

Attorney General's Office
555 E. Washington, Suite 3900
Las Vegas, NV 89101

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

JUL 17 2015

BY _____
TERRY JOLLEY, DEPUTY

1 **GPA**
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4 JEFFREY H. SEGAL
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13 **EIGHTH JUDICIAL DISTRICT COURT**
14 **CLARK COUNTY, NEVADA**

<p>15 THE STATE OF NEVADA,</p> <p>16</p> <p>17 Plaintiff,</p> <p>18</p> <p>19 vs.</p> <p>20 ROBERT LORIN MUSICH,</p> <p>21</p> <p>22 Defendant.</p>	<p>Case No.: C-15-307830-1</p> <p>Dept. No.: 6</p>
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23 **GUILTY PLEA AGREEMENT**

24 The undersigned, ADAM PAUL LAXALT, Attorney General of the State of Nevada,
25 through Jeffrey H. Segal, Chief Deputy Attorney General, and **ROBERT LORIN MUSICH**, with
26 his attorney Lawrence C. Hill, Esq. hereby file this Guilty Plea Agreement.

27 I, **ROBERT LORIN MUSICH**, agree to plead guilty to one (1) count of Obtaining Money
28 Under False Pretenses, a category "B" felony in violation of NRS 205.380(1)(a).

My decision to plead guilty is based upon the following plea agreement:

1. I, **ROBERT LORIN MUSICH**, agree to plead guilty to one (1) count of Obtaining
Money Under False Pretenses, a category "B" felony in violation of NRS 205.380(1)(a) as
alleged in the attached Information (attached hereto as Exhibit "1"), which is hereby
incorporated by reference;

2. The State agrees that it will make no recommendation at sentencing;

3. **ROBERT LORIN MUSICH** shall pay restitution in the aggregate amount of

1 \$11,976.78 to the victims and in the amounts listed in Exhibit "2" attached hereto and
2 incorporated herein by reference.

3 4. **ROBERT LORIN MUSICH** shall forfeit all property or interest in any property
4 seized and/or impounded in connection with this case, including \$12,152.29 seized from bank
5 account(s) under his control. This money shall be applied to payment of restitution. Any
6 residual amount shall be paid to the Attorney General's Office for reimbursement of the costs
7 of investigation.

8 5. I, **ROBERT LORIN MUSICH**, agree that if I fail to interview with the Department
9 of Parole and Probation, fail to appear at any subsequent hearings in this case, or an
10 independent magistrate, by affidavit review, confirms probable cause against me for new
11 criminal charges including reckless driving or DUI, but excluding minor traffic violations, the
12 State will have the unqualified right to argue for any legal sentence and term of confinement
13 allowable for the crime(s) to which I am pleading guilty, including the use of any prior
14 convictions I may have to increase my sentence as a habitual criminal to five (5) to twenty (20)
15 years, life without the possibility of parole, life with the possibility of parole after ten (10) years,
16 or a definite twenty-five (25) year term with the possibility of parole after ten (10) years.

17 Otherwise, I am entitled to receive the benefits of these negotiations as stated in this
18 plea agreement.

19 **CONSEQUENCES OF THE PLEA**

20 I understand that by pleading guilty I admit the facts that support all the elements of the
21 offense(s) to which I now plead as set forth in the Information on file herein. (Exhibit "1").

22 I understand that the consequences of my plea of guilty are that I may be incarcerated
23 for a period of a minimum term of not less than one (1) year and a maximum term of not more
24 than six (6) years and that I may also be fined up to \$10,000.00.

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 \ \ \

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

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

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

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

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

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

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

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 \ \ \

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 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.

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

1 **VOLUNTARINESS OF PLEA**

2 I have discussed the elements of all of the original charge(s) with my attorney, and I
3 understand the nature of these charge(s) against me.

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

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

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

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

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

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

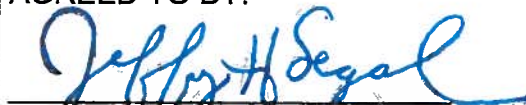
18 My attorney has answered all my questions regarding this guilty plea agreement and its
19 consequences to my satisfaction and I am satisfied with the services provided by my attorney.

20 DATED this 17th day of July, 2015.

21
22 

23 **ROBERT LORIN MUSICH**
24 *Defendant*

25 AGREED TO BY:

26 

27 **JEFFREY M. SEGAL, ESQ.**
28 Chief Deputy Attorney General
Nevada Bar No. 005491
555 East Washington Ave., Ste. 3900
Las Vegas, Nevada 89101

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(702) 486-3130
Attorneys for the State

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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. I have inquired of Defendant facts concerning Defendant's immigration status and explained to Defendant that if Defendant is not a United States citizen any criminal conviction will most likely result in serious negative immigration consequences including but not limited to:

- a. The removal from the United States through deportation;
- b. An inability to reenter the United States;
- c. The inability to gain United States citizenship or legal residency;
- d. An inability to renew and/or retain any legal residency status; and/or
- e. An indeterminate term of confinement, with the United States Federal Government based on his conviction and immigration status.

Moreover, I have explained that regardless of what Defendant may have been told by any attorney, no one can promise Defendant that this conviction will not result in negative immigration consequences and/or impact Defendant's ability to become a United States citizen and/or legal resident.

4. 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:

5. To the best of my knowledge and belief the defendant:

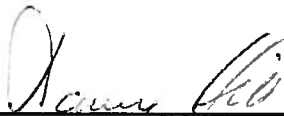
- a. Is competent and understands the charges and the consequences of pleading guilty as provided in this agreement.

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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 this 17th day of July, 2015.



LAWRENCE C. HILL, ESQ.

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Las Vegas, NV 89101

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Exhibit 1

1 INFM
ADAM PAUL LAXALT
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3 Chief Deputy Attorney General
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7 Attorneys for State of Nevada

8 **EIGHTH JUDICIAL DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 THE STATE OF NEVADA,)

11 Plaintiff,)

12 vs.)

13 ROBERT LORIN MUSICH,)

14 Defendant.)

Case No.: C-15-307830-1

Dept. No.: 6

15 _____)
16 **CRIMINAL INFORMATION**

17 ADAM PAUL LAXALT, Attorney General of the State of Nevada, by and through his
18 undersigned deputy, complains and charges the above-named defendant, ROBERT LORIN
19 MUSICH, with having committed the following offense within the County of Clark, State of
20 Nevada:

21 OBTAINING MONEY UNDER FALSE PRETENSES, a category "B" felony, in violation
22 of NRS 205.380(1)(a).

23 All of the acts alleged herein have been committed in or between November and
24 December of 2014, by the above-named Defendant, within the County of Clark, State of
25 Nevada, in the following manner:

26 ///

27 ///

28 ///

COUNT 1

OBTAINING MONEY UNDER FALSE PRETENSES
A CATEGORY "B" felony - NRS 205.380(1)(a)

1
2
3 Defendant ROBERT LORIN MUSICH, in the County of Clark, State of Nevada, either
4 by virtue of his own actions or by and through the actions of his agents or employees, without
5 lawful authority, knowingly and designedly, by any false pretense, obtained from any other
6 person any chose in action, money, goods, wares, chattels, effects or other valuable thing,
7 with the intent to cheat or defraud the other person, and the value of said thing was \$650 or
8 more, to wit:

9 In or between November and December of 2014, Defendant MUSICH, doing business
10 as "RMZ Inc." and/or "RMZ Fire Safety," caused an invoice to be sent to WINK LLC, d/b/a
11 Honey Salt ("Honey Salt"), a business located in Clark County, Nevada. The invoice falsely
12 claimed that a company named "RMZ Fire Safety" had performed an "Annual State Required
13 Fire Safety Equipment Inspection, Test and Certification" and was due the sum of \$413.11 for
14 providing the aforementioned service. In reliance upon the aforementioned material
15 misrepresentation, on or about December 15, 2014, Honey Salt remitted payment of \$413.11
16 to defendant at the address he provided on the invoice. At all relevant times herein,
17 defendant MUSICH knew full well that no service had been provided and no payment was
18 due.

19 In or between November and December of 2014, Defendant MUSICH, doing business
20 as "RMZ Inc." and/or "RMZ Fire Safety," caused an invoice to be sent to RSVP Party Rentals,
21 Inc., a business located in Clark County, Nevada. The invoice falsely claimed that a company
22 named "RMZ Fire Safety" had performed an "Annual State Required Fire Safety Equipment
23 Inspection, Test and Certification" and was due the sum of \$413.11 for providing the
24 aforementioned service. In reliance upon the aforementioned material misrepresentation, on
25 or about December 9, 2014, RSVP Party Rentals, Inc. remitted payment of \$413.11 to
26 defendant at the address he provided on the invoice. At all relevant times herein, defendant
27 MUSICH knew full well that no service had been provided and no payment was due.

28 ///

1 In or between November and December of 2014, Defendant MUSICH, doing business
2 as "RMZ Inc." and/or "RMZ Fire Safety," caused an invoice to be sent to Nevada Barricade &
3 Sign Inc., a business located in Clark County, Nevada. The invoice falsely claimed that a
4 company named "RMZ Fire Safety" had performed an "Annual State Required Fire Safety
5 Equipment Inspection, Test and Certification" and was due the sum of \$413.11 for providing
6 the aforementioned service. In reliance upon the aforementioned material misrepresentation,
7 on or about December 15, 2014, Nevada Barricade & Sign Inc. remitted payment of \$413.11
8 to defendant at the address he provided on the invoice. At all relevant times herein,
9 defendant MUSICH knew full well that no service had been provided and no payment was
10 due.

11 Defendant MUSICH received each of the aforementioned payments at a private
12 mailbox that he maintained in Clark County, Nevada. He caused each of the payments to be
13 deposited into Wells Fargo Bank, N.A. Account No. XXXXXX3245 in the name of RMZ INC.,
14 d/b/a RMZ Fire Safety. At all relevant times herein, defendant MUSICH was the only signer
15 on this account. The aggregate loss as a result of the conduct alleged herein is \$1239.33.

16 All of which constitutes the crime of OBTAINING MONEY UNDER FALSE
17 PRETENSES, a category "B" felony in violation of NRS 205.380(1)(a).

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

21 Dated this 17th day of July, 2015.

22 ADAM PAUL LAXALT
23 Attorney General

24 By: 
25 JEFFREY H. SEGAL
26 Chief Deputy Attorney General
27 Attorneys for State of Nevada
28