

ORIGINAL

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

FEB 27 2017

BY Kathy Klein
KATHY KLEIN, DEPUTY

1 AINF
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MICHAEL C. KOVAC
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Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, STATE OF NEVADA

10 THE STATE OF NEVADA,

11 Plaintiff,

12 v.

13 RICHARD JAMES PENARDO, JR., A.K.A.
14 RICHARD KING, #1203622,

15 Defendant(s).

Case No.: C-13-293643-1

Dept. No.: X

C-13-293643-1
AINF
Amended Information
4826998



AMENDED INFORMATION

Arraignment: October 30, 2013, at 9:30 AM

18 Plaintiff, THE STATE OF NEVADA, by and through its counsel, ADAM PAUL LAXALT,
19 Attorney General, and MICHAEL C. KOVAC, Senior Deputy Attorney General, hereby informs
20 this Court that Defendant RICHARD JAMES PENARDO, JR., did, in Clark County, Nevada,
21 commit the following offense(s):

COUNT ONE

UNEMPLOYMENT INSURANCE FRAUD
(NRS 612.445 - Category B Felony)

24 On or about July 9, 2011 through September 24, 2011, within Clark County, Nevada,
25 Defendant RICHARD JAMES PENARDO, JR., intentionally made and/or intentionally, directly or
26 indirectly aided, abetted, counseled, encouraged, hired, commanded, induced or otherwise
27 procured another to make, false statements or representations, knowing them to be false, or
28 knowingly fail to disclose a material fact, to the Employment Security Division of the Department

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1 of Employment, Training and Rehabilitation of the State of Nevada, located at 2800 East Saint
2 Louis Avenue, Las Vegas, Nevada 89104-4267, in order to obtain or increase any
3 unemployment compensation benefit or payment, to wit:

4 Defendant RICHARD JAMES PENARDO, JR., had one or more individuals falsely inform
5 the Employment Security Division that he, RICHARD JAMES PENARDO, JR., was able to work
6 and/or failed to disclose his incarceration in the Clark County Detention Center and High Desert
7 State Prison, both of which are located in Clark County, Nevada, in order to obtain benefits
8 under Chapter 612 of the Nevada Revised Statutes in the amount of \$2,500.00 or more.

9 All of which is contrary to the form, force, and effect of the statutes in such cases made
10 and provided and against the peace and dignity of the state of Nevada. Plaintiff, THE STATE
11 OF NEVADA, by and through its undersigned counsel, makes these statements upon
12 information and belief.

13 DATED this 24th day of February, 2017.

14 ADAM PAUL LAXALT
15 Attorney General

16 By: /s/ Michael C. Kovac
17 MICHAEL C. KOVAC
18 Senior Deputy Attorney General
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WITNESSES

- 1
- 2 1. David Molnar (State of Nevada, Office of the Inspector General);
- 3 2. Shane Ricketts (State of Nevada, Department of Employment, Training, and
- 4 Rehabilitation);
- 5 3. Rose Derry (Las Vegas Metropolitan Police Department, Clark County Detention
- 6 Center)
- 7 4. Any and all persons most knowledgeable deemed necessary; and
- 8 5. Any and all other custodians of records deemed necessary.

9 Plaintiff, THE STATE OF NEVADA, hereby reserves the right to name and call additional
10 witnesses up through and including the time of trial.

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1 **UNDER NO CIRCUMSTANCES IS THE LANGUAGE CONTAINED HEREINAFTER TO BE**
2 **READ TO A JURY HEARING THE PRIMARY OFFENSE FOR WHICH THE DEFENDANT IS**
3 **PRESENTLY CHARGED**

4 Defendant **RICHARD JAMES PENARDO, JR.**, hereinbefore named, is placed on notice
5 that, in accordance with the authorization of NRS 207.010, punishment imposed pursuant to the
6 above-stated habitual statute will be urged upon the Court if said Defendant is found guilty on the
7 primary offenses of UNEMPLOYMENT INSURANCE FRAUD, CONSPIRACY TO
8 UNLAWFULLY OBTAIN OR INCREASE UNEMPLOYMENT BENEFITS, and OBTAINING
9 MONEY UNDER FALSE PRETENSES, with which the Defendant is presently charged.

10 This page, concerning the prior convictions hereinbelow set forth, is to be considered by
11 the Court in its discretion ONLY after the finding of guilt of the Defendant on the primary charges
12 herein.

13 Defendant **RICHARD JAMES PENARDO, JR.**, has been twice previously convicted of
14 crimes, which, under the laws of the situs of the crime and/or the State of Nevada, amount to
15 felonies, to wit:

- 16 1. In or about 1992, the Defendant was convicted in the State of California of the crime of
17 BURGLARY (a felony); and
 - 18 2. In or about 2010, the Defendant was convicted in the Eighth Judicial District Court,
19 County of Clark, State of Nevada, of the crime of FORGERY (a felony), in case number
20 C261904.
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