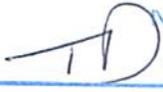


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FIFTH JUDICIAL DISTRICT

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INFO
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Attorneys for Plaintiff State of Nevada

**IN THE FIFTH JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA IN AND FOR THE
COUNTY OF NYE**

THE STATE OF NEVADA,)
) CASE NO.: CR8004
)
Plaintiff,) DEPT. NO.: 2
)
vs.)
)
STEPHEN CHOATE,)
)
Defendant.)

INFORMATION

Plaintiff, the State of Nevada, by and through Attorney General Adam Paul Laxalt and Senior Deputy Attorney General Raya Swift, upon information and belief and under penalty of perjury, charges STEPHEN CHOATE (hereinafter "Defendant CHOATE") with having committed the following offense(s):

COUNT ONE

PATTERN OF MORTGAGE LENDING FRAUD

A Category B felony – NRS 205.372

From on or about November 10, 2010 to February 17, 2012, within the County of Nye, State of Nevada, CHOATE, either by virtue of his own actions or by the actions of his agents or employees, knowingly and unlawfully committed mortgage lending fraud in two or more

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

1 mortgage lending transactions having the same or similar purposes, results, accomplices,
2 victims or methods of commission, or having other interrelated distinguishing characteristics;
3 to wit:

4 On or about November 10, 2010, CHOATE misrepresented a material fact to Kenton
5 Falerios (hereinafter "FALERIOS") regarding the "Underwater Refinancing Program" by falsely
6 claiming that the program would result in FALERIOS obtaining a reduction in his mortgage
7 within 6 months. On or about September 15, 2011, CHOATE further misrepresented to
8 FALERIOS the benefits, performance and efficacy of his alleged "Home Affordable Refinance
9 Program" (HARP) by falsely claiming that the program would result in FALERIOS obtaining a
10 reduction on his mortgage. CHOATE had FALERIOS pay him a total of \$1125.

11 On or about March 12, 2011, CHOATE misrepresented a material fact to Morris and
12 Elona Goldner (hereinafter collectively the "GOLDNERS") regarding the "Troubled Asset
13 Relief Program" (TARP) by falsely claiming that the program would reduce the GOLDNERS'
14 principle loan by half and eliminate the GOLDNERS' second mortgage entirely. In about
15 September 2011, CHOATE further misrepresented to the GOLDNERS the benefits,
16 performance and efficacy of their alleged "Home Affordable Refinance Program" (HARP) by
17 falsely claiming that the program would result in the refinancing of the GOLDNERS' home
18 loan. CHOATE had the GOLDNERS pay him \$750.

19 On or about March 30, 2011, CHOATE misrepresented a material fact to William T.D.
20 Hale Jr. and Gulbeden Rose Hale (collectively the "HALES") regarding the "FHA Underwater
21 Refinancing" program by falsely claiming that the program would result in the HALES reducing
22 their loan and mortgage payments on two separate properties. CHOATE had the HALES pay
23 him a total of \$1,625.

24 On or about December 29, 2010 and again on December 9, 2011, CHOATE
25 misrepresented a material fact to Tony and Cheryl Shoemaker (hereinafter collectively the
26 "SHOEMAKERS") regarding the "FHA Underwater Refinancing" program by falsely claiming
27 that the program would result in the SHOEMAKERS reducing their principal and interest rate
28 on their mortgage. CHOATE had the SHOEMAKERS pay him a total of \$1,500.

1 On or about April 15, 2011, CHOATE misrepresented a material fact to Gerald and
2 Maryanna Smith (hereinafter collectively, the "SMITHS) regarding the "Troubled Asset Relief
3 Program" (TARP) by falsely claiming that the program would reducing the SMITHS' loan and
4 mortgage payment by half the cost. CHOATE had the SMITHS pay him \$750. In about
5 September 2011, CHOATE further misrepresented to the SMITHS the "Home Affordable
6 Modification Program" (HAMP) by falsely claiming that the program would reduce the
7 SMITHS' loan and mortgage payment.

8 In all these instances, CHOATE failed to provide the full service or obtain the results he
9 had promised each. In all these instances, CHOATE made the representations when he
10 neither possessed nor relied upon competent and reliable evidence to substantiate that the
11 representations were true.

12 CHOATE has committed mortgage lending fraud as described herein in two or more
13 mortgage lending transactions having the same or similar purposes, results, accomplices,
14 victims, or methods of commission or having other interrelated distinguishing characteristics.
15 All of which constitutes the crime of PATTERN OF MORTGAGE LENDING FRAUD, a
16 category "B" felony in violation of NRS 205.372(2).

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

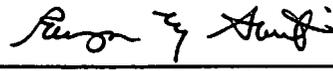
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AFFIRMATION

The undersigned does hereby affirm that, pursuant to NRS 239B.030, the preceding document does not contain the social security number of any person.

Dated: January 28th, 2015.

ADAM PAUL LAXALTH
Attorney General

By: 

Raya M. Swift (NV Bar No. 11108)
Senior Deputy Attorney General

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