

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

STATE OF NEW MEXICO

No. \_\_\_\_\_

v.

SILVIA GOMEZ, Defendant

DOB: [REDACTED]

SSN: [REDACTED]

ADDRESS: [REDACTED]

HT: [REDACTED]

### WARRANT FOR ARREST

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

- 1) **False Voting (two counts), 3-8-75(A)(5)**
- 2) **Falsifying election documents, 3-8-75(C)(3)**
- 3) **Conspiracy to Commit Violation of the Municipal Election Code 3-8-79(E)**

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) **False Voting.** On or between January 3, 2012 and February 14, 2012 the Defendant did induce, abet, procure or attempt to procure a person, [REDACTED] who is a person known not to be a qualified elector, to vote in violation of NMSA 1978 §3-8-75(A)(5); a fourth degree felony;
- 2) **Conspiracy to Commit False Voting.** On or between January 3, 2012 and February 14, 2012 the Defendant did knowingly combine with another, [REDACTED] to commit False Voting, a felony, in violation of NMSA 1978 §30-28-2 and §3-8-75(A)(5), a fourth degree felony;
- 3) **False Voting.** On or between January 3, 2012 and February 14, 2012 the Defendant did induce, abet, procure or attempt to procure a person, [REDACTED], who is a person known not to be a qualified elector, to vote in violation of NMSA 1978 §3-8-75(A)(5); a fourth degree felony; and
- 4) **Conspiracy to Commit False Voting.** On or between January 3, 2012 and February 14, 2012 the Defendant did knowingly combine with another, [REDACTED], to commit False Voting, a

felony, in violation of NMSA 1978 §30-28-2 and §3-8-75(A)(5), a fourth degree felony.

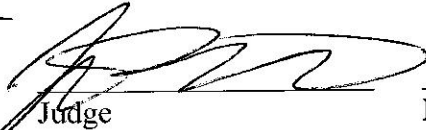
THIS WARRANT MAY BE EXECUTED:

- 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 secured

  
\_\_\_\_\_  
Judge

4 MARCH 2012  
Date

**RETURN WHERE DEFENDANT IS FOUND**

I arrested the above-named defendant on the 4 day of MARCH, 2012, and served a copy of this warrant on the 4 day of MARCH, 2012 and caused this warrant to be removed from the warrant information system identified in this warrant.

  
\_\_\_\_\_  
Signature

PTLM/NMSP  
\_\_\_\_\_  
Title

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

STATE OF NEW MEXICO

v.

No. \_\_\_\_\_

SILVIA GOMEZ, Defendant

DOB: [REDACTED]

SSN: [REDACTED]

ADDRESS: [REDACTED]

HT: [REDACTED]

### CRIMINAL COMPLAINT

#### **CRIME: False Voting (2 counts) and Conspiracy to Commit False Voting (2 counts)**

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**

**False Voting.** On or between January 3, 2012 and February 14, 2012 the Defendant did induce, abet, procure or attempt to procure a person, [REDACTED] who is a person known not to be a qualified elector, to vote in violation of NMSA 1978 §3-8-75(A)(5); a fourth degree felony;

#### **COUNT 2**

**Conspiracy to Commit False Voting.** On or between January 3, 2012 and February 14, 2012 the Defendant did knowingly combine with another, [REDACTED], to commit False Voting, a felony, in violation of NMSA 1978 §30-28-2 and §3-8-75(A)(5), a fourth degree felony;

#### **COUNT 3**

**False Voting.** On or between January 3, 2012 and February 14, 2012 the Defendant did induce, abet, procure or attempt to procure a person, [REDACTED], who is a person known not to be a qualified elector, to vote in violation of NMSA 1978 §3-8-75(A)(5); a fourth degree felony; and

#### **COUNT 4**


**Conspiracy to Commit False Voting.** On or between January 3, 2012 and February 14, 2012 the Defendant did knowingly combine with another, [REDACTED], to commit False Voting, a felony, in violation of NMSA 1978 §30-28-2 and §3-8-75(A)(5), 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: 4 MARCH 2012  
Judge: Jacinto Palomino

  
JUDGE

  
\_\_\_\_\_  
Raul Robles, NMSP

 3/4/12  
\_\_\_\_\_, Dep. DA  
Approved / Title

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

STATE OF NEW MEXICO

v.

No. \_\_\_\_\_

SILVIA GOMEZ, 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 3<sup>rd</sup> day of January 2012 and the 14<sup>th</sup> day of February 2012, in the County of Dona Ana, State of New Mexico, the above-named defendant did commit the crime of:

- 1) **False Voting**
- 2) **Conspiracy to Commit False Voting**
- 3) **False Voting; and**
- 4) **Conspiracy to Commit False Voting**

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:

On February 29, 2012 Affiant learned from the El Paso County Elections Department that [REDACTED] and [REDACTED] were registered to vote in El Paso, Texas on January 10, 1998, that their residence is located at [REDACTED] El Paso, Texas [REDACTED], and, that their Texas voter registrations are still active.

Affiant obtained the voter registrations for [REDACTED] and [REDACTED] from Mario O. Jimenez, III, who is the Chief Deputy Clerk for Dona Ana County. The voter registrations list the addresses for [REDACTED] and [REDACTED] as [REDACTED] Sunland Park, NM [REDACTED] and that the agent who assisted them in filling out the registrations was Silvia Gomez who maintains a Voter Registration Agent Identification No. of 10-50.

Affiant and Investigator Ricky Madrid with the District Attorney's Office located Silvia Gomez at the Sunland Park Senior Center which is located at the Sunland Park City Hall. Sylvia Gomez is employed as the Director of the Sunland Park Senior Center. Silvia Gomez gave a recorded statement wherein she admitted to the Affiant that she had registered several people to vote using her address located at [REDACTED] Sunland Park, NM.

Affiant also knows Silvia Gomez to have previously worked as a City Counselor for the City of Sunland Park.

On March 2, 2012 Affiant received and reviewed a report of "Findings on Sunland Park Municipal Election – 2012" issued from the New Mexico Secretary of State and the Bureau of Elections. The report indicates that Silvia Gomez is an employee of the City of Sunland Park and resides at [REDACTED], Sunland Park, New Mexico. Further, the report details that on or between January 5, 2012 and February 7, 2012 [REDACTED] and [REDACTED] registered to vote in the Sunland Park Municipal Election utilizing Silvia Gomez's physical residence as their place of residence, and, that they both in fact voted early on February 14, 2012.

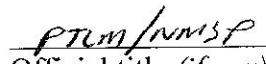
On March 3, 2012 Affiant learned from District Attorney's Office Investigator Joseph Gonzales and Chris Lopez with the Dona Ana Sheriff's Office that a recorded statement was obtained from [REDACTED] and [REDACTED]. [REDACTED] and [REDACTED] advised that on or about January 3, 2012 they proceeded to Sunland Park City Hall for purposes of inquiring about a building permit for vacant land that they own in Sunland Park where they came into contact with Silvia Gomez. [REDACTED] and [REDACTED] further advised that Silvia Gomez asked them to register to vote in the Sunland Park Municipal Election for mayoral candidate Daniel Salinas, that they advised Silvia Gomez that they were Texas residents because Silvia Gomez told them it was okay and that they could use Silvia Gomez's address as their residence on the voter registration form.

Affiant learned that on January 5, 2012 Silvia Gomez turned the voter registrations for [REDACTED] and [REDACTED] into the Sunland Park Clerk's Office which is managed by City Clerk Liz Gamez.

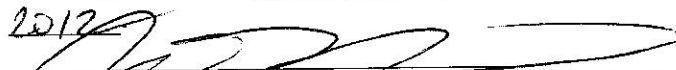
The undersigned further states the following facts on oath to establish probable cause to believe that the above-named defendant(s) committed the crime(s) charged.

\_\_\_\_\_  
Raul Robles, NMSP, Affiant

  
\_\_\_\_\_  
Signature of Affiant

  
\_\_\_\_\_  
Official title (if any)

Subscribed and sworn to before  
me in the above-named [county]  
[city] of the State of New Mexico  
this 4 day of MARCH,

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

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

STATE OF NEW MEXICO

v.

No. \_\_\_\_\_

SILVIA GOMEZ, 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 \_\_\_\_\_ dollars (\$ \_\_\_\_\_) in cash being \_\_\_\_\_% 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 fifty thousand dollars (\$50,000) 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 NEW MEXICO] 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; Jaime Aguilera; Martah Alondra Lozano; [REDACTED]; [REDACTED]; and, [REDACTED]
- 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.

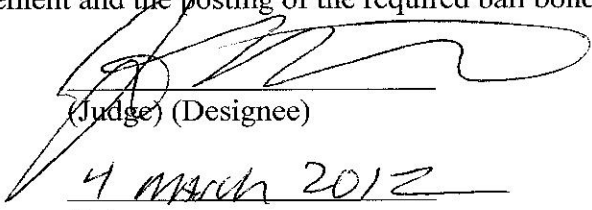
\_\_\_\_\_  
 Defendant  
 \_\_\_\_\_

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)

4 March 2012  
Date

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