

1 **GPA**
2 STEVEN B. WOLFSON
3 Clark County District Attorney
4 Nevada Bar #001565
5 JACOB VILLANI
6 Chief Deputy District Attorney
7 Nevada Bar #011732
8 200 Lewis Avenue
9 Las Vegas, NV 89155-2212
10 (702) 671-2500
11 Attorney for Plaintiff

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

9 THE STATE OF NEVADA,
10 Plaintiff,

11 -vs-

12 KYLE RAYMOND STOLTZ,
13 #7111834

14 Defendant.

CASE NO: C-22-363368-1

DEPT NO: XXI

15 GUILTY PLEA AGREEMENT

16 I hereby agree to plead guilty to: **LURING CHILDREN OR MENTALLY ILL**
17 **PERSONS WITH THE INTENT TO ENGAGE IN SEXUAL CONDUCT (Category B**
18 **Felony - NRS 201.560 - NOC 51081)**, as more fully alleged in the charging document
19 attached hereto as Exhibit "1".

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

22 The State does not oppose probation so long as Defendant is not deemed a high risk to
23 reoffend per the psychosexual evaluation ordered by P&P. If Defendant receives an Honorable
24 Discharge from probation, the State will not oppose him withdrawing his plea and pleading
25 guilty to LURING CHILDREN OR MENTALLY ILL PERSONS (Gross Misdemeanor),
26 receiving credit for time served. Additionally, the State has no opposition to Defendant being
27 released on his own recognizance after entry of plea in District Court. However, Defendant
28 stipulates to 24-60 months in the Nevada Department of Corrections if he violates any terms

1 of this plea agreement while pending sentencing. All remaining counts contained in the
2 Criminal Complaint which were bound over to District Court shall be dismissed when
3 Defendant is adjudged guilty and sentenced.

4 I agree to the forfeiture of any and all electronic storage devices, computers, and/or
5 related equipment and/or weapons or any interest in any electronic storage devices, computers
6 and/or related equipment and/or weapons seized and/or impounded in connection with the
7 instant case and/or any other case negotiated in whole or in part in conjunction with this plea
8 agreement.

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

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

20 CONSEQUENCES OF THE PLEA

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

23 I understand that as a consequence of my plea of guilty the Court must sentence me to
24 imprisonment in the Nevada Department of Corrections for a minimum term of not less than
25 ONE (1) year and a maximum term of not more than FIFTEEN (15) years. The minimum
26 term of imprisonment may not exceed forty percent (40%) of the maximum term of
27 imprisonment. I understand that I may also be fined up to \$10,000.00.

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

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

5 I understand that pursuant to NRS 176.139 and my plea of guilty to a sexual offense for
6 which the suspension of sentence or the granting of probation is permitted, P&P shall arrange
7 for a psychosexual evaluation as part of the Division's Presentence Investigation (PSI) Report
8 to the court.

9 I understand that I am not eligible for probation pursuant to NRS 176A.110 unless the
10 psychosexual evaluation certifies that I do not represent a high risk to reoffend based upon a
11 currently accepted standard of assessment. I understand that, except as otherwise provided by
12 statute, the question of whether I receive probation is in the discretion of the sentencing judge.

13 I understand that pursuant to NRS 176.0931, the Court must include as part of my
14 sentence, in addition to any other penalties provided by law, a special sentence of lifetime
15 supervision commencing after any period of probation or any term of imprisonment and period
16 of release upon parole.

17 I understand that the Court will include as part of my sentence, in addition to any other
18 penalties provided by law, pursuant to NRS 179D.441 to 179D.550, inclusive, I must register
19 as a sex offender within forty-eight (48) hours of release from custody onto probation or parole.

20 I understand that I must submit to blood and/or saliva tests under the direction of P&P
21 to determine genetic markers and/or secretor status.

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

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

27 I have not been promised or guaranteed any particular sentence by anyone. I know that
28 my sentence is to be determined by the Court within the limits prescribed by statute.

1 I understand that if my attorney or the State of Nevada or both recommend any specific
2 punishment to the Court, the Court is not obligated to accept the recommendation.

3 I understand that if the State of Nevada has agreed to recommend or stipulate a
4 particular sentence or has agreed not to present argument regarding the sentence, or agreed not
5 to oppose a particular sentence, such agreement is contingent upon my appearance in court on
6 the initial sentencing date (and any subsequent dates if the sentencing is continued). I
7 understand that if I fail to appear for the scheduled sentencing date or I commit a new criminal
8 offense prior to sentencing the State of Nevada would regain the full right to argue for any
9 lawful sentence.

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

13 I understand that if I am not a United States citizen, any criminal conviction will likely
14 result in serious negative immigration consequences including but not limited to:

- 15 1. The removal from the United States through deportation;
- 16 2. An inability to reenter the United States;
- 17 3. The inability to gain United States citizenship or legal residency;
- 18 4. An inability to renew and/or retain any legal residency status; and/or
- 19 5. An indeterminate term of confinement, with the United States Federal
20 Government based on my conviction and immigration status.

21 Regardless of what I have been told by any attorney, no one can promise me that this
22 conviction will not result in negative immigration consequences and/or impact my ability to
23 become a United States citizen and/or a legal resident.

24 I understand that P&P will prepare a report for the sentencing judge prior to sentencing.
25 This report will include matters relevant to the issue of sentencing, including my criminal
26 history. This report may contain hearsay information regarding my background and criminal
27 history. My attorney and I will each have the opportunity to comment on the information
28 contained in the report at the time of sentencing. Unless the District Attorney has specifically

1 agreed otherwise, then the District Attorney may also comment on this report.

2 WAIVER OF RIGHTS

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

- 5 1. The constitutional privilege against self-incrimination, including the right
6 to refuse to testify at trial, in which event the prosecution would not be
7 allowed to comment to the jury about my refusal to testify.
- 8 2. The constitutional right to a speedy and public trial by an impartial jury,
9 free of excessive pretrial publicity prejudicial to the defense, at which
10 trial I would be entitled to the assistance of an attorney, either appointed
11 or retained. At trial the State would bear the burden of proving beyond
12 a reasonable doubt each element of the offense(s) charged.
- 13 3. The constitutional right to confront and cross-examine any witnesses who
14 would testify against me.
- 15 4. The constitutional right to subpoena witnesses to testify on my behalf.
- 16 5. The constitutional right to testify in my own defense.
- 17 6. The right to appeal the conviction with the assistance of an attorney,
18 either appointed or retained, unless specifically reserved in writing and
19 agreed upon as provided in NRS 174.035(3). I understand this means I
20 am unconditionally waiving my right to a direct appeal of this conviction,
21 including any challenge based upon reasonable constitutional,
22 jurisdictional or other grounds that challenge the legality of the
23 proceedings as stated in NRS 177.015(4). However, I remain free to
24 challenge my conviction through other post-conviction remedies
25 including a habeas corpus petition pursuant to NRS Chapter 34.

19 VOLUNTARINESS OF PLEA

20 I have discussed the elements of all of the original charge(s) against me with my
21 attorney and I understand the nature of the charge(s) against me.

22 I understand that the State would have to prove each element of the charge(s) against
23 me at trial.

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

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

28 I believe that pleading guilty and accepting this plea bargain is in my best interest, and

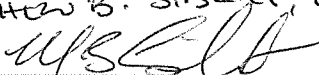
1 that a trial would be contrary to my best interest.

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

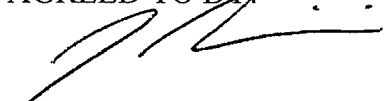
5 I am not now under the influence of any intoxicating liquor, a controlled substance or
6 other drug which would in any manner impair my ability to comprehend or understand this
7 agreement or the proceedings surrounding my entry of this plea.

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

10 DATED this 23rd day of March, 2022.

11 MATTHEW B. SIBERT, ESQ. #13402 FOR
12 
13 _____
14 KYLE RAYMOND STOLTZ
15 Defendant

14 AGREED TO BY:

15 

16 _____
17 JACOB VILLANI
18 Chief Deputy District Attorney
19 Nevada Bar #011732
20
21
22
23
24
25
26
27
28

1 CERTIFICATE OF COUNSEL:

2 I, the undersigned, as the attorney for the Defendant named herein and as an officer of the court
3 hereby certify that:

- 4 1. I have fully explained to the Defendant the allegations contained in the
5 charge(s) to which guilty pleas are being entered.
6 2. I have advised the Defendant of the penalties for each charge and the restitution
7 that the Defendant may be ordered to pay.
8 3. I have inquired of Defendant facts concerning Defendant's immigration status
9 and explained to Defendant that if Defendant is not a United States citizen any
10 criminal conviction will most likely result in serious negative immigration
11 consequences including but not limited to:
12 a. The removal from the United States through deportation;
13 b. An inability to reenter the United States;
14 c. The inability to gain United States citizenship or legal residency;
15 d. An inability to renew and/or retain any legal residency status; and/or
16 e. An indeterminate term of confinement, by with United States Federal
17 Government based on the conviction and immigration status.

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

- 22 4. All pleas of guilty offered by the Defendant pursuant to this agreement are
23 consistent with the facts known to me and are made with my advice to the
24 Defendant.
25 5. To the best of my knowledge and belief, the Defendant:
26 a. Is competent and understands the charges and the consequences of
27 pleading guilty as provided in this agreement,
28 b. Executed this agreement and will enter all guilty pleas pursuant hereto
voluntarily, and
c. Was not under the influence of intoxicating liquor, a controlled
substance or other drug at the time I consulted with the Defendant as
certified in paragraphs 1 and 2 above.

Dated: This 23 day of March, 2022.


NICHOLAS WOOLDRIDGE, ESQ.

MATTHEW B. SIMON, ESQ. #1344

mlb/SVU

1 **INFM**
2 **STEVEN B. WOLFSON**
3 **Clark County District Attorney**
4 **Nevada Bar #001565**
5 **JACOB VILLANI**
6 **Chief Deputy District Attorney**
7 **Nevada Bar #011732**
8 **200 Lewis Avenue**
9 **Las Vegas, Nevada 89155-2212**
10 **(702) 671-2500**
11 **Attorney for Plaintiff**

12 **I.A. 3/24/2022**
13 **2:30 AM**
14 **WOOLDRIDGE**

DISTRICT COURT
CLARK COUNTY, NEVADA

15 **THE STATE OF NEVADA,**
16 **Plaintiff,**
17 **-vs-**
18 **KYLE RAYMOND STOLTZ,**
19 **#711834**
20 **Defendant.**

CASE NO: C-22-363368-1
DEPT NO: XXI

INFORMATION

21 **STATE OF NEVADA** }
22 **COUNTY OF CLARK** } **ss.**

23 **STEVEN B. WOLFSON, District Attorney within and for the County of Clark, State**
24 **of Nevada, in the name and by the authority of the State of Nevada, informs the Court:**

25 **That KYLE RAYMOND STOLTZ, the Defendant above named, having committed the**
26 **crime of LURING CHILDREN OR MENTALLY ILL PERSONS WITH THE INTENT**
27 **TO ENGAGE IN SEXUAL CONDUCT (Category B Felony - NRS 201.560 - NOC**
28 **51081), on or about the 9th day of December, 2021, within the County of Clark, State of**
Nevada, contrary to the form, force and effect of statutes in such cases made and provided,
and against the peace and dignity of the State of Nevada, did then and there willfully and
feloniously and knowingly contact or communicate with, or attempt to contact or communicate
with or attempt to contact or communicate with an undercover officer, posing as a minor, who
is less than 16 years of age and who is at least 5 years younger than the defendant, or a person
who the defendant believed to be a child less than 16 years of age and at least 5 years younger

1 than the defendant, regardless of the actual age of the person, with the intent to persuade, lure
2 or transport the said child away from his or her home or from any location known to his or her
3 parent or guardian or other person legally responsible for the child without the express consent
4 of the parent or guardian or other person legally responsible for the child and with the intent
5 to avoid the consent of the parent or guardian or other person legally responsible for the child,
6 the Defendant committing the crime in the following manner, to wit: by Defendant
7 communicating with an undercover officer of the Las Vegas Metropolitan Police Department,
8 the officer posing as a 13-year-old female, Defendant possessing the intent to engage in sexual
9 conduct with the child or mentally ill person or to cause the child or mentally ill person to
10 engage in sexual conduct.

11 STEVEN B. WOLFSON
12 Clark County District Attorney
13 Nevada Bar #001565

14 BY


15 JACOB VILLANI
16 Chief Deputy District Attorney
17 Nevada Bar #011732
18
19
20
21
22
23
24
25
26

27 21CR055634/mlb/SVU
28 LVMPD EV#21100037878
(TK3)