

IN THE SUPREME COURT OF THE STATE OF NEVADA

APRIL PARKS,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

Electronically Filed
Sep 07 2021 12:35 p.m.
Elizabeth A. Brown
Clerk of Supreme Court
Supreme Court Case No. 82876

APPELLANT'S APPENDIX VOLUME 1 OF 6 PAGES 0001-0205

ATTORNEY FOR APPELLANT

RESCH LAW, PLLC d/b/a
Conviction Solutions
Jamie J. Resch
Nevada Bar Number 7154
2620 Regatta Dr., Suite 102
Las Vegas, Nevada, 89128
(702) 483-7360

ATTORNEYS FOR RESPONDENT

CLARK COUNTY DISTRICT ATTY.
Steven B. Wolfson
200 Lewis Ave., 3rd Floor
Las Vegas, Nevada 89155
(702) 455-4711

NEVADA ATTORNEY GENERAL
Aaron Ford
100 N. Carson St.
Carson City, Nevada 89701
(775) 684-1265

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ORIGINAL

1 **IND**

2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565

5 JAY P. RAMAN
6 Chief Deputy District Attorney
7 Nevada Bar #010193

8 ADAM P. LAXALT
9 Nevada Attorney General
10 Nevada Bar #012426

11 DANIEL E. WESTMEYER
12 Senior Deputy Attorney General
13 Nevada Bar #010273

14 200 Lewis Avenue
15 Las Vegas, Nevada 89155-2212
16 (702) 671-2500
17 Attorney for Plaintiff

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

MAR 08 2017

BY: 
DULCE MARIE ROMEA, DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

CASE NO: C-17-321808-1

-vs-

DEPT NO: X

APRIL PARKS #1571645
MARK SIMMONS
GARY NEAL TAYLOR
NOEL PALMER SIMPSON

Defendant(s).

INDICTMENT

STATE OF NEVADA }
COUNTY OF CLARK } ss.

The Defendant(s) above named, APRIL PARKS, MARK SIMMONS, GARY NEAL TAYLOR, and NOEL PALMER SIMPSON, are accused by the Clark County Grand Jury of the crimes of RACKETEERING (Category B Felony - NRS 207.400 - NOC 53190); THEFT (Category B Felony - NRS 205.0832, 205.0835.4 - NOC 55991); EXPLOITATION OF AN OLDER PERSON (Category B Felony - NRS 200.5092, 200.5099 - NOC 50304); EXPLOITATION OF AN OLDER PERSON/VULNERABLE PERSON (Category B Felony - NRS 200.5092, 200.5099 - NOC 55984); THEFT (Category C Felony - NRS 205.0832, 205.0835.3 - NOC 55989); OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

C-17-321808-1
IND
Indictment
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1 (Category C Felony - NRS 239.330 - NOC 52399) and PERJURY (Category D Felony - NRS
2 199.120 - NOC 52971), committed at and within the County of Clark, State of Nevada, on or
3 between December 21, 2011 and July 6, 2016, as follows:

4 COUNT 1 - RACKETEERING

5 Defendants APRIL PARKS, MARK SIMMONS, and GARY NEAL TAYLOR, did on
6 or between December 21, 2011 and July 6, 2016, then and there, within Clark County, Nevada,
7 knowingly, willfully and feloniously, while employed by or associated with an enterprise,
8 conduct or participate either directly or indirectly, in racketeering activity through the affairs
9 of said enterprise, and/or in the affairs of the enterprise through racketeering activity, did
10 engage in said acts, to wit: by Defendants working for A Private Professional Guardian, LLC
11 using their position to steal funds belonging to elderly and disabled persons over whom they
12 had guardianship authority, through the use of a series of fraudulent billing practices, said
13 activity constituting Racketeering contrary to NRS 207.400 (1)(c)(2). Defendants APRIL
14 PARKS and MARK SIMMONS also intentionally organized, managed, directed, and
15 supervised a criminal syndicate as defined in NRS 207.370, namely A Private Professional
16 Guardian, LLC, a business that was formed on May 23, 2011, that had at various times between
17 3 and 7 employees and continued to engage in or had the purpose of engaging in racketeering
18 activity even when individual members entered or left the organization, all contrary to NRS
19 207.400 (1)(d). Defendants APRIL PARKS and MARK SIMMONS also conspired to violate
20 the provisions of the racketeering statutes, contrary to NRS 207.400 (1)(j). The Defendants
21 engaged in racketeering activity by committing numerous crimes involving taking property
22 from another under circumstances not amounting to robbery, perjury or subornation of perjury,
23 and offering false evidence. Through this racketeering activity, APRIL PARKS and MARK
24 SIMMONS stole approximately \$559,205.32 from 150 victims, as further alleged in Counts
25 2-270 and incorporated by reference as though fully set forth herein; Defendants are criminally
26 liable under one or more of the following principles of criminal liability, to wit: (1) by directly
27 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
28 the intent that this crime be committed, by providing counsel and/or encouragement and by

1 entering into a course of conduct whereby APRIL PARKS and MARK SIMMONS operated
2 A Private Professional Guardian, LLC, and worked as guardians and fiduciaries and engaged
3 in various billing schemes to illegally obtain money from elderly and vulnerable people under
4 guardianship, as well as non-guardianship assets, as alleged in Counts 2 through 270, and
5 whereby GARY NEAL TAYLOR acted as agent of said entity and/or obtained monies from a
6 bank account in the name of said entity by engaging in said exploitative billing schemes and
7 conspiring to over bill for house checks, court trips, and/or other unnecessary services; and/or
8 (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be committed.

9 COUNT 2 - THEFT

10 Defendants APRIL PARKS and MARK SIMMONS did on or between May 3, 2012
11 and July 11, 2012 willfully, knowingly, feloniously, and without lawful authority, use the
12 services or property of another person entrusted to them, or placed in their possession for a
13 limited, authorized period of determined or prescribed duration or for a limited use, having a
14 value of \$3,500.00 or more, belonging to AUDREY WEBER and/or the ESTATE OF
15 AUDREY WEBER, in the following manner, to wit: through the use of a false billing scheme,
16 thereby unlawfully converting money belonging to AUDREY WEBER and/or the ESTATE
17 OF AUDREY WEBER in the amount of approximately \$3,819.60. Defendants are criminally
18 liable under one or more of the following principles of criminal liability, to wit: (1) by directly
19 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
20 the intent that this crime be committed, by providing counsel and/or encouragement and by
21 entering into a course of conduct whereby APRIL PARKS acted as guardian for AUDREY
22 WEBER and overcharged for ward visits, shopping trips, bank deposits, and/or other tasks on
23 behalf of A Private Professional Guardian, LLC that either did not benefit AUDREY WEBER
24 or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson
25 to do the same; and MARK SIMMONS documented the same ward visits, shopping trips,
26 bank deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either
27 did not benefit AUDREY WEBER or did not occur, and/or directed Angelica Sanchez and/or

28 ///

1 Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to
2 commit this crime, with the intent that the crime be committed.

3 COUNT 3 - THEFT

4 Defendant APRIL PARKS did on or about July 10, 2012 willfully, knowingly,
5 feloniously, and without lawful authority, convert, make an unauthorized transfer of an interest
6 in, or without authorization control property, having a value of \$3,500.00, or more, belonging
7 to WILLIAM FLEWELLEN and/or the ESTATE OF WILLIAM FLEWELLEN, in the
8 following manner, to wit: by misrepresenting that guardianship papers presented to Bank of
9 America authorized her to control said property, knowing this to be false, with the intent to
10 deprive WILLIAM FLEWELLEN and/or the ESTATE OF WILLIAM FLEWELLEN, of
11 control of his property, said property having a value of approximately \$4,807.61.

12 COUNT 4 - THEFT

13 Defendants APRIL PARKS and NOEL PALMER SIMPSON did on between August
14 22, 2011 and May 15, 2012 willfully, knowingly, feloniously, and without lawful authority,
15 obtain lawful money of the United States in the amount of \$3,500.00 or more, belonging to
16 JOHN DENTON and/or SALLY DENTON, by a material misrepresentation with intent to
17 deprive those persons of the property, in the following manner, to wit: by APRIL PARKS
18 exceeding her authority as guardian of MARY WOODS changing MARY WOODS' life
19 insurance beneficiary from JOHN DENTON and/or SALLY DENTON to herself, without
20 court permission; and by NOEL PALMER SIMPSON filing a Petition to Set Aside Estate
21 Without Administration in the Clark County District Court, containing false statements in the
22 probate case of MARY WOODS, and unlawfully changing MARY WOODS' life insurance
23 beneficiary from JOHN DENTON and/or SALLY DENTON to the ESTATE OF MARY
24 WOODS, thereby depriving JOHN DENTON and/or SALLY DENTON of \$25,278.57, from
25 which NOEL PALMER SIMPSON was paid \$9,196.70. Defendants are criminally liable
26 under one or more of the following principles of criminal liability, to wit: (1) by directly
27 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
28 the intent that this crime be committed, by providing counsel and/or encouragement and by

1 entering into a course of conduct whereby by APRIL PARKS exceeded her authority as
2 guardian of MARY WOODS and changed MARY WOODS' life insurance beneficiary from
3 JOHN DENTON and/or SALLY DENTON to herself, without court permission; and whereby
4 NOEL PALMER SIMPSON filed a Petition to Set Aside Estate Without Administration in the
5 Clark County District Court, containing false statements in the probate case of MARY
6 WOODS P-12-074144-E, and unlawfully changing MARY WOODS' life insurance
7 beneficiary from JOHN DENTON and/or SALLY DENTON to the ESTATE OF MARY
8 WOODS; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
9 crime be committed.

10 COUNT 5 - THEFT

11 Defendant APRIL PARKS did on or about December 29, 2011 willfully, knowingly,
12 feloniously, and without lawful authority, convert, make an unauthorized transfer of an interest
13 in, or without authorization control property, having a value of \$3,500.00, or more, belonging
14 to BAXTER BURNS and/or the ESTATE OF BAXTER BURNS and/or THE BURNS
15 FAMILY TRUST, in the following manner, to wit: by misrepresenting that guardianship
16 papers presented to Bank of America authorized her to control said property which allowed
17 her to unlawfully control trust assets, knowing this to be false, with the intent to deprive
18 BAXTER BURNS and/or the ESTATE OF BAXTER BURNS and/or THE BURNS FAMILY
19 TRUST, of his property, said property having a value of approximately \$32,006.72.

20 COUNT 6 - EXPLOITATION OF AN OLDER PERSON

21 Defendants APRIL PARKS and MARK SIMMONS did on or between December 3,
22 2012 and November 4, 2013 willfully, unlawfully and feloniously exploit an older person
23 having been born in 1922, to wit: DOROTHY TRUMBICH and/or THE DOROTHY A.
24 TRUMBICH REVOKABLE TRUST, by use of a guardianship converting DOROTHY
25 TRUMBICH's money, assets or property, Defendants intending to permanently deprive
26 DOROTHY TRUMBICH of the ownership, use, benefit or possession of his money, assets or
27 property having an value of more than \$5,000.00, by working in their role as guardian and
28 fiduciary, overbilling for visits, shopping trips, court filings, banking visits, and/or by

1 unlawfully controlling trust assets, thereby exploiting DOROTHY TRUMBICH in the amount
2 of approximately \$167,204.49. Defendants are criminally liable under one or more of the
3 following principles of criminal liability, to wit: (1) by directly committing this crime; and/or
4 (2) by aiding or abetting in the commission of this crime, with the intent that this crime be
5 committed, by providing counsel and/or encouragement and by entering into a course of
6 conduct whereby APRIL PARKS acted as guardian for DOROTHY TRUMBICH and
7 overcharged for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A
8 Private Professional Guardian, LLC that either did not benefit DOROTHY TRUMBICH or
9 did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to
10 do the same; and MARK SIMMONS documented the same ward visits, shopping trips, bank
11 deposits, and/or by unlawfully controlling assets from THE DOROTHY A. TRUMBICH
12 REVOKABLE TRUST and/or other tasks on behalf of A Private Professional Guardian, LLC
13 that either did not benefit DOROTHY TRUMBICH or did not occur, and/or directed Angelica
14 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a
15 conspiracy to commit this crime, with the intent that the crime be committed.

16 COUNT 7 - THEFT

17 Defendants APRIL PARKS and MARK SIMMONS did on or between January 4, 2013
18 and November 4, 2013 willfully, knowingly, feloniously, and without lawful authority, use the
19 services or property of another person entrusted to them, or placed in their possession for a
20 limited, authorized period of determined or prescribed duration or for a limited use, having a
21 value of \$3,500.00 or more, belonging to DOROTHY TRUMBICH and/or the ESTATE OF
22 DOROTHY TRUMBICH and/or THE DOROTHY A. TRUMBICH REVOKABLE TRUST,
23 in the following manner, to wit: by working in their role as guardian and fiduciary, overbilling
24 for visits, shopping trips, court filings, banking visits. and/or by unlawfully controlling trust
25 assets, thereby unlawfully converting money belonging to DOROTHY TRUMBICH and/or
26 THE DOROTHY A. TRUMBICH REVOKABLE TRUST in the amount of approximately
27 \$167,204.49. Defendants are criminally liable under one or more of the following principles
28 of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or

1 abetting in the commission of this crime, with the intent that this crime be committed, by
2 providing counsel and/or encouragement and by entering into a course of conduct whereby
3 APRIL PARKS acted as guardian for DOROTHY TRUMBICH and overcharged for ward
4 visits, shopping trips, bank deposits, and/or unlawfully control the assets of THE DOROTHY
5 A. TRUMBICH REVOKABLE TRUST and/or other tasks on behalf of A Private Professional
6 Guardian, LLC that either did not benefit DOROTHY TRUMBICH or did not occur, and/or
7 directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and
8 MARK SIMMONS documented the same ward visits, shopping trips, bank deposits, and/or
9 other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
10 DOROTHY TRUMBICH or did not occur, and/or directed Angelica Sanchez and/or Heidi
11 Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this
12 crime, with the intent that the crime be committed.

13 COUNT 8 - EXPLOITATION OF AN OLDER PERSON

14 Defendants APRIL PARKS and MARK SIMMONS did on or between April 16, 2013
15 and November 3, 2015 willfully, unlawfully and feloniously exploit an older person having
16 been born in 1925, to wit: RUTH BRASLOW, by Defendants, having the trust or confidence
17 of RUTH BRASLOW or by use of a power of attorney or guardianship, obtain control, through
18 deception, intimidation or undue influence, over RUTH BRASLOW's money, assets or
19 property and/or by converting RUTH BRASLOW's money, assets or property, Defendants
20 intending to permanently deprive RUTH BRASLOW of the ownership, use, benefit or
21 possession of her money, assets or property having an value of more than \$5,000.00, by
22 working in their role as guardian and fiduciary, overbilling for visits, shopping trips, court
23 filings, banking visits, and fraudulent fees thereby exploiting RUTH BRASLOW in the
24 amount of approximately \$13,180.67. Defendants are criminally liable under one or more of
25 the following principles of criminal liability, to wit: (1) by directly committing this crime;
26 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime
27 be committed, by providing counsel and/or encouragement and by entering into a course of
28 conduct whereby APRIL PARKS acted as guardian for RUTH BRASLOW and overcharged

1 for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
2 Professional Guardian, LLC that either did not benefit RUTH BRASLOW or did not occur,
3 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
4 and MARK SIMMONS documented the same ward visits, shopping trips, bank deposits,
5 and/or other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
6 RUTH BRASLOW or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer
7 and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime,
8 with the intent that the crime be committed.

9 COUNT 9 - THEFT

10 Defendants APRIL PARKS and MARK SIMMONS did on or between April 16, 2013
11 and November 3, 2015 willfully, knowingly, feloniously, and without lawful authority, use the
12 services or property of another person entrusted to them, or placed in their possession for a
13 limited, authorized period of determined or prescribed duration or for a limited use, having a
14 value of \$3,500.00 or more, belonging to RUTH BRASLOW and/or the ESTATE OF RUTH
15 BRASLOW, in the following manner, to wit: by working in their role as guardian and
16 fiduciary, overbilling for visits, shopping trips, court filings, banking visits, and fraudulent
17 fees thereby unlawfully converting money belonging to RUTH BRASLOW in the amount of
18 approximately \$13,180.67. Defendants are criminally liable under one or more of the
19 following principles of criminal liability, to wit: (1) by directly committing this crime; and/or
20 (2) by aiding or abetting in the commission of this crime, with the intent that this crime be
21 committed, by providing counsel and/or encouragement and by entering into a course of
22 conduct whereby APRIL PARKS acted as guardian for RUTH BRASLOW and overcharged
23 for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
24 Professional Guardian, LLC that either did not benefit RUTH BRASLOW or did not occur,
25 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
26 and MARK SIMMONS documented the same ward visits, shopping trips, bank deposits,
27 and/or other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
28 RUTH BRASLOW or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer

1 and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime,
2 with the intent that the crime be committed.

3 COUNT 10 - EXPLOITATION OF AN OLDER PERSON

4 Defendants APRIL PARKS and MARK SIMMONS did on or between October 4, 2013
5 and November 4, 2015 willfully, unlawfully and feloniously exploit an older person having
6 been born in 1948, to wit: JAMES POYA, by use of a guardianship, obtain control over
7 JAMES POYA's money, assets or property and/or by converting JAMES POYA's money,
8 assets or property, Defendants intending to permanently deprive JAMES POYA of the
9 ownership, use, benefit or possession of his money, assets or property having an value of more
10 than \$5,000.00, by working in their role as guardian and fiduciary, overbilling for visits,
11 shopping trips, court filings, and banking visits thereby exploiting JAMES POYA in the
12 amount of approximately \$6,032.50. Defendants are criminally liable under one or more of the
13 following principles of criminal liability, to wit: (1) by directly committing this crime; and/or
14 (2) by aiding or abetting in the commission of this crime, with the intent that this crime be
15 committed, by providing counsel and/or encouragement and by entering into a course of
16 conduct whereby APRIL PARKS acted as guardian for JAMES POYA and overcharged for
17 ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
18 Professional Guardian, LLC that either did not benefit JAMES POYA or did not occur, and/or
19 directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and
20 MARK SIMMONS documented the same ward visits, shopping trips, bank deposits, and/or
21 other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
22 JAMES POYA or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or
23 Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime, with the
24 intent that the crime be committed.

25 COUNT 11 - THEFT

26 Defendants APRIL PARKS and MARK SIMMONS did on or between October 4, 2013
27 and November 4, 2015 willfully, knowingly, feloniously, and without lawful authority, use the
28 services or property of another person entrusted to them, or placed in their possession for a

1 limited, authorized period of determined or prescribed duration or for a limited use, having a
2 value of \$3,500.00 or more, belonging to JAMES POYA and/or the ESTATE OF JAMES
3 POYA, in the following manner, to wit: by working in their role as guardian and fiduciary,
4 overbilling for visits, shopping trips, court filings, and banking visits thereby unlawfully
5 converting money belonging to JAMES POYA in the amount of approximately \$6,032.50.
6 Defendants are criminally liable under one or more of the following principles of criminal
7 liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
8 commission of this crime, with the intent that this crime be committed, by providing counsel
9 and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted
10 as guardian for JAMES POYA and overcharged for ward visits, shopping trips, bank deposits,
11 and/or other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
12 JAMES POYA or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or
13 Sue Pehrson to do the same; and MARK SIMMONS documented the same ward visits,
14 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
15 LLC that either did not benefit JAMES POYA or did not occur, and/or directed Angelica
16 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a
17 conspiracy to commit this crime, with the intent that the crime be committed.

18 COUNT 12 - EXPLOITATION OF AN OLDER PERSON

19 Defendants APRIL PARKS and MARK SIMMONS did on or between November 3,
20 2014 and November 3, 2015 willfully, unlawfully and feloniously exploit an older person
21 having been born in 1942, to wit: CAROLYN RICKENBAUGH, by use of a guardianship
22 converting CAROLYN RICKENBAUGH's money, assets or property, Defendants intending
23 to permanently deprive CAROLYN RICKENBAUGH of the ownership, use, benefit or
24 possession of her money, assets or property having an value of more than \$650.00, by working
25 in their role as guardian and fiduciary, overbilling for visits, shopping trips, court filings, and
26 banking visits thereby exploiting CAROLYN RICKENBAUGH in the amount of
27 approximately \$3,804.39. Defendants are criminally liable under one or more of the following
28 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by

1 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
2 by providing counsel and/or encouragement and by entering into a course of conduct whereby
3 APRIL PARKS acted as guardian for CAROLYN RICKENBAUGH and overcharged for
4 ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
5 Professional Guardian, LLC that either did not benefit CAROLYN RICKENBAUGH or did
6 not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do
7 the same; and MARK SIMMONS documented the same ward visits, shopping trips, bank
8 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
9 not benefit CAROLYN RICKENBAUGH or did not occur, and/or directed Angelica Sanchez
10 and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy
11 to commit this crime, with the intent that the crime be committed.

12 COUNT 13 - THEFT

13 Defendants APRIL PARKS and MARK SIMMONS did on or between November 3,
14 2014 and November 3, 2015 willfully, knowingly, feloniously, and without lawful authority,
15 use the services or property of another person entrusted to them, or placed in their possession
16 for a limited, authorized period of determined or prescribed duration or for a limited use,
17 having a value of \$3,500.00 or more, belonging to CAROLYN RICKENBAUGH and/or the
18 ESTATE OF CAROLYN RICKENBAUGH, in the following manner, to wit: by working in
19 their role as guardian and fiduciary, overbilling for visits, shopping trips, court filings, and
20 banking visits thereby unlawfully converting money belonging to CAROLYN
21 RICKENBAUGH in the amount of approximately \$3,804.39. Defendants are criminally liable
22 under one or more of the following principles of criminal liability, to wit: (1) by directly
23 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
24 the intent that this crime be committed, by providing counsel and/or encouragement and by
25 entering into a course of conduct whereby APRIL PARKS acted as guardian for CAROLYN
26 RICKENBAUGH and overcharged for ward visits, shopping trips, bank deposits, and/or other
27 tasks on behalf of A Private Professional Guardian, LLC that either did not benefit CAROLYN
28 RICKENBAUGH or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer

1 and/or Sue Pehrson to do the same; and MARK SIMMONS documented the same ward visits,
2 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
3 LLC that either did not benefit CAROLYN RICKENBAUGH or did not occur, and/or directed
4 Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant
5 to a conspiracy to commit this crime, with the intent that the crime be committed.

6 COUNT 14 - EXPLOITATION OF AN OLDER PERSON

7 Defendants APRIL PARKS and MARK SIMMONS did on or between April 4, 2013
8 and November 4, 2015 willfully, unlawfully and feloniously exploit an older person having
9 been born in 1930, to wit: DELMOND FOSTER, by use of a guardianship converting
10 DELMOND FOSTER's money, assets or property, Defendants intending to permanently
11 deprive DELMOND FOSTER of the ownership, use, benefit or possession of his money,
12 assets or property having an value of more than \$5,000.00, by working in their role as guardian
13 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
14 exploiting DELMOND FOSTER in the amount of approximately \$5,134.40. Defendants are
15 criminally liable under one or more of the following principles of criminal liability, to wit: (1)
16 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this
17 crime, with the intent that this crime be committed, by providing counsel and/or
18 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
19 guardian for DELMOND FOSTER and overcharged for ward visits, shopping trips, bank
20 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
21 not benefit DELMOND FOSTER or did not occur, and/or directed Angelica Sanchez and/or
22 Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the
23 same ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
24 Professional Guardian, LLC that either did not benefit DELMOND FOSTER or did not occur,
25 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
26 and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be
27 committed.

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1 COUNT 15 - THEFT

2 Defendants APRIL PARKS and MARK SIMMONS did on or between April 4, 2013
3 and November 4, 2015 willfully, knowingly, feloniously, and without lawful authority, use the
4 services or property of another person entrusted to them, or placed in their possession for a
5 limited, authorized period of determined or prescribed duration or for a limited use, having a
6 value of \$3,500.00 or more, belonging to DELMOND FOSTER and/or the ESTATE OF
7 DELMOND FOSTER, in the following manner, to wit: by working in their role as guardian
8 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
9 unlawfully converting money belonging to DELMOND FOSTER in the amount of
10 approximately \$5,134.40. Defendants are criminally liable under one or more of the following
11 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
12 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
13 by providing counsel and/or encouragement and by entering into a course of conduct whereby
14 APRIL PARKS acted as guardian for DELMOND FOSTER and overcharged for ward visits,
15 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
16 LLC that either did not benefit DELMOND FOSTER or did not occur, and/or directed
17 Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK
18 SIMMONS documented the same ward visits, shopping trips, bank deposits, and/or other
19 tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
20 DELMOND FOSTER or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer
21 and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime,
22 with the intent that the crime be committed.

23 COUNT 16 - EXPLOITATION OF AN OLDER PERSON

24 Defendants APRIL PARKS and MARK SIMMONS did on or between April 2, 2013
25 and November 4, 2015 willfully, unlawfully and feloniously exploit an older person having
26 been born in 1928, to wit: WILLIAM BRADY, by use of a guardianship converting
27 WILLIAM BRADY's money, assets or property, Defendants intending to permanently
28 deprive WILLIAM BRADY of the ownership, use, benefit or possession of his money, assets

1 or property having an value of more than \$5,000.00, by working in their role as guardian and
2 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
3 exploiting WILLIAM BRADY in the amount of approximately \$9,470.80. Defendants are
4 criminally liable under one or more of the following principles of criminal liability, to wit: (1)
5 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this
6 crime, with the intent that this crime be committed, by providing counsel and/or
7 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
8 guardian for WILLIAM BRADY and overcharged for ward visits, shopping trips, bank
9 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
10 not benefit WILLIAM BRADY or did not occur, and/or directed Angelica Sanchez and/or
11 Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the
12 same ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
13 Professional Guardian, LLC that either did not benefit WILLIAM BRADY or did not occur,
14 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
15 and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be
16 committed.

17 COUNT 17 - THEFT

18 Defendants APRIL PARKS and MARK SIMMONS did on or between April 2, 2013
19 and November 4, 2015 willfully, knowingly, feloniously, and without lawful authority, use the
20 services or property of another person entrusted to them, or placed in their possession for a
21 limited, authorized period of determined or prescribed duration or for a limited use, having a
22 value of \$3,500.00 or more, belonging to WILLIAM BRADY and/or the ESTATE OF
23 WILLIAM BRADY, in the following manner, to wit: by working in their role as guardian and
24 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
25 unlawfully converting money belonging to WILLIAM BRADY in the amount of
26 approximately \$9,470.80. Defendants are criminally liable under one or more of the following
27 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
28 aiding or abetting in the commission of this crime, with the intent that this crime be committed,

1 by providing counsel and/or encouragement and by entering into a course of conduct whereby
2 APRIL PARKS acted as guardian for WILLIAM BRADY and overcharged for ward visits,
3 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
4 LLC that either did not benefit WILLIAM BRADY or did not occur, and/or directed Angelica
5 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
6 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf
7 of A Private Professional Guardian, LLC that either did not benefit WILLIAM BRADY or did
8 not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do
9 the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
10 crime be committed.

11 COUNT 18 - EXPLOITATION OF AN OLDER PERSON

12 Defendants APRIL PARKS and MARK SIMMONS did on or between April 4, 2013
13 and September 3, 2015 willfully, unlawfully and feloniously exploit an older person having
14 been born in 1931, to wit: PATRICIA SMOAK, by use of a guardianship converting
15 PATRICIA SMOAK's money, assets or property, Defendants intending to permanently
16 deprive PATRICIA SMOAK of the ownership, use, benefit or possession of her money, assets
17 or property having an value of more than \$5,000.00, by working in their role as guardian and
18 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
19 exploiting PATRICIA SMOAK in the amount of approximately \$5,563.60. Defendants are
20 criminally liable under one or more of the following principles of criminal liability, to wit: (1)
21 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this
22 crime, with the intent that this crime be committed, by providing counsel and/or
23 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
24 guardian for PATRICIA SMOAK and overcharged for ward visits, shopping trips, bank
25 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
26 not benefit PATRICIA SMOAK or did not occur, and/or directed Angelica Sanchez and/or
27 Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the
28 same ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private

1 Professional Guardian, LLC that either did not benefit PATRICIA SMOAK or did not occur,
2 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
3 and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be
4 committed.

5 COUNT 19 - THEFT

6 Defendants APRIL PARKS and MARK SIMMONS did on or between April 4, 2013
7 and September 3, 2015 willfully, knowingly, feloniously, and without lawful authority, use
8 the services or property of another person entrusted to them, or placed in their possession for
9 a limited, authorized period of determined or prescribed duration or for a limited use, having
10 a value of \$3,500.00 or more, belonging to PATRICIA SMOAK and/or the ESTATE OF
11 PATRICIA SMOAK, in the following manner, to wit: by working in their role as guardian and
12 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
13 unlawfully converting money belonging to PATRICIA SMOAK in the amount of
14 approximately \$5,563.60. Defendants are criminally liable under one or more of the following
15 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
16 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
17 by providing counsel and/or encouragement and by entering into a course of conduct whereby
18 APRIL PARKS acted as guardian for PATRICIA SMOAK and overcharged for ward visits,
19 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
20 LLC that either did not benefit PATRICIA SMOAK or did not occur, and/or directed Angelica
21 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
22 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf
23 of A Private Professional Guardian, LLC that either did not benefit PATRICIA SMOAK or
24 did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to
25 do the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
26 crime be committed.

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1 COUNT 20 - EXPLOITATION OF AN OLDER PERSON

2 Defendants APRIL PARKS and MARK SIMMONS did on or between October 24,
3 2013 and September 3, 2015 willfully, unlawfully and feloniously exploit an older person
4 having been born in 1934, to wit: MARILYN SCHOLL, by use of a guardianship converting
5 MARILYN SCHOLL's money, assets or property, Defendants intending to permanently
6 deprive MARILYN SCHOLL of the ownership, use, benefit or possession of her money, assets
7 or property having an value of more than \$5,000.00, by working in their role as guardian and
8 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
9 exploiting MARILYN SCHOLL in the amount of approximately \$6,262.48. Defendants are
10 criminally liable under one or more of the following principles of criminal liability, to wit: (1)
11 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this
12 crime, with the intent that this crime be committed, by providing counsel and/or
13 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
14 guardian for MARILYN SCHOLL and overcharged for ward visits, shopping trips, bank
15 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
16 not benefit MARILYN SCHOLL or did not occur, and/or directed Angelica Sanchez and/or
17 Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the
18 same ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
19 Professional Guardian, LLC that either did not benefit MARILYN SCHOLL or did not occur,
20 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
21 and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be
22 committed.

23 COUNT 21 - THEFT

24 Defendants APRIL PARKS and MARK SIMMONS did on or between October 24,
25 2013 and September 3, 2015 willfully, knowingly, feloniously, and without lawful authority,
26 use the services or property of another person entrusted to them, or placed in their possession
27 for a limited, authorized period of determined or prescribed duration or for a limited use,
28 having a value of \$3,500.00 or more, belonging to MARILYN SCHOLL and/or the ESTATE

OF MARILYN SCHOLL, in the following manner, to wit: by working in their role as guardian and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby unlawfully converting money belonging to MARILYN SCHOLL in the amount of approximately \$6,262.48. Defendants are criminally liable under one or more of the following principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime be committed, by providing counsel and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted as guardian for MARILYN SCHOLL and overcharged for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit MARILYN SCHOLL or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit MARILYN SCHOLL or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be committed.

COUNT 22 - EXPLOITATION OF AN OLDER PERSON

Defendants APRIL PARKS and MARK SIMMONS did on or between January 5, 2015 and September 3, 2015 willfully, unlawfully and feloniously exploit an older person having been born in 1944, to wit: KENNETH EDWARDS, by use of a guardianship converting KENNETH EDWARDS' money, assets or property, Defendants intending to permanently deprive KENNETH EDWARDS of the ownership, use, benefit or possession of his money, assets or property having an value of more than \$650.00, by working in their role as guardian and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby exploiting KENNETH EDWARDS in the amount of approximately \$2,622.62. Defendants are criminally liable under one or more of the following principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime be committed, by providing counsel and/or

1 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
2 guardian for KENNETH EDWARDS and overcharged for ward visits, shopping trips, bank
3 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
4 not benefit KENNETH EDWARDS or did not occur, and/or directed Angelica Sanchez and/or
5 Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the
6 same ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
7 Professional Guardian, LLC that either did not benefit KENNETH EDWARDS or did not
8 occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the
9 same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime
10 be committed.

11 COUNT 23 - THEFT

12 Defendants APRIL PARKS and MARK SIMMONS did on or between January 5, 2015
13 and September 3, 2015 willfully, knowingly, feloniously, and without lawful authority, use
14 the services or property of another person entrusted to them, or placed in their possession for
15 a limited, authorized period of determined or prescribed duration or for a limited use, having
16 a value of \$650.00 or more, belonging to KENNETH EDWARDS and/or the ESTATE OF
17 KENNETH EDWARDS, in the following manner, to wit: by working in their role as guardian
18 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
19 unlawfully converting money belonging to KENNETH EDWARDS in the amount of
20 approximately \$2,622.62. Defendants are criminally liable under one or more of the following
21 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
22 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
23 by providing counsel and/or encouragement and by entering into a course of conduct whereby
24 APRIL PARKS acted as guardian for KENNETH EDWARDS and overcharged for ward
25 visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional
26 Guardian, LLC that either did not benefit KENNETH EDWARDS or did not occur, and/or
27 directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and
28 MARK SIMMONS documented the same ward visits, shopping trips, bank deposits, and/or

1 other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
2 KENNETH EDWARDS or did not occur, and/or directed Angelica Sanchez and/or Heidi
3 Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this
4 crime, with the intent that the crime be committed.

5 COUNT 24 - EXPLOITATION OF AN OLDER PERSON

6 Defendants APRIL PARKS and MARK SIMMONS did on or between September 5,
7 2013 and September 17, 2015 willfully, unlawfully and feloniously exploit an older person
8 having been born in 1931, to wit: GLORIA SCHNERINGER, by use of a guardianship
9 converting GLORIA SCHNERINGER's money, assets or property, Defendants intending to
10 permanently deprive GLORIA SCHNERINGER of the ownership, use, benefit or possession
11 of her money, assets or property having an value of more than \$650.00, by working in their
12 role as guardian and fiduciary, overbilling for visits, shopping trips, court filings, and banking
13 visits thereby exploiting GLORIA SCHNERINGER in the amount of approximately
14 \$2,830.50. Defendants are criminally liable under one or more of the following principles of
15 criminal liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting
16 in the commission of this crime, with the intent that this crime be committed, by providing
17 counsel and/or encouragement and by entering into a course of conduct whereby APRIL
18 PARKS acted as guardian for GLORIA SCHNERINGER and overcharged for ward visits,
19 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
20 LLC that either did not benefit GLORIA SCHNERINGER or did not occur, and/or directed
21 Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK
22 SIMMONS documented the same ward visits, shopping trips, bank deposits, and/or other
23 tasks on behalf of A Private Professional Guardian, LLC that either did not benefit GLORIA
24 SCHNERINGER or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer
25 and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime,
26 with the intent that the crime be committed.

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1 COUNT 25 - THEFT

2 Defendants APRIL PARKS and MARK SIMMONS did on or between September 5,
3 2013 and September 17, 2015 willfully, knowingly, feloniously, and without lawful authority,
4 use the services or property of another person entrusted to them, or placed in their possession
5 for a limited, authorized period of determined or prescribed duration or for a limited use,
6 having a value of \$650.00 or more, belonging to GLORIA SCHNERINGER and/or the
7 ESTATE OF GLORIA SCHNERINGER, in the following manner, to wit: by working in their
8 role as guardian and fiduciary, overbilling for visits, shopping trips, court filings, and banking
9 visits thereby unlawfully converting money belonging to GLORIA SCHNERINGER in the
10 amount of approximately \$2,830.50. Defendants are criminally liable under one or more of
11 the following principles of criminal liability, to wit: (1) by directly committing this crime;
12 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime
13 be committed, by providing counsel and/or encouragement and by entering into a course of
14 conduct whereby APRIL PARKS acted as guardian for GLORIA SCHNERINGER and
15 overcharged for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A
16 Private Professional Guardian, LLC that either did not benefit GLORIA SCHNERINGER or
17 did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to
18 do the same; and MARK SIMMONS documented the same ward visits, shopping trips, bank
19 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
20 not benefit GLORIA SCHNERINGER or did not occur, and/or directed Angelica Sanchez
21 and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy
22 to commit this crime, with the intent that the crime be committed.

23 COUNT 26 - EXPLOITATION OF AN OLDER PERSON

24 Defendants APRIL PARKS and MARK SIMMONS did on or between April 4, 2013
25 and September 3, 2015 willfully, unlawfully and feloniously exploit an older person having
26 been born in 1937, to wit: JANICE MITCHELL, by use of a guardianship converting JANICE
27 MITCHELL's money, assets or property, Defendants intending to permanently deprive
28 JANICE MITCHELL of the ownership, use, benefit or possession of her money, assets or

1 property having an value of more than \$650.00, by working in their role as guardian and
2 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
3 exploiting JANICE MITCHELL in the amount of approximately \$4,766.37. Defendants are
4 criminally liable under one or more of the following principles of criminal liability, to wit: (1)
5 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this
6 crime, with the intent that this crime be committed, by providing counsel and/or
7 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
8 guardian for JANICE MITCHELL and overcharged for ward visits, shopping trips, bank
9 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
10 not benefit JANICE MITCHELL or did not occur, and/or directed Angelica Sanchez and/or
11 Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the
12 same ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
13 Professional Guardian, LLC that either did not benefit JANICE MITCHELL or did not occur,
14 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
15 and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be
16 committed.

17 COUNT 27 - THEFT

18 Defendants APRIL PARKS and MARK SIMMONS did on or between April 4, 2013
19 and September 3, 2015 willfully, knowingly, feloniously, and without lawful authority, use
20 the services or property of another person entrusted to them, or placed in their possession for
21 a limited, authorized period of determined or prescribed duration or for a limited use, having
22 a value of \$3,500.00 or more, belonging to JANICE MITCHELL and/or the ESTATE OF
23 JANICE MITCHELL, in the following manner, to wit: by working in their role as guardian
24 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
25 unlawfully converting money belonging to JANICE MITCHELL in the amount of
26 approximately \$4,766.37. Defendants are criminally liable under one or more of the following
27 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
28 aiding or abetting in the commission of this crime, with the intent that this crime be committed,

1 by providing counsel and/or encouragement and by entering into a course of conduct whereby
2 APRIL PARKS acted as guardian for JANICE MITCHELL and overcharged for ward visits,
3 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
4 LLC that either did not benefit JANICE MITCHELL or did not occur, and/or directed Angelica
5 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
6 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf
7 of A Private Professional Guardian, LLC that either did not benefit JANICE MITCHELL or
8 did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to
9 do the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
10 crime be committed.

11 **COUNT 28 - EXPLOITATION OF AN OLDER PERSON**

12 Defendants APRIL PARKS and MARK SIMMONS did on or between December 3,
13 2013 and December 8, 2014 willfully, unlawfully and feloniously exploit an older person
14 having been born in 1932, to wit: MARY VITEK, by use of a guardianship converting MARY
15 VITEK's money, assets or property, Defendants intending to permanently deprive MARY
16 VITEK of the ownership, use, benefit or possession of her money, assets or property having
17 an value of more than \$650.00, by working in their role as guardian and fiduciary, overbilling
18 for visits, shopping trips, court filings, and banking visits thereby exploiting MARY VITEK
19 in the amount of approximately \$2,705.39. Defendants are criminally liable under one or more
20 of the following principles of criminal liability, to wit: (1) by directly committing this crime;
21 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime
22 be committed, by providing counsel and/or encouragement and by entering into a course of
23 conduct whereby APRIL PARKS acted as guardian for MARY VITEK and overcharged for
24 ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
25 Professional Guardian, LLC that either did not benefit MARY VITEK or did not occur, and/or
26 directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and
27 MARK SIMMONS documented the same ward visits, shopping trips, bank deposits, and/or
28 other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit

1 MARY VITEK or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer
2 and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime,
3 with the intent that the crime be committed.

4 COUNT 29 - THEFT

5 Defendants APRIL PARKS and MARK SIMMONS did on or between December 3,
6 2013 and December 8, 2014 willfully, knowingly, feloniously, and without lawful authority,
7 use the services or property of another person entrusted to them, or placed in their possession
8 for a limited, authorized period of determined or prescribed duration or for a limited use,
9 having a value of \$650.00 or more, belonging to MARY VITEK and/or the ESTATE OF
10 MARY VITEK, in the following manner, to wit: by working in their role as guardian and
11 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
12 unlawfully converting money belonging to MARY VITEK in the amount of approximately
13 \$2,705.39. Defendants are criminally liable under one or more of the following principles of
14 criminal liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting
15 in the commission of this crime, with the intent that this crime be committed, by providing
16 counsel and/or encouragement and by entering into a course of conduct whereby APRIL
17 PARKS acted as guardian for MARY VITEK and overcharged for ward visits, shopping trips,
18 bank deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either
19 did not benefit MARY VITEK or did not occur, and/or directed Angelica Sanchez and/or Heidi
20 Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the same
21 ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
22 Professional Guardian, LLC that either did not benefit MARY VITEK or did not occur, and/or
23 directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3)
24 pursuant to a conspiracy to commit this crime, with the intent that the crime be committed.

25 COUNT 30 - EXPLOITATION OF AN OLDER PERSON

26 Defendants APRIL PARKS and MARK SIMMONS did on or between July 5, 2013
27 and February 3, 2015 willfully, unlawfully and feloniously exploit an older person having been
28 born in 1921, to wit: CLYDE BOWMAN, by use of a guardianship converting CLYDE

1 BOWMAN's money, assets or property, Defendants intending to permanently deprive
2 CLYDE BOWMAN of the ownership, use, benefit or possession of his money, assets or
3 property having an value of more than \$650.00, by working in their role as guardian and
4 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
5 exploiting CLYDE BOWMAN in the amount of approximately \$3,820.14. Defendants are
6 criminally liable under one or more of the following principles of criminal liability, to wit: (1)
7 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this
8 crime, with the intent that this crime be committed, by providing counsel and/or
9 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
10 guardian for CLYDE BOWMAN and overcharged for ward visits, shopping trips, bank
11 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
12 not benefit CLYDE BOWMAN or did not occur, and/or directed Angelica Sanchez and/or
13 Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the
14 same ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
15 Professional Guardian, LLC that either did not benefit CLYDE BOWMAN or did not occur,
16 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
17 and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be
18 committed.

19 COUNT 31 - THEFT

20 Defendants APRIL PARKS and MARK SIMMONS did on or between July 5, 2013
21 and February 3, 2015 willfully, knowingly, feloniously, and without lawful authority, use the
22 services or property of another person entrusted to them, or placed in their possession for a
23 limited, authorized period of determined or prescribed duration or for a limited use, having a
24 value of \$3,500.00 or more, belonging to CLYDE BOWMAN and/or the ESTATE OF
25 CLYDE BOWMAN, in the following manner, to wit: by working in their role as guardian and
26 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
27 unlawfully converting money belonging to CLYDE BOWMAN in the amount of
28 approximately \$3,820.14. Defendants are criminally liable under one or more of the following

1 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
2 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
3 by providing counsel and/or encouragement and by entering into a course of conduct whereby
4 APRIL PARKS acted as guardian for CLYDE BOWMAN and overcharged for ward visits,
5 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
6 LLC that either did not benefit CLYDE BOWMAN or did not occur, and/or directed Angelica
7 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
8 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf
9 of A Private Professional Guardian, LLC that either did not benefit CLYDE BOWMAN or did
10 not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do
11 the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
12 crime be committed.

13 COUNT 32 - EXPLOITATION OF AN OLDER PERSON

14 Defendants APRIL PARKS and MARK SIMMONS did on or between July 5, 2013
15 and July 3, 2015 willfully, unlawfully and feloniously exploit an older person having been
16 born in 1925, to wit: ROY FRANKLIN, by use of a guardianship converting ROY
17 FRANKLIN's money, assets or property, Defendants intending to permanently deprive ROY
18 FRANKLIN of the ownership, use, benefit or possession of his money, assets or property
19 having an value of more than \$5,000.00, by working in their role as guardian and fiduciary,
20 overbilling for visits, shopping trips, court filings, and banking visits thereby exploiting ROY
21 FRANKLIN in the amount of approximately \$5,806.97. Defendants are criminally liable
22 under one or more of the following principles of criminal liability, to wit: (1) by directly
23 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
24 the intent that this crime be committed, by providing counsel and/or encouragement and by
25 entering into a course of conduct whereby APRIL PARKS acted as guardian for ROY
26 FRANKLIN and overcharged for ward visits, shopping trips, bank deposits, and/or other tasks
27 on behalf of A Private Professional Guardian, LLC that either did not benefit ROY
28 FRANKLIN or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or

1 Sue Pehrson to do the same; and MARK SIMMONS documented the same ward visits,
2 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
3 LLC that either did not benefit ROY FRANKLIN or did not occur, and/or directed Angelica
4 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a
5 conspiracy to commit this crime, with the intent that the crime be committed.

6 COUNT 33 - THEFT

7 Defendants APRIL PARKS and MARK SIMMONS did on or between July 5, 2013
8 and July 3, 2015 willfully, knowingly, feloniously, and without lawful authority, use the
9 services or property of another person entrusted to them, or placed in their possession for a
10 limited, authorized period of determined or prescribed duration or for a limited use, having a
11 value of \$3,500.00 or more, belonging to ROY FRANKLIN and/or the ESTATE OF ROY
12 FRANKLIN, in the following manner, to wit: by working in their role as guardian and
13 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
14 unlawfully converting money belonging to ROY FRANKLIN in the amount of approximately
15 \$5,806.97. Defendants are criminally liable under one or more of the following principles of
16 criminal liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting
17 in the commission of this crime, with the intent that this crime be committed, by providing
18 counsel and/or encouragement and by entering into a course of conduct whereby APRIL
19 PARKS acted as guardian for ROY FRANKLIN and overcharged for ward visits, shopping
20 trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that
21 either did not benefit ROY FRANKLIN or did not occur, and/or directed Angelica Sanchez
22 and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
23 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf
24 of A Private Professional Guardian, LLC that either did not benefit ROY FRANKLIN or did
25 not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do
26 the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
27 crime be committed.

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1 COUNT 34 - EXPLOITATION OF AN OLDER PERSON

2 Defendants APRIL PARKS and MARK SIMMONS did on or between December 3,
3 2013 and November 4, 2015 willfully, unlawfully and feloniously exploit an older person
4 having been born in 1929, to wit: JUANITA GRAHAM, by use of a guardianship converting
5 JUANITA GRAHAM's money, assets or property, Defendants intending to permanently
6 deprive JUANITA GRAHAM of the ownership, use, benefit or possession of her money,
7 assets or property having an value of more than \$5,000.00, by working in their role as guardian
8 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
9 exploiting JUANITA GRAHAM in the amount of approximately \$5,766.75. Defendants are
10 criminally liable under one or more of the following principles of criminal liability, to wit: (1)
11 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this
12 crime, with the intent that this crime be committed, by providing counsel and/or
13 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
14 guardian for JUANITA GRAHAM and overcharged for ward visits, shopping trips, bank
15 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
16 not benefit JUANITA GRAHAM or did not occur, and/or directed Angelica Sanchez and/or
17 Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the
18 same ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
19 Professional Guardian, LLC that either did not benefit JUANITA GRAHAM or did not occur,
20 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
21 and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be
22 committed.

23 COUNT 35 - THEFT

24 Defendants APRIL PARKS and MARK SIMMONS did on or between December 3,
25 2013 and November 4, 2015 willfully, knowingly, feloniously, and without lawful authority,
26 use the services or property of another person entrusted to them, or placed in their possession
27 for a limited, authorized period of determined or prescribed duration or for a limited use,
28 having a value of \$3,500.00 or more, belonging to JUANITA GRAHAM and/or the ESTATE

1 OF JUANITA GRAHAM, in the following manner, to wit: by working in their role as guardian
2 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
3 unlawfully converting money belonging to JUANITA GRAHAM in the amount of
4 approximately \$5,766.75. Defendants are criminally liable under one or more of the following
5 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
6 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
7 by providing counsel and/or encouragement and by entering into a course of conduct whereby
8 APRIL PARKS acted as guardian for JUANITA GRAHAM and overcharged for ward visits,
9 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
10 LLC that either did not benefit JUANITA GRAHAM or did not occur, and/or directed
11 Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK
12 SIMMONS documented the same ward visits, shopping trips, bank deposits, and/or other
13 tasks on behalf of A Private Professional Guardian, LLC that either did not benefit JUANITA
14 GRAHAM or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or
15 Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime, with the
16 intent that the crime be committed.

17 COUNT 36 - EXPLOITATION OF AN OLDER PERSON

18 Defendants APRIL PARKS and MARK SIMMONS did on or between July 3, 2014
19 and May 4, 2015 willfully, unlawfully and feloniously exploit an older person having been
20 born in 1935, to wit: YOSHIKO KINDAICHI, by use of a guardianship converting
21 YOSHIKO KINDAICHI's money, assets or property, Defendants intending to permanently
22 deprive YOSHIKO KINDAICHI of the ownership, use, benefit or possession of her money,
23 assets or property having an value of more than \$650.00, by working in their role as guardian
24 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
25 exploiting YOSHIKO KINDAICHI in the amount of approximately \$3,699.28. Defendants
26 are criminally liable under one or more of the following principles of criminal liability, to wit:
27 (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of
28 this crime, with the intent that this crime be committed, by providing counsel and/or

1 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
2 guardian for YOSHIKO KINDAICHI and overcharged for ward visits, shopping trips, bank
3 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
4 not benefit YOSHIKO KINDAICHI or did not occur, and/or directed Angelica Sanchez and/or
5 Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the
6 same ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
7 Professional Guardian, LLC that either did not benefit YOSHIKO KINDAICHI or did not
8 occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the
9 same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime
10 be committed.

11 COUNT 37 - THEFT

12 Defendants APRIL PARKS and MARK SIMMONS did on or between July 3, 2014
13 and May 4, 2015 willfully, knowingly, feloniously, and without lawful authority, use the
14 services or property of another person entrusted to them, or placed in their possession for a
15 limited, authorized period of determined or prescribed duration or for a limited use, having a
16 value of \$3,500.00 or more, belonging to YOSHIKO KINDAICHI and/or the ESTATE OF
17 YOSHIKO KINDAICHI, in the following manner, to wit: by working in their role as guardian
18 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
19 unlawfully converting money belonging to YOSHIKO KINDAICHI in the amount of
20 approximately \$3,699.28. Defendants are criminally liable under one or more of the following
21 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
22 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
23 by providing counsel and/or encouragement and by entering into a course of conduct whereby
24 APRIL PARKS acted as guardian for YOSHIKO KINDAICHI and overcharged for ward
25 visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional
26 Guardian, LLC that either did not benefit YOSHIKO KINDAICHI or did not occur, and/or
27 directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and
28 MARK SIMMONS documented the same ward visits, shopping trips, bank deposits, and/or

1 other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
2 YOSHIKO KINDAICHI or did not occur, and/or directed Angelica Sanchez and/or Heidi
3 Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this
4 crime, with the intent that the crime be committed.

5 **COUNT 38 - EXPLOITATION OF AN OLDER PERSON**

6 Defendants APRIL PARKS and MARK SIMMONS did on or between July 4, 2013
7 and June 5, 2015 willfully, unlawfully and feloniously exploit an older person having been
8 born in 1934, to wit: WALTER WRIGHT, by use of a guardianship converting WALTER
9 WRIGHT's money, assets or property, Defendants intending to permanently deprive
10 WALTER WRIGHT of the ownership, use, benefit or possession of his money, assets or
11 property having an value of more than \$650.00, by working in their role as guardian and
12 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
13 exploiting WALTER WRIGHT in the amount of approximately \$4,183.08. Defendants are
14 criminally liable under one or more of the following principles of criminal liability, to wit: (1)
15 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this
16 crime, with the intent that this crime be committed, by providing counsel and/or
17 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
18 guardian for WALTER WRIGHT and overcharged for ward visits, shopping trips, bank
19 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
20 not benefit WALTER WRIGHT or did not occur, and/or directed Angelica Sanchez and/or
21 Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the
22 same ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
23 Professional Guardian, LLC that either did not benefit WALTER WRIGHT or did not occur,
24 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
25 and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be
26 committed.

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1 COUNT 39 - THEFT

2 Defendants APRIL PARKS and MARK SIMMONS did on or between July 4, 2013
3 and June 5, 2015 willfully, knowingly, feloniously, and without lawful authority, use the
4 services or property of another person entrusted to them, or placed in their possession for a
5 limited, authorized period of determined or prescribed duration or for a limited use, having a
6 value of \$3,500.00 or more, belonging to WALTER WRIGHT and/or the ESTATE OF
7 WALTER WRIGHT, in the following manner, to wit: by working in their role as guardian and
8 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
9 unlawfully converting money belonging to WALTER WRIGHT in the amount of
10 approximately \$4,183.08. Defendants are criminally liable under one or more of the following
11 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
12 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
13 by providing counsel and/or encouragement and by entering into a course of conduct whereby
14 APRIL PARKS acted as guardian for WALTER WRIGHT and overcharged for ward visits,
15 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
16 LLC that either did not benefit WALTER WRIGHT or did not occur, and/or directed Angelica
17 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
18 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf
19 of A Private Professional Guardian, LLC that either did not benefit WALTER WRIGHT or
20 did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to
21 do the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
22 crime be committed.

23 COUNT 40 - EXPLOITATION OF AN OLDER PERSON

24 Defendants APRIL PARKS and MARK SIMMONS did on or between March 5, 2014
25 and June 4, 2015 willfully, unlawfully and feloniously exploit an older person having been
26 born in 1932, to wit: DELORES SMITH, by use of a guardianship converting DELORES
27 SMITH's money, assets or property, Defendants intending to permanently deprive DELORES
28 SMITH of the ownership, use, benefit or possession of her money, assets or property having

1 an value of more than \$5,000.00, by working in their role as guardian and fiduciary, overbilling
2 for visits, shopping trips, court filings, and banking visits thereby exploiting DELORES
3 SMITH in the amount of approximately \$6,166.30. Defendants are criminally liable under
4 one or more of the following principles of criminal liability, to wit: (1) by directly committing
5 this crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that
6 this crime be committed, by providing counsel and/or encouragement and by entering into a
7 course of conduct whereby APRIL PARKS acted as guardian for DELORES SMITH and
8 overcharged for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A
9 Private Professional Guardian, LLC that either did not benefit DELORES SMITH or did not
10 occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the
11 same; and MARK SIMMONS documented the same ward visits, shopping trips, bank
12 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
13 not benefit DELORES SMITH or did not occur, and/or directed Angelica Sanchez and/or
14 Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to
15 commit this crime, with the intent that the crime be committed.

16 COUNT 41 - THEFT

17 Defendants APRIL PARKS and MARK SIMMONS did on or between March 5, 2014
18 and June 4, 2015 willfully, knowingly, feloniously, and without lawful authority, use the
19 services or property of another person entrusted to them, or placed in their possession for a
20 limited, authorized period of determined or prescribed duration or for a limited use, having a
21 value of \$3,500.00 or more, belonging to DELORES SMITH and/or the ESTATE OF
22 DELORES SMITH, in the following manner, to wit: by working in their role as guardian and
23 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
24 unlawfully converting money belonging to DELORES SMITH in the amount of
25 approximately \$6,166.30. Defendants are criminally liable under one or more of the following
26 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
27 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
28 by providing counsel and/or encouragement and by entering into a course of conduct whereby

1 APRIL PARKS acted as guardian for DELORES SMITH and overcharged for ward visits,
2 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
3 LLC that either did not benefit DELORES SMITH or did not occur, and/or directed Angelica
4 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
5 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf
6 of A Private Professional Guardian, LLC that either did not benefit DELORES SMITH or did
7 not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do
8 the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
9 crime be committed.

10 COUNT 42 - EXPLOITATION OF AN OLDER PERSON

11 Defendants APRIL PARKS and MARK SIMMONS did on or between August 3, 2012
12 and December 17, 2015 willfully, unlawfully and feloniously exploit an older person having
13 been born in 1939, to wit: MARLENE HOMER, by use of a guardianship converting
14 MARLENE HOMER's money, assets or property, Defendants intending to permanently
15 deprive MARLENE HOMER of the ownership, use, benefit or possession of her money, assets
16 or property having an value of more than \$5,000.00, by working in their role as guardian and
17 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
18 exploiting MARLENE HOMER in the amount of approximately \$11,582.40. Defendants are
19 criminally liable under one or more of the following principles of criminal liability, to wit: (1)
20 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this
21 crime, with the intent that this crime be committed, by providing counsel and/or
22 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
23 guardian for MARLENE HOMER and overcharged for ward visits, shopping trips, bank
24 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
25 not benefit MARLENE HOMER or did not occur, and/or directed Angelica Sanchez and/or
26 Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the
27 same ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
28 Professional Guardian, LLC that either did not benefit MARLENE HOMER or did not occur,

1 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
2 and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be
3 committed.

4 COUNT 43 - THEFT

5 Defendants APRIL PARKS and MARK SIMMONS did on or between August 3, 2012
6 and December 17, 2015 willfully, knowingly, feloniously, and without lawful authority, use
7 the services or property of another person entrusted to them, or placed in their possession for
8 a limited, authorized period of determined or prescribed duration or for a limited use, having
9 a value of \$3,500.00 or more, belonging to MARLENE HOMER and/or the ESTATE OF
10 MARLENE HOMER, in the following manner, to wit: by working in their role as guardian
11 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
12 unlawfully converting money belonging to MARLENE HOMER in the amount of
13 approximately \$11,582.40 Defendants are criminally liable under one or more of the following
14 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
15 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
16 by providing counsel and/or encouragement and by entering into a course of conduct whereby
17 APRIL PARKS acted as guardian for MARLENE HOMER and overcharged for ward visits,
18 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
19 LLC that either did not benefit MARLENE HOMER or did not occur, and/or directed Angelica
20 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
21 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf
22 of A Private Professional Guardian, LLC that either did not benefit MARLENE HOMER or
23 did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to
24 do the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
25 crime be committed.

26 COUNT 44 - EXPLOITATION OF AN OLDER PERSON

27 Defendants APRIL PARKS and MARK SIMMONS did on or between August 3, 2012
28 and March 4, 2015 willfully, unlawfully and feloniously exploit an older person having been

1 born in 1919, to wit: MARIE LONG, by use of a guardianship converting MARIE LONG's
2 money, assets or property, Defendants intending to permanently deprive MARIE LONG of
3 the ownership, use, benefit or possession of her money, assets or property having an value of
4 more than \$5,000.00, by working in their role as guardian and fiduciary, overbilling for visits,
5 shopping trips, court filings, and banking visits thereby exploiting MARIE LONG in the
6 amount of approximately \$10,708.45. Defendants are criminally liable under one or more of
7 the following principles of criminal liability, to wit: (1) by directly committing this crime;
8 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime
9 be committed, by providing counsel and/or encouragement and by entering into a course of
10 conduct whereby APRIL PARKS acted as guardian for MARIE LONG and overcharged for
11 ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
12 Professional Guardian, LLC that either did not benefit MARIE LONG or did not occur, and/or
13 directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and
14 MARK SIMMONS documented the same ward visits, shopping trips, bank deposits, and/or
15 other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
16 MARIE LONG or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer
17 and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime,
18 with the intent that the crime be committed.

19 COUNT 45 - THEFT

20 Defendants APRIL PARKS and MARK SIMMONS did on or between August 3, 2012
21 and March 4, 2015 willfully, knowingly, feloniously, and without lawful authority, use the
22 services or property of another person entrusted to them, or placed in their possession for a
23 limited, authorized period of determined or prescribed duration or for a limited use, having a
24 value of \$3,500.00 or more, belonging to MARIE LONG and/or the ESTATE OF MARIE
25 LONG, in the following manner, to wit: by working in their role as guardian and fiduciary,
26 overbilling for visits, shopping trips, court filings, and banking visits thereby unlawfully
27 converting money belonging to MARIE LONG in the amount of approximately \$10,708.45.
28 Defendants are criminally liable under one or more of the following principles of criminal

1 liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
2 commission of this crime, with the intent that this crime be committed, by providing counsel
3 and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted
4 as guardian for MARIE LONG and overcharged for ward visits, shopping trips, bank deposits,
5 and/or other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
6 MARIE LONG or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer
7 and/or Sue Pehrson to do the same; and MARK SIMMONS documented the same ward visits,
8 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
9 LLC that either did not benefit MARIE LONG or did not occur, and/or directed Angelica
10 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a
11 conspiracy to commit this crime, with the intent that the crime be committed.

12 COUNT 46 - EXPLOITATION OF AN OLDER PERSON

13 Defendants APRIL PARKS and MARK SIMMONS did on or between September 19,
14 2013 and July 3, 2014 willfully, unlawfully and feloniously exploit an older person having
15 been born in 1936, to wit: RUDY NORTH, by use of a guardianship converting RUDY
16 NORTH's money, assets or property, Defendants intending to permanently deprive RUDY
17 NORTH of the ownership, use, benefit or possession of his money, assets or property having
18 an value of more than \$650.00, by working in their role as guardian and fiduciary, overbilling
19 for visits, shopping trips, court filings, and banking visits thereby exploiting RUDY NORTH
20 in the amount of approximately \$1,449.30. Defendants are criminally liable under one or more
21 of the following principles of criminal liability, to wit: (1) by directly committing this crime;
22 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime
23 be committed, by providing counsel and/or encouragement and by entering into a course of
24 conduct whereby APRIL PARKS acted as guardian for RUDY NORTH and overcharged for
25 ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
26 Professional Guardian, LLC that either did not benefit RUDY NORTH or did not occur, and/or
27 directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and
28 MARK SIMMONS documented the same ward visits, shopping trips, bank deposits, and/or

1 other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
2 RUDY NORTH or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer
3 and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime,
4 with the intent that the crime be committed.

5 **COUNT 47 - THEFT**

6 Defendants APRIL PARKS and MARK SIMMONS did on or between September 19,
7 2013 and July 3, 2014 willfully, knowingly, feloniously, and without lawful authority, use the
8 services or property of another person entrusted to them, or placed in their possession for a
9 limited, authorized period of determined or prescribed duration or for a limited use, having a
10 value of \$650.00 or more, belonging to RUDY NORTH and/or the ESTATE OF RUDY
11 NORTH, in the following manner, to wit: by working in their role as guardian and fiduciary,
12 overbilling for visits, shopping trips, court filings, and banking visits thereby unlawfully
13 converting money belonging to RUDY NORTH in the amount of approximately \$1,449.30.
14 Defendants are criminally liable under one or more of the following principles of criminal
15 liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
16 commission of this crime, with the intent that this crime be committed, by providing counsel
17 and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted
18 as guardian for RUDY NORTH and overcharged for ward visits, shopping trips, bank deposits,
19 and/or other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
20 RUDY NORTH or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer
21 and/or Sue Pehrson to do the same; and MARK SIMMONS documented the same ward visits,
22 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
23 LLC that either did not benefit RUDY NORTH or did not occur, and/or directed Angelica
24 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a
25 conspiracy to commit this crime, with the intent that the crime be committed.

26 **COUNT 48 - EXPLOITATION OF AN OLDER PERSON**

27 Defendants APRIL PARKS and MARK SIMMONS did on or between October 4, 2013
28 and May 5, 2014 willfully, unlawfully and feloniously exploit an older person having been

1 born in 1938, to wit: RENNIE NORTH, by use of a guardianship converting RENNIE
2 NORTH's money, assets or property, Defendants intending to permanently deprive RENNIE
3 NORTH of the ownership, use, benefit or possession of her money, assets or property having
4 an value of more than \$650.00, by working in their role as guardian and fiduciary, overbilling
5 for visits, shopping trips, court filings, and banking visits thereby exploiting RENNIE NORTH
6 in the amount of approximately \$1,449.30. Defendants are criminally liable under one or more
7 of the following principles of criminal liability, to wit: (1) by directly committing this crime;
8 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime
9 be committed, by providing counsel and/or encouragement and by entering into a course of
10 conduct whereby APRIL PARKS acted as guardian for RENNIE NORTH and overcharged
11 for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
12 Professional Guardian, LLC that either did not benefit RENNIE NORTH or did not occur,
13 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
14 and MARK SIMMONS documented the same ward visits, shopping trips, bank deposits,
15 and/or other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
16 RENNIE NORTH or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer
17 and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime,
18 with the intent that the crime be committed.

19 COUNT 49 - THEFT

20 Defendants APRIL PARKS and MARK SIMMONS did on or between October 4, 2013
21 and May 5, 2014 willfully, knowingly, feloniously, and without lawful authority, use the
22 services or property of another person entrusted to them, or placed in their possession for a
23 limited, authorized period of determined or prescribed duration or for a limited use, having a
24 value of \$650.00 or more, belonging to RENNIE NORTH and/or the ESTATE OF RENNIE
25 NORTH, in the following manner, to wit: by working in their role as guardian and fiduciary,
26 overbilling for visits, shopping trips, court filings, and banking visits thereby unlawfully
27 converting money belonging to RENNIE NORTH in the amount of approximately \$1,449.30.
28 Defendants are criminally liable under one or more of the following principles of criminal

1 liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
2 commission of this crime, with the intent that this crime be committed, by providing counsel
3 and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted
4 as guardian for RENNIE NORTH and overcharged for ward visits, shopping trips, bank
5 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
6 not benefit RENNIE NORTH or did not occur, and/or directed Angelica Sanchez and/or Heidi
7 Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the same
8 ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
9 Professional Guardian, LLC that either did not benefit RENNIE NORTH or did not occur,
10 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
11 and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be
12 committed.

13 COUNT 50 - EXPLOITATION OF AN OLDER PERSON

14 Defendants APRIL PARKS and MARK SIMMONS did on or between September 3,
15 2013 and August 3, 2015 willfully, unlawfully and feloniously exploit an older person having
16 been born in 1927, to wit: HAROLD LOCKWOOD, by use of a guardianship converting
17 HAROLD LOCKWOOD's money, assets or property, Defendants intending to permanently
18 deprive HAROLD LOCKWOOD of the ownership, use, benefit or possession of his money,
19 assets or property having an value of more than \$650.00, by working in their role as guardian
20 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
21 exploiting HAROLD LOCKWOOD in the amount of approximately \$4,528.00. Defendants
22 are criminally liable under one or more of the following principles of criminal liability, to wit:
23 (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of
24 this crime, with the intent that this crime be committed, by providing counsel and/or
25 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
26 guardian for HAROLD LOCKWOOD and overcharged for ward visits, shopping trips, bank
27 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
28 not benefit HAROLD LOCKWOOD or did not occur, and/or directed Angelica Sanchez

1 and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
2 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf
3 of A Private Professional Guardian, LLC that either did not benefit HAROLD LOCKWOOD
4 or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson
5 to do the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that
6 the crime be committed.

7 COUNT 51 - THEFT

8 Defendants APRIL PARKS and MARK SIMMONS did on or between September 3,
9 2013 and August 3, 2015 willfully, knowingly, feloniously, and without lawful authority, use
10 the services or property of another person entrusted to them, or placed in their possession for
11 a limited, authorized period of determined or prescribed duration or for a limited use, having
12 a value of \$3,500.00 or more, belonging to HAROLD LOCKWOOD and/or the ESTATE OF
13 HAROLD LOCKWOOD, in the following manner, to wit: by working in their role as guardian
14 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
15 unlawfully converting money belonging to HAROLD LOCKWOOD in the amount of
16 approximately \$4,528.00. Defendants are criminally liable under one or more of the following
17 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
18 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
19 by providing counsel and/or encouragement and by entering into a course of conduct whereby
20 APRIL PARKS acted as guardian for HAROLD LOCKWOOD and overcharged for ward
21 visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional
22 Guardian, LLC that either did not benefit HAROLD LOCKWOOD or did not occur, and/or
23 directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and
24 MARK SIMMONS documented the same ward visits, shopping trips, bank deposits, and/or
25 other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
26 HAROLD LOCKWOOD or did not occur, and/or directed Angelica Sanchez and/or Heidi
27 Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this
28 crime, with the intent that the crime be committed.

1 COUNT 52 - EXPLOITATION OF AN OLDER PERSON

2 Defendants APRIL PARKS and MARK SIMMONS did on or between May 24, 2013
3 and January 5, 2015 willfully, unlawfully and feloniously exploit an older person having been
4 born in 1932, to wit: NORBERT WILKENING, by use of a guardianship converting
5 NORBERT WILKENING's money, assets or property, Defendants intending to permanently
6 deprive NORBERT WILKENING of the ownership, use, benefit or possession of his money,
7 assets or property having an value of more than \$650.00, by working in their role as guardian
8 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
9 exploiting NORBERT WILKENING in the amount of approximately \$4,533.20. Defendants
10 are criminally liable under one or more of the following principles of criminal liability, to wit:
11 (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of
12 this crime, with the intent that this crime be committed, by providing counsel and/or
13 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
14 guardian for NORBERT WILKENING and overcharged for ward visits, shopping trips, bank
15 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
16 not benefit NORBERT WILKENING or did not occur, and/or directed Angelica Sanchez
17 and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
18 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf
19 of A Private Professional Guardian, LLC that either did not benefit NORBERT WILKENING
20 or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson
21 to do the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that
22 the crime be committed.

23 COUNT 53 - THEFT

24 Defendants APRIL PARKS and MARK SIMMONS did on or between May 24, 2013
25 and January 5, 2015 willfully, knowingly, feloniously, and without lawful authority, use the
26 services or property of another person entrusted to them, or placed in their possession for a
27 limited, authorized period of determined or prescribed duration or for a limited use, having a
28 value of \$3,500.00 or more, belonging to NORBERT WILKENING and/or the ESTATE OF

1 NORBERT WILKENING, in the following manner, to wit: by working in their role as
2 guardian and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits
3 thereby unlawfully converting money belonging to NORBERT WILKENING in the amount
4 of approximately \$4,533.20. Defendants are criminally liable under one or more of the
5 following principles of criminal liability, to wit: (1) by directly committing this crime; and/or
6 (2) by aiding or abetting in the commission of this crime, with the intent that this crime be
7 committed, by providing counsel and/or encouragement and by entering into a course of
8 conduct whereby APRIL PARKS acted as guardian for NORBERT WILKENING and
9 overcharged for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A
10 Private Professional Guardian, LLC that either did not benefit NORBERT WILKENING or
11 did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to
12 do the same; and MARK SIMMONS documented the same ward visits, shopping trips, bank
13 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
14 not benefit NORBERT WILKENING or did not occur, and/or directed Angelica Sanchez
15 and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy
16 to commit this crime, with the intent that the crime be committed.

17 COUNT 54 - EXPLOITATION OF AN OLDER PERSON

18 Defendants APRIL PARKS and MARK SIMMONS did on or between June 5, 2013
19 and November 4, 2013 willfully, unlawfully and feloniously exploit an older person having
20 been born in 1941, to wit: ADOLFO GONZALEZ, by use of a guardianship converting
21 ADOLFO GONZALEZ's money, assets or property, Defendants intending to permanently
22 deprive ADOLFO GONZALEZ of the ownership, use, benefit or possession of his money,
23 assets or property having an value of more than \$650.00, by working in their role as guardian
24 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
25 exploiting ADOLFO GONZALEZ in the amount of approximately \$1,413.60. Defendants are
26 criminally liable under one or more of the following principles of criminal liability, to wit: (1)
27 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this
28 crime, with the intent that this crime be committed, by providing counsel and/or

1 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
2 guardian for ADOLFO GONZALEZ and overcharged for ward visits, shopping trips, bank
3 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
4 not benefit ADOLFO GONZALEZ or did not occur, and/or directed Angelica Sanchez and/or
5 Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the
6 same ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
7 Professional Guardian, LLC that either did not benefit ADOLFO GONZALEZ or did not
8 occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the
9 same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime
10 be committed.

11 COUNT 55 - THEFT

12 Defendants APRIL PARKS and MARK SIMMONS did on or between June 5, 2013
13 and November 4, 2013 willfully, knowingly, feloniously, and without lawful authority, use the
14 services or property of another person entrusted to them, or placed in their possession for a
15 limited, authorized period of determined or prescribed duration or for a limited use, having a
16 value of \$3,500.00 or more, belonging to ADOLFO GONZALEZ and/or the ESTATE OF
17 ADOLFO GONZALEZ, in the following manner, to wit: by working in their role as guardian
18 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
19 unlawfully converting money belonging to ADOLFO GONZALEZ in the amount of
20 approximately \$1,413.60. Defendants are criminally liable under one or more of the following
21 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
22 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
23 by providing counsel and/or encouragement and by entering into a course of conduct whereby
24 APRIL PARKS acted as guardian for ADOLFO GONZALEZ and overcharged for ward visits,
25 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
26 LLC that either did not benefit ADOLFO GONZALEZ or did not occur, and/or directed
27 Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK
28 SIMMONS documented the same ward visits, shopping trips, bank deposits, and/or other

1 tasks on behalf of A Private Professional Guardian, LLC that either did not benefit ADOLFO
2 GONZALEZ or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or
3 Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime, with the
4 intent that the crime be committed.

5 COUNT 56 - EXPLOITATION OF A VULNERABLE PERSON

6 Defendants APRIL PARKS and MARK SIMMONS did on or between August 6, 2013
7 and August 3, 2015 willfully, unlawfully and feloniously exploit a vulnerable person having,
8 to wit: LINDA PHILLIPS, by use of a guardianship converting LINDA PHILLIPS's money,
9 assets or property, Defendants intending to permanently deprive LINDA PHILLIPS of the
10 ownership, use, benefit or possession of his money, assets or property having an value of more
11 than \$650.00, by working in their role as guardian and fiduciary, overbilling for visits,
12 shopping trips, court filings, and banking visits thereby exploiting LINDA PHILLIPS in the
13 amount of approximately \$3,445.26. Defendants are criminally liable under one or more of
14 the following principles of criminal liability, to wit: (1) by directly committing this crime;
15 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime
16 be committed, by providing counsel and/or encouragement and by entering into a course of
17 conduct whereby APRIL PARKS acted as guardian for LINDA PHILLIPS and overcharged
18 for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
19 Professional Guardian, LLC that either did not benefit LINDA PHILLIPS or did not occur,
20 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
21 and MARK SIMMONS documented the same ward visits, shopping trips, bank deposits,
22 and/or other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
23 LINDA PHILLIPS or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer
24 and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime,
25 with the intent that the crime be committed.

26 COUNT 57 - THEFT

27 Defendants APRIL PARKS and MARK SIMMONS did on or between August 6, 2013
28 and August 3, 2015 willfully, knowingly, feloniously, and without lawful authority, use the

1 services or property of another person entrusted to them, or placed in their possession for a
2 limited, authorized period of determined or prescribed duration or for a limited use, having a
3 value of \$3,500.00 or more, belonging to LINDA PHILLIPS and/or the ESTATE OF LINDA
4 PHILLIPS, in the following manner, to wit: by working in their role as guardian and fiduciary,
5 overbilling for visits, shopping trips, court filings, and banking visits thereby unlawfully
6 converting money belonging to LINDA PHILLIPS in the amount of approximately \$3,445.26.
7 Defendants are criminally liable under one or more of the following principles of criminal
8 liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
9 commission of this crime, with the intent that this crime be committed, by providing counsel
10 and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted
11 as guardian for LINDA PHILLIPS and overcharged for ward visits, shopping trips, bank
12 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
13 not benefit LINDA PHILLIPS or did not occur, and/or directed Angelica Sanchez and/or Heidi
14 Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the same
15 ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
16 Professional Guardian, LLC that either did not benefit LINDA PHILLIPS or did not occur,
17 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
18 and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be
19 committed.

20 **COUNT 58 - EXPLOITATION OF AN OLDER PERSON**

21 Defendants APRIL PARKS and MARK SIMMONS did on or between March 3, 2012
22 and November 30, 2015, willfully, unlawfully and feloniously exploit an older person having
23 been born in 1941, to wit: NORMAN WEINSTOCK, by use of a guardianship converting
24 NORMAN WEINSTOCK's money, assets or property, Defendants intending to permanently
25 deprive NORMAN WEINSTOCK of the ownership, use, benefit or possession of his money,
26 assets or property having an value of more than \$5,000.00, by working in their role as guardian
27 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
28 exploiting NORMAN WEINSTOCK in the amount of approximately \$15,068.18. Defendants

1 are criminally liable under one or more of the following principles of criminal liability, to wit:
2 (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of
3 this crime, with the intent that this crime be committed, by providing counsel and/or
4 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
5 guardian for NORMAN WEINSTOCK and overcharged for ward visits, shopping trips, bank
6 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
7 not benefit NORMAN WEINSTOCK or did not occur, and/or directed Angelica Sanchez
8 and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
9 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf
10 of A Private Professional Guardian, LLC that either did not benefit NORMAN WEINSTOCK
11 or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson
12 to do the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that
13 the crime be committed.

14 COUNT 59 - THEFT

15 Defendants APRIL PARKS and MARK SIMMONS did on or between March 3, 2012
16 and November 30, 2015, willfully, knowingly, feloniously, and without lawful authority, use
17 the services or property of another person entrusted to them, or placed in their possession for
18 a limited, authorized period of determined or prescribed duration or for a limited use, having
19 a value of \$3,500.00 or more, belonging to NORMAN WEINSTOCK and/or the ESTATE OF
20 NORMAN WEINSTOCK, in the following manner, to wit: by working in their role as
21 guardian and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits
22 thereby unlawfully converting money belonging to NORMAN WEINSTOCK in the amount
23 of approximately \$15,068.18. Defendants are criminally liable under one or more of the
24 following principles of criminal liability, to wit: (1) by directly committing this crime; and/or
25 (2) by aiding or abetting in the commission of this crime, with the intent that this crime be
26 committed, by providing counsel and/or encouragement and by entering into a course of
27 conduct whereby APRIL PARKS acted as guardian for NORMAN WEINSTOCK and
28 overcharged for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A

1 Private Professional Guardian, LLC that either did not benefit NORMAN WEINSTOCK or
2 did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to
3 do the same; and MARK SIMMONS documented the same ward visits, shopping trips, bank
4 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
5 not benefit NORMAN WEINSTOCK or did not occur, and/or directed Angelica Sanchez
6 and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy
7 to commit this crime, with the intent that the crime be committed.

8 COUNT 60 - EXPLOITATION OF AN OLDER PERSON

9 Defendants APRIL PARKS and MARK SIMMONS did on or between January 1, 2011
10 and December 31, 2015, willfully, unlawfully and feloniously exploit an older person having
11 been born in 1927, to wit: MARIA COOPER, by use of a guardianship converting MARIA
12 COOPER's money, assets or property, Defendants intending to permanently deprive MARIA
13 COOPER of the ownership, use, benefit or possession of her money, assets or property having
14 an value of more than \$5,000.00, by working in their role as guardian and fiduciary, overbilling
15 for visits, shopping trips, court filings, and banking visits thereby exploiting MARIA
16 COOPER in the amount of approximately \$6,920.00. Defendants are criminally liable under
17 one or more of the following principles of criminal liability, to wit: (1) by directly committing
18 this crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that
19 this crime be committed, by providing counsel and/or encouragement and by entering into a
20 course of conduct whereby APRIL PARKS acted as guardian for MARIA COOPER and
21 overcharged for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A
22 Private Professional Guardian, LLC that either did not benefit MARIA COOPER or did not
23 occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the
24 same; and MARK SIMMONS documented the same ward visits, shopping trips, bank
25 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
26 not benefit MARIA COOPER or did not occur, and/or directed Angelica Sanchez and/or Heidi
27 Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this
28 crime, with the intent that the crime be committed.

1 COUNT 61 - THEFT

2 Defendants APRIL PARKS and MARK SIMMONS did on or between January 1, 2011
3 and December 31, 2015, willfully, knowingly, feloniously, and without lawful authority, use
4 the services or property of another person entrusted to them, or placed in their possession for
5 a limited, authorized period of determined or prescribed duration or for a limited use, having
6 a value of \$3,500.00 or more, belonging to MARIA COOPER and/or the ESTATE OF MARIA
7 COOPER, in the following manner, to wit: by working in their role as guardian and fiduciary,
8 overbilling for visits, shopping trips, court filings, and banking visits thereby unlawfully
9 converting money belonging to MARIA COOPER in the amount of approximately \$6,920.00.
10 Defendants are criminally liable under one or more of the following principles of criminal
11 liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
12 commission of this crime, with the intent that this crime be committed, by providing counsel
13 and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted
14 as guardian for MARIA COOPER and overcharged for ward visits, shopping trips, bank
15 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
16 not benefit MARIA COOPER or did not occur, and/or directed Angelica Sanchez and/or Heidi
17 Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the same
18 ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
19 Professional Guardian, LLC that either did not benefit MARIA COOPER or did not occur,
20 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
21 and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be
22 committed.

23 COUNT 62 - EXPLOITATION OF AN OLDER PERSON

24 Defendants APRIL PARKS, MARK SIMMONS, and GARY NEAL TAYLOR did on
25 or between July 5, 2013 and May 4, 2015, willfully, unlawfully and feloniously exploit an
26 older person having been born in 1939, to wit: KENNETH CHRISTOPHERSON, by use of
27 a guardianship converting KENNETH CHRISTOPHERSON's money, assets or property,
28 Defendants intending to permanently deprive KENNETH CHRISTOPHERSON of the

1 ownership, use, benefit or possession of his money, assets or property having an value of more
2 than \$650.00, by working in their role as guardian and fiduciary, overbilling for visits,
3 shopping trips, court filings, and banking visits thereby exploiting KENNETH
4 CHRISTOPHERSON in the amount of approximately \$4,290.00. Defendants are criminally
5 liable under one or more of the following principles of criminal liability, to wit: (1) by directly
6 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
7 the intent that this crime be committed, by providing counsel and/or encouragement and by
8 entering into a course of conduct whereby APRIL PARKS acted as guardian for KENNETH
9 CHRISTOPHERSON and overcharged for ward visits, shopping trips, bank deposits, house
10 checks, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
11 not benefit KENNETH CHRISTOPHERSON or did not occur, and/or directed Angelica
12 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
13 documented the same ward visits, shopping trips, bank deposits, house checks, and/or other
14 tasks on behalf of A Private Professional Guardian, LLC that either did not benefit KENNETH
15 CHRISTOPHERSON or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer
16 and/or Sue Pehrson to do the same; and GARY NEAL TAYLOR conducted unnecessary
17 services and/or overbilled for services on behalf of A Private Professional Guardian, LLC;
18 and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be
19 committed.

20 COUNT 63 - THEFT

21 Defendants APRIL PARKS, MARK SIMMONS, and GARY NEAL TAYLOR did on
22 or between July 5, 2013, and May 4, 2015, willfully, knowingly, feloniously, and without
23 lawful authority, use the services or property of another person entrusted to them, or placed in
24 their possession for a limited, authorized period of determined or prescribed duration or for a
25 limited use, having a value of \$3,500.00 or more, belonging to KENNETH
26 CHRISTOPHERSON and/or the ESTATE OF KENNETH CHRISTOPHERSON, in the
27 following manner, to wit: by working in their role as guardian and fiduciary, overbilling for
28 visits, shopping trips, court filings, and banking visits thereby unlawfully converting money

1 belonging to KENNETH CHRISTOPHERSON in the amount of approximately \$4,290.00.
2 Defendants are criminally liable under one or more of the following principles of criminal
3 liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
4 commission of this crime, with the intent that this crime be committed, by providing counsel
5 and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted
6 as guardian for KENNETH CHRISTOPHERSON and overcharged for ward visits, shopping
7 trips, bank deposits, house checks, and/or other tasks on behalf of A Private Professional
8 Guardian, LLC that either did not benefit KENNETH CHRISTOPHERSON or did not occur,
9 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
10 and MARK SIMMONS documented the same ward visits, shopping trips, bank deposits,
11 house checks, and/or other tasks on behalf of A Private Professional Guardian, LLC that either
12 did not benefit KENNETH CHRISTOPHERSON or did not occur, and/or directed Angelica
13 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and GARY NEAL
14 TAYLOR conducted unnecessary services and/or overbilled for services on behalf of A
15 Private Professional Guardian, LLC; and/or (3) pursuant to a conspiracy to commit this crime,
16 with the intent that the crime be committed.

17 **COUNT 64 - EXPLOITATION OF AN OLDER PERSON**

18 Defendants APRIL PARKS and MARK SIMMONS did on or between January 1, 2011
19 and December 31, 2015, willfully, unlawfully and feloniously exploit an older person having
20 been born in 1918, to wit: JOSEPH MASSA, by use of a guardianship converting JOSEPH
21 MASSA's money, assets or property, Defendants intending to permanently deprive JOSEPH
22 MASSA of the ownership, use, benefit or possession of his money, assets or property having
23 an value of more than \$5,000.00, by working in their role as guardian and fiduciary, overbilling
24 for visits, shopping trips, court filings, and banking visits thereby JOSEPH MASSA in the
25 amount of approximately \$5,396.40. Defendants are criminally liable under one or more of
26 the following principles of criminal liability, to wit: (1) by directly committing this crime;
27 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime
28 be committed, by providing counsel and/or encouragement and by entering into a course of

1 conduct whereby APRIL PARKS acted as guardian for JOSEPH MASSA and overcharged for
2 ward visits, shopping trips, casino trips, bank deposits, and/or other tasks on behalf of A
3 Private Professional Guardian, LLC that either did not benefit JOSEPH MASSA or did not
4 occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the
5 same; and MARK SIMMONS documented the same ward visits, shopping trips, casino trips,
6 bank deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either
7 did not benefit JOSEPH MASSA or did not occur, and/or directed Angelica Sanchez and/or
8 Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to
9 commit this crime, with the intent that the crime be committed.

10 COUNT 65 - THEFT

11 Defendants APRIL PARKS and MARK SIMMONS did on or between January 1, 2011
12 and December 31, 2015, willfully, knowingly, feloniously, and without lawful authority, use
13 the services or property of another person entrusted to them, or placed in their possession for
14 a limited, authorized period of determined or prescribed duration or for a limited use, having
15 a value of \$3,500.00 or more, belonging to JOSEPH MASSA and/or the ESTATE OF JOSEPH
16 MASSA, in the following manner, to wit: by working in their role as guardian and fiduciary,
17 overbilling for visits, shopping trips, court filings, and banking visits thereby unlawfully
18 converting money belonging to JOSEPH MASSA in the amount of approximately \$5,396.40.
19 Defendants are criminally liable under one or more of the following principles of criminal
20 liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
21 commission of this crime, with the intent that this crime be committed, by providing counsel
22 and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted
23 as guardian for JOSEPH MASSA and overcharged for ward visits, shopping trips, casino trips,
24 bank deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either
25 did not benefit JOSEPH MASSA or did not occur, and/or directed Angelica Sanchez and/or
26 Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the
27 same ward visits, shopping trips, casino trips, bank deposits, and/or other tasks on behalf of A
28 Private Professional Guardian, LLC that either did not benefit JOSEPH MASSA or did not

1 occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the
2 same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime
3 be committed.

4 **COUNT 66 - EXPLOITATION OF AN OLDER PERSON**

5 Defendants APRIL PARKS and MARK SIMMONS did on or between July 1, 2014
6 and January 6, 2016, willfully, unlawfully and feloniously exploit an older person having been
7 born in 1920, to wit: BLANCA GINORIO, by use of a guardianship converting BLANCA
8 GINORIO's money, assets or property, Defendants intending to permanently deprive
9 BLANCA GINORIO of the ownership, use, benefit or possession of his money, assets or
10 property having an value of more than \$650.00, by working in their role as guardian and
11 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
12 BLANCA GINORIO in the amount of approximately \$2,497.20. Defendants are criminally
13 liable under one or more of the following principles of criminal liability, to wit: (1) by directly
14 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
15 the intent that this crime be committed, by providing counsel and/or encouragement and by
16 entering into a course of conduct whereby APRIL PARKS acted as guardian for BLANCA
17 GINORIO and overcharged for ward visits, shopping trips, bank deposits, and/or other tasks
18 on behalf of A Private Professional Guardian, LLC that either did not benefit BLANCA
19 GINORIO or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue
20 Pehrson to do the same; and MARK SIMMONS documented the same ward visits, shopping
21 trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that
22 either did not benefit BLANCA GINORIO or did not occur, and/or directed Angelica Sanchez
23 and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy
24 to commit this crime, with the intent that the crime be committed.

25 **COUNT 67 - THEFT**

26 Defendants APRIL PARKS and MARK SIMMONS did on or between July 1, 2014
27 and January 6, 2016, willfully, knowingly, feloniously, and without lawful authority, use the
28 services or property of another person entrusted to them, or placed in their possession for a

1 limited, authorized period of determined or prescribed duration or for a limited use, having a
2 value of \$650.00 or more, belonging to BLANCA GINORIO and/or the ESTATE OF
3 BLANCA GINORIO, in the following manner, to wit: by working in their role as guardian
4 and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
5 unlawfully converting money belonging to BLANCA GINORIO in the amount of
6 approximately \$2,497.20. Defendants are criminally liable under one or more of the following
7 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
8 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
9 by providing counsel and/or encouragement and by entering into a course of conduct whereby
10 APRIL PARKS acted as guardian for BLANCA GINORIO and overcharged for ward visits,
11 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
12 LLC that either did not benefit BLANCA GINORIO or did not occur, and/or directed Angelica
13 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
14 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf
15 of A Private Professional Guardian, LLC that either did not benefit BLANCA GINORIO or
16 did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to
17 do the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
18 crime be committed.

19 COUNT 68 - EXPLOITATION OF AN OLDER PERSON

20 Defendants APRIL PARKS and MARK SIMMONS did on or between December 31,
21 2009 and October 7, 2015, willfully, unlawfully and feloniously exploit an older person having
22 been born in 1935, to wit: DANIEL CURRIE, by use of a guardianship converting DANIEL
23 CURRIE's money, assets or property, Defendants intending to permanently deprive DANIEL
24 CURRIE of the ownership, use, benefit or possession of his money, assets or property having
25 an value of more than \$5,000.00, by working in their role as guardian and fiduciary, overbilling
26 for visits, shopping trips, court filings, and banking visits thereby DANIEL CURRIE in the
27 amount of approximately \$8,149.70. Defendants are criminally liable under one or more of
28 the following principles of criminal liability, to wit: (1) by directly committing this crime;

1 and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime
2 be committed, by providing counsel and/or encouragement and by entering into a course of
3 conduct whereby APRIL PARKS acted as guardian for DANIEL CURRIE and overcharged
4 for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
5 Professional Guardian, LLC that either did not benefit DANIEL CURRIE or did not occur,
6 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
7 and MARK SIMMONS documented the same ward visits, shopping trips, bank deposits,
8 and/or other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
9 DANIEL CURRIE or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer
10 and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime,
11 with the intent that the crime be committed.

12 **COUNT 69 - THEFT**

13 Defendants APRIL PARKS and MARK SIMMONS did on or between December 31,
14 2009 and October 7, 2015, willfully, knowingly, feloniously, and without lawful authority, use
15 the services or property of another person entrusted to them, or placed in their possession for
16 a limited, authorized period of determined or prescribed duration or for a limited use, having
17 a value of \$3,500.00 or more, belonging to DANIEL CURRIE and/or the ESTATE OF
18 DANIEL CURRIE, in the following manner, to wit: by working in their role as guardian and
19 fiduciary, overbilling for visits, shopping trips, court filings, and banking visits thereby
20 unlawfully converting money belonging to DANIEL CURRIE in the amount of approximately
21 \$8,149.70. Defendants are criminally liable under one or more of the following principles of
22 criminal liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting
23 in the commission of this crime, with the intent that this crime be committed, by providing
24 counsel and/or encouragement and by entering into a course of conduct whereby APRIL
25 PARKS acted as guardian for DANIEL CURRIE and overcharged for ward visits, shopping
26 trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that
27 either did not benefit DANIEL CURRIE or did not occur, and/or directed Angelica Sanchez
28 and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS

1 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf
2 of A Private Professional Guardian, LLC that either did not benefit DANIEL CURRIE or did
3 not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do
4 the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
5 crime be committed.

6 COUNT 70 - EXPLOITATION OF AN OLDER PERSON

7 Defendants APRIL PARKS and MARK SIMMONS did on or between March 1, 2013
8 and July 10, 2015, willfully, unlawfully and feloniously exploit an older person having been
9 born in 1926, to wit: RITA LAMPPA, by use of a guardianship converting RITA LAMPPA's
10 money, assets or property, Defendants intending to permanently deprive RITA LAMPPA of
11 the ownership, use, benefit or possession of his money, assets or property having an value of
12 more than \$5,000.00, by working in their role as guardian and fiduciary, overbilling for visits,
13 shopping trips, court filings, and banking visits thereby RITA LAMPPA in the amount of
14 approximately \$4,311.20. Defendants are criminally liable under one or more of the following
15 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
16 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
17 by providing counsel and/or encouragement and by entering into a course of conduct whereby
18 APRIL PARKS acted as guardian for RITA LAMPPA and overcharged for ward visits,
19 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
20 LLC that either did not benefit RITA LAMPPA or did not occur, and/or directed Angelica
21 Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
22 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf
23 of A Private Professional Guardian, LLC that either did not benefit RITA LAMPPA or did not
24 occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the
25 same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime
26 be committed.

27 ///

28 ///

1 COUNT 71 - THEFT

2 Defendants APRIL PARKS and MARK SIMMONS did on or between March 1, 2013
3 and July 10, 2015, willfully, knowingly, feloniously, and without lawful authority, use the
4 services or property of another person entrusted to them, or placed in their possession for a
5 limited, authorized period of determined or prescribed duration or for a limited use, having a
6 value of \$3,500.00 or more, belonging to RITA LAMPPA and/or the ESTATE OF RITA
7 LAMPPA, in the following manner, to wit: by working in their role as guardian and fiduciary,
8 overbilling for visits, shopping trips, court filings, and banking visits thereby unlawfully
9 converting money belonging to RITA LAMPPA in the amount of approximately \$4,311.20.
10 Defendants are criminally liable under one or more of the following principles of criminal
11 liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
12 commission of this crime, with the intent that this crime be committed, by providing counsel
13 and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted
14 as guardian for RITA LAMPPA and overcharged for ward visits, shopping trips, bank
15 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
16 not benefit RITA LAMPPA or did not occur, and/or directed Angelica Sanchez and/or Heidi
17 Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS documented the same
18 ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private
19 Professional Guardian, LLC that either did not benefit RITA LAMPPA or did not occur, and/or
20 directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3)
21 pursuant to a conspiracy to commit this crime, with the intent that the crime be committed.

22 COUNT 72 - EXPLOITATION OF AN OLDER PERSON

23 Defendants APRIL PARKS, MARK SIMMONS, and GARY NEAL TAYLOR did on
24 or about October 31, 2013 willfully, unlawfully and feloniously exploit persons over the age
25 of 60, to wit: CYPRIAN FRASER and/or DONALD GRAHAM and/or HANS SCHOLL
26 and/or ADOLFO GONZALEZ and/or RUDY NORTH, RENNIE NORTH and/or HAROLD
27 LOCKWOOD and/or MARLENE HOMER and/or MARIE LONG and/or MARY VITEK
28 and/or NORBERT WILKENING and/or JACQUELINE NOSBICH, by use of a guardianship

1 converting said victims' money, assets or property, Defendants intending to permanently
2 deprive said victims of the ownership, use, benefit or possession of their money, assets or
3 property having an value of more than \$650.00, by Defendants working in their role as
4 guardian and fiduciary, overbilling for visits, shopping trips, dropping off toilet paper, and
5 visiting mortuary, thereby depriving said victims in the amount of approximately \$1,405.20.
6 Defendants are criminally liable under one or more of the following principles of criminal
7 liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
8 commission of this crime, with the intent that this crime be committed, by providing counsel
9 and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted
10 as guardian for the above-listed victims, and overcharged for ward visits, shopping trips,
11 and/or other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
12 the victims or did not occur, and/or directed GARY NEAL TAYLOR to do the same; and
13 MARK SIMMONS documented the same ward visits, shopping trips, and/or other tasks on
14 behalf of A Private Professional Guardian, LLC that either did not benefit the victims or should
15 have been provided by a greatly reduced cost; and/or (3) pursuant to a conspiracy to commit
16 this crime, with the intent that the crime be committed.

17 COUNT 73 - THEFT

18 Defendants APRIL PARKS, MARK SIMMONS, and GARY NEAL TAYLOR did on
19 or about October 31, 2013 willfully, knowingly, feloniously, and without lawful authority, use
20 the services or property of another person entrusted to them, or placed in their possession for
21 a limited, authorized period of determined or prescribed duration or for a limited use, having
22 a value of \$650.00 or more, belonging to CYPRIAN FRASER and/or DONALD GRAHAM
23 and/or HANS SCHOLL and/or ADOLFO GONZALEZ and/or RUDY NORTH and/or
24 RENNIE NORTH and/or HAROLD LOCKWOOD and/or MARLENE HOMER and/or
25 MARIE LONG and/or MARY VITEK and/or NORBERT WILKENING and/or
26 JACQUELINE NOSBICH and/or the estates of said victims, in the following manner, to wit:
27 by working in their role as guardian and fiduciary, overbilling for visits, shopping trips,
28 dropping off toilet paper, and visiting mortuary, thereby unlawfully converting money

1 belonging said victims in the amount of approximately \$1,405.20. Defendants are criminally
2 liable under one or more of the following principles of criminal liability, to wit: (1) by directly
3 committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with
4 the intent that this crime be committed, by providing counsel and/or encouragement and by
5 entering into a course of conduct whereby APRIL PARKS acted as guardian for the above-
6 listed victims, and overcharged for ward visits, shopping trips, and/or other tasks on behalf of
7 A Private Professional Guardian, LLC that either did not benefit the victims or did not occur,
8 and/or directed GARY NEAL TAYLOR to do the same; and MARK SIMMONS documented
9 the same ward visits, shopping trips, and/or other tasks on behalf of A Private Professional
10 Guardian, LLC that either did not benefit the victims or should have been provided by a greatly
11 reduced cost; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
12 crime be committed.

13 COUNT 74 - EXPLOITATION OF A VULNERABLE PERSON

14 Defendants APRIL PARKS and MARK SIMMONS did on or about February 20, 2015
15 willfully, unlawfully and feloniously exploit a vulnerable person having a mental illness, to
16 wit: BARBARA NEELY, by use of a guardianship converting BARBARA NEELY's money,
17 assets or property, Defendants intending to permanently deprive BARBARA NEELY of the
18 ownership, use, benefit or possession of his money, assets or property having an value of more
19 than \$650.00, by working in their role as guardian and fiduciary, overbilling for visits,
20 shopping trips, court filings, and banking visits and/or by withdrawing funds from BARBARA
21 NEELY's account in excess of the amount actually billed to BARBARA NEELY, thereby
22 depriving BARBARA NEELY in the amount of approximately \$895.00. Defendants are
23 criminally liable under one or more of the following principles of criminal liability, to wit: (1)
24 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this
25 crime, with the intent that this crime be committed, by providing counsel and/or
26 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
27 guardian for BARBARA NEELY, and overcharged for ward visits, shopping trips, bank
28 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did

1 not benefit BARBARA NEELY or did not occur, and/or withdrew excessive funds from the
2 account of BARBARA NEELY, and/or directed Angelica Sanchez and/or Heidi Kramer
3 and/or Sue Pehrson to do the same; and MARK SIMMONS documented the same ward visits,
4 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
5 LLC that either did not benefit BARBARA NEELY or did not occur, and/or withdrew
6 excessive funds from the account of BARBARA NEELY, and/or directed Angelica Sanchez
7 and/or Heidi Kramer and/or Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy
8 to commit this crime, with the intent that the crime be committed.

9 COUNT 75 - THEFT

10 Defendants APRIL PARKS and MARK SIMMONS did on or about February 20, 2015
11 willfully, knowingly, feloniously, and without lawful authority, use the services or property of
12 another person entrusted to them, or placed in their possession for a limited, authorized period
13 of determined or prescribed duration or for a limited use, having a value of \$650.00 or more,
14 belonging to BARBARA NEELY and/or the ESTATE OF BARBARA NEELY, in the
15 following manner, to wit: by working in their role as guardian and fiduciary, overbilling for
16 visits, shopping trips, court filings, and banking visits, and/or by withdrawing funds from
17 BARBARA NEELY's account in excess of the amount actually billed to BARBARA NEELY,
18 thereby unlawfully converting money belonging to BARBARA NEELY in the amount of
19 approximately \$895.00. Defendants are criminally liable under one or more of the following
20 principles of criminal liability, to wit: (1) by directly committing this crime; and/or (2) by
21 aiding or abetting in the commission of this crime, with the intent that this crime be committed,
22 by providing counsel and/or encouragement and by entering into a course of conduct whereby
23 APRIL PARKS acted as guardian for BARBARA NEELY, and overcharged for ward visits,
24 shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian,
25 LLC that either did not benefit BARBARA NEELY or did not occur, and/or withdrew
26 excessive funds from the account of BARBARA NEELY, and/or directed Angelica Sanchez
27 and/or Heidi Kramer and/or Sue Pehrson to do the same; and MARK SIMMONS
28 documented the same ward visits, shopping trips, bank deposits, and/or other tasks on behalf

1 of A Private Professional Guardian, LLC that either did not benefit BARBARA NEELY or
2 did not occur, and/or withdrew excessive funds from the account of BARBARA NEELY,
3 and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do the same;
4 and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be
5 committed.

6 COUNT 76 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

7 Defendant APRIL PARKS did on or about April 15, 2015, willfully, unlawfully,
8 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
9 or recorded at Clark County District Court, to wit: a receipt falsely representing that Defendant
10 had paid herself full and final guardianship fees related to BARBARA NEELY, which
11 instrument, if genuine, might be filed, registered or recorded in a public office under any law
12 of the State of Nevada.

13 COUNT 77 - EXPLOITATION OF AN OLDER PERSON

14 Defendants APRIL PARKS and MARK SIMMONS did on or between February 1,
15 2012 and October 7, 2015 willfully, unlawfully and feloniously exploit persons over the age
16 of 60, to wit: over 130 elderly persons under APRIL PARKS' guardianship, by converting
17 said persons' money, assets or property, with Defendants intending to permanently deprive
18 said persons of the ownership, use, benefit or possession of their money, assets or property,
19 having a value of more than \$5,000.00, in the amount of approximately \$67,775.70, by use of
20 a scheme involving overbilling and/or multiple-billing while making bank deposits for said
21 persons. Defendants are criminally liable under one or more of the following principles of
22 criminal liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting
23 in the commission of this crime, with the intent that this crime be committed, by providing
24 counsel and/or encouragement and by entering into a course of conduct whereby APRIL
25 PARKS acted as guardian for the above-listed victims, and overcharged for bank deposits
26 and/or other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
27 the victims or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or
28 Sue Pehrson to do the same; and MARK SIMMONS documented the same bank deposits

1 and/or other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit
2 the victims or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or
3 Sue Pehrson to do the same; and/or (3) pursuant to a conspiracy to commit this crime, with the
4 intent that the crime be committed.

5 **COUNT 78 - THEFT**

6 Defendants APRIL PARKS and MARK SIMMONS did on or between February 1,
7 2012 and October 7, 2015 willfully, knowingly, feloniously, and without lawful authority, use
8 the services or property of another person entrusted to them, or placed in their possession for
9 a limited, authorized period of determined or prescribed duration or for a limited use, having
10 a value of \$3,500.00 or more, belonging to over 130 elderly persons under APRIL PARKS'
11 guardianship, in the following manner, to wit: by use of a scheme involving overbilling and/or
12 multiple-billing while making bank deposits for said persons, thereby unlawfully converting
13 money belonging to said persons in the amount of approximately \$67,775.70. Defendants are
14 criminally liable under one or more of the following principles of criminal liability, to wit: (1)
15 by directly committing this crime; and/or (2) by aiding or abetting in the commission of this
16 crime, with the intent that this crime be committed, by providing counsel and/or
17 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
18 guardian for the above-listed victims, and overcharged for bank deposits and/or other tasks on
19 behalf of A Private Professional Guardian, LLC that either did not benefit the victims or did
20 not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do
21 the same; and MARK SIMMONS documented the same bank deposits and/or other tasks on
22 behalf of A Private Professional Guardian, LLC that either did not benefit the victims or did
23 not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to do
24 the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
25 crime be committed.

26 **COUNT 79 - EXPLOITATION OF AN OLDER PERSON**

27 Defendants APRIL PARKS, MARK SIMMONS and GARY NEAL TAYLOR did on
28 or between March 7, 2012 and October 7, 2015 willfully, unlawfully and feloniously exploit

1 persons over the age of 60, to wit: over 109 elderly persons under APRIL PARKS'
2 guardianship, by converting said persons' money, assets or property, with Defendants
3 intending to permanently deprive said persons of the ownership, use, benefit or possession of
4 their money, assets or property, having a value of more than \$5,000.00, in the amount of
5 approximately \$74,229.90, by use of a scheme involving overbilling and/or multiple-billing
6 while making court appearances and/or filing court paperwork for said persons. Defendants
7 are criminally liable under one or more of the following principles of criminal liability, to wit:
8 (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of
9 this crime, with the intent that this crime be committed, by providing counsel and/or
10 encouragement and by entering into a course of conduct whereby APRIL PARKS acted as
11 guardian for the above-listed victims, and overcharged for making court appearances and/or
12 filing court paperwork and/or other tasks on behalf of A Private Professional Guardian, LLC
13 that either did not benefit the victims or did not occur, and/or directed Angelica Sanchez and/or
14 Heidi Kramer and/or Sue Pehrson and/or GARY NEAL TAYLOR to do the same; and MARK
15 SIMMONS documented the same court appearances and/or other tasks on behalf of A Private
16 Professional Guardian, LLC that either did not benefit the victims or did not occur, and/or
17 directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson and/or GARY NEAL
18 TAYLOR to do the same; and GARY NEAL TAYLOR made unnecessary court trips and
19 multiple-billed said victims for making these court trips; and/or (3) pursuant to a conspiracy
20 to commit this crime, with the intent that the crime be committed.

21 COUNT 80 - THEFT

22 Defendants APRIL PARKS, MARK SIMMONS and GARY NEAL TAYLOR did on
23 or between March 7, 2012 and October 7, 2015 willfully, knowingly, feloniously, and without
24 lawful authority, use the services or property of another person entrusted to them, or placed in
25 their possession for a limited, authorized period of determined or prescribed duration or for a
26 limited use, having a value of \$3,500.00 or more, belonging to over 109 elderly persons under
27 APRIL PARKS' guardianship, in the following manner, to wit: by use of a scheme involving
28 overbilling and/or multiple-billing while making court appearances and/or filing court

1 paperwork for said persons, thereby unlawfully converting money belonging to said persons
2 in the amount of approximately \$74,229.90. Defendants are criminally liable under one or
3 more of the following principles of criminal liability, to wit: (1) by directly committing this
4 crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that this
5 crime be committed, by providing counsel and/or encouragement and by entering into a course
6 of conduct whereby APRIL PARKS acted as guardian for the above-listed victims, and
7 overcharged for making court appearances and/or filing court paperwork and/or other tasks on
8 behalf of A Private Professional Guardian, LLC that either did not benefit the victims or did
9 not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson and/or
10 GARY NEAL TAYLOR to do the same; and MARK SIMMONS documented the same court
11 appearances and/or other tasks on behalf of A Private Professional Guardian, LLC that either
12 did not benefit the victims or did not occur, and/or directed Angelica Sanchez and/or Heidi
13 Kramer and/or Sue Pehrson and/or GARY NEAL TAYLOR to do the same; and GARY NEAL
14 TAYLOR made unnecessary court trips and multiple-billed said victims for making these
15 court trips; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
16 crime be committed.

17 COUNT 81 - THEFT

18 Defendant APRIL PARKS did on or between April 1, 2012 and August 27, 2013
19 willfully, knowingly, feloniously, and without lawful authority, use the services or property of
20 another person entrusted to her, or placed in her possession for a limited, authorized period of
21 determined or prescribed duration or for a limited use, having a value of \$650.00 or more,
22 belonging to WILLIAM ARNOLD and/or DOUGLAS JOBSON and/or AUDREY WEBER,
23 AVA MARTIN and/or DAKOTA JONES and/or PATRICIA BROADAWAY, in the
24 following manner, to wit: by use of a false billing scheme involving applications to become a
25 Social Security representative payee for each of the above-named individuals, thereby
26 unlawfully converting money belonging to said persons in the amount of approximately
27 \$1,344.00, and/or by directing Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson to
28 do the same.

1 COUNT 82 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

2 Defendant APRIL PARKS did on or about December 21, 2011 willfully, unlawfully,
3 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
4 or recorded at Clark County District Court, to wit: a Petition for Appointment of Temporary
5 and General Guardian of the Person and Estate containing false statements in the case of
6 BAXTER BURNS G-11-036744-A, which instrument, if genuine, might be filed, registered
7 or recorded in a public office under any law of the State of Nevada.

8 COUNT 83 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

9 Defendant APRIL PARKS did on or about May 15, 2013 willfully, unlawfully,
10 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
11 or recorded at Clark County District Court, to wit: a First and Final Account and Report of
12 Guardian, Petition for Payment of Fees, Termination of Guardianship, and for Instructions
13 containing false statements in the case of WILLIAM ARNOLD G-11-036382-A, which
14 instrument, if genuine, might be filed, registered or recorded in a public office under any law
15 of the State of Nevada.

16 COUNT 84 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

17 Defendants APRIL PARKS and NOEL PALMER SIMPSON did on or about April 19,
18 2012 willfully, unlawfully, knowingly and feloniously, procure or offer a false or forged
19 instrument to be filed, registered or recorded at Clark County District Court, to wit: a Petition
20 to Set Aside Estate without Administration in the probate case of MARY WOODS P-12-
21 074144-E, in which Petition Defendants claim that there is no record of a last will and
22 testament of MARY WOODS, knowing this to be false; which instrument, if genuine, might
23 be filed, registered, or recorded in a public office under any law of the State of Nevada.
24 Defendants are criminally liable under one or more of the following principles of criminal
25 liability, to wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
26 commission of this crime, with the intent that this crime be committed, by providing counsel
27 and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted
28 as guardian for MARY WOODS, and offered for filing a Petition to Set Aside Estate without

1 Administration in the probate case of MARY WOODS P-12-074144-E; and whereby NOEL
2 PALMER SIMPSON authored the same Petition to Set Aside Estate Without Administration
3 in the probate case of MARY WOODS P-12-074144-E, knowing that APRIL PARKS would
4 file said petition without having authority to do so; and/or (3) pursuant to a conspiracy to
5 commit this crime, with the intent that the crime be committed.

6 COUNT 85 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

7 Defendant APRIL PARKS did on or about June 15, 2013 willfully, unlawfully,
8 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
9 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
10 Approve Final Accounting containing false statements in the case of DOUGLAS JOBSON G-
11 12-036961-A, which instrument, if genuine, might be filed, registered or recorded in a public
12 office under any law of the State of Nevada.

13 COUNT 86 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

14 Defendant APRIL PARKS did on or about June 18, 2013 willfully, unlawfully,
15 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
16 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
17 Approve Final Accounting containing false statements in the case of AUDREY WEBER G-
18 12-036900-A, which instrument, if genuine, might be filed, registered or recorded in a public
19 office under any law of the State of Nevada.

20 COUNT 87 - PERJURY

21 Defendant APRIL PARKS did on or about June 18, 2013 willfully made a false
22 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
23 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
24 and Approve Final Accounting in the guardianship case of AUDREY WEBER G-12-036900-
25 A, which document claimed that Defendant was owed fees for services rendered that were not
26 in fact rendered to the extent and duration claimed, which statement was material to the filing
27 in question.

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1 COUNT 88 - PERJURY

2 Defendant MARK SIMMONS did on or about June 18, 2013, suborn APRIL PARKS
3 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
4 Professional Guardian, LLC to falsify records, of the amount and value of services provided
5 in the guardianship case of AUDREY WEBER G-12-036900-A, knowing that APRIL PARKS
6 would knowingly offer for filing with the Clark County District Court, under penalty of
7 perjury, a Petition to Terminate Guardianship and Approve Final Accounting in the
8 guardianship case of AUDREY WEBER G-12-036900-A, which document claimed that
9 APRIL PARKS was owed fees for services rendered that were not in fact rendered to the extent
10 and duration claimed, which statement was material to the filing in question.

11 COUNT 89 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

12 Defendant APRIL PARKS did on or about June 27, 2013 willfully, unlawfully,
13 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
14 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
15 Approve Final Accounting containing false statements in the case of AVA MARTIN G-11-
16 036663-A, which instrument, if genuine, might be filed, registered or recorded in a public
17 office under any law of the State of Nevada.

18 COUNT 90 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

19 Defendant APRIL PARKS did on or about June 28, 2013 willfully, unlawfully,
20 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
21 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
22 Approve Final Accounting containing false statements in the case of DAKOTA JONES G-12-
23 036960-A, which instrument, if genuine, might be filed, registered or recorded in a public
24 office under any law of the State of Nevada.

25 COUNT 91 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

26 Defendant APRIL PARKS did on or about October 8, 2013 willfully, unlawfully,
27 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
28 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and

1 Approve Final Accounting containing false statements in the case of PATRICIA
2 BROADAWAY G-12-036924-A, which instrument, if genuine, might be filed, registered or
3 recorded in a public office under any law of the State of Nevada.

4 COUNT 92 - PERJURY

5 Defendant APRIL PARKS did on or about December 18, 2014 willfully make a false
6 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
7 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
8 of Guardian in the guardianship case of JAMES POYA G-11-036043-A, which document
9 claimed that Defendant was owed fees for services rendered that were not in fact rendered to
10 the extent and duration claimed, which statement was material to the filing in question.

11 COUNT 93 - PERJURY

12 Defendant MARK SIMMONS did on or about December 18, 2014, suborn APRIL
13 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
14 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
15 provided in the guardianship case of JAMES POYA G-11-036043-A, knowing that APRIL
16 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
17 of perjury, a First Annual Accounting and Report of Guardian in the guardianship case of
18 JAMES POYA G-11-036043-A, which document claimed that APRIL PARKS was owed fees
19 for services rendered that were not in fact rendered to the extent and duration claimed, which
20 statement was material to the filing in question.

21 COUNT 94 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

22 Defendant APRIL PARKS did on or about December 18, 2014 willfully, unlawfully,
23 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
24 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
25 Guardian containing false statements in the guardianship case of JAMES POYA G-11-
26 036043-A, which instrument, if genuine, might be filed, registered or recorded in a public
27 office under any law of the State of Nevada.

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1 COUNT 95 - PERJURY

2 Defendant APRIL PARKS did on or about July 30, 2015 willfully make a false
3 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
4 Clark County District Court, under penalty of perjury, a Second Annual Accounting and
5 Report of Guardian in the guardianship case of JAMES POYA G-11-036043-A, which
6 document claimed that Defendant was owed fees for services rendered that were not in fact
7 rendered to the extent and duration claimed, which statement was material to the filing in
8 question.

9 COUNT 96 - PERJURY

10 Defendant MARK SIMMONS did on or about July 30, 2015, suborn APRIL PARKS
11 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
12 Professional Guardian, LLC to falsify records, of the amount and value of services provided
13 in the guardianship case of JAMES POYA G-11-036043-A, knowing that APRIL PARKS
14 would knowingly offer for filing with the Clark County District Court, under penalty of
15 perjury, a Second Annual Accounting and Report of Guardian in the guardianship case of
16 JAMES POYA G-11-036043-A, which document claimed that APRIL PARKS was owed fees
17 for services rendered that were not in fact rendered to the extent and duration claimed, which
18 statement was material to the filing in question.

19 COUNT 97 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

20 Defendant APRIL PARKS did on or about July 30, 2015 willfully, unlawfully,
21 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
22 or recorded at Clark County District Court, to wit: a Second Annual Accounting and Report
23 of Guardian containing false statements in the guardianship case of JAMES POYA G-11-
24 036043-A, which instrument, if genuine, might be filed, registered or recorded in a public
25 office under any law of the State of Nevada.

26 COUNT 98 - PERJURY

27 Defendant APRIL PARKS did on or about March 25, 2016, willfully make a false
28 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the

1 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
2 and Approve Final Accounting in the guardianship case of JAMES POYA G-11-036043-A,
3 which document claimed that Defendant was owed fees for services rendered that were not in
4 fact rendered to the extent and duration claimed, which statement was material to the filing in
5 question.

6 COUNT 99 - PERJURY

7 Defendant MARK SIMMONS did on or about March 25, 2015, suborn APRIL PARKS
8 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
9 Professional Guardian, LLC to falsify records, of the amount and value of services provided
10 in the guardianship case of JAMES POYA G-11-036043-A, knowing that APRIL PARKS
11 would knowingly offer for filing with the Clark County District Court, under penalty of
12 perjury, a Petition to Terminate Guardianship and Approve Final Accounting in the
13 guardianship case of JAMES POYA G-11-036043-A, which document claimed that APRIL
14 PARKS was owed fees for services rendered that were not in fact rendered to the extent and
15 duration claimed, which statement was material to the filing in question.

16 COUNT 100 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

17 Defendant APRIL PARKS did on or about March 25, 2016 willfully, unlawfully,
18 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
19 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
20 Approve Final Accounting containing false statements in the guardianship case of JAMES
21 POYA G-11-036043-A, which instrument, if genuine, might be filed, registered or recorded
22 in a public office under any law of the State of Nevada.

23 COUNT 101 - PERJURY

24 Defendant APRIL PARKS did on or about June 18, 2014, willfully make a false
25 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
26 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
27 of Guardian in the guardianship case of RUTH BRASLOW G-13-038228-A, which document

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1 claimed that Defendant was owed fees for services rendered that were not in fact rendered to
2 the extent and duration claimed, which statement was material to the filing in question.

3 COUNT 102 - PERJURY

4 Defendant MARK SIMMONS did on or about June 18, 2014, suborn APRIL PARKS
5 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
6 Professional Guardian, LLC to falsify records, of the amount and value of services provided
7 in the guardianship case of RUTH BRASLOW G-13-038228-A, knowing that APRIL PARKS
8 would knowingly offer for filing with the Clark County District Court, under penalty of
9 perjury, a First Annual Accounting and Report of Guardian in the guardianship case of RUTH
10 BRASLOW G-13-038228-A, which document claimed that APRIL PARKS was owed fees
11 for services rendered that were not in fact rendered to the extent and duration claimed, which
12 statement was material to the filing in question.

13 COUNT 103 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

14 Defendant APRIL PARKS did on or about June 18, 2014, willfully, unlawfully,
15 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
16 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
17 Guardian containing false statements in the guardianship case of RUTH BRASLOW G-13-
18 038228-A, which instrument, if genuine, might be filed, registered or recorded in a public
19 office under any law of the State of Nevada.

20 COUNT 104 - PERJURY

21 Defendant APRIL PARKS did on or about May 4, 2015, willfully make a false
22 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
23 Clark County District Court, under penalty of perjury, a Second Annual Accounting and
24 Report of Guardian in the guardianship case of RUTH BRASLOW G-13-038228-A, which
25 document claimed that Defendant was owed fees for services rendered that were not in fact
26 rendered to the extent and duration claimed, which statement was material to the filing in
27 question.

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1 COUNT 105 - PERJURY

2 Defendant MARK SIMMONS did on or about May 4, 2015, suborn APRIL PARKS to
3 commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
4 Professional Guardian, LLC to falsify records, of the amount and value of services provided
5 in the guardianship case of RUTH BRASLOW G-13-038228-A, knowing that APRIL PARKS
6 would knowingly offer for filing with the Clark County District Court, under penalty of
7 perjury, a Second Annual Accounting and Report of Guardian in the guardianship case of
8 RUTH BRASLOW G-13-038228-A, which document claimed that APRIL PARKS was owed
9 fees for services rendered that were not in fact rendered to the extent and duration claimed,
10 which statement was material to the filing in question.

11 COUNT 106 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

12 Defendant APRIL PARKS did on or about May 4, 2015, willfully, unlawfully,
13 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
14 or recorded at Clark County District Court, to wit: a Second Annual Accounting and Report
15 of Guardian containing false statements in the guardianship case of RUTH BRASLOW G-13-
16 038228-A, which instrument, if genuine, might be filed, registered or recorded in a public
17 office under any law of the State of Nevada.

18 COUNT 107 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

19 Defendant APRIL PARKS did on or about May 27, 2015, willfully, unlawfully,
20 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
21 or recorded at Clark County District Court, to wit: a Supplement to Second Annual
22 Accounting and Report of Guardian containing false statements in the guardianship case of
23 RUTH BRASLOW G-13-038228-A, which instrument, if genuine, might be filed, registered
24 or recorded in a public office under any law of the State of Nevada.

25 COUNT 108 - PERJURY

26 Defendant APRIL PARKS did on or about May 3, 2016, willfully make a false
27 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
28 Clark County District Court, under penalty of perjury, a Petition to Approve Final Accounting

1 in the guardianship case of RUTH BRASLOW G-13-038228-A, which document claimed that
2 Defendant was owed fees for services rendered that were not in fact rendered to the extent and
3 duration claimed, which statement was material to the filing in question.

4 COUNT 109 - PERJURY

5 Defendant MARK SIMMONS did on or about May 3, 2016, suborn APRIL PARKS to
6 commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
7 Professional Guardian, LLC to falsify records, of the amount and value of services provided
8 in the guardianship case of RUTH BRASLOW G-13-038228-A, knowing that APRIL PARKS
9 would knowingly offer for filing with the Clark County District Court, under penalty of
10 perjury, a Petition to Approve Final Accounting in the guardianship case of RUTH
11 BRASLOW G-13-038228-A, which document claimed that Defendant was owed fees for
12 services rendered that were not in fact rendered to the extent and duration claimed, which
13 statement was material to the filing in question.

14 COUNT 110 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

15 Defendant APRIL PARKS did on or about May 3, 2016 willfully, unlawfully,
16 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
17 or recorded at Clark County District Court, to wit: a Petition to Approve Final Accounting
18 containing false statements in the guardianship case of RUTH BRASLOW G-13-038228-A,
19 which instrument, if genuine, might be filed, registered or recorded in a public office under
20 any law of the State of Nevada.

21 COUNT 111 - PERJURY

22 Defendant APRIL PARKS did on or about March 15, 2016 willfully make a false
23 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
24 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
25 and Approve Final Accounting in the guardianship case of CAROLYN RICKENBAUGH G-
26 14-040726-A, which document claimed that Defendant was owed fees for services rendered
27 that were not in fact rendered to the extent and duration claimed, which statement was material
28 to the filing in question.

1 COUNT 112 - PERJURY

2 Defendant MARK SIMMONS did on or about March 15, 2016, suborn APRIL PARKS
3 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
4 Professional Guardian, LLC to falsify records, of the amount and value of services provided
5 in the guardianship case of CAROLYN RICKENBAUGH G-14-040726-A, knowing that
6 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under
7 penalty of perjury, a Petition to Terminate Guardianship and Approve Final Accounting in the
8 guardianship case of CAROLYN RICKENBAUGH G-14-040726-A, which document
9 claimed that APRIL PARKS was owed fees for services rendered that were not in fact rendered
10 to the extent and duration claimed, which statement was material to the filing in question.

11 COUNT 113 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

12 Defendant APRIL PARKS did on or about March 15, 2016 willfully, unlawfully,
13 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
14 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
15 Approve Final Accounting containing false statements in the guardianship case of CAROLYN
16 RICKENBAUGH G-14-040726-A, which instrument, if genuine, might be filed, registered or
17 recorded in a public office under any law of the State of Nevada.

18 COUNT 114 - PERJURY

19 Defendant APRIL PARKS did on or about August 4, 2015 willfully make a false
20 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
21 Clark County District Court, under penalty of perjury, a First Annual Accounting and Petition
22 for Payment of Fees in the guardianship case of WILLIAM BRADY G-10-035162-A, which
23 document claimed that Defendant was owed fees for services rendered that were not in fact
24 rendered to the extent and duration claimed, which statement was material to the filing in
25 question.

26 COUNT 115 - PERJURY

27 Defendant MARK SIMMONS did on or about August 4, 2015, suborn APRIL PARKS
28 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private

1 Professional Guardian, LLC to falsify records, of the amount and value of services provided
2 in the guardianship case of WILLIAM BRADY G-10-035162-A, knowing that APRIL
3 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
4 of perjury, a First Annual Accounting and Petition for Payment of Fees in the guardianship
5 case of WILLIAM BRADY G-10-035162-A, which document claimed that APRIL PARKS
6 was owed fees for services rendered that were not in fact rendered to the extent and duration
7 claimed, which statement was material to the filing in question.

8 COUNT 116 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

9 Defendant APRIL PARKS did on or about August 4, 2015 willfully, unlawfully,
10 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
11 or recorded at Clark County District Court, to wit: a First Annual Accounting and Petition for
12 Payment of Fees containing false statements in the guardianship case of WILLIAM BRADY
13 G-10-035162-A, which instrument, if genuine, might be filed, registered or recorded in a
14 public office under any law of the State of Nevada.

15 COUNT 117 - PERJURY

16 Defendant APRIL PARKS did on or about March 15, 2016 willfully make a false
17 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
18 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
19 and Approve Final Accounting in the guardianship case of WILLIAM BRADY G-10-035162-
20 A, which document claimed that Defendant was owed fees for services rendered that were not
21 in fact rendered to the extent and duration claimed, which statement was material to the filing
22 in question.

23 COUNT 118 - PERJURY

24 Defendant MARK SIMMONS did on or about March 15, 2016, suborn APRIL PARKS
25 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
26 Professional Guardian, LLC to falsify records, of the amount and value of services provided
27 in the guardianship case of William Brady G-10-035162-A, knowing that APRIL PARKS
28 would knowingly offer for filing with the Clark County District Court, under penalty of

1 perjury, a Petition to Terminate Guardianship and Approve Final Accounting in the
2 guardianship case of WILLIAM BRADY G-10-035162-A, which document claimed that
3 APRIL PARKS was owed fees for services rendered that were not in fact rendered to the extent
4 and duration claimed, which statement was material to the filing in question.

5 COUNT 119 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

6 Defendant APRIL PARKS did on or about March 15, 2016 willfully, unlawfully,
7 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
8 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
9 Approve Final Accounting containing false statements in the guardianship case of WILLIAM
10 BRADY G-10-035162-A, which instrument, if genuine, might be filed, registered or recorded
11 in a public office under any law of the State of Nevada.

12 COUNT 120 - PERJURY

13 Defendant APRIL PARKS did on or about October 2, 2013 willfully make a false
14 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
15 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
16 of Guardian in the guardianship case of DELMOND FOSTER G-10-035339-A, which
17 document claimed that Defendant was owed fees for services rendered that were not in fact
18 rendered to the extent and duration claimed, which statement was material to the filing in
19 question.

20 COUNT 121 - PERJURY

21 Defendant MARK SIMMONS did on or about October 2, 2013, suborn APRIL PARKS
22 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
23 Professional Guardian, LLC to falsify records, of the amount and value of services provided
24 in the guardianship case of DELMOND FOSTER G-10-035339-A, knowing that APRIL
25 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
26 of perjury, a First Annual Accounting and Report of Guardian in the guardianship case of
27 DELMOND FOSTER G-10-035339-A, which document claimed that APRIL PARKS was
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1 owed fees for services rendered that were not in fact rendered to the extent and duration
2 claimed, which statement was material to the filing in question.

3 **COUNT 122 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD**

4 Defendant APRIL PARKS did on or about October 2, 2013 willfully, unlawfully,
5 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
6 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
7 Guardian containing false statements in the guardianship case of DELMOND FOSTER G-10-
8 035339-A, which instrument, if genuine, might be filed, registered or recorded in a public
9 office under any law of the State of Nevada.

10 **COUNT 123 - PERJURY**

11 Defendant APRIL PARKS did on or about January 9, 2015 willfully make a false
12 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
13 Clark County District Court, under penalty of perjury, a Second and Final Account and Report
14 of Guardian and/or Petition for Payment of Fees and for Termination of Guardianship in the
15 guardianship case of DELMOND FOSTER G-10-035339-A, which document claimed that
16 APRIL PARKS was owed fees for services rendered that were not in fact rendered to the extent
17 and duration claimed, which statement was material to the filing in question.

18 **COUNT 124 - PERJURY**

19 Defendant MARK SIMMONS did on or about January 9, 2015, suborn APRIL PARKS
20 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
21 Professional Guardian, LLC to falsify records, of the amount and value of services provided
22 in the guardianship case of DELMOND FOSTER G-10-035339-A, knowing that APRIL
23 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
24 of perjury, a Second and Final Account and Report of Guardian and/or Petition for Payment
25 of Fees and for Termination of Guardianship in the guardianship case of DELMOND FOSTER
26 G-10-035339-A, which document claimed that APRIL PARKS was owed fees for services
27 rendered that were not in fact rendered to the extent and duration claimed, which statement
28 was material to the filing in question.

1 COUNT 125 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

2 Defendant APRIL PARKS did on or about January 9, 2015 willfully, unlawfully,
3 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
4 or recorded at Clark County District Court, to wit: a Second and Final Account and Report of
5 Guardian and/or Petition for Payment of Fees and for Termination of Guardianship containing
6 false statements in the guardianship case of DELMOND FOSTER G-10-035339-A, which
7 instrument, if genuine, might be filed, registered or recorded in a public office under any law
8 of the State of Nevada.

9 COUNT 126 - PERJURY

10 Defendant APRIL PARKS did on or about April 3, 2014 willfully make a false
11 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
12 Clark County District Court, under penalty of perjury, a Second Annual Accounting and
13 Report of Guardian in the guardianship case of PATRICIA SMOAK G-10-035078-A, which
14 document claimed that Defendant was owed fees for services rendered that were not in fact
15 rendered to the extent and duration claimed, which statement was material to the filing in
16 question.

17 COUNT 127 - PERJURY

18 Defendant MARK SIMMONS did on or about April 3, 2014, suborn APRIL PARKS
19 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
20 Professional Guardian, LLC to falsify records, of the amount and value of services provided
21 in the guardianship case of PATRICIA SMOAK G-10-035078-A, knowing that APRIL
22 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
23 of perjury, a Second Annual Accounting and Report of Guardian in the guardianship case of
24 PATRICIA SMOAK G-10-035078-A, which document claimed that APRIL PARKS was
25 owed fees for services rendered that were not in fact rendered to the extent and duration
26 claimed, which statement was material to the filing in question.

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1 COUNT 128 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

2 Defendant APRIL PARKS did on or about April 3, 2014 willfully, unlawfully,
3 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
4 or recorded at Clark County District Court, to wit: a Second Annual Accounting and Report
5 of Guardian containing false statements in the guardianship case of PATRICIA SMOAK G-
6 10-035078-A, which instrument, if genuine, might be filed, registered or recorded in a public
7 office under any law of the State of Nevada.

8 COUNT 129 - PERJURY

9 Defendant APRIL PARKS did on or about April 6, 2015 willfully make a false
10 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
11 Clark County District Court, under penalty of perjury, a Third Annual Accounting and Report
12 of Guardian in the guardianship case of PATRICIA SMOAK G-10-035078-A, which
13 document claimed that Defendant was owed fees for services rendered that were not in fact
14 rendered to the extent and duration claimed, which statement was material to the filing in
15 question.

16 COUNT 130 - PERJURY

17 Defendant MARK SIMMONS did on or about April 6, 2015, suborn APRIL PARKS
18 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
19 Professional Guardian, LLC to falsify records, of the amount and value of services provided
20 in the guardianship case of PATRICIA SMOAK G-10-035078-A, knowing that APRIL
21 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
22 of perjury, a Third Annual Accounting and Report of Guardian in the guardianship case of
23 PATRICIA SMOAK G-10-035078-A, which document claimed that APRIL PARKS was
24 owed fees for services rendered that were not in fact rendered to the extent and duration
25 claimed, which statement was material to the filling in question.

26 COUNT 131 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

27 Defendant APRIL PARKS did on or about April 6, 2015 willfully, unlawfully,
28 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered

1 or recorded at Clark County District Court, to wit: a Third Annual Accounting and Report of
2 Guardian containing false statements in the guardianship case of PATRICIA SMOAK G-10-
3 035078-A, which instrument, if genuine, might be filed, registered or recorded in a public
4 office under any law of the State of Nevada.

5 COUNT 132 - PERJURY

6 Defendant APRIL PARKS did on or about March 8, 2016 willfully make a false
7 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
8 Clark County District Court, under penalty of perjury, a Fourth Annual Accounting of Co-
9 Guardian and Final Account of Former co-Guardian, April L. Parks, Manager of A Private
10 Professional Guardian, LLC, in the guardianship case of PATRICIA SMOAK G-10-035078-
11 A, which document claimed that Defendant was owed fees for services rendered that were not
12 in fact rendered to the extent and duration claimed, which statement was material to the filing
13 in question.

14 COUNT 133 - PERJURY

15 Defendant MARK SIMMONS did on or about March 8, 2016, suborn APRIL PARKS
16 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
17 Professional Guardian, LLC to falsify records, of the amount and value of services provided
18 in the guardianship case of PATRICIA SMOAK G-10-035078-A, knowing that APRIL
19 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
20 of perjury, a Fourth Annual Accounting of Co-Guardian and Final Account of Former co-
21 Guardian, April L. Parks, Manager of A Private Professional Guardian, LLC, in the
22 guardianship case of PATRICIA SMOAK G-10-035078-A, which document claimed that
23 APRIL PARKS was owed fees for services rendered that were not in fact rendered to the
24 extent and duration claimed, which statement was material to the filing in question.

25 COUNT 134 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

26 Defendant APRIL PARKS did on or about March 8, 2016 willfully, unlawfully,
27 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
28 or recorded at Clark County District Court, to wit: a Fourth Annual Accounting of Co-

1 Guardian and Final Account of Former co-Guardian, April L. Parks, Manager of A Private
2 Professional Guardian, LLC, containing false statements in the guardianship case of
3 PATRICIA SMOAK G-10-035078-A, which instrument, if genuine, might be filed, registered
4 or recorded in a public office under any law of the State of Nevada.

5 COUNT 135 - PERJURY

6 Defendant APRIL PARKS did on or about November 14, 2014 willfully make a false
7 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
8 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
9 of Guardian, in the guardianship case of MARILYN SCHOLL G-13-038909-A, which
10 document claimed that Defendant was owed fees for services rendered that were not in fact
11 rendered to the extent and duration claimed, which statement was material to the filing in
12 question.

13 COUNT 136 - PERJURY

14 Defendant MARK SIMMONS did on or about November 14, 2014, suborn APRIL
15 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
16 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
17 provided in the guardianship case of MARILYN SCHOLL G-13-038909-A, knowing that
18 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under
19 penalty of perjury, a First Annual Accounting and Report of Guardian, in the guardianship
20 case of MARILYN SCHOLL G-13-038909-A, which document claimed that APRIL PARKS
21 was owed fees for services rendered that were not in fact rendered to the extent and duration
22 claimed, which statement was material to the filing in question.

23 COUNT 137 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

24 Defendant APRIL PARKS did on or about November 14, 2014 willfully, unlawfully,
25 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
26 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
27 Guardian, containing false statements in the guardianship case of MARILYN SCHOLL G-13-
28

1 038909-A, which instrument, if genuine, might be filed, registered or recorded in a public
2 office under any law of the State of Nevada.

3 COUNT 138 - PERJURY

4 Defendant APRIL PARKS did on or about August 31, 2015 willfully make a false
5 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
6 Clark County District Court, under penalty of perjury, a Second Annual Accounting and
7 Report of Guardian, in the guardianship case of MARILYN SCHOLL G-13-038909-A, which
8 document claimed that Defendant was owed fees for services rendered that were not in fact
9 rendered to the extent and duration claimed, which statement was material to the filing in
10 question.

11 COUNT 139 - PERJURY

12 Defendant MARK SIMMONS did on or about August 31, 2015, suborn APRIL
13 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
14 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
15 provided in the guardianship case of MARILYN SCHOLL G-13-038909-A, knowing that
16 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under
17 penalty of perjury, a Second Annual Accounting and Report of Guardian, in the guardianship
18 case of MARILYN SCHOLL G-13-038909-A, which document claimed that APRIL PARKS
19 was owed fees for services rendered that were not in fact rendered to the extent and duration
20 claimed, which statement was material to the filing in question.

21 COUNT 140 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

22 Defendant APRIL PARKS did on or about August 31, 2015 willfully, unlawfully,
23 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
24 or recorded at Clark County District Court, to wit: a Second Annual Accounting and Report
25 of Guardian, containing false statements in the guardianship case of MARILYN SCHOLL G-
26 13-038909-A, which instrument, if genuine, might be filed, registered or recorded in a public
27 office under any law of the State of Nevada.

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1 COUNT 141 - PERJURY

2 Defendant APRIL PARKS did on or about January 21, 2015 willfully make a false
3 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
4 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
5 of Guardian, in the guardianship case of KENNETH EDWARDS G-13-039636-A, which
6 document claimed that Defendant was owed fees for services rendered that were not in fact
7 rendered to the extent and duration claimed, which statement was material to the filing in
8 question.

9 COUNT 142 - PERJURY

10 Defendant MARK SIMMONS did on or about January 21, 2015, suborn APRIL
11 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
12 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
13 provided in the guardianship case of KENNETH EDWARDS G-13-039636-A, knowing that
14 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under
15 penalty of perjury, a First Annual Accounting and Report of Guardian, in the guardianship
16 case of KENNETH EDWARDS G-13-039636-A, which document claimed that APRIL
17 PARKS was owed fees for services rendered that were not in fact rendered to the extent and
18 duration claimed, which statement was material to the filing in question.

19 COUNT 143 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

20 Defendant APRIL PARKS did on or about January 21, 2015, willfully, unlawfully,
21 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
22 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
23 Guardian, containing false statements in the guardianship case of KENNETH EDWARDS G-
24 13-039636-A, which instrument, if genuine, might be filed, registered or recorded in a public
25 office under any law of the State of Nevada.

26 COUNT 144 - PERJURY

27 Defendant APRIL PARKS did on or about March 15, 2016, willfully make a false
28 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the

1 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
2 and Approve Final Accounting, in the guardianship case of KENNETH EDWARDS G-13-
3 039636-A, which document claimed that Defendant was owed fees for services rendered that
4 were not in fact rendered to the extent and duration claimed, which statement was material to
5 the filing in question.

6 **COUNT 145 - PERJURY**

7 Defendant MARK SIMMONS did on or about March 15, 2016, suborn APRIL PARKS
8 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
9 Professional Guardian, LLC to falsify records, of the amount and value of services provided
10 in the guardianship case of KENNETH EDWARDS G-13-039636-A, knowing that APRIL
11 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
12 of perjury, a Petition to Terminate Guardianship and Approve Final Accounting, in the
13 guardianship case of KENNETH EDWARDS G-13-039636-A, which document claimed that
14 APRIL PARKS was owed fees for services rendered that were not in fact rendered to the extent
15 and duration claimed, which statement was material to the filing in question.

16 **COUNT 146 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD**

17 Defendant APRIL PARKS did on or about March 15, 2016, willfully, unlawfully,
18 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
19 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
20 Approve Final Accounting, containing false statements in the guardianship case of KENNETH
21 EDWARDS G-13-039636-A, which instrument, if genuine, might be filed, registered or
22 recorded in a public office under any law of the State of Nevada.

23 **COUNT 147 - PERJURY**

24 Defendant APRIL PARKS did on or about May 30, 2014, willfully make a false
25 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
26 Clark County District Court, under penalty of perjury, a Fourth Annual Accounting and Report
27 of Guardian, in the guardianship case of GLORIA SCHNERINGER G-09-034019-A, which
28 document claimed that Defendant was owed fees for services rendered that were not in fact

1 rendered to the extent and duration claimed, which statement was material to the filing in
2 question.

3 COUNT 148 - PERJURY

4 Defendant MARK SIMMONS did on or about May 30, 2014, suborn APRIL PARKS
5 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
6 Professional Guardian, LLC to falsify records, of the amount and value of services provided
7 in the guardianship case of GLORIA SCHNERINGER G-09-034019-A, knowing that APRIL
8 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
9 of perjury, a Fourth Annual Accounting and Report of Guardian, in the guardianship case of
10 GLORIA SCHNERINGER G-09-034019-A, which document claimed that APRIL PARKS
11 was owed fees for services rendered that were not in fact rendered to the extent and duration
12 claimed, which statement was material to the filing in question.

13 COUNT 149 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

14 Defendant APRIL PARKS did on or about May 30, 2014, willfully, unlawfully,
15 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
16 or recorded at Clark County District Court, to wit: a Fourth Annual Accounting and Report
17 of Guardian, containing false statements in the guardianship case of GLORIA
18 SCHNERINGER G-09-034019-A, which instrument, if genuine, might be filed, registered or
19 recorded in a public office under any law of the State of Nevada.

20 COUNT 150 - PERJURY

21 Defendant APRIL PARKS did on or about March 23, 2015, willfully make a false
22 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
23 Clark County District Court, under penalty of perjury, a Fifth Annual Account and Report of
24 Guardian, Notice of Death of Co-Guardian James N. Schneringer and/or Order for
25 Confirmation of Investing the wards Funds, in the guardianship case of GLORIA
26 SCHNERINGER G-09-034019-A, which document claimed that Defendant was owed fees
27 for services rendered that were not in fact rendered to the extent and duration claimed, which
28 statement was material to the filing in question.

1 COUNT 151 - PERJURY

2 Defendant MARK SIMMONS did on or about March 23, 2015, suborn APRIL PARKS
3 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
4 Professional Guardian, LLC to falsify records, of the amount and value of services provided
5 in the guardianship case of GLORIA SCHNERINGER G-09-034019-A, knowing that APRIL
6 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
7 of perjury, a Fifth Annual Account and Report of Guardian, Notice of Death of Co-Guardian
8 James N. Schneringer and/or Order for Confirmation of Investing the wards Funds, in the
9 guardianship case of GLORIA SCHNERINGER G-09-034019-A, which document claimed
10 that APRIL PARKS was owed fees for services rendered that were not in fact rendered to the
11 extent and duration claimed, which statement was material to the filing in question.

12 COUNT 152 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

13 Defendant APRIL PARKS did on or about March 23, 2015, willfully, unlawfully,
14 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
15 or recorded at Clark County District Court, to wit: a Fifth Annual Account and Report of
16 Guardian, Notice of Death of Co-Guardian James N. Schneringer and/or Order for
17 Confirmation of Investing the wards Funds, containing false statements in the guardianship
18 case of GLORIA SCHNERINGER G-09-034019-A, which instrument, if genuine, might be
19 filed, registered or recorded in a public office under any law of the State of Nevada.

20 COUNT 153 - PERJURY

21 Defendant APRIL PARKS did on or about March 6, 2015, willfully make a false
22 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
23 Clark County District Court, under penalty of perjury, a Second Annual Accounting and
24 Report of Guardian, in the guardianship case of JANICE MITCHELL G-11-035593-A, which
25 document claimed that Defendant was owed fees for services rendered that were not in fact
26 rendered to the extent and duration claimed, which statement was material to the filing in
27 question.

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1 COUNT 154 - PERJURY

2 Defendant MARK SIMMONS did on or about March 6, 2015, suborn APRIL PARKS
3 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
4 Professional Guardian, LLC to falsify records, of the amount and value of services provided
5 in the guardianship case of JANICE MITCHELL G-11-035593-A, knowing that APRIL
6 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
7 of perjury, a Second Annual Accounting and Report of Guardian, in the guardianship case of
8 Janice Mitchell G-11-035593-A, which document claimed that APRIL PARKS was owed fees
9 for services rendered that were not in fact rendered to the extent and duration claimed, which
10 statement was material to the filing in question.

11 COUNT 155 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

12 Defendant APRIL PARKS did on or about March 6, 2015, willfully, unlawfully,
13 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
14 or recorded at Clark County District Court, to wit: a Second Annual Accounting and Report
15 of Guardian, containing false statements in the guardianship case of JANICE MITCHELL G-
16 11-035593-A, which instrument, if genuine, might be filed, registered or recorded in a public
17 office under any law of the State of Nevada.

18 COUNT 156 - PERJURY

19 Defendant APRIL PARKS did on or about August 20, 2014, willfully make a false
20 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
21 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
22 and Approve Final Accounting, in the guardianship case of MARY VITEK G-12-037215-A,
23 which document claimed that Defendant was owed fees for services rendered that were not in
24 fact rendered to the extent and duration claimed, which statement was material to the filing in
25 question.

26 COUNT 157 - PERJURY

27 Defendant MARK SIMMONS did on or about August 20, 2014, suborn APRIL
28 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees

1 of A Private Professional Guardian, LLC to falsify records, of the amount and value of services
2 provided in the guardianship case of MARY VITEK G-12-037215-A, knowing that APRIL
3 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
4 of perjury, a Petition to Terminate Guardianship and Approve Final Accounting, in the
5 guardianship case of MARY VITEK G-12-037215-A, which document claimed that APRIL
6 PARKS was owed fees for services rendered that were not in fact rendered to the extent and
7 duration claimed, which statement was material to the filing in question.

8 COUNT 158 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

9 Defendant APRIL PARKS did on or about August 20, 2014, willfully, unlawfully,
10 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
11 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
12 Approve Final Accounting, containing false statements in the guardianship case of MARY
13 VITEK G-12-037215-A, which instrument, if genuine, might be filed, registered or recorded
14 in a public office under any law of the State of Nevada.

15 COUNT 159 - PERJURY

16 Defendant APRIL PARKS did on or about December 18, 2014, willfully make a false
17 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
18 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
19 of Guardian, in the guardianship case of CECILIA CASS G-13-039449-A, which document
20 claimed that Defendant was owed fees for services rendered that were not in fact rendered to
21 the extent and duration claimed, which statement was material to the filing in question.

22 COUNT 160 - PERJURY

23 Defendant MARK SIMMONS did on or about December 18, 2014, suborn APRIL
24 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
25 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
26 provided in the guardianship case of CECILIA CASS G-13-039449-A, knowing that APRIL
27 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
28 of perjury, a First Annual Accounting and Report of Guardian, in the guardianship case of

1 CECILIA CASS G-13-039449-A, which document claimed that APRIL PARKS was owed
2 fees for services rendered that were not in fact rendered to the extent and duration claimed,
3 which statement was material to the filing in question.

4 COUNT 161 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

5 Defendant APRIL PARKS did on or about December 18, 2014, willfully, unlawfully,
6 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
7 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
8 Guardian, containing false statements in the guardianship case of CECILIA CASS G-13-
9 039449-A, which instrument, if genuine, might be filed, registered or recorded in a public
10 office under any law of the State of Nevada.

11 COUNT 162 - PERJURY

12 Defendant APRIL PARKS did on or about June 3, 2014, willfully make a false
13 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
14 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
15 and Approve Final Accounting, in the guardianship case of ROY CASS G-13-039443-A,
16 which document claimed that Defendant was owed fees for services rendered that were not in
17 fact rendered to the extent and duration claimed, which statement was material to the filing in
18 question.

19 COUNT 163 - PERJURY

20 Defendant MARK SIMMONS did on or about June 3, 2014, suborn APRIL PARKS to
21 commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
22 Professional Guardian, LLC to falsify records, of the amount and value of services provided
23 in the guardianship case of Roy Cass G-13-039443-A, knowing that APRIL PARKS would
24 knowingly offer for filing with the Clark County District Court, under penalty of perjury, a
25 Petition to Terminate Guardianship and Approve Final Accounting, in the guardianship case
26 of ROY CASS G-13-039443-A, which document claimed that APRIL PARKS was owed fees
27 for services rendered that were not in fact rendered to the extent and duration claimed, which
28 statement was material to the filing in question.

1 COUNT 164 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

2 Defendant APRIL PARKS did on or about June 3, 2014, willfully, unlawfully,
3 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
4 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
5 Approve Final Accounting, containing false statements in the guardianship case of ROY CASS
6 G-13-039443-A, which instrument, if genuine, might be filed, registered or recorded in a
7 public office under any law of the State of Nevada.

8 COUNT 165 - PERJURY

9 Defendant APRIL PARKS did on or about May 8, 2015, willfully make a false
10 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
11 Clark County District Court, under penalty of perjury, a Second and Final Account and Report
12 of Guardian, Petition for Payment of Fees, For Termination of Guardianship and To Set Aside
13 Estate without Administration, in the guardianship case of CLYDE BOWMAN 06G029707,
14 which document claimed that Defendant was owed fees for services rendered that were not in
15 fact rendered to the extent and duration claimed, which statement was material to the filing in
16 question.

17 COUNT 166 - PERJURY

18 Defendant MARK SIMMONS did on or about May 8, 2015, suborn APRIL PARKS
19 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
20 Professional Guardian, LLC to falsify records, of the amount and value of services provided
21 in the guardianship case of Clyde Bowman 06G029707, knowing that APRIL PARKS would
22 knowingly offer for filing with the Clark County District Court, under penalty of perjury, a
23 Second and Final Account and Report of Guardian, Petition for Payment of Fees, For
24 Termination of Guardianship and To Set Aside Estate without Administration, in the
25 guardianship case of CLYDE BOWMAN 06G029707, which document claimed that APRIL
26 PARKS was owed fees for services rendered that were not in fact rendered to the extent and
27 duration claimed, which statement was material to the filing in question.

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1 COUNT 167 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

2 Defendant APRIL PARKS did on or about May 8, 2015, willfully, unlawfully,
3 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
4 or recorded at Clark County District Court, to wit: a Second and Final Account and Report of
5 Guardian, Petition for Payment of Fees, For Termination of Guardianship and To Set Aside
6 Estate without Administration, containing false statements in the guardianship case of CLYDE
7 BOWMAN 06G029707, which instrument, if genuine, might be filed, registered or recorded
8 in a public office under any law of the State of Nevada.

9 COUNT 168 - PERJURY

10 Defendant APRIL PARKS did on or about July 22, 2013, willfully make a false
11 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
12 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
13 of Guardian, in the guardianship case of ROY FRANKLIN G-12-037404-A, which document
14 claimed that Defendant was owed fees for services rendered that were not in fact rendered to
15 the extent and duration claimed, which statement was material to the filing in question.

16 COUNT 169 - PERJURY

17 Defendant MARK SIMMONS did on or about July 22, 2013, suborn APRIL PARKS
18 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
19 Professional Guardian, LLC to falsify records, of the amount and value of services provided
20 in the guardianship case of ROY FRANKLIN G-12-037404-A, knowing that APRIL PARKS
21 would knowingly offer for filing with the Clark County District Court, under penalty of
22 perjury, a First Annual Accounting and Report of Guardian, in the guardianship case of ROY
23 FRANKLIN G-12-037404-A, which document claimed that APRIL PARKS was owed fees
24 for services rendered that were not in fact rendered to the extent and duration claimed, which
25 statement was material to the filing in question.

26 COUNT 170 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

27 Defendant APRIL PARKS did on or about July 22, 2013, willfully, unlawfully,
28 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered

1 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
2 Guardian, containing false statements in the guardianship case of ROY FRANKLIN G-12-
3 037404-A, which instrument, if genuine, might be filed, registered or recorded in a public
4 office under any law of the State of Nevada.

5 COUNT 171 - PERJURY

6 Defendant APRIL PARKS did on or about August 20, 2014, willfully make a false
7 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
8 Clark County District Court, under penalty of perjury, a Second Annual Accounting and
9 Report of Guardian, in the guardianship case of ROY FRANKLIN G-12-037404-A, which
10 document claimed that Defendant was owed fees for services rendered that were not in fact
11 rendered to the extent and duration claimed, which statement was material to the filing in
12 question.

13 COUNT 172 - PERJURY

14 Defendant MARK SIMMONS did on or about August 20, 2014, suborn APRIL
15 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
16 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
17 provided in the guardianship case of ROY FRANKLIN G-12-037404-A, knowing that APRIL
18 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
19 of perjury, a Second Annual Accounting and Report of Guardian, in the guardianship case of
20 ROY FRANKLIN G-12-037404-A, which document claimed that APRIL PARKS was owed
21 fees for services rendered that were not in fact rendered to the extent and duration claimed,
22 which statement was material to the filing in question.

23 COUNT 173 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

24 Defendant APRIL PARKS did on or about August 20, 2014, willfully, unlawfully,
25 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
26 or recorded at Clark County District Court, to wit: a Second Annual Accounting and Report
27 of Guardian, containing false statements in the guardianship case of ROY FRANKLIN G-12-

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1 037404-A, which instrument, if genuine, might be filed, registered or recorded in a public
2 office under any law of the State of Nevada.

3 COUNT 174 - PERJURY

4 Defendant APRIL PARKS did on or about June 23, 2015, willfully make a false
5 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
6 Clark County District Court, under penalty of perjury, a Third and Final Account and Report
7 of Guardian, Petition for Payment of Fees and for Termination of Guardianship, in the
8 guardianship case of ROY FRANKLIN G-12-037404-A, which document claimed that
9 Defendant was owed fees for services rendered that were not in fact rendered to the extent and
10 duration claimed, which statement was material to the filing in question.

11 COUNT 175 - PERJURY

12 Defendant MARK SIMMONS did on or about June 23, 2015, suborn APRIL PARKS
13 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
14 Professional Guardian, LLC to falsify records, of the amount and value of services provided
15 in the guardianship case of ROY FRANKLIN G-12-037404-A, knowing that APRIL PARKS
16 would knowingly offer for filing with the Clark County District Court, under penalty of
17 perjury, a Third and Final Account and Report of Guardian, Petition for Payment of Fees and
18 for Termination of Guardianship, in the guardianship case of ROY FRANKLIN G-12-037404-
19 A, which document claimed that APRIL PARKS was owed fees for services rendered that
20 were not in fact rendered to the extent and duration claimed, which statement was material to
21 the filing in question.

22 COUNT 176 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

23 Defendant APRIL PARKS did on or about June 23, 2015, willfully, unlawfully,
24 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
25 or recorded at Clark County District Court, to wit: a Third and Final Account and Report of
26 Guardian, Petition for Payment of Fees and for Termination of Guardianship, containing false
27 statements in the guardianship case of ROY FRANKLIN G-12-037404-A, which instrument,

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1 if genuine, might be filed, registered or recorded in a public office under any law of the State
2 of Nevada.

3 COUNT 177 - PERJURY

4 Defendant APRIL PARKS did on or about March 3, 2015, willfully make a false
5 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
6 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
7 of Guardian, in the guardianship case of JUANITA GRAHAM G-13-039161-A, which
8 document claimed that Defendant was owed fees for services rendered that were not in fact
9 rendered to the extent and duration claimed, which statement was material to the filing in
10 question.

11 COUNT 178 - PERJURY

12 Defendant MARK SIMMONS did on or about March 3, 2015, suborn APRIL PARKS
13 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
14 Professional Guardian, LLC to falsify records, of the amount and value of services provided
15 in the guardianship case of JUANITA GRAHAM G-13-039161-A, knowing that APRIL
16 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
17 of perjury, a First Annual Accounting and Report of Guardian, in the guardianship case of
18 JUANITA GRAHAM G-13-039161-A, which document claimed that APRIL PARKS was
19 owed fees for services rendered that were not in fact rendered to the extent and duration
20 claimed, which statement was material to the filing in question.

21 COUNT 179 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

22 Defendant APRIL PARKS did on or about March 3, 2015, willfully, unlawfully,
23 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
24 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
25 Guardian, containing false statements in the guardianship case of JUANITA GRAHAM G-13-
26 039161-A, which instrument, if genuine, might be filed, registered or recorded in a public
27 office under any law of the State of Nevada.

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1 COUNT 180 - PERJURY

2 Defendant APRIL PARKS did on or about November 11, 2015, willfully make a false
3 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
4 Clark County District Court, under penalty of perjury, a Second Annual Accounting and
5 Report of Guardian, in the guardianship case of JUANITA GRAHAM G-13-039161-A, which
6 document claimed that Defendant was owed fees for services rendered that were not in fact
7 rendered to the extent and duration claimed, which statement was material to the filing in
8 question.

9 COUNT 181 - PERJURY

10 Defendant MARK SIMMONS did on or about November 11, 2015, suborn APRIL
11 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
12 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
13 provided in the guardianship case of JUANITA GRAHAM G-13-039161-A, knowing that
14 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under
15 penalty of perjury, a Second Annual Accounting and Report of Guardian, in the guardianship
16 case of JUANITA GRAHAM G-13-039161-A, which document claimed that APRIL PARKS
17 was owed fees for services rendered that were not in fact rendered to the extent and duration
18 claimed, which statement was material to the filing in question.

19 COUNT 182 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

20 Defendant APRIL PARKS did on or about November 11, 2015, willfully, unlawfully,
21 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
22 or recorded at Clark County District Court, to wit: a Second Annual Accounting and Report
23 of Guardian, containing false statements in the guardianship case of JUANITA GRAHAM G-
24 13-039161-A, which instrument, if genuine, might be filed, registered or recorded in a public
25 office under any law of the State of Nevada.

26 COUNT 183 - PERJURY

27 Defendant APRIL PARKS did on or about November 22, 2015, willfully make a false
28 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the

1 Clark County District Court, under penalty of perjury, a First and Final Account and Report
2 of Guardian and Petition for Payment of Fees and for Termination of Guardianship, in the
3 guardianship case of YOSHIKO KINDAICHI G-13-039448-A, which document claimed that
4 Defendant was owed fees for services rendered that were not in fact rendered to the extent and
5 duration claimed, which statement was material to the filing in question.

6 COUNT 184 - PERJURY

7 Defendant MARK SIMMONS did on or about November 22, 2015, suborn APRIL
8 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
9 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
10 provided in the guardianship case of YOSHIKO KINDAICHI G-13-039448-A, knowing that
11 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under
12 penalty of perjury, a First and Final Account and Report of Guardian and Petition for Payment
13 of Fees and for Termination of Guardianship, in the guardianship case of YOSHIKO
14 KINDAICHI G-13-039448-A, which document claimed that APRIL PARKS was owed fees
15 for services rendered that were not in fact rendered to the extent and duration claimed, which
16 statement was material to the filing in question.

17 COUNT 185 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

18 Defendant APRIL PARKS did on or about November 22, 2015, willfully, unlawfully,
19 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
20 or recorded at Clark County District Court, to wit: a First and Final Account and Report of
21 Guardian and Petition for Payment of Fees and for Termination of Guardianship, containing
22 false statements in the guardianship case of YOSHIKO KINDAICHI G-13-039448-A, which
23 instrument, if genuine, might be filed, registered or recorded in a public office under any law
24 of the State of Nevada.

25 COUNT 186 - PERJURY

26 Defendant APRIL PARKS did on or about August 21, 2014, willfully make a false
27 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
28 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report

1 of Guardian, in the guardianship case of WALTER WRIGHT G-11-036232-A, which
2 document claimed that Defendant was owed fees for services rendered that were not in fact
3 rendered to the extent and duration claimed, which statement was material to the filing in
4 question.

5 COUNT 187 - PERJURY

6 Defendant MARK SIMMONS did on or about August 21, 2014, suborn APRIL
7 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
8 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
9 provided in the guardianship case of WALTER WRIGHT G-11-036232-A, knowing that
10 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under
11 penalty of perjury, a First Annual Accounting and Report of Guardian, in the guardianship
12 case of WALTER WRIGHT G-11-036232-A, which document claimed that APRIL PARKS
13 was owed fees for services rendered that were not in fact rendered to the extent and duration
14 claimed, which statement was material to the filing in question.

15 COUNT 188 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

16 Defendant APRIL PARKS did on or about August 21, 2014, willfully, unlawfully,
17 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
18 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
19 Guardian, containing false statements in the guardianship case of WALTER WRIGHT G-11-
20 036232-A, which instrument, if genuine, might be filed, registered or recorded in a public
21 office under any law of the State of Nevada.

22 COUNT 189 - PERJURY

23 Defendant APRIL PARKS did on or about June 23, 2015, willfully make a false
24 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
25 Clark County District Court, under penalty of perjury, a Second Annual Accounting and
26 Report of Guardian, in the guardianship case of WALTER WRIGHT G-11-036232-A, which
27 document claimed that Defendant was owed fees for services rendered that were not in fact

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1 rendered to the extent and duration claimed, which statement was material to the filing in
2 question.

3 COUNT 190 - PERJURY

4 Defendant MARK SIMMONS did on or about June 23, 2015, suborn APRIL PARKS
5 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
6 Professional Guardian, LLC to falsify records, of the amount and value of services provided
7 in the guardianship case of WALTER WRIGHT G-11-036232-A, knowing that APRIL
8 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
9 of perjury, a Second Annual Accounting and Report of Guardian, in the guardianship case of
10 WALTER WRIGHT G-11-036232-A, which document claimed that APRIL PARKS was
11 owed fees for services rendered that were not in fact rendered to the extent and duration
12 claimed, which statement was material to the filing in question.

13 COUNT 191 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

14 Defendant APRIL PARKS did on or about June 23, 2015, willfully, unlawfully,
15 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
16 or recorded at Clark County District Court, to wit: a Second Annual Accounting and Report
17 of Guardian, containing false statements in the guardianship case of WALTER WRIGHT G-
18 11-036232-A, which instrument, if genuine, might be filed, registered or recorded in a public
19 office under any law of the State of Nevada.

20 COUNT 192 - PERJURY

21 Defendant APRIL PARKS did on or about August 27, 2015, willfully make a false
22 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
23 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
24 and Approve Final Accounting, in the guardianship case of WALTER WRIGHT G-11-
25 036232-A, which document claimed that Defendant was owed fees for services rendered that
26 were not in fact rendered to the extent and duration claimed, which statement was material to
27 the filing in question.

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1 COUNT 193 - PERJURY

2 Defendant MARK SIMMONS did on or about August 27, 2015, suborn APRIL
3 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
4 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
5 provided in the guardianship case of WALTER WRIGHT G-11-036232-A, knowing that
6 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under
7 penalty of perjury, a Petition to Terminate Guardianship and Approve Final Accounting, in
8 the guardianship case of WALTER WRIGHT G-11-036232-A, which document claimed that
9 APRIL PARKS was owed fees for services rendered that were not in fact rendered to the extent
10 and duration claimed, which statement was material to the filing in question.

11 COUNT 194 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

12 Defendant APRIL PARKS did on or about August 27, 2015, willfully, unlawfully,
13 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
14 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
15 Approve Final Accounting, containing false statements in the guardianship case of WALTER
16 WRIGHT G-11-036232-A, which instrument, if genuine, might be filed, registered or
17 recorded in a public office under any law of the State of Nevada.

18 COUNT 195 - PERJURY

19 Defendant APRIL PARKS did on or about March 3, 2015, willfully make a false
20 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
21 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
22 of Guardian, in the guardianship case of MARTHA ORNELAS G-13-039145-A, which
23 document claimed that Defendant was owed fees for services rendered that were not in fact
24 rendered to the extent and duration claimed, which statement was material to the filing in
25 question.

26 COUNT 196 - PERJURY

27 Defendant MARK SIMMONS did on or about March 3, 2015, suborn APRIL PARKS
28 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private

1 Professional Guardian, LLC to falsify records, of the amount and value of services provided
2 in the guardianship case of MARTHA ORNELAS G-13-039145-A, knowing that APRIL
3 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
4 of perjury, a First Annual Accounting and Report of Guardian, in the guardianship case of
5 MARTHA ORNELAS G-13-039145-A, which document claimed that APRIL PARKS was
6 owed fees for services rendered that were not in fact rendered to the extent and duration
7 claimed, which statement was material to the filing in question.

8 COUNT 197 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

9 Defendant APRIL PARKS did on or about March 3, 2015, willfully, unlawfully,
10 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
11 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
12 Guardian, containing false statements in the guardianship case of MARTHA ORNELAS G-
13 13-039145-A, which instrument, if genuine, might be filed, registered or recorded in a public
14 office under any law of the State of Nevada.

15 COUNT 198 - PERJURY

16 Defendant APRIL PARKS did on or about July 7, 2015, willfully make a false
17 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
18 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
19 and Approve Final Accounting, in the guardianship case of MARTHA ORNELAS G-13-
20 039145-A, which document claimed that Defendant was owed fees for services rendered that
21 were not in fact rendered to the extent and duration claimed, which statement was material to
22 the filing in question.

23 COUNT 199 - PERJURY

24 Defendant MARK SIMMONS did on or about July 7, 2015, suborn APRIL PARKS to
25 commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
26 Professional Guardian, LLC to falsify records, of the amount and value of services provided
27 in the guardianship case of MARTHA ORNELAS G-13-039145-A, knowing that APRIL
28 PARKS would knowingly offer for filing with the Clark County District Court, under penalty

1 of perjury, a Petition to Terminate Guardianship and Approve Final Accounting, in the
2 guardianship case of MARTHA ORNELAS G-13-039145-A, which document claimed that
3 APRIL PARKS was owed fees for services rendered that were not in fact rendered to the extent
4 and duration claimed, which statement was material to the filing in question.

5 COUNT 200 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

6 Defendant APRIL PARKS did on or about July 7, 2015, willfully, unlawfully,
7 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
8 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
9 Approve Final Accounting, containing false statements in the guardianship case of MARTHA
10 ORNELAS G-13-039145-A, which instrument, if genuine, might be filed, registered or
11 recorded in a public office under any law of the State of Nevada.

12 COUNT 201 - PERJURY

13 Defendant APRIL PARKS did on or about March 31, 2015, willfully make a false
14 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
15 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
16 of Guardian, in the guardianship case of ROBERT SMITH G-14-039910-A, which document
17 claimed that Defendant was owed fees for services rendered that were not in fact rendered to
18 the extent and duration claimed, which statement was material to the filing in question.

19 COUNT 202 - PERJURY

20 Defendant MARK SIMMONS did on or about March 31, 2015, suborn APRIL PARKS
21 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
22 Professional Guardian, LLC to falsify records, of the amount and value of services provided
23 in the guardianship case of ROBERT SMITH G-14-039910-A, knowing that APRIL PARKS
24 would knowingly offer for filing with the Clark County District Court, under penalty of
25 perjury, a First Annual Accounting and Report of Guardian, in the guardianship case of
26 ROBERT SMITH G-14-039910-A, which document claimed that APRIL PARKS was owed
27 fees for services rendered that were not in fact rendered to the extent and duration claimed,
28 which statement was material to the filing in question.

1 COUNT 203 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

2 Defendant APRIL PARKS did on or about March 31, 2015, willfully, unlawfully,
3 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
4 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
5 Guardian, containing false statements in the guardianship case of ROBERT SMITH G-14-
6 039910-A, which instrument, if genuine, might be filed, registered or recorded in a public
7 office under any law of the State of Nevada.

8 COUNT 204 - PERJURY

9 Defendant APRIL PARKS did on or about May 28, 2014, willfully make a false
10 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
11 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
12 and Approve Final Accounting, in the guardianship case of LARRY COBLE G-10-035166-
13 A, which document claimed that Defendant was owed fees for services rendered that were not
14 in fact rendered to the extent and duration claimed, which statement was material to the filing
15 in question.

16 COUNT 205 - PERJURY

17 Defendant MARK SIMMONS did on or about May 28, 2014, suborn APRIL PARKS
18 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
19 Professional Guardian, LLC to falsify records, of the amount and value of services provided
20 in the guardianship case of LARRY COBLE G-10-035166-A, knowing that APRIL PARKS
21 would knowingly offer for filing with the Clark County District Court, under penalty of
22 perjury, a Petition to Terminate Guardianship and Approve Final Accounting, in the
23 guardianship case of LARRY COBLE G-10-035166-A, which document claimed that APRIL
24 PARKS was owed fees for services rendered that were not in fact rendered to the extent and
25 duration claimed, which statement was material to the filing in question.

26 COUNT 206 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

27 Defendant APRIL PARKS did on or about May 28, 2014, willfully, unlawfully,
28 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered

1 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
2 Approve Final Accounting, containing false statements in the guardianship case of LARRY
3 COBLE G-10-035166-A, which instrument, if genuine, might be filed, registered or recorded
4 in a public office under any law of the State of Nevada.

5 COUNT 207 - PERJURY

6 Defendant APRIL PARKS did on or about March 15, 2016, willfully make a false
7 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
8 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
9 and Approve Final Accounting, in the guardianship case of LINDA FISHER G-14-041060-A,
10 which document claimed that Defendant was owed fees for services rendered that were not in
11 fact rendered to the extent and duration claimed, which statement was material to the filing in
12 question.

13 COUNT 208 - PERJURY

14 Defendant MARK SIMMONS did on or about March 15, 2016, suborn APRIL PARKS
15 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
16 Professional Guardian, LLC to falsify records, of the amount and value of services provided
17 in the guardianship case of LINDA FISHER G-14-041060-A, knowing that APRIL PARKS
18 would knowingly offer for filing with the Clark County District Court, under penalty of
19 perjury, a Petition to Terminate Guardianship and Approve Final Accounting, in the
20 guardianship case of LINDA FISHER G-14-041060-A, which document claimed that APRIL
21 PARKS was owed fees for services rendered that were not in fact rendered to the extent and
22 duration claimed, which statement was material to the filing in question.

23 COUNT 209 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

24 Defendant APRIL PARKS did on or about March 15, 2016, willfully, unlawfully,
25 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
26 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
27 Approve Final Accounting, containing false statements in the guardianship case of LINDA

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1 FISHER G-14-041060-A, which instrument, if genuine, might be filed, registered or recorded
2 in a public office under any law of the State of Nevada.

3 COUNT 210 - PERJURY

4 Defendant APRIL PARKS did on or about July 24, 2015, willfully make a false
5 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
6 Clark County District Court, under penalty of perjury, a First Annual Account, in the
7 guardianship case of EDWARD ATHERTON G-14-040243-A, which document claimed that
8 Defendant was owed fees for services rendered that were not in fact rendered to the extent and
9 duration claimed, which statement was material to the filing in question.

10 COUNT 211 - PERJURY

11 Defendant MARK SIMMONS did on or about July 24, 2015, suborn APRIL PARKS
12 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
13 Professional Guardian, LLC to falsify records, of the amount and value of services provided
14 in the guardianship case of EDWARD ATHERTON G-14-040243-A, knowing that APRIL
15 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
16 of perjury, a First Annual Account, in the guardianship case of EDWARD ATHERTON G-
17 14-040243-A, which document claimed that APRIL PARKS was owed fees for services
18 rendered that were not in fact rendered to the extent and duration claimed, which statement
19 was material to the filing in question.

20 COUNT 212 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

21 Defendant APRIL PARKS did on or about July 24, 2015, willfully, unlawfully,
22 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
23 or recorded at Clark County District Court, to wit: a First Annual Account, containing false
24 statements in the guardianship case of EDWARD ATHERTON G-14-040243-A, which
25 instrument, if genuine, might be filed, registered or recorded in a public office under any law
26 of the State of Nevada.

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1 COUNT 213 - PERJURY

2 Defendant APRIL PARKS did on or about February 20, 2016, willfully make a false
3 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
4 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
5 and Approve Final Accounting, in the guardianship case of EDWARD ATHERTON G-14-
6 040243-A, which document claimed that Defendant was owed fees for services rendered that
7 were not in fact rendered to the extent and duration claimed, which statement was material to
8 the filing in question.

9 COUNT 214 - PERJURY

10 Defendant MARK SIMMONS did on or about February 20, 2016, suborn APRIL
11 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
12 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
13 provided in the guardianship case of EDWARD ATHERTON G-14-040243-A, knowing that
14 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under
15 penalty of perjury, a Petition to Terminate Guardianship and Approve Final Accounting, in
16 the guardianship case of EDWARD ATHERTON G-14-040243-A, which document claimed
17 that APRIL PARKS was owed fees for services rendered that were not in fact rendered to the
18 extent and duration claimed, which statement was material to the filing in question.

19 COUNT 215 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

20 Defendant APRIL PARKS did on or about February 20, 2016, willfully, unlawfully,
21 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
22 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
23 Approve Final Accounting, containing false statements in the guardianship case of EDWARD
24 ATHERTON G-14-040243-A, which instrument, if genuine, might be filed, registered or
25 recorded in a public office under any law of the State of Nevada.

26 COUNT 216 - PERJURY

27 Defendant APRIL PARKS did on or about May 13, 2016, willfully make a false
28 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the

1 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
2 and Approve Final Accounting, in the guardianship case of CHARLES MADDERA G-12-
3 038107-A, which document claimed that Defendant was owed fees for services rendered that
4 were not in fact rendered to the extent and duration claimed, which statement was material to
5 the filing in question.

6 **COUNT 217 - PERJURY**

7 Defendant MARK SIMMONS did on or about May 13, 2016, suborn APRIL PARKS
8 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
9 Professional Guardian, LLC to falsify records, of the amount and value of services provided
10 in the guardianship case of CHARLES MADDERA G-12-038107-A, knowing that APRIL
11 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
12 of perjury, a Petition to Terminate Guardianship and Approve Final Accounting, in the
13 guardianship case of CHARLES MADDERA G-12-038107-A, which document claimed that
14 APRIL PARKS was owed fees for services rendered that were not in fact rendered to the extent
15 and duration claimed, which statement was material to the filing in question.

16 **COUNT 218 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD**

17 Defendant APRIL PARKS did on or about May 13, 2016, willfully, unlawfully,
18 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
19 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
20 Approve Final Accounting, containing false statements in the guardianship case of CHARLES
21 MADDERA G-12-038107-A, which instrument, if genuine, might be filed, registered or
22 recorded in a public office under any law of the State of Nevada.

23 **COUNT 219 - PERJURY**

24 Defendant APRIL PARKS did on or about July 7, 2015, willfully make a false
25 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
26 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
27 of Guardian, in the guardianship case of REX LYONS G-14-040310-A, which document

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1 claimed that Defendant was owed fees for services rendered that were not in fact rendered to
2 the extent and duration claimed, which statement was material to the filing in question.

3 COUNT 220 - PERJURY

4 Defendant MARK SIMMONS did on or about July 7, 2015, suborn APRIL PARKS to
5 commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
6 Professional Guardian, LLC to falsify records, of the amount and value of services provided
7 in the guardianship case of REX LYONS G-14-040310-A, knowing that APRIL PARKS
8 would knowingly offer for filing with the Clark County District Court, under penalty of
9 perjury, a First Annual Accounting and Report of Guardian, in the guardianship case of REX
10 LYONS G-14-040310-A, which document claimed that APRIL PARKS was owed fees for
11 services rendered that were not in fact rendered to the extent and duration claimed, which
12 statement was material to the filing in question.

13 COUNT 221 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

14 Defendant APRIL PARKS did on or about July 7, 2015, willfully, unlawfully,
15 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
16 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
17 Guardian, containing false statements in the guardianship case of REX LYONS G-14-040310-
18 A, which instrument, if genuine, might be filed, registered or recorded in a public office under
19 any law of the State of Nevada.

20 COUNT 222 - PERJURY

21 Defendant APRIL PARKS did on or about March 15, 2016, willfully make a false
22 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
23 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
24 and Approve Final Accounting, in the guardianship case of REX LYONS G-14-040310-A,
25 which document claimed that Defendant was owed fees for services rendered that were not in
26 fact rendered to the extent and duration claimed, which statement was material to the filing in
27 question.

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1 COUNT 223 - PERJURY

2 Defendant MARK SIMMONS did on or about March 15, 2016, suborn APRIL PARKS
3 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
4 Professional Guardian, LLC to falsify records, of the amount and value of services provided
5 in the guardianship case of REX LYONS G-14-040310-A, knowing that APRIL PARKS
6 would knowingly offer for filing with the Clark County District Court, under penalty of
7 perjury, a Petition to Terminate Guardianship and Approve Final Accounting, in the
8 guardianship case of REX LYONS G-14-040310-A, which document claimed that APRIL
9 PARKS was owed fees for services rendered that were not in fact rendered to the extent and
10 duration claimed, which statement was material to the filing in question.

11 COUNT 224 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

12 Defendant APRIL PARKS did on or about March 15, 2016, willfully, unlawfully,
13 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
14 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
15 Approve Final Accounting, containing false statements in the guardianship case of REX
16 LYONS G-14-040310-A, which instrument, if genuine, might be filed, registered or recorded
17 in a public office under any law of the State of Nevada.

18 COUNT 225 - PERJURY

19 Defendant APRIL PARKS did on or about August 13, 2014, willfully make a false
20 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
21 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
22 of Guardian, in the guardianship case of MARLENE HOMER G-12-037395-A, which
23 document claimed that Defendant was owed fees for services rendered that were not in fact
24 rendered to the extent and duration claimed, which statement was material to the filing in
25 question.

26 COUNT 226 - PERJURY

27 Defendant MARK SIMMONS did on or about August 13, 2014, suborn APRIL
28 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of

1 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
2 provided in the guardianship case of MARLENE HOMER G-12-037395-A, knowing that
3 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under
4 penalty of perjury, a First Annual Accounting and Report of Guardian, in the guardianship
5 case of MARLENE HOMER G-12-037395-A, which document claimed that APRIL PARKS
6 was owed fees for services rendered that were not in fact rendered to the extent and duration
7 claimed, which statement was material to the filing in question.

8 **COUNT 227 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD**

9 Defendant APRIL PARKS did on or about August 13, 2014, willfully, unlawfully,
10 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
11 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
12 Guardian, containing false statements in the guardianship case of MARLENE HOMER G-12-
13 037395-A, which instrument, if genuine, might be filed, registered or recorded in a public
14 office under any law of the State of Nevada.

15 **COUNT 228 - PERJURY**

16 Defendant APRIL PARKS did on or about February 20, 2016, willfully make a false
17 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
18 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
19 and Approve Final Accounting, in the guardianship case of MARLENE HOMER G-12-
20 037395-A, which document claimed that Defendant was owed fees for services rendered that
21 were not in fact rendered to the extent and duration claimed, which statement was material to
22 the filing in question.

23 **COUNT 229 - PERJURY**

24 Defendant MARK SIMMONS did on or about February 20, 2016, suborn APRIL
25 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
26 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
27 provided in the guardianship case of MARLENE HOMER G-12-037395-A, knowing that
28 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under

1 penalty of perjury, a Petition to Terminate Guardianship and Approve Final Accounting, in
2 the guardianship case of MARLENE HOMER G-12-037395-A, which document claimed that
3 APRIL PARKS was owed fees for services rendered that were not in fact rendered to the extent
4 and duration claimed, which statement was material to the filing in question.

5 COUNT 230 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

6 Defendant APRIL PARKS did on or about February 20, 2016, willfully, unlawfully,
7 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
8 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
9 Approve Final Accounting, containing false statements in the guardianship case of
10 MARLENE HOMER G-12-037395-A, which instrument, if genuine, might be filed, registered
11 or recorded in a public office under any law of the State of Nevada.

12 COUNT 231 - PERJURY

13 Defendant APRIL PARKS did on or about January 9, 2015, willfully make a false
14 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
15 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
16 of Guardian, in the guardianship case of MARIE LONG G-12-037438-A, which document
17 claimed that APRIL PARKS was owed fees for services rendered that were not in fact rendered
18 to the extent and duration claimed, which statement was material to the filing in question.

19 COUNT 232 - PERJURY

20 Defendant MARK SIMMONS did on or about January 9, 2015, suborn APRIL PARKS
21 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
22 Professional Guardian, LLC to falsify records, of the amount and value of services provided
23 in the guardianship case of MARIE LONG G-12-037438-A, knowing that APRIL PARKS
24 would knowingly offer for filing with the Clark County District Court, under penalty of
25 perjury, a First Annual Accounting and Report of Guardian, in the guardianship case of
26 MARIE LONG G-12-037438-A, which document claimed that APRIL PARKS was owed fees
27 for services rendered that were not in fact rendered to the extent and duration claimed, which
28 statement was material to the filing in question.

1 COUNT 233 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

2 Defendant APRIL PARKS did on or about January 9, 2015, willfully, unlawfully,
3 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
4 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
5 Guardian, containing false statements in the guardianship case of MARIE LONG G-12-
6 037438-A, which instrument, if genuine, might be filed, registered or recorded in a public
7 office under any law of the State of Nevada.

8 COUNT 234 - PERJURY

9 Defendant APRIL PARKS did on or about September 29, 2015, willfully make a false
10 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
11 Clark County District Court, under penalty of perjury, a Second Annual Accounting and
12 Report of Guardian, in the guardianship case of MARIE LONG G-12-037438-A, which
13 document claimed that Defendant was owed fees for services rendered that were not in fact
14 rendered to the extent and duration claimed, which statement was material to the filing in
15 question.

16 COUNT 235 - PERJURY

17 Defendant MARK SIMMONS did on or about September 29, 2015, suborn APRIL
18 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
19 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
20 provided in the guardianship case of MARIE LONG G-12-037438-A, knowing that APRIL
21 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
22 of perjury, a Second Annual Accounting and Report of Guardian, in the guardianship case of
23 MARIE LONG G-12-037438-A, which document claimed that APRIL PARKS was owed fees
24 for services rendered that were not in fact rendered to the extent and duration claimed, which
25 statement was material to the filing in question.

26 COUNT 236 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

27 Defendant APRIL PARKS did on or about September 29, 2015, willfully, unlawfully,
28 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered

1 or recorded at Clark County District Court, to wit: a Second Annual Accounting and Report
2 of Guardian, containing false statements in the guardianship case of MARIE LONG G-12-
3 037438-A, which instrument, if genuine, might be filed, registered or recorded in a public
4 office under any law of the State of Nevada.

5 COUNT 237 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

6 Defendant APRIL PARKS did on or about April 10, 2015, willfully, unlawfully,
7 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
8 or recorded at Clark County District Court, to wit: a First Annual Accounting, Report of
9 Guardian of Person and Estate of RUDY NORTH, and/or a Petition for Instructions and
10 Authority to Sell Coins, containing false statements in the guardianship case of RUDY
11 NORTH G-13-039133-A, which instrument, if genuine, might be filed, registered or recorded
12 in a public office under any law of the State of Nevada.

13 COUNT 238 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

14 Defendant APRIL PARKS did on or about May 8, 2015, willfully, unlawfully,
15 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
16 or recorded at Clark County District Court, to wit: an Amended First Annual Accounting of
17 Guardianship Estate of RUDY NORTH, containing false statements in the guardianship case
18 of RUDY NORTH G-13-039133-A, which instrument, if genuine, might be filed, registered
19 or recorded in a public office under any law of the State of Nevada.

20 COUNT 239 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

21 Defendant APRIL PARKS did on or about February 26, 2016, willfully, unlawfully,
22 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
23 or recorded at Clark County District Court, to wit: a Second and Final Accounting of
24 Guardianship Estate of RUDY NORTH, containing false statements in the guardianship case
25 of RUDY NORTH G-13-039133-A, which instrument, if genuine, might be filed, registered
26 or recorded in a public office under any law of the State of Nevada.

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1 COUNT 240 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

2 Defendant APRIL PARKS did on or about April 10, 2015, willfully, unlawfully,
3 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
4 or recorded at Clark County District Court, to wit: a First Annual Accounting, Report of
5 Guardian of Person and Estate of RENNIE NORTH, and/or Petition for Instructions and
6 Authority to Sell Coins, containing false statements in the guardianship case of RENNIE
7 NORTH G-13-039132-A, which instrument, if genuine, might be filed, registered or recorded
8 in a public office under any law of the State of Nevada.

9 COUNT 241 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

10 Defendant APRIL PARKS did on or about May 8, 2015, willfully, unlawfully,
11 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
12 or recorded at Clark County District Court, to wit: an Amended First Annual Accounting of
13 Guardianship Estate of RENNIE NORTH, containing false statements in the guardianship case
14 of RENNIE NORTH G-13-039132-A, which instrument, if genuine, might be filed, registered
15 or recorded in a public office under any law of the State of Nevada.

16 COUNT 242 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

17 Defendant APRIL PARKS did on or about February 26, 2016, willfully, unlawfully,
18 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
19 or recorded at Clark County District Court, to wit: a Second and Final Accounting of
20 Guardianship Estate of RENNIE NORTH, containing false statements in the guardianship case
21 of RENNIE NORTH G-13-039132-A, which instrument, if genuine, might be filed, registered
22 or recorded in a public office under any law of the State of Nevada.

23 COUNT 243 - PERJURY

24 Defendant APRIL PARKS did on or about August 20, 2015, willfully make a false
25 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
26 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
27 of Guardian, in the guardianship case of HAROLD LOCKWOOD G-12-037193-A, which
28 document claimed that Defendant was owed fees for services rendered that were not in fact

1 rendered to the extent and duration claimed, which statement was material to the filing in
2 question.

3 COUNT 244 - PERJURY

4 Defendant MARK SIMMONS did on or about August 20, 2015, suborn APRIL
5 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
6 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
7 provided in the guardianship case of HAROLD LOCKWOOD G-12-037193-A, knowing that
8 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under
9 penalty of perjury, a First Annual Accounting and Report of Guardian, in the guardianship
10 case of HAROLD LOCKWOOD G-12-037193-A, which document claimed that APRIL
11 PARKS was owed fees for services rendered that were not in fact rendered to the extent and
12 duration claimed, which statement was material to the filing in question.

13 COUNT 245 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

14 Defendant APRIL PARKS did on or about August 20, 2015, willfully, unlawfully,
15 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
16 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
17 Guardian, containing false statements in the guardianship case of HAROLD LOCKWOOD G-
18 12-037193-A, which instrument, if genuine, might be filed, registered or recorded in a public
19 office under any law of the State of Nevada.

20 COUNT 246 - PERJURY

21 Defendant APRIL PARKS did on or about December 20, 2014, willfully make a false
22 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
23 Clark County District Court, under penalty of perjury, a Petition of Guardian APRIL PARKS
24 to Withdraw and Petition for Approval of Fees and Costs, in the guardianship case of
25 NORBERT WILKENING G-13-038438-A, which document claimed that Defendant was
26 owed fees for services rendered that were not in fact rendered to the extent and duration
27 claimed, which statement was material to the filing in question.

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1 COUNT 247 - PERJURY

2 Defendant MARK SIMMONS did on or about December 20, 2014, suborn APRIL
3 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
4 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
5 provided in the guardianship case of NORBERT WILKENING G-13-038438-A, knowing that
6 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under
7 penalty of perjury, a Petition of Guardian APRIL PARKS to Withdraw and Petition for
8 Approval of Fees and Costs, in the guardianship case of NORBERT WILKENING G-13-
9 038438-A, which document claimed that APRIL PARKS was owed fees for services rendered
10 that were not in fact rendered to the extent and duration claimed, which statement was material
11 to the filing in question.

12 COUNT 248 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

13 Defendant APRIL PARKS did on or about December 20, 2014, willfully, unlawfully,
14 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
15 or recorded at Clark County District Court, to wit: a Petition of Guardian APRIL PARKS to
16 Withdraw and Petition for Approval of Fees and Costs, containing false statements in the
17 guardianship case of NORBERT WILKENING G-13-038438-A, which instrument, if
18 genuine, might be filed, registered or recorded in a public office under any law of the State of
19 Nevada.

20 COUNT 249 - PERJURY

21 Defendant APRIL PARKS did on or about October 30, 2013, willfully make a false
22 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
23 Clark County District Court, under penalty of perjury, a First and Final Account and Report
24 of Guardian, Petition for Payment of Fees and For Termination of Guardianship, in the
25 guardianship case of ADOLFO GONZALEZ G-13-038316-A, which document claimed that
26 Defendant was owed fees for services rendered that were not in fact rendered to the extent and
27 duration claimed, which statement was material to the filing in question.

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1 COUNT 250 - PERJURY

2 Defendant MARK SIMMONS did on or about October 30, 2013, suborn APRIL
3 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
4 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
5 provided in the guardianship case of ADOLFO GONZALEZ G-13-038316-A, knowing that
6 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under
7 penalty of perjury, a First and Final Account and Report of Guardian, Petition for Payment of
8 Fees and For Termination of Guardianship, in the guardianship case of ADOLFO
9 GONZALEZ G-13-038316-A, which document claimed that APRIL PARKS was owed fees
10 for services rendered that were not in fact rendered to the extent and duration claimed, which
11 statement was material to the filing in question.

12 COUNT 251 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

13 Defendant APRIL PARKS did on or about October 30, 2013, willfully, unlawfully,
14 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
15 or recorded at Clark County District Court, to wit: a First and Final Account and Report of
16 Guardian, Petition for Payment of Fees and For Termination of Guardianship, containing false
17 statements in the guardianship case of ADOLFO GONZALEZ G-13-038316-A, which
18 instrument, if genuine, might be filed, registered or recorded in a public office under any law
19 of the State of Nevada.

20 COUNT 252 - PERJURY

21 Defendant APRIL PARKS did on or about June 19, 2015, willfully make a false
22 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
23 Clark County District Court, under penalty of perjury, a First Annual Account, Report of
24 Guardian and Petition for Confirmation of Sale of Personal Property, in the guardianship case
25 of DELORES SMITH G-13-039454-A, which document claimed that Defendant was owed
26 fees for services rendered that were not in fact rendered to the extent and duration claimed,
27 which statement was material to the filing in question.

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1 COUNT 253 - PERJURY

2 Defendant MARK SIMMONS did on or about June 19, 2015, suborn APRIL PARKS
3 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
4 Professional Guardian, LLC to falsify records, of the amount and value of services provided
5 in the guardianship case of DELORES SMITH G-13-039454-A, knowing that APRIL PARKS
6 would knowingly offer for filing with the Clark County District Court, under penalty of
7 perjury, a First Annual Account, Report of Guardian and Petition for Confirmation of Sale of
8 Personal Property, in the guardianship case of DELORES SMITH G-13-039454-A, which
9 document claimed that APRIL PARKS was owed fees for services rendered that were not in
10 fact rendered to the extent and duration claimed, which statement was material to the filing in
11 question.

12 COUNT 254 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

13 Defendant APRIL PARKS did on or about June 19, 2015, willfully, unlawfully,
14 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
15 or recorded at Clark County District Court, to wit: a First Annual Account, Report of Guardian
16 and Petition for Confirmation of Sale of Personal Property, containing false statements in the
17 guardianship case of DELORES SMITH G-13-039454-A, which instrument, if genuine, might
18 be filed, registered or recorded in a public office under any law of the State of Nevada.

19 COUNT 255 - PERJURY

20 Defendant APRIL PARKS did on or about March 25, 2016, willfully make a false
21 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
22 Clark County District Court, under penalty of perjury, a Petition to Terminate Guardianship
23 and Approve Final Accounting, in the guardianship case of DELORES SMITH G-13-039454-
24 A, which document claimed that Defendant was owed fees for services rendered that were not
25 in fact rendered to the extent and duration claimed, which statement was material to the filing
26 in question.

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1 COUNT 256 - PERJURY

2 Defendant MARK SIMMONS did on or about March 25, 2016, suborn APRIL PARKS
3 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
4 Professional Guardian, LLC to falsify records, of the amount and value of services provided
5 in the guardianship case of DELORES SMITH G-13-039454-A, knowing that APRIL PARKS
6 would knowingly offer for filing with the Clark County District Court, under penalty of
7 perjury, a Petition to Terminate Guardianship and Approve Final Accounting, in the
8 guardianship case of DELORES SMITH G-13-039454-A, which document claimed that
9 APRIL PARKS was owed fees for services rendered that were not in fact rendered to the extent
10 and duration claimed, which statement was material to the filing in question.

11 COUNT 257 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

12 Defendant APRIL PARKS did on or about March 25, 2016, willfully, unlawfully,
13 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
14 or recorded at Clark County District Court, to wit: a Petition to Terminate Guardianship and
15 Approve Final Accounting, containing false statements in the guardianship case of DELORES
16 SMITH G-13-039454-A, which instrument, if genuine, might be filed, registered or recorded
17 in a public office under any law of the State of Nevada.

18 COUNT 258 - PERJURY

19 Defendant APRIL PARKS did on or about July 31, 2015, willfully make a false
20 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
21 Clark County District Court, under penalty of perjury, a First and Second Annual Accounting
22 Combined and Report of Guardian, in the guardianship case of LINDA PHILLIPS G-08-
23 032515-A, which document claimed that Defendant was owed fees for services rendered that
24 were not in fact rendered to the extent and duration claimed, which statement was material to
25 the filing in question.

26 COUNT 259 - PERJURY

27 Defendant MARK SIMMONS did on or about July 31, 2015, suborn APRIL PARKS
28 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private

1 Professional Guardian, LLC to falsify records, of the amount and value of services provided
2 in the guardianship case of LINDA PHILLIPS G-08-032515-A, knowing that APRIL PARKS
3 would knowingly offer for filing with the Clark County District Court, under penalty of
4 perjury, a First and Second Annual Accounting Combined and Report of Guardian, in the
5 guardianship case of LINDA PHILLIPS G-08-032515-A, which document claimed that
6 APRIL PARKS was owed fees for services rendered that were not in fact rendered to the extent
7 and duration claimed, which statement was material to the filing in question.

8 COUNT 260 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

9 Defendant APRIL PARKS did on or about July 31, 2015, willfully, unlawfully,
10 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
11 or recorded at Clark County District Court, to wit: a First and Second Annual Accounting
12 Combined and Report of Guardian, containing false statements in the guardianship case of
13 LINDA PHILLIPS G-08-032515-A, which instrument, if genuine, might be filed, registered
14 or recorded in a public office under any law of the State of Nevada.

15 COUNT 261 - PERJURY

16 Defendant APRIL PARKS did on or about November 14, 2014, willfully make a false
17 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
18 Clark County District Court, under penalty of perjury, a Third Annual Accounting and Report
19 of Guardian, in the guardianship case of LINDA PHILLIPS G-08-032515-A, which document
20 claimed that Defendant was owed fees for services rendered that were not in fact rendered to
21 the extent and duration claimed, which statement was material to the filing in question.

22 COUNT 262 - PERJURY

23 Defendant MARK SIMMONS did on or about November 14, 2014, suborn APRIL
24 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
25 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
26 provided in the guardianship case of LINDA PHILLIPS G-08-032515-A, knowing that APRIL
27 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
28 of perjury, a Third Annual Accounting and Report of Guardian, in the guardianship case of

1 LINDA PHILLIPS G-08-032515-A, which document claimed that APRIL PARKS was owed
2 fees for services rendered that were not in fact rendered to the extent and duration claimed,
3 which statement was material to the filing in question.

4 COUNT 263 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

5 Defendant APRIL PARKS did on or about November 14, 2014, willfully, unlawfully,
6 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
7 or recorded at Clark County District Court, to wit: a Third Annual Accounting and Report of
8 Guardian, containing false statements in the guardianship case of LINDA PHILLIPS G-08-
9 032515-A, which instrument, if genuine, might be filed, registered or recorded in a public
10 office under any law of the State of Nevada.

11 COUNT 264 - PERJURY

12 Defendant APRIL PARKS did on or about July 14, 2014, willfully make a false
13 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
14 Clark County District Court, under penalty of perjury, a First Annual Accounting and Report
15 of Guardian, in the guardianship case of FRANK PAPAPIETRO G-12-037226-A, which
16 document claimed that Defendant was owed fees for services rendered that were not in fact
17 rendered to the extent and duration claimed, which statement was material to the filing in
18 question.

19 COUNT 265 - PERJURY

20 Defendant MARK SIMMONS did on or about July 14, 2014, suborn APRIL PARKS
21 to commit perjury, to wit: by falsifying records and/or instructing other employees of A Private
22 Professional Guardian, LLC to falsify records, of the amount and value of services provided
23 in the guardianship case of FRANK PAPAPIETRO G-12-037226-A, knowing that APRIL
24 PARKS would knowingly offer for filing with the Clark County District Court, under penalty
25 of perjury, a First Annual Accounting and Report of Guardian, in the guardianship case of
26 FRANK PAPAPIETRO G-12-037226-A, which document claimed that APRIL PARKS was
27 owed fees for services rendered that were not in fact rendered to the extent and duration
28 claimed, which statement was material to the filing in question.

1 COUNT 266 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

2 Defendant APRIL PARKS did on or about July 14, 2014, willfully, unlawfully,
3 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
4 or recorded at Clark County District Court, to wit: a First Annual Accounting and Report of
5 Guardian, containing false statements in the guardianship case of FRANK PAPAPIETRO G-
6 12-037226-A, which instrument, if genuine, might be filed, registered or recorded in a public
7 office under any law of the State of Nevada.

8 COUNT 267 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

9 Defendant APRIL PARKS did on or about July 17, 2015, willfully, unlawfully,
10 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
11 or recorded at Clark County District Court, to wit: a Response to Objection to First Annual
12 Accounting and Report of Guardian and Amended First Annual Account and Report of
13 Guardian, containing false statements in the guardianship case of FRANK PAPAPIETRO G-
14 12-037226-A, which instrument, if genuine, might be filed, registered or recorded in a public
15 office under any law of the State of Nevada.

16 COUNT 268 - PERJURY

17 Defendant APRIL PARKS did on or about January 30, 2015, willfully make a false
18 statement in a declaration made under penalty of perjury, to wit: by offering for filing with the
19 Clark County District Court, under penalty of perjury, a First and Final Account and Report
20 of Guardian, Petition for Payment of Fees and Termination of Guardianship, in the
21 guardianship case of BARBARA NEELY G-14-040873-A, which document claimed that
22 Defendant was owed fees for services rendered that were not in fact rendered to the extent and
23 duration claimed, which statement was material to the filing in question.

24 COUNT 269 - PERJURY

25 Defendant MARK SIMMONS did on or about January 30, 2015, suborn APRIL
26 PARKS to commit perjury, to wit: by falsifying records and/or instructing other employees of
27 A Private Professional Guardian, LLC to falsify records, of the amount and value of services
28 provided in the guardianship case of BARBARA NEELY G-14-040873-A, knowing that

1 APRIL PARKS would knowingly offer for filing with the Clark County District Court, under
2 penalty of perjury, a First and Final Account and Report of Guardian, Petition for Payment of
3 Fees and Termination of Guardianship, in the guardianship case of BARBARA NEELY G-
4 14-040873-A, which document claimed that APRIL PARKS was owed fees for services
5 rendered that were not in fact rendered to the extent and duration claimed, which statement
6 was material to the filing in question.

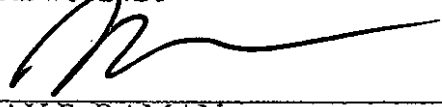
7 COUNT 270 - OFFERING FALSE INSTRUMENT FOR FILING OR RECORD

8 Defendant APRIL PARKS did on or about January 30, 2015, willfully, unlawfully,
9 knowingly and feloniously, procure or offer a false or forged instrument to be filed, registered
10 or recorded at Clark County District Court, to wit: a First and Final Account and Report of
11 Guardian, Petition for Payment of Fees and Termination of Guardianship, containing false
12 statements in the guardianship case of BARBARA NEELY G-14-040873-A, which
13 instrument, if genuine, might be filed, registered or recorded in a public office under any law
14 of the State of Nevada.

15 DATED this 7th day of March, 2017.

16 STEVEN B. WOLFSON
17 Clark County District Attorney
18 Nevada Bar #001565
19 ADAM P. LAXALT
20 Nevada Attorney General
21 Nevada Bar #012426

22 BY


23 JAY P. RAMAN
24 Chief Deputy District Attorney
25 Nevada Bar #010193

26 BY


27 DANIEL E. WESTMEYER
28 Senior Deputy Attorney General
Nevada Bar #010273

29 ENDORSEMENT: A True Bill


30 Foreperson, Clark County Grand Jury

Names of Witnesses and testifying before the Grand Jury:

BISHOP, TODD

EUGENIO, JOSEPHINE

FORD, DIANE

HAYNES, COLIN

KEILTY, EDWARD

KELLY, KAREN

KRAMER, HEIDI

LIEBO, JULIE

NORHEIM, JON

O'MALLEY, JACLYN

SANCHEZ, ANGELICA

WOODRUM, HOMA

Additional Witnesses known to the District Attorney or Attorney General at time of filing the

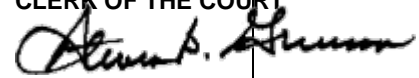
Indictment:

CUSTODIAN OF RECORDS, CCDC

CUSTODIAN OF RECORDS, LVMPD COMMUNICATIONS

CUSTODIAN OF RECORDS, LVMPD RECORDS

16AGJ151A-D/mc-GJ
LVMPD EV#1508192043
(TK)



CASE NO: A-19-807564-W
Department 6

PET

RESCH LAW, PLLC d/b/a Conviction Solutions

By: Jamie J. Resch

Nevada Bar Number 7154

2620 Regatta Dr., Suite 102

Las Vegas, Nevada, 89128

Telephone (702) 483-7360

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.:

Dept. No:

(Criminal case no. C321808-1)

**PETITION FOR WRIT OF HABEAS CORPUS
(POST-CONVICTION)**

1. Name of institution and county in which you are presently imprisoned or where
and how you are presently restrained of your liberty: **Florence McClure Women's Correctional
Center, Clark County, Nevada.**

2. Name and location of court which entered the judgment of conviction under
attack: **Eighth Judicial District Court, Dept. XIV, 200 Lewis Avenue, Las Vegas, NV 89101.**

3. Date of judgment of conviction: **July 10, 2019.**

4. Case number: **C-17-321808-1**

5(a). Length of sentence: **Count 1: 72 to 180 months NDOC, Count 2: 72 to 180
months NDOC, c/s to Count 1, Count 3: 24 to 60 months NDOC, c/s to Count 2, Count 4:**

1 **24 to 60 months NDOC, c/s to Count 3, Count 5: 19 to 48 months NDOC, c/c to Count 3.**

2 **Aggregate – 192 to 480 months NDOC.**

3 5(b). If sentence is death, state any date upon which execution is
4
5 scheduled: **N/A.**

6 6. Are you presently serving a sentence for a conviction other than the
7
8 conviction under attack in this motion? **Yes. Currently serving 72 to 180 months NDOC in**
9 **C329886 which is concurrent to the conviction under review here.**

10 If "yes," list crime, case number and sentence being served at this time:

11 7. Nature of offense involved in conviction being challenged: **Count 1, Exploitation**
12 **of an Older/Vulnerable Person, Count 2, Exploitation of an Older/Vulnerable Person,**
13 **Count 3, Theft, Count 4, Theft, Count 5, Perjury.**

14 8. What was your plea? (check one)

15 (a) Not guilty X

16 (b) Guilty

17 (c) Guilty but mentally ill

18 **(d) Nolo contendere X (Alford)**

19 9. If you entered a plea of guilty or guilty but mentally ill to one count of an
20
21 indictment or information, and a plea of not guilty to another count of an indictment or
22
23 information, or if a plea of guilty or guilty but mentally ill was negotiated, give details: **N/A.**

24 10. If you were found guilty or guilty but mentally ill after a plea of not
25
26 guilty, was the finding made by: (check one)

27 (a) Jury .

1 (b) Judge without a jury __.

2 11. Did you testify at the trial? Yes___No __

3 12. Did you appeal from the judgment of conviction? Yes __ **No _X_**

4 13. If you did appeal, answer the following:

5 (a) Name of court:

6 (b) Case number or citation:

7 (c) Result:

8 (d) Date of result:

9 (Attach copy of order or decision, if available.)

10 14. If you did not appeal, explain briefly why you did not: **Trial counsel was**
11 **ineffective by failing to file a notice of appeal on my behalf, I expressed extreme**
12 **dissatisfaction with my sentence, which was substantially higher than an offer counsel**
13 **advised to me reject and also substantially higher than what the presentence report**
14 **recommended. I did tell my attorney that I wanted to appeal and I expressed a desire to**
15 **counsel to fight the sentence in any way possible.**

16 15. Other than a direct appeal from the judgment of conviction and sentence, have
17 you previously filed any petitions, applications or motions with respect to this judgment in any
18 court, state or federal? Yes___ **No _X_**

19 16. If your answer to No. 15 was "yes," give the following information:

20 (a) Name of court:

21 (b) Case number or citation:

22 (c) Result:

1 (d) Date of result:

2 17. Has any ground being raised in this petition been previously presented to this or
3
4 any other court by way of petition for habeas corpus, motion, application or any other post-
5 conviction proceeding? **No** If so, identify:

6 (a) Which of the grounds is the same:

7
8 (b) The proceedings in which these grounds were raised:

9 (c) Briefly explain why you are again raising these grounds. (You must relate specific facts in
10 response to this question. Your response may be included on paper which is 8 1/2 by 11 inches
11 attached to the petition. Your response may not exceed five handwritten or typewritten pages in
12 length).

13
14 18. If any of the grounds listed in Nos. 23(a), (b), (c) and (d), or listed on any
15 additional pages you have attached, were not previously presented in any other court, state or
16 federal, list briefly what grounds were not so presented, and give your reasons for not
17 presenting them. (You must relate specific facts in response to this question. Your response may
18 be included on paper which is 8 1/2 by 11 inches attached to the petition. Your response may
19 not exceed five handwritten or typewritten pages in length).

20
21
22 19. Are you filing this petition more than 1 year following the filing of the judgment
23 of conviction or the filing of a decision on direct appeal? **No.**

24 20. Do you have any petition or appeal now pending in any court, either state or
25 federal, as to the judgment under attack? Yes____ **No** **X** If yes, state what court and the case
26 number:
27
28

1 21. Give the name of each attorney who represented you in the proceeding resulting
2 in your conviction and on direct appeal: **Trial: Anthony Goldstein, Esq.**

3
4 22. Do you have any future sentences to serve after you complete the
5 sentence imposed by the judgment under attack? Yes___ **No _X_**

6 If yes, specify where and when it is to be served, if you know: **N/A.**

7
8 23. State concisely every ground on which you claim that you are being held
9 unlawfully. Summarize briefly the facts supporting each ground. If necessary you may attach
10 pages stating additional grounds and facts supporting same.

11 (a) Ground One: **Petitioner's right to Due Process, a fair trial, and right to**
12 **effective counsel as guaranteed by the Fifth, Sixth and Fourteenth Amendments to the**
13 **United States Constitution and/or under state law or the Nevada Constitution were**
14 **violated when trial counsel advised Petitioner to reject a more favorable plea deal and**
15 **Petitioner was subsequently sentenced to a much longer period of incarceration.**

16
17 Supporting Facts (Tell your story briefly without citing cases or law):

18
19 The claim presented here relies on the longstanding right of criminal defendants to make
20 an informed decision whether or not to plead guilty, as explained in the Supreme Court's 2012
21 decisions in Missouri v. Frye, 132 S.Ct. 1399 (2012) and Lafler v. Cooper, 132 S.Ct. 1376 (2012).
22 As stated in Frye, the challenge "is not to the advice pertaining to the plea that was accepted
23 but rather to the course of legal representation that preceded it with respect to other potential
24 pleas and plea offers." Id. at 1406. The Supreme Court concluded that plea bargaining is a
25 critical stage of proceedings during which a defendant is entitled to effective assistance of
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27
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1 counsel because plea bargaining "is not some adjunct to the criminal justice system; it *is* the
2 criminal justice system." Id. at 1407.

3
4 The ultimate holding of Frye is directly relevant to the case at hand:

5 This Court now holds that, as a general rule, defense counsel has the duty to
6 communicate formal offers from the prosecution to accept a plea on terms and
7 conditions that may be favorable to the accused. Any exceptions to that rule
8 need not be explored here, for the offer was a formal one with a fixed expiration
9 date. When defense counsel allowed the offer to expire without advising the
defendant or allowing him to consider it, defense counsel did not render the
effective assistance the Constitution requires.

10 Id. at 1408.

11 To help guard against "late, frivolous, or fabricated claims" the Supreme Court noted that
12 "formal offers can be made part of the record at any subsequent plea proceeding or before trial
13 on the merits, to ensure that a defendant has been fully advised before those further
14 proceedings commence." Id. at 1408-09. To show prejudice on such a claim, the petitioner
15 must "demonstrate a reasonable probability they would have accepted the earlier plea offer had
16 they been afforded effective assistance of counsel." Id. at 1409. Also required is a showing that
17 under state law, the prosecution would not have canceled the offer or the trial court have
18 refused to accept the offer. The specific prejudice inquiry is whether the petitioner "would have
19 accepted the offer to plea pursuant to the terms earlier proposed." Id. at 1410.

20
21 Neither Frye nor Lafler purport to break new ground. That is, the Sixth Amendment has
22 always encompassed that criminal defendants "are entitled to the effective assistance of
23 competent counsel" during plea negotiations. Lafler, 132 S.Ct. at 1384, citing McMann v.
24 Richardson, 397 U.S. 759, 771 (1970). Nearly every court which has considered the issue has
25 held that Frye and Lafler did not create a new constitutional right which would be retroactively
26
27
28

1 applicable on collateral review, but rather merely restated longstanding constitutional
2 requirements concerning effective assistance of counsel. Ortiz v. United States, 2012 U.S. Dist.
3 LEXIS 159847 (E.D.N.Y. Nov. 7, 2012) (collecting cases).
4

5 In the instant case, there was a more favorable plea offer extended, and it is outlined in
6 the guilty plea agreement that was ultimately filed. See GPA, 11-5-18, p. 2. Specifically, the
7 agreement that was accepted saw Petitioner plead guilty per Alford to five serious felonies to
8 which the State retained the full right to argue. The agreement states that Petitioner rejected
9 “an aggregate sentence of eight to twenty years concurrent to each other on this case and Case
10 No. C329886.” GPA, 11-5-18, p. 2. In essence, Petitioner rejected a deal that would have
11 ensured an eight to twenty year sentence and instead ended up with a deal that featured
12 exposure ranging up to and including what would be an effective life sentence (Petitioner
13 having been approximately 53 years old at the time of sentencing).
14

15 The decision to reject the stipulated eight to twenty year sentence was the product of
16 ineffective assistance of counsel. Petitioner received inaccurate and unprofessional advice
17 concerning that offer and only rejected it on that basis. Had the risks and benefits of that offer
18 been fully and correctly explained to Petitioner, she would have accepted the original offer and
19 remains willing to do so now. Further, said offer is wholly consistent with societal norms – i.e.
20 what the Clark County District Attorney might have offered (and in fact did offer) to resolve the
21 matter. For the same reasons, there is no basis to conclude the court would have exercised any
22 supervisory power in rejecting that offer. Relief should be granted in the form of compelling the
23 State to re-offer the 8-20 plea offer to Petitioner for acceptance as part of these post-conviction
24 proceedings.
25
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1 (b) Ground Two: **Petitioner received ineffective assistance of trial counsel in**
2 **violation of her rights as guaranteed by the Fifth, Sixth or Fourteenth Amendments to the**
3 **United States Constitution and/or under state law or the Nevada Constitution when trial**
4 **counsel failed to challenge errors during sentencing and/or was otherwise ineffective in**
5 **conjunction with the sentencing proceeding.**
6

7 Trial counsel failed to adequately develop and present important mitigating evidence at
8 the time of sentencing, and ineffectively responded to the State's sentencing arguments.
9

10 First, defense counsel failed to respond to the State's argument at sentencing that
11 Petitioner "expresses no remorse" because she "only" pled guilty by way of the Alford decision.
12 See Sentencing Transcript, p. 12, 22. The State's argument was patently improper under state
13 law, yet defense counsel completely failed to object or respond to the same.
14

15 Second, the sentencing transcript reveals that no proper notice of victim speakers was
16 ever provided to defense counsel. Sentencing Transcript, p. 50. Trial counsel did lodge an
17 objection to any speakers being allowed to testify, which the court overruled. Further, the State
18 explained they sent the notices to "the wrong Goldstein." Sentencing Transcript, p. 51. The
19 Court overruled the objection but allowed defense counsel to lodge individual objections to
20 specific speakers. Sentencing Transcript, p. 52. However, no individual objections were lodged.
21 Further, based on the lack of proper notice, trial counsel's sentencing memorandum was
22 completely devoid of facts or investigation that would have placed Petitioner's actions in a more
23 favorable light.
24
25

26 As a result, the Court heard substantial testimony from multiple victim speakers which
27 went far beyond what would have been authorized under the statute, with no meaningful
28

1 rebuttal by trial counsel. The facts of individual cases require additional investigation and
2 presentation, and the appropriate requests for investigative assistance are being made
3 alongside the filing of this petition. However, highlights include at least one speaker screaming
4 repeatedly that Petitioner was "Hitler," (p. 114), that Petitioner impersonated a police officer
5 including by use of a LVMPD badge (p. 88), or that Petitioner was "Lilith," (p. 113), a reference to
6 a notorious biblical demon. Petitioner believes there were substantial additional facts and
7 argument at sentencing which went not just far beyond what the speaker statutes allow but also
8 would have been known to the State to be false, highly suspect, or impalpable.

11 Third, there was a wholesale rejection of P&P's presentence report sentencing
12 recommendation by the Court. ("I have no idea how parole and probation only thinks that you
13 deserve 64 months on the bottom, because that is absolutely not accurate and that is absolutely
14 what is not about to happen today"). Sentencing Transcript, p. 121. In fact, after a thorough
15 presentence investigation, P&P found that Petitioner actually qualified for a recommendation of
16 probation with a probation success probability score of 66. To be sure, P&P ultimately did
17 recommend a minimum sentence of incarceration of 64 months, but the overall finding of the
18 presentence report was favorable to Petitioner. Effective counsel would have either presented
19 information to the sentencing court to support P&P's recommendation, or requested someone
20 from P&P come to the sentencing to explain it themselves.

24 As a result of these errors, the trial court sentenced Petitioner to a minimum term of
25 incarceration of 192 months. This is **more than three times what P&P recommended and**
26 **double what the original offer would have called for.** The Supreme Court has held that any
27 increased amount of incarceration has constitutional significance and therefore the increased
28

1 sentence imposed on Petitioner as a result of counsel's errors was prejudicial. Petitioner should
2 receive a new sentencing hearing before a judge who is unfamiliar with the record in this matter.

3
4 (c) Ground Three: **Petitioner received ineffective assistance of trial counsel in**
5 **violation of her rights as guaranteed by the Fifth, Sixth or Fourteenth Amendments to the**
6 **United States Constitution and/or under state law or the Nevada Constitution due to the**
7 **fact Petitioner was wrongfully deprived of her right to a direct appeal; Petitioner hereby**
8 **requests relief pursuant to Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994) and NRAP**
9 **4(c).**
10

11 Petitioner specifically informed trial counsel that she was dissatisfied with the sentence
12 and wanted to challenge it any way possible, including specifically an appeal. Further, effective
13 counsel would have understood, based on the errors outlined above, that Petitioner would have
14 wanted to appeal and that appealable issues existed concerning the events at sentencing and
15 the sentence itself. However, trial counsel did not file a notice of appeal within the thirty days
16 required, and the time for filing a notice of appeal has now expired.
17

18
19 Because Petitioner was unconstitutionally deprived of her right to a direct appeal with
20 the assistance of counsel, she requests this Court grant relief in the form of an untimely direct
21 appeal. If a criminal defendant is deprived of a direct appeal, prejudice is presumed and there is
22 no requirement that the issues to be raised on appeal be identified. Toston v. State, 127
23 Nev.Adv.Op. 87, 267 P.3d 795 (2011). Petitioner would simply state, in general and as explored
24 above, there are significant questions about the actual sentence imposed and the means by
25 which it was arrived at which would have been appropriate for direct review.
26
27
28

1 Pursuant to NRAP 4(c), there is a procedure by which the trial court can direct the Clerk
2 of Court to prepare and file a notice of appeal on Petitioner's behalf, and Petitioner requests the
3 court grant this relief as the remedy to this appeal deprivation claim.
4

5 WHEREFORE, Petitioner prays that the court grant petitioner relief to which petitioner
6 may be entitled in this proceeding to include (1) withdrawal from the plea agreement with a
7 finding that the State is directed to re-offer the previous 8 to 20 year offer, (2) a new sentencing
8 hearing before a judge who is unfamiliar with the record of these proceedings, (3) an untimely
9 direct appeal with the assistance of appointed counsel, (4) an evidentiary hearing, or (5) any
10 other such relief as may be required.
11

12 DATED this 27th day of December, 2019.
13

14 Submitted By:

15 RESCH LAW, PLLC d/b/a Conviction Solutions
16

17 By: 
18 JAMIE J. RESCH
19 Attorney for Petitioner
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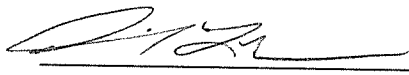
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VERIFICATION

I, APRIL PARKS, declare under penalty of perjury as follows:

Under penalty of perjury, the undersigned is the petitioner named in the foregoing petition and knows the contents thereof; that the pleading is true of the undersigned's own knowledge, except as to those matters states on information and belief, and as to such matters the undersigned believes them to be true.

12-21-19
Executed on


Signature

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 December 27, 2019, I served a true and correct copy of the foregoing Petition for Writ of Habeas Corpus (Post-Conviction) via first class mail in envelopes addressed to:


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

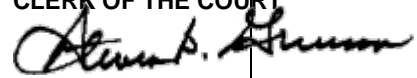
Nevada Attorney General
555 E. Washington, #3900
Las Vegas, NV 89101

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

and via Wiznet's electronic filing system, as permitted by local practice to the following person(s):

Steven B. Wolfson
Clark County District Attorney
PDmotions@ClarkCountyDA.com


An Employee of Conviction Solutions



SUPP

RESCH LAW, PLLC d/b/a Conviction Solutions

By: Jamie J. Resch

Nevada Bar Number 7154

2620 Regatta Dr., Suite 102

Las Vegas, Nevada, 89128

Telephone (702) 483-7360

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

(Criminal case no. C321808-1)

**SUPPLEMENTAL PETITION FOR WRIT OF
HABEAS CORPUS (POST-CONVICTION)**

1. Name of institution and county in which you are presently imprisoned or where
and how you are presently restrained of your liberty: **Florence McClure Women's Correctional
Center, Clark County, Nevada.**

2. Name and location of court which entered the judgment of conviction under
attack: **Eighth Judicial District Court, Dept. XIV, 200 Lewis Avenue, Las Vegas, NV 89101.**

3. Date of judgment of conviction: **February 4, 2019.**

4. Case number: **C-17-321808-1**

5(a). Length of sentence: **Count 1: 72 to 180 months NDOC, Count 2: 72 to 180
months NDOC, c/s to Count 1, Count 3: 24 to 60 months NDOC, c/s to Count 2, Count 4:**

1 **24 to 60 months NDOC, c/s to Count 3, Count 5: 19 to 48 months NDOC, c/c to Count 3.**

2 **Aggregate – 192 to 480 months NDOC.**

3 5(b). If sentence is death, state any date upon which execution is
4
5 scheduled: **N/A.**

6 6. Are you presently serving a sentence for a conviction other than the
7
8 conviction under attack in this motion? **Yes. Currently serving 72 to 180 months NDOC in**
9 **C329886 which is concurrent to the conviction under review here.**

10 If "yes," list crime, case number and sentence being served at this time:

11 7. Nature of offense involved in conviction being challenged: **Count 1, Exploitation**
12 **of an Older/Vulnerable Person, Count 2, Exploitation of an Older/Vulnerable Person,**
13 **Count 3, Theft, Count 4, Theft, Count 5, Perjury.**

14 8. What was your plea? (check one)

15 (a) Not guilty X

16 (b) Guilty

17 (c) Guilty but mentally ill

18 **(d) Nolo contendere X (Alford)**

19 9. If you entered a plea of guilty or guilty but mentally ill to one count of an
20
21 indictment or information, and a plea of not guilty to another count of an indictment or
22
23 information, or if a plea of guilty or guilty but mentally ill was negotiated, give details: **N/A.**

24 10. If you were found guilty or guilty but mentally ill after a plea of not
25
26 guilty, was the finding made by: (check one)

27 (a) Jury .

1 (b) Judge without a jury __.

2 11. Did you testify at the trial? Yes___No __

3 12. Did you appeal from the judgment of conviction? Yes __ **No _X_**

4 13. If you did appeal, answer the following:

5 (a) Name of court:

6 (b) Case number or citation:

7 (c) Result:

8 (d) Date of result:

9 (Attach copy of order or decision, if available.)

10 14. If you did not appeal, explain briefly why you did not: **Trial counsel was**
11 **ineffective by failing to file a notice of appeal on my behalf, I expressed extreme**
12 **dissatisfaction with my sentence, which was substantially higher than an offer counsel**
13 **advised to me reject and also substantially higher than what the presentence report**
14 **recommended. I did tell my attorney that I wanted to appeal and I expressed a desire to**
15 **counsel to fight the sentence in any way possible.**

16 15. Other than a direct appeal from the judgment of conviction and sentence, have
17 you previously filed any petitions, applications or motions with respect to this judgment in any
18 court, state or federal? Yes___ **No _X_**

19 16. If your answer to No. 15 was "yes," give the following information:

20 (a) Name of court:

21 (b) Case number or citation:

22 (c) Result:

1 (d) Date of result:

2 17. Has any ground being raised in this petition been previously presented to this or
3 any other court by way of petition for habeas corpus, motion, application or any other post-
4 conviction proceeding? **No** If so, identify:

5 (a) Which of the grounds is the same:

6 (b) The proceedings in which these grounds were raised:

7 (c) Briefly explain why you are again raising these grounds. (You must relate specific facts in
8 response to this question. Your response may be included on paper which is 8 1/2 by 11 inches
9 attached to the petition. Your response may not exceed five handwritten or typewritten pages in
10 length).

11 18. If any of the grounds listed in Nos. 23(a), (b), (c) and (d), or listed on any
12 additional pages you have attached, were not previously presented in any other court, state or
13 federal, list briefly what grounds were not so presented, and give your reasons for not
14 presenting them. (You must relate specific facts in response to this question. Your response may
15 be included on paper which is 8 1/2 by 11 inches attached to the petition. Your response may
16 not exceed five handwritten or typewritten pages in length).

17 19. Are you filing this petition more than 1 year following the filing of the judgment
18 of conviction or the filing of a decision on direct appeal? **No.**

19 20. Do you have any petition or appeal now pending in any court, either state or
20 federal, as to the judgment under attack? Yes____ **No _X_** If yes, state what court and the case
21 number:

1 21. Give the name of each attorney who represented you in the proceeding resulting
2 in your conviction and on direct appeal: **Trial: Anthony Goldstein, Esq.**

3
4 22. Do you have any future sentences to serve after you complete the
5 sentence imposed by the judgment under attack? Yes___ **No _X_**

6 If yes, specify where and when it is to be served, if you know: **N/A.**

7
8 23. State concisely every ground on which you claim that you are being held
9 unlawfully. Summarize briefly the facts supporting each ground. If necessary you may attach
10 pages stating additional grounds and facts supporting same.

11 (a) Ground One: **Petitioner's right to Due Process, a fair trial, and right to**
12 **effective counsel as guaranteed by the Fifth, Sixth and Fourteenth Amendments to the**
13 **United States Constitution and/or under state law or the Nevada Constitution were**
14 **violated when trial counsel advised Petitioner to reject a more favorable plea deal and**
15 **Petitioner was subsequently sentenced to a much longer period of incarceration.**

16
17 Supporting Facts (Tell your story briefly without citing cases or law):

18
19 The claim presented here relies on the longstanding right of criminal defendants to make
20 an informed decision whether or not to plead guilty, as explained in the Supreme Court's 2012
21 decisions in Missouri v. Frye, 132 S.Ct. 1399 (2012) and Lafler v. Cooper, 132 S.Ct. 1376 (2012).
22 As stated in Frye, the challenge "is not to the advice pertaining to the plea that was accepted
23 but rather to the course of legal representation that preceded it with respect to other potential
24 pleas and plea offers." Id. at 1406. The Supreme Court concluded that plea bargaining is a
25 critical stage of proceedings during which a defendant is entitled to effective assistance of
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1 counsel because plea bargaining "is not some adjunct to the criminal justice system; it *is* the
2 criminal justice system." Id. at 1407.

3
4 The ultimate holding of Frye is directly relevant to the case at hand:

5 This Court now holds that, as a general rule, defense counsel has the duty to
6 communicate formal offers from the prosecution to accept a plea on terms and
7 conditions that may be favorable to the accused. Any exceptions to that rule
8 need not be explored here, for the offer was a formal one with a fixed expiration
9 date. When defense counsel allowed the offer to expire without advising the
defendant or allowing him to consider it, defense counsel did not render the
effective assistance the Constitution requires.

10 Id. at 1408.

11 To help guard against "late, frivolous, or fabricated claims" the Supreme Court noted that
12 "formal offers can be made part of the record at any subsequent plea proceeding or before trial
13 on the merits, to ensure that a defendant has been fully advised before those further
14 proceedings commence." Id. at 1408-09. To show prejudice on such a claim, the petitioner
15 must "demonstrate a reasonable probability they would have accepted the earlier plea offer had
16 they been afforded effective assistance of counsel." Id. at 1409. Also required is a showing that
17 under state law, the prosecution would not have canceled the offer or the trial court have
18 refused to accept the offer. The specific prejudice inquiry is whether the petitioner "would have
19 accepted the offer to plea pursuant to the terms earlier proposed." Id. at 1410.

20
21 Neither Frye nor Lafler purport to break new ground. That is, the Sixth Amendment has
22 always encompassed that criminal defendants "are entitled to the effective assistance of
23 competent counsel" during plea negotiations. Lafler, 132 S.Ct. at 1384, citing McMann v.
24 Richardson, 397 U.S. 759, 771 (1970). Nearly every court which has considered the issue has
25 held that Frye and Lafler did not create a new constitutional right which would be retroactively
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1 applicable on collateral review, but rather merely restated longstanding constitutional
2 requirements concerning effective assistance of counsel. Ortiz v. United States, 2012 U.S. Dist.
3 LEXIS 159847 (E.D.N.Y. Nov. 7, 2012) (collecting cases).
4

5 In the instant case, there was a more favorable plea offer extended, and it is outlined in
6 the guilty plea agreement that was ultimately filed. See GPA, 11-5-18, p. 2, SUPP 2. Specifically,
7 the agreement that was accepted saw Petitioner plead guilty per Alford to five serious felonies
8 to which the State retained the full right to argue. The agreement states that Petitioner rejected
9 “an aggregate sentence of eight to twenty years concurrent to each other on this case and Case
10 No. C329886.” GPA, 11-5-18, p. 2, SUPP 2. In essence, Petitioner rejected a deal that would
11 have ensured an eight to twenty year sentence and instead ended up with a deal that featured
12 exposure ranging up to and including what would be an effective life sentence (Petitioner
13 having been approximately 53 years old at the time of sentencing).
14

15 The decision to reject the stipulated eight to twenty year sentence was the product of
16 ineffective assistance of counsel. Petitioner received inaccurate and unprofessional advice
17 concerning that offer and only rejected it on that basis. Had the risks and benefits of that offer
18 been fully and correctly explained to Petitioner, she would have accepted the original offer and
19 remains willing to do so now. Further, said offer is wholly consistent with societal norms – i.e.
20 what the Clark County District Attorney might have offered (and in fact did offer) to resolve the
21 matter. For the same reasons, there is no basis to conclude the court would have exercised any
22 supervisory power in rejecting that offer. Relief should be granted in the form of compelling the
23 State to re-offer the 8-20 plea offer to Petitioner for acceptance as part of these post-conviction
24 proceedings.
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1 More specifically, Parks was only ever advised that the State "may argue for more than
2 that [8-20 year] stipulated sentence. SUPP 3, see also plea canvass at SUPP 18. The written plea
3 agreement and plea canvas left the impression that it was at least possible the State would not
4 ask for more time than the 8-20 year sentence, or at least would not greatly exceed it. In reality,
5 the State ultimately requested the court to maximize every sentence and run every sentence
6 consecutive, for a sentencing recommendation of 307 months to 768 months of incarceration.
7
8 The incredible recommendation by the State belies any notion that the State gave any good
9 faith consideration to arguing for equal or less time than the proposed stipulated sentence.
10

11 Effective counsel would have explained to the client that the State was not being
12 straightforward when it suggested the mere possibility of a larger sentencing recommendation.
13 That is, effective counsel would have recognized the State's strong desire to make an example of
14 Ms. Parks, and would have warned Ms. Parks that there was a high likelihood of not just a higher
15 recommendation than 8-20 years by the State, but a high likelihood the actual sentence
16 imposed would also exceed that amount. Had Ms. Parks been given an accurate assessment of
17 the risks and benefits of proceeding with the "right to argue" sentence, she would have
18 stipulated to the 8-20 year sentence instead.
19
20
21

22 An additional problem is that although trial counsel received authorization to retain the
23 services of a forensic accountant, counsel advised Parks to accept a plea deal without receiving
24 any opinion from that accountant. SUPP 509-513. It is beyond reasonable dispute that counsel
25 engaged the services of a forensic accountant. However, Parks was never provided any
26 assessment of their findings, and believes in fact the accountant was not requested to provide,
27 and did not provide, any findings. Counsel therefore advised Parks to accept a guilty plea
28

1 without first completing an adequate investigation. Had the investigation been completed,
2 many of the additional errors including arithmetical errors detailed in this petition would have
3 been discovered and Parks would not have accepted the right to argue plea offer.
4

5 (b) Ground Two: **Petitioner received ineffective assistance of trial counsel in**
6 **violation of her rights as guaranteed by the Fifth, Sixth or Fourteenth Amendments to the**
7 **United States Constitution and/or under state law or the Nevada Constitution when trial**
8 **counsel failed to challenge errors during sentencing and/or was otherwise ineffective in**
9 **conjunction with the sentencing proceeding.**
10

11 Trial counsel failed to adequately develop and present important mitigating evidence at
12 the time of sentencing, and ineffectively responded to the State's sentencing arguments.
13 Sentencing courts are required to give proper consideration to non-frivolous arguments for
14 mitigation. Rita v. United States, 551 U.S. 338 (2007). Failure to properly prepare for sentencing
15 and to present mitigating evidence can constitute ineffective assistance of counsel, even in
16 noncapital cases. Gonzalez v. Knowles, 515 F.3d 1006, 1015 (9th Cir. 2008); Lafler v. Cooper, 132
17 S.Ct. 1376, 1386 (2012) ("Even though sentencing does not concern the defendant's guilt or
18 innocence, ineffective assistance of counsel during a sentencing hearing can result in Strickland
19 prejudice because 'any amount of [additional] jail time has Sixth Amendment significance;'"
20 citing Glover v. United States, 531 U.S. 192, 203 (2001).
21
22
23

24 The State was required to provide notice that victim speakers would make a statement as
25 a matter of state law and Due Process. NRS 176.015(4), Buschauer v. State, 106 Nev. 890, 804
26 P.2d 1046 (1990). No such notice was provided in this case. Petitioner had no advance warning
27 of the arguments and facts presented at sentencing by the State or the victims, and the trial
28

1 court's reliance on highly suspect or impalpable information at sentencing is a violation of Due
2 Process. Townsend v. Burke, 334 U.S. 736 (1948), Silks v. State, 92 Nev. 91, 545 P.2d 1159 (1976).

3
4 With these basics in mind, Petitioner contends that trial counsel acted ineffectively at the
5 time of sentencing in several different ways:

6 Failure to object to improper arguments by State

7
8 First, defense counsel failed to respond to the State's argument at sentencing that
9 Petitioner "expresses no remorse" because she "only" pled guilty by way of the Alford decision.
10 The State advanced this improper theme several times. First, in its sentencing memorandum,
11 the State argued:

12
13 It is worth noting that Parks still has shown no remorse for any of her actions, and
14 continues to portray herself as the victim in this case. Even after reviewing the
15 mountain of evidence as noted above, Defendant's plea was only made pursuant
16 to the *North Carolina v. Alford* 400 U.S. 25 (1970) decision. While Parks has
17 acknowledged that the State could prove charges against her, she has refused
18 thus far to admit her criminal culpability. Again, the fact that Parks has shown no
19 remorse for her actions, after ruining the lives of countless victims and causing
20 immeasurable strife in society, cries out for a severe punishment.

21 SUPP 53.

22 During sentencing, the State repeated these arguments: "Ms. Parks still has shown no
23 remorse for her actions. Her plea in this case was pursuant to the Alford decisions. And she has
24 refused still to admit criminal culpability." SUPP 102, see also SUPP 112 (linking co-defendant's
25 Alford plea to failure to admit guilt).

26 The State's argument was patently improper under state law, yet defense counsel
27 completely failed to object or respond to the same. It is well established in Nevada that the
28 exercise of a criminal defendant's Constitutional rights cannot be held against them at the time

1 of sentencing. Brown v. State, 113 Nev. 275, 291, 934 P.2d 235 (1997) (New sentencing hearing
2 ordered where trial court considered exercise of Constitutional right to jury trial commensurate
3 with "lack of remorse").
4

5 Here, Petitioner exercised her right to accept a plea bargain put forth by the State under
6 the Supreme Court's decision in Alford. The exercise of that right was not equivalent to a lack of
7 remorse and the State's argument to that effect was improper. The same went uncorrected and
8 unchallenged by defense counsel, and there is a reasonable probability of a more favorable
9 sentence had counsel so objected. Bordenkircher v. Hayes, 434 U.S. 357, 363 (1978) (Punishing
10 defendant for exercising a right under the law is "a due process violation of the most basic
11 sort"). There is a reasonable probability a lesser sentence would have been imposed had trial
12 counsel objected to this improper argument.
13

14
15 Second, the State argued in its sentencing memorandum that several specific individuals
16 never "actually needed guardianship services." SUPP 45. To be sure, later medical review may
17 well have determined that these individuals no longer needed guardianship services. But
18 Petitioner is not aware of any medical evidence to support the State's contention that
19 guardianship services were never needed for those individuals, and the available medical
20 evidence shows that they were. A brief review of some of the named individuals is as follows:
21

22
23 North: A petition for appointment of temporary guardian was filed by Parks on August
24 21, 2013. SUPP 214. The petition was supported by a statement from Sanghamitra Basu, a
25 medical doctor licensed by the State of Nevada. SUPP 223. Dr. Basu personally examined Mr.
26 North and concluded a guardianship was necessary based on symptoms of confusion that could
27 lead to a possible accidental overdose. In addition, in an attached report, Dr. Basu explained
28

1 that Mr. North was a long-term patient, and that the doctor noticed a “significant” decline in
2 behavior prior to the guardianship. SUPP 225. Specifically, Mr. North could not care for his wife,
3 refused to go to the hospital after a 911 call, and needed daily assistance with medication. SUPP
4 225.

5
6 Neely: A petition for appointment of temporary guardian was filed on September 12,
7 2014. SUPP 226. The petition was supported by a statement from Akindele Kolade, a medical
8 doctor licensed by the State of Nevada. SUPP 235. Dr. Kolade concluded that Ms. Neely needed
9 a guardianship due to a diagnosis of schizophrenia, which prevented her from living
10 independently. It was Dr. Kolade’s opinion that Ms. Neely’s condition was so substantial that
11 she would not comprehend the reason for any court proceeding concerning the guardianship.
12 SUPP 235.

13
14 Mesloh: A petition for appointment of guardian was filed on October 8, 2013. SUPP
15 237. The petition was supported by a statement from John Reyes, a physician assistant licensed
16 to practice in the State of Nevada. Based on a personal examination, Mr. Reyes concluded a
17 guardianship was necessary due to Mr. Mesloh’s numerous health conditions that required 24
18 hour case. SUPP 243. In an attached letter, Mr. Reyes further explained that Mr. Mesloh agreed
19 the guardianship was in his best interest based on his medical problems and that he was “totally
20 dependent on others for all his care.” SUPP 245.

21
22 These are representative examples. A briefer review with reference to every individual
23 identified by the State shows that every single request for guardianship was supported by the
24 diagnosis of a medical provider: Shanna Maclin, G-15-042610-A, certified by Habim Gemil, M.D.;
25 Georgann Cravedi, G-14-040665-A, certified by Chad Hall, physician; Norman Weinstock, G-08-

1 032656-A, certified by Sofronio Soriano, M.D.; Barbara Lasco, G-14-039735-A, certified by John
2 Reyes, PA-C; Joseph McCue, G-14-039900-A, certified by Suresh Bhushan, physician; Jack King,
3 G-14-039730-A, certified by Alex Del Rosario, M.D.; Adolfo Gonzalez, G-13-038316-A, certified
4 by Wenwel Wu, M.D.

5
6 The only individual listed by the State that called for a more complicated analysis is Milly
7 Kaplove. However, an examination of the record in that matter reveals that, after an evidentiary
8 hearing attended by Ms. Kaplove, the court found that the initial request for a guardianship by
9 Ms. Parks was "justified," but that the ward had since recovered and no longer needed a
10 guardian. SUPP 247.
11

12
13 Therefore, the State's argument that Ms. Parks initiated guardianships on individuals who
14 did not require a guardianship is belied by the extensive family court records, which would have
15 been publicly available to trial counsel at the time of sentencing. The State's theory that Ms.
16 Parks initiated unwarranted guardianships is certainly one of the scarier allegations the State
17 raised, but it is an allegation unsupported by the underlying record. Every guardianship
18 identified by the State as unwarranted was in fact supported by a certificate from a medical
19 provider: most often an actual M.D., and with a single exception, a different medical doctor
20 every time. The independent medical judgment of these many providers supported the initial
21 requests for guardianship, and there is no evidence this series of doctors would risk their
22 licenses to support Ms. Parks by making false claims in support of guardianship requests.
23
24

25
26 Trial counsel was ineffective in failing to present accurate information at the time of
27 sentencing, and the State correspondingly erred by giving the court inaccurate information
28

1 which was material to the sentence imposed. There is a reasonable probability of a lesser
2 sentence had trial counsel corrected the State's incorrect assertions.

3
4 Third, trial counsel should have objected to the State's arguments about the amount of
5 charges or the legislative history behind the elder exploitation statutes. There are two
6 subcomponents to this issue. The first problem is that the State placed heavy emphasis on the
7 original number of charges Ms. Parks faced, "over 200 felony charges in the original indictment."
8 SUPP 53. The State then argued that the reduction in charges in the plea agreement to six
9 counts was all the benefit Ms. Parks was due. SUPP 53.

10
11 This cheap-shot style argument fails to consider that State exclusively enjoyed the
12 privilege of deciding how to charge the case, and the State should not be allowed to reward
13 itself for overcharging the case. As Justice Brennan once explained:

14
15 Given the tendency of modern criminal legislation to divide the phases of a
16 criminal transaction into numerous separate crimes, the opportunities for
17 multiple prosecutions for an essentially unitary criminal episode are frightening.
18 And given our tradition of virtually unreviewable prosecutorial discretion
19 concerning the initiation and scope of a criminal prosecution, the potentialities
20 for abuse . . . are simply intolerable. (Footnotes omitted.)

21 Ashe v. Swenson, 397 U.S. 436, 451-52 (1970) (Brennan, J., concurring).

22 Other courts have dealt with the issue much more bluntly. State v. Korum, 157 Wn.2d
23 614, 666 at n. 19, 141 P.3d 13 (Wash. 2006) ("The prosecutor should not overcharge to obtain a
24 guilty plea."); State v. MacLeod, 141 N.H. 427, 434, 685 A.2d 473 (1996) ("Finally, our trial courts
25 have both the authority and the obligation to curb the prosecution's broad discretion if
26 'overcharging' poses dangers of confusion, harassment, or other unfair prejudice").
27
28

1 Here, trial counsel could have objected to the State's reliance on the number of charges
2 in the original indictment as some measure of the wrongness of Ms. Park's actions. The State
3 alone decided what and how many charges to bring. Notably, the State referred to Ms. Park's
4 business as a "criminal enterprise." SUPP 105. If that were in fact true, there was only one
5 business and therefore perhaps only one criminal enterprise. Yet the State saw fit to file 270
6 separate felonies in the original indictment for self-created shock value. Trial counsel should
7 have objected to the use of this measure at the time of sentencing and there would have been a
8 reasonable probability of a more favorable outcome if consideration of that factor was excluded
9 from sentencing.
10

11
12 The other subcomponent is as follows. With no evidentiary support whatsoever, the
13 State proclaimed that "The fact that the Felony Theft statute allowed for punishment of up to
14 four (4) to ten (10) years in prison, and that Exploitation allows for punishment of up to eight (8)
15 to twenty (20) years in prison, per offense, is proof that the legislature intended for there to be a
16 harsher punishment for serious thefts and exploitation. SUPP 51.
17

18
19 Parks never challenged the meaning of the exploitation statute, so the legislative history
20 behind it was irrelevant and should have been objected to. That said, the legislative history for
21 the exploitation statute was and is publicly available, and what little insight it provides does not
22 support the State's argument that Parks deserved a "harsher punishment" simply because the
23 State charged her with violating NRS 200.5099.
24

25
26 The operative statute was passed in 1995 as part of Assembly Bill 585 and related Senate
27 Bill 416. What little discussion there is suggests revisions were necessary in particular to "keep
28 violent criminals in prison longer and release nonviolent criminals into probation sooner." SUPP

1 267. Testimony focused on the need for a “range of penalties for crimes against elders.” SUPP
2 272. The Division of Aging Services, which proposed the statutory changes, simply concluded
3 that a “range” of penalties was necessary including “up to 20 years imprisonment or fines of up
4 to \$25,000 for more serious cases.” SUPP 275.

6 Nothing about this legislative history supports the State’s argument that the exploitation
7 statute somehow requires Ms. Parks receive the maximum possible sentence. Read in totality, it
8 would appear what the legislature meant by “serious” cases was those involving violence. But
9 more specifically, there is nothing in the legislative history to really guide courts in determining
10 who does or doesn’t deserve the maximum sentence. Trial counsel should have objected to the
11 State’s invocation of legislative history as a basis for a maximum sentence, and there’s a
12 reasonable probability of a more favorable outcome had counsel done so.

15 Additionally, the prosecutor argued that Parks moved ward Marlene Homer several times
16 due to mismanagement of funds. SUPP 97. Reasonably effective counsel would have presented
17 information known to Ms. Parks, which was that there were allegations the ward was being
18 abused and that is why the ward was moved a second time. Additionally, the ward has been
19 exploited by her tax preparer, before Ms. Parks ever became involved in the matter. This
20 information would have completely undercut the State’s argument that Parks mismanaged the
21 ward’s funds.

24 The prosecutor also argued that Parks left the State of Nevada and many wards were left
25 without a guardian. SUPP 9. Reasonably effective counsel would have presented information
26 known to Ms. Parks that Parks had spent ten or more hours going over all of her active cases
27
28

1 with the public guardian, and informed the public guardian she intended to cease all services by
2 the end of 2015.

3
4 The prosecutor also argued that Parks acted in a "ghoulish" manner by allegedly keeping
5 cremated remains in storage sheds. Reasonably effective counsel would have presented
6 information known to Ms. Parks which was that, in an earlier press conference, the District
7 Attorney and representatives stated publicly that Parks acted appropriately by retaining those
8 remains. Certainly the flipside remains obvious: If she had discarded human remains, the State
9 would almost certainly have argued that conduct was ghoulish. Information about the remains
10 should never have been presented to or considered by the Court.
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13

14 Failure to object to lack of notice above victim speakers

15 The sentencing transcript reveals that no proper notice of victim speakers was ever
16 provided to defense counsel. SUPP 140. Trial counsel did lodge an objection to any speakers
17 being allowed to testify, which the court overruled. Further, the State explained they sent the
18 notices to "the wrong Goldstein." SUPP 141. The Court overruled the objection but allowed
19 defense counsel to lodge individual objections to specific speakers. SUPP 142. However, no
20 individual objections were lodged. Further, based on the lack of proper notice, trial counsel's
21 sentencing memorandum was completely devoid of facts or investigation that would have
22 placed Petitioner's actions in a more favorable light.
23
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26 There's no question counsel was entitled to notice of who the victim speakers would be
27 and what they would say. NRS 176.015(4), Buschauer v. State, 106 Nev. 890, 804 P.2d 1046
28 (1990). By failing to insist upon advance notice, trial counsel was ineffective. Alternatively,

1 counsel could have at least asked the trial court for a chance to respond to the victim speakers
2 once the substance of their testimony was disclosed by way of presentation to the court. In
3 total, allowing the victims to testify by surprise, with no response whatsoever from counsel, was
4 objectively unreasonable.
5

6 As a result, the Court heard substantial testimony from multiple victim speakers which
7 went far beyond what would have been authorized under the statute, with no meaningful
8 rebuttal by trial counsel. Highlights include at least one speaker screaming repeatedly that
9 Petitioner was "Hitler" or a "Nazi" (SUPP 192, 195, 204, 205), that Petitioner impersonated a
10 police officer including by use of a LVMPD badge (SUPP 178), or that Petitioner was "Lilith,"
11 (SUPP 203), a reference to a notorious biblical demon.
12
13

14 In addition to the above examples of inappropriate, irrelevant and inflammatory
15 testimony, there are many specific examples were counsel, had he been provided proper notice,
16 could have given the court additional information regarding the victim testimony. In several of
17 these cases, the information would have shown that the statements by the victims were
18 incorrect and that uncorrected, consideration of the victim statements would mean Parks was
19 sentenced using unreliable or incorrect information.
20
21

22 Example No. 1: Larry Braslow testified at sentencing on behalf of his mother. Larry
23 specifically requested the court "to be the champions they claim to be for all our beloved
24 elderly. Send a clear message to **anyone** (emphasis added) who wants to steal from and
25 destroy our precious one's lives." SUPP 147. Effective trial counsel could easily have accessed
26 the publicly available guardianship case and learned that there was evidence contained in it that
27 Larry had in fact stolen from his mother and that was why a non-family member was appointed
28

1 guardian in the first place. SUPP 347. Larry was specifically accused by his mother of having
2 stolen her identity and incurred debt in her name. SUPP 360. Moreover, in a subsequent filing
3 under the pains and penalties of perjury, Larry's brother Alan asserted that Larry was attempting
4 to "gain control over my mother's finances and I am strongly opposed to that occurring." SUPP
5 375. This backstory provides important context that would have diminished the credibility of
6 Larry's assertions at the time of sentencing. Further, Ms. Parks could have explained even more
7 relevant information, such as that Elder Protective Services removed Mrs. Braslow from the
8 home, that she did not want to see her son Larry, or that prior to being removed, Mrs. Braslow
9 had allowed a stranger to spend the night in her home and that individual ended up stealing her
10 car and firearms.

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15 Example No. 2: The public guardian testified about several individual cases. One
16 involved a Maria Cooper, and as to her, the public guardian asserted there were no cognitive
17 issues and the only impairment was hearing loss – apparently an argument that no guardianship
18 was ever necessary. SUPP 150. The public guardian's statements to the court were materially
19 untrue. First, the publicly available petition for guardianship which trial counsel could easily
20 have accessed reveals that the ward suffered from severe panic attacks that led her to call 911 in
21 the middle of the night. SUPP 402. An examination by Dr. David Wikler revealed a diagnosis of
22 dementia. SUPP 403. The clock-drawing test, a simple and commonly used tool to screen for
23 dementia, speaks for itself. SUPP 405. Further, the public guardian declined to inform the court
24 that not only did Ms. Cooper consent to the guardianship and want April Parks as her guardian,
25 she expressly stated she did not want previously nominated individuals to have control of her
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1 estate. SUPP 407. Ms. Parks could also have provided information that Cooper had been
2 exploited by a neighbor, which was an additional reason the guardianship was necessary.

3
4 Example No. 3: The public guardian argued on behalf of Kathy Godfrey, and
5 contended that no guardianship was necessary in the first instance. SUPP 159. However, trial
6 counsel could have accessed publicly available information to determine that Dr. Richard Paguia
7 determined that Ms. Godfrey suffered from chronic alcoholism manifested by increasing falls.
8 SUPP 416. Additionally, court minutes from the proceeding indicate Ms. Godfrey consented to
9 the guardianship. SUPP 418. Effective counsel would have ensured the sentencing court had
10 this important contextual information which again directly contradicts information provided by
11 the public guardian.
12

13
14 Example No. 4: The public guardian testified about William Brady, and stated his
15 estate was worth "approximately \$148,000" when the guardianship began, but was worth less
16 than \$20,000 when the public guardian took over. SUPP 160. The public guardian explained the
17 guardianship began in 2010 and the public guardian took over in 2015, and that Ms. Parks
18 collected some \$33,000 in fees. Effective counsel could have provided some context to these
19 numbers and explained that Ms. Park's fees were collected over a five year period, leading to a
20 per-year average of \$6,600. These fees amount to less than \$600 per month. For context, the
21 accounting from the guardianship shows the vast majority of assets were spent on room and
22 board - \$122,000 over a five-year period. SUPP 423. This context puts in perspective that
23 largest expense, by far, was room and board during the guardianship and that expense has
24 never been alleged by the State to have benefited Ms. Parks in any way.
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1 Example No. 5: Herman Mesloh (discussed previously herein) testified chiefly
2 about his wife's guardianship. Herman explained that his wife "was fine" and did not need a
3 guardianship. SUPP 164. However, effective trial counsel could have obtained the petition from
4 Kathy Mesloh's guardianship and learned that Dr. Robert Chiascione determined a guardianship
5 was necessary because the ward could not bathe, cook, groom, or take her medication without
6 assistance. SUPP 432. This would have yet again provided important context to the allegation
7 that Ms. Parks instituted unnecessary guardianships. Ms. Parks could have also provided
8 information, such as that Mrs. Mesloh would continuously open the door to her home to let her
9 dogs out while yelling to "be free." The dogs were eventually placed for adoption. Further, Ms.
10 Parks could have explained that the Meslohs collectively did not possess expensive belongings.

11 Example No. 6: Amy Wilkening testified on behalf of her deceased father, Norbert
12 Wilkening. SUPP 171. She testified Norbert was "conscripted" into guardianship by Ms. Parks.
13 She also referenced in a negative way that the guardianship was based on the analysis of a
14 nurse practitioner. SUPP 172. While the part about a nurse practitioner is true, there is no
15 allegation this was improper under the law. Moreover, the publicly available petition reveals the
16 nurse practitioner provided substantially more information than did some of the medical
17 doctors to support his conclusion, which ultimately was that the guardianship was necessary due
18 to dementia. SUPP 446. The witness also accused Ms. Parks of lying about the need to dispose
19 of the ward's personal property. SUPP 173. However, a publicly available property report stated
20 that the value of the ward's personal property was "less than \$100 for everything" due to the
21 fact most items were broken, garbage, stained with human waste and other biohazards, and in
22 overall poor condition. SUPP 449. This evidence directly rebutted the material statements of

1 the speaker that the guardianship was unnecessary or that Ms. Parks vindictively disposed of the
2 ward's property. The speaker also testified, without evidence or explanation, that Ms. Parks was
3 a "racist." SUPP 176. Effective counsel would have rebutted all of these points.
4

5 Example No. 7: Elizabeth Indig testified about her mother, who has the same
6 name. SUPP 178. Ms. Indig testified that Ms. Parks represented herself as a police officer
7 including by use of a "fake" Metro badge. SUPP 178. There is not believed to be any evidence
8 to support this allegation despite the State's production of well over 10,000 pages of discovery.
9 The speaker also testified that she was not allowed to visit her mother during the guardianship
10 because she was a "danger" to her mom because she wanted to bring her macaroni and cheese
11 to eat. SUPP 178. However, publicly available documents show Ms. Indig was a danger to her
12 mother because there were prior allegations of serious physical abuse. SUPP 453-454. In fact a
13 specific, likely mandatory, report of abuse was made by a social worker regarding "abuse by this
14 patients daughter Elizabeth Indig." SUPP 470. In addition, a neighbor reported that Ms. Indig
15 has stolen her mother's jewelry and taken money for her own use out of the mother's bank
16 account. SUPP 470. Again, these allegations come from a social worker completely unaffiliated
17 with Ms. Parks. Additionally, court minutes from the guardianship show that Ms. Indig was
18 involved in the guardianship from the beginning, repeatedly declined to follow advice given to
19 her by the guardianship court to include steps she could take to assume the mantle of guardian,
20 and ultimately the request was made to declare her a vexatious litigant. SUPP 474-475.
21 Effective counsel could have presented this information to the court which would have shown
22 several points made by the speaker were materially untrue.
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1 Example No. 8: Barbara Neely testified on her own behalf that she never needed a
2 guardianship. SUPP 181-182. However, her situation has already been discussed herein,
3
4 including that a medical doctor determined that at the time Ms. Parks was appointed guardian,
5 a guardianship was necessary. SUPP 235. Also, Ms. Parks could have provided information that
6 LVMPD removed Ms. Neely from her home, and that Ms. Parks was not involved in that process.

7
8 Example No. 9: Julie Belshe testified on behalf of her mother Rennie North. Julie
9 purported to read a letter that her mother wrote. SUPP 193. Interestingly, the letter switches
10 from first to third person mid-way through. SUPP 193 ("...making my mom sicker"). While in
11 general Julie was likely permitted to act as a speaker, had she been properly noticed (which she
12 was not), she would not have been permitted to mislead the court into thinking her mother
13 wrote something that Julie herself in fact wrote. Additionally, Ms. Parks could have provided
14 information that she was aware Julie had been thrown out of at least one assisted living facility
15 because of her behavior. Ms. Parks could also have explained that she never forced any ward to
16 take medication.

17
18
19 On the whole, evidence was widely available that rebutted any allegation that Ms. Parks
20 ever created an unnecessary guardianship. In addition, specific points of evidence were
21 available to rebut various points made by individual speakers. Further, several speakers used
22 inflammatory terms to describe Ms. Parks which is not part of the information permitted by
23 victim speakers under the statute.

24
25
26 Additional information could have been provided by Ms. Parks that ward Weinstock was
27 provided personal items like needlepoint pictures at the assisted living facility but that the
28 facility discarded them.

1 Ms. Parks has a right to be sentenced based on accurate information and a lot of what
2 was presented at sentencing could have been rebutted by effectively functioning counsel. Had
3 this been done, there would have been a reasonable probability of a more favorable outcome.
4

5 Failure to object to improperly computed restitution

6 Pursuant to the plea agreement, Ms. Parks agreed to pay \$559,205.32 in restitution to
7 some 27 individuals, jointly and severally with her co-defendants. SUPP 17. There does not
8 appear to be any evidence that trial counsel attempted to negotiate this figure, or even
9 determine how it was computed. Effectively functioning counsel would have sought to reduce
10 the amount of restitution imposed, or alternatively would have alerted the court at sentencing
11 to errors in its computation.
12
13

14 Parks had a constitutional right to sentencing based on accurate information. Silks v.
15 State, 92 Nev. 91, 545 P.2d 1159 (1976); United States v. Tucker, 404 U.S. 443, 447 (1972). That
16 right extends to restitution, which must also be accurate. United States v. Watchman, 749 F.2d
17 616, 618 (10th Cir. 1984). Restitution cannot rest upon impalpable or highly suspect evidence.
18 Martinez v. State, 115 Nev. 9, 13, 974 P.2d 133 (1999). A defendant is entitled to present
19 evidence which challenges the amount of restitution sought. Id.
20
21

22 The issue here certainly involves the amount of restitution, but more is at stake than just
23 the amount Parks is expected to pay back. The \$559,205.32 the State sought in restitution was
24 used throughout the sentencing as a measure of the seriousness of Park's conduct. But the
25 State seemed to acknowledge that it would affect sentencing in Park's favor if restitution were in
26 fact paid. SUPP 52. The State likewise sought a maximum sentence based on the argument that
27
28

1 Parks stole "159 times the threshold" for a Category B felony. SUPP 52. Plainly, the total
2 amount of claimed loss is relevant to amount of punishment.

3
4 That being the case, effective counsel could have explained that Parks did in fact return
5 some of the money taken, or, that some of the State's math was not supported by the evidence
6 of record. Either of these events would have reduced the total restitution amount and thereby
7 reduced the relative seriousness of the offense.

8
9 For example, the largest loss stated in the judgment of conviction, by far, pertained to
10 Dorothy Trumbich, with restitution ordered in the amount of \$167,204.49. That amount is
11 precisely the amount testified to as the loss at the grand jury hearing. SUPP 479. What the
12 State neglected to inform the sentencing court is that, pursuant to the sworn grand jury
13 testimony, Parks repaid \$50,000 to Ms. Trumbich's estate when it "went to probate court." SUPP
14 479. According to publicly available records, the probate case was filed in early 2014. See W-
15 14-006398. As a result, Parks repaid the \$50,000 before even being involved in this criminal
16 case, and that amount never should have been sought as restitution in the first instance, and any
17 remaining amount was paid by insurance. Effective counsel would have so argued, either in
18 conjunction with the plea negotiations or should have at least informed the sentencing court
19 that regardless of what was agreed or ordered, a portion of the restitution had in fact been
20 prepaid.

21
22 Another example is the case of Baxter Burns. According to the judgment of conviction,
23 Burns was awarded \$32,006.72 in restitution. However, deep in the discovery documents
24 provided in the case was evidence that of that amount, Burns confirmed receipt of the return of
25
26
27
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1 \$8,529.84. SUPP 481-483. Effective counsel would have pointed this out as well as part of the
2 negotiations or at least at the time of sentencing.

3
4 Just taking these two examples alone, combined they amount to \$58,529.84 which
5 should have been deducted from the restitution amount identified in the judgment of
6 conviction. Had this amount been deducted from the restitution of \$554,397.71 stated in the
7 judgment of conviction, the total restitution and total loss would have been reduced to
8 \$495,867.87, if no other adjustments are made based on the State's many mathematical errors.
9

10 Second, as a matter of both due process and State law, the court could only award
11 restitution in a specific amount to identified victims. Pursuant to NRS 176.033, a sentencing
12 court is only authorized to set restitution "for each victim of the offense." Restitution cannot be
13 set in "uncertain terms." Botts v. State, 109 Nev. 567, 854 P.2d 856 (1993). Restitution must be
14 payable, in a specific amount, to a victim of a crime, which can encompass a specific individual
15 or entity. Igbinovia v. State, 111 Nev. 699, 895 P.2d 1304 (1995). To comply with the Due
16 Process Clause, restitution awards must be only for the victim or victims of the offense charged,
17 and the amount "must be just and supported by a factual basis within the record." Burt v. State,
18 445 S.W. 3d 752, 758 (Tex. Crim. App. 2014).
19
20
21

22 Reasonably effective counsel would have objected to an award of restitution in violation
23 of these requirements. Specifically, the award of restitution to named victims in the amended
24 judgment of conviction only adds up to \$412,943.02. It's no great mystery where the rest of the
25 award comes from: At the plea canvass, the State documented various "scams" it claimed it
26 could prove at trial, such as the "court paperwork scam," "mortuary and toilet paper scam,"
27 "holiday gift scam," "bank deposit scam," and "SSA scam." SUPP 23-25. But these alleged
28

1 schemes were never attributed to a specific victim and instead, whether through inadvertence or
2 shoddy investigation, were simply all lumped together.

3
4 The judgment of conviction therefore purports to award restitution for these five scams,
5 but there is no record of who those funds would be payable to. Restitution cannot exist in a
6 vacuum, it must be specifically award to a victim for an identifiable loss. Reasonably effective
7 counsel would have explained this to the court, and there is a reasonable probability of a more
8 favorable outcome had this been done. In particular, the unadjusted loss/restitution amount
9 could have been reduced to \$412,943.02, which then should further have been reduced by the
10 \$58,529.84 Parks returned, leaving an actual restitution award of no greater than \$354,413.18.

11
12
13 The State's evidence fails in yet a third way in that many of the claimed losses simply
14 don't match up to the amounts found in the discovery. Reasonably effective counsel would
15 have double checked the State's math at some point. It appears counsel did attempt to engage
16 a forensic accounting firm while the case was ongoing, but that firm never completed an
17 analysis of the claimed losses.

18
19 As part of the post-conviction investigation, paralegal review of the State's voluminous
20 and unorganized 15,000+ page discovery production was attempted. SUPP 484-490 (backup
21 documentation from discovery attached as SUPP 491-505). Looking specifically at SUPP 490,
22 comparison is made between three sources of data: the total restitution shown in the judgment
23 of conviction, the total losses documented in police reports, and the total losses to the extent
24 they could be determined based on a review of the discovery. It is readily apparent from these
25 totals that there is a \$100,000+ spread in the numbers between the actual restitution imposed
26 and the restitution supported by the discovery. The losses shown in the police reports are closer
27
28

1 to the lower end of the scale, despite the fact it was often impossible to follow the State's
2 conclusory math. That is, simply because a police officer said a loss occurred does not make it
3 so.
4

5 Using these numbers, Parks would suggest the restitution to named victims supported
6 by the State's documentation was no greater than \$436,816.02. This number already includes
7 the repaid amounts discussed earlier. However, from it must still be deducted the "five scams"
8 for which no victim was identified. Those scams total \$146,262.30, leaving a total restitution/loss
9 supported by the discovery of \$290,553.72. This is barely half the amount identified in the
10 judgment of conviction.
11
12

13 Due process requires that the loss be accurately identified, particular where the amount
14 has been repeatedly held up by the State as a basis for a gigantic sentence. Due process also
15 requires restitution be accurately computed, assigned to a named victim, and have a factual
16 basis, regardless of whether Parks voluntarily agreed to pay it. The allegation here includes a
17 claim that effective counsel would have figured this all out ahead of time, i.e. that Parks would
18 have declined to agree to restitution in the proposed amount had someone such as her attorney
19 informed her there was no factual basis for it. But this information should also have been
20 brought out at sentencing as there is a reasonable probability of a more favorable outcome in
21 the form of a lower sentence or lower restitution had counsel done so.
22
23

24 Failure to challenge reasonableness of sentence sought or imposed
25

26 While the recommendation of the Department of Parole and Probation is not binding on
27 the sentencing court, see Lloyd v. State, 94 Nev. 167, 170 (1978) (citing Collins v. State, 88 Nev.
28 168 (1972)), the recommendation is based on "the normal punishment given in other

1 jurisdictions for similar offenses.” Id. (citing NRS 176.145). Moreover, the presentence report, like
2 all information presented at sentencing, cannot contain impalpable or highly suspect material.
3
4 Blankenship v. State, 132 Nev. 500, 375 P.3d 407 (2016). As a result, if a sentencing judge were
5 to sentence significantly beyond the recommendation of Parole and Probation, then the judge is
6 sentencing significantly beyond what the normal punishment is for the same or similar crimes in
7 other jurisdictions. Moreover, by disregarding a presentence report that contains accurate
8 information in favor of other, inaccurate information, the ultimate sentence would rely on
9 impalpable information in violation of Nevada law.
10

11 Here, there was a wholesale rejection of P&P’s presentence report sentencing
12 recommendation by the Court. (“I have no idea how parole and probation only thinks that you
13 deserve 64 months on the bottom, because that is absolutely not accurate and that is absolutely
14 what is not about to happen today”). SUPP 211. In fact, after a thorough presentence
15 investigation, P&P found that Petitioner actually qualified for a recommendation of probation
16 with a probation success probability score of 66. To be sure, P&P ultimately did recommend a
17 minimum sentence of incarceration of 64 months, but the overall finding of the presentence
18 report was favorable to Petitioner. Effective counsel would have either presented information to
19 the sentencing court to support P&P’s recommendation, or requested someone from P&P come
20 to the sentencing to explain it themselves.
21

22 As a result of these errors, the trial court sentenced Petitioner to a minimum term of
23 incarceration of 192 months. This is **more than three times what P&P recommended and**
24 **double what the original offer would have called for.** The Supreme Court has held that any
25 increased amount of incarceration has constitutional significance and therefore the increased
26
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1 sentence imposed on Petitioner as a result of counsel's errors was prejudicial. Had trial counsel
2 objected to the failure to consider P&P's accurate presentence report, or requested that the
3 drafting officer appear to better explain how the recommendation was arrived at, Parks would
4 have enjoyed a reasonable probability of a more favorable outcome. Petitioner should receive a
5 new sentencing hearing before a judge who is unfamiliar with the record in this matter.
6

7 In addition, the 16 to 40 year sentence imposed by the trial court was unreasonable and
8 constituted cruel and unusual punishment. Effective trial counsel would have challenged the
9 sentence imposed by way of a motion for reconsideration, a new trial, or by filing a direct
10 appeal. A sentence of no less than 16 years in prison shocks the conscience, because it is
11 unreasonable and disproportionate to literally any other sentence imposed in Nevada for theft.
12 Allred v. State, 120 Nev. 410, 420, 92 P.3d 1246 (2004), overruled on other grounds by Knipes v.
13 State, 124 Nev. 927, 192 P.3d 1178 (2008), see also Solem v. Helm, 463 U.S. 277 (1983). A
14 necessary component of this analysis is comparison of the offense to the same or similar crimes
15 either within or outside the jurisdiction where the offense occurred. In re Lynch, 8 Cal.3d 410,
16 427 503 P.2d 921 (1972). Courts must sentence defendants individually and take into
17 consideration the defendant's circumstances as well as the facts of the crime. Martinez v. State,
18 114 Nev. 735, 961 P.2d 143 (1998).
19

20 While challenging to analyze due to the lack of any centralized data, a compelling case
21 could be made that Ms. Park's sentence was way outside the norm for theft based sentences
22 either in or outside Nevada – or potentially *the most severe* sentence handed down based on
23 the amount of money at issue. To be sure, the approximate half-million dollar loss in this case is
24 substantial, but it pales in comparison to numerous other high publicity theft cases.
25
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1 Effective counsel could have alerted the court that sentences imposed for similar crimes
2 were significantly less severe than either the incarceration time sought by the State, or the actual
3 sentence imposed. A compilation of sentences with backup documentation is attached to the
4 appendix in this matter.

5
6 Specifically, as part of the post-conviction investigation, a survey of similar cases was
7 conducted. While these are primarily theft cases from Nevada, other related cases from other
8 jurisdictions are also included to ensure an adequate sample size. SUPP 514-516. Then, a
9 statistical analysis of those sentences was performed to determine just how great an outlier
10 Parks' sentence was. SUPP 517-520.

11
12 The statistical analysis confirms that, mathematically speaking, Parks' minimum sentence
13 of 192 months "shocks the conscience" because it is almost three standard deviations beyond
14 the predicted sentence based on the amount of money allegedly stolen. That is, the predicted
15 sentence for \$554,397.71 would be 48 months in prison – an amount itself that is similar to what
16 P&P recommended for Ms. Parks. But the 192 month sentence actually imposed lies almost at
17 the third standard deviation of the results range, meaning, it is higher than would be expected
18 in 95% to 99% of all cases.

19
20 The results themselves bear this out. More simply, only one sentencing in the entire data
21 sample involved a sentence longer than 192 months. Sharon Moore was sentenced to 240
22 months in prison for a guardianship fraud scheme, but in that case, some \$11 million was
23 alleged to have gone missing. There are many examples of thefts over \$1 million that results in
24 substantially less lengthy sentences than what was imposed on Ms. Parks. And the sample was
25 not drawn in any way to exclude unhelpful results; there simply are none to report. The State is
26
27
28

1 welcome to justify a 16 year minimum sentence for what the State's own prosecutor described
2 as "largely a billing fraud case" by pointing to any examples of similar sentences it can find.

3
4 SUPP 20. Parks believes any such examples are rare or nonexistent.

5 In total, the sentence imposed on Ms. Parks was overly harsh based on State and Federal
6 Constitutional law. The only way a sentence could ever "shock" society is in comparison to other
7 sentences, and that comparison here shows the sentence imposed was at the highest levels of
8 rareness and way out of line with the amount of money alleged taken.

9
10 Of course, the amount of money at issue is but one factor the court would consider at
11 sentencing, but in a financial crime case it is likely the most important factor. It would be natural
12 to consider the impact of the offense on the victims, but as detailed above, that factor is not
13 nearly as clear cut as the State suggests either. Ms. Parks was called upon, time and again, to
14 make judgment calls about complicated care questions in cases where no one else could or
15 would serve in that role. The sentence imposed must reflect these individualized considerations,
16 the 192 month minimum sentence was unreasonable, and counsel acted ineffectively by failing
17 to argue these points to the Court either at or after sentencing.

18
19
20
21 Investigation Continues

22 This supplement is filed within the timeframes previously set. Investigation of
23 supporting facts continues and Parks reserves the right to add additional factual context to
24 these allegations, potentially in the form of witness statements, documents or other evidence
25 which would further support her claim of ineffective assistance of counsel at the time of
26 sentencing.
27
28

1 (c) Ground Three: **Petitioner received ineffective assistance of trial counsel in**
2 **violation of her rights as guaranteed by the Fifth, Sixth or Fourteenth Amendments to the**
3 **United States Constitution and/or under state law or the Nevada Constitution due to the**
4 **fact Petitioner was wrongfully deprived of her right to a direct appeal; Petitioner hereby**
5 **requests relief pursuant to Lozada v. State, 110 Nev. 349, 871 P.2d 944 (1994) and NRAP**
6 **4(c).**
7

8 Petitioner specifically informed trial counsel that she was dissatisfied with the sentence
9 and wanted to challenge it any way possible, including specifically an appeal. Further, effective
10 counsel would have understood, based on the errors outlined above, that Petitioner would have
11 wanted to appeal and that appealable issues existed concerning the events at sentencing and
12 the sentence itself. However, trial counsel did not file a notice of appeal within the thirty days
13 required, and the time for filing a notice of appeal has now expired.
14

15 Because Petitioner was unconstitutionally deprived of her right to a direct appeal with
16 the assistance of counsel, she requests this Court grant relief in the form of an untimely direct
17 appeal. If a criminal defendant is deprived of a direct appeal, prejudice is presumed and there is
18 no requirement that the issues to be raised on appeal be identified. Toston v. State, 127
19 Nev.Adv.Op. 87, 267 P.3d 795 (2011). Petitioner would simply state, in general and as explored
20 above, there are significant questions about the actual sentence imposed and the means by
21 which it was arrived at which would have been appropriate for direct review.
22

23 Pursuant to NRAP 4(c), there is a procedure by which the trial court can direct the Clerk
24 of Court to prepare and file a notice of appeal on Petitioner's behalf, and Petitioner requests the
25 court grant this relief as the remedy to this appeal deprivation claim.
26
27
28

1 In support of this claim, the evidence shows that Parks wrote counsel during the time
2 when a direct appeal could have been timely filed. SUPP 507. In that letter, Parks alluded to an
3 in-person discussion she had with counsel. In the letter, Parks expressly stated she was
4 dissatisfied with the sentence because she requested counsel "get the paperwork started for a
5 sentence modification." SUPP 507. Parks further alleges that this series of correspondence only
6 arose after a meeting between Parks and counsel, following sentencing, in which Parks
7 unequivocally informed counsel that she wanted to appeal her sentence.
8

9
10 Instead of filing a notice of appeal, counsel wrote Parks a letter back indicating that he
11 would clarify what they had recently discussed.¹ Counsel stated the only "potentially legitimate"
12 course of action was a post-conviction petition. SUPP 508. Despite the ongoing availability of
13 direct appeal as a remedy, counsel advised Parks to raise "issues at the sentencing hearing" as
14 part of a post-conviction petition.
15

16
17 While Parks may have operated at the periphery of law, she was not a trained lawyer and
18 whatever she knew about guardianships would provide no basis to conclude she knew anything
19 about criminal law. Reasonably effective counsel would have understood that by complaining
20 about her sentence and requesting relief from it, Parks expressed a desire to appeal. Courts,
21 including the Nevada Supreme Court, have held counsel is ineffective when he or she talks a
22

23
24
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26
27
28 ¹ The letter provided by counsel was in Word format and the date automatically
updated when opened for reading. However, the filename suggests the original date of
counsel's letter was 1-30-19 which was still during the direct appeal time period.


1 defendant out of filing a direct appeal. United States v. Waller, 2013 U.S.Dist. LEXIS 39845 (W.D.
2 Tenn. 2013), Burns v. State, 2020 WL 406319, 455 P.3d 840 (Nev. Jan. 23, 2020) (unpublished).

3
4 WHEREFORE, Petitioner prays that the court grant petitioner relief to which petitioner
5 may be entitled in this proceeding to include (1) withdrawal from the plea agreement with a
6 finding that the State is directed to re-offer the previous 8 to 20 year offer, (2) a new sentencing
7 hearing before a judge who is unfamiliar with the record of these proceedings, (3) an untimely
8 direct appeal with the assistance of appointed counsel, (4) an evidentiary hearing, or (5) any
9 other such relief as may be required.
10

11 DATED this 30th day of September, 2020.
12
13

14 Submitted By:

15 RESCH LAW, PLLC d/b/a Conviction Solutions
16

17
18 By: 
19 JAMIE J. RESCH
20 Attorney for Petitioner

21 ///

22 ///

23 ///

24 ///

25 ///

26

27

28

VERIFICATION

I, JAMIE J. RESCH, ESQ., declare under penalty of perjury as follows:

That I am the attorney of record for Petitioner / Defendant April Parks; that I have read the foregoing supplement and know the contents thereof; that the same are true and correct to the best of my knowledge, information and belief, except for those matters stated therein on information and belief, and as to those matters, I believe them to be true; that Petitioner/Defendant personally authorized me to commence this Supplemental Petition for Writ of Habeas Corpus.

I declare under penalty of perjury that the foregoing is true and correct.

9-30-2020

Executed on

Signature

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 September 30, 2020, I served a true and correct copy of the foregoing Petition for Writ of Habeas Corpus (Post-Conviction) via first class mail in envelopes addressed to:

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


Nevada Attorney General
555 E. Washington, #3900
Las Vegas, NV 89101

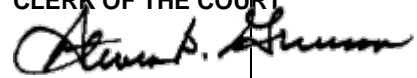
April Parks #1210454
Florence McClure Wm. Corr. Ctr.
4370 Smiley Rd.
Las Vegas, NV 89115

and via Wiznet's electronic filing system, as permitted by local practice to the following person(s):

Steven B. Wolfson
Clark County District Attorney
PDmotions@ClarkCountyDA.com

Michael J. Bongard
Office of the Nevada Attorney General
MBongard@ag.nv.gov


An Employee of Conviction Solutions



1 **EXHS**

2 RESCH LAW, PLLC d/b/a Conviction Solutions

3 By: Jamie J. Resch

4 Nevada Bar Number 7154

5 2620 Regatta Dr., Suite 102

6 Las Vegas, Nevada, 89128

7 Telephone (702) 483-7360

8 Facsimile (800) 481-7113

9 Jresch@convictionsolutions.com

10 Attorney for Petitioner

11 DISTRICT COURT

12 CLARK COUNTY, NEVADA

13 APRIL PARKS,

14 Petitioner,

15 vs.

16 THE STATE OF NEVADA,

17 Respondent.

Case No.: A-19-807564-W

Dept. No: X

**PETITIONER'S EXHIBITS IN SUPPORT OF
SUPPLEMENT TO POST-CONVICTION WRIT
OF HABEAS CORPUS**

Date of Hearing: February 8, 2021

Time of Hearing: 8:30 a.m.

18 COMES NOW Petitioner, April Parks, by and through appointed counsel, Jamie J. Resch,
19 Esq., and hereby submits her Exhibits in Support of Supplement to Post-Conviction Writ of
20 Habeas Corpus.

21 Dated this 30th day of September, 2020.

22 Submitted By:

23 RESCH LAW, PLLC d/b/a Conviction Solutions

24 By:

25 JAMIE J. RESCH

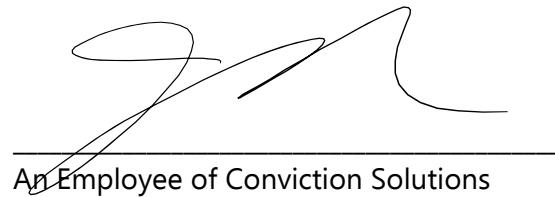
26 Attorney for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Resch Law, PLLC d/b/a Conviction Solutions and that on September 30, 2020, I served a true and correct copy of the foregoing Exhibits in Support of Supplemental Petition for Writ of Habeas Corpus (Post-Conviction) via Wiznet's electronic filing system, as permitted by local practice to the following person(s):

Steven B. Wolfson
Clark County District Attorney
PDmotions@ClarkCountyDA.com
Motions@ClarkCountyDA.com

Michael J. Bongard
Office of the Nevada Attorney General
MBongard@ag.nv.gov



An Employee of Conviction Solutions

● ORIGINAL ●

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

NOV 05 2018

BY 
TERI BERKSHIRE, DEPUTY

C-17-321808-1
GPA
Guilty Plea Agreement
4794095



1 **GPA**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 JAY P. RAMAN
6 Chief Deputy District Attorney
7 Nevada Bar #010193
8 ADAM P. LAXALT
9 Nevada Attorney General
10 Nevada Bar #012426
11 DANIEL E. WESTMEYER
12 Senior Deputy Attorney General
13 Nevada Bar #010273
14 200 Lewis Avenue
15 Las Vegas, NV 89155-2212
16 (702) 671-2500
17 Attorney for Plaintiff

10 DISTRICT COURT
11 CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,
13 Plaintiff,

14 -vs-

15 APRIL PARKS,
16 #1571645

17 Defendant.

CASE NO: C-17-321808-1

DEPT NO: X

18 GUILTY PLEA AGREEMENT

19 I hereby agree to plead guilty, pursuant to North Carolina v. Alford, 400 U.S. 25 (1970),
20 to: **2 COUNTS OF EXPLOITATION OF AN OLDER/VULNERABLE PERSON**
21 **(Category B Felony - NRS 200.5092, 200.5099 - NOC 50304), 2 COUNTS OF THEFT**
22 **(Category B Felony - NRS 205.0832, 205.0835.4 - NOC 55991), and 1 COUNT OF**
23 **PERJURY (Category D Felony - NRS 199.120 - NOC 52971), as more fully alleged in the**
24 **charging document attached hereto as Exhibit "1".**

25 I hereby also agree to plead guilty, pursuant to North Carolina v. Alford, 400 U.S. 25
26 (1970), to: **1 COUNT OF EXPLOITATION OF AN OLDER/VULNERABLE PERSON**
27 **(Category B Felony - NRS 200.5092, 200.5099 - NOC 50304), in Case No. C329886.**

28 //

1 My decision to plead guilty by way of the Alford decision is based upon the plea
2 agreement in this case which is as follows:

3 I agree to pay full restitution in an amount of \$559,205.32, jointly and severally between
4 myself, Mark Simmons, and Gary Neil Taylor. The State and Defendant will retain full right
5 to argue. The instant case shall run concurrent to Case No. C329886. I reject a stipulated
6 aggregate sentence of eight (8) to twenty (20) years concurrent to each other on this case and
7 Case No. C329886, and understand the State may argue for more than that stipulated sentence.

8 I agree to the forfeiture of any and all weapons or any interest in any weapons seized
9 and/or impounded in connection with the instant case and/or any other case negotiated in
10 whole or in part in conjunction with this plea agreement.

11 I understand and agree that, if I fail to interview with the Department of Parole and
12 Probation (P&P), fail to appear at any subsequent hearings in this case, or an independent
13 magistrate, by affidavit review, confirms probable cause against me for new criminal charges
14 including reckless driving or DUI, but excluding minor traffic violations, the State will have
15 the unqualified right to argue for any legal sentence and term of confinement allowable for the
16 crime(s) to which I am pleading guilty, including the use of any prior convictions I may have
17 to increase my sentence as an habitual criminal to five (5) to twenty (20) years, Life without
18 the possibility of parole, Life with the possibility of parole after ten (10) years, or a definite
19 twenty-five (25) year term with the possibility of parole after ten (10) years.

20 Otherwise I am entitled to receive the benefits of these negotiations as stated in this
21 plea agreement.

22 CONSEQUENCES OF THE PLEA

23 By pleading guilty pursuant to the Alford decision, it is my desire to avoid the
24 possibility of being convicted of more offenses or of a greater offense if I were to proceed to
25 trial on the original charge(s) and of also receiving a greater penalty. I understand that my
26 decision to plead guilty by way of the Alford decision does not require me to admit guilt, but
27 is based upon my belief that the State would present sufficient evidence at trial that a jury

28 //

1 would return a verdict of guilty of a greater offense or of more offenses than that to which I
2 am pleading guilty.

3 I understand that by pleading guilty I admit the facts which support all the elements of
4 the offense(s) to which I now plead as set forth in Exhibit "1".

5 **As to Counts 1 and 2**, I understand that as a consequence of my plea of guilty by way
6 of the Alford decision The Court must sentence me to imprisonment in the Nevada Department
7 of Corrections for a minimum term of not less than two (2) years and a maximum term of not
8 more than twenty (20) years. The minimum term of imprisonment may not exceed forty
9 percent (40%) of the maximum term of imprisonment. I understand that I may also be fined
10 up to \$10,000.00.

11 **As to Counts 3 and 4**, I understand that as a consequence of my plea of guilty by way
12 of the Alford decision The Court must sentence me to imprisonment in the Nevada Department
13 of Corrections for a minimum term of not less than one (1) year and a maximum term of not
14 more than ten (10) years. The minimum term of imprisonment may not exceed forty percent
15 (40%) of the maximum term of imprisonment. I understand that I may also be fined up to
16 \$10,000.00.

17 **As to Count 5**, I understand that as a consequence of my plea of guilty by way of the
18 Alford decision The Court must sentence me to imprisonment in the Nevada Department of
19 Corrections for a minimum term of not less than one (1) year and a maximum term of not more
20 than four (4) years. The minimum term of imprisonment may not exceed forty percent (40%)
21 of the maximum term of imprisonment. I understand that I may also be fined up to \$5,000.00.

22 I understand that the law requires me to pay an Administrative Assessment Fee.

23 I understand that, if appropriate, I will be ordered to make restitution to the victim of
24 the offense(s) to which I am pleading guilty and to the victim of any related offense which is
25 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to
26 reimburse the State of Nevada for any expenses related to my extradition, if any.

27 //

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1 I understand that I am eligible for probation for the offenses to which I am pleading
2 guilty. I understand that, except as otherwise provided by statute, the question of whether I
3 receive probation is in the discretion of the sentencing judge.

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

6 I understand that if I am pleading guilty to charges of Burglary, Invasion of the Home,
7 Possession of a Controlled Substance with Intent to Sell, Sale of a Controlled Substance, or
8 Gaming Crimes, for which I have prior felony conviction(s), I will not be eligible for probation
9 and may receive a higher sentencing range.

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

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

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

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

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

22 I understand that if I am not a United States citizen, any criminal conviction will likely
23 result in serious negative immigration consequences including but not limited to:

- 24 1. The removal from the United States through deportation;
- 25 2. An inability to reenter the United States;
- 26 3. The inability to gain United States citizenship or legal residency;

27 //

28 //

4. An inability to renew and/or retain any legal residency status; and/or
5. An indeterminate term of confinement, with the United States Federal Government based on my conviction and immigration status.

Regardless of what I have been told by any attorney, no one can promise me that this conviction will not result in negative immigration consequences and/or impact my ability to become a United States citizen and/or a legal resident.

I understand that P&P will prepare a report for the sentencing judge prior to sentencing. This report will include matters relevant to the issue of sentencing, including my criminal history. This report may contain hearsay information regarding my background and criminal history. My attorney and I will each have the opportunity to comment on the information contained in the report at the time of sentencing. Unless the District Attorney has specifically agreed otherwise, then the District Attorney may also comment on this report.

WAIVER OF RIGHTS

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

1. The constitutional privilege against self-incrimination, including the right to refuse to testify at trial, in which event the prosecution would not be allowed to comment to the jury about my refusal to testify.
2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an attorney, either appointed or retained. At trial the State would bear the burden of proving beyond a reasonable doubt each element of the offense(s) charged.
3. The constitutional right to confront and cross-examine any witnesses who would testify against me.
4. The constitutional right to subpoena witnesses to testify on my behalf.
5. The constitutional right to testify in my own defense.
6. The right to appeal the conviction with the assistance of an attorney, either appointed or retained, unless specifically reserved in writing and agreed upon as provided in NRS 174.035(3). I understand this means I am unconditionally waiving my right to a direct appeal of this conviction, including any challenge based upon reasonable constitutional, jurisdictional or other grounds that challenge the legality of the proceedings as stated in NRS 177.015(4). However, I remain free to challenge my conviction through other post-conviction remedies including a habeas corpus petition pursuant to NRS Chapter 34.

VOLUNTARINESS OF PLEA

I have discussed the elements of all of the original charge(s) against me with my attorney and I understand the nature of the charge(s) against me.

I understand that the State would have to prove each element of the charge(s) against me at trial.

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

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

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

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

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

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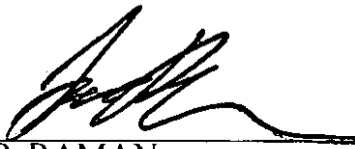
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1 My attorney has answered all my questions regarding this guilty plea agreement and its
2 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

3 DATED this 5th day of November, 2018.

4
5 
6 APRIL PARKS
Defendant \

7 AGREED TO BY:

8
9 
10 JAY P. RAMAN
11 Chief Deputy District Attorney
Nevada Bar #010193

12
13 
14 DANIEL WESTMEYER
15 Senior Deputy Attorney General
16 Nevada Bar #010273
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1 CERTIFICATE OF COUNSEL:

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

- 4 1. I have fully explained to the Defendant the allegations contained in the
charge(s) to which Alford pleas are being entered.
- 5 2. I have advised the Defendant of the penalties for each charge and the restitution
6 that the Defendant may be ordered to pay.
- 7 3. I have inquired of Defendant facts concerning Defendant's immigration status
and explained to Defendant that if Defendant is not a United States citizen any
8 criminal conviction will most likely result in serious negative immigration
consequences including but not limited to:
- 9 a. The removal from the United States through deportation;
- 10 b. An inability to reenter the United States;
- 11 c. The inability to gain United States citizenship or legal residency;
- 12 d. An inability to renew and/or retain any legal residency status; and/or
- 13 e. An indeterminate term of confinement, by with United States Federal
14 Government based on the conviction and immigration status.

15 Moreover, I have explained that regardless of what Defendant may have been
told by any attorney, no one can promise Defendant that this conviction will not
16 result in negative immigration consequences and/or impact Defendant's ability
to become a United States citizen and/or legal resident.

- 17 4. All pleas of Alford offered by the Defendant pursuant to this agreement are
18 consistent with the facts known to me and are made with my advice to the
Defendant.
- 19 5. To the best of my knowledge and belief, the Defendant:
- 20 a. Is competent and understands the charges and the consequences of
pleading Alford as provided in this agreement,
- 21 b. Executed this agreement and will enter all Alford pleas pursuant hereto
22 voluntarily, and
- 23 c. Was not under the influence of intoxicating liquor, a controlled
24 substance or other drug at the time I consulted with the Defendant as
certified in paragraphs 1 and 2 above.

25 Dated: This 5th day of November, 2018.

26 
27 _____
DEFENSE ATTY. NAME

28 16AGJ151A/mc/EAU

1 **AIND**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 JAY P. RAMAN
6 Chief Deputy District Attorney
7 Nevada Bar #010193
8 ADAM P. LAXALT
9 Nevada Attorney General
10 Nevada Bar #012426
11 DANIEL E. WESTMEYER
12 Senior Deputy Attorney General
13 Nevada Bar #010273
14 200 Lewis Avenue
15 Las Vegas, NV 89155-2212
16 (702) 671-2500
17 Attorney for Plaintiff

10 DISTRICT COURT
11 CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,
13 Plaintiff,

14 -vs-

15 APRIL PARKS,
16 #1571645

17 Defendant.

CASE NO. C-17-321808-1

DEPT NO. X

16 AMENDED
17 INDICTMENT

18 STATE OF NEVADA }
19 COUNTY OF CLARK } ss:

20 The Defendant(s) above named, APRIL PARKS, is accused by the Clark County Grand
21 Jury of the crime of **EXPLOITATION OF AN OLDER/VULNERABLE PERSON**
22 **(Category B Felony - NRS 200.5092, 200.5099 - NOC 50304); THEFT (Category B Felony**
23 **- NRS 205.0832, 205.0835.4 - NOC 55991) and PERJURY (Category D Felony - NRS**
24 **199.120 - NOC 52971), committed at and within the County of Clark, State of Nevada, on or**
25 **between December 21, 2011 and July 6, 2016, as follows:**

26 **COUNT 1 - EXPLOITATION OF AN OLDER/VULNERABLE PERSON**

27 Defendant did willfully, unlawfully, and feloniously exploit an older person by use of
28 a guardianship converting the older person's money, assets, or property, Defendant intending

1 to permanently deprive the older person of the ownership, use, benefit, or possession of the
2 older person's money, assets, or property having an value of more than \$5,000.00, while
3 working in her role as guardian and fiduciary, by overbilling for visits, social security visits,
4 shopping trips, court filings, and banking visits, and/or by billing for unnecessary services or
5 services not performed, thereby exploiting older persons in the amount of approximately
6 \$55,215.45. Said older persons are as follows:

Name of Exploited Elder	Amount Exploited
Clyde Bowman	\$3,820.14
Delmond Foster	\$5,134.40
Delores Smith	\$6,346.30
Harold Lockwood	\$4,528.00
James Poya	\$6,032.50
Janice Mitchell	\$4,766.37
Juanita Graham	\$5,766.75
Marlene Homer	\$11,582.40
Mary Vitek	\$2,705.39
Norbert Wilkening	\$4,533.20
	TOTAL: \$55,215.45

20 Defendant is criminally liable under one or more of the following principles of criminal
21 liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
22 commission of this crime, with the intent that this crime be committed, by providing counsel
23 and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted
24 as guardian for said older person and overcharged for ward visits, shopping trips, bank
25 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
26 not benefit said older person or did not occur, and/or directed Angelica Sanchez and/or Heidi
27 Kramer and/or Sue Pehrson and/or MARK SIMMONS and/or GARY NEAL TAYLOR to do

28 //

the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be committed.

COUNT 2 - EXPLOITATION OF AN OLDER PERSON

Defendant did willfully, unlawfully, and feloniously exploit an older person by use of a guardianship converting the older person's money, assets, or property, Defendant intending to permanently deprive the older person of the ownership, use, benefit, or possession of the older person's money, assets, or property having an value of more than \$5,000.00, by working in her role as guardian and fiduciary, overbilling for visits, social security visits, shopping trips, court filings, and banking visits, and/or by billing for unnecessary services or services not performed, thereby exploiting older persons in the amount of approximately \$208,292.00.

Said older persons are as follows:

Name of Exploited Elder	Amount Exploited
Dorothy Trumbich	\$167,204.49
Adolfo Gonzalez	\$1,413.60
Carolyn Rickenbaugh	\$3,804.49
Gloria Schneringer	\$2,830.50
Kenneth Edwards	\$2,622.62
Roy Franklin	\$5,806.97
Marilyn Scholl	\$6,262.48
Marie Long	\$10,708.45
Rennie North	\$2,074.80
Patricia Smoak	\$5,563.60
	TOTAL: \$208,292.00

Defendant is criminally liable under one or more of the following principles of criminal liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime be committed, by providing counsel

1 and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted
2 as guardian for said older person and overcharged for ward visits, shopping trips, bank
3 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did
4 not benefit said older person or did not occur, and/or directed Angelica Sanchez and/or Heidi
5 Kramer and/or Sue Pehrson and/or MARK SIMMONS and/or GARY NEAL TAYLOR to do
6 the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the
7 crime be committed.

8 COUNT 3 - THEFT

9 Defendant did willfully, knowingly, feloniously, and without lawful authority, use the
10 services or property of another person entrusted to her, or placed in her possession for a limited,
11 authorized period of determined or prescribed duration or for a limited use, having a value of
12 \$3,500.00 or more, in the following manner, to-wit: by working in her role as guardian and
13 fiduciary, overbilling for visits, social security visits, shopping trips, court filings, and banking
14 visits, and/or by billing for unnecessary services or services not performed, thereby unlawfully
15 converting money belonging to said older person in the amount of approximately \$69,032.32.
16 Said older persons are as follows:

Name of Older Person	Amount Stolen
Rudy North	\$2,016.30
Ruth Braslow	\$13,180.67
Walter Wright	\$4,183.08
William Brady	\$9,470.80
William Flewellen	\$4,807.61
Yoshiko Kindaichi	\$3,699.28
Norman Weinstock	\$15,068.18
Maria Cooper	\$6,920.00
Kenneth Cristopherson	\$4,290.00
Joseph Massa	\$5,396.40

TOTAL: \$69,032.32

Defendant is criminally liable under one or more of the following principles of criminal liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the commission of this crime, with the intent that this crime be committed, by providing counsel and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted as guardian for said older person and overcharged for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did not benefit said older person or did not occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson and/or MARK SIMMONS and/or GARY NEAL TAYLOR to do the same; and/or (3) pursuant to a conspiracy to commit this crime, with the intent that the crime be committed.

COUNT 4 - THEFT

Defendant did willfully, knowingly, feloniously, and without lawful authority, use the services or property of another person entrusted to her, or placed in her possession for a limited, authorized period of determined or prescribed duration or for a limited use, having a value of \$3,500.00 or more, in the following manner, to-wit: by working in her role as guardian and fiduciary, overbilling for visits, social security visits, shopping trips, court filings, and banking visits, and/or by billing for unnecessary services or services not performed, thereby unlawfully converting money belonging to said older person in the amount of approximately \$85,210.86.

Said older persons are as follows:

Name of Older Person	Amount Stolen
Blanca Ginorio	\$2,497.20
Daniel Currie	\$8,149.70
Rita Lamppa	\$4,311.20
Barbara Neely	\$895.00
Audrey Weber	\$3,819.60

AA 0188

1	Baxter Burns	\$32,006.72
2	Linda Phillips	\$3,445.26
3	William Flewellen	\$4,807.61
4	Mary Woods and/or John and Sally Den	\$25,278.57
5		TOTAL: \$85,210.86

6

7 Defendant is criminally liable under one or more of the following principles of criminal

8 liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the

9 commission of this crime, with the intent that this crime be committed, by providing counsel

10 and/or encouragement and by entering into a course of conduct whereby APRIL PARKS acted

11 as guardian for said older person and overcharged for ward visits, shopping trips, bank

12 deposits, and/or other tasks on behalf of A Private Professional Guardian, LLC that either did

13 not benefit said older person or did not occur, and/or directed Angelica Sanchez and/or Heidi

14 Kramer and/or Sue Pehrson and/or MARK SIMMONS and/or GARY NEAL TAYLOR and/or

15 NOEL PALMER SIMPSON to do the same; and/or (3) pursuant to a conspiracy to commit

16 this crime, with the intent that the crime be committed.

17 COUNT 5 - PERJURY

18 Defendant did willfully make a false statement in a declaration made under penalty of

19 perjury, to-wit: by offering for filing with the Clark County District Court, under penalty of

20 perjury, petitions for accounting and/or fees and/or related documents in the following

21 guardianship cases: G-12-036900-A; G-11-036043-A; G-13-038228-A; G-14-040726-A; G-

22 10-035162-A; G-10-035339-A; G-10-035078-A; G-13-038909-A; G-13-039636-A; G-09-

23 034019-A; G-11-035593-A; G-12-037215-A; G-13-039449-A; G-13-039443-A; 06G029707;

24 G-12-037404-A; G-13-039161-A; G-13-039448-A; G-11-036232-A; G-13-039145-A; G-14-

25 039910-A; G-10-035166-A; G-14-041060-A; G-14-040243-A; G-12-038107-A; G-14-

26 040310-A; G-12-037395-A; G-12-037438-A; G-13-039133-A; G-13-039132-A; G-12-

27 037193-A; G-13-038438-A; G-13-038316-A; G-13-039454-A; G-08-032515-A; G-12-

28 037226-A; and G-14-040873-A; which documents claimed that Defendant was owed fees for

1 services rendered that were not in fact rendered to the extent and duration claimed, which
2 statements were material to the filings in question.

3
4 STEVEN B. WOLFSON
Clark County District Attorney
Nevada Bar #001565

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6 BY 

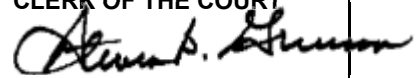
7 JAY P. RAMAN
Chief Deputy District Attorney
Nevada Bar #010193

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Nevada Attorney General
Nevada Bar #012426

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13 DANIEL WESTMEYER
Senior Deputy Attorney General
Nevada Bar #010273

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5 DISTRICT COURT
6 CLARK COUNTY, NEVADA
7

8 STATE OF NEVADA,

9 Plaintiff,

10 vs.

11 APRIL PARKS,

12 Defendant.
13

CASE NO. C-17-321808-1
DEPT. X

14 ***BEFORE THE HONORABLE TIERRA JONES, DISTRICT COURT JUDGE***

15 ***FRIDAY, OCTOBER 5. 2018***
16 ***RECORDER'S TRANSCRIPT RE:***
17 ***SENTENCING***

18 APPEARANCES:

19 For the State:

JAY RAMAN, Esq.
Chief Deputy District Attorney

21 DANIEL WESTMEYER, Esq.
22 Senior Deputy Attorney General
23

24 For the Defendant:

ANTHONY GOLDSTEIN, Esq.

25 RECORDED BY: VICTORIA BOYD, COURT RECORDER

AA 0191

1 Las Vegas, Nevada, Friday, November 5, 2018 at 9:25 a.m.

2
3
4 THE COURT: Ms. Parks is here in custody with Mr. Goldstein. Ms. Parks is
5 also here on C329886-2. She's also present with Mr. Goldstein. So this is on for a
6 status check on trial readiness. Where are we in regards to Ms. Parks?

7 MR. GOLDSTEIN: Your Honor, Anthony Goldstein for the defendant. She's
8 here in custody. I submitted two guilty pleas to resolve both of her cases under the
9 same global negotiation. They are contingent with Mr. Taylor and Mr. Simmons and
10 Ms. Simpson. My understanding is all of them have signed their respective
11 agreements and submitted them to the Court, Your Honor.

12 THE COURT: Okay.

13 Ms. Parks, is that your understanding?

14 THE DEFENDANT: It is.

15 THE COURT: So we're going to go on C321808. In regards to that case it's
16 my understanding today that you're going to plead guilty pursuant to North Carolina
17 v. Alford to two counts of exploitation of an older, vulnerable person, two counts of
18 theft and one count of perjury in that case. Is that your understanding?

19 THE DEFENDANT: Yes, it is.

20 THE COURT: You are also agreeing to plead guilty pursuant to North
21 Carolina v. Alford to one count of exploitation of an older, vulnerable person in case
22 C329886.

23 THE DEFENDANT: Yes, Your Honor.

24 THE COURT: You agree to pay full restitution in the amount of \$559,205.32
25 jointly and severally between yourself, Mark Simmons and Gary Neal Taylor. The

1 State and you will have the full right to argue for any legal sentence in this case.
2 This case will run concurrent to C329886 and with the understanding that you
3 rejected a stipulated aggregate sentence of 8-20 years concurrent to each other on
4 this case and the other case and understand the State may argue for more than that
5 stipulated sentence. Is that your understanding of the negotiations?

6 THE DEFENDANT: Yes, Your Honor.

7 THE COURT: Ma'am, what is your full name?

8 THE DEFENDANT: April M. Parks.

9 THE COURT: And how old are you?

10 THE DEFENDANT: 53.

11 THE COURT: How far did you go in school?

12 THE DEFENDANT: Some college.

13 THE COURT: Do you read, write and understand the English language?

14 THE DEFENDANT: I do.

15 THE COURT: Ma'am, are you currently under the influence of any drugs or
16 medication, alcoholic beverages at this time?

17 THE DEFENDANT: I'm sorry.

18 THE COURT: Are you under the influence right now of any drugs, medication
19 or alcoholic beverages?

20 THE DEFENDANT: No, ma'am.

21 THE COURT: Do you understand the proceedings that are happening here
22 today?

23 THE DEFENDANT: I do, Your Honor.

24 THE COURT: Have you received a copy of the amended indictment in Case
25 C321808 where you were charged with the two counts of exploitation of an older,

1 vulnerable person, two counts of theft and one count of perjury?

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: Have you also received a copy of the amended indictment in
4 C329886 where you are charged with one count of exploitation of an older,
5 vulnerable person?

6 THE DEFENDANT: Yes, ma'am.

7 THE COURT: Do you understand all of those charges?

8 THE DEFENDANT: I do, Your Honor.

9 THE COURT: Ma'am, have you had an opportunity to discuss this case with
10 your lawyer?

11 THE DEFENDANT: Yes.

12 THE COURT: As to the charges set forth in both of those amended
13 indictments how do you plead?

14 THE DEFENDANT: Guilty via Alford.

15 THE COURT: Okay. Guilty pursuant to Alford in C321808?

16 THE DEFENDANT: Guilty via Alford.

17 THE COURT: And guilty pursuant to Alford in C329886?

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: Are you making these pleas freely and voluntarily?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: Has anyone forced you or threatened you or anyone closely
22 associated with you to get you to enter either of these pleas?

23 THE DEFENDANT: No, ma'am.

24 THE COURT: Has anyone made you any promises other than what is
25 contained in the guilty plea agreements to get you to enter either of these pleas?

1 THE DEFENDANT: No, ma'am.

2 THE COURT: I have two guilty plea agreements before me. Did you read
3 these documents?

4 THE DEFENDANT: I did.

5 THE COURT: Did you have an opportunity to discuss them with your lawyer
6 Mr. Goldstein?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: Was he available to answer any questions you had?

9 THE DEFENDANT: He was.

10 THE COURT: And did you understand everything contained in both of these
11 documents?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: And did you have any questions for the Court?

14 THE DEFENDANT: I do not.

15 THE COURT: Did you understand the constitutional rights you're giving up by
16 entering these pleas?

17 THE DEFENDANT: I do.

18 THE COURT: Did you understand the appellate rights you're giving up by
19 entering these pleas?

20 THE DEFENDANT: Yes, ma'am.

21 THE COURT: And are you a United States citizen?

22 THE DEFENDANT: I am.

23 THE COURT: And, ma'am, after you went over all of these things with Mr.
24 Goldstein did you sign the guilty plea agreement in case C321808 on page 7?

25 THE DEFENDANT: Yes, ma'am.

1 THE COURT: Is that your signature right there?

2 THE DEFENDANT: That looks like it, yes.

3 THE COURT: And in case C329886 did you go over that as well with Mr.
4 Goldstein?

5 THE DEFENDANT: Yes, ma'am.

6 THE COURT: And then did you sign page 6?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: And I'm showing you page 6, is that your signature?

9 THE DEFENDANT: Yes, it is.

10 THE COURT: So in regards to Case C321808 did you understand the
11 maximum punishment for each count of exploitation of an older or vulnerable person
12 is 2-20 years in the Nevada Department of Corrections?

13 THE DEFENDANT: Yes, ma'am.

14 THE COURT: Do you understand the maximum fine is up to \$10,000 per
15 count?

16 THE DEFENDANT: Yes, ma'am, I do.

17 THE COURT: Do you understand in regards to two counts of theft that you're
18 pleading guilty to in that case the maximum punishment you face is 1-10 years on
19 each count?

20 THE DEFENDANT: I do.

21 THE COURT: And do you understand it's up to a \$10,000 fine on each
22 count?

23 THE DEFENDANT: I do.

24 THE COURT: And do you understand regardless of Count - - of perjury the
25 maximum punishment for perjury is 1-4 years in the Nevada Department of

1 Corrections and a fine of up to \$5000.

2 THE DEFENDANT: I understand that.

3 THE COURT: Do you understand on Case C329886 where you're pleading
4 guilty to one count of exploitation of an older or vulnerable person the maximum
5 punishment you face for that is 2-20 years in the Nevada Department of Corrections
6 and a fine of up to \$10,000?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: You understand that these are probationable offenses but no
9 one can promise you probation, leniency or any special treatment as sentencing is
10 strictly up to me?

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: No one can promise you whether or not these counts will run
13 consecutive or concurrent to each other as that is a decision that will also be made
14 by me?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: Ma'am, since this is an Alford plea what facts - - I'm going to
17 ask the State what facts they would have proven in Case C321808 had this matter
18 have gone to trial?

19 MR. RAMAN: Judge, in that case C321808 had we had gone to trial the State
20 would have proven beyond a reasonable doubt that Defendant Parks owned and
21 operated a private professional guardian, LLC., and acted as a criminal enterprise
22 wherein numerous criminal offenses were committed between 2011 and 2016 here
23 in Clark County to include racketeering, exploitation of older or vulnerable person,
24 theft, offering false instrument for filing a record and perjury. The evidence would
25 show that Private Professional Guardian, LLC., was run with the goal of maximizing

1 profits at the expense of the people they were charged with caring for. Intentionally
2 regarding the duty to the protected person as guardian and fiduciary and the duty of
3 honesty to the Court. A prior professional guardian in the racketeering consisted of
4 several unique schemes that were reflected in the fraudulent billings and Court
5 petitions filed under penalty of perjury.

6 First scheme was a multiple billing fraud. Defendant Parks, her codefendant
7 Simmons would instruct their staff when conducting ward visits particularly to group
8 homes or residential facilities which has multiple elderly people with people under
9 guardianship within their company to engage in multiple billing. This scheme netted
10 the defendants \$100,262.25 in illegal proceeds victimizing 27 elderly and vulnerable
11 people.

12 The next was a provision of the unnecessary services. Defendants Parks and
13 Simmons intentionally inflated their billings to enrich themselves having staff provide
14 unnecessary services billed at professional rates and to bill for services that could
15 have been accomplished for free or by much less expensive means. That scheme
16 netted the defendant \$60,593.78 in illegal proceeds victimizing 12 elderly and
17 vulnerable people.

18 The next was the Christmas gift scam. The defendants Parks and Simmons
19 intentionally profited from completely unnecessary unique scam where they
20 purchased modest Christmas gifts such as popcorn, socks and other small presents.
21 They then directed their staff to drive to these various protected persons' living
22 facilities and drop off the small gifts. For the privilege of receiving the gifts which
23 were never requested the protected persons were charged an hourly rate of over
24 \$100 per hour. The scheme netted the defendants \$1507.50 in illegal proceeds
25 victimizing 48 elderly and vulnerable people.

1 The next scam was the mortuary and toilet paper scam. One day in October
2 of 2013 Parks' codefendant Gary Neil Taylor engaged in unique and multiple billing
3 scam for his representations traveling to a local mortuary to pick up cremated
4 remains of recently deceased clients and to drop off toilet paper to an assisted living
5 facility wherein several protected persons lived. He billed more than \$1600 to these
6 elderly and vulnerable persons. A few of whom had recently died. The scheme
7 netted the defendants \$1405 in illegal proceeds victimizing 12 elderly, vulnerable
8 and recently deceased people.

9 The next was the Court paperwork scam over a three year period where
10 Private Professional Guardian, LLC., overcharged the protected persons by having
11 codefendant Gary Neil Taylor take paperwork to the office of the family Court and
12 stand in line to file documents. His billing rate for this service exceeded \$100 per
13 hour. Private Professional Guardian, LLC., had Wiznet efilng account which
14 allowed the defendant to file for free. This task could have been accomplished by
15 much less costly manner through a legal runner service. However Parks liked to
16 accomplish the task in the most expensive way possible to the detriment of the
17 protected person's finances, a scheme netting the defendant \$74,229.90 in illegal
18 proceeds victimizing 109 elderly and vulnerable people.

19 Then there was the bank deposit flat fee scam. Similar to the court paperwork
20 scam Defendants Parks and Taylor overbilled a vast majority of their protected
21 persons for simple tasks such as driving to the bank and depositing checks. In
22 many instances the value of the deposit to the checks were considerably less than
23 the fee being charged to make that deposit. This scheme netted the defendants
24 \$67,775.00 in illegal proceeds victimizing nearly 130 elderly and vulnerable people.

25 Next was the social security scam and false accounting scam. Defendants

1 Parks and Simmons billed wards excessively when it came to preparing {inaudible}
2 payee forms which normally take no longer than 15 minutes to fill. In addition clients
3 were billed for office visits to government offices that either did not occur or were
4 very brief. Scheme netted the defendants \$13044.00 in illegal proceeds victimizing
5 six elderly and vulnerable people.

6 Then there was the Barbara Neely theft and exploitation. Defendant's Parks
7 and Simmons billed \$5300.20 in full and final fees to guardianship services to
8 Barbara Neely case. In truth they removed \$6196.00 from her guardianship
9 account. Defendant Parks and Simmons thereby paid themselves an additional
10 \$895 without explanation or justification. At no point did she inform the Court she
11 took the additional funds netting them the additional \$895.90 and victimizing Ms.
12 Neely who was elderly and vulnerable.

13 The next was the theft from the estate of William Qualen. Defendant Parks
14 was granted guardianship two days before he died. Despite his death the defendant
15 transferred the entire contents of his bank account, \$4800.61, into a guardianship
16 account netting the defendant the net of those entire proceeds.

17 Then there is the Ruth Blaslo theft and exploitation scam. Defendants Parks
18 and Simmons utilized various billing scams mentioned previously to exploit her. A
19 few unique aspects of her exploitation include auction of contents of her homes. A
20 service which a private company completely handled but in which Parks and
21 Simmons billed for. Additionally Blaslo was excessively billed for home checks
22 when her house was worth less than the amount owed thereby rendering no value
23 to Ms. Blaslo. Scheme netted the defendant \$13,180.67 in illegal proceeds
24 victimizing Ms. Blaslo who was an elderly person.

25 Then there was the Audrey Weber theft from the estate. Defendants Parks

1 and Simmons by the same means as discussed above. In this particular case Parks
2 codefendant calculated how many fraudulent billings for services were needed to
3 drain the account after death, and it was unique due to handwritten notes that were
4 found on paperwork squares, the balance of the account divided by the hourly fee
5 subtracting how much was needed to bill. In that scheme \$3800 was taken from Ms.
6 Weber who was an elderly person.

7 Then there was Mary Woods. In this particular case defendant Parks and
8 former codefendant Noel Palmer Simpson were involved in an illegal change of
9 beneficiary without Court permission on a life insurance policy held by Mary Woods,
10 who was a protected person under guardianship. Evidence would show that Ms.
11 Parks and Simmons possessed a copy of Woods' handwritten will in which Woods
12 specifically gave instructions for the distribution of her assets. Parks and Simmons
13 disregarded Woods' will in order to obtain professional fees. Defendant Parks with
14 her knowledge and help of Simpson changed the beneficiary from John and Sally
15 Denton, who were friends of Ms. Woods, to the estate of Mary Woods. The
16 insurance payout was never a guardianship asset and they did it without Court
17 permission. Upon Ms. Mary Woods' death the \$25,000 life insurance policy issued
18 a check to the estate which created unnecessary probate for the purpose of collecting
19 payments which defendant Simpson illegally billed for. Scheme unlawfully diverted
20 \$25,278.57 from their lawful recipients victimizing John and Sue Denton and
21 disturbing the wishes of Mary Woods, an elderly person and her estate.

22 And there was the Baxter Burns fraudulently obtained guardianship and theft
23 from his estate. Baxter Burns, in that particular case Ms. Parks became aware after
24 a relative was a designated trustee of his trust Parks disregarded the existence of
25 the relative trustee and ultimately lied to the Court in these facts which Parks to

1 obtain control of his trust and remove assets from the trust which was a non
2 guardianship asset. Scheme netted the defendant \$32,006.72 in illegal proceeds
3 victimizing Mr. Burns and his estate.

4 Then there was Dorothy Trumpett who was fraudulently obtained similar to
5 Baxter Burns. Defendant Parks and Simmons knew of her estate plan and that a
6 relative had care plans for Trumpett. Defendant Parks and Simmons held this
7 information from the Court when applying for guardianship and converted her assets
8 without authority. Scheme allowed the defendants to access and move \$167,204.49
9 in illegal proceeds to pay herself and attorney excessive fees on the guardianship
10 thereby victimizing Ms. Trumpett.

11 And then finally there are perjury and offering false instrument for filing or
12 record scheme where Defendant Parks and Simmons filed petitions and
13 accountings with the 8th Judicial Family Court specifically 73 false documents and
14 117 statements of perjury in order to perpetrate a scheme of fraud to exploit elderly
15 and vulnerable adults under guardianship.

16 THE COURT: Okay. And, State, in regards to case C329886, what facts
17 would you have proven if this case had gone to trial.

18 MR. WESTMEYER: Your Honor, if this case had gone to trial the State would
19 have proven beyond a reasonable doubt that the Defendant April Parks owned and
20 operated Private Professional Gaurdian, LLC., in collaboration with her
21 codefendants Noel Palmer Simpson and Mark Simmons. Parks obtained
22 guardianship over Beverly Flarety, an elderly person with dementia at the request of
23 her codefendant James Thomas Melton in July 2011. Ms. Parks failed to disclose to
24 the Court that her codefendant Mr. Simmons provided the physician's statement,
25 necessary for the guardianship, was an also an employee of a private professional

1 guardian. Parkes and her codefendants fraudulently filed guardianship with the
2 family Court over the course of several months in order to obtain control of the
3 protected person's estate. Parks fraudulently billed for guardianship services even
4 after Flarety's death without notifying the Court. The services rendered to Flarety
5 were solely for the purpose of enriching a private professional guardian and not for
6 the benefit of the protected person, and this was done in the amount and theories
7 specified in the amended indictment.

8 THE COURT: Okay. And, ma'am, you understand the Court is going to rely
9 on those facts just stated in determining that there is a factual basis for this plea.
10 You've made a determination that it is in your best interest to accept these plea
11 negotiations and enter this formal guilty plea agreement. Is that correct?

12 THE DEFENDANT: Yes.

13 THE COURT: And one of the reasons you decided to do this is to avoid the
14 possible harsher penalty if you were convicted of the original charges at trial?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: Ma'am, do you have any questions you would like to ask me or
17 your attorney Mr. Goldstein before I accept the plea in C321808?

18 THE DEFENDANT: No.

19 THE COURT: Do you have any questions you would like to ask me or Mr.
20 Goldstein before I accept the plea in C329886?

21 THE DEFENDANT: No.

22 THE COURT: The Court finds defendant's plea is freely and voluntarily made.
23 The defendant understands the nature of the offense, the consequences of her plea
24 and accepts this plea of guilty.

25 Is this plea contingent on the other defendants?

1 MR. RAMAN: It is.

2 MR. GOLDSTEIN: That's not set forth explicitly in the GPAs but my
3 understanding it is contingent though it's not - -

4 THE COURT: Is it contingent on their plea of guilty or contingent upon them
5 going forward with sentencing.

6 MR. WESTMEYER: On their pleas of guilty.

7 THE COURT: This matter is going to refer to the Division of Probation for
8 presentence investigation report. Is this the type of situation where we're going to
9 need a special sentencing setting?

10 MR. RAMAN: It might be, Judge. There could be - -

11 THE COURT: Because I'm assuming you guys have numerous victim
12 speakers so I don't want this done in the middle of the calendar and you guys have
13 to wait or we have a calendar that runs until 2:00. I'll give you guys your own
14 setting.

15 MR. RAMAN: A Friday would be appropriate.

16 THE COURT: Is everybody okay with that?

17 MR. GOLDSTEIN: Court's pleasure.

18 THE COURT: So we're going to go into January for sentencing. Do you guys
19 want to do it on the 4th? Are you guys available on the 4th?

20 MR. WESTMEYER: I believe so.

21 MR. RAMAN: Yes, Judge.

22 MR. GOLDSTEIN: Yes, Your Honor.

23 THE COURT: Ms. Border.

24 MS. BORDER: Yes, Your Honor.

25 THE COURT: Let me just make sure that I'm here. We're going to set

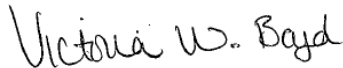
1 sentencing on this on the 4th at 9 o'clock in the morning.

2 THE COURT: January 4th at 9:00 a.m.

3 Ms. Parks, you can have a seat.

4
5 (Proceedings concluded at 9:43 a.m.)
6

7
8 ATTEST: I do hereby certify that I have truly and correctly transcribed the
9 audio/video proceedings in the above-entitled case to the best of my ability.
10
11
12

13 

07-31-2020

14 _____
15 Victoria W. Boyd
16 Court Recorder/Transcriber

14 _____
15 Date

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