

1 **UNITED STATES DISTRICT COURT**  
2 **DISTRICT OF NEVADA**

3 United States of America,  
4  
5 Plaintiff  
6 v.  
7 Michele Fiore,  
8 Defendant

Case No.: 2:24-cr-00155-JAD-DJA

**Order Denying Motions for  
Acquittal and New Trial**

[ECF Nos. 96, 97, 99]

*\*\*sealed information redacted\*\**

8 Former Las Vegas Councilwoman Michele Fiore was found guilty of fleecing donors out  
9 of tens of thousands of dollars that she told them would be used for a memorial statue of a fallen  
10 police officer whose senseless killing had impacted the local community. During the eight-day  
11 trial, the jury heard from a veritable who's who of Nevada business and politics, who wrote  
12 checks to Fiore's charitable organization or her political action committee in reliance on her  
13 promise that 100% of the donations would be used to fund the statue. But the evidence showed  
14 that a development company paid for the statue, and not a dime of the money that Fiore raised  
15 was used for that purpose. Instead, each check was quickly converted to cash and spent on  
16 Fiore's personal expenses like rent, cosmetic procedures, and her daughter's wedding.

17 With her sentencing on six counts of wire fraud and one count of conspiracy to commit  
18 wire fraud looming, Fiore moves for acquittal, contending that there was insufficient evidence to  
19 convict her. But the law gives great deference to jury verdicts, so the standard for setting one  
20 aside for insufficient evidence is high: the court must find that the evidence, when viewed in the  
21 light most favorable to the prosecution, could not have supported the verdict for any rational  
22 juror. And the ample evidence of Fiore's fraud scheme prevents her from meeting that burden.  
23 Fiore separately moves for a new trial, arguing that her right to present witnesses in her defense

1 was violated, court errors concerning jury instructions and the admission of evidence deprived  
2 her of a fair trial, and her trial counsel provided constitutionally deficient representation. The  
3 trial judge may vacate a judgment of conviction and retry the case with a new jury if the interests  
4 of justice so require. But Fiore has not shown that these circumstances were erroneous—let  
5 alone of the caliber that merits a new trial. So I deny the motions.

### 6 **Background<sup>1</sup>**

7 In July 2024, a grand jury indicted Fiore on four wire-fraud counts and one count of  
8 conspiracy to commit that fraud with a co-conspirator identified only as “Person A.”<sup>2</sup> The  
9 government soon filed a superseding indictment, adding two more wire-fraud charges.<sup>3</sup> Fiore  
10 invoked her right to a speedy trial, and a jury was empaneled on September 24, 2024, just 70  
11 days after she was first indicted.<sup>4</sup>

#### 12 **A. After Fiore suggests commissioning a statue of Alyn Beck in 2018, a private** 13 **developer agrees to pay the full cost of the statue.**

14 The government’s case against Fiore revolved around her scheme to capitalize on a  
15 community tragedy. On June 8, 2014, Las Vegas Metropolitan Police officers Alyn Beck and  
16 Igor Soldo were gunned down while they were on their lunch break in Northeast Las Vegas.  
17 Beck and his family lived in Las Vegas’s Ward 6, and Steven Ross was that ward’s  
18  
19

---

20 <sup>1</sup> The facts in this section are a summary of the evidence introduced at trial that is relevant to  
21 Fiore’s motions for acquittal or a new trial. Though I do not include a summary of every witness  
22 who testified or every argument by counsel, I reviewed and considered the entire record when  
analyzing Fiore’s arguments here.

23 <sup>2</sup> ECF No. 1.

<sup>3</sup> ECF No. 19.

<sup>4</sup> See ECF Nos. 53, 83.

1 councilperson at the time of the shooting. Beck’s widow Nicole<sup>5</sup> testified at trial that she and  
2 Ross worked together to rename a nearby future park after her late husband.<sup>6</sup>

3 In 2017, Michele Fiore was elected to the Ward 6 seat, replacing Ross as its  
4 councilperson.<sup>7</sup> Nicole recalled meeting Fiore at the December 2018 groundbreaking of the  
5 Alyn Beck Memorial Park, during which Fiore spoke and shared an idea that she came up with  
6 “that morning” to commission a statue of Beck and add it to the park.<sup>8</sup> Nicole testified that Fiore  
7 never discussed that idea with her before announcing it and that she never talked to Fiore directly  
8 about the statue after that.<sup>9</sup> But Nicole did communicate with Olympia Companies, the  
9 developer that was building the park. At one point, Olympia reached out to Nicole for photos of  
10 her husband to give the sculptor, Brian Hanlon.<sup>10</sup> Olympia and Hanlon sought Nicole’s input on  
11 Hanlon’s initial sketch of the statue—Fiore was not involved in that call.<sup>11</sup> Nicole testified that  
12 she was unaware that Fiore was purportedly raising money for her late husband’s statue.<sup>12</sup>

13 Sculptor Hanlon testified that he was hired by Olympia in the summer of 2019 to create  
14 the Beck statue.<sup>13</sup> He discussed details about when the statue would be ready for installation  
15 with members of Fiore’s staff and had a meeting with Fiore in January 2020, but that was the  
16

17 \_\_\_\_\_  
18 <sup>5</sup> Because Alyn and Nicole Beck share the same last name, I refer to Ms. Beck as Nicole  
19 throughout this order. No disrespect is intended by doing so.

20 <sup>6</sup> ECF No. 87 at 44:12–45:17.

21 <sup>7</sup> ECF No. 43 at 2.

22 <sup>8</sup> ECF No. 87 at 48:11–49:16.

23 <sup>9</sup> *Id.* at 56:9–15; 58:15–22; 64:19–23.

<sup>10</sup> *Id.* at 56:19–57:14.

<sup>11</sup> *Id.* at 58:10–14.

<sup>12</sup> *Id.* at 65:4–15.

<sup>13</sup> *Id.* at 75:7–76:25.

1 extent of his interaction with Fiore concerning the Beck statue.<sup>14</sup> Hanlon testified that he was  
2 paid a total of approximately \$90,000 for the statue, the dedication plaques that were placed at  
3 the park, and his travel to and from Las Vegas.<sup>15</sup> Olympia’s Vice President Chris Armstrong  
4 testified that Olympia paid for the statue and that the contract memorializing that agreement was  
5 signed in August 2019.<sup>16</sup> Although at one point Olympia and the City of Las Vegas had  
6 discussed splitting the cost between them, sometime between the fall of 2019 and February 2020,  
7 Armstrong informed the City that Olympia would donate the full cost “as a gesture,” and Fiore  
8 was part of those conversations.<sup>17</sup> Hanlon testified that he had also made a statue of Officer  
9 Soldo, which was paid for by the City of Las Vegas, but that piece had not yet been unveiled at  
10 the time of trial.<sup>18</sup>

11 **B. Despite Olympia’s promise to pay for the Beck statue, Fiore solicits donations for it**  
12 **between July 2019 and February 2020.**

13 The government questioned 11 witnesses who testified that they made donations to  
14 Fiore’s political action committee (PAC) or charity based on representations that those funds  
15 would be used to pay for the Beck statue. Five of those witnesses testified to the donations that  
16 formed the basis of the six wire-fraud counts charged in the superseding indictment.

---

21 <sup>14</sup> *Id.* at 80:10–84:10.

22 <sup>15</sup> *Id.* at 95:18–24.

23 <sup>16</sup> ECF No. 90 at 55:11–17.

<sup>17</sup> *Id.* at 56:16–57:21.

<sup>18</sup> ECF No. 87 at 85:21–86:8.

1                   **1.       Count 2: the Lombardo campaign's \$5,000 donation to Fiore's PAC on July 16,**  
 2                   **2019**<sup>19</sup>

3           Joseph Lombardo is now the Governor of Nevada, but in 2019 he was the Clark County  
 4 Sheriff. Lombardo testified that, in July 2019, he donated \$5,000 from his Lombardo for Sheriff  
 5 political campaign to Fiore's PAC, "Future for Nevadans" (FFN).<sup>20</sup> The check's memo line  
 6 indicates that it was for the "Alyn Beck statue."<sup>21</sup> Lombardo testified that Fiore asked him for  
 7 the donation.<sup>22</sup> He recalled that she told him that "she was proactively raising money for the  
 8 statues of both Igor and Alyn and . . . was asking for a donation for the statues."<sup>23</sup> He couldn't  
 9 recall how that conversation came about, but he was certain that Fiore spoke to him about  
 10 donating.<sup>24</sup> Lombardo also testified that he would not have donated to Fiore had he believed that  
 11 the money would be used to finance her political career or personal expenses.<sup>25</sup>

12                   **2.       Count 3: Elizabeth Stavola's \$5,000 donation to Fiore's charity on October 28,**  
 13                   **2019**

14           Elizabeth Stavola testified that she gave \$5,000 to Fiore's charitable entity, "A Bright  
 15 Present Foundation" (ABPF), in October 2019.<sup>26</sup> She recalled that she had "received a flyer and  
 16 a call" from Fiore soliciting the donation, but she no longer had a copy of the flyer and didn't

17  
 18 \_\_\_\_\_  
 19 <sup>19</sup> The government charged Fiore with conspiracy in count 1 of the superseding indictment.  
 Counts 2–7 each allege a separate wire-fraud charge. *See* ECF No. 19.

20 <sup>20</sup> ECF No. 90 at 13:1–14:15; Gov't Ex. 62 (Lombardo's check to FFN).

21 <sup>21</sup> ECF No. 90 at 14:20–23; Gov't Ex. 62 (cleaned up).

22 <sup>22</sup> ECF No. 90 at 14:24–15:1.

23 <sup>23</sup> *Id.* at 15:4–6.

24 <sup>24</sup> *Id.* at 15:6–14.

25 <sup>25</sup> *Id.* at 15:19–24.

<sup>26</sup> ECF No. 87 at 247:11–22; Gov't Ex. 42 (Stavola's check to ABPF).

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.