



STATE OF NEW MEXICO
DEPARTMENT OF FINANCE AND ADMINISTRATION
OFFICE OF THE SECRETARY
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CABINET SECRETARY

April 22, 2010

Sam Salustro
432 Manzano St NE
Albuquerque, NM 87108
samsalustro@gmail.com

Dear Mr. Salustro,

On April 7, 2010 I received your request for the following records:

1. A copy of all contracts entered into by the Third District Attorney's Office that provided the office either a service or product from January 1997 to the present from January 1997 to the present;
2. A copy of payment vouchers and invoices including corresponding receipts, time sheets, etc. from January 1997 to the present;
3. A copy of any bid or proposal claiming to provide a product or service at a lower cost from January 1997 to the present;
4. A copy of any and all correspondence or memos relating to the contract from January 1997 to the present;
5. Copies of all checks and purchase documents showing proof of payment by the Third District Attorney's office, or the state, for services or products from January 1997 to the present;
6. A copy of any and all budget appropriation requests submitted by the Third District Attorney's office from January 1997 to the present.

In response to request #1, pursuant to NMAC 2.40.2.2.B.1 agencies in the judicial branch, including the offices district attorneys, do not submit professional service contracts to DFA for review and approval. DFA, therefore, does not have any records responsive to this request. To obtain these records please contact the Third District Attorney's Office.

In response to request #2, the State Records Center and Archives retention schedule states that payment vouchers must be retained for six years after the close of the fiscal year in

which the records were created. The Financial Control Division has maintained electronic copies of payment vouchers going back to the year 2000 in the division's imaging system. The Financial Control Division will make their imaging system available to you so that you may inspect the records responsive to your request. DFA will require you to sign a confidentiality waiver agreeing not to record, copy or retain confidential information such as home phone numbers or addresses, social security numbers or dates of birth. DFA is not required to maintain, nor will we be able to provide, records of payment vouchers issued prior to the year 2000. Please contact me to schedule a time for you to inspect the responsive documents within the Financial Control Division's imaging system.

In response to request #3, pursuant to NMAC 2.40.2.2.B.1 agencies in the judicial branch, including the district attorney offices, do not submit their professional service contracts to DFA for review and approval. DFA, therefore, does not have any records of the bids or proposals pertaining associated with contracts. To obtain these records please contact the Third District Attorney's Office.

In response to request #4, pursuant to NMAC 2.40.2.2.B.1 agencies in the judicial branch, including the district attorney offices, do not submit their professional service contracts to DFA for review and approval. DFA, therefore, does not have any records of correspondence or memos pertaining to contracts. To obtain these records please contact the Third District Attorney's Office.

In response to request #5, the State Records Center and Archives retention schedule states that purchase document must be retained for six years after the close of the fiscal year in which the records were created. The Financial Control Division has maintained electronic copies of purchase documents going back to the year 2000 in the division's imaging system. The Financial Control Division will make their imaging system available to you so that you may inspect the records responsive to your request. DFA will require you to sign a confidentiality waiver agreeing not to record, copy or retain confidential information such as home phone numbers or addresses, social security numbers or dates of birth. DFA is not required to maintain, nor will we be able to provide, records of purchase documents issued prior to the year 2000. Please contact me to schedule a time for you to inspect the responsive documents within the Financial Control Division's imaging system.

In response to request #6, the State Records Center and Archives retention schedule states that appropriation requests and operating budget files must be retained for three years after the close of the fiscal year in which they were created. DFA was able to locate records in the State Budget Division's Budget Preparation System of the Third District Attorney's Office operating budget appropriation requests for the last 7 fiscal years, including requests from FY04 through FY11. DFA is not required to maintain, nor will we be able to provide, records of appropriation requests prior to the request for the FY04 operating budget. The records DFA has located responsive to the request are enclosed.

DFA is forwarding a copy of this request to the Third District Attorney's Office, though

we are unaware who the agency's official records custodian is. Please contact me to schedule your inspection of the records stored in the Financial Control Division's imaging system.

Sincerely,

Nicole Gillespie
Records Custodian

CC

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