

STATE OF NEW MEXICO
COUNTY OF DONA ANA
IN THE THIRD JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO

No. _____

v.

DANIEL SALINAS, Defendant

DOB: [REDACTED]

SSN: [REDACTED]

ADDRESS: [REDACTED]

WARRANT FOR ARREST

THE STATE OF NEW MEXICO
TO ANY OFFICER AUTHORIZED TO EXECUTE THIS WARRANT:

- 1) **Extortion**
- 2) **Conspiracy to Commit Extortion**
- 3) **Tampering with Evidence (Highest Crime is a Third or Fourth Degree Felony); and**
- 4) **Conspiracy to Commit Tampering with Evidence**

BASED ON A FINDING OF PROBABLE CAUSE, YOU ARE COMMANDED to arrest the above-named defendant and bring the defendant without unnecessary delay before this court: to answer the charges of

- 1) **Extortion.** On or between February 15, 2012 and February 24, 2012 the Defendant communicated or transmitted a threat to expose, or impute to Gerardo Hernandez any deformity or disgrace by any means whatsoever with the intent thereby to wrongfully obtain anything of value or to wrongfully compel the person threatened to do or refrain from doing any act against his will in violation of NMSA 1978 §30-16-9(C); a third degree felony;
- 2) **Conspiracy to Commit Extortion.** On or between February 15, 2012 and February 24, 2012 the Defendant did knowingly combine with another to commit Extortion, a felony, in violation of NMSA 1978 §30-28-2 and §30-16-9(C), a fourth degree felony;
- 3) **Tampering with Evidence (Highest Crime is a Third or Fourth Degree Felony).** On or between February 21, 2012 and February 23, 2012 the Defendant did destroy, change, hide, place, or fabricate physical evidence, *to wit*: two laptop computers and/or a video and/or image(s) used in the extortion of Gerardo Hernandez, with the intent to prevent the apprehension, prosecution or conviction of any person or to throw suspicion of the commission of a crime upon

another in violation of NMSA 1978 §30-22-5(B)(2) and §30-16-9; a fourth degree felony; and,

4) **Conspiracy to Commit Tampering with Evidence.** On or between February 21, 2012 and February 23, 2012 the Defendant did knowingly combine with another to commit Tampering with Evidence (Highest Crime is a Third or Fourth Degree Felony), a felony, in violation NMSA 1978 §30-28-2 and §30-22-5(B)(2), a fourth degree felony.

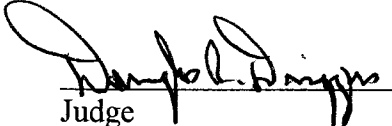
THIS WARRANT MAY BE EXECUTED:

- in any jurisdiction;
- anywhere in this state;
- anywhere in this county;
- anywhere in this city.

The person obtaining this warrant shall cause it to be entered into a law enforcement information system:

- maintained by the state police.
- _____ (identify other law enforcement information system).

BOND: \$ 50,000 CASH ONLY


 Judge

2-25-12
 Date

RETURN WHERE DEFENDANT IS FOUND

I arrested the above-named defendant on the 25 day of FEBRUARY, 2012, and served a copy of this warrant on the 25 day of FEBRUARY, 2012 and caused this warrant to be removed from the warrant information system identified in this warrant.

R. P. ROBLES
 Signature

PTLM / NMSP
 Title

STATE OF NEW MEXICO
COUNTY OF DONA ANA
IN THE THIRD JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO

v.

No. _____

DANIEL SALINAS, Defendant

AFFIDAVIT FOR ARREST WARRANT

The undersigned, being duly sworn, on his oath, states that he has reason to believe that on or between the 15th day of February 2012 and the 24th day of February 2012, in the County of Dona Ana, State of New Mexico, the above-named defendant did commit the crime of:

- 1) **Extortion**
- 2) **Conspiracy to Commit Extortion**
- 3) **Tampering with Evidence (Highest Crime is a Third or Fourth Degree Felony); and**
- 4) **Conspiracy to Commit Tampering with Evidence**

contrary to law of the State of New Mexico.

The undersigned further states the following facts on oath to establish probable cause to believe that the above-named defendant committed the crimes charged:

Affiant was assigned by New Mexico State Police Investigation Bureau Lieutenant Thomas Mora to investigate allegations related to the extortion of Sunland Park mayoral candidate Gerardo Hernandez occurring on or about February 16, 2012.

Affiant learned that Ricky Madrid who is a retired detective from the Las Cruces Police Department and who currently works as a contract investigator for the Third Judicial District Attorney's Office had been contacted on February 16, 2012 by Gerardo Hernandez. Gerardo Hernandez advised that he is a mayoral candidate for the City of Sunland Park.

Affiant learned that on February 16, 2012 Gerardo Hernandez was approached at his campaign camp in front of the Sunland Park City Hall by a male subject who had instructed him to withdraw his candidacy for the office of mayor for the City of Sunland Park. The male subject advised that the "merchants from the area" were interested in keeping the same administration that is currently running the City of Sunland Park and that this group wants Gerardo Hernandez to withdraw from the mayoral race. The subject then retrieved a photograph of Gerardo Hernandez which depicted him with a topless female. The subject told Gerardo Hernandez to withdraw his name from the mayoral race or that the picture would be published. The subject

then proceeded towards the campaign camp of Gerardo Hernandez's opponent, Daniel Salinas, on the other side of the City Hall parking lot where the subject then got into a vehicle and left the area.

Affiant learned that Gerardo Hernandez did recognize the image depicted in the photograph. Gerardo Hernandez explained that he had recently been approached by a Juarez, Mexico, reporter named Jose Reyes who wanted to discuss Gerardo Hernandez's plans for the future. Gerardo Hernandez stated that Jose Reyes showed up to the meeting and, apparently, had brought a female companion with him to the interview. Gerardo Hernandez further explained that during the course of the interview that Jose Reyes suddenly turned on music at which point his female companion took off her top. The female companion has not yet been identified.

Affiant learned that Mayor Pro-Tem Daniel Salinas is running for mayor against Gerardo Hernandez.

On February 21, 2012 members of the New Mexico State Police executed a search warrant on Sunland Park City Hall located at 1000 McNutt Road in Sunland Park, New Mexico.

Affiant learned that marked and unmarked law enforcement vehicles arrived at City Hall at approximately 4:25 p.m. As members of the execution team exited the vehicles and began to approach the entrance of City Hall when a Hispanic female approximately in her mid-to-late twenties was observed speaking on a cell phone, looking back at members of the execution team, and she entered City Hall in a hurried manner. Law enforcement followed behind this individual and attempted to clear and secure City Hall for purposes of preventing the destruction or tampering of evidence and to execute the search warrant.

Affiant learned that the Hispanic female that entered City Hall prior to law enforcement securing the facility had taken an immediate right towards the Mayor's office which is occupied at this time by Mayor Pro-Tem Daniel Salinas. This individual, upon taking the immediate right, began to run towards the Mayor's office as she continued to talk on her cell phone. These observations were further captured on surveillance video maintained by City Hall. This individual was later identified as Martah Alondra Lozano who is employed as temporary human resources assistant for City Hall. Martah Alondra Lozano then entered the Mayor's office, locked the door and quickly exited through a rear exit door located in the Mayor's office.

Affiant learned that law enforcement had attempted to open the door to the Mayor's office; however, were not initially able to enter the Mayor's office as it had been locked by Martah Alondra Lozano. Law enforcement did hear the rear exit door to the Mayor's office slam shut. Upon entry into the Mayor's office it was observed by Officer Robles that the Mayor's desk was in disarray, computer cables were left exposed and, apparently, one or more computer device had been taken in a hurried manner.

Affiant learned that Dario Hernandez who is employed as the Sunland Park Public Works Director was observed in the City Manager's office on surveillance cameras contemporaneously saying to the City Manager, Jaime Aguilera, "they are coming . . . get rid of the video" referring

to law enforcement's approach to the City Hall government building.

Affiant learned that on February 22, 2012 that Martah Alondra Lozano had stated to Ricky Madrid that she was in fact the person who was seen by Officer Robles and members of the search warrant execution team proceeding towards the Mayor's office. Martah Alondra Lozano stated that she had received a telephone call from Pro-Tem Mayor Daniel Salinas instructing her to grab the two laptop computers from his office which she stated were later provided to Pro-Tem Mayor Daniel Salinas and in his possession. Martah Alondra Lozano further advised that she had observed a video that was sexual in nature of the mayoral candidate Gerardo Hernandez.

Affiant learned that the subject video was released to media outlets by an anonymous individual on February 22, 2012 following the execution of the search warrant on City Hall. Portions of the video were aired on regional television outlets depicting mayoral candidate Gerardo Hernandez with a topless female. The investigation has revealed that the photograph that was displayed to Gerardo Hernandez on February 16, 2012 was a still shot taken from that video. Gerardo Hernandez indicated that there was a laptop computer present during the encounter with this topless female and he believed that the laptop was equipped with a video camera.

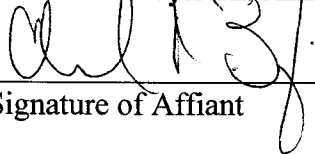
Affiant learned that on February 24, 2012, at approximately 7:04 a.m., New Mexico State Police executed a search warrant on the residence of [REDACTED] Sunland Park, NM [REDACTED] and multiple vehicles to include a 2010 silver Ford pick-up truck bearing NM plate [REDACTED] [REDACTED] which were in the possession of Pro-Tem Mayor Daniel Salinas.

Affiant learned that Pro-Tem Mayor Daniel Salinas had stated to members of the search warrant execution team that he had the two laptops; however, that they were stolen from him on February 23, 2012 in Juarez, Mexico. The search of the items subject to the search warrant did not reveal the two laptops that were taken by Martah Alondra Lozano on the previous date and given to Pro-Tem Mayor Daniel Salinas.

Affiant learned on February 24, 2012 that an analysis was performed on the contents of Jaime Aguilera's office computer by Officer Michael Brookreson of the Las Cruces Police Department. Jaime Aguilera's City Hall computer revealed that the extortion video was on his computer on February 15, 2012. Officer Brookreson was able to determine that the extortion video depicting Gerardo Hernandez and a nude woman was opened with video editing software on Jaime Aguilera's computer. Further, a still image was taken from the video utilizing the video editing software on his computer. The still image was saved on the computer and it evidences that the user of the editing software had adjusted the lighting on the image to make the face of Gerardo Hernandez more readily transparent from the first image to the third image.

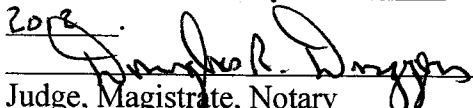
On February 24, 2012 Affiant observed surveillance video footage of City Hall covering the date of February 15, 2012. Affiant observed Mayor Pro-Tem Daniel Salinas enter Jaime Aguilera's office carrying a laptop computer. The video surveillance time stamp corresponds with a time stamp on Jaime Aguilera's computer that shows that Mayor Pro-Tem Daniel Salinas

was inside of Jaime Aguilera's office when Jaime Aguilera opened the video editing software, accessed the extortion video, and edited a still photo from the video. Further, information from these sources also evidence that Mayor Pro-Tem Daniel Salinas left Jaime Aguilera's office and provided his laptop to Martah Alondra Lozano. The still image was used the following date, February 16, 2012, in order to extort Gerardo Hernandez into withdrawing for the mayoral position of Sunland Park.

CHARLES A. BOYLSTON
Charles A. Boylston, Affiant

Signature of Affiant

AGENT
Official title (if any)

Subscribed and sworn to before
me in the above-named [county]
[city] of the State of New Mexico
this 25th day of FEBRUARY,

2012.

Judge, Magistrate, Notary
or Other Officer Authorized
to Administer Oaths

NOTE: Article II, Section 10 of the New Mexico Constitution provides that an Arrest Warrant may issue on a sworn written statement of facts showing probable cause. This Affidavit is to be used only when the Complaint does not set forth sufficient facts to establish probable cause.

STATE OF NEW MEXICO
COUNTY OF DONA ANA
IN THE THIRD JUDICIAL DISTRICT

STATE OF NEW MEXICO

v.

No. _____

DANIEL SALINAS, Defendant

**ORDER SETTING CONDITIONS OF RELEASE
BAIL BOND**

It is ordered that the defendant be released on bail in the amount of FIFTY THOUSAND dollars (\$ 50,000) provided that the defendant executes this order and agreement and:

(check and complete applicable alternatives)

deposits with the court the sum of FIFTY THOUSAND dollars (\$ 50,000) in cash being 100 % of the required bond to secure its performance. *(A paid surety may post cash with the court provided the paid surety executes an agreement that upon forfeiture the paid surety will pay the balance of the full amount of the bail set forth above.)*

executes a bail bond on a form approved by the supreme court in the sum of _____ dollars (\$ _____) or deposits with the clerk of the court, in cash, one-hundred (100%) of the amount of the bail set. *(If a surety posts bond for the defendant the defendant and the surety must also execute Form 9-304 NMRA.)*

It is ordered that the defendant report to *(name)*

(set forth designated entity or pretrial services agency agreeing to supervise the defendant) _____ (set forth telephone number of entity).

DEFENDANT'S BOND

I _____, defendant in the above-entitled matter, do hereby bind myself to the following conditions of release:

*(court or designee must complete before
the defendant reads and signs this bond)*

I agree to appear before the above court on _____, at _____ [a.m.] [p.m.] in courtroom _____ and at such other places as I may be required to appear, in accordance with any and all orders and directions relating to my appearance in the

above-entitled matter as may be given or issued by the above court or any magistrate, district or appellate court to which the above entitled case may be removed or the cause transferred.

I further agree to pay the [State of New Mexico] [City of _____] the full amount of the bail set forth above in the event that I fail to appear as required.

**Agreement to Comply with All
Additional Conditions of Release**

I further agree that:

*(court or designee must complete
applicable conditions prior
to signature by the defendant)*

- I will remain in the custody of the above named third-party custodian who has agreed to report any violation of a release condition to the court;
- I understand that my release is subject to my maintaining my employment. If my employment is terminated I agree to immediately report such termination to the court;
- I will actively seek employment;
- I will attend classes at _____;
- I will not associate with the following persons _____
_____;
- I will not leave the [city of _____] [this county] [the county of DONA ANA]
[this state] [the state of N.M.] without further permission of the court;
- I will reside at _____ unless otherwise agreed to by the court;
- I will avoid all contact with Jaime Aguilera; Martah Alondra Lozano; and Jesus Dario Hernandez;
- I will avoid all contact with employees of the City of Sunland Park, New Mexico;
- I will avoid all contact with premises of the Sunland Park City Hall including areas designated for parking located at 1000 McNutt, Sunland Park, New Mexico 88063;
- I will not leave my residence between the hours of ____ [p.m.] and ____ [a.m.] without prior permission of the court;
- I will not possess a firearm, destructive device or other dangerous weapon without prior permission of the court;

- I will:
- refrain from excessive consumption of beer, wine and other alcoholic beverages;
 - not drink any alcoholic beverages;
 - I will not take or use any narcotic drugs without a prescription by a licensed medical practitioner;
 - I will submit to any urine analysis or alcohol test upon the request of _____;
 - I agree to the following [medical] [psychological or psychiatric] treatment for _____ *(set forth treatment such as treatment for drug or alcohol dependency)*;
 - I will remain at *(set forth institution)* _____ for the following treatment _____ for a period of _____;
 - I agree that if I am released for the purpose of [employment] [schooling], I will return to _____ *(set forth place of detention)* each day immediately after [work] [school] [classes].

I understand the above conditions of release and agree to them.

I understand that the court may have me arrested at any time, without notice, to review and reconsider these conditions.

I understand, that if I fail to appear as required, I may be prosecuted and sent to [jail] [the penitentiary] for the separate offense of failure to appear. I agree to comply fully with each of the conditions imposed on my release and to notify the court promptly in the event I change the address indicated below.

I understand that my conditions of release may be revoked and I may be charged with a separate criminal offense if I intimidate or threaten a witness, the victim or an informant or if I otherwise obstruct justice.

I further understand that my conditions of release will be revoked if I violate a federal, state or local criminal law.

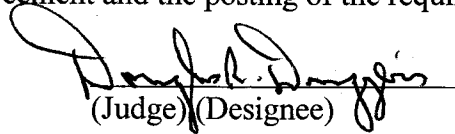
Defendant

Address

City and State

Telephone Number

The above conditions of release are hereby approved. The defendant shall be released from custody upon the execution of this agreement and the posting of the required bail bond.


(Judge)(Designee)

2-25-12
Date

[Approved effective September 1, 1990; as amended by Supreme Court Order 07-8300-29, effective December 10, 2007.]

STATE OF NEW MEXICO
COUNTY OF DONA ANA
IN THE THIRD JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO

No. _____

v.

JAIME RAUL AGUILERA, Defendant

DOB: [REDACTED]

SSN: [REDACTED]

ADDRESS: [REDACTED]

CRIMINAL COMPLAINT

CRIME: Extortion; Conspiracy to Commit Extortion; Tampering with Evidence (Highest Crime is a Third or Fourth Degree Felony); and Conspiracy to Commit Tampering with Evidence

The undersigned, under penalty of perjury complains and says that in the County of Dona Ana, State of New Mexico, the above named defendant did:

COUNT 1

Extortion. On or between February 15, 2012 and February 24, 2012 the Defendant communicated or transmitted a threat to expose, or impute to Gerardo Hernandez any deformity or disgrace by any means whatsoever with the intent thereby to wrongfully obtain anything of value or to wrongfully compel the person threatened to do or refrain from doing any act against his will in violation of NMSA 1978 §30-16-9(C); a third degree felony;

COUNT 2

Conspiracy to Commit Extortion. On or between February 15, 2012 and February 24, 2012 the Defendant did knowingly combine with another to commit Extortion, a felony, in violation of NMSA 1978 §30-28-2 and §30-16-9(C), a fourth degree felony;

COUNT 3

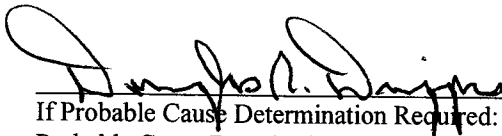
Tampering with Evidence (Highest Crime is a Third or Fourth Degree Felony). On or about February 21, 2012 the Defendant did destroy, change, hide, place, or fabricate physical evidence, *to wit*: deleting and/or editing images and/or video used in the extortion of Gerardo Hernandez, with the intent to prevent the apprehension, prosecution or conviction of any person or to throw suspicion of the commission of a crime upon another in violation of NMSA 1978 §30-22-5(B)(2) and §30-16-9; a fourth degree felony; and,

COUNT 4

Conspiracy to Commit Tampering with Evidence. On or between February 15, 2012 and February 21, 2012 the Defendant did knowingly combine with another to commit Tampering with Evidence (Highest Crime is a Third or Fourth Degree Felony), a felony, in violation NMSA 1978 §30-28-2 and §30-22-5(B)(2), a fourth degree felony.

SEE ATTACHED STATEMENT OF FACTS INCORPORATED HEREIN BY REFERENCE

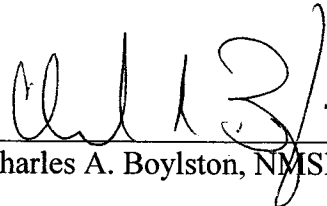
I SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT THE FACTS SET FORTH ABOVE ARE TRUE TO THE BEST OF MY INFORMATION AND BELIEF. I UNDERSTAND THAT IT IS A CRIMINAL OFFENSE SUBJECT TO THE PENALTY OF IMPRISONMENT TO MAKE A FALSE STATEMENT IN A CRIMINAL COMPLAINT.



If Probable Cause Determination Required:
Probable Cause Found ; Not Found
(If not found, complaint dismissed & defendant released)

Date: _____

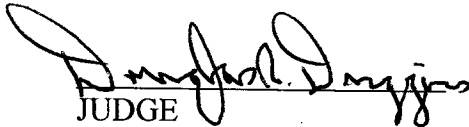
Judge _____



Charles A. Boylston, NMSP

AGENT

Approved / Title


JUDGE

STATE OF NEW MEXICO
COUNTY OF DONA ANA
IN THE THIRD JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO

No. _____

v.

JAIME RAUL AGUILERA, Defendant

DOB: [REDACTED]

SSN: [REDACTED]

ADDRESS: [REDACTED]

WARRANT FOR ARREST

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violation of NMSA 1978 §30-22-5(B)(2) and §30-16-9; a fourth degree felony; and,

4) **Conspiracy to Commit Tampering with Evidence.** On or between February 21, 2012 and February 23, 2012 the Defendant did knowingly combine with another to commit Tampering with Evidence (Highest Crime is a Third or Fourth Degree Felony), a felony, in violation NMSA 1978 §30-28-2 and §30-22-5(B)(2), a fourth degree felony.

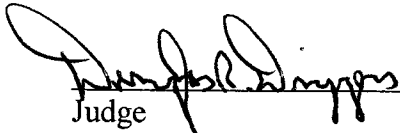
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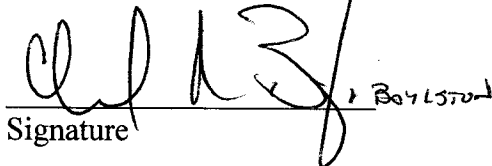
BOND: \$50,000 CASH ONLY


Judge

2-25-12
Date

RETURN WHERE DEFENDANT IS FOUND

I arrested the above-named defendant on the 25th day of FEBRUARY, 2012, and served a copy of this warrant on the 25th day of FEBRUARY, 2012 and caused this warrant to be removed from the warrant information system identified in this warrant.


Signature

AGENT
Title

STATE OF NEW MEXICO
COUNTY OF DONA ANA
IN THE THIRD JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO

v.

No. _____

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AFFIDAVIT FOR ARREST WARRANT

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contrary to law of the State of New Mexico.

The undersigned further states the following facts on oath to establish probable cause to believe that the above-named defendant committed the crimes charged:

Affiant was assigned by New Mexico State Police Investigation Bureau Lieutenant Thomas Mora to investigate allegations related to the extortion of Sunland Park mayoral candidate Gerardo Hernandez occurring on or about February 16, 2012.

Affiant learned that Ricky Madrid who is a retired detective from the Las Cruces Police Department and who currently works as a contract investigator for the Third Judicial District Attorney's Office had been contacted on February 16, 2012 by Gerardo Hernandez. Gerardo Hernandez advised that he is a mayoral candidate for the City of Sunland Park.

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Affiant learned that the subject video was released to media outlets by an anonymous individual on February 22, 2012 following the execution of the search warrant on City Hall. Portions of the video were aired on regional television outlets depicting mayoral candidate Gerardo Hernandez with a topless female. The investigation has revealed that the photograph that was displayed to Gerardo Hernandez on February 16, 2012 was a still shot taken from that video. Gerardo Hernandez indicated that there was a laptop computer present during the encounter with this topless female and he believed that the laptop was equipped with a video camera.

Affiant learned that on February 24, 2012, at approximately 7:04 a.m., New Mexico State Police executed a search warrant on the residence of [REDACTED] Sunland Park, NM [REDACTED] and multiple vehicles to include a 2010 silver Ford pick-up truck bearing NM plate [REDACTED] [REDACTED] which were in the possession of Pro-Tem Mayor Daniel Salinas.

Affiant learned that Pro-Tem Mayor Daniel Salinas had stated to members of the search warrant execution team that he had the two laptops; however, that they were stolen from him on February 23, 2012 in Juarez, Mexico. The search of the items subject to the search warrant did not reveal the two laptops that were taken by Martah Alondra Lozano on the previous date and given to Pro-Tem Mayor Daniel Salinas.

Affiant learned on February 24, 2012 that an analysis was performed on the contents of Jaime Aguilera's office computer by Officer Michael Brookreson of the Las Cruces Police Department. Jaime Aguilera's City Hall computer revealed that the extortion video was on his computer on February 15, 2012. Officer Brookreson was able to determine that the extortion video depicting Gerardo Hernandez and a nude woman was opened with video editing software on Jaime Aguilera's computer. Further, a still image was taken from the video utilizing the video editing software on his computer. The still image was saved on the computer and it evidences that the user of the editing software had adjusted the lighting on the image to make the face of Gerardo Hernandez more readily transparent from the first image to the third image.

On February 24, 2012 Affiant observed surveillance video footage of City Hall covering the date of February 15, 2012. Affiant observed Mayor Pro-Tem Daniel Salinas enter Jaime Aguilera's office carrying a laptop computer. The video surveillance time stamp corresponds with a time stamp on Jaime Aguilera's computer that shows that Mayor Pro-Tem Daniel Salinas

was inside of Jaime Aguilera's office when Jaime Aguilera opened the video editing software, accessed the extortion video, and edited a still photo from the video. Further, information from these sources also evidence that Mayor Pro-Tem Daniel Salinas left Jaime Aguilera's office and provided his laptop to Martah Alondra Lozano. The still image was used the following date, February 16, 2012, in order to extort Gerardo Hernandez into withdrawing for the mayoral position of Sunland Park.

CHARLES A. BOYLSTON
Charles A. Boylston, Affiant
Charles A. Boylston
Signature of Affiant

AGENT
Official title (if any)

Subscribed and sworn to before
me in the above-named [county]
[city] of the State of New Mexico
this 25th day of FEBRUARY,

2012.
[Signature]
Judge, Magistrate, Notary
or Other Officer Authorized
to Administer Oaths

NOTE: Article II, Section 10 of the New Mexico Constitution provides that an Arrest Warrant may issue on a sworn written statement of facts showing probable cause. This Affidavit is to be used only when the Complaint does not set forth sufficient facts to establish probable cause.

STATE OF NEW MEXICO
COUNTY OF DONA ANA
IN THE THIRD JUDICIAL DISTRICT

STATE OF NEW MEXICO

v.

No. _____

JAIME AGUILERA, Defendant

**ORDER SETTING CONDITIONS OF RELEASE
BAIL BOND**

It is ordered that the defendant be released on bail in the amount of FIFTY THOUSAND dollars (\$50,000) provided that the defendant executes this order and agreement and:

(check and complete applicable alternatives)

deposits with the court the sum of FIFTY THOUSAND dollars (\$50,000) in cash being 100 % of the required bond to secure its performance. *(A paid surety may post cash with the court provided the paid surety executes an agreement that upon forfeiture the paid surety will pay the balance of the full amount of the bail set forth above.)*

executes a bail bond on a form approved by the supreme court in the sum of _____ dollars (\$ _____) or deposits with the clerk of the court, in cash, one-hundred (100%) of the amount of the bail set. *(If a surety posts bond for the defendant the defendant and the surety must also execute Form 9-304 NMRA.)*

It is ordered that the defendant report to *(name)*

(set forth designated entity or pretrial services agency agreeing to supervise the defendant) _____ *(set forth telephone number of entity).*

DEFENDANT'S BOND

I _____, defendant in the above-entitled matter, do hereby bind myself to the following conditions of release:

*(court or designee must complete before
the defendant reads and signs this bond)*

I agree to appear before the above court on _____, at _____ [a.m.] [p.m.] in courtroom _____ and at such other places as I may be required to appear, in accordance with any and all orders and directions relating to my appearance in the

above-entitled matter as may be given or issued by the above court or any magistrate, district or appellate court to which the above entitled case may be removed or the cause transferred.

I further agree to pay the [State of New Mexico] [City of _____] the full amount of the bail set forth above in the event that I fail to appear as required.

**Agreement to Comply with All
Additional Conditions of Release**

I further agree that:

*(court or designee must complete
applicable conditions prior
to signature by the defendant)*

- I will remain in the custody of the above named third-party custodian who has agreed to report any violation of a release condition to the court;
- I understand that my release is subject to my maintaining my employment. If my employment is terminated I agree to immediately report such termination to the court;
- I will actively seek employment;
- I will attend classes at _____;
- I will not associate with the following persons _____
_____;
- I will not leave the [city of _____] [this county] [the county of _____]
[this state] [the state of _____] without further permission of the court;
- I will reside at _____ unless otherwise agreed to by the court;
- I will avoid all contact with Jesus Dario Hernandez; Daniel Salinas; and Martah Alondra Lozano;
- I will avoid all contact with employees of the City of Sunland Park, New Mexico;
- I will avoid all contact with premises of the Sunland Park City Hall including areas designated for parking located at 1000 McNutt, Sunland Park, New Mexico 88063;
- I will not leave my residence between the hours of ____ [p.m.] and ____ [a.m.] without prior permission of the court;
- I will not possess a firearm, destructive device or other dangerous weapon without prior permission of the court;

- I will:
- refrain from excessive consumption of beer, wine and other alcoholic beverages;
 - not drink any alcoholic beverages;
 - I will not take or use any narcotic drugs without a prescription by a licensed medical practitioner;
 - I will submit to any urine analysis or alcohol test upon the request of _____;
 - I agree to the following [medical] [psychological or psychiatric] treatment for _____ *(set forth treatment such as treatment for drug or alcohol dependency)*;
 - I will remain at *(set forth institution)* _____ for the following treatment _____ for a period of _____;
 - I agree that if I am released for the purpose of [employment] [schooling], I will return to _____ *(set forth place of detention)* each day immediately after [work] [school] [classes].

I understand the above conditions of release and agree to them.

I understand that the court may have me arrested at any time, without notice, to review and reconsider these conditions.

I understand, that if I fail to appear as required, I may be prosecuted and sent to [jail] [the penitentiary] for the separate offense of failure to appear. I agree to comply fully with each of the conditions imposed on my release and to notify the court promptly in the event I change the address indicated below.

I understand that my conditions of release may be revoked and I may be charged with a separate criminal offense if I intimidate or threaten a witness, the victim or an informant or if I otherwise obstruct justice.

I further understand that my conditions of release will be revoked if I violate a federal, state or local criminal law.

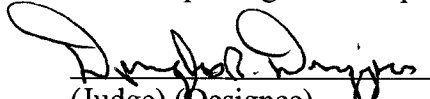
Defendant

Address

City and State

Telephone Number

The above conditions of release are hereby approved. The defendant shall be released from custody upon the execution of this agreement and the posting of the required bail bond.



(Judge) (Designee)

2-25-12
Date

[Approved effective September 1, 1990; as amended by Supreme Court Order 07-8300-29, effective December 10, 2007.]