

ENDORSED COPY

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

FILED

2012 APR -6 PM 2:36

STATE OF NEW MEXICO

DISTRICT COURT
DONA ANA COUNTY, NM

v.

CR-2012-424 No.

JORGE I. ANGULO, Defendant

Fernando B. Macias

DOB: [REDACTED]

SSN: Unknown

ADDRESS: [REDACTED]

TEXAS DL: [REDACTED]

HT: 5-07 WT: 140 HAIR: Brown EYES: Green

CRIMINAL COMPLAINT

CRIME: Fraud (Over \$20,000); Conspiracy to Commit Fraud (Over \$20,000); Fraud (Over, \$2,500); Conspiracy to Commit Fraud (Over \$2,500); Making or Permitting False Public Vouchers (2 counts); and Conspiracy to Commit Making or Permitting False Public Vouchers (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

Fraud (Over \$20,000) on or between December 1, 2011 and December 29, 2011, in Dona Ana County, New Mexico, the above-named defendant, by words or conduct misrepresented a fact intending to deceive or cheat the City of Sunland Park, and because of the City of Sunland Park's reliance on the misrepresentation, the defendant obtained a cash payment of more than \$20,000.00, a second degree felony, contrary to NMSA 1978 Sections 30-16-6(F) and 30-1-13.

COUNT 2

Conspiracy to Commit Fraud (Over \$20,000), in that on or between December 1, 2011 and December 29, 2011, in Dona Ana County, New Mexico, the above-named defendant did combine with another, for the purpose of committing a felony, to wit: Fraud (Over \$20,000) in reference to the billing of videos to the City of Sunland Park, a third degree felony, contrary to NMSA 1978 Sections 30-38-2 and 30-16-6(F).

COUNT 3

Fraud (Over \$2500) on or between November 14, 2011 and December 2, 2011, in Dona Ana County, New Mexico, the above-named defendant, by words or conduct misrepresented a fact intending to deceive or cheat the City of Sunland Park, and because of the City of Sunland Park's reliance on the misrepresentation, the defendant obtained a cash payment of more than \$2,500.00 and/or services and goods valued at more than \$2,500.00, a third degree felony, contrary to NMSA 1978 Sections 30-16-6(E) and 30-1-13.

COUNT 4

Conspiracy to Commit Fraud (Over \$2,500), in that on or between November 14, 2011 and December 2, 2011, in Dona Ana County, New Mexico, the above-named defendant did combine with another, for the purpose of committing a felony, to wit: Fraud (Over \$2,500) in reference to the per diem and expenses associated with the Border Legislative Conference in Saltillo, Coahuila de Zaragoza, Mexico, a fourth degree felony, contrary to NMSA 1978 Sections 30-38-2 and 30-16-6(E).

COUNT 5

Marking or Permitting False Public Vouchers, on or about November 14, 2011, in Dona Ana County, New Mexico, the above-named defendant did knowingly, intentionally or willfully made, caused to be made or permitted to be made, a false material statement upon any public voucher, or invoice supporting a public voucher, to wit: EnviroSystems Management Consultants, Inc., invoice number 11104, dated November 14, 2011, for the Saltillo Conference Travel Expenses: Lodging and Transportation and Presentation at Border Legislative Conference, intended that the voucher or invoice be relied upon for the expenditure of public money, a fourth degree felony, contrary to NMSA 1978 Sections 30-23-3 and 30-1-13.

COUNT 6

Marking or Permitting False Public Vouchers, on or about December 21, 2011, in Dona Ana County, New Mexico, the above-named defendant did knowingly, intentionally or willfully made, caused to be made or permitted to be made, a false material statement upon any public voucher, or invoice supporting a public voucher, to wit: EnviroSystems Management Consultants, Inc., invoice number 11106, dated December 21, 2011, for the Sunland Park – Anapra LPOE Promotional Video, intended that the voucher or invoice be relied upon for the expenditure of public money, a fourth degree felony, contrary to NMSA 1978 Sections 30-23-3 and 30-1-13.

COUNT 7

Conspiracy to Commit Making or Permitting False Public Vouchers, in that on or about November 14, 2011, in Dona Ana County, New Mexico, the above-named

defendant did combine with another, for the purpose of committing a felony, to wit: Making or Permitting False Public Vouchers in reference to an invoice submitted in connection to the Border Legislative Conference in Saltillo, Coahuila de Zaragoza, Mexico, a fourth degree felony, contrary to NMSA 1978 Sections 30-38-2 and 30-23-3.

COUNT 8

Conspiracy to Commit Making or Permitting False Public Vouchers, in that on or December 21, in Dona Ana County, New Mexico, the above-named defendant did combine with another, for the purpose of committing a felony, to wit: Making or Permitting False Public Vouchers in reference to an invoice submitted in connection to the Sunland Park – Anapra LPOE Promotional Video, a fourth degree felony, contrary to NMSA 1978 Sections 30-38-2 and 30-23-3.

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: 4/6/12
Judge [Signature]

Lisa C. Schultz
[Signature]
JUDGE
Third Judicial District Court

[Signature]
Charles A. Boylston, NMSP
AGENT
Approved / Title

ENDORSED COPY

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

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DISTRICT COURT
DONA ANA COUNTY, NM

STATE OF NEW MEXICO

v.

No. CR-2012-424

JORGE I. ANGULO, Defendant

Fernando R. Macias

AFFIDAVIT FOR ARREST WARRANT

The undersigned, being duly sworn, on his oath, states that he has reason to believe that on or between the 14th day of November 2011 and the 29th day of December 2011, in the County of Dona Ana, State of New Mexico, the above-named defendant did commit the crime of:

- 1) **Fraud (Over \$20,000)**
- 2) **Conspiracy to Fraud (Over \$20,000)**
- 3) **Fraud (Over \$2,500)**
- 4) **Conspiracy to Commit Fraud (Over \$2,500)**
- 5) **Making or Permitting False Public Vouchers (2 counts); and**
- 6) **Conspiracy to Commit Making or Permitting False Public Vouchers (2 counts)**

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 and Investigator Ricky Madrid interviewed Jaime Aguilera on March 6, 2012 at the Third Judicial District Attorney's Office. Mr. Aguilera was interviewed with the consent of his attorney Herman E. Ortiz. Mr. Aguilera had been employed as the Sunland Park City Manager at all relevant periods referenced herein. Mr. Aguilera advised the Affiant during this particular interview that the City of Sunland Park had previously been provided with \$12,000,000.00 by Mr. Stan Fulton in order to establish a border crossing fund. Mr. Fulton is the owner of the Sunland Park Race Track and Casino which is located in Sunland Park, New Mexico.

Affiant further learned from Mr. Aguilera that in order to establish a border crossing in Sunland Park between the United States and Mexico that an environmental impact study would be a necessary prerequisite in obtaining a Presidential Permit. Mr. Aguilera advised that the City of Sunland Park had entered into a contract with Envirosystems Management Consultants, Inc., for the purpose of conducting an environmental impact

study. Mr. Aguilera advised that Jorge I. Angulo and Joe Gonzales-Chew run and manage Envirosystems. The contract between the City of Sunland Park and Envirosystems was for \$2,400,000.00 and it was entered into on or about November 2, 2011.

The following is what Affiant learned from New Mexico State Police Agent Manuel "Ricky" Herrera:

Affiant learned that New Mexico State Police Agent Herrera and Investigator Ricky Madrid had interviewed Arturo Alba on March 23, 2012 at the Third Judicial District Attorney's Office with the consent of Mr. Alba's attorney Santiago Hernandez. Mr. Alba had been employed as the Sunland Park Public Information Officer at all relevant periods of time referenced herein. Mr. Alba advised Agent Herrera that he met Jorge Angulo during a business trip to Saltillo, Mexico, for a border conference in November of 2011. Mr. Alba further advised Agent Herrera that Angelica Marquez, Christian Lira, Daniel Salinas, Jaime Aguilera, Jesus "Dario" Hernandez and Jorge Angulo were to attend the conference.

Affiant knows that at all relevant times referenced herein that Angelica Marquez and Christian Lira were employed as City Counselors for the City of Sunland Park; that Daniel Salinas was employed as the Mayor Pro-Tem for the City of Sunland Park and that Jesus "Dario" Hernandez was employed as the Public Works Director for the City of Sunland Park.

Affiant further knows through materials obtained in connection with the conference; i.e., the agenda, that the conference was specifically entitled the XXIV Border Legislative Conference which was held November 17-19, 2011 in Saltillo, Coahuila de Zaragoza, Mexico.

Affiant further learned that during this particular interview with Agent Herrera that Mr. Alba told them Mr. Lira decided at the last minute not to attend the conference and that Ms. Marquez had issues with her passport and was, also, unable to attend the conference. Further, Mr. Alba advised that Jorge Angulo provided himself, Mr. Salinas, Mr. Hernandez, and Mr. Aguilera with \$250.00 per day as a "per diem" for the conference and that he paid for all of their meals, travel, lodging and "night life." The "night life" included alcohol and strip clubs for the entire group and prostitutes for Mr. Alba and Mr. Salinas. Mr. Alba advised that in order to get around the per diem set by the City of Sunland Park and the State of New Mexico that Mr. Salinas had arranged for a "pyramid scheme" with Mr. Angulo. Mr. Alba further advised that this "pyramid scheme" was such that Mr. Angulo would provide the group with money and pay for their expenses and, in exchange, he would invoice the City of Sunland Park through Envirosystems which, in turn, would be paid back to Mr. Angulo through the border crossing fund.

Affiant further learned from Agent Herrera that Mr. Alba advised that following the Saltillo trip he was approached by Jorge Angulo about utilizing Mr. Alba's media contacts to find a company that could make videos for the border crossing project and the

Daniel Salinas campaign. Mr. Alba told Agent Herrera and Investigator Madrid that that he was advised by Mr. Jorge Angulo that he would be paying for the videos. Mr. Alba further advised the agents that referred Mr. Angulo and Mr. Salinas to Mr. Juan Carlos Dominguez Arzaga who owns and operates a media design company called Atmosfera Productions.

Affiant further learned from Agent Herrera that Mr. Alba stated to them that he was advised by Mr. Angulo that he was going to pay \$6,000.00 dollars for the border crossing video and \$7,000.00 for the Daniel Salinas campaign video. Mr. Alba advised that he later learned from Mr. Arzaga that Mr. Arzaga had been later contacted by Mr. Angulo to create a third video which would be a promotional video for another one of Mr. Angulo's companies located in Juarez. The three promotional videos requested include the campaign video for Daniel Salinas, the border crossing project video and a promotional video for Mr. Angulo's company. Mr. Alba further advised that the information he obtained from Mr. Arzaga is that the third video was never created because Mr. Arzaga stopped working on the third video as soon as related criminal investigations for extortion had begun in Sunland Park. Mr. Alba stated that the Daniel Salinas campaign video would be paid for utilizing the "pyramid scheme" wherein Mr. Angulo would pay for it, invoice the City of Sunland Park through Enviroystems and then be reimbursed by the City of Sunland Park.

Affiant knows through personal investigation that Jorge I. Angulo also owns and operates a companion business in Juarez, Mexico, called Angulo y Asociados, S.C.

Affiant obtained and reviewed the Daniel Salinas campaign video that was created by Mr. Arzaga's company Atmosfera. The campaign video depicts various staged scenes utilizing Jaime Reyes of the Sunland Park Police Department in his patrol unit, the City Hall conference room with Daniel Salinas, Jaime Aguilera, Silvia Gomez and Martah Alondra Lozano and, further, a scripted speech by Mr. Salinas.

Affiant knows through personal investigation that at all relevant times referenced herein that Sgt. Jaime Reyes was an employee with the Sunland Park Police Department, that Silvia Gomez was the Director of the Sunland Park Senior Center and that Martah Alondra Lozano was an HR assistant for the City Sunland Park.

Affiant obtained and reviewed the border crossing video that was created by Mr. Arzaga's company Atmosfera. The border crossing video depicts a staged scene with Jorge Angulo and Joe Gonzales of Enviroystems.

Affiant further obtained an e-mail communication between Mr. Alba and Mr. Arzaga dated December 31, 2011 which references and attaches the Daniel Salinas campaign video. The e-mail evidences that Mr. Alba had forwarded it to Mr. Aguilera on January 2, 2012.

The following is what I learned from New Mexico State Police Trooper Raul Robles:

Affiant learned that New Mexico State Police Trooper Raul Robles had conducted an interview with Sgt. Jaime Reyes of the Sunland Park Police Department. The interview

was conducted on March 30, 2012. Sgt. Reyes acknowledged that he was used in a promotional video. Sgt. Reyes advised that he was instructed by former Acting Chief of Police Steven Ramirez that he needed to meet with Arturo Alba for the purpose of participating in a promotional video for the city. Sgt. Reyes further advised that he was informed by former Acting Chief Ramirez that Daniel Salinas was the one who wanted the video done and that he was to take people around the city and talk about crime. Sgt. Reyes stated that he did not know that he was being filed as part of a campaign video for Daniel Salinas.

The following is what I learned from New Mexico State Police Investigations Sgt. Felipe Gonzalez:

Affiant learned that New Mexico State Police Sergeant Felipe Gonzalez had conducted a telephonic interview with a subject identified as Juan Carlos Dominguez Arzaga. The interview was conducted on March 30, 2012 in Spanish at the District Attorney's office. I learned that during the interview that Mr. Arzaga had informed Sgt. Gonzalez that he had been contacted by Arturo Alba for the purpose of making videos. Mr. Arzaga further informed Sgt. Gonzalez that he could not remember the specific date that he was contacted but that he would search his records and provide a date as soon as he returned to his home but that he was out of the area during the telephonic interview. Mr. Arzaga told Sgt. Gonzalez that he knew Mr. Alba from working in the news media field.

Affiant further learned that Mr. Arzaga had advised Sgt. Gonzales that he was contacted in order to make three videos which included one for Mr. Salinas, one for the Border Crossing Project and one for Mr. Angulo's separate company. Mr. Arzaga informed Sgt. Gonzalez that he was paid \$7000.00 for the Daniel Salinas campaign video and \$6,000.00 for the border crossing video. Mr. Arzaga confirmed that he only created two of the three videos. Mr. Arzaga stated that he was paid \$1,000.00 and then another \$6,000.00 for the Daniel Salinas campaign video in the form of two checks from Mr. Jorge Angulo's Envirosystems Company. Mr. Arzaga advised that he was then paid \$ 6,000.00 with a third check from Mr. Angulo's Envirosystems Company for the border crossing video for a total of (3) three checks for \$13,000.00.

Affiant further learned from Sgt. Gonzales that Mr. Arzaga further indicated that he had met with Mr. Salinas in Sunland Park for the purpose of filming Mr. Salinas for the video. Mr. Arzaga also stated that he met with Mr. Angulo in El Paso, Texas when he did the filming for the border crossing project. Mr. Arzaga further informed Sgt. Gonzalez that he had traveled to Sunland Park on two separate occasions where he met with Jorge Angulo, Daniel Salinas, Arturo Alba and two other young ladies at City Hall in Sunland Park, NM to discuss the making of the Daniel Salinas campaign video and the border crossing video.

Affiant also learned from Sgt. Gonzalez that he had conducted an interview with Arturo Alba on April 4, 2012 at the Third Judicial District Attorney's Office with the consent of his attorney Santiago Hernandez. During this interview Mr. Alba further advised Sgt. Gonzales that during the Saltillo in November of 2011 that Mr. Salinas had told Mr. Alba

not to worry about the costs because Mr. Angulo would pay for everything and then later charge the city for such costs. During this trip Mr. Alba was told by Mr. Salinas that Mr. Angulo was going to cover the cost of the hotel, food, and bar tab because Mr. Angelo had just been given a 2.2 million dollar contract by the City of Sunland Park. Mr. Alba referred to their scheme as a "triangle scheme" where Mr. Angulo would provide benefits to the city employees; i.e., Mr. Salinas, Mr. Aguilera, Mr. Alba, and Mr. Hernandez, and, in exchange, he would invoice the city for those costs through Envirosystems for reimbursement. Mr. Alba told Sgt. Gonzalez that Mr. Angulo had covered the entire cost of the trip for all parties and further he advised that during this trip he and Mr. Salinas had visited a house of prostitution upon Mr. Salinas's request which was also paid for by Mr. Angulo.

During this interview Mr. Alba advised Sgt. Gonzalez that initially, with respect to the videos, that Jaime Aguilera, Daniel Salinas, Jorge Angulo and he initially met at the Sunland Park City Hall in the Mayor's office to discuss the presentation of the border crossing project. It was during this time that Mr. Alba formally introduced Mr. Juan Carlos Dominguez Arzaga to Mr. Salinas, Mr. Aguilera and Mr. Angulo. Mr. Alba advised Sgt. Gonzalez that Mr. Arzaga was allowed to give a presentation to the group on his type of work which had also included experience in producing campaign videos. Mr. Alba indicated that at the end of the meeting everyone agreed that Mr. Arzaga was going to stay in contact with Mr. Angulo and that a quote and pricing had been requested by the group to determine what it would cost to make the border crossing video and the campaign video. Mr. Alba indicated to Sgt. Gonzalez that several meetings actually took place at City Hall with these individuals to discuss the making of such videos.

The following is what I learned from Investigator Ricky Madrid:

Affiant learned that District Attorney's Office Investigator Ricky Madrid and New Mexico State Police Trooper Raul Robles had conducted an interview with Jaime Aguilera on April 5, 2012 with the consent of Mr. Aguilera's attorney Herman E. Ortiz. The interview was conducted at Mr. Aguilera's residence. Mr. Aguilera advised that he, Christian Lira, Jesus "Dario" Hernandez, Angelica Marquez, Arturo Alba and Daniel Salinas, were going to attend the Border Legislative Conference in Saltillo, Coahuila de Zaragoza, Mexico along with Jorge Angulo. Mr. Aguilera advised that the group of Sunland Park employees (i.e., Aguilera, Alba, Lira, Marquez, Hernandez and Salinas) had all put in a request for airfare to the City of Sunland Park for the conference which was approved and paid to their City's travel agency prior to the trip.

Affiant obtained a copy of the check paid by the City of Sunland Park to Buck Rogers Travel Company for \$2,770.26 on November 14, 2011 for their airfare. The check number is 000133.

Mr. Aguilera further advised Investigator Madrid that Christian Lira backed out of the trip but that he, Mr. Salinas, Ms. Marquez and Mr. Hernandez did travel to a hotel in Juarez, Mexico on November 16, 2011 where they met Jorge Angulo. Mr. Aguilera advised that Mr. Hernandez had a friend who worked at the hotel and, as such, that they

could leave their vehicles there during the conference and that the hotel would shuttle them to the airport. Mr. Angulo took Mr. Salinas, Mr. Alba, Mr. Aguilera, Ms. Marquez and Mr. Hernandez to lunch which he paid for and he provided each of them with 6,000 pesos or approximately \$500 for spending money on the trip. Mr. Aguilera further advised that Ms. Marquez learned that there were problems with her passport and, as such, she was not able to fly to Saltillo.

Mr. Aguilera described the City of Sunland Park's relationship with Mr. Angulo as legitimate in some respects but illegitimate in others. For instance, Mr. Aguilera advised that prior to entering into a contractual relationship with Envirosystems in the fall of 2011 he was instructed by Mr. Salinas to collect a \$10,000.00 campaign donation from Mr. Angulo for the Daniel Salinas' mayoral campaign and another \$10,000.00 for Angelica Marquez's campaign. The understanding with respect to Angelica Marquez was that she would run for a position as a Dona Ana County Commissioner which would be through an election that is held after the Sunland Park Municipal Election. Mr. Aguilera indicated that the group wanted Ms. Marquez to be a Dona Ana County Commissioner because it would allow her to exert influence on the Camino Real Regional Utility Authority (CRRUA) which has the ability to control water rights. Mr. Aguilera advised that he met Mr. Angulo at the Village Inn where he obtained the money in cash and provided it to Mr. Salinas and Ms. Marquez.

Affiant further learned from Inv. Madrid that Mr. Aguilera stated that Mr. Angulo did in fact provide them with a per diem, pay for the transportation in Mexico, pay for their lodging, pay for their meals, alcohol, strip clubs and he also confirmed that Mr. Salinas and Mr. Alba had frequented a prostitution house which was paid for by Mr. Angulo. Mr. Aguilera stated that Mr. Salinas believed that they were entitled to this compensation because of the contract to Envirosystems and the group did in fact enjoy the benefits provided by Mr. Angulo.

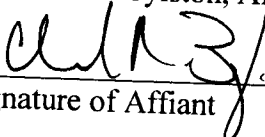
Affiant obtained a copy of an invoice submitted to the City of Sunland Park by Envirosystems Management Consultants, Inc. which is contained in invoice #11104 which demands payment for travel expenses, lodging, transportation, and presentation at the border conference. Envirosystems requests payment of \$10,240.72 for this invoice. Affiant further obtained a copy of the check which is #000140 issued from the City of Sunland Park to Envirosystems on December 2, 2011 for the amount requested by Mr. Angulo.

Affiant further learned from Inv. Madrid that Mr. Aguilera stated that in December of 2011 Daniel Salinas was talking about the need to have a campaign video. Mr. Aguilera stated that he advised Mr. Salinas that a video would not be worth the cost. Mr. Aguilera further indicated that Mr. Salinas advised that they would have Mr. Angulo pay for the video and it was decided that the video would be a hidden cost invoiced back to the city. Mr. Aguilera advised that he and Mr. Salinas participated in the filming of the campaign video and that once complete it was displayed at the Sunland Park Winery during a campaign function. Mr. Aguilera acknowledged that the City of Sunland Park was

invoiced for a border crossing promotion video which encompassed the hidden cost for the campaign video.

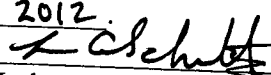
Affiant obtained a copy of an invoice submitted to the City of Sunland Park by EnviroSystems Management Consultants, Inc. which is contained in invoice #11106 which demands payment for Sunland Park – Anapra LPOE Promotional Video. EnviroSystems requests payment of \$26,921.00 for this invoice. Affiant further obtained a copy of the check which is #000163 issued from the City of Sunland Park to EnviroSystems on December 29, 2011 for the amount requested by Mr. Angulo. Affiant knows that Daniel Salinas was a public officer or employee at all relevant times referenced herein and his position in government was one which is a position of public trust.

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 6 day of April,

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.
CR-2012-424

Fernando R. Macias

JORGE I. ANGULO, Defendant

DOB: [REDACTED]

SSN: Unknown

ADDRESS: [REDACTED]

TEXAS DL: [REDACTED]

HT: 5-07 WT: 140 HAIR: Brown EYES: Green

WARRANT FOR ARREST

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

- 1) **Fraud (Over \$20,000)**
- 2) **Conspiracy to Fraud (Over \$20,000)**
- 3) **Fraud (Over \$2,500)**
- 4) **Conspiracy to Commit Fraud (Over \$2,500)**
- 5) **Making or Permitting False Public Vouchers (2 counts); and**
- 6) **Conspiracy to Commit Making or Permitting False Public Vouchers (2 counts)**

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) Fraud (Over \$20,000). On or between December 1, 2011 and December 29, 2011, in Dona Ana County, New Mexico, the above-named defendant, by words or conduct misrepresented a fact intending to deceive or cheat the City of Sunland Park, and because of the City of Sunland Park's reliance on the misrepresentation, the defendant obtained a cash payment of more than \$20,000.00, a second degree felony, contrary to NMSA 1978 Sections 30-16-6(F) and 30-1-13.

2) Conspiracy to Commit Fraud (Over \$20,000). In that on or between December 1, 2011 and December 29, 2011, in Dona Ana County, New Mexico, the above-named defendant did combine with another, for the purpose of committing a felony, to wit: Fraud (Over \$20,000) in reference to the billing of videos to the City of Sunland Park, a third degree felony, contrary to NMSA 1978 Sections 30-38-2 and 30-16-6(F).

3) Fraud (Over \$2500). On or between November 14, 2011 and December 2, 2011, in Dona Ana County, New Mexico, the above-named defendant, by words or conduct misrepresented a fact intending to deceive or cheat the City of Sunland Park, and because of the City of Sunland Park's reliance on the misrepresentation, the defendant obtained a cash payment of more than \$2,500.00 and/or services and goods valued at more than \$2,500.00, a third degree felony, contrary to NMSA 1978 Sections 30-16-6(E) and 30-1-13.

4) Conspiracy to Commit Fraud (Over \$2,500). In that on or between November 14, 2011 and December 2, 2011, in Dona Ana County, New Mexico, the above-named defendant did combine with another, for the purpose of committing a felony, to wit: Fraud (Over \$2,500) in reference to the per diem and expenses associated with the Border Legislative Conference in Saltillo, Coahuila de Zaragoza, Mexico, a fourth degree felony, contrary to NMSA 1978 Sections 30-38-2 and 30-16-6(E).

5) Marking or Permitting False Public Vouchers. On or about November 14, 2011, in Dona Ana County, New Mexico, the above-named defendant did knowingly, intentionally or willfully made, caused to be made or permitted to be made, a false material statement upon any public voucher, or invoice supporting a public voucher, to wit: EnviroSystems Management Consultants, Inc., invoice number 11104, dated November 14, 2011, for the Saltillo Conference Travel Expenses: Lodging and Transportation and Presentation at Border Legislative Conference, intended that the voucher or invoice be relied upon for the expenditure of public money, a fourth degree felony, contrary to NMSA 1978 Sections 30-23-3 and 30-1-13.

6) Marking or Permitting False Public Vouchers. On or about December 21, 2011, in Dona Ana County, New Mexico, the above-named defendant did knowingly, intentionally or willfully made, caused to be made or permitted to be made, a false material statement upon any public voucher, or invoice supporting a public voucher, to wit: EnviroSystems Management Consultants, Inc., invoice number 11106, dated December 21, 2011, for the Sunland Park – Anapra LPOE Promotional Video, intended that the voucher or invoice be relied upon for the expenditure of public money, a fourth degree felony, contrary to NMSA 1978 Sections 30-23-3 and 30-1-13.

7) Conspiracy to Commit Making or Permitting False Public Vouchers. In that on or about November 14, 2011, in Dona Ana County, New Mexico, the above-named defendant did combine with another, for the purpose of committing a felony, to wit: Making or Permitting False Public Vouchers in reference to an invoice submitted in connection to the Border Legislative Conference in Saltillo, Coahuila de Zaragoza, Mexico, a fourth degree felony, contrary to NMSA 1978 Sections 30-38-2 and 30-23-3.

8) Conspiracy to Commit Making or Permitting False Public Vouchers. In that on or December 21, in Dona Ana County, New Mexico, the above-named defendant did combine with another, for the purpose of committing a felony, to wit: Making or Permitting False Public Vouchers in reference to an invoice submitted in connection to the Sunland Park – Anapra LPOE Promotional Video, a fourth degree felony, contrary to

NMSA 1978 Sections 30-38-2 and 30-23-3.

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: \$1,000,000. with 75% cash to court

L. Schultz
Judge

4/6/12
Date

RETURN WHERE DEFENDANT IS FOUND

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

Signature

Title