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BEFORE THE STATE BOARD OF EDUCATION

JHONE EBERT, SUPERINTENDENT OF
PUBLIC INSTRUCTION, DEPARTMENT
OF EDUCATION, STATE OF NEVADA,

Petitioner,

v.

JUSTIN MICHAEL SORTINO,

Respondent.

CASE NO.: 23-06

**PETITION AND RECOMMENDATION FOR REVOCATION OF LICENSE
AND NOTICE OF RIGHT TO HEARING**

Jhone Ebert, Superintendent of Public Instruction, Department of Education, State of Nevada ("Petitioner"), hereby petitions the State Board of Education for the revocation of the teacher license held by Justin Sortino ("Respondent" or "Mr. Sortino"), issued by the Nevada Department of Education. This Petition and Recommendation for Revocation of License and Notice of Right to Hearing ("Petition and Recommendation") is supported by NRS 391.320, NRS 391.330, and the following allegations:

I. Jurisdiction

Mr. Sortino was, at the relevant times mentioned in this Petition and Recommendation, the holder of License No. 95053 issued by the Superintendent of Public Instruction, Department of Education, State of Nevada, pursuant to the provisions of Chapter 391 of the Nevada Revised Statutes (the "License"). Such License is as follows: PK-12 substitute, 7-12 Mathematics Major. The License expired on June 24, 2018. (*See Exhibit A*) Respondent may be professionally disciplined for conduct that occurred while the license was still valid, which is the situation in the instant matter. NAC 391.063(4) ("The voluntary surrender of a license or the failure to renew a license does not preclude the board from hearing a complaint for disciplinary action made against the licensee."). Moreover, it is in the best interest of the State of Nevada to officially revoke such license, thereby building a public record of professional discipline (in addition to Respondent's

1 criminal record), which will assist in preventing such license from being renewed or granted
2 in reciprocity by another jurisdiction.

3 Petitioner hereby files this Petition and Recommendation in her official capacity as
4 Superintendent of Public Instruction, Department of Education, State of Nevada.
5 NRS 391.322. The State Board of Education may revoke or suspend Respondent's license,
6 if recommended by the Superintendent of Public Instruction or the Board of Trustees of a
7 School District, after notice and opportunity for hearing, based upon the NRS 391.330
8 grounds for suspension and revocation. NRS 391.320; NRS 391.322; NRS 391.330.

9 **II. Factual Allegations**

10 According to the Information filed in the Second Judicial District Court of the State
11 of Nevada, in and for Washoe County, (a true and correct copy of which is attached as
12 **Exhibit B**) on or between February 3, 2021 and February 24, 2021; Mr. Sortino
13 committed one (1) count of Attempt to Use or Permit Minor, Age 14 or Older, to be Subject
14 of Sexual Portrayal in a Performance, a Category B Felony, in violation of NRS
15 200.710(2), 200.750(1), NRS 193.330 and NRS 179D.097; one (1) count of Attempted
16 Statutory Sexual Seduction by Person 21 or Older, a violation of NRS 200.368(1), NRS
17 193.330, and NRS 179D.097, a category C felony; one (1) count of Attempted Kidnapping
18 of a Minor, First Degree, a violation of NRS 200.310(1), NRS 193.330, and NRS
19 179D.0357 a category B felony; one (1) count of Lure or Attempt to Lure Child with Use of
20 Computer Technology to Engage in Sexual Conduct a violation of NRS 201.560(4)(a), and
21 NRS 179D.097, a category B felony. The specific facts of the crime are contained in the
22 Information, filed in Washoe County Court case CR21-0652, and attached hereto as
23 **Exhibit B**, which is incorporated by reference.

24 On or about April 26, 2022, Mr. Sortino entered a Guilty Plea Memorandum before
25 the Second Judicial District Court of the State of Nevada, in and for Washoe County, (a
26 true and correct copy of which is attached as **Exhibit C**) which admitted "the facts which
27 support all the elements of the offense". Mr. Sortino plead guilty to one (1) count of Lure
28 or Attempt to Lure Child with Use of Computer Technology to Engage in Sexual Conduct

1 a violation of NRS 201.560(4)(a), and NRS 179D.097, a category B felony; and one (1)
2 count of Attempt to Use or Permit Minor, Age 14 or Older, to be Subject of Sexual
3 Portrayal in a Performance, in violation of NRS 200.710(2), 200.750(1), NRS 193.330 and
4 NRS 179D.097, a Category B Felony; **Exhibit C**, page 2 lines 3-10 and page 3 lines 22-
5 23). The Guilty Plea Memorandum was subsequently filed in criminal case CR 21-0652.

6 On or about July 7, 2022, Second Judicial District Court of the State of Nevada, in
7 and for Washoe County, filed a Judgment of Conviction, convicting Mr. Sortino of one (1)
8 count of Lure or Attempt to Lure Child with Use of Computer Technology to Engage in
9 Sexual Conduct a violation of NRS 201.560(4)(a), and NRS 179D.097, a category B felony;
10 one (1) count of Attempt to Use or Permit Minor, Age 14 or Older, to be Subject of Sexual
11 Portrayal in a Performance, in violation of NRS 200.710(2), 200.750(1), NRS 193.330 and
12 NRS 179D.097, a Category B Felony; A true and correct copy of the Judgment of
13 Conviction is attached hereto as **Exhibit D** and is fully incorporated herein.

14 According to the Judgment of Conviction, the Court sentenced Mr. Sortino to
15 imprisonment in the Nevada Department of Corrections. Mr. Sortino is sentenced to a
16 minimum term of forty-eight (48) months to a maximum term of one hundred twenty
17 (120) months on each count, with the sentences to run concurrently. Mr. Sortino was
18 given credit for eight (8) days time served. **(Exhibit D)** The Court further required Mr.
19 Sortino to register as a sex offender within forty-eight (48) hours after any release from
20 custody and imposed a special sentence of Lifetime Supervision after any period of
21 probation, any period of release upon parole, or any release from incarceration. *Id.*

22 **III. Legal Allegations**

23 NRS 391.330, as follows in pertinent part:

- 24 1. Immoral or unprofessional conduct.
- 25 2. Evident unfitness for service.
- 26
- 27 4. Conviction of a felony or crime involving moral turpitude.

28 ///

1 By committing the acts that constitute Lure or Attempt to Lure Child with Use of
2 Computer Technology to Engage in Sexual Conduct a violation of NRS 201.560(4)(a), and
3 NRS 179D.097, a category B felony; one (1) count of Attempt to Use or Permit Minor, Age
4 14 or Older, to be Subject of Sexual Portrayal in a Performance, in violation of NRS
5 200.710(2), 200.750(1), NRS 193.330 and NRS 179D.097, a Category B Felony and being
6 convicted of said offenses, Mr. Sortino has subjected his license to revocation or
7 suspension by violation of the following:

8 (a) NRS 391.330(1) immoral or unprofessional conduct;

9 (b) NRS 391.330(2) evident unfitness for service; and

10 (c) NRS 391.330(4) conviction of a felony or crime involving
11 moral turpitude;

12 **IV. Notice of Right to Hearing**

13 Mr. Sortino is hereby given notice of the recommendation by the Superintendent of
14 Public Instruction for the revocation of his license. The protocol and procedure for the
15 suspension or revocation of a license are set forth in NRS 391.320 to 391.361, inclusive.
16 Mr. Sortino has the right to a hearing on this Petition and Recommendation before a
17 hearing officer, who will be selected pursuant to NRS 391.322, NRS 391.323, and
18 NRS 391.355, to answer the allegations of the Petition and Recommendation and to
19 present evidence and argument on all issues involved, either personally or through an
20 attorney.

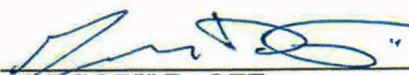
21 If Mr. Sortino desires a hearing before a hearing officer, he must file a written
22 request within **fifteen (15) days** from the receipt of this Petition and Recommendation
23 as provided in NRS 391.322. Mr. Sortino's request should be addressed to the
24 Superintendent of Public Instruction, Nevada Department of Education, 700 East 5th
25 Street, Carson City, Nevada, 89701-5096. If Mr. Sortino requests a hearing, a hearing
26 officer will be selected pursuant to NRS 391.322, and that hearing officer will notify Mr.
27 Sortino, in writing, of the time and location of the hearing not less than ten (10) days
28 before the hearing. If Mr. Sortino requests a hearing and a hearing officer is selected, the

1 procedures for the suspension or revocation of licenses found in NAC 391.500 to 391.555,
2 inclusive, will be followed as appropriate. Pursuant to NAC 391.507, “[n]ot later than ten
3 (10) days after a hearing officer is selected pursuant to NRS 391.322, the holder of the
4 license shall submit to the hearing officer an answer to the allegations set forth” in this
5 Petition and Recommendation. If no request for a hearing is filed within the time
6 specified, the State Board of Education may suspend or revoke Mr. Sortino’s license or
7 take no action on the recommendation.

8 WHEREFORE, Petitioner prays that the State Board of Education issue its
9 decision to revoke Mr. Sortino’s license.

10 DATED: March 17th 2023.

11 AARON D. FORD
12 Attorney General

13 By: 
14 GREGORY D. OTT
15 Chief Deputy Attorney General
16 100 North Carson Street
17 Carson City, Nevada 89701-4717
18 (775) 684-1229
19 *Attorneys for the State of Nevada,*
20 *Department of Education*

21
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1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of the State of Nevada, Office of the Attorney
3 General, and that on March 17th 2023 I served a true and correct copy of the foregoing
4 **PETITION AND RECOMMENDATION FOR REVOCATION OF LICENSE AND**
5 **NOTICE OF RIGHT TO HEARING** via U.S. Mail and certified mail return receipt
6 requested to:

7 Justin Sortino #1258610
8 Lovelock Correctional Center
9 1200 Prison Rd.
Lovelock, Nevada 89419

10 ***Certified Mail Receipt No.:*** 7016 2070 0000 9746 7840

11 

12 _____
13 Aaron D. Van Sickle
14 Legal Secretary I
15 Office of the Attorney General
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EXHIBIT INDEX

Exhibit	DESCRIPTION	Number of Pages
A	Respondent's License	1
B	Information	6
C	Guilty Plea Memorandum	8
D	Judgment of Conviction	3

Exhibit A
Respondent's License

Exhibit A
Respondent's License

Search Results

Last Name	First Name	Certificate
Borke	April	85553

Actions

- Personal
- Employer
- Candidates
- Application History
- Licenses
- Certificates
- Notes
- Log
- Documents
- Programs
- HEAT
- Professional Development
- Legacy Data
- Tools

Status: No Pending Transactions



Profile: Individual: Name

No licenses or provisions are eligible to extend

Current License/Endorsement

Add License/Endorsement

Kind	Endorsement	Type	Grade	Original	Effective	Expires	Status	Pathway	Extended	Action
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License/Endorsement History/Pending

Kind	Endorsement	Type	Grade	Original	Effective	Expires	Status	Pathway	Extended	Action
Secondary	Mathematics Major	Standard	7-12	07/19/2013	07/19/2013	06/24/2018	Expired (Expired)		No	Print Edit Delete
Substitute	Substitute	Provisional	PK-12 SLS	08/28/2012	03/29/2012	00/28/2015	Invalid (Expired)		No	Print Edit Delete

Exhibit B
Information

Exhibit B
Information

DA #21-2820

RPD RP21-003332

FILED
Electronically
CR21-0652
2021-08-31 10:05:41 AM
Alicia L. Lerud
Clerk of the Court
Transaction # 8622600 : bblough

1 CODE 1800
2 Christopher J. Hicks
3 #7747
4 One South Sierra Street
5 Reno, NV 89501
6 districtattorney@da.washoecounty.us
7 (775) 328-3200
8 Attorney for Plaintiff

9 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
10
11 IN AND FOR THE COUNTY OF WASHOE

12 * * *

13 THE STATE OF NEVADA,

14 Plaintiff,

Case No.: CR21-0652

15 v.

Dept. No.: D03

16 JUSTIN MICHAEL SORTINO,

17 Defendant.

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INFORMATION

CHRISTOPHER J. HICKS, District Attorney within and for the
County of Washoe, State of Nevada, in the name and by the authority
of the State of Nevada, informs the above-entitled Court that, the
defendant above-named, JUSTIN MICHAEL SORTINO, has committed the
crime(s) of:

COUNT I. LURE OR ATTEMPT TO LURE CHILD WITH USE OF COMPUTER
TECHNOLOGY TO ENGAGE IN SEXUAL CONDUCT, a violation of NRS
201.560(4)(a), and NRS 179D.097, a category B felony, (51078) in the
manner following:

That the said defendant, JUSTIN MICHAEL SORTINO, on or
between February 3, 2021 and February 24, 2021, within the County of

1 Washoe, State of Nevada, did willfully, unlawfully and knowingly use
2 a computer, system, and network to contact or communication with or
3 attempt to contact or communicate with another person whom he
4 believed to be a child who is less than 16 years of age and who is at
5 least 5 years younger than the defendant, with the intent to solicit,
6 persuade or lure the person believed to be a child to engage in
7 sexual conduct, to wit: the defendant, a 34-year-old adult male,
8 contacted an officer posing as a 14-year-old juvenile female via a
9 social media application, requested and/or agreed to meet the officer
10 posing as a child for the purpose of having sexual intercourse and/or
11 cunnilingus with the officer posing as a child, and drove to the
12 address provided by the officer posing as a child, located at or near
13 Grand Summit Drive and Silver Peak Drive, Reno, Nevada.

14 COUNT II. ATTEMPTED KIDNAPPING OF A MINOR, FIRST DEGREE, a
15 violation of NRS 200.310(1), NRS 193.330, and NRS 179D.0357, a
16 category B felony, (61054) in the manner following:

17 That the said defendant, JUSTIN MICHAEL SORTINO, on or
18 about February 24, 2021, within the County of Washoe, State of
19 Nevada, did willfully and unlawfully attempt to lead, take, entice,
20 or carry away or detain a minor with the intent to perpetrate upon
21 the person of the minor any unlawful act, namely Statutory Sexual
22 Seduction, to wit: the defendant, a 34-year-old adult male, contacted
23 an officer posing as a 14-year-old juvenile female via a social media
24 application, requested and/or agreed to pick up the officer posing as
25 a child for the purpose of having sexual intercourse and/or
26 cunnilingus with the officer posing as a child, and drove to the

1 address provided by the officer posing as a child, located at or near
2 Grand Summit Drive and Silver Peak Drive, Reno, Nevada.

3 COUNT III. ATTEMPTED STATUTORY SEXUAL SEDUCTION BY PERSON

4 21 OR OLDER, a violation of NRS 200.368(1), NRS 193.330, and NRS
5 179D.097, a category C felony, (60326) in the manner following:

6 That the said defendant, JUSTIN MICHAEL SORTINO, on or
7 about February 24, 2021, within the County of Washoe, State of
8 Nevada, did willfully and unlawfully attempt to have ordinary sexual
9 intercourse, anal intercourse and/or sexual penetration with a child
10 who is 14 years of age and who is at least 4 years younger than the
11 defendant, to wit: the defendant, a 34-year-old adult male, contacted
12 an officer posing as a 14-year-old juvenile female via a social media
13 application, requested and/or agreed to meet the officer posing as a
14 child for the purpose of having sexual intercourse and/or cunnilingus
15 with the officer posing as a child, and drove to the address provided
16 by the officer posing as a child, located at or near Grand Summit
17 Drive and Silver Peak Drive, Reno, Nevada.

18 COUNT IV. ATTEMPT TO USE OR PERMIT MINOR, AGE 14 OR OLDER,
19 TO BE SUBJECT OF SEXUAL PORTRAYAL IN A PERFORMANCE, a violation of
20 NRS 200.710(2), NRS 200.750(1), NRS 193.330, and NRS 179D.097, a
21 category B felony, (50380) in the manner following:

22 That the said defendant, JUSTIN MICHAEL SORTINO, on or
23 between February 3, 2021 and February 24, 2021, on one or more
24 occasions, within the County of Washoe, State of Nevada, did
25 willfully, unlawfully and knowingly attempt to use, encourage,
26 entice, coerce or permit a minor child who is 14 years of age or

1 older to be the subject of a sexual portrayal in a performance, to
2 wit: the defendant contacted an officer posing as a 14-year-old
3 juvenile female via a social media application, and requested that
4 the officer posing as a child send him nude photographs to include
5 her breasts and/or genitals stating "I was hoping I could stroke my
6 cock to it later and tell you how turned on I am by it."

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

CHRISTOPHER J. HICKS
District Attorney
Washoe County, Nevada

By: Darcy Cameron
DARCY CAMERON
12100
Deputy District Attorney

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The following are the names of such witnesses as are known
to me at the time of the filing of the within Information:

CHRISTOPHER JOHNSON

AFFIRMATION PURSUANT TO NRS 239B.030

The party executing this document hereby affirms that this
document submitted for recording does not contain the social security
number of any person or persons pursuant to NRS 239B.030.

CHRISTOPHER J. HICKS
District Attorney
Washoe County, Nevada

By: Darcy Cameron
DARCY CAMERON
12100
Deputy District Attorney

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

DATE: 2 Aug 2022

ALICIA L. LERUD, Clerk of the Second Judicial District Court, in and for the County of Washoe, State of Nevada.

By *Alicia Lerud* Deputy

5 Pages

Exhibit C
Guilty Plea Memorandum

Exhibit C
Guilty Plea Memorandum

1 CODE 1785
2 Christopher J. Hicks
3 #7747
4 One South Sierra Street
5 Reno, NV 89501
6 districtattorney@da.washoecounty.us
7 (775) 328-3200
8 Attorney for Plaintiff

9 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA,
10 IN AND FOR THE COUNTY OF WASHOE

11 * * *

12 THE STATE OF NEVADA,

13 Plaintiff,

Case No. CR21-0652

14 v.

Dept. No. D03

15 JUSTIN MICHAEL SORTINO,

16 Defendant.

17 _____/
18 GUILTY PLEA MEMORANDUM

19 1. I, JUSTIN MICHAEL SORTINO, understand that I am charged
20 with the offense(s) of: COUNT I. LURE OR ATTEMPT TO LURE CHILD WITH
21 USE OF COMPUTER TECHNOLOGY TO ENGAGE IN SEXUAL CONDUCT, a violation
22 of NRS 201.560(4)(a), and NRS 179D.097, a category B felony, COUNT
23 II. ATTEMPTED KIDNAPPING OF A MINOR, FIRST DEGREE, a violation of NRS
24 200.310(1), NRS 193.330, and NRS 179D.0357, a category B felony,
25 COUNT III. ATTEMPTED STATUTORY SEXUAL SEDUCTION BY PERSON 21 OR
26 OLDER, a violation of NRS 200.368(1), NRS 193.330, and NRS 179D.097,
a category C felony, and COUNT IV. ATTEMPT TO USE OR PERMIT MINOR,
AGE 14 OR OLDER, TO BE SUBJECT OF SEXUAL PORTRAYAL IN A PERFORMANCE,

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///

1 a violation of NRS 200.710(2), NRS 200.750(1), NRS 193.330, and NRS
2 179D.097, a category B felony.

3 2. I desire to enter a plea of guilty to the offense(s)
4 of, COUNT I. LURE OR ATTEMPT TO LURE CHILD WITH USE OF COMPUTER
5 TECHNOLOGY TO ENGAGE IN SEXUAL CONDUCT, a violation of NRS
6 201.560(4)(a), and NRS 179D.097, a category B felony, and COUNT IV.
7 ATTEMPT TO USE OR PERMIT MINOR, AGE 14 OR OLDER, TO BE SUBJECT OF
8 SEXUAL PORTRAYAL IN A PERFORMANCE, a violation of NRS 200.710(2), NRS
9 200.750(1), NRS 193.330, and NRS 179D.097, a category B felony, as
10 more fully alleged in the charge(s) filed against me.

11 3. By entering my plea of guilty I know and understand
12 that I am waiving the following constitutional rights:

13 A. I waive my privilege against self-incrimination.

14 B. I waive my right to trial by jury, at which trial the
15 State would have to prove my guilt of all elements of the offense(s)
16 beyond a reasonable doubt.

17 C. I waive my right to confront my accusers, that is, the
18 right to confront and cross examine all witnesses who would testify
19 at trial.

20 D. I waive my right to subpoena witnesses for trial on my
21 behalf.

22 4. I understand the charge(s) against me and that the
23 elements of the offense(s) which the State would have to prove beyond
24 a reasonable doubt at trial are that on February 24, 2021, or
25 thereabout, in the County of Washoe, State of Nevada, I did, as to
26 Count I, willfully and unlawfully attempt to lead, take, entice, or

1 carry away or detain a minor with the intent to perpetrate upon the
2 person of the minor any unlawful act, namely Statutory Sexual
3 Seduction, to wit: I, a 34-year-old adult male, contacted an officer
4 posing as a 14-year-old juvenile female via a social media
5 application, requested and/or agreed to pick up the officer posing as
6 a child for the purpose of having sexual intercourse and/or
7 cunnilingus with the officer posing as a child, and drove to the
8 address provided by the officer posing as a child, located at or near
9 Grand Summit Drive and Silver Peak Drive, Reno, Nevada.

10 I further understand the charge(s) against me and that the
11 elements of the offense(s) which the State would have to prove beyond
12 a reasonable doubt at trial are that on February 24, 2021, or
13 thereabout, in the County of Washoe, State of Nevada, I did, as to
14 Count IV, willfully, unlawfully and knowingly attempt to use,
15 encourage, entice, coerce or permit a minor child who is 14 years of
16 age or older to be the subject of a sexual portrayal in a
17 performance, to wit: I contacted an officer posing as a 14-year-old
18 juvenile female via a social media application, and requested that
19 the officer posing as a child send me nude photographs to include her
20 breasts and/or genitals stating "I was hoping I could stroke my cock
21 to it later and tell you how turned on I am by it."

22 5. I understand that I admit the facts which support all
23 the elements of the offense(s) by pleading guilty. I admit that the
24 State possesses sufficient evidence which would result in my
25 conviction. I have considered and discussed all possible defenses
26 and defense strategies with my counsel. I understand that I have the

1 right to appeal from adverse rulings on pretrial motions only if the
2 State and the Court consent to my right to appeal in a separate
3 written agreement. I understand that any substantive or procedural
4 pretrial issue(s) which could have been raised at trial are waived by
5 my plea.

6 6. I understand that the consequences of my plea of
7 guilty, as to Count I, are that I may be imprisoned for a period of 1
8 to 10 years in the Nevada State Department of Corrections. I may also
9 be fined up to \$10,000.00. I am not eligible for probation unless a
10 psychosexual evaluation is completed pursuant to NRS 176.139 which
11 certifies that I do not represent a high risk to reoffend based upon
12 a currently accepted standard of assessment. I further understand I
13 will be required to register as a sex offender pursuant to NRS
14 Chapter 179D. I will also be on lifetime supervision pursuant to NRS
15 176.0931.

16 I further understand that the consequences of my plea of
17 guilty, as to Count IV, are that I may be imprisoned for a period of
18 2 to 20 years in the Nevada State Department of Corrections. I am not
19 eligible for probation unless a psychosexual evaluation is completed
20 pursuant to NRS 176.139 which certifies that I do not represent a
21 high risk to reoffend based upon a currently accepted standard of
22 assessment. I further understand I will be required to register as a
23 sex offender pursuant to NRS Chapter 179D. I will also be on lifetime
24 supervision pursuant to NRS 176.0931.

25 I understand that the sentence on each count may be
26 concurrent or consecutive to each other.

1 7. In exchange for my plea of guilty, the State, my
2 counsel and I have agreed to recommend the following: Both parties
3 will be free to argue for an appropriate sentence. The State will
4 dismiss all other criminal charges in this case at the time of
5 sentencing.

6 8. I understand that, even though the State and I have
7 reached this plea agreement, the ~~State is~~ ^{Parties are} reserving the right to
8 present arguments, facts, and/or witnesses at sentencing in support
9 of the plea agreement.

10 9. Where applicable, I additionally understand and agree
11 that I will be responsible for the repayment of any costs incurred by
12 the State or County in securing my return to this jurisdiction.

13 10. I understand that the State, at their discretion, is
14 entitled to either withdraw from this agreement and proceed with the
15 prosecution of the original charges or be free to argue for an
16 appropriate sentence at the time of sentencing if I fail to appear at
17 any scheduled proceeding in this matter OR if prior to the date of my
18 sentencing I am arrested in any jurisdiction for a violation of law
19 OR if my bail/own recognizance release is revoked OR if I have
20 misrepresented my prior criminal history. I understand and agree
21 that the occurrence of any of these acts constitutes a material
22 breach of my plea agreement with the State. I further understand and
23 agree that by the execution of this agreement, I am waiving any right
24 I may have to remand this matter to Justice Court should I later
25 withdraw my plea.

26 ///

1 11. I understand and agree that pursuant to the terms of
2 the plea agreement stated herein, any counts which are to be
3 dismissed and any other cases charged or uncharged which are either
4 to be dismissed or not pursued by the State, may be considered by the
5 court at the time of my sentencing.

6 12. I understand that the Court is not bound by the
7 agreement of the parties and that the matter of sentencing is to be
8 determined solely by the Court. I have discussed the charge(s), the
9 facts and the possible defenses with my attorney. All of the
10 foregoing rights, waiver of rights, elements, possible penalties, and
11 consequences, have been carefully explained to me by my attorney. My
12 attorney has not promised me anything not mentioned in this plea
13 memorandum, and, in particular, my attorney has not promised that I
14 will get any specific sentence. I am satisfied with my counsel's
15 advice and representation leading to this resolution of my case. I
16 am aware that if I am not satisfied with my counsel I should advise
17 the Court at this time. I believe that entering my plea is in my
18 best interest and that going to trial is not in my best interest. My
19 attorney has advised me that if I wish to appeal, any appeal, if
20 applicable to my case, must be filed within thirty days of my
21 sentence and/or judgment.

22 13. I understand that this plea and resulting conviction
23 will likely have adverse effects upon my residency in this country if
24 I am not a U. S. Citizen. I have discussed the effects my plea will
25 have upon my residency with my counsel.

26 ///

CERTIFIED COPY.

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

DATE: 2 Aug 2022
ALICIA L. LERUD, Clerk of the Second Judicial District Court, in and for the County of Washoe, State of Nevada.

By: [Signature] Deputy
7 Pages

Exhibit D
Judgment of Conviction

Exhibit D
Judgment of Conviction

1 CODE NO. 1850
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6 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
7 IN AND FOR THE COUNTY OF WASHOE

8 * * *

9 THE STATE OF NEVADA,

10 Plaintiff,

Case No. CR21-0652

11 vs.

Dept. No. 3

12 JUSTIN MICHAEL SORTINO,

13 Defendant.
14 _____/

15 JUDGMENT OF CONVICTION

16 The Defendant having entered a plea of Guilty, and no sufficient cause
17 being shown by Defendant as to why judgment should not be pronounced against him,
18 the Court rendered judgment as follows:

19 That Justin Michael Sortino is guilty of the crimes of Lure or Attempt to
20 Lure Child With Use of Computer Technology to Engage in Sexual Conduct, a violation
21 of NRS 201.560(4)(a) and NRS 179D.097, a category B felony, as charged in Count I of
22 the Information, and Attempt to Use or Permit Minor, Age 14 or Older, to be Subject of
23 Sexual Portrayal in a Performance, a violation of NRS 200.710(2), NRS 200.750(1), NRS
24 193.330 and NRS 179D.097, a category B felony, as charged in Count IV of the
25 Information, and that he be punished by imprisonment in the Nevada Department of
26 Corrections for the minimum term of forty-eight (48) months to a maximum term of one
27 hundred twenty (120) months, on each of Counts I and IV. Count IV shall run
28 concurrently with Count I. The Defendant is given eight (8) days credit for time served.

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and of record in my office.

DATE: 2 Aug 2022
ALICIA L. LERUD, Clerk of the Second Judicial District Court, in and for the County of Washoe, State of Nevada.

By [Signature] Deputy
2 Pages

**NOTICE OF INTENT TO CONSIDER CHARACTER, MISCONDUCT,
COMPETENCE OR HEALTH OF A PERSON. NRS 241.033**

STATE BOARD OF EDUCATION

700 E. Fifth Street
Carson City, NV 89701
Phone: (775) 687-9200
Fax: (775) 687-9101

June 8, 2023

Via U.S. Mail and Certified Mail

Justin Sortino #1258610
Lovelock Correctional Center
1200 Prison Rd.
Lovelock, Nevada 89419

**Re: Notice of meeting of the State Board of Education to consider
your character, alleged misconduct, competence, or health.**

Dear Mr. Sortino:

In connection with your teaching license, on March 17, 2023, a Petition and Recommendation for Revocation of License and Notice of Right to Hearing ("Petition and Notice") was filed with the State Board of Education ("Board") and mailed to you via certified mail. The Petition and Notice informed you of your right to request a hearing before a hearing officer by filing a written request within fifteen (15) days from receipt of the Petition and Notice. Enclosed for your convenience is a copy of the Petition and Recommendation for Revocation of License.

As you have failed to request such a hearing, the Board will be requested to move forward with the revocation of your license and may consider your character, alleged misconduct, competence, or health at its meeting on July 26, 2023. **The meeting will begin at 9:00 a.m. at 700 E. Fifth Street in Carson City, Nevada and (via video conference) at 2080 E. Flamingo Rd., Board Room, Las Vegas, Nevada.** The meeting is a public meeting, and you and/or your legal counsel are welcome to attend at either location. The Board may go into closed session or remain in an open meeting to consider the following general topics: your teaching license; the Petition and Notice; the Judgment of Conviction; and matters properly related thereto. You are welcome to attend the closed session and/or open meeting, have an attorney or other representative of your choosing present during the closed session and/or open meeting and present written evidence, provide testimony, and present witnesses relating to your character, alleged misconduct,

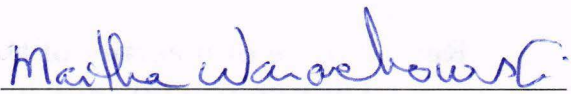
Justin Sortino
June 8, 2023
Page 2

professional competence, or physical or mental health.

If the Board determines it necessary, after considering your character, alleged misconduct, professional competence, or physical or mental health, whether in a closed meeting or open meeting, it may also take administrative action against you at this meeting, which could include suspending or revoking your teacher license. This informational statement is in lieu of any notice that may be required pursuant to NRS 241.034.

This notice is provided to you under NRS 241.033 and NRS 241.034.

Sincerely,


Martha Warachowski
Martha Warachowski
Board Secretary

Enc.

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BEFORE THE STATE BOARD OF EDUCATION

JHONE EBERT, SUPERINTENDENT OF)
PUBLIC INSTRUCTION, DEPARTMENT)
OF EDUCATION, STATE OF NEVADA,)
Petitioner,)
v.)
JUSTIN MICHAEL SORTINO,)
Respondent.)

CASE NO. 23-06

DECLARATION OF MICHAEL ARAKAWA

I, MICHAEL ARAKAWA, declare that the following is true.

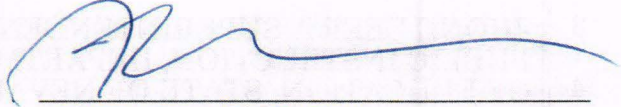
- 1. I am over the age of twenty-one (21) and competent to testify to the facts in this Declaration.
- 2. I am employed by the State of Nevada, Department of Education, as a Chief Compliance Investigator. I have been employed by the Department of Education since July, 2014.
- 3. Attached hereto as Exhibit "2A" is a true and correct copy of Respondent's License.
- 4. Attached hereto as Exhibit "2B" is a true and correct copy of the Information.
- 5. Attached hereto as Exhibit "2C" is a true and correct copy of the Guilty Plea Memorandum.
- 6. Attached hereto as Exhibit "2D" is a true and correct copy of the Judgment of Conviction.
- 7. These documents are kept by the Department of Education in the normal course of business.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 9TH day of June, 2023.



MICHAEL ARAKAWA
Declarant

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EXHIBIT LIST

Exhibit No.	Title	Pages
2A	Respondent's License	1
2B	Information	6
2C	Guilty Plea Memorandum	8
2D	Judgment of Conviction	3

EXHIBIT "2A"

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EXHIBIT "2A"

EXHIBIT "2B"

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EXHIBIT "2B"

EXHIBIT "2C"

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EXHIBIT "2C"

EXHIBIT "2D"

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EXHIBIT "2D"