

IN THE SUPREME COURT OF THE STATE OF NEVADA

No. 84612

Electronically Filed
Dec 28 2022 02:38 PM
Elizabeth A. Brown
Clerk of Supreme Court

APRIL PARKS

Appellant,

v.

THE STATE OF NEVADA

Respondent.

Appeal from Amended Judgment of Conviction
Eighth Judicial District Court, Clark County
The Honorable Ellie Roohani, District Court Judge
District Court Case No. C-17-321808-1

**APPELLANT'S APPENDIX
VOLUME I**

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Attorney for Appellant

INDEX

<u>Volume</u>	<u>Document</u>	<u>Page No.</u>
I	Amended Indictment (Exhibit 1), filed November 5, 2018	AA 01
I	Amended Judgment of Conviction (Plea of Guilty-Alford) filed February 4, 2019 (Case No. C-17-321808-1)	AA 23
I	Amended Judgment of Conviction (Plea of Guilty-Alford) filed February 4, 2019 (Case No. C-18-329886-2)	AA 26
I	Guilty Plea Agreement and Exhibit 1, filed November 5, 2018	AA 08

● ORIGINAL ●

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

NOV 05 2018

BY: 
TERI BERKSHIRE, DEPUTY

C-17-321808-1
AIND
Amended Indictment
4794078



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

DISTRICT COURT
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

AMENDED
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 //

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

3 COUNT 2 - EXPLOITATION OF AN OLDER PERSON

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

12

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

25

26 Defendant is criminally liable under one or more of the following principles of criminal
27 liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the
28 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

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	TOTAL: \$69,032.32
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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

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.

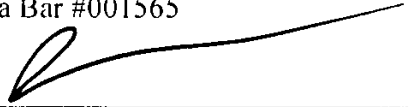
17 COUNT 5 - PERJURY

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

6 BY


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

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


13 DANIEL WESTMEYER
14 Senior Deputy Attorney General
15 Nevada Bar #010273

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27 16AGJ151A/mc/EAU
28 LVMPD EV#1508192043
(TK)

• 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.**

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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 //

28 //

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 //

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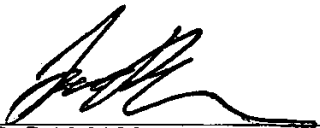
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1 My attorney has answered all my questions regarding this guilty plea agreement and its
2 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

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 DANIEL WESTMEYER
14 Senior Deputy Attorney General
15 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
5 charge(s) to which Alford pleas are being entered.
- 6 2. I have advised the Defendant of the penalties for each charge and the restitution
7 that the Defendant may be ordered to pay.
- 8 3. I have inquired of Defendant facts concerning Defendant's immigration status
9 and explained to Defendant that if Defendant is not a United States citizen any
10 criminal conviction will most likely result in serious negative immigration
11 consequences including but not limited to:
- 12 a. The removal from the United States through deportation;
 - 13 b. An inability to reenter the United States;
 - 14 c. The inability to gain United States citizenship or legal residency;
 - 15 d. An inability to renew and/or retain any legal residency status; and/or
 - 16 e. An indeterminate term of confinement, by with United States Federal
17 Government based on the conviction and immigration status.

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

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

Dated: This 5th day of November, 2018.


DEFENSE ATTY. NAME

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
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11 DANIEL E. WESTMEYER
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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

AMENDED
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

EXHIBIT "1"

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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:

17

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

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	TOTAL: \$69,032.32
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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

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.

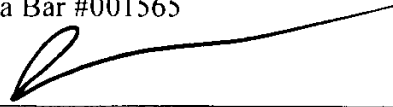
17 COUNT 5 - PERJURY

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

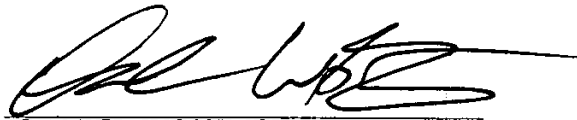
1 services rendered that were not in fact rendered to the extent and duration claimed, which
2 statements were material to the filings in question.

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

6 BY

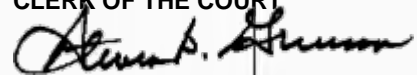

7 JAY P. RAMAN
Chief Deputy District Attorney
8 Nevada Bar #010193

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



13 DANIEL WESTMEYER
14 Senior Deputy Attorney General
15 Nevada Bar #010273

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27 16AGJ151A/mc/EAU
28 LVMPD EV#1508192043
(TK)



AJOCP

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

CASE NO. C-17-321808-1

DEPT. NO. X

APRIL PARKS
#1571645

Defendant.

AMENDED JUDGMENT OF CONVICTION
(PLEA OF GUILTY- ALFORD)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty pursuant to Alford Decision to the crimes of COUNT 1 – EXPLOITATION OF AN OLDER / VULNERABLE PERSON (Category B Felony) in violation of NRS 200.5092, 200.5099, COUNT 2 - EXPLOITATION OF AN OLDER / VULNERABLE PERSON (Category B Felony) in violation of NRS 200.5092, 200.5099, COUNT 3 - THEFT (Category B Felony) in violation of NRS 205.0832, 205.0835.4, COUNT 4 - THEFT (Category B Felony) in violation of NRS 205.0832, 205.0835.4, and COUNT 5 - PERJURY (Category D Felony) in violation of NRS 199.120; thereafter, on the 4th day of January, 2019, the Defendant was present in court for sentencing with counsel ANTHONY GOLDSTEIN, ESQ., and good cause appearing,

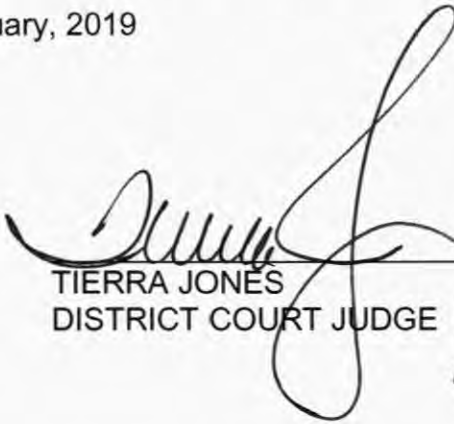

<input type="checkbox"/> Nolle Prosequi (before trial)	<input type="checkbox"/> Bench (Non-Jury) Trial
<input type="checkbox"/> Dismissed (after diversion)	<input type="checkbox"/> Dismissed (during trial)
<input type="checkbox"/> Dismissed (before trial)	<input type="checkbox"/> Acquittal
<input checked="" type="checkbox"/> Guilty Plea with Sent. (before trial)	<input type="checkbox"/> Guilty Plea with Sent. (during trial)
<input type="checkbox"/> Transferred (before/during trial)	<input type="checkbox"/> Conviction
<input type="checkbox"/> Other Manner of Disposition	

1 THE DEFENDANT WAS ADJUDGED guilty of said offenses and, in addition to
2 the \$25.00 Administrative Assessment Fee, **\$554,397.71 Total Restitution** to be paid
3 jointly and severally with Co-Defendants Mark Simmons and Gary Taylor, and
4 \$150.00 DNA Analysis Fee including testing to determine genetic markers plus \$3.00
5 DNA Collection Fee, the Defendant sentenced to the Nevada Department of
6 Corrections (NDC) as follows: COUNT 1 – a MAXIMUM of ONE HUNDRED EIGHTY
7 (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-TWO (72) MONTHS;
8 COUNT 2 - a MAXIMUM of ONE HUNDRED EIGHTY (180) MONTHS with a
9 MINIMUM parole eligibility of SEVENTY-TWO (72) MONTHS, CONSECUTIVE to
10 COUNT 1; COUNT 3 - a MAXIMUM of SIXTY (60) MONTHS with a MINIMUM parole
11 eligibility of TWENTY-FOUR (24) MONTHS, CONSECUTIVE to COUNT 2; and
12 COUNT 4 - a MAXIMUM of SIXTY (60) MONTHS with a MINIMUM parole eligibility of
13 TWENTY-FOUR (24) MONTHS, CONSECUTIVE to COUNT 3; and **COUNT 5** - a
14 MAXIMUM of FORTY-EIGHT (48) MONTHS with a MINIMUM parole eligibility of
15 NINETEEN (19) MONTHS, CONCURRENT with COUNT 3; with SIX HUNDRED
16 SIXTY-EIGHT (668) DAYS credit for time served. The AGGREGATE TOTAL sentence
17 is FOUR HUNDRED EIGHTY (480) MONTHS MAXIMUM with a MINIMUM of ONE
18 HUNDRED NINETY-TWO (192) MONTHS.

19 THEREAFTER, on the 30th day of January, 2019, the Defendant not present in
20 court with counsel, ANTHONY GOLDSTEIN, ESQ., and pursuant to a Request of
21 Court - Clarification of Restitution, the amended Judgment of Conviction reflects
22 Restitution Corrections as follows: TOTAL RESTITUTION in the amount of
23 \$554,397.71 payable jointly and severally with Co-Defendants in all cases as follows:
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1 \$3,820.14 to Clyde Bowman, \$5,134.40 to Delmond Foster, \$6,346.30 to Delores
2 Smith, \$4,528.00 to Harold Lockwood, \$6,032.50 to James Poya, \$4,766.37, to Janice
3 Mitchell, 5,766.75 to Juanita Graham, \$11,582.40 to Marlene Homer, \$2,705.39 to
4 Mary Vitek, \$4,533.20 to Norbert Wilkening, \$167,204.49 to Dorothy Trumbich,
5 \$1,413.60 to Adolfo Gonzalez, \$3,804.49 to Carolyn Rickenbaugh, \$2,830.50 to Gloria
6 Schneringer, \$2,622.62 to Kenneth Edwards, \$5,806.97 to Roy Franklin, \$6,262.48 to
7 Marilyn Scholl, \$10,708.45 to Marie Long, \$2,074.80 to Rennie North, \$5,563.60 to
8 Patricia Smoak, \$2,016.30 to Rudy North, \$13,180.67 to Ruth Braslow, \$4,183.08 to
9 Walter Wright, \$9,470.80 to William Brady, \$4,807.61 to William Flewellen, \$3,699.28
10 to Yoshiko Kindaichi, \$15,068.18 to Norman Weinstock, \$6,920.00 to Maria Cooper,
11 \$4,290.00, to Kenneth Cristopherson, \$5,396.40 to Joseph Massa, \$2,497.20 to
12 Blanca Ginorio, \$8,149.70 to Daniel Currie, \$4,311.20 to Rita Lamppa, \$895.00 to
13 Barbara Neely, \$3,819.60 to Audrey Weber, \$32,006.72 to Baxter Burns, \$3,445.26 to
14 Linda Phillips, \$25,278.57 to Mary Woods and/or John and Sally Den.

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18 DATED this 31 day of January, 2019

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TIERRA JONES
DISTRICT COURT JUDGE 

Steven D. Grierson

AJOC

DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

-vs-

APRIL PARKS
#1571645

Defendant.

CASE NO. C-18-329886-2

DEPT. NO. X

AMENDED JUDGMENT OF CONVICTION

(PLEA OF GUILTY - ALFORD)

The Defendant previously appeared before the Court with counsel and entered a plea of guilty pursuant to Alford Decision to the crime of EXPLOITATION OF AN OLDER / VULNERABLE PERSON (Category B Felony) in violation of NRS 200.5092, 200.5099; thereafter, on the 4th day of January, 2019, the Defendant was present in court for sentencing with counsel ANTHONY GOLDSTEIN, ESQ., and good cause appearing,

<input type="checkbox"/> Nolle Prosequi (before trial)	<input type="checkbox"/> Bench (Non-Jury) Trial
<input type="checkbox"/> Dismissed (after diversion)	<input type="checkbox"/> Dismissed (during trial)
<input type="checkbox"/> Dismissed (before trial)	<input type="checkbox"/> Acquittal
<input checked="" type="checkbox"/> Guilty Plea with Sent (before trial)	<input type="checkbox"/> Guilty Plea with Sent. (during trial)
<input type="checkbox"/> Transferred (before/during trial)	<input type="checkbox"/> Conviction
<input type="checkbox"/> Other Manner of Disposition	

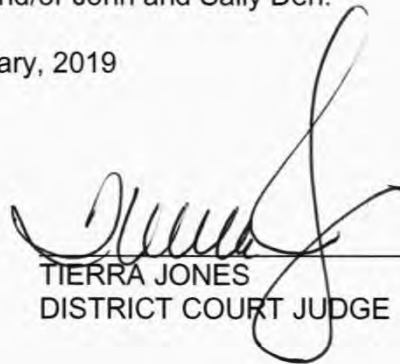
1 THE DEFENDANT WAS ADJUDGED guilty of said offense and, in addition to the
2 \$25.00 Administrative Assessment Fee, **\$554,397.71 Total Restitution** to be paid
3 jointly and severally with Co-Defendants Mark Simmons and Gary Taylor, and
4 \$2,281.90 Extradition Costs payable to the Attorney General's Office plus \$3.00 DNA
5 Collection Fee, the Defendant sentenced as follows: a MAXIMUM of ONE HUNDRED
6 EIGHTY (180) MONTHS with a MINIMUM parole eligibility of SEVENTY-TWO (72)
7 MONTHS in the Nevada Department of Corrections (NDC), CONCURRENT with
8 C321808-1; with THREE HUNDRED TWENTY-FIVE (325) DAYS credit for time served.
9 As the \$150.00 DNA Analysis Fee and Genetic Testing have been previously imposed,
10 the Fee and Testing in the current case are WAIVED.
11

12
13 THEREAFTER, on the 30th day of January, 2019, the Defendant not present in
14 court with counsel, ANTHONY GOLDSTEIN, ESQ., and pursuant to a Request of
15 Court - Clarification of Restitution, the amended Judgment of Conviction reflects
16 Restitution Corrections as follows: TOTAL RESTITUTION in the amount of
17 \$554,397.71 payable jointly and severally with Co-Defendants in all cases as follows:
18 \$3,820.14 to Clyde Bowman, \$5,134.40 to Delmond Foster, \$6,346.30 to Delores
19 Smith, \$4,528.00 to Harold Lockwood, \$6,032.50 to James Poya, \$4,766.37, to Janice
20 Mitchell, 5,766.75 to Juanita Graham, \$11,582.40 to Marlene Homer, \$2,705.39 to
21 Mary Vitek, \$4,533.20 to Norbert Wilkening, \$167,204.49 to Dorothy Trumbich,
22 \$1,413.60 to Adolfo Gonzalez, \$3,804.49 to Carolyn Rickenbaugh, \$2,830.50 to Gloria
23 Schneringer, \$2,622.62 to Kenneth Edwards, \$5,806.97 to Roy Franklin, \$6,262.48 to
24 Marilyn Scholl, \$10,708.45 to Marie Long, \$2,074.80 to Rennie North, \$5,563.60 to
25 Patricia Smoak, \$2,016.30 to Rudy North, \$13,180.67 to Ruth Braslow, \$4,183.08 to
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1 Walter Wright, \$9,470.80 to William Brady, \$4,807.61 to William Flewellen, \$3,699.28
2 to Yoshiko Kindaichi, \$15,068.18 to Norman Weinstock, \$6,920.00 to Maria Cooper,
3 \$4,290.00, to Kenneth Cristopherson, \$5,396.40 to Joseph Massa, \$2,497.20 to
4 Blanca Ginorio, \$8,149.70 to Daniel Currie, \$4,311.20 to Rita Lamppa, \$895.00 to
5 Barbara Neely, \$3,819.60 to Audrey Weber, \$32,006.72 to Baxter Burns, \$3,445.26 to
6 Linda Phillips, \$25,278.57 to Mary Woods and/or John and Sally Den.
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8 DATED this 31 day of January, 2019
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TIERRA JONES
DISTRICT COURT JUDGE 