

GPA

ADAM PAUL LAXALT

Attorney General

JEFFREY H. SEGAL

Chief Deputy Attorney General

Nevada Bar Number 5491

jsegal@ag.nv.gov

RAYA SWIFT

Senior Deputy Attorney General

Nevada Bar Number 11108

rswift@ag.nv.gov

555 East Washington Ave., Ste. 3900

Las Vegas, Nevada 89101

P: (702) 486-3130 - office

F: (702) 486-0660 - fax

Attorneys for the State of Nevada

ORIGINAL

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

MAY 29 2015

BY, Nora Peña
NORA PEÑA, DEPUTY

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

vs.

MARIO LAMONT JONES, II

Defendant.

Case No.: C-14-299101-1

Dept. No.: XX

C-14-299101-1
GPA
Guilty Plea Agreement
4481719



GUILTY PLEA AGREEMENT

The State of Nevada, by and through Attorney General Adam Paul Laxalt, Chief Deputy Attorney General Jeffrey Segal, and Senior Deputy Attorney General Raya Swift, and Defendant MARIO LAMONT JONES, II, represented by MARTIN HART, Esq. hereby enter into and file this Guilty Plea Agreement.

I, Defendant MARIO LAMONT JONES, II, agree to plead guilty to: one (1) count of Sex Trafficking, a category "B" felony in violation of NRS 201.300 (2)(b)(1) within the County of

///

///

1 Clark, State of Nevada. The charges are set forth in the Amended Information, attached
2 hereto, and the terms of this plea are set forth below.

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

4 1. I agree to plead guilty to: one (1) count of Sex Trafficking, a category "B" felony
5 in violation of NRS 201.300 (2)(b)(1) within the County of Clark, State of Nevada as more fully
6 alleged in the pleading, attached hereto as Exhibit "1", which is incorporated by reference.

7 2. I agree to waive all objections as to form and content of the pleading, attached
8 hereto as Exhibit "1".

9 3. The State agrees to dismiss and forego prosecution against Defendant MARIO
10 LAMONT JONES, II on all other counts currently pending in District Court case number C-14-
11 299101-1.

12 4. I agree to pay restitution to the victim, a known but unnamed female, in the
13 amount to be determined including the cost of medical and psychological treatment, including,
14 without limitation, physical and occupational therapy and rehabilitation; the cost of
15 transportation and temporary housing; the return of property, the cost of repairing damaged
16 property or the full value of the property if it is destroyed or damaged beyond repair; and any
17 and all other losses suffered by the victim as a result of the violation of NRS 201.300.

18 I further agree to cooperate with all lawful efforts to collect restitution, including
19 providing truthful and complete information about the whereabouts of assets of my own or of
20 entities under my control or for my benefit. The willful failure to pay restitution as ordered may
21 be grounds for revocation of parole or probation. "Willful failure" means the failure to pay
22 despite having the financial resources to do so.

23 5. I agree to a stipulated sentence of imprisonment in the state prison for term of a
24 minimum of three (3) years and a maximum of ten (10) years. I further agree that this
25 sentence shall not be suspended and I shall not be granted probation even if eligible.

26 I understand that I am giving up my right to argue for a more lenient sentence, and that
27 the State is likewise giving up the right to argue for a lengthier sentence of incarceration.

28 I understand and agree that if I fail to interview with the Department of Parole and

1 Probation, fail to appear for any subsequent hearings or court dates in this case, or if an
2 independent magistrate, by affidavit review, confirms probable cause against me for new
3 criminal charges, excluding minor traffic violations, the State will have the unqualified right to
4 argue for any legal sentence and term of confinement allowable for the crime(s) to which I am
5 pleading guilty, including the use of any prior convictions I may have to increase my sentence
6 as a habitual criminal to five (5) to twenty (20) years, life without the possibility of parole, life
7 with the possibility of parole after ten (10) years, or a definite twenty-five (25) year term with
8 the possibility of parole after ten (10) years.

9 6. I agree that the term of incarceration is to run consecutively to my sentence in
10 Eighth Judicial District Court Case No. 10-C-262639.

11 7. I understand that if the offense(s) to which I am pleading guilty was committed
12 while I was incarcerated on another charge or while I was on probation or parole that I am not
13 eligible for credit for time served toward the instant offense(s). Despite that I may request the
14 Court give me credit for time served. I acknowledge that while the State has agreed to make
15 no recommendation as to whether the Court should award credit for time served on my parole
16 violation in Eighth Judicial District Court Case No. 10-C-262639, the State may present the
17 law to the Court to allow the Court to make an informed decision on credit for time served.

18 **CONSEQUENCES OF THE PLEA**

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

22 I understand that the consequences of my plea of guilty to the charge in this case are
23 that I may be incarcerated for a period of not less than three (3) years and a maximum term of
24 not more than ten (10) years on each charge that I plead to, which terms may be ordered to
25 run consecutively or concurrently, and that I may also be fined up to Ten Thousand Dollars
26 (\$10,000). The minimum term of imprisonment may not exceed forty percent (40%) of the
27 maximum term of imprisonment.

28 ///

1 Additionally, I understand that the Court will include as part of my sentence, in addition
2 to any other penalties provided by law, pursuant to NRS 176.0927 and NRS 179D.010 to
3 179D.550, inclusive, I must register as a sex offender within forty-eight (48) hours of release
4 from custody onto probation or parole.

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

6 I understand that, if appropriate, I may be ordered to make restitution to the victim of
7 the offense(s) to which I am pleading guilty and to the victim of any related offense which is
8 being dismissed or not prosecuted pursuant to this agreement. I will also be ordered to
9 reimburse the State of Nevada for any expenses related to my extradition, if any.

10 I understand that I am not eligible for probation for the offense to which I am pleading
11 guilty.

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

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

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

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

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

26 I understand that if the offense(s) to which I am pleading guilty was committed while I

27 ///

1 was incarcerated on another charge or while I was on probation or parole that I am not eligible
2 for credit for time served toward the instant offense(s).

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

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

19
20 **WAIVER OF RIGHTS**

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

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

26 2. The constitutional right to a speedy and public trial by an impartial jury, free of
27 excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the
28

1 assistance of an attorney, either appointed or retained. At trial the State would bear the
2 burden of proving beyond a reasonable doubt each element of the offense charged.

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

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

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

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

11
12 **VOLUNTARINESS OF PLEA**

13 I have discussed the elements of all of the original charges against me with my attorney
14 and I understand the nature of the charges against me.

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

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

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

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

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

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

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
5 Dated: May 29, 2015

By: Mario Lamont Jones
MARIO LAMONT JONES
Defendant

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7
8
9 Agreed to by:

10
11 Raya Swift
Jeffrey Segal, Esq.
Chief Deputy Attorney General
Raya Swift, Esq.
Senior Deputy Attorney General
555 East Washington Ave., Ste. 3900
Las Vegas, Nevada 89101
(702) 486-3396
Attorneys for the State

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: May 29, 2015.

By: 

Martin W. Hart, Esq.
Nevada Bar No. 5984
THE LAW OFFICES OF MARTIN HART, LLC
229 South Las Vegas Blvd. Ste. 200
Las Vegas, NV 89101
Attorney for Defendant

GPA EXHIBIT 1

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1 **AINF**

2 **ADAM PAUL LAXALT**

Attorney General

3 **JEFFREY H. SEGAL**

Chief Deputy Attorney General

4 Nevada Bar Number 5491

jsegal@ag.nv.gov

5 **RAYA SWIFT**

Senior Deputy Attorney General

6 Nevada Bar Number 11108

rswift@ag.nv.gov

7 555 East Washington Ave., Ste. 3900

8 Las Vegas, Nevada 89101

P: (702) 486-3130 - office

9 F: (702) 486-0660 - fax

Attorneys for the State of Nevada

11 **EIGHTH JUDICIAL DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 THE STATE OF NEVADA,)

14 Plaintiff,)

15 vs.)

16 MARIO LAMONT JONES, II)

17 Defendant.)

Case No.: C-14-299101-1

Dept. No.: XX

19 _____)
20 **INFORMATION**

21 The undersigned, Attorney General Adam Paul Laxalt, Chief Deputy Attorney General
22 Jeffrey Segal, and Senior Deputy Attorney General Raya Swift, under penalty of perjury, and
23 within their knowledge and upon information and belief, complain and charge that the above
24 named Defendant MARIO LAMONT JONES II has committed the offenses as follows:

25 **MARIO LAMONT JONES II** (hereinafter "**JONES**") has committed the crime of one (1)
26 count of SEX TRAFFICKING, a category "B" felony in violation of NRS 201.300(2)(b)(1).

27 The acts alleged herein were committed on or about December 29, 2013 to March 29,
28 2014, in the County of Clark, State of Nevada, as follows:

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COUNT 1

SEX TRAFFICKING

A Category 'B' Felony – NRS 201.300(2)(b)(1)

That on or about March 22, 2014 to March 29, 2014, in the County of Clark, State of Nevada, **JONES** induced, caused, recruited, harbored, transported, provided, obtained, or maintained a known but unnamed female to engage in prostitution.

All of which constitutes the crime of SEX TRAFFICKING, a category 'B' felony, in violation of NRS 201.300.

All of which is contrary to the form of the Statute in such cases made and provided, and against the peace and dignity of the State of Nevada.

Dated this ____ day of May, 2015.

CATHERINE CORTEZ MASTO
Attorney General

By: _____

JEFFREY SEGAL
Chief Deputy Attorney General
RAYA SWIFT
Senior Deputy Attorney General
Fraud Unit