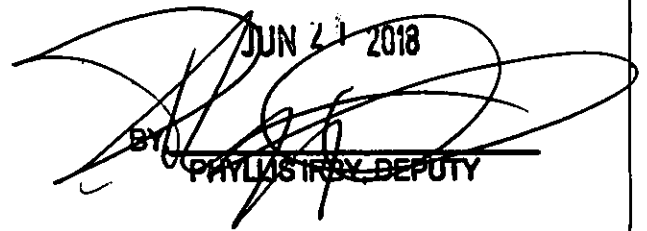


ORIGINAL

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

1 AIND
2 ADAM PAUL LAXALT
3 Attorney General
4 RAYA M. SWIFT, Bar No. 11108
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13 Attorneys for the State of Nevada

JUN 21 2018
BY  PHILLIS GRAY, DEPUTY

9 DISTRICT COURT
10 CLARK COUNTY, NEVADA

11 STATE OF NEVADA,
12 Plaintiff,
13 v.
14 MARLENE FITZGERALD,
15 Defendant.

Case No.: C-15-311295-1
Dept. No.: XXV

17 **AMENDED INDICTMENT**

18 The above named defendant, MARLENE FITZGERALD, is accused by the Clark County Grand
19 Jury of the crimes of one (1) count of MULTIPLE TRANSACTIONS OF FRAUD OR DECEIT IN THE
20 COURSE OF ENTERPRISE OR OCCUPATION, a category "B" felony in violation of NRS 205.377, in
21 Clark County, State of Nevada as follows:

22 **COUNT I**
23 **MULTIPLE TRANSACTIONS OF FRAUD OR DECEIT IN COURSE OF ENTERPRISE OR**
24 **OCCUPATION**
25 **Category "B" Felony - NRS 205.377**

26 That the Defendant, MARLENE FITZGERALD, in the County of Clark, State of Nevada, either by
27 virtue of her own actions or by the actions of her agents or employees, did without lawful authority
28 knowingly and with intent to defraud, with her being criminally liable as having (1) directly committed
this crime, and/or (2) aided and abetted in the commission of this crime, and/or (3) pursuant to a

C-15-311295-1
AIND
Amended Indictment
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1 conspiracy to commit this crime, and with the intent that this crime be committed, did knowingly: engage
2 in an act, practice or course of business or employ a device, scheme or artifice which operates or would
3 operate as a fraud or deceit upon a person by means of a false representation or omission of a material fact
4 that she knew to be false or omitted, that she intended another to rely on, and that did result in a loss to any
5 person who relied on the false representation or omission in at least two transactions that have the same or
6 similar pattern, intents, results, accomplices, victims or methods of commissions, or are otherwise
7 interrelated by distinguishing characteristics and are not isolated incidents within 4 years and in which the
8 aggregate loss or intended loss is more than \$650, to wit:

9 From on or about January 1, 2006 through July 31, 2013, MARLENE FITZGERALD, acting in
10 concert with MARCUS FITZGERALD, and either by virtue of her own actions or by the actions of her
11 agents or employees, knowingly and intentionally engaged in a course or business which she intended to
12 and which did in fact operate as a fraud by making false representations to Tammy Ingram, Travis Kerr,
13 Natasha Szalay, Jason Wright, Jasmine MacIsaac, Cale MacIsaac, and Lynn Doyle that in exchange for
14 monetary payments from each of them, collectively totaling approximately \$362,522.06, real estate would
15 be invested in for each of their benefits. However, MARCUS FITZGERALD and MARLENE
16 FITZGERALD never bought or attempted to buy real estate, or invest any of the victims' money in real
17 estate, nor did they return any of the money.

18 All of which constitutes the crime of MULTIPLE TRANSACTIONS OF FRAUD OR DECEIT IN
19 COURSE OF ENTERPRISE OR OCCUPATION, a category "B" felony, in violation NRS 205.377.

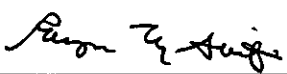
20 All of which is contrary to the form, force and effect of the statutes in such cases made and
21 provided, and against the peace and dignity of the State of Nevada.

22 DATED this 21st day of June, 2018

23 SUBMITTED BY:

24 ADAM PAUL LAXALT
25 Attorney General

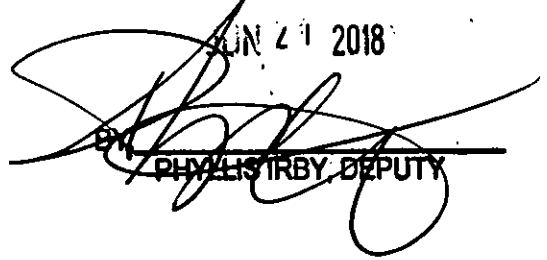
26 By:


27 RAYA M. SWIFT (Bar No. 11108)
28 Attorneys for the State of Nevada

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JUN 21 2018
BY  RHM:LSIRBY, DEPUTY

9 DISTRICT COURT
10 CLARK COUNTY, NEVADA

11 STATE OF NEVADA,
12 Plaintiff,
13 v.
14 MARCUS FITZGERALD,
15 Defendant.

Case No.: C-15-311295-2

Dept. No.: XXV

17 AMENDED INDICTMENT

18 The above named defendant, MARCUS FITZGERALD, is accused by the Clark County Grand
19 Jury of the crimes(s) of one (1) count of MULTIPLE TRANSACTIONS OF FRAUD OR DECEIT IN
20 THE COURSE OF ENTERPRISE OR OCCUPATION, a category "B" felony in violation of NRS
21 205.377, in Clark County, State of Nevada as follows:

22 COUNT I
23 MULTIPLE TRANSACTIONS OF FRAUD OR DECEIT IN COURSE OF ENTERPRISE OR
24 OCCUPATION
25 Category "B" Felony - NRS 205.377

26 That the Defendant, MARCUS FITZGERALD, in the County of Clark, State of Nevada, either by
27 virtue of his own actions or by the actions of his agents or employees, did without lawful authority
28 knowingly and with intent to defraud, with him being criminally liable as having (1) directly committed
this crime, and/or (2) aided and abetted in the commission of this crime, and/or (3) pursuant to a

C-15-311295-2
AIND
Amended Indictment
4757099



1 conspiracy to commit this crime, and with the intent that this crime be committed, did knowingly: engage
2 in an act, practice or course of business or employ a device, scheme or artifice which operates or would
3 operate as a fraud or deceit upon a person by means of a false representation or omission of a material fact
4 that he knew to be false or omitted, that he intended another to rely on, and that did result in a loss to any
5 person who relied on the false representation or omission in at least two transactions that have the same or
6 similar pattern, intents, results, accomplices, victims or methods of commissions, or are otherwise
7 interrelated by distinguishing characteristics and are not isolated incidents within 4 years and in which the
8 aggregate loss or intended loss is more than \$650, to wit:

9 From on or about January 1, 2006 through July 31, 2013, MARCUS FITZGERALD, acting in
10 concert with MARLENE FITZGERALD, and either by virtue of his own actions or by the actions of his
11 agents or employees, knowingly and intentionally engaged in a course or business which he intended to
12 and which did in fact operate as a fraud by making false representations to Tammy Ingram, Travis Kerr,
13 Natasha Szalay, Jason Wright, Jasmine MacIsaac, Cale MacIsaac, and Lynn Doyle that in exchange for
14 monetary payments from each of them, collectively totaling approximately \$362,522.06, real estate would
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18 All of which constitutes the crime of MULTIPLE TRANSACTIONS OF FRAUD OR DECEIT IN
19 COURSE OF ENTERPRISE OR OCCUPATION, a category "B" felony, in violation NRS 205.377.

20 DATED this 21st day of June, 2018.

21 SUBMITTED BY:

22 ADAM PAUL LAXALT
23 Attorney General

24 By:


25 RAYA M. SWIFT (Bar No. 11108)
26 Attorneys for the State of Nevada
27
28