could do or if you wanted to do anything to challenge
20 the sentence that was imposed. So, can you illuminate that for us,
21 please?

22 A We just discussed different things that could be done. I don't
23 remember specifically terms used, but I know that he told me once I got
24 to prison to contact him.

25 Q Do you remember -- did you use the word appeal during that

1 conversation?

2 A I would assume that I did, yes. I mean, that's what we were
3 talking about; those kind of things.

4 Q So, as you understood --

5 A I --

6 Q -- the purpose of the visit was to talk about what to do next in
7 your case?

8 A Absolutely, that was the purpose of the visit.

9 Q Did you express to him at that time any satisfaction or
10 dissatisfaction with the sentence that you received?

11 A Well, like I said, he still was not able to give me a number, but
12 I knew that it was high and I did express that it was much higher -- I
13 knew that it was much higher than the original deal and I was shocked
14 about that.

15 Q So, in terms of what he would have offered to do at that time,
16 was it just contact me when you get to prison or was there some other
17 strategy that you two had in mind for continuing your legal case?

18 A Yeah, there was a strategy, and that was that he was going to
19 file some paperwork. We talked about sentence modification. I -- while I
20 do have some legal knowledge, I don't have knowledge in criminal
21 cases, I don't understand the appeal process in criminal cases, so I was
22 relying on him to do that for me or to advise me regarding that. And that
23 was the reason that I was -- you know, contacted him because we had
24 that discussion. I wouldn't have written the letter had I not had a reason.

25 Q So, at any time during the jail meeting, did you say to him

1 something along the lines of, you know, I'm happy with what happened,
2 let's just leave it?

3 A Absolutely not.

4 Q Then when you get to prison, there is this exchange of letters,
5 you're saying?

6 A Yes.

7 Q Okay. I -- did you have occasion to look at those before
8 coming to court?

9 A No, unfortunately, I don't have that any longer. We're only
10 allowed to keep a certain amount of things and some things had to be
11 sent home.

12 MR. RESCH: All right. And in the spirit of moving forward, I
13 think we can review those exhibits with her just based on her
14 recollection. I wouldn't know how to display them here if that even is an
15 option.

16 THE COURT: We can't display them, Mr. Resch.

17 BY MR. RESCH:

18 Q So, Ms. Parks, let's --

19 MR. RESCH: Unless there is an easy way to do it.

20 THE COURT: There is no easy way to do it without you being
21 in the courtroom. If you were in the courtroom, you could put them on
22 the overhead, but because you're not here, we have no means of
23 displaying those.

24 MR. RESCH: All right. I think it's going to be okay. So, let's
25 try to just keep going.

1 BY MR. RESCH:

2 Q Ms. Parks, so, you do remember writing Mr. Goldstein when
3 you got to prison?

4 A Yes, I do.

5 Q What was -- all right. What was your reason for writing him a
6 letter?

7 A To get him moving on whatever process he wanted -- he
8 would -- we would like to move forward with. Like I said, we had talked
9 about sentence modification. I didn't necessarily know what that
10 entailed, but had written him a letter as requested once I got to the
11 prison to get him started on that.

12 Q So, do you recall as you are sitting her today that your letter
13 says something about starting the paperwork for a sentence
14 modification?

15 A I'm sure it does, yes.

16 Q What is it you anticipated him doing in response to that
17 request?

18 A Filing an appeal, filing something in order to change the
19 outcome.

20 Q All right. And then, do you recall that he wrote you back?

21 A I do recall he wrote me back, yes.

22 Q As you're sitting here today, is there anything that stands out
23 to you about his response to you in that letter?

24 A Yeah, when he made the comment that I had expressed to
25 him that I was satisfied with his representation. I kind of chuckled when

1 I got it and thought, when did I ever say that. And I just -- you know,
2 while I don't have legal experience, I have lots of experience with
3 attorneys and I felt like this is creating a record or, you know, just sort
4 of -- it was just -- struck me as odd, very odd. That's not something that
5 typically comes across in a letter, especially since I didn't -- I didn't think
6 we were at odds at all, and so I just was sort of struck by how funny that
7 was. And the other thing that --

8 Q Let me ask you --

9 A Go ahead.

10 Q Oh, sorry, go ahead. Go ahead.

11 A The other thing that struck me is that he sent me the -- a copy
12 of the NRS, and I was just kind of like, wait, this is -- I just felt like that --
13 with that, the letter, and the copies of the NRS, I just sort of felt like he
14 was sort of, for lack of a better term, dismissing me and just sort of, you
15 know, didn't want to deal with it anymore, I guess.

16 Q Okay. So, you do recall -- the bulk of his letter seems to be
17 directed towards the post-conviction process; does that sound familiar?

18 A Yeah.

19 Q Is that something you remember having talked to him about
20 before getting his letter?

21 A We may have spoke about it at the jail, but I don't specifically
22 remember that term. The -- we were talking about a lot of things then.

23 Q Are you able to summarize as you're here today the number
24 of times you would have expressed to Mr. Goldstein dissatisfaction with
25 the length of the sentence you received?

1 A None, there would have been no --

2 Q Are you --

3 A -- times.

4 Q Sorry. So, you never told him that you were dissatisfied with
5 the sentence?

6 A Oh, no, I did tell him. I'm sorry. Did I misunderstand the
7 question?

8 Q Maybe. Okay.

9 A Oh. I --

10 Q So, unhappiness, did you ever express unhappiness, and if
11 so, how often?

12 A I mean, yeah, initially it was shock and like, you've got to be
13 kidding me. And then again the next day at the jail when he came to
14 visit me, I expressed that this was just like -- I think I said something
15 along the lines of, you know, why didn't we move forward with the first
16 deal, this is insane.

17 Q And just so we're clear, right, so, you're telling us here today
18 that you did verbally -- at least while you were in the courtroom with Mr.
19 Goldstein -- have a discussion about wanting to appeal?

20 A Yes, absolutely, I did.

21 Q To your knowledge, did he ever file an appeal in your case?

22 A No.

23 Q Sounds like -- at some point, did you receive a motion that he
24 was withdrawing from representing you?

25 A I think I recall that, yeah.

1 MR. RESCH: All right. I think that's it for now. I'll pass the
2 witness at this time. Thank you.

3 THE COURT: Cross?

4 **CROSS-EXAMINATION**

5 BY MR. BONGARD:

6 Q Ms. Parks, can you hear me?

7 A I can.

8 Q In your letter to Mr. Goldstein you said I can't remember
9 exactly what we discussed, I was still in shock; is that a fair statement of
10 your memory of what went on during that conversation?

11 A That was referencing the conversation we had at the jail.

12 Q Okay. And were you equally as shocked at the time of
13 sentencing when the Court pronounced sentencing?

14 A Well, I was shocked. It hadn't set in yet and so I was a little
15 more, I guess, cognizant of what was sort of happening.

16 MR. BONGARD: Your Honor, that's all the questions I have.

17 THE COURT: Okay. Any redirect based on that, Mr. Resch?

18 MR. RESCH: Yes, actually, and it is most directly related to
19 that.

20 **REDIRECT EXAMINATION**

21 BY MR. RESCH:

22 Q So, Ms. Parks, and just understanding you don't have these
23 letters in front of you, can I, just for the record, give you this entire
24 paragraph that the State just asked you about and see if -- what you
25 recall about that, all right?

1 A Yeah.

2 Q Your letter says, I think you said something about a change of
3 attorneys; I can't remember exactly, I was still in shock. So, do you
4 remember putting that in your letter?

5 A If you're reading it -- I don't remember saying that per se, but,
6 I mean, if I wrote it, it's there. But, like I said, we discussed a lot of
7 things that -- at that jail meeting after the sentencing.

8 Q Well, all right. So, the -- to the extent you were so-called in
9 shock, did that impede your ability to recall any facts that you've told us
10 about here today?

11 A I don't think it necessarily impeded my ability to recall, but it --
12 I mean, it definitely -- there was a lot going on in that conversation.

13 Q Well, is there something specific to a discussion about a
14 change of attorneys that you can remember now that may or may not
15 been as clear at the time when you had the jail discussion?

16 A Not -- no, not particularly. I'm sorry. I just -- it was a -- we
17 were talking about a lot of things. We talked about -- I remember we
18 talked about an appeal, we talked about a sentence modification and he
19 said, write me when you get to the prison and we can -- and we'll start
20 whatever process needs to be started.

21 MR. RESCH: All right. Appreciate it.

22 Nothing further on my -- on behalf of the Petitioner.

23 THE COURT: Any recross?

24 MR. BONGARD: No, Your Honor.

25 THE COURT: Okay. Mr. Resch, do you have any further

1 witnesses?

2 MR. RESCH: We will rest at this time.

3 THE COURT: All right. Any witnesses from the Respondent?

4 MR. BONGARD: No, Your Honor.

5 THE COURT: Okay. Mr. Resch, it's your burden, you can
6 argue.

7 MR. RESCH: All right. Thank you. And I certainly hope to
8 keep this brief. There's a couple paths to prevailing here and, again,
9 when I say prevailing, no one's talking about her going free or doing the
10 whole proceeding over, it's merely a request for this important
11 constitutional right to a direct appeal.

12 So, with that in mind, I would just point to the following. The
13 Nevada Supreme Court has established a couple ways that a right to an
14 appeal can arise. One is, of course, if the defendant requests it. And
15 the evidence here today is -- and I'm specifically talking about during the
16 sentencing hearing. Mr. Goldstein didn't really recall what was
17 discussed. Ms. Parks unequivocally said, we had a discussion about an
18 appeal, I said do everything you could.

19 So, as far as that avenue goes, our position would be there
20 was a discussion about an appeal, and she requested one, and Mr.
21 Goldstein didn't recall; therefore, that's evidence that she did request an
22 appeal, which would be one way that one should be granted.

23 An entirely separate question, but one that could still lead to
24 the same result, is whether the totality of the evidence would have
25 suggested to Mr. Goldstein that she was dissatisfied with her sentence.

1 And I think we've heard both of them use that word repeatedly, so I
2 might mention that. Even Mr. Goldstein referred to being -- her being
3 dissatisfied or he being dissatisfied numerous times.

4 I don't really think there's any question that that's what
5 happened. I -- you know? And certainly society or the Court may feel
6 that the appropriate sentence was given out, but that's a different
7 question of what Mr. -- Ms. Parks was expecting, and certainly from her
8 end, great disappointment, and Mr. Goldstein's as well.

9 I would mention this. In the *Toston* case that establishes the
10 disappointment test for whether an appeal is required, the Nevada
11 Supreme Court specifically stated that one such indication would be
12 whether the defendant indicated a desire to challenge his sentence
13 within the period for filing an appeal.

14 There is no question, based on this record, that Ms. Parks
15 demonstrated a request to challenge her sentence because there are
16 these letters going back and forth talking about a sentence modification.
17 I would first suggest that when she uses that phrase, she's talking about
18 an appeal, but even if that wasn't true, in *Toston* the Nevada Supreme
19 Court made it clear that disappointment can be expressed by requesting
20 any challenge to the sentence.

21 And there's no question that that was requested here and for
22 whatever reason, it didn't happen; sounds like Mr. Goldstein didn't
23 believe there were legitimate grounds, but, again, at least as far as
24 direct appeal goes, legitimacy is not really the salient question. If the
25 appeal is requested or if the defendant has expressed dissatisfaction

1 with a sentence, the Notice of Appeal is supposed to be filed.

2 So, that's really all that we're requesting here today is that the
3 Court grant the petition, order the clerk to file the Notice of Appeal
4 pursuant to the rules of appellate procedure, and then Ms. Parks would
5 receive her direct appeal.

6 THE COURT: Thank you.

7 Respondent, your argument?

8 MR. BONGARD: Your Honor, the -- I would agree with Mr.
9 Resch that the Court's decision is simple; however, I believe that the
10 opposite -- excuse me -- the opposite result is the result that's reached.
11 And I'm referring to the U.S. Supreme Court case in *Roe versus Flores-*
12 *Ortega*, which is 528 U.S. 470.

13 In that case the Court said that -- they laid out the test for
14 whether there was an appeal deprivation, and the Court said in cases
15 where the record's clear, it -- its easy to determine whether there was
16 deficient conduct under *Strickland*. And the opposite end of the
17 spectrum on whether it's clear or not is when the client tells the attorney
18 expressly, file a Notice of Appeal or don't file a Notice of Appeal. And I
19 would analogize express to mean the same thing that it does when the
20 case law discusses what a defendant needs to say in order to invoke
21 their right to remain silent, that it needs to be clear and unequivocal.

22 The Court said then when we're looking at cases in between
23 the ends of the spectrum, that prior to looking at anything else, the
24 Court -- the reviewing Court needs to ask itself another question;
25 whether counsel in fact consulted with the defendant about an appeal.

1 I think the record's clear in the case that there was some type
2 of consultation that took place. And what the Court defined consultation
3 as meaning is advising the defendant about the advantages and
4 disadvantages of taking appeal and making a reasonable effort to
5 discover the defendant's wishes.

6 And the duty to consult occurs when one, a rational defendant
7 would want to appeal or two, that this particular defendant reasonably
8 demonstrated to counsel that he was interested in appealing.

9 And the Court reached the conclusion then that under
10 *Strickland*, because that's the test that applies, deficient conduct occurs
11 when counsel performs in a professionally unreasonable manner only by
12 failing to follow the defendant's express instructions with regards to an
13 appeal.

14 And in this case what happened was it's clear that a
15 conversation took place. It's clear that there was a discussion, not clear
16 as to what exactly the discussion was. And Mr. Goldstein was very
17 candid when he said he can't remember the specifics of the discussion.
18 And I think we've got a couple pieces of evidence that show from Ms.
19 Parks' view that it was also unclear on her part, and both of those were
20 the fact that she said she can't remember exactly, and, again, Mr.
21 Goldstein said he couldn't remember exactly what was discussed.

22 But I think what's clear is that based on that -- and, again, Mr.
23 Goldstein testified with regards to his evidence of habit and which is
24 highly relevant. He said, number -- couple things. Number one, I've
25 never not filed an appeal when a defendant has told me to file a Notice

1 of Appeal, and number two, he said that in cases where there was
2 confusion on his part, in other words, where we haven't gotten the
3 express instructions with regards to an appeal that the Supreme Court
4 talks about in *Roe versus Flores-Ortega*, he asks additional questions to
5 flesh out the meaning of what was going on and what was in the
6 defendant's mind. And he said if that had occurred in that case -- in this
7 case, number one, he would have done it.

8 And I think also telling is the fact that Ms. Parks today said
9 that, we talked about appeal and we talked about sentence modification,
10 and in her letter that took place afterwards, she didn't expressly ask for
11 an appeal, she expressly asked for a sentence modification.

12 So, I think, Your Honor, while Mr. Resch suggests that there's
13 clarity and simplicity, there is, but it militates against a finding that there
14 was an appeal deprivation in this case.

15 Also, Your Honor, Mr. Goldstein testified that he wouldn't have
16 been surprised that there was a -- the plea agreement waived the right
17 to an appeal, and obviously, again, the -- he said he wouldn't have been
18 surprised if Your Honor hadn't canvassed Ms. Parks on the plea
19 agreement waiving her appellate rights. And the record reflects that that
20 actually did happen.

21 So, while Your Honor -- the Court in *Flores-Ortega* said that
22 prejudice occurs when counsel failed to follow his client's clear and
23 express instructions and file the Notice of Appeal. And, again, I think in
24 this case, number one, we don't have any clear, express instructions to
25 file a Notice of Appeal, and second, what we also have is the whole idea

1 behind the Notice of Appeal, and the Court talks about it quite
2 extensively in *Flores-Ortega*, and that's why the prejudice test is so
3 simplistic and you don't look at things like, you know, were there any
4 substantial issues.

5 But we have a different issue, that the Court talks about the
6 right to appeal as a right. And -- excuse me -- in this case we have a
7 record that shows that that right was waived. So, if the Court were to
8 somehow find, based on this record, that there was appeal deprivation,
9 was there a right to appeal? And I think the Court would need to
10 address that as well.

11 And the Nevada Supreme Court in *Lamark versus State*, 1996
12 case, said that a defendant can waive privileges and rights, including the
13 right to appeal, but a defendant cannot waive a right to proceed through
14 stayed habeas or post conviction.

15 And I think the plea agreement mirrors the letter of the law as
16 well as the spirit, and I think the Court's canvass, even though it was a
17 one question that, do you understand you're waiving your rights to
18 appeal, reflected that at that point Ms. Parks waived her right to an
19 appeal.

20 So, Your Honor, I would submit on the basis that number one,
21 she hasn't established a deprivation under the two prong test in
22 *Strickland* and number two, there wasn't a right to appeal at this point
23 because as soon as the Court accepted the plea, that right vanished
24 through her waiver of it in the plea agreement. Thank you.

25 THE COURT: Okay. Mr. Resch, your follow-up.

1 MR. RESCH: Sure. And here's a couple quick points and
2 then I'll try to wrap this up. It's our position that according to the
3 statutes, NRS 174.063, a defendant always has a right to appeal
4 constitutional issues. So, that's part of the mix.

5 Secondly and related to that, appellate waivers, to the
6 extent they're valid at all, and I'm in no way conceding that that's what
7 happened here, but if it did, they're not jurisdictional, all right? So, the
8 question of to what degree or how it should apply to an appeal is
9 something that's determined on appeal, it's never a bar to filing the
10 Notice of Appeal. So, that hopefully addresses those issues.

11 I don't think Mr. Goldstein took the position that he was
12 somehow prohibited from filing Notice of Appeal. In fact, I think he was
13 pretty straightforward in saying that he absolutely understood that he
14 could have filed one; he just didn't do it largely because he didn't think
15 there were any issues to appeal, which, again, is not the relevant
16 question.

17 With regard to *Flores-Ortega*, all right, that's a oldie but
18 goodie, one that I usually like relying on, but let me direct the Court that
19 in a much newer case, *Toston v. State*, the Nevada Supreme Court case
20 that talks about these issues, they cited *Flores-Ortega*, and here's what
21 they said about it as they cited it; it's just one sentence. Recognizing the
22 need for more guidance, we hold that trial counsel has a duty to file a
23 direct appeal when the client's desire to challenge the conviction or
24 sentence can be reasonably inferred from the totality of the
25 circumstances, focusing on the information that counsel knew or should

1 have known at the time. And then they cite *Flores-Ortega*, and then
2 they go on to discuss such information can include whether the
3 defendant indicated a desire to challenge the sentence within the period
4 for filing an appeal.

5 I would simply have to come back to there is no question,
6 based on this record, that a desire to challenge the appeal was
7 expressed during the time that a direct appeal could have been filed;
8 therefore, a Notice of Appeal should have been filed by counsel.

9 THE COURT: Okay. Thank you very much.

10 MR. RESCH: Sorry. Submit it with that. Thank you.
11 Appreciate it.

12 THE COURT: Okay. Thank you very much.

13 All right. I'm going to issue a written decision on this and you
14 guys will all be notified.

15 MR. BONGARD: Your Honor, will the written decision also
16 cover the claims the Court has also previously denied?

17 THE COURT: No, because it's going to be a written minute
18 order, and depending on what I decide, one of you will be ordered to
19 actually type the order that includes the other claims.

20 MR. BONGARD: Yes, Your Honor.

21 MR. RESCH: Oh.

22 THE COURT: Okay?

23 MR. RESCH: Your Honor, with that in mind, could I request, if
24 it's possible, that the Court would order a transcript to be prepared of
25 today's proceedings so that whoever needs it would be able to prepare

1 the most accurate order possible?

2 THE COURT: Correct, we'll order a transcript of these
3 proceedings.

4 MR. RESCH: Really appreciate it. Thank you.

5 THE COURT: Okay.

6 MR. BONGARD: Thank you, Your Honor.

7 THE COURT RECORDER: He still needs to submit an order
8 though.

9 THE COURT: Oh.

10 Mr. Resch, you still need to submit an order.

11 But you can just start on it.

12 THE COURT RECORDER: Yes, understood.

13 MR. RESCH: Oh.

14 THE COURT: We'll get started on it, but we still need the
15 transcript order.

16 THE COURT RECORDER: [Indiscernible].

17 MR. RESCH: I'll send it right away.

18 THE COURT: All right. Thank you.

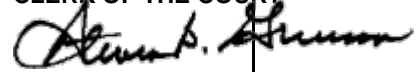
19 MR. RESCH: All right. Thank you.

20 [Proceedings concluded at 2:39 p.m.]

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

24 

25 Trisha Garcia
Court Transcriber



NEOJ

**DISTRICT COURT
CLARK COUNTY, NEVADA**

APRIL PARKS,

Petitioner,

Case No: A-19-807564-W

Dept. No: X

vs.

DWIGHT NEVEN; ET.AL.,

Respondent,

NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that on April 12, 2021, the court entered a decision or order in this matter, a true and correct copy of which is attached to this notice.

You may appeal to the Supreme Court from the decision or order of this court. If you wish to appeal, you must file a notice of appeal with the clerk of this court within thirty-three (33) days after the date this notice is mailed to you. This notice was mailed on April 15, 2021.

STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk

CERTIFICATE OF E-SERVICE / MAILING

I hereby certify that on this 15 day of April 2021, I served a copy of this Notice of Entry on the following:

☒ By e-mail:

Clark County District Attorney's Office
Attorney General's Office – Appellate Division-

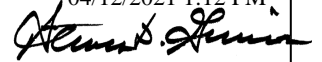
☒ The United States mail addressed as follows:

April Parks # 1210454
4370 Smiley Rd.
Las Vegas, NV 89115

Jamie J. Resch, Esq.
2620 Regatta Dr., Ste 102
Las Vegas, NV 89128

/s/ Amanda Hampton

Amanda Hampton, Deputy Clerk


CLERK OF THE COURT

ORDR
AARON D. FORD
Attorney General
MICHAEL J. BONGARD (Bar No. 007997)
Senior Deputy Attorney General
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MBongard@ag.nv.gov
Attorneys for Respondents

DISTRICT COURT
CLARK COUNTY NEVADA

APRIL PARKS,

Petitioner,

vs.

DWIGHT NEVEN,

Respondents.

Case No.: A-19-807564-W
Department X

ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS

On June 8, 2020, the matter came before the Court for an evidentiary hearing on Petitioner April Parks' Ground Three Claim-whether her trial counsel was ineffective for failing to file a notice of appeal. Petitioner appeared via Bluejeans from the Clark County Detention Center. Parks' Counsel, Jamie Resch, Esq., appeared via Bluejeans. Senior Deputy Attorney General Michael Bongard and Deputy District Attorney Jay Raman appeared via Bluejeans for Respondents. Parks and her trial counsel, Anthony M. Goldstein testified.

The Court summarizes the record in this case, and makes the following findings:

PETITIONER'S CONVICTION AND SENTENCE

The State charged Parks and her co-defendants with multiple counts, including theft, exploitation of an older/vulnerable person, and perjury in Eighth Judicial District Court Case Numbers C-17-321808-1 and C-18-329886-2. Parks entered into a plea agreement which called for her entering *Alford*¹ pleas to 2 counts

¹ *North Carolina v. Alford*, 400 U.S. 25 (1970).

1 of exploitation of an older/vulnerable person, 2 counts of theft, and 1 count of perjury in C-17-321808-1 and
2 a single counsel of exploitation of an older/vulnerable person in C-18-329886-2. The plea agreement stated
3 that the sentences in the two cases would run concurrent to each other. The plea agreement also stated that
4 Parks rejected a stipulated sentence of 8 to 20 years—permitting the State to argue for a sentence higher than
5 the stipulated sentence.

6 Parks appeared with her attorney, Anthony Goldstein and entered her plea on October 5, 2018. After
7 determining that Parks had no questions after entering her plea, the Court found that Parks' plea was freely
8 and voluntarily entered. The Court set sentencing for January 4, 2019. The parties submitted sentencing
9 memorandums prior to the hearing.

10 On January 4, 2019, after the parties and several victims addressed the Court, the Court imposed an
11 aggregated sentence of a maximum term of 480 months and a minimum term of 192 months, and restitution
12 of \$559,205.32.

13 On January 30, 2019, the attorneys appeared before the Court regarding the restitution amount. An
14 amended judgment of conviction was filed on February 4, 2019, adjusting the restitution to \$554,397.71,
15 because a victim was listed twice. Parks did not file a notice of appeal.

16 **PETITIONER'S POST-CONVICTION PROCEEDINGS**

17 On December 27, 2019, Parks filed her initial counseled petition for writ of habeas corpus. Parks
18 filed a supplemental petition on September 30, 2020. Respondents filed their answer on December 31, 2020.
19 Parks filed her reply on January 25, 2021. The Court originally set the matter for a hearing on February 8,
20 2021, but continued the matter until February 22, 2021 in order to give the Court additional time to review
21 the briefing. On February 22, 2021, after hearing argument from counsel, denied Grounds 1 and 2 of the
22 petition and set an evidentiary hearing for Ground 3.

23 On March 18, 2021, the parties appeared via Bluejeans for an evidentiary hearing. After hearing
24 testimony from Ms. Parks and Anthony Goldstein, the Court took the matter under advisement. On March
25 29, 2021, the Court issued a minute order setting forth findings of fact and conclusions of law and denying
26 Ground 3.

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

In order to prevail on a claim of ineffective assistance of counsel, a defendant must demonstrate that counsel's performance was deficient in that it (1) fell below an objective standard of reasonableness, and (2) resulted in prejudice such that there is a reasonable probability that, but for counsel's error, the outcome of the proceedings would have been different. *Strickland v. Washington*, 466 U.S. 668, 687-88 (1984); *Warden v. Lyons*, 100 Nev. 430, 432-33, 683 P.2d 504, 505 (1984) (adopting the test in *Strickland*). Both components of the inquiry must be shown. *Strickland*, 466 U.S. at 697. A petitioner must demonstrate the underlying facts by a preponderance of the evidence. *Means v. State*, 120 Nev. 1001, 1012, 103 P.3d 25, 33 (2004).

Strickland applies to claims of ineffective assistance of counsel during the plea process. *Lafler v. Cooper*, 566 U.S. 156 (2012). In order to demonstrate that her trial counsel was ineffective, Parks must demonstrate (1) that counsel gave her constitutionally deficient advice; and (2) that she suffered prejudice as a result of following the advice. *Lafler*, 566 U.S. at 164.

The two-part test in *Strickland* also applies when a defendant alleges trial counsel was ineffective during sentencing. *Glover v. United States*, 531 U.S. 192, 203 (2001).

In *Toston v. State*, 127 Nev. 971, 267 P.3d 795 (2011), the Nevada Supreme Court addressed trial counsel's duty to advise a defendant about the right to a direct appeal. The Court found that when a conviction stems from a guilty plea, counsel is not constitutionally required to inform a defendant of the right to appeal "absent the defendant's inquiry about the right to appeal or the existence of a direct appeal claim that has a reasonable likelihood of success." *Id.*, at 973-74, 267 P.3d at 797. The Court in *Toston* found "[t]he burden is on the client to indicate to his attorney that he wishes to Pursue and appeal." *Id.*, at 979, 267 P.3d at 801, citing *Davis v. State*, 115 Nev. 17, 20, 974 P.2d 658, 660 (1999).

Addressing Ground 1, the Court finds that in the written plea agreement Parks specifically rejected the stipulated sentence of 8-20 years. This rejection permitted the State to argue for a sentence in excess of the stipulated sentence.

Additionally, the Court finds that during the plea canvass, Parks specifically acknowledged that she rejected the stipulated sentence and understood that the State was free to argue for more than the stipulated sentence.

///

1 Finally, the record contains no evidence of constitutionally deficient advice by trial counsel that
2 Parks relied on to her detriment. *Lafler*, 566 U.S. at 164.

3 After reviewing the record from the sentencing hearing, the Court likewise denied Ground 2 without
4 an evidentiary hearing. The Court concludes that Parks was not prejudiced by any allegations that trial
5 counsel failed to object to allegedly improper argument or comments by the victims that addressed the Court.
6 The Court specifically rejected the arguments that Parks presented in her presentence memorandum, and
7 further finds that the seriousness of the allegations against Parks, rather than any allegedly improper
8 argument by the State or inappropriate comments by victims, merited the sentence imposed by the Court.
9 The Court when imposing sentence specifically rejected the recommendation in the Presentence
10 Investigation Report and imposed what the Court found was an appropriate sentence.

11 After hearing from both Petitioner and Mr. Goldstein at the evidentiary hearing, the Court finds that
12 there was a discussion between Petitioner and Mr. Goldstein on how to proceed after sentencing. Petitioner
13 testified that she assumed that she asked Goldstein to appeal. Mr. Goldstein testified that Petitioner never
14 asked him to file an appeal. After the meeting, Petitioner made a written request to Mr. Goldstein about seeking
15 a sentence modification, never mentioning or using the word appeal. Mr. Goldstein responded in writing to
16 Petitioner's letter. Mr. Goldstein's letter presents his summary of the discussion that took place and invites
17 Petitioner to address any further questions. The Court finds that Petitioner never replied to Mr. Goldstein's
18 letter.

19 The Court concludes that based upon the totality of the circumstances, the testimony at the
20 evidentiary hearing reflects that Mr. Goldstein complied with his constitutional duty to discuss Petitioner's
21 options after the imposition of sentence. The Court further finds that Mr. Goldstein did not fail to file a direct
22 appeal on behalf of petitioner.

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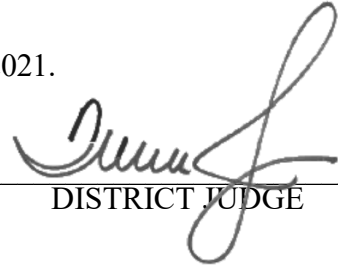
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1 Based upon the pleadings submitted in this case, the record, and the testimony and evidence from
2 the evidentiary hearing in this matter;

3 **IT IS THE ORDER OF THE COURT**, the Petitioner for Writ of Habeas Corpus in this matter is
4 **DENIED.** Dated this 12th day of April, 2021

5 DATED this _____ day of _____, 2021.

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DISTRICT JUDGE

A28 692 DD9C 5EBC
Tierra Jones
District Court Judge

Submitted by:

14 /s/Michael J. Bongard
15 Senior Deputy Attorney General
16 Counsel for Respondents

Approved via Email 04/09/21

17 /s/ Jamie Resch
18 Jamie Resch, Esq.
19 Counsel for April Parks
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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 April Parks, Plaintiff(s)

CASE NO: A-19-807564-W

7 vs.

DEPT. NO. Department 10

8 Dwight Neven, Defendant(s)

9
10 **AUTOMATED CERTIFICATE OF SERVICE**

11 This automated certificate of service was generated by the Eighth Judicial District
12 Court. The foregoing Order was served via the court's electronic eFile system to all
13 recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 4/12/2021

15 Jamie Resch

jresch@convictionsolutions.com

16 Marsha Landreth

mlandreth@ag.nv.gov

17 Michael Bongard

mbongard@ag.nv.gov

18 Rikki Garate

rgarate@ag.nv.gov

19 Clark County DA

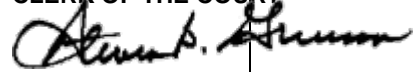
Motions@clarkcountyda.com

20 Clark County DA

PDmotions@clarkcountyda.com

21 Michael Bongard

mbongard@ag.nv.gov



NOAS

RESCH LAW, PLLC d/b/a Conviction Solutions

By: Jamie J. Resch

Nevada Bar Number 7154

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Las Vegas, Nevada, 89128

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Facsimile (800) 481-7113

Jresch@convictionsolutions.com

Attorney for Petitioner

DISTRICT COURT

CLARK COUNTY, NEVADA

APRIL PARKS,

Petitioner,

vs.

DWIGHT NEVEN, WARDEN, AND, THE STATE OF
NEVADA,

Respondents.

Case No.: A-19-807564-W

Dept. No: X

NOTICE OF APPEAL

Date of Hearing: N/A

Time of Hearing: N/A

Petitioner April Parks hereby appeals to the Supreme Court of Nevada from the Findings of Fact, Conclusions of Law, and Order Denying Petitioner Parks' Petition for Writ of Habeas Corpus (Post-Conviction) filed on April 12, 2021.

DATED this 4th day of May, 2021.

Submitted By:

RESCH LAW, PLLC d/b/a Conviction Solutions

By: 

JAMIE J. RESCH

Attorney for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Resch Law, PLLC d/b/a Conviction Solutions and that, pursuant to N.R.C.P. 5(b), on May 4, 2021, I served a true and correct copy of the foregoing Notice of Appeal via first class mail in envelopes addressed to:

April Parks #1210454
Florence McClure Wm. Corr. Ctr.
4370 Smiley Rd.
Las Vegas, NV 89115

Clark County District Attorney
200 Lewis Ave.
Las Vegas, NV 89155

And electronic service was made this 4th day of May, 2021, by Electronic Filing Service to:

Clark County District Attorney's Office
Motions@clarkcountyda.com
PDmotions@clarkcountyda.com

Nevada Attorney General's Office
Mbongard@ag.nv.gov



An Employee of Conviction Solutions

IN THE SUPREME COURT OF THE STATE OF NEVADA

APRIL PARKS,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

Supreme Court Case No. 82876

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed electronically
with the Nevada Supreme Court on the 7th day of September, 2021.

Electronic Service of the foregoing document shall be made in accordance
with the Master Service List as follows:

Steven B. Wolfson, Clark County District Attorneys Office

Aaron Ford, Nevada Attorney General

Jamie J. Resch, Resch Law, PLLC d/b/a Conviction Solutions

By: 
Employee, Resch Law, PLLC d/b/a Conviction Solutions