

NOV 05 2018

BY, \_\_\_\_\_  
TERI BERKSHIRE, DEPUTY

1 **AIND**  
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DISTRICT COURT  
CLARK COUNTY, NEVADA

12 THE STATE OF NEVADA,  
13 Plaintiff,  
14 -vs-  
15 MARK SIMMONS  
16 Defendant.

CASE NO. C-17-321808-2  
DEPT NO. X

A M E N D E D  
I N D I C T M E N T

18 STATE OF NEVADA }  
19 COUNTY OF CLARK } ss:

20 The Defendant(s) above named, MARK SIMMONS, is accused by the Clark County  
21 Grand Jury of the crime of **EXPLOITATION OF AN OLDER/VULNERABLE PERSON**  
22 **(Category B Felony - NRS 200.5092, 200.5099 - NOC 50304); THEFT (Category B Felony**  
23 **- NRS 205.0832, 205.0835.4 - NOC 55991) and PERJURY (Category D Felony - NRS**  
24 **199.120 - NOC 52971), committed at and within the County of Clark, State of Nevada, on or**  
25 **between December 21, 2011 and July 6, 2016, as follows:**

26 COUNT 1 - EXPLOITATION OF AN OLDER PERSON

27 Defendant did willfully, unlawfully and feloniously exploit an older person by use of a  
28 guardianship converting the older person's money, assets or property, Defendant intending to

1 permanently deprive the older person of the ownership, use, benefit or possession of his  
 2 money, assets or property having an value of more than \$5,000.00, by working in her role as  
 3 guardian and fiduciary, overbilling for visits, shopping trips, court filings, and banking visits,  
 4 thereby exploiting older persons in the amount of approximately \$262,701.85. Said older  
 5 persons are as follows:

Name of Exploited Elder	Amount Exploited
Clyde Bowman	\$3,820.14
Delmond Foster	\$5,134.40
Delores Smith	\$6,166.30
Harold Lockwood	\$4,528.00
James Poya	\$6,032.50
Janice Mitchell	\$4,766.37
Juanita Graham	\$5,766.75
Marlene Homer	\$11,582.40
Mary Vitek	\$2,705.39
Norbert Wilkening	\$4,533.20
Dorothy Trumbich	\$167,204.49
Adolfo Gonzalez	\$1,413.60
Carolyn Rickenbaugh	\$3,804.39
Gloria Schneringer	\$2,830.50
Kenneth Edwards	\$2622.62
Roy Franklin	\$5,806.97
Marilyn Scholl	\$6,262.48
Marie Long	\$10,708.45
Rennie North	\$1,449.30
Patricia Smoak	\$5,563.60
	<b>TOTAL: \$262,701.85</b>

1 Defendant is criminally liable under one or more of the following principles of criminal  
2 liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the  
3 commission of this crime, with the intent that this crime be committed, by providing counsel  
4 and/or encouragement and by entering into a course of conduct whereby MARK SIMMONS  
5 overcharged for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A  
6 Private Professional Guardian, LLC that either did not benefit said older person or did not  
7 occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson and/or  
8 GARY NEAL TAYLOR to do the same; and/or (3) pursuant to a conspiracy to commit this  
9 crime, with the intent that the crime be committed.

10 COUNT 2 - THEFT

11 Defendant did willfully, knowingly, feloniously, and without lawful authority, use the  
12 services or property of another person entrusted to him, or placed in his possession for a  
13 limited, authorized period of determined or prescribed duration or for a limited use, having a  
14 value of \$3,500.00 or more, in the following manner, to-wit: by overbilling for visits, shopping  
15 trips, court filings, and banking visits, thereby unlawfully converting money belonging to said  
16 older person in the amount of approximately \$82,985.00. Said older persons are as follows:

<b>Name of Older Person</b>	<b>Amount Stolen</b>
Rudy North	\$1,449.30
Ruth Braslow	\$13,209.60
Walter Wright	\$4,183.08
William Brady	\$9,470.80
Yoshiko Kindaichi	\$3,699.28
Norman Weinstock	\$15,068.18
Maria Cooper	\$6,920.00
Kenneth Cristopherson	\$4,290.00
Joseph Massa	\$5,396.40
Blanca Ginorio	\$2,497.20

1	Daniel Currie	\$8,149.70
2	Rita Lamppa	\$4,311.20
3	Barbara Neely	\$895.00
4	Linda Phillips	\$3,445.26
5		<b>TOTAL: \$82,985.00</b>

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7 Defendant is criminally liable under one or more of the following principles of criminal  
8 liability, to-wit: (1) by directly committing this crime; and/or (2) by aiding or abetting in the  
9 commission of this crime, with the intent that this crime be committed, by providing counsel  
10 and/or encouragement and by entering into a course of conduct whereby MARK SIMMONS  
11 overcharged for ward visits, shopping trips, bank deposits, and/or other tasks on behalf of A  
12 Private Professional Guardian, LLC that either did not benefit said older person or did not  
13 occur, and/or directed Angelica Sanchez and/or Heidi Kramer and/or Sue Pehrson and/or  
14 GARY NEAL TAYLOR to do the same; and/or (3) pursuant to a conspiracy to commit this  
15 crime, with the intent that the crime be committed.

16 COUNT 3 - PERJURY

17 Defendant MARK SIMMONS suborned APRIL PARKS on or between December 21,  
18 2011 and July 6, 2016, to commit perjury, to-wit: by falsifying records and/or instructing other  
19 employees of A Private Professional Guardian, LLC to falsify records, of the amount and value  
20 of services provided in the following guardianship cases, knowing said records would be filed  
21 in said cases: G-12-036900-A; G-11-036043-A; G-13-038228-A; G-14-040726-A; G-10-  
22 035162-A; G-10-035339-A; G-10-035078-A; G-13-038909-A; G-13-039636-A; G-09-  
23 034019-A; G-11-035593-A; G-12-037215-A; G-13-039449-A; G-13-039443-A; 06G029707;  
24 G-12-037404-A; G-13-039161-A; G-13-039448-A; G-11-036232-A; G-13-039145-A; G-14-  
25 039910-A; G-10-035166-A; G-14-041060-A; G-14-040243-A; G-12-038107-A; G-14-  
26 040310-A; G-12-037395-A; G-12-037438-A; G-13-039133-A; G-13-039132-A; G-12-  
27 037193-A; G-13-038438-A; G-13-038316-A; G-13-039454-A; G-08-032515-A; G-12-  
28 037226-A; and G-14-040873-A; which documents claimed that Defendant and/or April Parks


1 and/or A Private Professional Guardian, LLC were owed fees for services rendered that were  
2 not in fact rendered to the extent and duration claimed, which statements were material to the  
3 filings in question.

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7 BY 

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