



**ORIGINAL**

1 **GPA**

2 ADAM PAUL LAXALT  
3 Attorney General  
4 RAYA M. SWIFT  
5 Senior Deputy Attorney General  
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8 555 East Washington Ave., Ste. 3900  
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12 Attorneys for the State of Nevada

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

**APR 02 2015**

BY: Denise Husted  
**DENISE HUSTED, DEPUTY**

**DISTRICT COURT**

**CLARK COUNTY, STATE OF NEVADA**

10 THE STATE OF NEVADA,

11 Plaintiff,

12 vs.

13 **MARK EDWARD SHELTON aka**  
14 **MARK SHELTON, ID#5736598, and**  
15 **WALTER MACAPAZ,**

16 Defendants.

Case No.: C-14-300373-1

Dept. No.: 21

**GUILTY PLEA AGREEMENT**

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18  
19 The State of Nevada, by and through Attorney General Adam Paul Laxalt, Senior  
20 Deputy Attorney General Samuel Kern, and Senior Deputy Attorney General Raya Swift, and  
21 Defendant MARK EDWARD SHELTON, represented by Tony Abbatangelo, Esq. hereby enter  
22 into and file this Guilty Plea Agreement.

23 I, Defendant MARK EDWARD SHELTON, agree to plead guilty to: one (1) count of  
24 Theft in excess of \$3,500, a category "B" felony in violation of NRS 205.0832; and one (1)  
25 count of Unlawful Receipt of Money to Obtain Loan For Another, a category "D" felony in  
26 violation of NRS 205.950. The charges are set forth in the Amended Indictment, attached  
27 hereto, and the terms of this plea are set forth below.

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Office of the Attorney General  
555 East Washington Avenue, Suite 3900  
Las Vegas, Nevada 89101

1 I also agree to plead guilty in Eighth Judicial District Court case number C-14-298978-1  
2 to: one (1) count of Multiple Transactions of Fraud and Deceit in the Course of Enterprise or  
3 Occupation, a category "B" felony in violation of NRS 205.377 within the County of Clark,  
4 State of Nevada; and one (1) count of Securities Fraud, a category "B" felony in violation of  
5 NRS 90.570(2) within the County of Clark, State of Nevada. The charges case number C-14-  
6 298978-1 are set forth in the Amended Information attached to the separate plea agreement  
7 for that case.

8 My decision to plead guilty in this case is based upon the following plea agreement:

9 1. I agree to plead guilty to: one (1) count of Theft in excess of \$3,500, a category  
10 "B" felony in violation of NRS 205.0832; and one (1) count of Unlawful Receipt of Money to  
11 Obtain Loan For Another, a category "D" felony in violation of NRS 205.950 within the County  
12 of Clark, State of Nevada as more fully alleged in the pleading, attached hereto as Exhibit "1",  
13 which is incorporated by reference.

14 2. I agree to waive all objections as to form and content of the pleading, attached  
15 hereto as Exhibit "1".

16 3. The State agrees to dismiss and forego prosecution against Defendant MARK  
17 EDWARD SHELTON on all other counts currently pending in this case, District Court case  
18 number C-14-300373-1.

19 4. Notwithstanding the victims and plea in case number C-14-298978-1, I agree  
20 herein to pay restitution to named victim, Daniel Convertino, in the amount of One Hundred  
21 and Four Thousand, Three Hundred Dollars (\$104,300). This sum represents the average  
22 retail value of the car at issue pursuant to [www.nadaguides.com](http://www.nadaguides.com), a printout of which is  
23 attached hereto as Exhibit "2", and incorporated by reference. I am to tender this sum to  
24 Parole and Probation for distribution to Daniel Convertino. I further agree to cooperate with all  
25 lawful efforts to collect restitution, including providing truthful and complete information about  
26 the whereabouts of assets of my own or of entities under my control or for my benefit. The

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1 willful failure to pay restitution as ordered may be grounds for revocation of parole or  
2 probation. "Willful failure" means the failure to pay despite having the financial resources to  
3 do so.

4 5. I agree to forfeit to the State the money the State seized from bank accounts  
5 ending in 9568, 0362, and 4223, totaling Twenty-Seven Thousand, One Hundred and Forty-  
6 Six Dollars and Twenty-One Cents (\$27,146.21). In light of the fact that those bank accounts  
7 related to Platinum Capital Group, Inc., I shall not object to distribution of those funds, as  
8 restitution, to any persons/clients whose funds were deposited into those bank accounts,  
9 whether or not they relate to District Court case number C-14-298978-1. However, I shall  
10 receive credit against restitution owed to any victims who receives restitution from these  
11 seized funds. I shall not require the State to initiate civil forfeiture proceedings, and I hereby  
12 waive any and all rights I have with respect to that money.

13 6. I acknowledge that victims are entitled to make impact statements pursuant to  
14 NRS 176.015(3), and the State has reserved the right to argue at sentencing.

15 I agree that if I fail to appear for any hearings or court dates prior to sentencing or if an  
16 independent magistrate, by affidavit review, confirms probable cause against me for new  
17 criminal charges, excluding minor traffic violations, the State will have the unqualified right to  
18 argue for any legal sentence in this matter, including the use of any prior convictions I may  
19 have to increase my sentence as a habitual criminal.

20 7. I agree to refrain from engaging in any work in the State of Nevada involving the  
21 marketing and/or sale of: work from home opportunities, mail order opportunities, pyramid or  
22 multi-level marketing opportunities; businesses where I offer directly or indirectly to secure,  
23 obtain, broker or otherwise fund or assist in funding loans; shelf-corporations, also known as  
24 aged or seasoned corporations for funding and investment purposes; and I agree to refrain  
25 from engaging in seminars teaching about such businesses. I agree not to accept any  
26 payment related thereto, whether the work is performed or not. I further agree to refrain from  
27 any employment which requires me to have a license, unless I am actually legally licensed.

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1 8. I agree to pay all fees and costs imposed by the court.

2 9. I agree to submit to any and all terms and conditions imposed by the Division of  
3 Parole and Probation, if granted parole or probation.

4 10. Notwithstanding my plea to reimburse in case number C-14-298978-1, I agree to  
5 pay to the Nevada Office of the Attorney General the amount of Two Thousand Dollars  
6 (\$2,000) to reimburse the cost of investigations in this case by the State of Nevada, Office of  
7 the Attorney General.

8 11. I acknowledge that I have entered into these negotiations and have signed this  
9 document of my own free will without threat or promise on the part of anyone other than  
10 expressed herein.

11 **CONSEQUENCES OF THE PLEA**

12 I understand that by pleading guilty I admit the facts that support all the elements of the  
13 offense(s) to which I now plead as set forth in the pleading on file herein, and attached as  
14 Exhibit "1".

15 I understand that the consequences of my pleas of guilty to theft in excess of \$3,500, a  
16 category "B" felony in violation of NRS 205.0832 that I may be incarcerated for a period of not  
17 less than one (1) year and a maximum term of not more than ten (10) years, and of my plea of  
18 guilty to unlawful receipt of money to obtain loan for another, a category "D" felony in violation  
19 of NRS 205.950, that I may be incarcerated for a period of not less than one (1) year and a  
20 maximum of not more than four (4) years, which terms may be ordered to run consecutively or  
21 concurrently, and that I may also be fined up to Fifteen Thousand Dollars (\$15,000). I  
22 understand that these potential terms and fines do not take into account my plea in case C-  
23 14-298978-1, which carries its own consequences, as set forth in the plea agreement in that  
24 case.

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

26 I understand that, if appropriate, I may be ordered to make restitution to the victim of  
27 the offense(s) to which I am pleading guilty and to the victim of any related offense which is  
28

1 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to  
2 reimburse the State of Nevada for any expenses related to my extradition, if any.

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

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

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

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

14 I understand that pursuant to NRS 176.015(3), victims so desiring will be allowed to  
15 make Impact Statements.

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

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

23 I understand that if I am not a United States citizen, any criminal conviction will likely  
24 result in serious negative immigration consequences including but not limited to: (1) The  
25 removal from the United States through deportation; (2) An inability to reenter the United  
26 States; (3) The inability to gain United States citizenship or legal residency; (4) An inability to  
27 renew and/or retain any legal residency status; and/or (5) An indeterminate term of  
28 confinement with the United States Federal Government based on my conviction and

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

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

#### 11 WAIVER OF RIGHTS

12  
13 By entering my plea of guilty, I understand that I am waiving and forever giving up the  
14 following rights and privileges:

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

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

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

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

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

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

3 **VOLUNTARINESS OF PLEA**

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

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

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

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

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

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

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

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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  
4  
5 Dated: 4/2/15, 2015

6 By:   
7 MARK EDWARD SHELTON  
8 Defendant

9  
10 Dated: March 30, 2015

11 By:   
12 Raya Swift  
13 Senior Deputy Attorney General  
14 555 East Washington Ave., Ste. 3900  
15 Las Vegas, Nevada 89101  
16 (702) 486-3396  
17 Attorneys for the State

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Las Vegas, Nevada 89101

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**CERTIFICATE OF DEFENSE COUNSEL**

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

3 1. I have fully explained to the defendant the allegations contained in the charges  
4 to which guilty 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. All pleas of guilty offered by the defendant pursuant to this agreement are  
8 consistent with all the facts known to me, and are made with my advice to the defendant and  
9 are in the best interest of the defendant:

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

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

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

15 c. Was not under the influence of intoxicating liquor, a controlled substances  
16 or other drug at the time of the execution of this agreement.

17  
18 DATED: April 2<sup>nd</sup>, 2015

19  
20  
21 By: Tony Abbatangelo  
22 Tony Abbatangelo, Esq.  
23 Nevada Bar No. 3897  
24 THE LAW OFFICES OF TONY ABBATANGELO  
25 611 S. Sixth St., Suite 220  
26 Las Vegas, NV 89101  
27 Attorney for Defendant  
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Las Vegas, Nevada 89101

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Las Vegas, Nevada 89101

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2 **GPA EXHIBIT 1**  
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**GPA EXHIBIT 1**

1 **AINF**  
2 **ADAM PAUL LAXALT**  
3 **Attorney General**  
4 **RAYA M. SWIFT**  
5 **Senior Deputy Attorney General**  
6 **Nevada Bar No.: 11108**  
7 **rswift@ag.nv.gov**  
8 **555 East Washington Ave., Ste. 3900**  
9 **Las Vegas, Nevada 89101**  
10 **(702) 486-3396 - office**  
11 **(702) 486-0660 – fax**  
12 **Attorneys for the State of Nevada**

8 **DISTRICT COURT**

9 **CLARK COUNTY, STATE OF NEVADA**

10 **THE STATE OF NEVADA,**

11 **Plaintiff,**

12 **vs.**

13 **MARK EDWARD SHELTON aka**  
14 **MARK SHELTON, ID#5736598, and**  
15 **WALTER MACAPAZ,**

16 **Defendants.**

Case No.: C-14-300373-1

Dept. No.: 21

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19 **FIRST AMENDED INFORMATION**

20 The State of Nevada, by and through Attorney General Adam Paul Laxalt and Senior  
21 Deputy Attorney General Raya Swift, complains and charges that Defendant MARK EDWARD  
22 SHELTON a.k.a. MARK SHELTON (hereinafter "Defendant MARK SHELTON") committed the  
23 following crimes:

24 **///**

25 **///**

26 **///**

27 **///**

28 **///**

1  
2 COUNT ONE

3 THEFT IN THE AMOUNT OF \$3,500 OR MORE

4 CATEGORY "B" FELONY – NRS 205.0832

5 **Defendant MARK SHELTON**, in the County of Clark, State of Nevada, without lawful  
6 authority knowingly and willfully, either by virtue of his own actions or acting in concert with  
7 another, and/or by the actions of his agents or employees, obtained real, personal or  
8 intangible property or the services of another person, valued at \$3,500 or more, by a material  
9 misrepresentation with intent to deprive that person of the property or services, and/or  
10 controlled the property of another person with the intent to deprive that person of the property,  
11 and/or converted or made an unauthorized transfer of an interest in, or without authorization  
12 controlled any property of another person, or used the services or property of another person  
13 entrusted to him or placed in his possession for a limited, authorized period of determined or  
14 prescribed duration or for a limited use, to wit:

15 On or about between April of 2013 and June 20, 2013, within the County of Clark, State  
16 of Nevada, knowing Daniel Convertino ("CONVERTINO") was seeking a loan, **Defendant**  
17 **MARK SHELTON**, doing business as Platinum Capital Group, Inc., represented to  
18 CONVERTINO that **Defendant MARK SHELTON**, through Platinum Capital Group, Inc., would  
19 arrange a \$1,250,000 loan for CONVERTINO in exchange for a fee, which would be refunded to  
20 CONVERTINO if the loan transaction was not completed. **Defendant MARK SHELTON** further  
21 represented to CONVERTINO that **Defendant MARK SHELTON** would accept the transfer of a  
22 Bentley GTC (the "Bentley") owned by CONVERTINO's business, Las Vegas Exotic Car  
23 Rentals, LLC, in order to pay for the fee. Relying upon **Defendant MARK SHELTON's**  
24 representations, and prior to the loan being funded, CONVERTINO gave Platinum Capital  
25 Group, Inc., through Defendant WALTER RYAN MACAPAZ, possession of the Bentley for the  
26 limited purpose of paying the loan fee if the loan funded.

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1 All of which is contrary to the form, force and effect of the statutes in such cases made  
2 and provided, and against the peace and dignity of the State of Nevada. Said Plaintiff makes  
3 this declaration upon information and belief and under penalty of perjury.

4 Dated this 30<sup>th</sup> day of March, 2015

5  
6 SUBMITTED BY:  
7 ADAM PAUL LAXALT  
8 Attorney General

9 By: *Raya M. Swift*  
10 RAYA M. SWIFT  
11 Senior Deputy Attorney General  
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# GPA EXHIBIT 2

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Las Vegas, Nevada 89101

# GPA EXHIBIT 2



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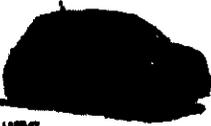
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**Values**

	Original MSRP	Low Retail	Average Retail	High Retail
Base Price	<b>\$189,990</b>	\$83,100	\$104,300	\$138,100
Mileage	N/A	N/A	N/A	N/A
Options (not included)				
<b>TOTAL PRICE:</b>	<b>\$189,990</b>	<b>\$83,100</b>	<b>\$104,300</b>	<b>\$138,100</b>

**More Fun per Gallon**  
The 2013 FIAT® 500



2013 | MSRP

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**Vehicle Comparison**  
2013 Dodge Dart

GT model shown. Starting at \$28,995

	2013 Ford Focus	2013 Dodge Dart
Fuel Efficiency	36 hwy mpg	Up to 41 hwy mpg <sup>10</sup>
Starting MSRP*	\$14,200	\$15,995

**Other People Researched:**

2012 Honda HR-V Hatch  
2013 Honda HR-V Hatch

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<http://www.nadaguides.com/Cars/2007/Bentley/Continental/GTC-2-Door-Convertible/Val...> 6/17/2013

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