



U.S. Department of Justice

*United States Attorney
District of New Mexico*

P O Box 607
Albuquerque NM 87103

Phone (505) 346-7274
Fax (505) 346-7296

September 22, 2015

Doña Ana County/Third Judicial District Attorney's Office
Attn: Custodian of Records
845 N. Motel Blvd.
Las Cruces, NM 88007

Re: Grand Jury Subpoena

Dear Custodian of Records:

You have been served, as custodian of records, with a subpoena duces tecum issued by a federal grand jury in connection with a criminal investigation being conducted in this District. The subpoena directs you to produce certain records on **October 6, 2015**, at 8:30 a.m., before the grand jury in Albuquerque, New Mexico.

As a convenience, you may deliver the requested documents to Special Agent John D. Fay, Federal Bureau of Investigation, 4200 Luecking Park Ave. NE, Albuquerque, New Mexico, 87107, in lieu of personally appearing before the grand jury. Should you choose this option, please prepare the documents in some type of sealable package and mark on the package, in bright red letters if possible: "GRAND JURY MATERIALS. DO NOT OPEN." Then, deliver the documents in a sealed condition. **If possible, please provide these records in electronic format on media that is Microsoft Windows compatible.**

If you prefer to personally appear before the grand jury, please call Grand Jury Coordinator Lupe Reyes-Maes, (505) 224-1410, to confirm the date and time you are required to appear.

Premature disclosure of this subpoena for records may impede the investigation in this case. Therefore, you are requested not to disclose the existence of this subpoena.

Thank you for your cooperation in this matter. If you have any questions, please call Special Agent Fay at (505) 889-1541.

Sincerely,

DAMON P. MARTINEZ
United States Attorney

TARA C. NEDA
Assistant United States Attorney

United States District Court

FOR THE DISTRICT OF NEW MEXICO

TO: Doña Ana County/
Third Judicial District Attorney's Office
Attn: Custodian of Records
845 N. Motel Blvd.
Las Cruces, NM 88007

**SUBPOENA TO TESTIFY
BEFORE GRAND JURY**

SUBPOENA FOR:
 PERSON DOCUMENT(S) OR OBJECT(S)

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE Pete V. Domenici United States Courthouse 333 Lomas NW Albuquerque, New Mexico	ROOM GRAND JURY ROOM
	DATE AND TIME Commencing Oct. 6, 2015, at 8:30 a.m. through end of grand jury session

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

PLEASE SEE ATTACHMENT

Please see additional information on reverse.

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

CLERK MATTHEW DYKMAN (By) Deputy Clerk	DATE September 22, 2015
This subpoena is issued in and for the District of New Mexico Damon P. Martinez, United States Attorney	NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY Tara C. Neda, AUSA Post Office Box 607 Albuquerque, New Mexico 87103 (505) 346-7274 0353614042

* If not applicable, enter "none"

SUBPOENA ATTACHMENT

**Doña Ana County/Third Judicial District Attorney's Office
Attn: Custodian of Records
845 N. Motel Blvd.
Las Cruces, NM 88007**

Please provide for:

Susana Martinez
Amy Orlando
Aaron "Kip" Scarborough

For the time period October 1, 2010, to January 31, 2011, any records, regardless of storage format, related to:

- Time and attendance;
- Time sheets;
- Leave requests or use of sick leave;
- Leave without pay, excused absences, unexcused absences;
- Pay;
- Bonuses;
- Expense vouchers, expense reports, requests for reimbursement, or travel vouchers to include all supporting documentation;
- Records of travel;
- Requests for or use of government vehicles;
- Records related to the fueling of government vehicles;
- Records related to use of any government credit card(s) issued to the aforementioned individuals;
- Requests or reports of record checks requested by the aforementioned individuals to include NCIC, III, and state database; and/or
- Any and all documents related to any pay raise or promotion of Kip Scarborough in calendar year 2010 and 2011.

Declaration of _____, Doña Ana County District Attorney's Office.
(Name) (Company)

Pursuant to Rule 902(11) of the Federal Rules of Evidence, I certify the following:

1. I am _____, _____, Doña Ana County District Attorney's Office.
(Name) (Position) (Company)

In that capacity, I serve as custodian of the records referenced in this Declaration.

2. The _____ were made at or near the time of the occurrence
(Description of Records)
of the matters set forth by, or from information transmitted by, a person with knowledge of
those matters.

- 3 The above-described records were kept in the course of Doña Ana County District Attorney's
(Company)
Office's regularly conducted activity.

- 4 These records were made by Doña Ana County District Attorney's Office's regularly conducted
(Company)
activity as a regular practice.

I declare under penalty of perjury that the foregoing is true and correct.

Signature

Date