

1 and one (1) count of Securities Fraud, a category "B" felony in violation of NRS 90.570(2)
2 within the County of Clark, State of Nevada, which is a fictitious plea. The charges are set
3 forth in the Amended Indictment, attached hereto, and the terms of this plea are set forth
4 below.

5 I also agree to plead guilty in Eighth Judicial District Court case number C-14-300373-1
6 to: one (1) count of Theft in excess of \$3,500, a category "B" felony in violation of NRS
7 205.0832; and one (1) count of Unlawful Receipt of Money to Obtain Loan For Another, a
8 category "D" felony in violation of NRS 205.950. The charges are set forth in the Amended
9 Information attached to the separate plea agreement for that case.

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

11 1. I agree to plead guilty to: one (1) count of Multiple Transactions of Fraud and
12 Deceit in the Course of Enterprise or Occupation, a category "B" felony in violation of NRS
13 205.377 within the County of Clark, State of Nevada; and one (1) count of Securities Fraud, a
14 category "B" felony in violation of NRS 90.570(2) within the County of Clark, State of Nevada
15 as more fully alleged in the pleading, attached hereto as Exhibit "1", which is incorporated by
16 reference.

17 2. I agree to waive all objections as to form and content of the pleading, attached
18 hereto as Exhibit "1". I understand and agree that the plea to one (1) count of Securities
19 Fraud, a category "B" felony in violation of NRS 90.570(2), is based on an uncharged Nevada
20 Secretary of State investigation, and to that extent is factiously plead in this case in an effort to
21 consolidate the charges. I waive all objections as to consolidating those charges herein.

22 3. The State agrees to dismiss and forego prosecution against Defendant MARK
23 EDWARD SHELTON on all other counts currently pending in District Court case number C-
24 14-298978-1 and to forego prosecution against Defendant MARK EDWARD SHELTON with
25 respect to his securities activities to date involving Private Business Capital.

26 4. Notwithstanding the victims and plea in case number C-14-300373-1, I agree to
27 pay restitution for named and unnamed victims in the amount of Eighty-Five Thousand, One
28 Hundred and Thirty-Five Dollars (\$85,135). This sum is to be distributed pursuant to the

1 Victim Restitution List attached hereto as Exhibit "2", and incorporated by reference. I further
2 agree to cooperate with all lawful efforts to collect restitution, including providing truthful and
3 complete information about the whereabouts of assets of my own or of entities under my
4 control or for my benefit. The willful failure to pay restitution as ordered may be grounds for
5 revocation of parole or probation. "Willful failure" means the failure to pay despite having the
6 financial resources to do so.

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

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

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

22 7. I agree to refrain from engaging in any work in the State of Nevada involving: the
23 alleged sale of securities as broadly defined by Nevada Revised Statutes Chapter 90; the
24 alleged sale of work from home opportunities, mail order opportunities, pyramid or multi-level
25 marketing opportunities; alleged businesses where I offer directly or indirectly to secure,
26 obtain, broker or otherwise fund or assist in funding loans; the sale of shelf-corporations, also
27 known as aged or seasoned corporations for funding and investment purposes; and in
28 seminars teaching about such businesses. I agree not to accept any payment related thereto,

1 whether the work is performed or not. I further agree to refrain from any employment which
2 requires me to have a license, unless I am actually legally licensed.

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

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

6 10. I agree to pay the Nevada Office of the Attorney General the amount of Four
7 Thousand Dollars (\$4,000) to reimburse the cost of investigations by the State of Nevada,
8 Secretary of State into Private Business Capital and by the State of Nevada, Office of the
9 Attorney General into Private Cash.

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

13 CONSEQUENCES OF THE PLEA

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

17 I understand that the consequences of my pleas of guilty to the charges in this case are
18 that I may be incarcerated for a period of not less than one (1) year and a maximum term of
19 not more than twenty (20) years on each charge that I plead to, which terms may be ordered
20 to run consecutively or concurrently, and that I may also be fined up to Five Hundred and Ten
21 Thousand Dollars (\$510,000).

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

23 I understand that, if appropriate, I may 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.

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1 I understand that I am eligible for probation for the offense 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 more than one sentence of imprisonment is imposed and I am
7 eligible to serve the sentences concurrently, the sentencing judge has the discretion to order
8 the sentences served concurrently or consecutively.

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

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

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

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

21 I understand that if I am not a United States citizen, any criminal conviction will likely
22 result in serious negative immigration consequences including but not limited to: (1) The
23 removal from the United States through deportation; (2) An inability to reenter the United
24 States; (3) The inability to gain United States citizenship or legal residency; (4) An inability to
25 renew and/or retain any legal residency status; and/or (5) An indeterminate term of
26 confinement with the United States Federal Government based on my conviction and
27 immigration status. Regardless of what I have been told by any attorney, no one can promise
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1 me that this conviction will not result in negative immigration consequences and/or impact my
2 ability to become a United States citizen and/or a legal resident.

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

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11 **WAIVER OF RIGHTS**

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

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

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

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

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

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

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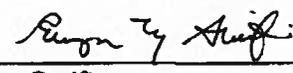
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1 My attorney has answered all my questions regarding this guilty plea agreement and its
2 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

3
4 Dated: April 9, 2015, 2015

By: 
MARK EDWARD SHELTON
Defendant

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8 Dated: April 9, 2015

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

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

CERTIFICATE OF DEFENSE 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 charges 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 all the facts known to me, and are made with my advice to the defendant and are in the best interest of 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 substances or other drug at the time of the execution of this agreement.

DATED: April 9, 2015.

By: 

Tony Abbatangelo, Esq.
Nevada Bar No. 3897
THE LAW OFFICES OF TONY ABBATANGELO
611 S. Sixth St., Suite 220
Las Vegas, NV 89101
Attorney for Defendant

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

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GPA EXHIBIT 1

GPA EXHIBIT 1

1 **AIND**
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 **Office of the Attorney General**
9 **555 East Washington Ave., Ste. 3900**
10 **Las Vegas, Nevada 89101**
11 **P: (702) 486-3396**
12 **F: (702) 486-0660**
13 **Attorneys for State of Nevada**

8 **DISTRICT COURT**

9 **CLARK COUNTY, STATE OF NEVADA**

10 **THE STATE OF NEVADA,**)
11)
12 **Plaintiff,**)
13 **vs.**) **Case No.: C-14-298978-1**
14 **SHELTON, MARK EDWARD, a.k.a.**) **Dept. No.: XXI**
15 **CHRISTOPHER HALL**)
16 **Defendants.**)

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18 **FIRST AMENDED INDICTMENT**

19 **Defendant MARK EDWARD SHELTON a.k.a. CHRISTOPHER HALL (hereinafter**
20 **"Defendant SHELTON") is accused by the Grand Jury of the County of Clark of committing the**
21 **following crime(s):**

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COUNT ONE

**MULTIPLE TRANSACTIONS INVOLVING FRAUD OR DECEIT IN COURSE OF
ENTERPRISE OR OCCUPATION**

CATEGORY "B" FELONY – NRS 205.377

Defendant SHELTON, doing business as Private Income Solutions a.k.a. Private Cash Solutions, in the County of Clark, State of Nevada, in the course of an enterprise or occupation, knowingly and with the intent to defraud, engaged in an act, practice or course of business, or employed a device scheme or artifice which operated or would have operated as a fraud or deceit upon a person by means of a false representation or omission of a material fact that: he knew to be false or omitted; that he intended another to rely on; and which resulted in a loss to a person who relied on the false representation or omission, in at least two transactions having the same or similar pattern, intents, results, accomplices, victims or methods of commission, or which were otherwise interrelated by distinguishing characteristics and were not isolated incidents within 4 years and in which the aggregate loss or intended loss was more than \$650, to wit:

From between about November 6, 2012 to February 14, 2103, while engaged in the enterprise or occupation of soliciting money from clients for the purported purpose of providing the clients with a work from home opportunity, and for obtaining a business loan for the clients, **Defendant SHELTON**, intentionally defrauded four victims using similar tactics and methods of commission.

Specifically, **Defendant SHELTON** intentionally defrauded ALAN BERZOW by making a material misrepresentation that **Defendant SHELTON** would help ALAN BERZOW obtain a business loan in exchange for a fee. Relying on that misrepresentation, ALAN BERZOW paid **Defendant SHELTON** Seven Thousand, Four Hundred and Ninety-Five Dollars (\$7495). **Defendant SHELTON** had no intention or means to provide the financing he promised.

1 Additionally, **Defendant SHELTON** intentionally defrauded BRIAN CAIN by making a
2 material misrepresentation that **Defendant SHELTON** would help BRIAN CAIN obtain a
3 business loan in exchange for a fee. Relying on that misrepresentation, BRIAN CAIN paid
4 **Defendant SHELTON** Three Thousand Dollars. **Defendant SHELTON** had no intention or
5 means to provide the financing he promised.

6 Additionally, **Defendant SHELTON** intentionally defrauded BROOKS MCCLAIN by
7 making a material misrepresentation that **Defendant SHELTON** would help BROOKS
8 MCCLAIN obtain a business loan in exchange for a fee. Relying on that misrepresentation,
9 BROOKS MCCLAIN paid **Defendant SHELTON** Three Thousand Nine Hundred and Ninety-
10 Five Dollars (\$3,995). **Defendant SHELTON** had no intention or means to provide the
11 financing he promised.

12 Additionally, **Defendant SHELTON** intentionally defrauded FREDERICK MOORE by
13 making a material misrepresentation that Defendant would help FREDERICK MOORE obtain
14 a business loan in exchange for a fee. Relying on that misrepresentation, FREDERICK
15 MOORE paid **Defendant SHELTON** Three Thousand Four Hundred and Ninety-Five Dollars
16 (\$3,495). **Defendant SHELTON** had no intention or means to provide the financing he
17 promised.

18 These four instances, having the same or similar purposes, results, accomplices,
19 victims, or methods of commission or having other interrelated distinguishing characteristics,
20 constitute the crime of MULTIPLE TRANSACTIONS INVOLVING FRAUD OR DECEIT IN
21 COURSE OF ENTERPRISE OR OCCUPATION, a category "B" felony in violation of NRS
22 205.377.

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COUNT TWO

SECURITIES FRAUD

CATEGORY "B" FELONY - NRS 90.570(2)

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5 **Defendant SHELTON**, doing business as Private Business Capital, Inc., in the County
6 of Clark, State of Nevada, did willfully, and unlawfully, in connection with the offer to sell, sale,
7 offer to purchase or purchase of a security, directly or indirectly: employ a device, scheme or
8 artifice to defraud; and/or made an untrue statement of a material fact or omitted to state a
9 material fact necessary in order to make the statements made not misleading in the light of
10 the circumstances under which they are made; and/or engaged in an act, practice, or course
11 of business which operates or would operate as a fraud or deceit upon a person, to wit:

12 From between about February 28, 2012 through May 14, 2012, **Defendant SHELTON**,
13 in connection with an offering to sell a security, misrepresented to JEFFREY DENNIS that
14 **Defendant SHELTON** had a network of private investors who would provide JEFFREY
15 DENNIS with up to One Million Dollars (\$1,000,000) in funding if JEFFREY DENNIS
16 purchased a qualified unincorporated business trust. Relying upon these misrepresentations,
17 JEFFREY DENNIS invested Eight Thousand, Three Hundred and Fifty Dollars (\$8,350),
18 including purported fees, with **Defendant SHELTON**, which **Defendant SHELTON** deposited
19 into a Bank of America, N.A. account under **Defendant SHELTON's** control. Subsequently,
20 **Defendant SHELTON** converted JEFFREY DENNIS's money to his own use and/or for uses
21 other than on JEFFREY DENNIS's behalf, and in doing so deprived JEFFREY DENNIS of his
22 money. Defendant SHELTON utilized one or more of the following misrepresentations,
23 omissions, and/or acts or practices which were fraudulent or deceitful:

24 MATERIAL MISREPRESENTATIONS:

- 25 • **Defendant SHELTON** misrepresented to JEFFREY DENNIS that **Defendant**
26 **SHELTON** had a network of over 500 private investors who would provide JEFFREY
27 DENNIS with guaranteed funding if JEFFREY DENNIS purchased rights to a qualified
28 unincorporated business trust;

- 1 • Defendant SHELTON misrepresented to JEFFREY DENNIS that Defendant
2 SHELTON would obtain guaranteed investor funding for JEFFREY DENNIS in the
3 amount of One Million Dollars (\$1,000,000); and
4 • Defendant SHELTON misrepresented to JEFFREY DENNIS that JEFFREY DENNIS
5 would receive a temporary file number from the Nevada Secretary of State in order to
6 transfer a hold ownership of the qualified unincorporated business trust to a
7 corporation.

8 MATERIAL OMISSIONS:

- 9 • Defendant SHELTON did not disclose to JEFFREY DENNIS that Defendant
10 SHELTON would convert the funds from JEFFREY DENNIS's investment to his own
11 use;
12 • Defendant SHELTON did not disclose to JEFFREY DENNIS that Defendant
13 SHELTON had no qualified unincorporated business trust to transfer into his name;
14 and
15 • Defendant SHELTON did not disclose to JEFFREY DENNIS that Defendant
16 SHELTON did not have a network of over 500 private investors that would provide
17 guaranteed funding to JEFFREY DENNIS.

18 All of which constitutes the crime of **SECURITIES FRAUD**, a category "B" felony, in
19 violation of NRS 90.570 and NRS 90.650.

20
21 All of which is contrary to the form, force and effect of the statutes in such cases made
22 and provided, and against the peace and dignity of the State of Nevada. Said Plaintiff makes
23 this declaration upon information and belief and under penalty of perjury.

24 Dated this 30th day of March, 2015

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26 SUBMITTED BY:
ADAM PAUL LAXALT
Attorney General

27 By: 
28 RAYA M. SWIFT
Senior Deputy Attorney General

GPA EXHIBIT 2

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555 East Washington Avenue, Suite 3900
Las Vegas, Nevada 89101

GPA EXHIBIT 2

Case No.: C-14-298978-1

Victim Restitution List			
	Name of Victim	Business Victim Paid To	Amount
1	Alan Berzow	Private Cash	\$ 7,495.00
2	Brian Cain	Private Cash	\$ 3,000.00
3	Brooks McClain	Private Cash	\$ 3,995.00
4	Frederick Moore	Private Cash	\$ 3,495.00
5	Dean Aihara	Private Business Capital	\$ 1,850.00
6	Jeffery Dennis	Private Business Capital	\$ 8,350.00
7	William Budke	Private Business Capital	\$ 8,100.00
8	Arleshia Jones	Private Business Capital	\$ 20,000.00
9	Frank Vitale	Private Business Capital	\$ 18,500.00
10	William Nagorny	Private Business Capital	\$ 5,000.00
11	Doug and Stacy Malito	Private Business Capital	\$ 5,350.00
		TOTAL	\$ 85,135.00