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FIRST JUDICIAL  
DISTRICT COURT

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STATE OF NEW MEXICO  
COUNTY OF SANTA FE  
FIRST JUDICIAL DISTRICT COURT

AGO: 201407-00053  
No. D-101-CR-2015-00478

STATE OF NEW MEXICO,  
  
Plaintiff,  
  
vs.

DIANNA J. DURAN,  
  
Defendant.

A M E N D E D  
C R I M I N A L I N F O R M A T I O N

Clara Moran and Joseph Spindle, Assistant Attorneys General for the State of New Mexico, accuse Dianna J. Duran of the following: ETHICAL PRINCIPLES OF PUBLIC SERVICE, EMBEZZLEMENT (OVER \$250 BUT NOT MORE THAN \$500) OR IN THE ALTERNATIVE FRAUD (OVER \$250 BUT NOT MORE THAN \$500), CAMPAIGN FUNDS LIMITATION ON EXPENDITURES (12 Counts), MONEY LAUNDERING (11 Counts), EMBEZZLEMENT (OVER \$500 BUT NOT MORE THAN \$2,500) OR IN THE ALTERNATIVE FRAUD (OVER \$500 BUT NOT MORE THAN \$2,500), EMBEZZLEMENT (OVER \$2,500 BUT NOT MORE THAN \$20,000) OR IN THE ALTERNATIVE FRAUD (OVER \$2,500 BUT NOT MORE THAN \$20,000) (3 Counts), COMPUTER ACCESS WITH INTENT TO DEFRAUD OR EMBEZZLE (OVER \$2,500 BUT NOT MORE THAN \$20,000), THEFT OF IDENTITY, CONSPIRACY TO COMMIT A FELONY, TO WIT: EMBEZZLEMENT (OVER \$2,500 BUT NOT MORE THAN \$20,000) OR IN THE ALTERNATIVE CONSPIRACY TO COMMIT FRAUD (OVER \$2,500 BUT NOT MORE THAN \$20,000), EMBEZZLEMENT (UNDER \$250) OR IN THE ALTERNATIVE FRAUD (UNDER \$250) (5 Counts), TAMPERING WITH PUBLIC RECORDS (14 Counts), FILING A FALSE CAMPAIGN REPORT (10 Counts), CANDIDATES; SEPARATE BANK ACCOUNT REQUIRED, and CAMPAIGN PRACTICES; CONTENT OF REPORT VIOLATION and charge:

COUNT 1: ETHICAL PRINCIPLES OF PUBLIC SERVICE

That on or between the 1st of September, 2013, and the 28th day of August, 2015, in Santa Fe County, New Mexico, the above-named defendant, a public officer or employee, did use the powers and resources of public office to obtain personal benefits or pursue private interests, OR conducted herself in a manner that did not maintain the integrity, ethics or responsibilities of public service OR failed to disclose real or potential conflicts of interests OR requested or received money, a thing of value, and/or promise conditioned on performance of an official act, a misdemeanor, contrary to NMSA 1978 § 10-16-3 and NMSA 1978 § 10-16-17.

**COUNT 2: EMBEZZLEMENT (OVER \$250 BUT NOT MORE THAN \$500) (0606)**

That on or about the 29th of December, 2014, in Santa Fe County, Bernalillo County, Otero County and Lincoln County, New Mexico, the above-named defendant did embezzle or convert to defendant's own purpose campaign funds, which belonged to the Campaign to Elect Dianna Duran, or Shoats and Weak, or another, which had a market value of \$500, and with which defendant had been entrusted, with fraudulent intent at the time of the conversion to deprive the owner of the property, a misdemeanor, contrary to NMSA 1978 § 30-16-8.

**OR IN THE ALTERNATIVE COUNT 2: FRAUD (OVER \$250 BUT NOT MORE THAN \$500) (0557)**

That on or between the 22nd and the 29th of December, 2014, in Santa Fe County, Bernalillo County, Otero County and Lincoln County, New Mexico, the above-named defendant did intentionally misappropriate or take campaign contributions which had a market value of \$500, belonging to the Campaign to Elect Dianna Duran, or Shoats and Weak, or another, by means of fraudulent conduct, practices or representations, a misdemeanor, contrary to NMSA 1978 § 30-16-6.

**COUNT 3: CAMPAIGN FUNDS LIMITATION ON EXPENDITURES**

That on or about the 29th of December, 2014, in Santa Fe County, Bernalillo County, Otero County and Lincoln County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully made an expenditure of contributions received for an unauthorized purpose, a misdemeanor, contrary to NMSA 1978 § 1-19-29.1 and NMSA 1978 § 1-19-36.

**COUNT 4: MONEY LAUNDERING (UNDER \$10,000) (2586)**

That on or about the 29th of December, 2014, in Santa Fe County, Bernalillo County, Otero County and Lincoln County, New Mexico, the above-named defendant did conduct, structure, engage in or participate in a financial transaction that involved property valued at \$500, she knew or believed to be proceeds of an unlawful activity, for the purpose of committing or furthering the commission of any unlawful activity, a misdemeanor, contrary to NMSA 1978 § 30-51-4.

**COUNT 5: EMBEZZLEMENT (OVER \$500 BUT NOT MORE THAN \$2,500) (4552)**

That on or about the 15th of July, 2014, in Santa Fe County, and Otero County, New Mexico, the above-named defendant did

embezzle or convert to defendant's own purpose campaign funds, which belonged to the Campaign to Elect Dianna Duran, or another, which had a market value of \$1,486.90, and with which defendant had been entrusted, with fraudulent intent at the time of the conversion to deprive the owner of the property, a 4th degree felony, contrary to NMSA 1978 § 30-16-8.

OR IN THE ALTERNATIVE COUNT 5: FRAUD (OVER \$500 BUT NOT MORE THAN \$2,500) (4530)

That on or between 13th of September, 2013, and the 15th of July, 2014, in Santa Fe County and Otero County, New Mexico, the above-named defendant did intentionally misappropriate or take campaign contributions which had a market value of \$1,486.90, belonging to the Campaign to Elect Dianna Duran, or another, by means of fraudulent conduct, practices or representations, a 4th degree felony, contrary to NMSA 1978 § 30-16-6.

COUNT 6: CAMPAIGN FUNDS LIMITATION ON EXPENDITURES

That on or about the 15th of July, 2014, in Santa Fe County, and Otero County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully made an expenditure of contributions received for an unauthorized purpose, a misdemeanor, contrary to NMSA 1978 § 1-19-29.1 and NMSA 1978 § 1-19-36.

COUNT 7: MONEY LAUNDERING (UNDER \$10,000) (2586)

That on or about the 15th of July, 2014, in Santa Fe County, and Otero County, New Mexico, the above-named defendant did conduct, structure, engage in or participate in a financial transaction that involved property valued at \$1,486.90, she knew or believed to be proceeds of an unlawful activity, for the purpose of committing or furthering the commission of any unlawful activity, a misdemeanor, contrary to NMSA 1978 § 30-51-4.

COUNT 8: EMBEZZLEMENT (OVER \$2,500 BUT NOT MORE THAN \$20,000) (0607)

That on or between the 24th of September, 2013, and the 25th of September, 2013, in Santa Fe County, New Mexico, the above-named defendant did embezzle or convert to defendant's own purpose campaign funds, which belonged to the Campaign to Elect Dianna Duran, or another, which had a market value of \$2,550, and with which defendant had been entrusted, with fraudulent intent at the time of the conversion to deprive the owner of the property, a 3rd degree felony, contrary to NMSA 1978 § 30-16-8.

**OR IN THE ALTERNATIVE COUNT 8: FRAUD (OVER \$2,500 BUT NOT MORE THAN \$20,000) (0558)**

That on or between the 13th of September, 2013, and the 25th of September, 2013, in Santa Fe County, New Mexico, the above-named defendant did intentionally misappropriate or take campaign contributions which had a market value of \$2,550, belonging to the Campaign to Elect Dianna Duran, or another, by means of fraudulent conduct, practices or representations, a 3rd degree felony, contrary to NMSA 1978 § 30-16-6.

**COUNT 9: CAMPAIGN FUNDS LIMITATION ON EXPENDITURES**

That on or between the 24th of September, 2013, and the 25th of September, 2013, in Santa Fe County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully made an expenditure of contributions received for an unauthorized purpose, a misdemeanor, contrary to NMSA 1978 § 1-19-29.1 and NMSA 1978 § 1-19-36.

**COUNT 10: MONEY LAUNDERING (UNDER \$10,000) (2586)**

That on or between the 24th of September, 2013, and the 25th of September, 2013, in Santa Fe County, New Mexico, the above-named defendant did conduct, structure, engage in or participate in a financial transaction that involved property valued at \$2,550, she knew or believed to be proceeds of an unlawful activity, for the purpose of committing or furthering the commission of any unlawful activity, a misdemeanor, contrary to NMSA 1978 § 30-51-4.

**COUNT 11: COMPUTER ACCESS WITH INTENT TO DEFRAUD OR EMBEZZLE (OVER \$2,500 BUT NOT MORE THAN \$20,000) (0919)**

That on or between the 24th of September, 2013, and the 25th of September, 2013, in Santa Fe County, New Mexico, the above-named defendant did knowingly and willfully access or cause to be accessed a computer, computer system, computer network or any part thereof with the intent to obtain, by means of embezzlement or false or fraudulent pretenses, representations or promises, money, property or anything with a value of \$2,550, a 3rd degree felony, contrary to NMSA 1978 § 30-45-3.

**COUNT 12: THEFT OF IDENTITY (2559)**

That on or about the 22nd of March, 2010, in Santa Fe County, and Otero County, New Mexico, the above-named defendant did willfully obtain, record or transfer the personal identifying information of another person, Sean Davis, without his authorization or consent, with the intent to defraud Sean Davis or

another, a 4th degree felony, contrary to NMSA 1978 § 30-16-24.1.

COUNT 13: EMBEZZLEMENT (OVER \$2,500 BUT NOT MORE THAN \$20,000) (0607)

That on or about the 20th of November, 2014, in Santa Fe County, and Otero County, New Mexico, the above-named defendant did embezzle or convert to defendant's own purpose campaign funds, which belonged to the Campaign to Elect Dianna Duran, or another, which had a market value of \$2,850, and with which defendant had been entrusted, with fraudulent intent at the time of the conversion to deprive the owner of the property, a 3rd degree felony, contrary to NMSA 1978 § 30-16-8.

OR IN THE ALTERNATIVE COUNT 13: FRAUD (OVER \$2,500 BUT NOT MORE THAN \$20,000) (0558)

That on or between the 13th day of September, 2013 and the 20th of November, 2014, in Santa Fe County, and Otero County, New Mexico, the above-named defendant did intentionally misappropriate or take campaign contributions which had a market value of \$2,850, belonging to the Campaign to Elect Dianna Duran, or another, by means of fraudulent conduct, practices or representations, a 3rd degree felony, contrary to NMSA 1978 § 30-16-6.

COUNT 14: CONSPIRACY TO COMMIT A FELONY, TO WIT: EMBEZZLEMENT (OVER \$2,500 BUT NOT MORE THAN \$20,000) (0614)

That on or between the 6th of December, 2010, and the 20th of November, 2014, in Santa Fe County, Otero County, and Lincoln County, New Mexico, the above-named defendant did conspire with another, through words or acts, to commit embezzlement (over \$2,500 but not more than \$20,000), intending to commit embezzlement (over \$2,500 but not more than \$20,000), a 4th degree felony, contrary to NMSA 1978 § 30-16-8 and NMSA 1978 § 30-28-2.

OR IN THE ALTERNATIVE TO COUNT 14: CONSPIRACY TO COMMIT A FELONY, TO WIT: FRAUD (OVER \$2,500 BUT NOT MORE THAN \$20,000) (0567)

That on or between the 6th of December, 2010, and the 20th of November, 2014, in Santa Fe County, Otero County, and Lincoln County, New Mexico, the above-named defendant did conspire with another, through words or acts, to commit fraud (over \$2,500 but not more than \$20,000), intending to commit fraud (over \$2,500 but not more than \$20,000), a 4th degree felony, contrary to NMSA 1978 § 30-16-6 and NMSA 1978 § 30-28-2.

**COUNT 15: CAMPAIGN FUNDS LIMITATION ON EXPENDITURES**

That on or about the 20th of November, 2014, in Santa Fe County, Otero County, and Lincoln County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully made an expenditure of contributions received for an unauthorized purpose, a misdemeanor, contrary to NMSA 1978 § 1-19-29.1 and NMSA 1978 § 1-19-36.

**COUNT 16: MONEY LAUNDERING (UNDER \$10,000) (2586)**

That on or about the 20th of November, 2014, in Santa Fe County, Otero County, and Lincoln County, New Mexico, the above-named defendant did conduct, structure, engage in or participate in a financial transaction that involved property valued at \$2,850, she knew or believed to be proceeds of an unlawful activity, for the purpose of committing or furthering the commission of any unlawful activity, a misdemeanor, contrary to NMSA 1978 § 30-51-4.

**COUNT 17: EMBEZZLEMENT (OVER \$250 BUT NOT MORE THAN \$500) (0607)**

That on or about the 3rd of October, 2014, in Santa Fe County, and Otero County, New Mexico, the above-named defendant did embezzle or convert to defendant's own purpose campaign funds, which belonged to the Campaign to Elect Dianna Duran, or another, which had a market value of \$328, and with which defendant had been entrusted, with fraudulent intent at the time of the conversion to deprive the owner of the property, a misdemeanor, contrary to NMSA 1978 § 30-16-8.

OR IN THE ALTERNATIVE COUNT 17: FRAUD (OVER \$250 BUT NOT MORE THAN \$500) (0558)

That on or between the 13th of September, 2013, and the 3rd of October, 2014, in Santa Fe County, and Otero County, New Mexico, the above-named defendant did intentionally misappropriate or take campaign contributions which had a market value of \$328, belonging to the Campaign to Elect Dianna Duran, or another, by means of fraudulent conduct, practices or representations, a misdemeanor, contrary to NMSA 1978 § 30-16-6.

**COUNT 18: CAMPAIGN FUNDS LIMITATION ON EXPENDITURES**

That on or about the 3rd of October, 2014, in Santa Fe County, and Otero County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully made an expenditure of contributions received for an unauthorized purpose, a misdemeanor, contrary to NMSA 1978 § 1-19-29.1 and NMSA 1978 § 1-19-36.

**COUNT 19: MONEY LAUNDERING (UNDER \$10,000) (2586)**

That on or about the 3rd of October, 2014, in Santa Fe County, and Otero County, New Mexico, the above-named defendant did conduct, structure, engage in or participate in a financial transaction that involved property valued at \$2,518.69, she knew or believed to be proceeds of an unlawful activity, for the purpose of committing or furthering the commission of any unlawful activity, a misdemeanor, contrary to NMSA 1978 § 30-51-4.

**COUNT 20: CAMPAIGN FUNDS LIMITATION ON EXPENDITURES**

That on or about the 21st of November, 2014, in Santa Fe County, and Otero County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully made an expenditure of contributions received for an unauthorized purpose, a misdemeanor, contrary to NMSA 1978 § 1-19-29.1 and NMSA 1978 § 1-19-36.

**COUNT 21: CAMPAIGN FUNDS LIMITATION ON EXPENDITURES**

That on or about the 16th of January, 2014, in Santa Fe County, and Bernalillo County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully made an expenditure of contributions received for an unauthorized purpose, a misdemeanor, contrary to NMSA 1978 § 1-19-29.1 and NMSA 1978 § 1-19-36.

**COUNT 22: MONEY LAUNDERING (UNDER \$10,000) (2586)**

That on or about the 16th of January, 2014, in Santa Fe County, and Bernalillo County, New Mexico, the above-named defendant did conduct, structure, engage in or participate in a financial transaction that involved property valued at \$150, she knew or believed to be proceeds of an unlawful activity, for the purpose of committing or furthering the commission of any unlawful activity, a misdemeanor, contrary to NMSA 1978 § 30-51-4.

**COUNT 23: EMBEZZLEMENT (UNDER \$250) (4550)**

That on or about the 26th of September, 2014, in Santa Fe County, and Roosevelt County, New Mexico, the above-named defendant did embezzle or convert to defendant's own purpose campaign funds, which belonged to the Campaign to Elect Dianna Duran, or Brad or Debbie Hunton, or another, which had a market value \$100, and with which defendant had been entrusted, with fraudulent intent at the time of the conversion to deprive the owner of the property, a petty misdemeanor, contrary to NMSA 1978 § 30-16-8.

OR IN THE ALTERNATIVE COUNT 23: FRAUD (UNDER \$250) (0555)

That on or between September 18th of 2014, and the 26th of September, 2014, in Santa Fe County, and Roosevelt County, New Mexico, the above-named defendant did intentionally misappropriate or take campaign contributions which had a market value of \$100, belonging to the Campaign to Elect Dianna Duran, or Brad or Debbie Hunton, or another, by means of fraudulent conduct, practices or representations, a petty misdemeanor, contrary to NMSA 1978 § 30-16-6.

COUNT 24: CAMPAIGN FUNDS LIMITATION ON EXPENDITURES

That on or about the 26th of September, 2014, in Santa Fe County, and Roosevelt County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully made an expenditure of contributions received for an unauthorized purpose, a misdemeanor, contrary to NMSA 1978 § 1-19-29.1 and NMSA 1978 § 1-19-36.

COUNT 25: MONEY LAUNDERING (UNDER \$10,000) (2586)

That on or about the 26th of September, 2014, in Santa Fe County, and Roosevelt County, New Mexico, the above-named defendant did conduct, structure, engage in or participate in a financial transaction that involved property valued at less than \$10,000, she knew or believed to be proceeds of an unlawful activity, for the purpose of committing or furthering the commission of any unlawful activity, a misdemeanor, contrary to NMSA 1978 § 30-51-4.

COUNT 26: EMBEZZLEMENT (UNDER \$250) (4550)

That on or about the 26th of September, 2014, in Santa Fe County, and Roosevelt County, New Mexico, the above-named defendant did embezzle or convert to defendant's own purpose campaign funds, which belonged to the Campaign to Elect Dianna Duran, or John M. Pugh, or Connie S. Pugh, or another, which had a market value of \$50, and with which defendant had been entrusted, with fraudulent intent at the time of the conversion to deprive the owner of the property, a petty misdemeanor, contrary to NMSA 1978 § 30-16-8.

OR IN THE ALTERNATIVE TO COUNT 26: FRAUD (UNDER \$250) (0555)

That on or between the 18th of September, 2014 and the 26th of September, 2014, in Santa Fe County, and Roosevelt County, New Mexico, the above-named defendant did intentionally misappropriate or take campaign contributions which had a market value of \$50, belonging to the Campaign to Elect Dianna Duran, or John M. Pugh, or Connie S. Pugh, or another, by means of fraudulent conduct,

practices or representations, a petty misdemeanor, contrary to NMSA 1978 § 30-16-6.

**COUNT 27: CAMPAIGN FUNDS LIMITATION ON EXPENDITURES**

That on or about the 26th of September, 2014, in Santa Fe County, and Roosevelt County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully made an expenditure of contributions received for an unauthorized purpose, a misdemeanor, contrary to NMSA 1978 § 1-19-29.1 and NMSA 1978 § 1-19-36.

**COUNT 28: MONEY LAUNDERING (UNDER \$10,000) (2586)**

That on or about the 26th of September, 2014, in Santa Fe County, and Roosevelt County, New Mexico, the above-named defendant did conduct, structure, engage in or participate in a financial transaction that involved property valued at less than \$10,000, she knew or believed to be proceeds of an unlawful activity, for the purpose of committing or furthering the commission of any unlawful activity, a misdemeanor, contrary to NMSA 1978 § 30-51-4.

**COUNT 29: EMBEZZLEMENT (UNDER \$250) (4550)**

That on or about the 26th of September, 2014, in Santa Fe County, New Mexico, the above-named defendant did embezzle or convert to defendant's own purpose campaign funds, which belonged to the Campaign to Elect Dianna Duran, or Diane Kinderwater, or another, which had a market value of \$100, and with which defendant had been entrusted, with fraudulent intent at the time of the conversion to deprive the owner of the property, a petty misdemeanor, contrary to NMSA 1978 § 30-16-8.

**OR IN THE ALTERNATIVE TO COUNT 29: FRAUD (UNDER \$250) (0555)**

That on or between the 6th of September, 2014, and the 26th of September, 2014, in Santa Fe County, New Mexico, the above-named defendant did intentionally misappropriate or take campaign contributions which had a market value of \$100, belonging to the Campaign to Elect Dianna Duran, or Diane Kinderwater, or another, by means of fraudulent conduct, practices or representations, a petty misdemeanor, contrary to NMSA 1978 § 30-16-6.

**COUNT 30: CAMPAIGN FUNDS LIMITATION ON EXPENDITURES**

That on or between the 6th of September, 2014, and the 26th of September, 2014, in Santa Fe County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully made an expenditure of contributions received for an

unauthorized purpose, a misdemeanor, contrary to NMSA 1978 § 1-19-29.1 and NMSA 1978 § 1-19-36.

COUNT 31: MONEY LAUNDERING (UNDER \$10,000) (2586)

That on or between the 6th of September, 2014, and the 26th of September, 2014, in Santa Fe County, New Mexico, the above-named defendant did conduct, structure, engage in or participate in a financial transaction that involved property valued at \$100, she knew or believed to be proceeds of an unlawful activity, for the purpose of committing or furthering the commission of any unlawful activity, a misdemeanor, contrary to NMSA 1978 § 30-51-4.

COUNT 32: EMBEZZLEMENT (UNDER \$250) (4550)

That on or about the 26th of September, 2014, in Santa Fe County, and Roosevelt County, New Mexico, the above-named defendant did embezzle or convert to defendant's own purpose campaign funds, which belonged to the Campaign to Elect Dianna Duran, or Anna C. Hersey, or another, which had a market value of \$25, and with which defendant had been entrusted, with fraudulent intent at the time of the conversion to deprive the owner of the property, a petty misdemeanor, contrary to NMSA 1978 § 30-16-8.

OR IN THE ALTERNATIVE TO COUNT 32: FRAUD (UNDER \$250) (0555)

That on or between the 14th of September, 2014, and the 26th of September, 2014, in Santa Fe County, and Roosevelt County, New Mexico, the above-named defendant did intentionally misappropriate or take campaign contributions which had a market value of \$25, belonging to the Campaign to Elect Dianna Duran, or Anna C. Hersey, or another, by means of fraudulent conduct, practices or representations, a petty misdemeanor, contrary to NMSA 1978 § 30-16-6.

COUNT 33: CAMPAIGN FUNDS LIMITATION ON EXPENDITURES

That on or about the 26th of September, 2014, in Santa Fe County, and Roosevelt County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully made an expenditure of contributions received for an unauthorized purpose, a misdemeanor, contrary to NMSA 1978 § 1-19-29.1 and NMSA 1978 § 1-19-36.

COUNT 34: MONEY LAUNDERING (UNDER \$10,000) (2586)

That on or about the 26th of September, 2014, in Santa Fe County, and Roosevelt County, New Mexico, the above-named defendant did conduct, structure, engage in or participate in a financial

transaction that involved property valued at \$25 she knew or believed to be proceeds of an unlawful activity, for the purpose of committing or furthering the commission of any unlawful activity, a misdemeanor, contrary to NMSA 1978 § 30-51-4.

**COUNT 35: EMBEZZLEMENT (UNDER \$250) (4550)**

That on or between the 18th of September, 2014, and the 26th of September, 2014, in Bernalillo County, and Santa Fe County, New Mexico, the above-named defendant did embezzle or convert to defendant's own purpose campaign funds, which belonged to the Campaign to Elect Dianna Duran, or Mountain View Properties, or Diane Arnett Stearley, or another, which had a market value of \$100, and with which defendant had been entrusted, with fraudulent intent at the time of the conversion to deprive the owner of the property, a petty misdemeanor, contrary to NMSA 1978 § 30-16-8.

**OR IN THE ALTERNATIVE TO COUNT 35: FRAUD (UNDER \$250) (0555)**

That on or between the 18th of September, 2014, and the 26th of September, 2014, in Bernalillo County, and Santa Fe County, New Mexico, the above-named defendant did intentionally misappropriate or take campaign contributions which had a market value of \$100, belonging to the Campaign to Elect Dianna Duran, or Mountain View Properties, or Diane Arnett Stearley, or another, by means of fraudulent conduct, practices or representations, a petty misdemeanor, contrary to NMSA 1978 § 30-16-6.

**COUNT 36: CAMPAIGN FUNDS LIMITATION ON EXPENDITURES**

That on or between the 14th of September, 2014, and the 26th of September, 2014, in Bernalillo County, and Santa Fe County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully made an expenditure of contributions received for an unauthorized purpose, a misdemeanor, contrary to NMSA 1978 § 1-19-29.1 and NMSA 1978 § 1-19-36.

**COUNT 37: MONEY LAUNDERING (UNDER \$10,000) (2586)**

That on or between the 18th of September, 2014, and the 26th of September, 2014, in Bernalillo County, and Santa Fe County, New Mexico, the above-named defendant did conduct, structure, engage in or participate in a financial transaction that involved property valued at \$100, she knew or believed to be proceeds of an unlawful activity, for the purpose of committing or furthering the commission of any unlawful activity, a misdemeanor, contrary to NMSA 1978 § 30-51-4.

**COUNT 38: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about 30th of August, 2011, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make a Candidate Statement of No Activity, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 39: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about 6th of October, 2011, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make a Candidate Statement of No Activity, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 40: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about the 9th of April, 2012, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make a Candidate Statement of No Activity, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 41: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about the 9th of October, 2012, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make a Candidate Statement of No Activity, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 42: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about 5th of April, 2013, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make a Candidate Statement of No Activity, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 43: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about the 15th of October, 2013, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make a Candidate Statement of No Activity, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 44: FILING A FALSE CAMPAIGN REPORT**

That on or about the 15th of October, 2013, in Santa Fe County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully filed a statement or report of expenditures and contributions, a Report of Expenditures and Contributions, that contained false or incomplete information, a misdemeanor, contrary to NMSA 1978 § 1-19-35 and NMSA 1978 § 1-19-36.

**COUNT 45: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about the 14th of April, 2014, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make a Candidate Statement of No Activity, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 46: FILING A FALSE CAMPAIGN REPORT**

That on or about the 14th of April, 2014, in Santa Fe County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully filed a statement or report of expenditures and contributions, a Report of Expenditures and Contributions, that contained false or incomplete information, a misdemeanor, contrary to NMSA 1978 § 1-19-35 and NMSA 1978 § 1-19-36.

**COUNT 47: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about the 12th of May, 2014, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make any record or file, a Report of Expenditures and Contributions, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 48: FILING A FALSE CAMPAIGN REPORT**

That on or about the 12th of May, 2014, in Santa Fe County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully filed a statement or report of expenditures and contributions, a Report of Expenditures and Contributions, that contained false or incomplete information, a misdemeanor, contrary to NMSA 1978 § 1-19-35 and NMSA 1978 § 1-19-36.

**COUNT 49: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about the 29th of May, 2014, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make any record or file, a Report of Expenditures and Contributions, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 50: FILING A FALSE CAMPAIGN REPORT**

That on or about the 29th of May, 2014, in Santa Fe County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully filed a statement or report of expenditures and contributions, a Report of Expenditures and Contributions, that contained false or incomplete information, a misdemeanor, contrary to NMSA 1978 § 1-19-35 and NMSA 1978 § 1-19-36.

**COUNT 51: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about the 1st of June, 2014, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make any record or file, a Report of Expenditures and Contributions, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 52: FILING A FALSE CAMPAIGN REPORT**

That on or about the 1st of June, 2014, in Santa Fe County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully filed a statement or report of expenditures and contributions, a Report of Expenditures and Contributions, that contained false or incomplete information, a misdemeanor, contrary to NMSA 1978 § 1-19-35 and NMSA 1978 § 1-19-36.

**COUNT 53: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about the 3rd of July, 2014, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make any record or file, a Report of Expenditures and Contributions, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 54: FILING A FALSE CAMPAIGN REPORT**

That on or about the 3rd of July, 2014, in Santa Fe County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully filed a statement or report of expenditures and contributions, a Report of Expenditures and Contributions, that contained false or incomplete information, a misdemeanor, contrary to NMSA 1978 § 1-19-35 and NMSA 1978 § 1-19-36.

**COUNT 55: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about the 8th of September, 2014, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make any record or file, a Report of Expenditures and Contributions, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 56: FILING A FALSE CAMPAIGN REPORT**

That on or about the 8th of September, 2014, in Santa Fe County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully filed a statement or report of expenditures and contributions, a Report of Expenditures and Contributions, that contained false or incomplete information, a misdemeanor, contrary to NMSA 1978 § 1-19-35 and NMSA 1978 § 1-19-36.

**COUNT 57: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about the 14th of October, 2014, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make any record or file, a Report of Expenditures and Contributions, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 58: FILING A FALSE CAMPAIGN REPORT**

That on or between the 14th of October, 2014, in Santa Fe County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully filed a statement or report of expenditures and contributions, a Report of Expenditures and Contributions, that contained false or incomplete information, a misdemeanor, contrary to NMSA 1978 § 1-19-35 and NMSA 1978 § 1-19-36.

**COUNT 59: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about the 30th of October, 2014, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make any record or file, a Report of Expenditures and Contributions, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 60: FILING A FALSE CAMPAIGN REPORT**

That on or about the 30th of October, 2014, in Santa Fe County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully filed a statement or report of expenditures and contributions, a Report of Expenditures and Contributions, that contained false or incomplete information, a misdemeanor, contrary to NMSA 1978 § 1-19-35 and NMSA 1978 § 1-19-36.

**COUNT 61: TAMPERING WITH PUBLIC RECORDS (2054)**

That on or about the 4th of December, 2014, in Santa Fe County, New Mexico, the above-named defendant, a public officer or public employee, did knowingly falsify or falsely make any record or file, a Report of Expenditures and Contributions, authorized or required to be kept by law, a 4th degree felony, contrary to NMSA 1978 § 30-26-1.

**COUNT 62: FILING A FALSE CAMPAIGN REPORT**

That on or about the 4th of December, 2014, in Santa Fe County, New Mexico, the above-named defendant, a candidate or candidate's agent, knowingly and willfully filed a statement or report of expenditures and contributions, a Report of Expenditures and Contributions, that contained false or incomplete information, a misdemeanor, contrary to NMSA 1978 § 1-19-35 and NMSA 1978 § 1-19-36.

**COUNT 63: CAMPAIGN PRACTICES; SEPARATE BANK ACCOUNT REQUIRED**

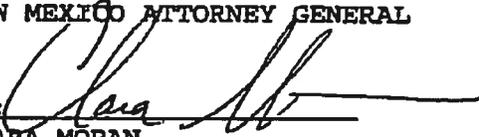
That on or between September 12, 2011, and December 29, 2014, in Santa Fe County, New Mexico, the above-named defendant, a candidate, did make an expenditure and/or solicited or accepted a contribution for a political purpose without establishing a single bank account, in which all receipts of money contributions were deposited and all expenditures were dispersed, a misdemeanor, contrary to NMSA 1978 § 1-19-34 and NMSA 1978 § 1-19-36.

**COUNT 64: CAMPAIGN PRACTICES; CONTENT OF REPORT VIOLATION**

That on or about April 14, 2014, in Santa Fe County, New Mexico, the above-named defendant, a candidate, filed a campaign report that did not include the full name of an entity to wit: Mack Energy Corporation, OR the amount of the contributions totaling \$12,700.00 a misdemeanor, contrary to NMSA 1978 § 1-19-31 and NMSA 1978 § 1-19-36.

The names of the witnesses upon whose testimony this information is based are as follows: Benjamin Baker, Jennifer Weber, Stanley Gloria, Michelle Gallegos, Larry Ortega, Diana Telles, Marlene Shoats, Daniel Weaks, Robert Perea, Billie Jo Crouse, Marie Sorensen, Brad Hunton, Debbie Hunton, John Pugh, Connie Pugh, Diane Kinderwater, Anna Hersey, Diane Stearley, Mack Energy Corp. Records Custodian, Brenna Kennedy, Grace Gonzalez, Trish Winters, Doug Bird, Black Duck Records Custodian, Sean Davis, Melissa Barraza, Wells Fargo Records Custodian, First National Bank Records Custodian, San Felipe Casino Records Custodian, Inn of the Mountain Gods Records Custodian, Casino Apache Records Custodian, Sandia Casino Records Custodian, Camel Rock Records Custodian, Buffalo Thunder Records Custodian, Secretary of State of New Mexico Records Custodian, Tax and Revenue Department Records Custodian, Handwriting expert.

HECTOR H. BALDERAS  
NEW MEXICO ATTORNEY GENERAL

BY:   
CLARA MORAN  
ASSISTANT ATTORNEY GENERAL

BY:   
JOSEPH SPINDLE  
ASSISTANT ATTORNEY GENERAL

STATE OF NEW MEXICO )  
 )  
COUNTY OF SANTA FE )

VERIFICATION

Clara Moran and Joseph Spindle, Assistant Attorneys General, being duly sworn, say that the facts stated in the foregoing Information are true according to the best of their information and belief.

  
Assistant Attorney General

  
Assistant Attorney General

Subscribed and sworn to before me  
this 18<sup>th</sup> day of September 2015.

  
Notary Public

My Commission Expires:

9/23/2016