



**UNITED STATES
DEPARTMENT OF JUSTICE**

**UNITED STATES ATTORNEY'S OFFICE
DISTRICT OF NEVADA**

**ACCOMPLISHMENTS
2016**



From The Desk of U.S. Attorney Daniel G. Bogden

Dear Staff, Friends, Law Enforcement Partners,
and Members of the Court Family:

It is my great honor to serve as Nevada's United States Attorney and to work with each of you in fulfilling our mission and meeting our responsibilities. We have many talented and dedicated individuals working hard each day to make a difference in the communities in which we live and serve. I have worked in the Department of Justice for 24 years and at this job as United States Attorney for 12 ½ years and I can honestly say there has not been a single day that I have not been extremely proud and honored to come to work understanding the importance of our mission and appreciating our great work and success as an office in achieving that mission.

The U.S. Attorney's Office had another stellar year in 2016 with notable achievements in all divisions of our office. Our criminal, civil, appellate, and administrative divisions have worked hard throughout the year to fulfill our mission to prosecute criminal cases, prosecute and defend civil cases, and in collecting debts owed to the U.S. Government. This newsletter highlights those achievements and accomplishments during 2016; however, they represent only a portion of our outstanding work.

In April, our office headquarters moved to the new Federal Justice Tower in downtown Las Vegas. Throughout the busy move, our office staff maintained the highest levels of excellence and professionalism. My thanks to our dedicated office staff for defying the odds and making the entire move over one weekend.

I want to express my appreciation and gratitude to our entire staff for their service, commitment, and dedication in accomplishing the important work of the Department of Justice and our U.S. Attorney's Office. I also want to thank our law enforcement and community partners and members of the Court family for their contributions and continued support in the pursuit of justice. I look forward to working together in 2017.

Daniel G. Bogden
United States Attorney

Mission Statement

The mission of the United States Attorney's Office for the District of Nevada is to serve and to protect the citizens of Nevada through vigorous, ethical, and impartial enforcement of the laws of the United States.

Our statutory responsibilities are:

- the prosecution of criminal cases brought by the U.S. Government;
- the prosecution and defense of civil cases in which the U.S. is a party; and
- the collection of debts owed the U.S. Government.

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ABOUT THE DISTRICT

The District of Nevada comprises the entire state of Nevada, making it one of the largest of the 94 federal judicial districts. The District of Nevada is also one of the most unique and diverse Districts. Nevada, from Spanish meaning “snow-capped,” is home to the popular resort destinations of Las Vegas, Reno and Lake Tahoe. It also embraces the largest national forest in the contiguous United States, the Humboldt-Toiyabe, and 51 peaks above 9,000 feet. Over 80 percent of its lands are managed by federal government agencies, such as the Bureau of Land Management, U.S. Forest Service, and National Park Service, thus providing expansive outdoor recreation areas and attractions such as Hoover Dam, Red Rock Recreation Area, Great Basin National Park, and Lake Tahoe.

The U.S. Attorney's Office for the District of Nevada is responsible for representing the federal government in virtually all of the litigation involving the United States in Nevada and its 17 counties. It prosecutes cases investigated by numerous federal, state, local and tribal law enforcement agencies, including all criminal prosecutions for violations of federal law, civil lawsuits against and on behalf of the government, and actions to collect judgments and restitution on behalf of victims and taxpayers.

STRATEGIC GOALS

1. Protect against the threat of terrorism by providing leadership and coordination in preventing terrorism, investigating allegations of terrorist activity, and prosecuting fully those responsible for terrorist incidents in Nevada.
2. Enforce federal criminal laws in order to protect and secure the citizens and communities in the District of Nevada from violent crime, illegal drugs, organized crime, white collar and economic crime, child exploitation and other criminal activity.
3. Prevent and reduce crime and violence by providing leadership, coordination and prosecution in the enforcement of federal criminal laws and by assisting state, tribal, local and community-based programs in the District of Nevada.
4. Assist in protecting the integrity, and in promoting the effective operation of the federal justice system by protecting the rights of those who are involved in the federal justice system and by prosecuting those who attack its integrity in the District of Nevada.

2016 COLLECTIONS

In Fiscal Year 2016, the District of Nevada collected approximately \$26.8 million related to criminal, civil and asset forfeiture actions. Of this amount, \$11.5 million was collected in criminal actions, \$9.5 million was collected in civil actions, and \$5.8 million was collected in asset forfeiture actions.

The District of Nevada has been aggressive in enforcing and collecting civil and criminal debts owed to the United States and criminal debts owed to federal crime victims. These collections are used to help crime victims and for a variety of other law enforcement purposes.

OFFICE NEWS: U.S. ATTORNEY'S OFFICE HEADQUARTERS MOVES INTO NEW SPACE IN DOWNTOWN LAS VEGAS

It took five years, but in April 2016, we officially moved into our new Las Vegas office space in the Federal Justice Tower at 501 Las Vegas Boulevard, South. The U.S. Attorney's Office was the first agency to move into the Federal Justice Tower in April, and most of the other federal agencies had moved in by the end of June. We occupy the top five floors of the 11-story building, and now have ample office space for approximately 80 Las Vegas employees. Our new space also contains numerous trial prep rooms, conference rooms, a media room, and a parking garage.

The Federal Justice Tower is also home to the executive offices of multiple components of U.S. Immigration and Customs Enforcement, including Homeland Security Investigations and Enforcement and Removal Operations; Federal Protective Services; and the Department of Labor Office of the Inspector General. We work with all of these agencies on a regular basis, so it was a great idea to house us all in the same building. We are also conveniently located next door to our former space at the Lloyd D. George Federal Courthouse, where we do much of our business.

The city of Las Vegas Redevelopment Agency sold the land to SDA, Inc. to build the 158,000-square-foot tower for the federal government. The project generated 450 construction jobs and the building is expected to receive a Leadership in Energy and Environmental Design silver rating. Many people were responsible for putting together the building project, including the developers, SDA, Inc., and Steve and Mark Biagiotti, the architect, Benjamin Girardin, and U.S. Senator Harry Reid.

The grand opening and ribbon-cutting ceremony for the building was held on August 18, 2016. Hundreds of visitors and federal and local government officials were in attendance, including Senator Harry Reid, City of Las Vegas Mayor Carolyn G. Goodman, Las Vegas City Councilman Bob Coffin, and Peter Edge, the Executive Associate Director for Homeland Security Investigations.

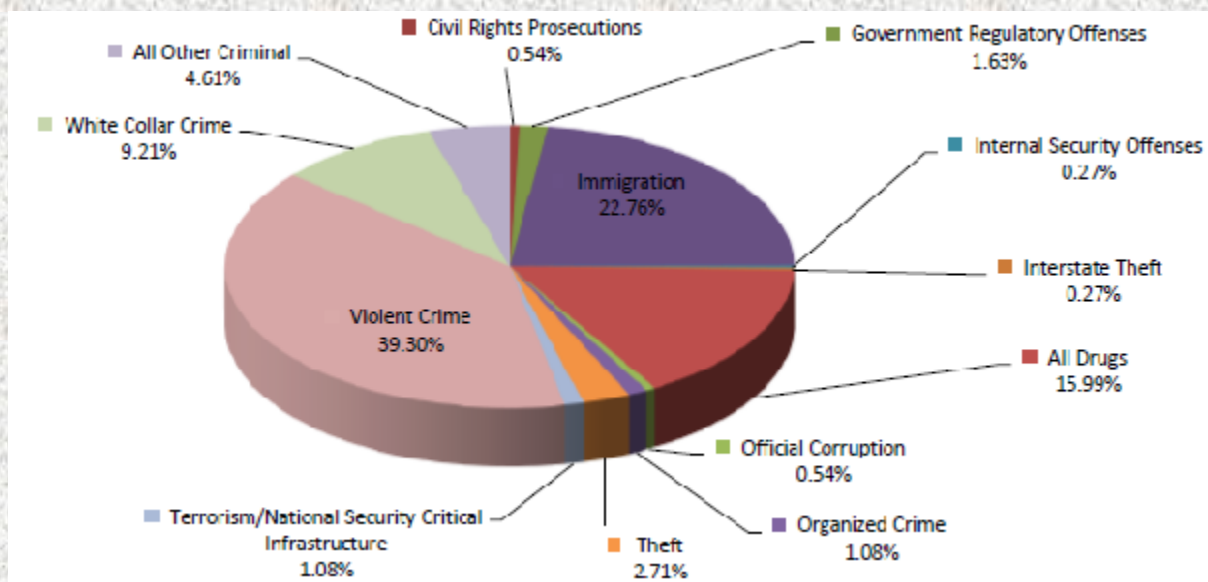


THE CRIMINAL DIVISION

The Criminal Division is the largest division of our office and is led by Chief Dan Schiess and Deputy Chiefs Nicholas Dickinson, Sue Fahami, Pam Martin, and Cristina Silva. Several teams prosecute a variety of crimes, including identity fraud, credit card fraud, tax evasion, child pornography, child sex trafficking, bank robbery, unlawful possession and use of firearms, drug trafficking, health care fraud, public corruption, immigration, and environmental crime. In addition to national security, our top three prosecution priorities remain financial crime, violent crime, and public corruption.

Our cases are received from a large number of federal agencies which investigate crimes in Nevada, including the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Drug Enforcement Administration (DEA), Federal Bureau of Investigation (FBI), Internal Revenue Service (IRS), U.S. Immigration and Customs Enforcement (ICE), U.S. Marshals Service, U.S. Secret Service, Bureau of Land Management (BLM), U.S. National Park Service, U.S. Fish and Wildlife Service, U.S. Forest Service, U.S. Postal Inspection Service, and Bureau of Indian Affairs. We also receive cases through a variety of federal, state and local task forces, such as the Organized Crime Drug Enforcement Task Force (OCDETF), Joint Terrorism Task Force (JTTF), Internet Crimes Against Children Task Force, High Intensity Drug Trafficking Area Task Force (HIDTA), Project Safe Childhood (PSC) Task Force, and Project Safe Neighborhoods (PSN) Task Force.

Fiscal Year 2016 Total Cases: 369



In Fiscal Year 2016, 369 criminal cases were filed against 500 defendants. There were 395 defendants convicted by guilty plea or trial, for a conviction rate of 93.4%. Of those, 326 were sentenced to prison, with 99 being sentenced to over five years in prison. Approximately 39.30% of the cases filed during Fiscal Year 2016 were violent crime-related; 22.76% were immigration-related; 15.99% were drug cases; 9.21% were white collar crime, and the rest fell into categories such as theft, government regulatory offenses, organized crime, Indian Country, and official corruption. Eight individual defendants went to trial.

CRIMINAL CASES OF SIGNIFICANCE


USA v. John Thomas Abrams—In September 2016, Abrams was sentenced to 40 years in prison and lifetime supervised release for kidnapping and transportation of a minor for illegal sexual activity. A jury convicted Abrams of kidnapping a 15-year-old boy and girl in Sacramento, Calif., in July 2012, and held them for ransom, reward, and otherwise. Abrams transported them to Reno, Nev., with the intent that the girl engage in illegal sexual activity.

USA v. Gregory Akel—Akel was sentenced to 112 months in prison for receiving and possessing over 200 images and videos of child pornography. Akel was also placed on supervised release for the rest of his life, required to pay \$3,000 in restitution to one of the victims used in the pornographic images, and required to register as a sex offender. In March 2013 and early 2014, the Internet Crimes Against Children Task Force determined that Akel was sharing child pornography on a file sharing network. During the execution of two search warrants, investigators seized computers and equipment containing a combined total of 149 videos and 54 images of child pornography.

USA v. Lafayette George Baida II—In July 2016, Baida, of Laughlin, Nev., was sentenced to 12 months and one day in prison and ordered to pay \$281,135 in restitution, for stealing the retirement benefits of his deceased mother for over 24 years. Baida failed to notify the Social Security Administration of his mother's death, and he would withdraw funds at ATMs and cash checks that were made payable to her. Between March 21, 1989, and Sept. 13, 2013, Baida stole a total of \$281,135 from the Social Security Administration.

USA v. Daniel James Barnes—In August 2016, Barnes, of Merced, Calif., was sentenced to 30 years in prison and lifetime supervised release for felony sex trafficking offenses involving a minor. A jury convicted Barnes of one count each of conspiracy to commit sex trafficking of a child, sex trafficking of a child, transportation of a minor for prostitution, and conspiracy to commit sexual exploitation of a child. In April 2013, Barnes and a co-defendant recruited a 15-year-old girl to work for Barnes as a prostitute. They traveled to California where the girl worked as a prostitute and provided all of her earnings to Barnes. His co-defendant was sentenced to 41 months in prison and five years of supervised release.

USA v. Marclin Anne Benvin—In February 2016, Benvin, a former mortgage broker, of Douglas, Alaska, was sentenced to five years in prison, three years of supervised release, 150 hours of community service, and ordered to pay restitution for embezzling \$260,000 from a Reno company's employee pension plan. From approximately 1996 to 2008, Benvin was the President and operator of Cetus Mortgage, Ltd. Benvin had failed to invest the loan monies as promised and had misappropriated the investor funds for herself.

 <p>The logo features the year '2016' in large green numbers, with a green silhouette of a national park shield replacing the zero. Below the year, the text 'National Park Service' is written in a bold, sans-serif font, and 'CENTENNIAL' is written in a smaller, all-caps, sans-serif font.</p>	<p>The National Park Service (NPS) celebrated its centennial in 2016. The NPS was created by an act signed by President Woodrow Wilson on Aug. 25, 1916. The NPS's mission is to conserve the scenery and the natural and historic objects and the wild life, as well as to provide for the enjoyment of the same and to leave them unimpaired for the enjoyment of future generations.</p>
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CRIMINAL CASES OF SIGNIFICANCE

USA v. Tracey Brown—In August 2016, Brown was sentenced to 30 years in prison for robbing a Las Vegas convenience store and gas station with a long-barreled shotgun in the summer of 2011. Brown was convicted by a jury in 2015 of one count each of interference with commerce by robbery, brandishing a firearm in relation to a crime of violence, and felon in possession of a firearm. Brown has six violent felony convictions in Nevada. A co-defendant was sentenced to three years in prison.

USA v. Barbara Jean Dennis—In September 2016, Dennis, a former Nevada realtor who owned at least 12 rental properties in Nevada and Texas and filed multiple bankruptcy petitions to avoid paying the mortgages, was sentenced to 11 months in prison, two years of supervised release, and ordered to pay a fine of \$10,000 and restitution of \$83,000. The judge also entered an order restricting Dennis from engaging in real estate business during her supervised release. Dennis used the automatic stay provision in bankruptcy proceedings to avoid paying the mortgages, while at the same time, collecting rent from her tenants. Over the course of the fraud scheme, from August 2009 through December 2010, Dennis received at least \$150,000, but not more than \$250,000 in rental income.

USA v. Robert Kimmell—In June 2016, Kimmell was sentenced to 270 months in prison for two counts each of felon in possession of a firearm, possession of a stolen firearm, and possession with intent to distribute, and one count of possession of a firearm in furtherance of drug trafficking. Five firearms were recovered-three of the guns were stolen from a residence and the other two were short barreled shotguns.

USA v. Roger Linares—In October 2016, Linares, owner of tax preparation businesses in Nevada and Utah from 2004 to 2010, was sentenced to 18 months in prison, three years of supervised release, and ordered to pay approximately \$182,000 in restitution, for aiding and assisting in the preparation of multiple fraudulent individual income tax returns. Linares and a co-defendant owned 11 locations of their tax preparation business named America Services. The total tax loss to the government for the 2008 and 2009 tax returns prepared by the defendants was \$181,818. His co-defendant was sentenced to five years of probation, six months of home confinement, and ordered to pay approximately \$182,000 in restitution.

USA v. Van McDuffy—In December 2016, McDuffy was sentenced to two consecutive life in prison sentences for bank robbery with a dangerous weapon resulting in death and use of a firearm during and in relation to a crime of violence causing death. In October 2013, McDuffy entered a south Reno bank and approached a teller demanding money while showing the teller a gun. A customer at the teller being robbed was shot by McDuffy after the customer attempted to stop the bank robbery. After shooting the customer, McDuffy moved to another teller and demanded money. He stole approximately \$13,000 from the bank. An off-duty Reno Police Department officer was able to apprehend McDuffy outside of the bank.

USA v. Deandre Maurice Parker—In October 2015, Parker was sentenced to 10 years in prison and 25 years of supervised release for recruiting and enticing a 15-year-old girl to travel across state lines to work as a prostitute in Las Vegas. Parker met the girl in 2013 in San Bernardino, Calif., and stayed in touch with her through social media. In June 2014, she ran away and reconnected with Parker who recruited her to work as a prostitute. Parker had another prostitute teach the girl the ropes and moved her to Los Angeles, San Bernardino, and Las Vegas. Parker used a classified ads website to advertise the girl's services as a prostitute. In 2014, Parker was arrested as part of "Operation Protect the Powerless," a joint law enforcement effort to capture child predators in southern Nevada. Operation Protect the Powerless resulted in the prosecution and conviction of 219 persons, the execution of 100 search warrants, and the recovery of over 500,000 images and 2,700 videos of child rape and pornography.

CRIMINAL CASES OF SIGNIFICANCE

USA v. Michael Steven Sandford—In December 2016, Sandford, a British citizen, was sentenced to 12 months and one day in prison for being an illegal alien in possession of a firearm and impeding and disrupting the orderly conduct of government business and official functions. Sandford's visitor visa expired and he attempted to seize the firearm of a Las Vegas Metropolitan Police Department officer at a presidential campaign rally in June 2016.

USA v. Dominique Wells—In July 2016, Wells, a serial robber, was sentenced to 1,354 months or over 112 years in prison and five years of supervised release for robbing a convenience store, two liquor stores, a payday loan company, and an electronics retailer in the Las Vegas area during the summer of 2014. Wells was convicted by a jury of five counts of interference with commerce by robbery, two counts of conspiracy to interfere with commerce by robbery, and five counts of using a firearm during and in relation to a crime of violence. In one robbery, Wells used a handgun with a laser sight, and wore camouflage shorts, a black t-shirt, and a black face mask/ski mask. On average, Wells walked out with \$100 to \$250 from each robbery. Two co-defendants were sentenced to prison.

USA v. Brandon Michael White—In July 2016, White was sentenced to 147 months in prison and three years of supervised release for robbing two tourists at gunpoint in the parking lot of their hotel and stealing their vehicle. White pointed a revolver at the couple and took the female victim's purse, the male victim's cellular telephone, and car keys, then drove off in their vehicle.

USA v. Frederick Vernon Williams—In July 2016, Williams, a citizen of Belize and one of four family members convicted in a scheme to steal nearly \$300,000 in unemployment funds and benefits from multiple federal agencies, was sentenced to 87 months in prison, three years of supervised release and ordered to pay approximately \$297,000 in restitution. A jury convicted Williams of 20 counts total, including conspiracy to commit mail fraud, aggravated identity theft, mail fraud, theft of government money, making a false statement in application for a passport, and making false citizenship claims. At sentencing, the judge found that Williams had been an organizer and leader in the scheme to defraud multiple federal agencies. His co-defendants were sentenced to prison.

USA v. Sesley Williams—In January 2016, Williams, who served as the getaway driver for 13 commercial robberies in southern Nevada from December 2012 to March 2013, was sentenced to 121 years in prison. A jury convicted Williams of eight counts of bank robbery, five counts of interference with commerce by robbery, and five counts of brandishing a firearm in furtherance of a crime of violence. Williams and a co-defendant robbed six banks, three outlet mall stores, and one other store in Las Vegas, two banks in Henderson, and one outlet mall store in Primm, Nev. Her co-defendant was sentenced to 60 years in prison.

SPECIAL EMPHASIS OFFICE PROGRAMS

- Asian/Pacific American Program
- Black Affairs Program
- Hispanic Employment Program
- Lesbian, Gay, Bisexual, and Transgender (LGBT) Program
- Selective Placement for Persons and Veterans with Disabilities
- Federal Women's Program
- Native American Indian Program

PROGRAM DEVELOPMENTS

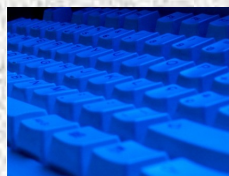
The U.S. Attorney's Office aggressively pursues fighting crimes while addressing evolving and emerging threats which continue to pose significant risks to the safety and security of our nation and our communities. In an effort to combat both civil and criminal crimes, several Department- and U.S. Attorney's Office-led programs and initiatives have been established to share valuable resources, reduce crime, and offer services to victims and witnesses of federal crime.



Financial Fraud—In Fiscal Year 2016, 28 new financial fraud investigations were opened in Nevada. Fifteen individuals were charged and 11 individuals were convicted of federal financial fraud crimes, such as bank fraud, investment fraud, federal program fraud, bankruptcy fraud, corporate fraud and mortgage fraud. Eight individuals were sentenced to over two years in prison. Key priority areas are Securities fraud; Investment fraud; Public corruption; Identity theft; Mortgage fraud; and Healthcare fraud.

Criminal Health Care Fraud—Health care fraud schemes continue to grow in complexity and costs the U.S. tens of billions of dollars each year. In Fiscal Year 2016, four new criminal health care fraud investigations were opened in Nevada and one individual was charged and convicted.

Identity Theft/Fraud—In Fiscal Year 2016, 10 individuals were charged and 15 individuals were convicted of federal identity fraud/aggravated identity theft in Nevada. Thirteen individuals were sentenced to a period of imprisonment, and four individuals were sentenced to over five years in prison.



Cybercrime—Cybercrime is one of the greatest threats facing our country, and has enormous implications for our national security, economic prosperity, and public safety. The range of threats and the challenges they present for law enforcement expand just as rapidly as technology evolves. The three key priority areas are Internet stalking; Computer hacking and intellectual property; and Forensics.

Domestic / International Terrorism—The U.S. Attorney's Office works to identify, disrupt, prevent, and defeat both domestic and international terrorist operations before they occur and to vigorously prosecute those who commit or intend to commit such acts. Key national security priorities are: Domestic terrorism efforts; Counterterrorism efforts; Emerging and innovative national security efforts; and Counterespionage / Counter Proliferation efforts. In Fiscal Year 2016, four cases were opened in Nevada and 23 individuals were charged.

"National security is a top priority for the U.S. Attorney's Office and we will continue to work with our law enforcement partners to locate, identify, and prosecute those who attempt to provide material support to terrorists."

~U.S. Attorney Daniel G. Bogden

Immigration/Southwest Border—In Fiscal Year 2016, 88 criminal immigration investigations were opened in Nevada. Eight-four individuals were charged and 63 individuals were convicted of immigration crimes, which includes unlawful reentry by a previously removed alien, harboring aliens, and marriage fraud for the purpose of evading immigration laws. Forty-seven of the individuals were sentenced to a period of imprisonment, and 12 individuals were sentenced to over three years in prison.

PROGRAM DEVELOPMENTS

Drug Trafficking / OCDETF / HIDTA—In Fiscal Year 2016, 120 individuals were charged and 107 individuals were convicted of federal drug crimes in Nevada, including drug trafficking and possession with the intent to distribute drugs. In Fiscal Year 2016, 65 individuals were sentenced to over three years in prison. In Fiscal Year 2016, the District of Nevada opened investigations against 150 individuals for possible drug offenses.

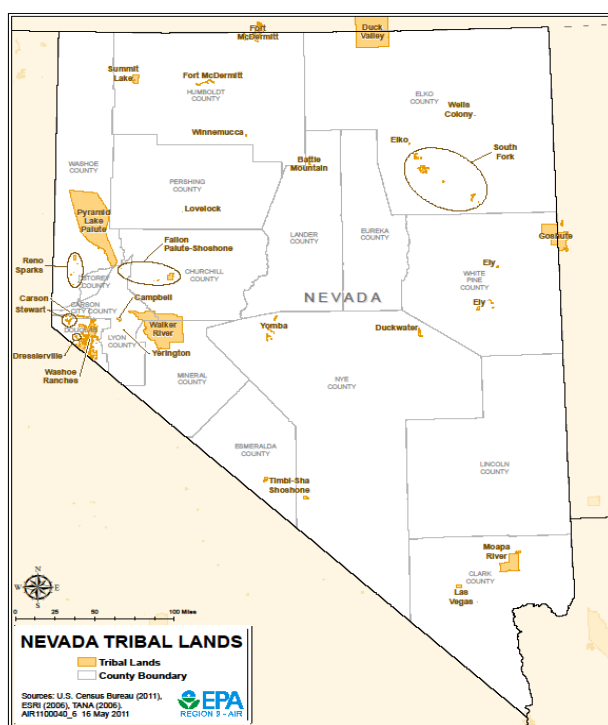
The Organized Crime Drug Enforcement Task Force (OCDETF) Program works to reduce the availability of illegal drugs by disrupting and dismantling major drug trafficking organizations and money laundering organizations and related criminal enterprises. Law enforcement participants include the ATF, DEA, FBI, ICE-HSI, IRS, USMS, and numerous state and local agencies.

The High Intensity Drug Trafficking Areas (HIDTA) program was created by Congress with the Anti-Drug Abuse Act of 1988. The HIDTA program provides assistance to federal, state, local, and tribal law enforcement agencies operating in one of 28 areas determined to be critical drug-trafficking regions of the United States. The Nevada HIDTA Program aims to reduce drug trafficking and production in Nevada. Many of the drug cases the U.S. Attorney's Office prosecutes are referred to the office through the Nevada HIDTA program. Since 2011, the U.S. Attorney's Office and the Nevada HIDTA have co-sponsored an annual training summit for law enforcement agencies on the most pressing drug issues in the state.

Indian Country—Nevada has 26 federally-recognized Indian tribes and 31 reservations and colonies. Most are located in the northern part of the state. (See map.) Federal courts have criminal jurisdiction over felony cases arising in Indian Country and over misdemeanors where the defendant is non-Indian. Tribal courts have, with few exceptions, criminal jurisdiction over misdemeanors where both the defendant and the victim are Indian. In Fiscal Year 2016, seven individuals were convicted of violent crimes on Nevada Indian Country lands. Two of those individuals were sentenced to a period of imprisonment.

In July 2016, U.S. Attorney Bogden, Criminal Chief Dan Schiess, Reno AUSA Shannon Bryant, and federal law enforcement representatives from the BIA, DEA, and FBI, visited each Nevada Indian tribe and reservation, and held meetings with their leaders and representatives. United States Attorney Bogden has been conducting these tribal lands consultation tours on an annual basis, and it is part of a national effort to establish regular and meaningful consultation and collaboration with tribal officials. The visits included discussions about tribal issues, investigations, victim advocacy, training, outreach, public safety, and violence against women.

In addition to the tribal lands consultation tour, the U.S. Attorney's Office held its 20th Annual Statewide Native American Conference from August 29 to 31, 2016, in Reno. The conference was entitled "Working Together for Hope, Healing and Justice." For more information on the U.S. Attorney's work with Nevada Indian tribes, visit http://www.justice.gov/usao/nv/programs_tribal.html.



PROGRAM DEVELOPMENTS



Project Safe Childhood (PSC) (Child Exploitation)—Project Safe Childhood is the nationwide initiative launched in May 2006 by the Department of Justice to combat the growing epidemic of child sexual exploitation and abuse. Over the last four fiscal years, 194 persons have been charged with federal child exploitation offenses in Nevada. In

Fiscal Year 2016, the District of Nevada opened 30 new child exploitation investigations. Thirty-two individuals were charged in Nevada and 35 individuals were convicted of federal child exploitation crimes, including possession and receipt of child pornography, soliciting a minor online for sex, traveling across state lines, and enticing minors to engage in sexual conduct. In Fiscal Year 2016, 33 individuals were sentenced to a period of imprisonment, and 21 individuals were sentenced to over five years in prison.

"The risk to our children from sexual predators, firearm crimes and violence are constant and continuing. We will continue to aggressively investigate and prosecute dangerous defendants as part of our implementation of the PSC and PSN initiatives throughout Nevada."

~U.S. Attorney Daniel G. Bogden

Public Lands—The U.S. Attorney's Office is committed to create and protect public lands and how federal laws embody the significance of these lands to the American people. Public lands are meant to preserve our nation's natural beauty and history for future generations. For more information on the Department's environmental justice efforts, visit www.justice.gov/ej/resources.html.



Project Safe Neighborhoods (PSN) (Firearm Crime / Violent Crime)—In Fiscal Year 2016, 151

individuals were charged and 121 individuals were convicted of federal firearm crimes in Nevada, including using or carrying a firearm during a drug trafficking crime or crime of violence and felon in possession of a firearm. In Fiscal Year 2016, 105 individuals were sentenced to a period of imprisonment, and 76 individuals were sentenced to over three years in prison. Violent crimes had generally decreased in southern Nevada since 2005, but armed robberies of commercial establishments have increased, as have homicides with handguns.

In an effort to deal with the increase in violent robberies and our commitment to reduce guns and gang activities in Nevada, the District of Nevada's Project Safe Neighborhoods (PSN) program which began in 2001 was expanded to include increased federal prosecution of persons committing armed robberies of commercial establishments. Since 2013, the U.S. Attorney's Office has also begun prosecuting federally persons who commit particularly heinous carjackings.

Victim-Witness Assistance Program—The District of Nevada is concerned that victims and witnesses of federal crime are treated fairly throughout their contact with the criminal justice system. The mission of the Victim-Witness Program is to respond to the needs and uphold the rights of victims and witnesses, and to implement and carry out the requirements of federal law and Department of Justice regulations. The unit provides many important services for crime victims, including crisis support, peer support, referral to counseling, advocacy within the justice system, and, in some cases, emergency shelter.

PROGRAM DEVELOPMENTS

Law Enforcement Coordinating Committee (LECC)—In 1981, at the direction of the Attorney General, the LECC was formed to improve coordination and cooperation among law enforcement agencies in an effort to enhance the effectiveness of the criminal justice system within each federal judicial district.

The Law Enforcement Coordinator (LEC) serves as an adviser on matters that impact local and state law enforcement within the district. The LEC's focus includes national priorities as well as local priorities that address the specific needs of our law enforcement community. The LEC represents the U.S. Attorney's Office and works with officials, community organizations, and non-profits involved with crime prevention and programs addressing at risk youth, gang prevention, and reentry programs.

Community Outreach—The U.S. Attorney's Office engages in a variety of community outreach opportunities in order to establish an ongoing dialogue with the public we serve. By providing speakers, organizing and attending meetings, and planning or participating in specialized programs and events, we are better able to address the public safety concerns of those we serve while enhancing community trust.



Smart on Crime / CLEAR Court Reentry Program—At the direction of the Attorney General in 2013, the Department

of Justice launched a comprehensive review of the criminal justice system in order to identify reforms that would ensure federal laws are enforced more fairly and more efficiently.

In 2011, the U.S. Attorney's Office, in coordination with the U.S. District Court, U.S. Probation Office, and the Federal Public Defender, established Court Led Efforts at Recovery (CLEAR) Court with a goal to break the cycle of recidivism by combining intensive supervision with improved access to counseling and treatment. The program is intended for high-risk offenders who have a documented history of substance abuse and who do not have a violent criminal conviction. Successful completion of reentry court requires at least one year. Offenders who successfully complete the program receive up to one year off the term of supervised release or probation.

In April 2016, the U.S. Attorney's Office was part of a coalition of representatives who visited FCI Herlong in California as part of the DOJ's first-ever National Reentry Week, which included events nationwide to assist incarcerated Americans who are preparing to leave prison.



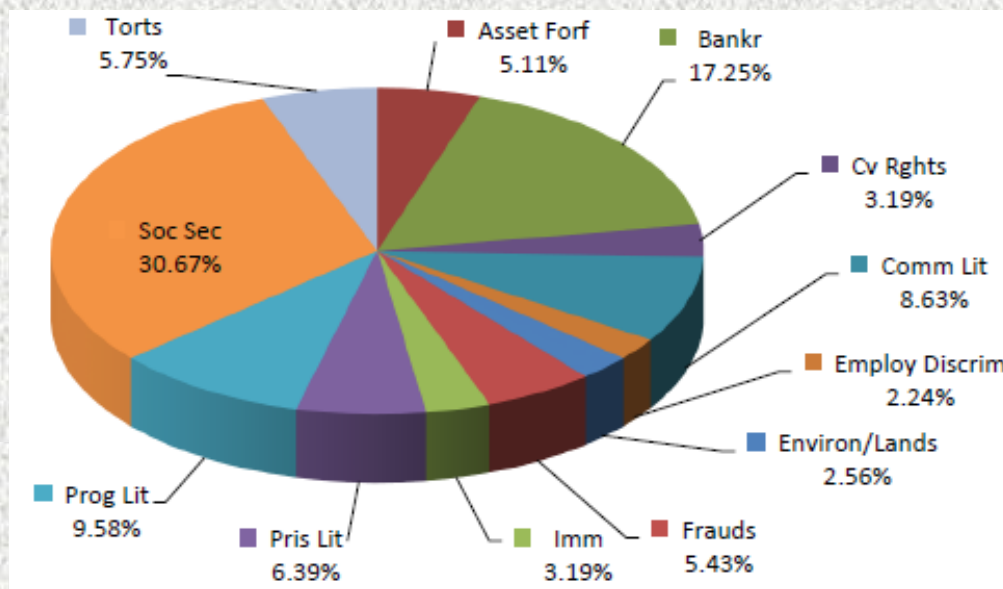
On Oct. 19, 2016, FCI Herlong in California hosted the Honorable Miranda M. Du, Andrew P. Gordon, Jennifer A. Dorsey, and Richard F. Boulware II, District Court Judges for the District of Nevada; and the Honorable Valerie P. Cooke and William G. Cobb, Magistrate Judges for the District of Nevada. They were joined by U.S. Attorney Daniel G. Bogden, Assistant U.S. Attorney Sue Fahami; Federal Public Defenders Shari Kaufman and Sylvia Irvin; Court Clerk Lance Wilson; and U.S. Marshal Quinn Pardo. Warden Josias Salazar and staff welcomed the visitors, explained the Bureau of Prison's mission and provided an overview of institution operations. The group toured the facility with particular focus on inmate programming. During their tour, department heads provided information on substance abuse treatment programs, vocational training courses, education programs and other programs aimed at reducing recidivism.

THE CIVIL DIVISION

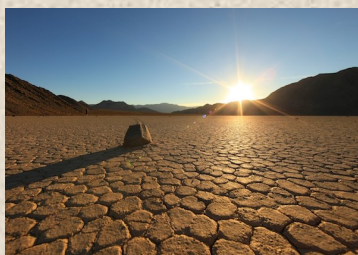
The Civil Division handles defensive and affirmative litigation and is led by Chief Blaine Welsh and Deputy Chief Roger Wenthe. Each year, lawsuits are filed against the government as a result of its policies, laws, operations, and entitlement programs, as well as law enforcement initiatives, military actions, and counterterrorism efforts. The Civil Division defends the United States in these actions and also files suits on behalf of the United States to recoup money lost through fraud, loan defaults, and the abuse of federal funds. Annually, millions of dollars are returned to the U.S. Treasury, Medicare, and other programs through the Civil Division.

In addition, the Civil Division also participates in a wide variety of other cases in which the United States has an interest in the District of Nevada. The Civil Division monitors and often intervenes in qui tam cases initiated by private citizens; enforces compliance with the Americans with Disabilities Act; participates in actions having to do with real property upon which the United States may have a lien or other protected interest; and responds to or enforces summonses that require execution in the District, to the extent that the United States has an interest in the subject matter of the summons.

Fiscal Year 2016 Total Cases: 313



In Fiscal Year 2016, the Civil Division filed or responded to 313 cases, a 0.3% percent increase over the prior fiscal year. The Civil Division obtained judgments in favor of the United States in 143 cases, and reached settlements in another 77 cases.



Death Valley is the largest U.S. National Park outside Alaska at 3.4 million acres. Ninety-one percent of the park is protected as officially designated Wilderness. Nearly 1,000 miles of paved and dirt roads provide access to popular and remote locations which include low valley floors crusted with barren salt flats, rugged mountains rising as high as 11,000 feet, deep and winding canyons, rolling sand dunes, and spring-fed oases.

CIVIL CASES OF SIGNIFICANCE

Kroshus, et al v. USA et al, and seven additional related cases. The eight cases advance tort claims against the United States and others on behalf of over 600 plaintiffs whose homes and properties were damaged during the so-called “Fernley Flood” in January 2008, following the collapse of a government-owned irrigation canal which flows through Fernley, Nev. Plaintiffs’ claimed a total of more than \$100 million in damages from the United States. Litigation moved forward in state, federal, and the bankruptcy courts. Discovery was extensive with more than one million pages of documents produced and hundreds of depositions taken. After many of the defendants had settled or were found liable in state court proceedings, the remaining parties entered into a consent decree providing for the payment by some defendants to the plaintiff. As to the claims against the United States, however, the United States contributed no funds to any settlement and no relief – monetary or non-monetary – was granted against the United States in any of the litigation.

United States v. Jeannie Sutherland and Kelly Nunes. Sutherland, a Nevada licensed real estate agent, committed mortgage fraud for many years in the Las Vegas Valley. She was convicted, and a judge ordered a criminal forfeiture money judgement in the amount of \$2,341,350.

United States ex rel. Ruckdeschel v. Nathan Adelson Hospice—A qui tam relator alleged that this not-for-profit hospice had enrolled and recertified Medicare beneficiaries for hospice services who were not terminally ill and were therefore not eligible for hospice care. The hospice agreed to settle for \$920,000.

United States v. Mehling’s Silver Lake Estates. The United States filed a petition to enforce a U.S. Housing and Urban Development (HUD) subpoena following an investigation by HUD’s Fair Housing and Equal Opportunity (“FHEO”) arising out of a complaint on the basis of familial status in violation of the Fair Housing Act. FHEO investigated alleged unfair housing practices, including falsely publishing the property as designated housing for older persons and failing to meet the statutory requirements for housing for older persons as set forth in the Housing for Older Persons Act of 1995 (“HOPA”). FHEO reached a conciliation agreement with respondent in which respondent agreed to not apply or enforce a 55-and-over age restriction on the property unless and until it complied with HOPA. Accordingly, the parties stipulated to the dismissal of the United States’ petition and the case was dismissed on Dec. 14, 2016.

United States v. Alan Tomasino. The United States filed suit under the False Claims Act against Tomasino for stealing from the Social Security Administration. He failed to notify the Social Security Administration about his father’s death and he would continue to collect his deceased father’s social security benefits. The United States obtained a consent judgment requiring Tomasino to repay \$198,479.



Great Basin National Park is located in eastern Nevada near the Utah border. The Great Basin ranges in elevation from 5,000 to 13,000 feet and includes deserts, playas, mountains, rock formations, fossils, springs, caves, creeks, and a lone glacier. It is home to the 13,000 foot summit of Wheeler Peak, ancient bristlecone pine groves, and the Lehman Caves. A diversity of plant and animal species live in the Great Basin.

CIVIL DIVISION MONETARY RECOVERIES

The Financial Litigation Unit (FLU) operates within the Civil Division and has responsibility for collecting monies owed the U.S. government in the form of fines, restitution, and civil judgments. These monies are then distributed directly to victims and to state funds which redistribute them to victim programs. Typically, the largest civil collections are from affirmative civil enforcement cases, in which the United States recovers government money lost to fraud or other misconduct or collects fines imposed on individuals and/or corporations for violations of federal health, safety, civil rights or environmental laws. In addition, civil debts are collected on behalf of several federal agencies, including the U.S. Department of Housing and Urban Development, Health and Human Services, Internal Revenue Service, Small Business Administration and Department of Education. During calendar year 2016, the District of Nevada's FLU collected \$25,738,653 million in criminal and civil cases, which far exceeds the total appropriated budget for our office.

Some of our 2016 collection successes include the collection of about \$1.4 million from a man convicted of illegal gambling, internet fraud, and tax evasion, and \$772,000 from a doctor who billed Medicare for performing medical tests when in fact a different and less costly service had been performed.

Significant monetary recoveries are also achieved through the office's asset forfeiture work. Some of the most significant matters from 2016 are noted below.

A qui tam suit was filed against Renown Hospital alleging that the hospital had improperly billed the Medicare program for outpatient treatments, as though they had been more expensive inpatient admissions. The case was settled for a payment to the United States of \$5,887,324.

Laboratory Medicine Consultants billed the Veterans Administration over a three-year period for performing the professional component of pathology tests on which it had only performed the technical component. The provider settled and paid \$1.2 million to resolve its liability.

In a first for the District of Nevada, the U.S. Attorney's Office moved for a writ of continuing garnishment against a public pension (Nevada PERS) held in the name of a criminal debtor. On April 4, 2016, the Court granted the writ over the objections of the garnishee, adopting the United States' position that it was entitled to step into the debtor's shoes and elect/force immediate disbursement from a sizeable Nevada PERS account for purposes of collecting restitution. Upon agreement with Nevada PERS, monthly garnishment payments will begin in either January or February of 2017. The amount of garnishment is limited to 25% of the monthly disbursement, but will result in approximately \$2,500 in monthly payments for distribution as restitution.



Lake Mead National Recreation Park is located in southeastern Nevada and northwestern Arizona. Lake Mead offers year-round recreational opportunities for boating, fishing, hiking, camping, picnicking and sightseeing. It is home to thousands of desert plants and animals adapted to survive high temperatures and where rain is scarce.

THE APPELLATE DIVISION

The Appellate Division supervises all appellate litigation before the Ninth Circuit Court of Appeals, including the filing of briefs and the presentation of oral arguments. The division is led by Chief Elizabeth White. The Appellate Division coordinates with the Department of Justice and the Solicitor General on such issues as potential government appeals, deciding when to seek appellate review of trial level rulings adverse to the United States, petitions for rehearing en banc and U.S. Supreme Court litigation in all cases involving the government arising from the district.

Ninth Circuit Court of Appeals Statistics

Ninth Circuit Briefs Filed:	73
Ninth Circuit Dispositions:	82
Published Decisions:	6
Cases Argued in Ninth Circuit:	22

U.S. District Court Statistics

Responses to Motions To Vacate, Set Aside or Correct Sentence: 76

Decisions on Motions To Vacate, Set Aside or Correct Sentence: 24

APPELLATE DECISIONS OF SIGNIFICANCE

***United States v. Tony Williams*, CA No. 15-10008 (Sept. 20, 2016):** In this government appeal, the Ninth Circuit reversed the district court’s order suppressing evidence. The court of appeals held that police officers had reasonable suspicion to conduct an investigatory stop based on the information they possessed and the reliability of a telephone tip; that, after the initial stop, the officers developed probable cause to arrest the defendant for obstruction when he ran away from them before they could determine his identity; and that the officers lawfully searched the defendant’s car, because they had probable cause to believe it contained contraband or evidence of drug dealing.

***United States v. Michael Kaplan*, CA No. 15-10241 (Sept. 9, 2016):** The Ninth Circuit affirmed Defendant’s conviction for conspiracy to commit adulteration in violation of the Federal Food, Drug, and Cosmetic Act, with the intent to defraud or mislead. The defendant, a urologist, reused single-use plastic needle guides during prostate biopsy exams. The court of appeals held that a physician’s use of a consumable, single-use device on a paying patient satisfies the “held for sale” element under § 331(k). The court found sufficient evidence that the defendant conspired to commit adulteration, and that he intended to defraud his patients, the public, the FDA, and the Nevada State Medical Board. The court found no error in the district court refusal to instruct the jury that “off-label use” is not unlawful, and rejected his other challenges to the jury instructions and the sufficiency of the indictment.

APPELLATE DECISIONS OF SIGNIFICANCE

United States v. David Camez, 14-10251 (Oct. 17, 2016): In a matter of first impression in the Ninth Circuit, the court held that consideration of the defendant's pre-majority conduct as proof his substantive RICO offense did not violate the Juvenile Delinquency Act. The Court of appeals affirmed the defendant's substantive RICO conviction, concluding that the district court properly instructed the jury it could convict only if it found that the defendant continued his participation after turning 18 years old, and that the jury's special verdict form made clear that the defendant, in fact, continued his participation after turning 18 years old.

United States v. Alfred Sapse, CA No. 13-10592 (Jan. 7, 2016): The Ninth Circuit affirmed Defendant's convictions for multiple counts of mail fraud, wire fraud, and conspiracy, and the 210-month sentence the district court imposed on the defendant, who—although not licensed to practice medicine in the United States—conceived a procedure to implant human placentas into the bodies of patients suffering from diseases such as multiple sclerosis and eye disease.

CONFERENCES AND TRAININGS

In 2016, the U.S. Attorney's Office sponsored, organized and/or participated in the below conference and training events:

January 13 – VALOR: Preventing Violence Against Law Enforcement and Ensuring Resilience and Survivability Initiative (Las Vegas)

February 3 – Government Identity Fraud Conference: Fight back with analytics, collaboration and policy reform (Las Vegas)

April 2 – Association of Certified Fraud Examiners (Las Vegas)

April 26 and 28 – Project Safe Neighborhood and Anti-Gang Program (Las Vegas)

May 25 – Human Trafficking & Child Exploitation Seminar (Las Vegas)

August 29-31 – 20th Annual Native American Conference (Reno)

September 13 – Regional Civil Rights Training (Chicago)

September 19 – Heroin & Opioid Prevention Awareness Week: Dangers of Heroin and Opioids (Las Vegas)

September 26-27 – Nevada National Security and Anti-Terrorism Conference (Las Vegas)

October 25 – 13th Annual National Alliance for Drug Endangered Children Conference (Reno)

December 13-14 – HIDTA & USAO Prescription Drug Summit (Reno and Las Vegas)



Tule Springs Fossil Beds National Monument was established as the 405th unit of the National Park Service on Dec. 19, 2014. The monument is 22,650 acres and is located north of Las Vegas. The monument is a geological wonder preserving the history of the paleontological period when the Columbian Mammoth, extinct horses, camels and bison, and the dire wolf once roamed.

DISTRICT OF NEVADA STAFF 2016

Below is a list of staff who made all of the District of Nevada's significant achievements a reality in 2016. These extraordinary men and women work to protect the rights of every citizen of Nevada and we applaud each of them for his or her commitment to excellence and unselfish dedication in their efforts to achieve justice.

Adam Flake	Daniel Bogden	Kate Newman	Pam Martin
Alexandra Michael	Daniel Cowhig	Kathy Phillips	Pamela Mrenak
Amber Allen	Darlene Beltran	Katie Cowley	Pat Walsh
Amber Craig	Darlene Ruckard	Kilby MacFadden	Patrick Burns
Amy Klima-Puhl	Debbie Salas	Kim Bush	Patrick Rose
Andrew Duncan	Debbie Waite	Kimberly Frayn	Peter Levitt
Angel Beltran	Denise Cope	Krystal Rosse	Phillip Smith
Ashlin Brown	Doug Heimlich	Leonne Martin	Priscila Whalen
Ashlee Nimmo	Elizabeth White	Lindsy Roberts	Robert Bork
Aylin Alexander	Ellenrose Jarmolowich	Lisa Cartier Giroux	Robert Knief
Beth Trombly	Ellie Roohani	Liz Pantner	Roger Wenthe
Bill Foley	Estevan Enriquez	Mamie Ott	Sarah Griswold
Blaine Welsh	Eunice Jones	Mark Woolf	Shannon Bryant
Bobby Luben	Glenda Newby	Marissa Fehrman	Stephanie Overton
Brandon Jaroch	Greg Addington	Mary Ann King	Stephanie Rapel
Brian Sullivan	Gregg Damm	Mary Booker	Steve Myhre
Burt Carle	Heidi Skillin	Mary Stoltz	Sue Fahami
Camille Damm	Holly Vance	Matthew Wilson	Sue Knight
Carin Miles	James Keller	Mayumi Coffman	Suellen Labrada
Carla Higginbotham	Jared Grimmer	Megan Rachow	Susan Cushman
Carol Farago	Jaye Beltran	Michael Humphreys	Tess Recinto
Christie Sequeira	Jenni Vosburgh	Michael West	Tina Schweitzer
Christina Brown	Jiamie Chen	Michelle Lewis	Tony Lopez
Christopher Pullin	Jimmy Nguyen	Mireya Black	Trisha Young
Cleo Bennett	Joanie Silvershield	Nadia Ahmed	Troy Flake
Crane Pomerantz	Johanna Mallari	Nancy Olson	Tuesday Mauldin
Cristina Silva	Judy Farmer	Natalie Collins	Veronica Vidal Criste
Dan Hollingsworth	Judy Godfrey	Nicholas Dickinson	Wayne Potuznik
Dan Schiess	Karine Nguyen	Nicole Reitz	William Foley
			William Reed

2016 IN PHOTOS, TWEETS & U.S. ATTORNEY QUOTES

"The U.S. Department of Justice awarded over \$22 million in grants to the State of Nevada to assist crime victims. The U.S. Attorney's Office is pleased to support both the collection efforts for the Crime Victims Fund, which provides these program dollars, and the allocation of these resources to help Nevada's crime victims."

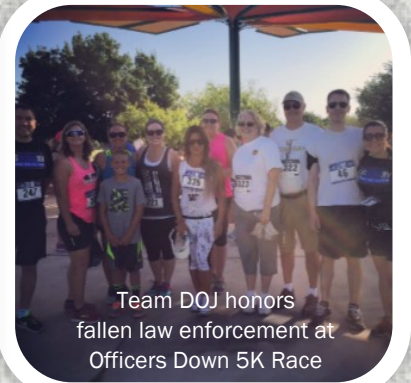


US Attorney Nevada @USAO_NV · 18 Oct 2016
U.S. Attorney Bogden at today's presser with the FBI and NV Sect'y of State concerning the NV Election Integrity Task Force.



"BJA's VALOR: Preventing Violence Against Law Enforcement Officers and Ensuring Officer Resilience and Survivability course provides critical nationwide, no-cost officer safety training to all levels of law enforcement."

US Attorney Nevada @USAO_NV · 16 Mar 2016
U.S. Attorney Bogden meeting the President today in D.C. while attending the annual U.S. Attorney's Conference.



US Attorney Nevada @USAO_NV · 28 Oct 2016
Reno Geothermal Power Plant Operator Enters Into \$5.5 Million Settlement With DOJ Over Grant Fraud Allegations
justice.gov/usao-nv/pr/ren...

US Attorney Nevada @USAO_NV · 3 Oct 2016
Cantor Fitzgerald Affiliate To Pay More Than \$16 Million For Illegal Gambling And Money Laundering Schemes justice.gov/usao-edny/pr/c...

US Attorney Nevada @USAO_NV · 21 Jul 2016
Man Sentenced To Over 112 Years In Prison For Robberies Of Five Businesses In Las Vegas Area During Summer Of 2014 justice.gov/usao-nv/pr/man...



"The U.S. Attorney's Office is working aggressively with our law enforcement partners to attack the growing problem of prescription opioid and heroin drug abuse."



Tule Springs Fossil Beds



Lehman Caves



Lake Mead



Death Valley

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Courtesy: Federal Bureau of Prisons,
U.S. Environmental Protection Agency,
and U.S. National Park Service