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**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF COCHISE**

STATE OF ARIZONA,

Plaintiff,

v.

**BRENT THOMAS KUSAMA a/k/a
BRENT THOMAS TADASHI KUSAMA,**

Defendant.

Case No: CR 2022-00375

92 SGJ 110

FIRST AMENDED INDICTMENT

CHARGING VIOLATIONS OF:

**COUNT 1: FRAUDULENT SCHEMES
AND PRACTICES, a Class 5 Felony, in
violation of A.R.S. §13-2311**

**COUNTS 2-9: PRESENTMENT OF
FALSE INSTRUMENT FOR FILING,
Class 6 Felonies, in violation of A.R.S. §39-
161**

**COUNTS 10-11: SIGNING OF
PETITIONS VIOLATION, Class 1
Misdemeanors, in violation of A.R.S. §16-
1020**

The 92st Arizona State Grand Jury accuses **BRENT THOMAS KUSAMA a/k/a
BRENT THOMAS TADASHI KUSAMA** charging on this 17th day of April, 2023, that
in or from Cochise County, Arizona:

COUNT 1
FRAUDULENT SCHEMES AND PRACTICES

During a period of time beginning on or about July 10, 2021, and ending on or about April 20, 2022, **BRENT THOMAS KUSAMA a/k/a BRENT THOMAS TADASHI KUSAMA**, in a matter related to the business conducted by any department or agency of this state or any political subdivision thereof, and pursuant to a scheme or artifice to defraud or deceive, knowingly made or used a false writing or document knowing such writing or document contained any false, fictitious or fraudulent statement or entry, in violation of A.R.S. §§ 13-2311(A), 13-701, 13-702, 13-801, and 16-351(G).

Said conduct occurred when **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly used nominating petitions for the office of Constable for Justice of the Peace District #5, which contained falsified signatures purported to be the signatures of electors supporting his nomination.

COUNT 2
PRESENTMENT OF FALSE INSTRUMENT FOR FILING

On or about March 28, 2022, **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly acknowledged, certified, notarized, procured or offered to be filed, registered or recorded in a public office in this state an instrument he knew to be false or forged, which, if genuine, could be filed, registered or recorded under any law of this state or the United States, or in compliance with established procedure, in violation of A.R.S. §§ 39-161, 13-2001, 13-701, 13-702, 13-801, and 16-351(G).

Said conduct occurred when **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly completed the verification on the back of petition #12 where he stated that he verified "that each of the names on the petition was signed in my presence on the date indicated" and that "each signer was a qualified elector

who resides at the address given as their residence on the date indicated" knowing that petition contained false or forged information about the listed electors.

COUNT 3
PRESENTMENT OF FALSE INSTRUMENT FOR FILING

On or about March 28, 2022, **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly acknowledged, certified, notarized, procured or offered to be filed, registered or recorded in a public office in this state an instrument he knew to be false or forged, which, if genuine, could be filed, registered or recorded under any law of this state or the United States, or in compliance with established procedure, in violation of A.R.S. §§ 39-161, 13-2001, 13-701, 13-702, 13-801, and 16-351(G).

Said conduct occurred when **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly completed the verification on the back of petition #15 where he stated that he verified "that each of the names on the petition was signed in my presence on the date indicated" and that "each signer was a qualified elector who resides at the address given as their residence on the date indicated" knowing that petition contained false or forged information about the listed electors.

COUNT 4
PRESENTMENT OF FALSE INSTRUMENT FOR FILING

On or about March 28, 2022, **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly acknowledged, certified, notarized, procured or offered to be filed, registered or recorded in a public office in this state an instrument he knew to be false or forged, which, if genuine, could be filed, registered or recorded under any law of this state or the United States, or in compliance with established procedure, in violation of A.R.S. §§ 39-161, 13-2001, 13-701, 13-702, 13-801, and 16-351(G).

Said conduct occurred when **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly completed the verification on the back of petition #21 where he stated that he verified "that each of the names on the petition was signed in my presence on the date indicated" and that "each signer was a qualified elector who resides at the address given as their residence on the date indicated" knowing that petition contained false or forged information about the listed electors.

COUNT 5
PRESENTMENT OF FALSE INSTRUMENT FOR FILING

On or about March 28, 2022, **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly acknowledged, certified, notarized, procured or offered to be filed, registered or recorded in a public office in this state an instrument he knew to be false or forged, which, if genuine, could be filed, registered or recorded under any law of this state or the United States, or in compliance with established procedure, in violation of A.R.S. §§ 39-161, 13-2001, 13-701, 13-702, 13-801, and 16-351(G).

Said conduct occurred when **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly completed the verification on the back of petition #22 where he stated that he verified "that each of the names on the petition was signed in my presence on the date indicated" and that "each signer was a qualified elector who resides at the address given as their residence on the date indicated" knowing that petition contained false or forged information about the listed electors.

COUNT 6
PRESENTMENT OF FALSE INSTRUMENT FOR FILING

On or about March 28, 2022, **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly acknowledged, certified, notarized, procured or offered to be filed, registered or recorded in a public office in this state an

instrument he knew to be false or forged, which, if genuine, could be filed, registered or recorded under any law of this state or the United States, or in compliance with established procedure, in violation of A.R.S. §§ 39-161, 13-2001, 13-701, 13-702, 13-801, and 16-351(G).

Said conduct occurred when **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly completed the verification on the back of petition #26 where he stated that he verified "that each of the names on the petition was signed in my presence on the date indicated" and that "each signer was a qualified elector who resides at the address given as their residence on the date indicated" knowing that petition contained false or forged information about the listed electors.

COUNT 7
PRESENTMENT OF FALSE INSTRUMENT FOR FILING

On or about March 28, 2022, **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly acknowledged, certified, notarized, procured or offered to be filed, registered or recorded in a public office in this state an instrument he knew to be false or forged, which, if genuine, could be filed, registered or recorded under any law of this state or the United States, or in compliance with established procedure, in violation of A.R.S. §§ 39-161, 13-2001, 13-701, 13-702, 13-801, and 16-351(G).

Said conduct occurred when **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly completed the verification on the back of petition #27 where he stated that he verified "that each of the names on the petition was signed in my presence on the date indicated" and that "each signer was a qualified elector who resides at the address given as their residence on the date indicated" knowing that petition contained false or forged information about the listed electors.

COUNT 8
PRESENTMENT OF FALSE INSTRUMENT FOR FILING

On or about March 28, 2022, BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA knowingly acknowledged, certified, notarized, procured or offered to be filed, registered or recorded in a public office in this state an instrument he knew to be false or forged, which, if genuine, could be filed, registered or recorded under any law of this state or the United States, or in compliance with established procedure, in violation of A.R.S. §§ 39-161, 13-2001, 13-701, 13-702, 13-801, and 16-351(G).

Said conduct occurred when BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA knowingly completed the verification on the back of petition #30 where he stated that he verified "that each of the names on the petition was signed in my presence on the date indicated" and that "each signer was a qualified elector who resides at the address given as their residence on the date indicated" knowing that petition contained false or forged information about the listed electors.

COUNT 9
PRESENTMENT OF FALSE INSTRUMENT FOR FILING

On or about March 28, 2022, BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA knowingly acknowledged, certified, notarized, procured or offered to be filed, registered or recorded in a public office in this state an instrument he knew to be false or forged, which, if genuine, could be filed, registered or recorded under any law of this state or the United States, or in compliance with established procedure, in violation of A.R.S. §§ 39-161, 13-2001, 13-701, 13-702, 13-801, and 16-351(G).

Said conduct occurred when BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA knowingly completed the verification on the back of petition #32 where he stated that he verified "that each of the names on the petition was

signed in my presence on the date indicated" and that "each signer was a qualified elector who resides at the address given as their residence on the date indicated" knowing that petition contained false or forged information about the listed electors.

COUNT 10
SIGNING OF PETITIONS VIOLATION

On or about March 16, 2022, **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly signed any name other than his own to a nomination petition, in violation of A.R.S. §§ 16-1020, 13-707, 13-802, and 16-351(G), a class 1 misdemeanor.

Said conduct occurred when **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA**, without a specific request to sign on his behalf, knowingly signed the name of John Hinkey to his petition #12 for the office of Constable for Justice of the Peace District #5.

COUNT 11
SIGNING OF PETITIONS VIOLATION

On or about March 16, 2022, **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA** knowingly signed any name other than his own to a nomination petition, in violation of A.R.S. §§ 16-1020, 13-707, 13-802, and 16-351(G), a class 1 misdemeanor.

Said conduct occurred when **BRENT THOMAS KUSAMA A/K/A BRENT THOMAS TADASHI KUSAMA**, without a specific request to sign on his behalf, knowingly signed the name of Yolanda Thompson to his petition #25 for the office of Constable for Justice of the Peace District #5.

Pursuant to A.R.S. § 21-425, the Grand Jurors find that the offenses described above were committed in Cochise County, Arizona.

"A True Bill"
(A "True Bill")

KRISTIN K. MAYES
ATTORNEY GENERAL
STATE OF ARIZONA

Dated: April 17, 2023

/s/ Todd C. Lawson
TODD C. LAWSON
Assistant Attorney General

#10907077v2

/s/ 92nd State Grand Jury Foreperson
Foreperson of the Grand Jury