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

MAY 30 2013

BY, _____
CAROLE D'ALOIA DEPUTY

DISTRICT COURT
CLARK COUNTY, NEVADA

10 THE STATE OF NEVADA,
11 Plaintiff,
12 vs.

CASE NO.: C-13-289927-1
DEPT. NO.: XXV

13 MARY YONKO aka MARY CALL
14 MARY FANNERS aka MARY SAABS
15 aka MARY MADA aka MARY DEFALCO
16 aka LISA SWIFT aka CHANEL LEE
17 aka LISA TOPS, ID#1527524,
18 Defendant.

GUILTY PLEA AGREEMENT

19 I, MARY YONKO, hereby agree to plead guilty to: COUNT I – and COUNT II -
20 **INSURANCE FRAUD**, a Category "D" Felony in violation of NRS 686A.2815(2) and
21 NRS 686A.291 as more fully alleged in the charging document attached hereto as Exhibit "1".

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

24 1. I, MARY YONKO, will enter a plea of GUILTY to the COUNT I and COUNT II of the
25 Criminal Information, **INSURANCE FRAUD**, a Category "D" Felony in violation of
26 NRS 686A.2815(2) and NRS 686A.291;

27 2. Both parties agree that the two charges will run concurrent and agree to
28 recommend probation for a term not to exceed FIVE (5) years;

1 DOLLARS (\$5,000.00). I understand that the law requires me to pay an Administrative
2 Assessment Fee. I will also be required to pay a ONE HUNDRED FIFTY DOLLARS (\$150.00)
3 DNA fee and submit to a test to determine my genetic markers, if I have not already done so.

4 I understand that, if appropriate, I will be ordered to make restitution to the victim of the
5 offense(s) to which I am pleading guilty and to the victim of any related offenses which are being
6 dismissed or not prosecuted pursuant to this agreement. I will also be ordered to reimburse the
7 State of Nevada for any expenses related to my extradition, if any.

8 I understand the Attorney General's Office shall not be bound by any oral negotiations
9 preceding the actual execution of this Agreement until such time as this Agreement has been
10 actually executed, that is, signed by the prosecutor representing the State of Nevada and the
11 Attorney General's Office and I have entered my plea before the court.

12 I understand that pursuant to NRS 686A.292, if I have not already agreed to do so, I will
13 be required to pay the cost of the investigation and prosecution of the insurance fraud for which I
14 pleaded guilty, guilty but mentally ill or nolo contendere.

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

18 I have not been promised or guaranteed any particular sentence by anyone. I know that
19 my sentence is to be determined by the Court within the limits prescribed by statute. I
20 understand that if my attorney or the State of Nevada or both recommend any specific
21 punishment to the Court, the Court is not obligated to accept the recommendation.

22 I understand if the offense to which I am pleading guilty to was committed while I was
23 incarcerated on another charge or while I was on probation or parole that I am not eligible for
24 credit for time served toward the instant offenses.

25 I understand that, as a consequence of my plea of guilty or nolo contendere, if I am not a
26 citizen of the United States, I may, in addition to other consequences provided by law, be
27 removed, deported, and/or excluded from entry into the United States or denied naturalization.

28

1 I understand that the Division of Parole and Probation will prepare a report for the
2 sentencing judge prior to sentencing. This report will include matters relevant to the issue of
3 sentencing, including my criminal history. This report may contain hearsay information regarding
4 my background and criminal history. My attorney and I will each have the opportunity to
5 comment on the information contained in the report at the time of sentencing. Unless the
6 Attorney General has specifically agreed otherwise, the Attorney General may also comment on
7 this report.

8 WAIVER OF RIGHTS

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

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

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

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

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

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

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

26 VOLUNTARINESS OF PLEA

27 I have discussed the elements of all of the original charges against me with my attorney
28 and I understand the nature of the charges against me.

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I understand that the State would have to prove each element of the charges 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.

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

DATED this ____ day of May, 2013.


MARY YONKO

AGREED TO BY:


BRIAN WILLIAMS
Senior Deputy Attorney General

CERTIFICATE OF COUNSEL:

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

1. I have fully explained to the Defendant the allegations contained in the charge(s) to which guilty pleas are being entered.

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

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

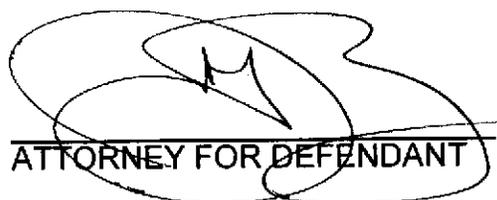
4. To the best of my knowledge and belief, the Defendant:

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

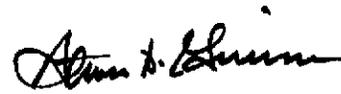
b. Executed this agreement and will enter all guilty pleas pursuant hereto voluntarily.

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 30th day of May, 2013.



ATTORNEY FOR DEFENDANT


CLERK OF THE COURT

1 **INFM**
2 CATHERINE CORTEZ MASTO
3 Attorney General
4 BRIAN WILLIAMS
5 Senior Deputy Attorney General
6 Nevada Bar Number 10469
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8 **DISTRICT COURT**
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17 aka LISA SWIFT aka CHANEL LEE
18 aka LISA TOPS, ID#1527524
19 Defendant.

20 **INFORMATION**

Arraignment: May 30, 2013, 9:30 AM

21 CATHERINE CORTEZ MASTO, Attorney General of the State of Nevada, by and through
22 Senior Deputy Attorney General BRIAN WILLIAMS, informs this Honorable Court that MARY
23 YONKO, the above named defendant, has committed the crimes of Count I and Count II -
24 INSURANCE FRAUD (Category "D" Felony - NRS 686A.2815(2) and NRS 686A.291) within the
25 County of Clark, State of Nevada, as follows:

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COUNT ONE
INSURANCE FRAUD

(A Category D Felony in violation of NRS 686A.2815(2) and NRS 686A.291)

1 Defendant, MARY YONKO, on or between November 14, 2008, and December 26, 2009,
2 within the County of Clark, in the State of Nevada, did knowingly and willfully, present or cause
3 to be presented any statement as a part of, or in support of, a claim for payment or other
4 benefits under a policy of insurance issued pursuant to the Nevada Insurance Act, if the person
5 who presented or caused the presentation of the statement knows that the statement concealed
6 or omitted facts, or contained false or misleading information concerning any fact material to that
7 claim, to wit: Using various aliases, Defendant did stage various accidents at Las Vegas
8 businesses and as a result did receive around THIRTY-ONE THOUSAND FIVE HUNDRED
9 NINETY-FOUR DOLLARS (\$31,594.00) in payments to settle her various claims. The claims
10 were later revealed to be fraudulent during an investigation conducted by the National Insurance
11 Crime Bureau on or about May 10, 2010.
12

COUNT TWO
INSURANCE FRAUD

(A Category D Felony in violation of NRS 686A.2815(2) and NRS 686A.291)

13 Defendant, MARY YONKO, on or between November 14, 2008, and December 26, 2009,
14 within the County of Clark, in the State of Nevada, did knowingly and willfully, present or cause
15 to be presented any statement as a part of, or in support of, a claim for payment or other
16 benefits under a policy of insurance issued pursuant to the Nevada Insurance Act, if the person
17 who presented or caused the presentation of the statement knows that the statement concealed
18 or omitted facts, or contained false or misleading information concerning any fact material to that
19 claim, to wit: Using various aliases, Defendant did stage various accidents at Las Vegas
20 businesses in an attempt to obtain insurance payments. The claims were later revealed to be
21 fraudulent during an investigation conducted by the National Insurance Crime Bureau on or
22 about May 10, 2010.
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1 All of which is contrary to the form, force and effect of statutes in such cases made and
2 provided against the peace and dignity of the State of Nevada.

3 DATED this 20th day of May, 2013.

4 CATHERINE CORTEZ MASTO
5 Attorney General

6 By: /s/ BRIAN WILLIAMS
7 BRIAN WILLIAMS
8 Senior Deputy Attorney General
9 Insurance Fraud Division
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