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

APR 11 2017

BY, April Watkins
APRIL WATKINS, DEPUTY

ORIGINAL

DISTRICT COURT

CLARK COUNTY, NEVADA

C-16-320056-1
GPA
Guilty Plea Agreement
4839873



STATE OF NEVADA,

Plaintiff,

v.

RENALDO JOHNSON, ID#2596260

Defendant.

Case No.: C-16-320056-1

Dept. No.: 4

GUILTY PLEA AGREEMENT

I hereby agree to plead guilty to: MISCONDUCT IN SIGNING, FILING, OR ALTERING PETITION a CATEGORY D Felony, in violation of NRS 205.125, as more fully alleged in the charging document attached hereto as Exhibit "1."

My decision to plead guilty is based upon the plea agreement in this case which is as follows:

1. I, RENALDO JOHNSON, will enter a plea of GUILTY to MISCONDUCT IN SIGNING, FILING, OR ALTERING PETITION, in violation of NRS 205.125, as alleged in Count 1 of the Amended Criminal Indictment attached hereto as Exhibit "1";

2. In exchange for this guilty plea, the State agrees to forgo prosecution against, RENALDO JOHNSON on all other counts currently pending in case C-16-320056-1;

3. The State retains the right to argue for any lawful sentence;

4. Both parties agree to recommend a bail reduction to \$5,000.00 after entry of plea;

5. I understand that, pursuant to NRS 176.015(3), victims so desiring will be allowed to make

1 impact statements;

2 6. I understand and agree that, if I fail to interview with the Department of Parole and
3 Probation, fail to appear at any subsequent hearings in this case, or an independent judge or magistrate, by
4 affidavit review or other satisfactory proof, confirms probable cause against me for new criminal charges,
5 including reckless driving or DUI, but excluding minor traffic violations, that the State will have the
6 unqualified right to argue for any legal sentence and term of confinement allowable for the crime(s) to
7 which I am pleading guilty, including the use of any prior convictions I may have to increase my sentence
8 as a habitual criminal to five (5) to twenty (20) years, life without the possibility of parole, life with the
9 possibility of parole after ten (10) years, or a definite twenty-five (25) year term with the possibility of
10 parole after ten (10) years. Otherwise, I am entitled to receive the benefits of these negotiations as stated
11 in the plea agreement.

12 CONSEQUENCES OF THE PLEA

13 I understand that by pleading guilty I admit the facts that support all the elements of the offense(s)
14 to which I now plead as set forth in Exhibit "1."

15 I understand that as a consequence of my plea of guilty the Court must sentence me to
16 imprisonment in the Nevada Department of Corrections for a minimum term of not less than one (1) year
17 and a maximum term of not more than four (4) years. The minimum term of imprisonment may not exceed
18 forty percent (40%) of the maximum term of imprisonment. I understand that I may also be fined up to
19 \$5,000.00. I understand the law requires me to pay an Administrative Assessment Fee.

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

24 I understand that I am eligible for probation for the offense(s) to which I am pleading guilty. I
25 further understand that, except as otherwise provided by statute, the question of whether I receive
26 probation is in the discretion of the sentencing judge.

27 I also understand that I must submit to blood and/or saliva tests under the direction of the Division
28 of Parole and Probation to determine genetic markers and/or secretor status.

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

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

6 I have not been promised or guaranteed any particular sentence by anyone. I know that my
7 sentence is to be determined by the Court within the limits prescribed by statute. I understand that if my
8 attorney or the State of Nevada or both recommend any specific punishment to the Court, the Court is not
9 obligated to accept the recommendation.

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

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

19 I understand that if I am not a United States citizen, this criminal conviction will likely result in
20 serious negative immigration consequences including but not limited to: removal from the United States
21 through deportation; an inability to reenter the United States; the inability to gain United States citizenship
22 or legal residency; an inability to renew and/or retain any legal residency status; and/or an indeterminate
23 term of confinement, with the United States Federal Government based on my conviction and immigration
24 status. Regardless of what I have been told by an attorney, no one can promise me that this conviction will
25 not result in negative immigration consequences and/or impact my ability to become a United States
26 citizen and/or legal resident.

27 ///

28 ///

WAIVER OF RIGHTS

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

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

2. The constitutional right to a speedy and public trial by an impartial jury, free of excessive pretrial publicity prejudicial to the defense, at which trial I would be entitled to the assistance of an attorney, either appointed or retained. At trial the State would bear the burden of proving beyond a reasonable doubt each element of the offense charged.

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

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

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

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

VOLUNTARINESS OF PLEA

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

I understand the State would have to prove each element of the charges against me at trial.

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

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

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

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

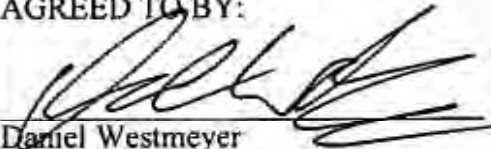
4 I am not now under the influence of any intoxicating liquor, a controlled substance or other drug
5 which would in any manner impair my ability to comprehend or understand this agreement or the
6 proceedings surrounding my entry of this plea.

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

9 DATED this 11 day of April, 2017.

10 
11 RENALDO JOHNSON, Defendant

12 AGREED TO BY:

13 
14 Daniel Westmeyer
15 Senior Deputy Attorney General

16
17 **CERTIFICATE OF DEFENSE COUNSEL**

18 I, the undersigned, as the attorney for RENALDO JOHNSON named herein and as an officer of the
19 court hereby certify that:

20 1. I have fully explained to RENALDO JOHNSON the allegations contained in the charges to
21 which guilty pleas are being entered.

22 2. I have advised RENALDO JOHNSON of the penalties for each charge and the restitution
23 that RENALDO JOHNSON may be ordered to pay.

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

28 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/her conviction and immigration status.

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

4. All pleas of guilty offered by RENALDO JOHNSON pursuant to this agreement are consistent with all the facts known to me, and are made with my advice to RENALDO JOHNSON and are in the best interest of RENALDO JOHNSON:

5. To the best of my knowledge and belief RENALDO JOHNSON:

- 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 this 11 day of April, 2017.


MICHAEL YOHAY, ESQ.
Attorney for RENALDO JOHNSON