

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SECOND JUDICIAL DISTRICT COURT

No. _____

IN THE MATTER OF:

**Criminal Investigation of Racketeering, Money Laundering, Receiving Illegal Kickback,
and Violations of the Governmental Conduct Act of:**

Sheryl Williams Stapleton, DOB: 7/30/1957, SSN: [REDACTED]

Property and premises of:
Albuquerque Public Schools Main Office
6400 Uptown Blvd. NE, Albuquerque, NM 87110

SW 2021 0 1 9 5 1

SEARCH WARRANT

THE STATE OF NEW MEXICO, TO ANY OFFICER AUTHORIZED TO EXECUTE THIS WARRANT: Proof by Affidavit for Search Warrant having been submitted to me by, Special Agent Gregory Buhl of the New Mexico Office of the Attorney General, I am satisfied that the person named/described and/or property described in the Affidavit are located where alleged in the Affidavit, and I find that grounds exist for the issuance of the Search Warrant. A copy of the Affidavit is attached and made a part of this Search Warrant.

YOU ARE HEREBY COMMANDED to search forthwith the person and/or place described in the Affidavit, commencing between the hours of 6:00 a.m. and 10:00 p.m. [unless I have specifically authorized a nighttime search as stated below], and continuing thereafter until completed, for the person and/or property described in the Affidavit, serving this Warrant together with a copy of the Affidavit, and making the search and if the person and/or property be found here, to seize the person and/or property and hold for safekeeping until further Order of the Court.

EXECUTING OFFICER (S) are directed to prepare a written inventory of any person or property seized. You are further directed to file the return and written inventory with the Court promptly after execution of this Search Warrant.

DATED THIS 21 DAY OF July, 2021 at 0930 hours a.m./p.m.



District Judge

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SECOND JUDICIAL DISTRICT COURT

No. _____

IN THE MATTER OF:

**Criminal Investigation of Racketeering, Money Laundering, Receiving Illegal Kickback,
and Violations of the Governmental Conduct Act of:**

Sheryl Williams Stapleton, DOB: 7/30/1957, SSN: [REDACTED]

Residential property and premises of:
Albuquerque Public Schools Main Office
6400 Uptown Blvd NE, Albuquerque, NM 87110

STATE'S COPY

RETURN AND INVENTORY

I received the attached Search Warrant on 21 July 2021 and executed it on the 27 day of July, 2021 at 1915 hours. I searched the person or premises described in the Warrant and left a copy of the Warrant with Los Robles, Esq. at 2345 hours together with a copy of the inventory for the items seized. The following inventory of the property taken pursuant to the Warrant:

see attached

This inventory was made in the presence of S.A.G. Buhl and S.A. A. Trujillo
Applicant for Search Warrant Owner or other witness

[Signature]
Signature of Special Agent

[Signature]
Signature of Owner or Witness

Return made this 28 day of July, 2021 at 8:11 am hours.

[Signature]
(Judge Clerk)

After a careful search, I could not find at the place or on the person described the property described in this Warrant

(Officer)

(Date)



Attorney General of New Mexico

Search Warrant Return and Inventory Supplemental

Page 1 of 1

Case #: NMAGO-202104-00291

Date of Search: 07/27/2021

Time: 7:15pm

Case Agent: SA G. Buhl

Evidence Custodian: J. Ratliff

ECN: 0625A

Description and Location of Search: 6400 Uptown Blvd. Albuquerque NM, 87710 Ste 590 West

[illegible]

Signature of person completing inventory:

Witness:

G.A. 301

A. Tripoli

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
SECOND JUDICIAL DISTRICT COURT

No.

IN THE MATTER OF:

**Criminal Investigation of Racketeering, Money Laundering, Receiving Illegal Kickback,
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Sheryl Williams Stapleton, DOB: 7/30/1957, SSN: [REDACTED]

Property and premises of:

Albuquerque Public Schools Main Office
6400 Uptown Blvd. NE
Albuquerque, NM 87110

SW 2021 0 1 9 5 1

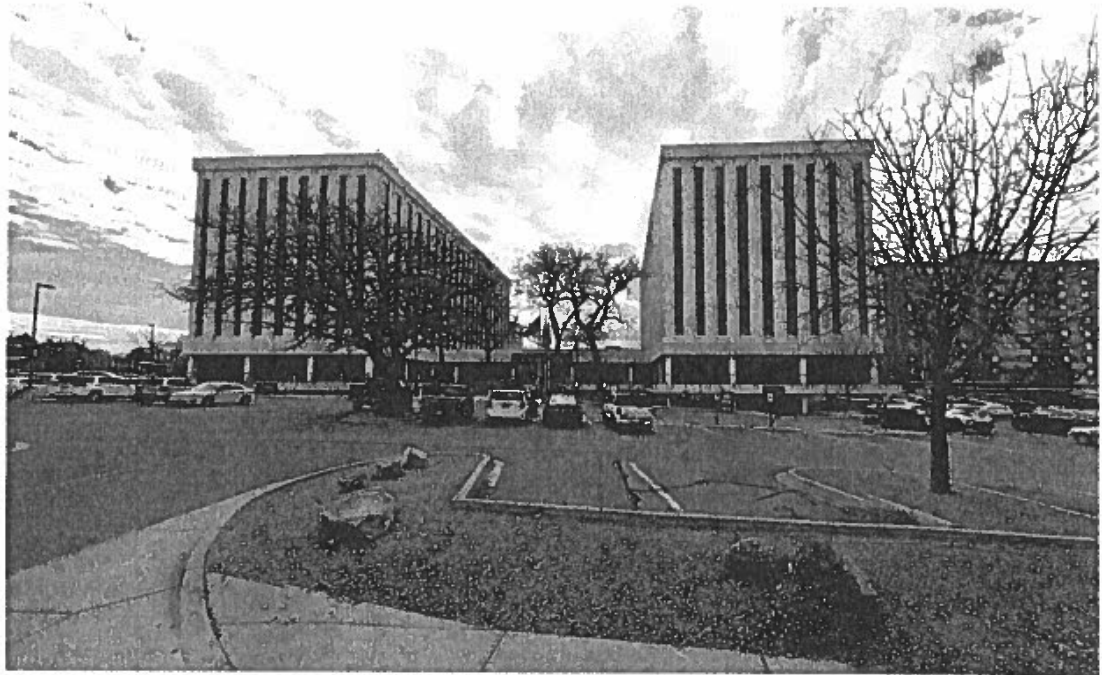
AFFIDAVIT FOR SEARCH WARRANT

Affiant, being duly sworn upon his oath, states and I have reason to believe that on the following described premises, vehicle(s), and /or person(s) of:

Albuquerque Public Schools Main Office, 6400 Uptown Blvd. NE, Albuquerque, NM 87110

Sheryl Williams Stapleton, DOB: 7/30/1957, SSN: [REDACTED]

1. The premises, its curtilage, all structure(s), and trash container(s) located at 6400 Uptown Blvd. NE, Albuquerque, Bernalillo County, New Mexico, 87110. The premises consist of a multi-story governmental multi-building complex, with a white in color exterior, flat roof and underground parking. The complex has three main entrances: eastern side with the words "EAST ENTRANCE" on a blue awning above the doors, western side with the words "WEST ENTRANCE" on a blue awning above the doors, and an entrance adjacent to Uptown Boulevard with three flag poles in front of the entryway and the words "6400 UPTOWN BOULEVARD" on a blue awning above the doors. On the top portion of the building on both eastern and western sides are large blue letters spelling out "Albuquerque Public Schools". The complex occupies a large area where the south side of the property is located on Indian School Road which extends to Americas Parkway, the eastern side of the property is located on Americas Parkway and extends from Indian School Road to Uptown Boulevard, northern side of the property extends from Americas Parkway to Jeannedale Drive. The western side of the property is partially on Jeannedale Drive, and an apartment complex is located to the west. A white sign in the parking lot adjacent to Indian School has large blue letters on both sides spelling out "Albuquerque Public Schools". On Americas Parkway, separating the sidewalk from the parking lot is a black in color metal fence extending from Indian School Road to Uptown Boulevard. A white sign in the parking lot adjacent to the corner of Americas Parkway and Uptown Boulevard has large blue letters on both sides spelling out "Albuquerque Public Schools" and the numerics of "6400" in blue below the aforementioned words.



Specifically: A search of the contents of any area assigned, occupied, utilized, designated, or controlled, and/ or any storage space (physical, electronic or otherwise) allocated or dedicated to any degree, directly or peripherally to or by Sheryl Williams Stapleton at the Albuquerque Public Schools Main Office building(s) including, but not limited to any office spaces, work spaces, cubicles, desks, lockers, filing cabinets (or other similar means of housing records, documents and files); the search of those areas to be conducted for items specified in this search warrant.

2. Any and all vehicle(s) registered to Sheryl Williams Stapleton, Edread Stapleton, Ujima Foundation and/ or the Charlie Morrissey Foundation located at above-described premises, to be searched to include but not limited to:

2017 Blue Volvo T5 sport utility vehicle, New Mexico registration RCL854

3. Person(s) located at the above-described premises, to be searched:

Sheryl Williams Stapleton, DOB: 7/30/1957, SSN: [REDACTED]

In the State of New Mexico, County of Bernalillo there is now being concealed property which would be material evidence in a criminal prosecution, namely:

Items to Be Searched For and Seized

1. Document(s) (whether on paper or stored magnetic, digital, optical media, and/or e-mail) that

establish or tend to establish ownership, possession, association with and/or interest in, use, transfer and/or the right to ownership, possession, use and/or transfer of the herein-described item(s), to be seized involving but not limited to Sheryl Williams Stapleton, Joseph Johnson, Patricia Smith and Edread Sylvester Stapleton and any entity, organization, any enterprise purporting itself to be, being represented as, or otherwise giving the appearance of being or conducting activities as a business to include but not limited to Robotics Learning Management Systems, TriTech, S. Williams and Associates, Taste of the Caribbean LLC, CyberQuest, Charlie Morrissey Foundation, and/or the Ujima Foundation.

2. Personal and/or business contact sheets, logs, phone / address books, client lists, documents with client contact information (whether on paper or stored magnetic, digital, optical media, and/or e-mail) involving but not limited to Sheryl Williams Stapleton, Joseph Johnson, Patricia Smith, and Edread Sylvester Stapleton and any entity or organization to include but not limited to Robotics Learning Management Systems, CyberQuest, TriTech, S. Williams and Associates, Taste of the Caribbean LLC, Charlie Morrissey Foundation, and/or the Ujima Foundation.
3. Personal and/or business check(s), and/or any other negotiable financial item(s) (whether on paper or stored magnetic, digital, optical media, and/or e-mail), whether negotiated or not negotiated, printed, partially written, electronic or digital checks, checkbooks, electronic checkbooks, any paper, programs, or other documents that contain completed or partially completed checks or images of checks involving but not limited to Sheryl Williams Stapleton, Joseph Johnson, Patricia Smith, and Edread Sylvester Stapleton and/or any entity or organization to include but not limited to Robotics Learning Management Systems, CyberQuest, TriTech, S. Williams and Associates, Taste of the Caribbean LLC, Charlie Morrissey Foundation, and/or the Ujima Foundation.
4. Lists, writings, ledgers, or documentation (whether on paper or stored magnetic, digital, optical media, and/or e-mail) of any kind that contain any combination of numbers to include routing and account numbers, dates of birth, social security numbers, driver's license numbers, or any other series of numbers that can be used to identify a specific person or account of any kind involving but not limited to Sheryl Williams Stapleton, Joseph Johnson, Patricia Smith, and Edread Sylvester Stapleton and any entity or organization to include but not limited to Robotics Learning Management Systems, CyberQuest, TriTech, S. Williams and Associates, Taste of the Caribbean LLC, Charlie Morrissey Foundation, and/or the Ujima Foundation.
5. Any and all items or property associated to any entity or organization or any enterprise purporting itself to be, being represented as, or otherwise giving the appearance of being or conducting activities as a business to include but not limited to Robotics Learning Management Systems, CyberQuest, TriTech, S. Williams and Associates, Taste of the Caribbean LLC, Charlie Morrissey Foundation, and/or the Ujima Foundation to include but not limited to items with logo(s), stationery, stamp(s), advertisement product(s), correspondence document(s), bill(s), and other similar item(s) whether on paper or stored magnetic, digital, optical media, and/or e-mail.
6. Any document(s) (whether on paper or stored magnetic, digital, optical media, and/or e-mail) which appear to be related to financial transaction(s) and/or attempted financial transaction(s) involving but not limited to Sheryl Williams Stapleton, Joseph Johnson, Patricia Smith, and Edread Sylvester Stapleton and any entity or organization to include but not limited to

Robotics Learning Management Systems, CyberQuest, TriTech, S. Williams and Associates, Taste of the Caribbean LLC, Charlie Morrissey Foundation, and/or the Ujima Foundation.

7. Any and all records (whether on paper or stored magnetic, digital, optical media, and/or e-mail) pertaining to the financial activities of Sheryl Williams Stapleton, Joseph Johnson, Patricia Smith, and Edread Sylvester Stapleton, including but not exclusive to files, logs, ledgers, documents, expense reports, receipts, vouchers, warrants, procurement requests, procurement orders, monthly statements, invoices, audits, budgetary documents, banking records, checks (completed or otherwise), payroll checks, cashier's checks, money orders, donations, and allocations.
8. Any and all records (whether on paper or stored magnetic, digital, optical media, and/or e-mail) pertaining to the business and/or financial activities of and any entity or organization to include but not limited to Robotics Learning Management Systems, CyberQuest, TriTech, S. Williams and Associates, Taste of the Caribbean LLC, Charlie Morrissey Foundation, and/or the Ujima Foundation, including but not exclusive to files, logs, ledgers, documents, expense reports, receipts, vouchers, warrants, procurement requests, procurement orders, monthly statements, invoices, audits, budgetary documents, banking records, checks (completed or otherwise), payroll checks, cashier's checks, money orders, donations, allocations, contracts, and agreements.
9. Records (whether on paper or stored magnetic, digital, optical media, and/or e-mail) relating to the ownership of any business or non-profit organizations include but not limited to Robotics Learning Management Systems, CyberQuest, TriTech, S. Williams and Associates, Taste of the Caribbean LLC, Charlie Morrissey Foundation, and/or the Ujima Foundation, which include but are not limited to income and expenses, payroll records, businesses licenses, customer lists, and tax records.
10. Any stored value card (i.e. gift cards or Visa/MasterCard/American Express pre-loaded debit cards) or other negotiable instrument on which any proceeds derived under fraudulent pretenses could be stored.
11. Electronic and/or digital, magnetic, and/or optical media and/or device(s) including but not limited to computer hard disc drive(s), computer network hardware, network storage, cassette(s), compact disc(s), flash card(s), zip drive(s), floppy diskette(s), CD-ROM(s), CD-RW(s), DVD-RW(s), DVD(s), compact disc(s), digital video disc(s), and/or device(s) capable of creating, analyzing, displaying, converting, storing and/or transmitting electronic and/or digital, magnetic and/or optical impulses and/or data issued to, utilized or otherwise authorized access to Sheryl Williams Stapleton. Any and all application software, operating systems, utility programs, compilers, interpreters and/or other programs and/or software used to communicate, directly and/or indirectly, with computer hardware and/or peripheral computer device(s).

This warrant shall authorize the complete search, to include but not limited to, the copying and viewing, of said and/or devices, to be searched. It may be necessary to employ the assistance of the Information Technology Department to complete the search of the devices, network storage, and any other data that may be stored on the network that is administratively controlled data. It may be necessary to seize said media and/or device(s), whole or in part, for subsequent off site forensic examination and analysis conducted in a controlled environment.

12. Any record documented on any media, which appears to list and/or identify e-mail addresses, e-mail messages/correspondences, internet sites, user names, user identification numbers,

internet provider information, writings, or communication, including but not limited to, letters, instant messages, or any type or correspondence which describes, displays images, or contains information or acts.

This warrant shall authorize the complete search, to include but not limited to, the copying and viewing, of the said media and/or devices, to be searched. It may be necessary to employ the assistance of the Information Technology Department to complete the search of the devices, network storage, and any other data that may be stored on the network that is administratively controlled data. It may be necessary to seize the herein-described media and/or device(s), whole or in part, for subsequent off site forensic examination and analysis conducted in a controlled environment.

13. All records associated with the APS email account williams_sm@aps.edu, which include, but are not limited to:
 - User Identification Number, name(s), birth date, personal identifying information, emergency contact information, other email addresses associated with the account, most recent logins, profile contact information, Mini-Feed, Status update history, Contact Listing, Groups Listing, Future and Past Events, Video Listing with filename, connected applications and sites, and account activity including account sign in locations, browser information, platform information, and interocl protocol (IP) addresses;
 - User attribution data - accounts, email accounts, passwords, PIN codes, account names, user names, screen names, remote data storage accounts, credit card number or other payment methods, contact lists, calendar entries, text messages, voice mail messages, pictures, videos, telephone numbers, mobile devices, physical addresses, historical GPS locations, two-step verification information, or any other data that may demonstrate attribution to a particular user or users of the account(s);
 - Calendar - All calendars, including shared calendars and the identities of those with whom they are shared, calendar entries, notes, alerts, invites, and invitees;
 - Contacts - All contacts stored including name, all contact phone numbers, emails, social network links, and images;
 - All User photos, videos, blogs, posts, and stories to include any and all associated EXIF data and location information.
 - All other records of communications and messages made or received by the user, including all email messages, including by way of example and not limitation, such as inbox messages whether read or unread, sent mail, saved drafts, chat histories, anct emails in the trash folder. Such messages will include all information such as the date, time, internet protocol (IP) address routing information, sender, receiver, subject line, any other parties sent the same electronic mail through the 'cc' (carbon copy) or the 'bcc' (blind carbon copy), the message content or body, and all attached files, incoming and outgoing messenger conversation, messenger call logs, chat history, video calling history, and requests.
 - Any other records or account-related or associated to the above reference name, user names, or accounts, and any and all user created documents stored by Yahoo to include any connected cloud storage accounts.
14. Any record documented on any media which appears to be a password, personal identification number, item(s) and/or information used to access and/or facilitate access of said item(s) to be searched.
15. Telephones, pagers, cellular telephones, radio transmitter/receivers, telephonic answering,

paging and/or messaging machine(s). Data stored on/within the internal and/or external memory of the herein-described items, to be searched, including, but not limited to text messages, voice messages, emails, instant messaging, internet activity, and/or any other data contained therein.

This warrant shall authorize the complete search of the herein-described items, to be searched. It may be necessary to view, listen to and/or manipulate the herein-described items, to be searched, in order to copy, transcribe, transfer and/or otherwise document the data.

This warrant shall authorize law enforcement and/or people assisting law enforcement to answer any incoming telephone call(s) which are received on the herein-described items, to be searched, and converse on said items, while executing this warrant and/or after taking possession of the herein-described items, for subsequent off site forensic examination and analysis conducted in a controlled environment.

16. Articles of personal property tending to establish the identity of person or persons having the dominion and control over the computer equipment.
17. All safes or lock boxes, where diaries, notes, ledgers, pictures or other evidence of violations of the Procurement Code of Public Purchases and Property, violations of the Governmental Conduct Act, and/or fraud may be concealed.
18. Any and all keys to access post office boxes or similar lock boxes.
19. Currency and/or containers and/or packages containing and/or packaging currency that is reasonably likely to have been derived under fraudulent pretenses or through the passing of fraudulent personal or corporate check, or any other method that is or appears to be part of a scheme or artifice to defraud.
20. Documentation of the herein-described premises, vehicle(s), person(s) and/or the herein-described item(s), to be seized, by means of measurement, photography, videography and/or any other means deemed necessary by law enforcement and/or person(s) assisting law enforcement.
21. Any and all documentation to show ownership of vehicles to be searched to include but not exclusive to registration(s), title(s), bill of sale(s) etc.
22. Any record documented on any media which appears to provide documentation, planning, instruction, advice, facilitation and/or otherwise support for the violation of procurement laws and theft of public funds.
23. Item(s) which establish or tend to establish possession, use, residence, occupancy, presence and/or the right to possession, use, residence, occupancy and/or presence at the above described premises and/or vehicle(s), to be searched.
24. Any record documented on any media, which establishes and/or tends to establish the state of mind, motive(s), action(s), means and/or intention(s) of any person(s) with knowledge or apparent knowledge of the crime(s), including, but not limited to diaries, journal(s), audio and/or video tape(s).
25. Any and all illegal contraband, or item recognized as evidence of a crime, which I have probable cause before seizure, to believe is related to the criminal activity, or has been criminally obtained or is being possessed in a manner which constitutes a criminal offense, is designed or intended for use or which has been used as a means of committing a criminal offense, and would be material evidence in a criminal prosecution.

Electronic Communications Privacy Act (ECPA), NMSA Section 10-16F-1 et seq. As required by NMSA Section 10-16F-3, any information obtained through the execution of this warrant that is unrelated to the objective of the warrant or exculpatory to the target of the warrant shall be sealed and not subject to further review, use or disclosure except pursuant to a court order or to comply with discovery as required. Due to the nature of the alleged offenses, all electronic devices and the data contained on those devices seized pursuant to this search warrant are related to the objective of this warrant and/or may contain exculpatory evidence with respect to the target of the warrant; therefore all electronic devices and the data on those devices seized pursuant to this search warrant are not subject to the sealing requirement and shall not be sealed, in whole or in part.

The facts tending to establish the foregoing grounds for issuance of a Search Warrant are as follows:

Affiant, **Special Agent Gregory Buhl**, is a full time, salaried law enforcement officer who is employed by the New Mexico Office of the Attorney General and has been a Commissioned New Mexico Law Enforcement Officer since September 17, 2004. Affiant has received specialized training in criminal investigations through the New Mexico Law Enforcement Academy, various law enforcement agencies, accredited advanced training courses and on-the-job training. Affiant has a Bachelor of Science in Occupational Education with an emphasis in Justice Administration. Affiant has conducted numerous criminal investigations that led to the arrest and conviction of persons in violation of New Mexico State Statutes and Federal Criminal Statutes.

Through his own investigation and/or from information gathered and provided to him by other peace officers, witnesses, and/or persons with knowledge of the criminal offenses as described below, Affiant learned:

Background

On April 26, 2021, the newly appointed Superintendent of APS, Scott Elder, submitted to the New Mexico Attorney General a letter referencing "*Suspected Violations of the Governmental Conduct Act and Procurement Code*". The Superintendent specifically states that he "*suspected [a] violation of the Governmental Conduct Act and the Procurement Code, by Sheryl Williams Stapleton, who is the current Coordinator and Director of Career and Technical Education ("CTE") at Albuquerque Public Schools ("APS").*"

Albuquerque Public Schools (APS) is the largest of New Mexico's 89 school districts, serving about a fourth of the state's public school students in 144 schools covering approximately 1,200 square miles. APS provides educational services to the city of Albuquerque, towns of Corrales and Los Ranchos, the counties of Bernalillo and Sandoval, and the pueblos of Isleta and Laguna. APS is the largest employer in Albuquerque, providing full-time jobs for more than 12,000 people including about 5,500 teachers.

Investigation

The initial letter sent to the Office of the Attorney General mentioned specific problems that were

viewed as being possible violations of state law. Investigators requested from APS evidence that supports the claims made by the District Superintendent. In a subsequent letter dated May 18, 2021, APS reported that the APS Grants Department contacted the Executive Director of APS's Business Systems, Procurement, and Accounts Payable Department, Renette Apodaca, concerning an invoice that had been submitted by a company named Robotics. This invoice concerned payment for a product called "CyberQuest" in 2018. The invoice from Robotics prominently featured the words "Purchase Order". According to the APS Grants Department, the New Mexico Public Education Department (NMPED) refused to reimburse APS for the payment until the words were corrected to "Invoice." Ms. Apodaca thus had a member of her staff contact Robotics to have it fixed. The staff member repeatedly tried to get in touch with Robotics staff by phone and email, but never received a response. The staffer also reported that the voicemail for Robotics sounded like a personal voicemail message, not typical of a business or professional enterprise. Robotics did not provide a physical address for their business, only a P.O. Box in Albuquerque, NM to which payment checks were remitted. Furthermore, neither of the two internet website addresses listed on the Robotics Invoice were operational at the time Ms. Apodaca began to research this company. At present, neither of the websites printed on documents by Robotics were found to be in operation.

Ms. Apodaca reported that she learned from the invoices and vendor paperwork that the CyberQuest software was supposed to be a web-based program which provided students with multiple-choice quizzes. In addition to the software, Robotics supposedly developed teacher-training materials on how to integrate math and science into Career and Technical Education (CTE) subject-matter questions. On an unknown date, Ms. Apodaca stated that one of her co-workers (who was not identified) knew a CTE teacher who he contacted about the usage of the software. Ms. Apodaca reported that about 15 minutes after this phone call, Sheryl Williams Stapleton (who was not contacted by anyone in the Procurement Department) came into the Procurement Department questioning "*Why are you guys looking into Robotics? You guys aren't getting rid of this, are you?*"

Additionally, Ms. Apodaca conducted a web search for CyberQuest software. Through this search, Ms. Apodaca learned that the program was associated with a company named Govconnect. The company contact information for Govconnect was an individual by the name of Robert Crants. According to Ms. Apodaca, Robert Crants told her that Govconnect no longer owned the CyberQuest software, as they had "*never been able to get it going.*" Mr. Crants explained that he gave the software to one of his developers, Andres Thompson, who planned to develop it by himself. When Ms. Apodaca told Mr. Crants that APS was using the software, Mr. Crants replied, "*Oh yeah, I heard that. I heard they had connections at APS!*" Mr. Crants said he would have the developer get in touch with Ms. Apodaca.

Ms. Apodaca was never contacted by the developer, Andres Thompson, but was instead contacted by a man named Joseph F. Johnson Jr. who identified himself as the CEO of Robotics. Mr. Johnson gave the explanation that Mr. Thompson had suffered a stroke, and so Mr. Johnson had taken over the company. Ms. Apodaca told Mr. Johnson she had been trying to get in touch with someone at Robotics for "quite some time" and that APS needed a corrected invoice and updated information for the vendor packet. Mr. Johnson agreed to provide everything she needed. After speaking to

Mr. Johnson that one time, Ms. Apodaca did not hear back from Mr. Johnson, or anyone else at Robotics, until a formal Request for Proposal (RFP) was issued in 2019.

A corrected invoice and the updated information requested by Ms. Apodaca was never provided by Joseph F. Johnson Jr. or a Robotics representative, but was instead provided by Sheryl Williams Stapleton. Ms. Apodaca further reports that Sheryl Williams Stapleton or her staff would continually provide Ms. Apodaca with updated documentation from Robotics.

After receiving the updated documentation for Robotics, Ms. Apodaca noted that checks were to be remitted to a P.O. Box in Albuquerque, NM. However, there was nothing that indicated Robotics had a license to do business in Albuquerque or in the State of New Mexico. When a vendor administrator inquired about the Albuquerque P.O. Box provided, Sheryl Williams Stapleton produced an additional Washington, D.C. physical address. An internet search of the Washington, D.C. address shows it to be spare office space. Ms. Apodaca reports that she was unable to find any information with the State of New Mexico or the City of Albuquerque, or any registration of Robotics as a company or organization within the state. Furthermore, Ms. Apodaca reports that Sheryl Williams Stapleton asked if Robotics needed to register with the New Mexico Tax and Revenue Department. Ms. Apodaca informed Sheryl Williams Stapleton to check directly with the New Mexico Tax and Revenue Department. Despite this conversation, a tax registration was never provided.

Ms. Apodaca states that due to the irregularities and questionable practices of Robotics, she conducted a review of their history. Ms. Apodaca reports that every invoice issued by Robotics to APS was for an even dollar amount, no cents, and in unchanging amounts even over many years. Most charges were for \$40,000 for renewal fees. Ms. Apodaca reports that Sheryl Williams Stapleton generated the Purchase Orders for CyberQuest licenses and training every year since 2011, though some records show these practices began in 2007. The CyberQuest software license renewals were billed at \$40,000 per school. There was also teacher training described as professional development. Ms. Apodaca reports that the price per school remained the same; however the number of schools reported to use it increased over the years. Ms. Apodaca reports that from 2011 through 2017, the yearly cost for Robotics procurements steadily increased from \$247,500 to \$468,000.

Ms. Apodaca reports that purchases by APS are subject to the Procurement Code process, NMSA 1978, § 13-1-30(B), but certain exemptions and exceptions do exist. In particular, there is an exemption for the purchases of books, periodicals, and training materials in printed or electronic format from the publishers or copyright holders. Section 22-5-4N NMSA 1978 of the School Code requires that contracts for expenditure of money be made in accordance with the Procurement Code, requiring school boards to contract according to all but two sections of the entire Procurement Code. This means that all bidding requirements of the Code, including the exemptions in this section, apply to school-district contracts. Ms. Apodaca reports that no such copyrights were disclosed. Ms. Apodaca reports that she did not find a request for proposal (RFP) or an Invitation to Bid (IFB), nor was there any evidence that Robotics ever responded to an RFP or IFB. Ms. Apodaca reports that based on the purchase orders, it was unclear exactly what was being purchased by APS. Since exceptions to the Procurement Code do exist, those exceptions

must be noted and known. Furthermore, these products were acquired through a sole-source exemption. Sole-sourcing refers to selecting a vendor because it is the only one of its kind available. On December 4, 2017, a Sole Source Justification Request Form, signed by Sheryl Williams Stapleton (requestor), asserted that CyberQuest is unique because it is an *"Interactive and animated program built in management tool that allows instructors to monitor student progress with coding applications associated with all vocational education classes."* APS reports that CyberQuest was/is not a unique software program. It appears to be a standard online quiz application which allows users to create multiple choice questions, arranged by topic, and to add graphics and hints.

Furthermore, APS reports that Sheryl Williams Stapleton has also requested the procurement of services from a company known as TriTech Enterprises, LLC ("TriTech"), which is owned by Randolph Williams Jr. According to APS, TriTech purports to conduct teacher training on use of the software known as "CyberQuest" and appears to have close ties to Robotics. Both Robotics and TriTech charge the same amount for the same training.

APS also had concerns that individuals who operate, were employed by, or had close ties to Robotics and/or TriTech were either related to or had a close relationship with Sheryl Williams Stapleton. These individuals were identified as David Hendrickson and Joseph F. Johnson Jr.

The first date APS was invoiced from Robotics was March 6, 2006 (three separate invoices for \$40,000 each), and the last invoice date was June 23, 2021 (twelve separate invoices of varying amounts). During this time period, APS paid Robotics **\$5,360,030.00**.

Robotics Management Learning Systems LLC

Robotics provides a computer program named CyberQuest and operated under the provisions as a sole source product. A comprehensive review of Robotics by Investigators also noted many irregularities as APS did when they began their inquiry into this entity.

Licensure

According to the Washington D.C. online business license portal, Joseph Johnson and Patricia Smith are listed as the executive officers for Robotics. It was registered as a Limited Liability Company; however, open source information lists the license as "revoked" as of February 27, 2021. Furthermore, there are no records found from the New Mexico Secretary of State's information portal that indicate Robotics is a registered entity within New Mexico.

Physical Locations and mailing addresses

The official address on this business license is 1004 Southern Avenue SE, Washington, D.C. 20032. This address is used in official correspondence and documents with APS as early as October 24, 2014. This location is a residential dwelling in a continuous row-house residential neighborhood. The public online source of Google Maps shows pictures of this residence (taken

in 2021); which has no outward appearance or signage to indicate any businesses operate out of this location.

Upon researching the address of 1004 Southern Avenue SE, Washington, D.C. 20032, it was found that the National Corrections and Rehabilitation Corporation, which is operated by Joseph F. Johnson Jr., also lists this address as its official business address. According to the official Washington D.C. online records, this address's listed owner is Patrica Smith, who is an agent for Robotics.

Another irregularity that stands out is the forms submitted by Robotics to APS. On December 10, 2009, Joseph Johnson provided APS a business address of P.O. Box 27188, Albuquerque, NM 87125. On April 3, 2012, Andres Thompson provided APS with the business address for Robotics as P.O. Box 9323, Albuquerque, NM 87119.

Furthermore, Joseph Johnson furnished a federal W-9 tax form to APS on October 12, 2018 where he lists 1411 H Street NE, Office 804, Washington D.C. 20002 as the official address of Robotics. This address is a commercial real estate property that is currently unoccupied. The online Washington D.C. portal for business permits shows that the National Corrections and Rehabilitation Corporation occupied this location from December 1, 2016 to November 30, 2018.

Additionally, listed on an October 21, 2018, conflict of interest form a company address of 1012 H Street NE, Washington D.C. 20002 was provided. The online Washington D.C. portal for building permits shows that Vibe Investments opened a beauty supply store at this location on February 1, 2018.

Afterward, all other forms and documents submitted by Robotics to APS continue to use either P.O. Box 9323, Albuquerque, NM 87119 or 1004 Southern Avenue, SE, Washington, D.C. 20032. This address is used predominantly by Robotics on official purchase orders and correspondence with APS.

Phone number

Documents provided to APS by Robotics list a phone number of, (202) 562-7172. As described previously in this narrative, APS personnel had some difficulty reaching anyone associated with Robotics using this number, and the voicemail greeting appeared to them to be more closely related to that of a private person, not a business. Further investigation revealed that this phone number is also associated with the "National Corrections and Rehabilitation Corporation;" which appears to be a separate entity owned and operated by Joseph Johnson.

Websites

On documents sent to APS by Robotics in October 2014 there is a website listed as "www.roboticlearning.com"; however, on October 19, 2014, a different website of "www.roboticinstruction.com" is listed; it should be noted that neither of these websites are operational.

Based on information from APS, on October 19, 2016, Sheryl Williams Stapleton provided contact information for Robotics on a Sole Source Justification Form and provided a website of www.nmcyberquest.com. Though three separate websites have been provided, there is no current active website for this entity or any directory information to be found regarding Robotics.

Robotics' Financial Footprint

A search warrant was obtained for the business credit report of Robotics Management Learning System LLC and/or CyberQuest. The credit bureau Experian was provided all known addresses and information regarding Robotics. Experian reported no information regarding Robotics or any known information regarding this company. According to Experian's Business Information Services, they are *"a leader in providing data and predictive insights to organizations, helping them mitigate risk and improve profitability. The company's business database provides comprehensive, third-party-verified information on 99.9 percent of all U.S. companies, with the industry's most extensive data on the broad spectrum of small and midsize businesses."*

Conflict of interest declarations

On December 4, 2017, Joseph Johnson provided APS with a conflict of interest form declaring that there were no employees of APS which have a direct or indirect financial interest in Robotics nor did they (Robotics) employ any APS employee or close relative of an APS employee, and that there was no member of the New Mexico State Legislature that holds a controlling interest in Robotics. On October 21, 2018, Joseph Johnson supplied APS with a document again stating there is no conflict of interest with his company or APS and its employees.

APS Contracts

It is important to note that Robotics operated as a sole-source entity for a number of years during its partnership with APS. After Ms. Apodaca's review (as outlined above), it was determined that Robotics' procurements should go through the formal RFP process. This occurred in 2019 (RFP 19-032).

Upon completion of this process, APS decided to stay with Robotics and contracted with them for future procurements. The most notable change in the contract with Robotics was that after the RFP process, the company was now providing a single software license for the entire district for \$40,000 rather than charging \$40,000 per school, which it was doing prior to the formal RFP process. The contract with Robotics was signed on June 4, 2019 and an additional Vendor Conflict of Interest Form was signed by Joseph F. Johnson, which again assured the Procurement Department that no conflict existed.

APS currently has an active contract with Robotics and has continued to pay for services and/or products up until May 6, 2021. APS has provided a vendor form that identifies the contact for Robotics as Patricia Smith. The form further attests that all payments are to be remitted to Robotics via the U.S. Mail and sent to P.O. Box 9323, Albuquerque, NM 87119.

A search warrant was obtained for the Bank of America account records of Robotics Management Learning Systems LLC and/or CyberQuest. The financial records for Robotics show that Joseph F. Johnson is the person who opened the account and is the holder of the debit card associated. The bank further indicates and confirms the business associated as Robotics Management Learning Systems LLC, 1004 Southern Ave SE, Washington DC 20032-6042.

The CyberQuest Software

During her review of the software, it was unclear to Ms. Apodaca how much the software was used by students. When Ms. Apodaca requested a student-usage report, she received a list which was originally generated by Sheryl Williams Stapleton, who then forwarded it on to Randolph Williams, who then forwarded it on behalf of Robotics to Ms. Apodaca. This was documented in an email thread dated October 3, 2018 that was provided by APS. The Procurement Department took the list and reorganized the data in an Excel file, which showed **only 691 unique users**. APS services approximately 82,000 students per year.

The U.S. Copyright Office's online public access portal has listed the copyrights of *CyberQuest Math to Robotics Management Learning System, LLC, 4629 9th Street NW, Washington, D.C., 20011*. This registration is dated February 27, 2015. This address is not found on any other associated documentation provided by Robotics to APS. Records found on the public online portal for the city of Washington D.C., known as DC Business Center, show that Patricia Smith filed for a permit to operate a home business from this location in 2010. This location is a residential dwelling in a continuous row-house residential neighborhood. Currently, a dental surgeon occupies this location.

Furthermore, the former developer of CyberQuest who purportedly suffered a stroke, Andres Thompson, also appears to be a current employee or colleague of Joseph F. Johnson Jr.

According to the Robotics Implementation Plan for the 2018/2019 school year, the "*CyberQuest infrastructure was moved to the Albuquerque Fair Grounds*" in 2012. As documented above, CyberQuest is a software developed by Robotics, a Washington D.C. based company. This detail suggests a potential connection to Sheryl Williams Stapleton's non-profit, the Charlie Morrissey Center, which is described as providing "*educational opportunities*" at the African American Performing Arts Center and Exhibit Hall ("*AAPAC*"), located at the New Mexico State Fair Grounds. Additionally, the AAPAC building's facade is inscribed with "*Sheryl M. Williams Stapleton African American Performing Arts Center and Exhibit Hall.*"

It is unclear exactly what the word "infrastructure" refers to in this context, or what part of that "infrastructure" was moved to this location. But Investigators did uncover that in 2008 Sheryl Williams Stapleton introduced House Bill 446 (which did not pass) that requested the following appropriation;

Twenty-five thousand dollars (\$25,000) is appropriated from the general fund to the state fair commission for expenditure in fiscal year 2009 for the African American performing arts center and exhibit hall to provide programs and resources to improve the mathematics,

science and literacy skills of elementary, middle and high school students, including after-school, weekend and summer activities and web-based resources that provide individualized opportunities to develop skills.

In July, 2021 Investigators visited the AAPAC/Sheryl Williams Stapleton building. After touring the areas open to the public and after reviewing the building's directory they discovered that as an entity, Cyberquest has no office space or presence there.

TriTech Enterprises

Through her review, Ms. Apodaca discovered that another company named TriTech Enterprises was working closely with Robotics. The company is owned by Randolph Williams. According to the Robotics Proposal, TriTech works *"closely with [Robotics] and the APS administration"* and is *"responsible for ensuring that the software application (from end to end), hardware infrastructure and learning materials are created/developed, tested, and implemented into CyberQuest."* The proposal further stated *"our team will be known as Team CyberQuest."*

In October 2020, Sheryl Williams Stapleton requested that TriTech be set up as a vendor to provide *"Project based learning strategies for technology using STEM innovation for middle schools."* Ms. Apodaca had reservations about this because she understood TriTech to be a subcontractor for Robotics. Ms. Apodaca informed Sheryl Williams Stapleton that the Procurement Department would not set up TriTech as a vendor because it was a subcontractor for Robotics. Sheryl Williams Stapleton responded, *"[T]he CTE department has always worked with Tri-tech in the past and has nothing to do with Robotics."* Sheryl Williams Stapleton explained further that TriTech previously had an APS vendor number and stated that she wanted TriTech to *"work on professional development on STEM and STEAM that has nothing to do with Robotics. Tri tech is a completely different business than Robotics. What do you mean a sub for Robotics?"*

Sheryl Williams Stapleton's assertion that TriTech *"has nothing to do with Robotics"* was proven false, as evidenced by Robotics' own Proposal. It also struck Ms. Apodaca as odd that Sheryl Williams Stapleton did not think of TriTech as a subcontractor. In Ms. Apodaca's experience, the relationship between the two companies profiled like a typical contractor-subcontractor arrangement. Ms. Apodaca felt increasing pressure from Sheryl Williams Stapleton to set up TriTech as a vendor.

Payments to Robotics Management Learning Systems LLC

APS provided copies of checks paid to Robotics between June 14, 2019 and September 16, 2020. All checks were mailed to P.O. Box 9323 Albuquerque, NM 87119 and deposited or otherwise remitted at local Albuquerque or Santa Fe Bank of America branches. Investigators noted that the majority of the checks were deposited or otherwise remitted at the East Lomas branch located at 5600 Lomas Blvd NE, Albuquerque, NM 87110. This branch is located two miles away from the APS administration building where Sheryl Williams Stapleton's office is located, in close proximity to NMEXPO where the AAPAC is located and CyberQuest reportedly operated out of, and approximately 2.7 miles away from Sheryl Williams Stapleton's residence.

As of May 10, 2021 APS also informed NMOAG investigators that three checks written to Robotics Management Learning had not been deposited or otherwise remitted but were already mailed to P.O. Box 9323. These checks were written to Robotics between March 25, 2021 and May 6, 2021. APS sent Robotics a letter inquiring about the uncashed checks on or about May 10, 2021. On May 11, 2021 all three checks were deposited or otherwise remitted.

The search warrant obtained for the bank account records of Robotics also included video surveillance from the East Lomas Bank of America Branch. The videos provided show a person who is recognized as Sheryl Williams Stapleton negotiating deposits of checks from APS for Robotics on May 11, 2021 for \$90,900,

Additionally, Bank of America provided video surveillance of two other events in which a person who is recognized as Sheryl Williams Stapleton is seen negotiating checks on behalf of Robotics. These events took place on October 13, 2020 (deposit made for \$145,000), and July 14, 2020 (deposit made for \$33,000) at the East Lomas (Bank of America) branch in Albuquerque, NM.

Lastly, on July 6, 2021, Investigators observed Sheryl Williams Stapleton enter the Post Office in Albuquerque, NM where P.O. Box 9323 is located. Stapleton was alone. While at the Post Office, investigators observed Sheryl Williams Stapleton open/access Box 9323 with a post office box key she had in her possession.

Analysis of Checks

Through compulsory process, Bank of America provided investigators with all transactions associated with Robotics' business account from June 5, 2014 to May 14, 2021. The majority of debits made were in the form of checks. As previously stated, investigators observed several checks made payable to the four aforementioned entities associated with Sheryl Williams Stapleton from Robotics.

Bank of America also provided investigators with copies of each check remitted from the Robotics account. Investigators noted that several of these checks were negotiated on the same date in New Mexico (Albuquerque and/or Santa Fe) as well as at various locations in and around the Washington D.C. metro area. Additionally, investigators noticed that the sequence numbers of the checks negotiated at local New Mexico branches did not follow the check sequence number of the checks negotiated on the east coast.

Furthermore, although each check was signed "*Joseph F Johnson*", or some version of it, on the signature line, it appeared that the penmanship of the signatures varied greatly between the checks negotiated in New Mexico versus the checks negotiated on the east coast. Given these facts and circumstances, it is plausible that multiple checkbooks associated with Robotics' business account exist.

Sheryl Williams Stapleton

Sheryl Williams Stapleton describes on her web page, www.sherylwilliamsstapleton.org, her role at APS as *"the APS Carl Perkins Project Director and Coordinator of Career and Technical Education"*.

She further lists her role as the New Mexico State Representative for District 19 and *"serves on the Education, Labor and Human Resources, and Rules and Order of Business legislative committees"*.

Based on documents provided by APS, Sheryl Williams Stapleton has had direct involvement in the procurement process for Robotics and other associated processes for the CyberQuest program and TriTech Enterprise Systems.

In 2012, the NMOAG conducted an investigation into possible violations of the Anti-Donation Clause of the New Mexico State Constitution (Article IX, Section 14), in regards to the transfer of state vehicles to non-profit organizations in 2008. During the investigation, it was found that the two organizations involved were Robotics Management Learning Systems, Inc. and the Charlie Morrissey Education Center.

At the time of the investigation both of these organizations were allegedly leasing office spaces at the African American Performing Arts Center (AAPAC), located at NMEXPO (State Fairgrounds in Albuquerque). During the investigation in 2012, the AAPAC website listed both the Charlie Morrissey Education Center and CyberQuest Robotics Program as tenants. The contact for CyberQuest Robotics at the AAPAC was listed as "Dave Hendrickson."

During the investigation, it was found that Sheryl Williams Stapleton was directly involved with both Robotics Management Learning Systems, Inc. and the Charlie Morrissey Education Center. An email on May 15, 2008, correspondence from Sheryl Williams Stapleton and NMEXPO was disclosed:

"The intent of the legislation for the vans is that the vans are to be used for programs at the African American Performing Arts Center. The funding to pay for the driver, the gas and the up keep of the vans was given to the Charlie Morrissey Education Center and Robotics Management. The insurance for the vans have been paid by both programs. So, could someone tell me what is the issue."

In researching this legislation, it was found that Sheryl Williams Stapleton procured funding through the House Capital Outlay Request for the State of New Mexico 48th Legislature, First Session of 2007. The request became subsequent law under Laws 2007, Chapter 42, Section 35, Capital Appropriation ID Number 07-3801. This included a \$50,000 general fund appropriation to the New Mexico Office of African American Affairs (NMOAAA) to purchase and equip vans for the African American Performing Arts Center (AAPAC) at the State Fairgrounds in Albuquerque, NM. A review of Section 35, Laws 2007, Chapter 42 reads:

"OFFICE ON AFRICAN AMERICAN AFFAIRS PROJECT-GENERAL FUND.-Fifty Thousand dollars (\$50,000) is appropriated from the General Fund to the Office of African American affairs for expenditure in fiscals years 2007 through 2011, unless otherwise provided in Section 2 of this act, to purchase and equip vans for the African-American performing arts and exhibit hall at the state fairgrounds in Albuquerque in Bernalillo county."

The above documented information illustrates Sheryl Williams Stapleton's connection to both the Charlie Morrissey Education Center and Robotics Learning Management Systems.

In fact, over the course of this investigation, agents have obtained information which demonstrates Sheryl Williams Stapleton's direct association with no less than four different entities: The Charlie Morrissey Center for Creative Assistance Inc.; The Ujima Foundation; S. Williams and Associates and; The Taste of the Caribbean. This information was obtained through records obtained from APS, open source research (including the New Mexico SOS public information portal), physical surveillance and records obtained from Bank of America through a prior search warrant.

This investigation has also uncovered that each one of these entities at some point received money/payments from Robotics. These entities, the money/payments they received, and Sheryl Williams Stapleton's affiliation with each entity are described in further detail later in this narrative.

According to the NM SOS public information portal, Sheryl Williams Stapleton does not report any business interests or income outside of her employment with APS on her 2021 Financial Disclosure Report. While she does generally list her husband, Edread Sylvester Stapleton, as the manager of The Taste of the Caribbean, her financial disclosure report does not declare any interest in or any income resulting from the aforementioned restaurant, business (S. Williams and Assoc.) or in Robotics.

Legislative Actions of Sheryl Williams Stapleton

Sheryl Williams Stapleton is the Albuquerque Public Schools employee directly in charge of and responsible for the Carl Perkins Grant, as well as the Career and Technical Education (CTE) program at APS.

Originally passed as the federal Vocational Education Act of 1963, renamed the Carl D. Perkins Act in 1984, it was enacted to increase learner access to high-quality CTE programs of study, especially to those students who had been underserved in the past or who had substantial education needs.

According to sherylwilliamsstapleton.org:

Sheryl's life-long career as an educator has directly identifies her as a champion for public schools, teachers, and their students. She has worked tirelessly on behalf of all students—

particularly minority students and students who face the many challenges brought on by poverty.

Sheryl Williams Stapleton is also the long-term elected New Mexico State Representative for District 19 and the current House Majority Leader. She is a member of the House Education Committee (since at least 2011) and an interim member of the Legislative Education Study Committee (since at least 2005). As listed on the NM Legislation's website www.nmlegis.gov that committee's role and responsibilities are as follows:

conducts a continuing study of all education in New Mexico, the laws governing such education and the policies and costs of the New Mexico educational system, including the training of certified teaching personnel in postsecondary institutions;

- *recommends funding levels for public education;*
- *recommends changes in laws relating to education; and*
- *makes a full report of its findings and recommendations.*

Generally speaking, because one of those positions has the ability to directly affect the other, simultaneously maintaining those specific dual roles and responsibilities in New Mexico's Legislature and APS's hierarchy has the potential to present a conflict of interest if applicable statutes, rules, and regulations are not known and meticulously observed.

A person holding those positions in the legislature might have the ability through power, authority, influence, and official acts to dictate, introduce, deny, alter, or otherwise directly affect legislation, appropriations, and funding for APS in general, and specifically for their own programs or interests.

Through investigation the Affiant has learned that in 2004 Sheryl Williams Stapleton introduced House Joint Memorial (HJM) 39 in the second session of that year requesting a "*study of career technical education*". HJM 39 was to include a comprehensive review regarding additional capital expenditures in the form of additional facilities, specialized equipment, or materials required to support career technical education curriculum in schools statewide.

Additionally, during her tenure Sheryl Williams Stapleton has specifically introduced House Bills for the New Mexico House of Representatives for funding of programs related to Career Technology Education and web-based programs. For example, in 2006, Sheryl Williams Stapleton introduced House Bill 479 in the second session of that year. The bill specifically stated:

One hundred fifty thousand dollars (\$150,000) is appropriated from the general fund to the board of regents of the university of New Mexico for the Charlie Morrissey research hall for expenditure in fiscal year 2007 to provide a distance learning, web-based mathematics and science curriculum using the cyberquest web-based learning program and robotic teacher software.

This bill did not pass as a stand-alone-bill. However, in 2006 House Bill 2 did provide funding to the Morrissey Research Hall at the University of New Mexico and had been providing funding to

the Morrissey Research Hall since at least 1996, according to the NM Legislation's website www.nmlegis.gov.

Investigators found that numerous stand-alone bills were introduced by Sheryl Williams Stapleton specifically for the University of New Mexico, African American Performing Arts Center, and the Charlie Morrissey Research Hall. Though most of these bills did not pass as stand-alone legislation, the General Appropriations and Authorizing Expenditures do show that the University of New Mexico, African American Performing Arts Center, and the Charlie Morrissey Research Hall are being funded through this yearly House Bill.

Investigators also found that three House Bills introduced by Sheryl Williams Stapleton specifically for funding of Career Technical Education programs were passed and signed into law. These bills are:

- House Bill 178, 52nd Legislature - State of New Mexico - First Session, 2015, Introduced By Sheryl Williams Stapleton. Summary - amending the Public School Code to require inclusion of certain Career Technical Education courses.
- House Bill 44, 54th Legislature - State of New Mexico - First Session, 2019, Introduced By Sheryl Williams Stapleton. Summary - requiring the use of federal Every Student Succeeds Act Title 2 funding for career-technical professional development.
- House Bill 91, 54th Legislature - State of New Mexico - First Session, 2019, Introduced By Sheryl Williams Stapleton and Dayan Hochman-Vigil. Summary - creating the Career Technical Education pilot project.

Furthermore, Investigators were provided numerous checks from Bank of America that were paid to Robotics from APS. As described above, the majority of those checks were remitted at local Albuquerque branches of Bank of America. But some of those checks were negotiated in Santa Fe, NM.

For example, on June 19, 2020, a check for Robotics, in the amount of \$85,500, (check number 920349), issued through Bank of Albuquerque, from the Albuquerque Public Schools, was deposited or otherwise remitted at the Santa Fe North Bank of America branch (101 Paseo De Peralta, Santa Fe, NM 87501). This is evident by the bank stamp on the back of this check.

This branch location is 1.8 driving miles (according to Google Maps) from the State Capitol Building. Investigators later found that according to the legislative calendar located at <https://nmlegis.gov/>, the New Mexico House of Representatives were in Special Session on this date.

In fact, in regard to APS checks issued to Robotics and remitted in Santa Fe, Investigators observed that all of those checks were remitted at that same branch, and at a time when the Legislation was in session.

David Hendrickson

David Hendrickson lists his job as a "*coordinator*" for CyberQuest on his Facebook page. Additionally, on his Facebook page, Mr. Hendrickson has a picture of Sheryl Williams Stapleton standing near President Obama which was posted on December 23, 2013. Another Facebook user commented on the photo stating "*Your mom hangin with the pres.*" As stated above, investigators in 2012 found that a "Dave Hendrickson" was listed as the business contact for CyberQuest Robotics Program located at the AAPAC.

Furthermore, confidential law enforcement databases and New Mexico Motor Vehicle Division (MVD) records show that the listed residential address for David Hendrickson is the same residential address listed for Sheryl Williams Stapleton.

Investigators also located a biography of Sheryl Williams Stapleton from a Chicago based firm *The History Makers* which lists David Hendrickson as her son. It is also important to note that the surname *Hendrickson* is Sheryl Williams Stapleton's maiden name.

Additionally, a New Mexico State advertisement in the Albuquerque Journal on August 26, 2018 for Unclaimed Funds lists the name *David Hendrickson* with the address of *PO BOX 9323 ABQ*. Investigators noted that this was the same P.O. Box that APS had been sending checks to Robotics for several years.

Lastly, documents received from a compulsory process for the bank records of Robotics show that checks were paid to a David Hendrickson from 2014 to 2016. On these checks the memo lines lists "payroll" or "summer program" as reasons for the payments.

Joseph F. Johnson Jr.

Through several documents provided by APS, Joseph F. Johnson Jr. was identified as CEO/President for Robotics Learning Management Systems LLC. Additionally, he identified himself as Robotics' CEO to Ms. Apodaca during the phone conversation detailed above.

Investigators are aware that Joseph F. Johnson Jr. is also listed as the president for two non-profit organizations (Charlie Morrissey Center for Creative Assistance Inc. and Ujima Foundation). According to the NM SOS public information portal, Sheryl Williams Stapleton is the registered agent for both

Additionally, APS provided investigators with Sheryl Williams Stapleton's PhD dissertation entitled *Teachers' Perceptions of New Mexico's Three-Tiered Licensure System*. In the dissertation on page 5, Sheryl Williams Stapleton thanks *Joseph Johnson* personally and acknowledges her appreciation for their "*friendship*."

Historically, on December 10, 2009, Joseph Johnson provided a federal W-9 form to APS that listed an address of P.O. Box 27188, Albuquerque, NM 87125. The U.S. Postal Inspector informed Agents that this P.O. Box was opened September 16, 2005 and closed April 11, 2012. The Box

was opened under the Business name of CONNECT-GOV-NM. The Applicant for the box was Sheryl Williams with the listed physical address that matches Sheryl Williams Stapleton's home address.

Taste of the Caribbean (El Sabor de Caribe) LLC

Taste of the Caribbean is a Domestic Limited Liability Company registered to Sheryl Williams Stapleton at her known home address (according to the NM SOS public portal). The physical location of the business is at 2720 Central Ave SE, Suite A, Albuquerque, NM 87106, across from the University of New Mexico.

The website for this business is <http://www.tasteofthecaribbeanalb.com/>. The business is a restaurant that serves food from the Caribbean region. The restaurant operates Tuesday thru Thursday from 11:30 am to 7:00 pm and Friday thru Saturday from 11:30 am to 8:00 pm.

Sheryl Williams Stapleton lists her husband, Edreade Sylvester Stapleton, as the manager on her financial disclosure form to the NM SOS (as previously stated). It is important to note that Agents have observed a male whom they recognized as Edreade Sylvester Stapleton as well as Sheryl Williams Stapleton working at this establishment at various times of the day.

According to documents received from Bank of America, Sheryl Williams Stapleton opened a business account for Taste of the Caribbean, where she is the sole person listed on the Business Signature Card as the owner of this establishment.

Documents received from a compulsory process for the bank records of Robotics show that numerous large payments were made to Taste of the Caribbean. All checks were deposited or otherwise remitted at local Albuquerque area or Santa Fe Bank of America branches. Investigators noted that the majority of the checks were deposited or otherwise remitted at the East Lomas branch located at 5600 Lomas Blvd NE, Albuquerque, NM 87110. **From June 23, 2014 to December 21, 2020, 57 checks, worth \$319,122.98, were remitted to Taste of the Caribbean from Robotics Management Learning Systems, LLC, 1004 Southern Ave SE, Washington, D.C. 20032; Bank of America Account number 4350 0334 7636.**

S. Williams and Associates

According to the New Mexico Secretary of State's public information portal, there are no records found associated with an entity called S. Williams and Associates. However, documents received from Bank of America, suggest that Sheryl Williams Stapleton filed for a business license with the City of Albuquerque in 2007. In those documents Sheryl Williams Stapleton is listed as the proprietor of S. Williams and Associates on the Business Signature Card.

Further, information received from Bank of America shows that Sheryl Williams Stapleton opened a business bank account for S. Williams and Associates in 2008. No other public information on this company such as public websites for the business can be found at this time

Documents received from a compulsory process for the bank records of Robotics show that numerous large payments were made to S. Williams and Associates. All checks were deposited at local Albuquerque area or Santa Fe Bank of America branches. Investigators noted that the majority of the checks were deposited at the East Lomas branch located at 5600 Lomas Blvd NE, Albuquerque, NM 87110. **From June 23, 2014 to December 21, 2020, 58 checks, totaling \$279,772.20, were remitted to S. Williams and Associates from Robotics Management Learning Systems, LLC, 1004 Southern Ave SE, Washington, D.C. 20032; Bank of America Account number 4350 0334 7636.**

Charlie Morrissey Center for Creative Assistance, Inc.

The Charlie Morrissey Center for Creative Assistance, Inc. (Charlie Morrissey Foundation) is found within the public portal of the NM SOS. This website lists Sheryl Williams Stapleton as the registered agent with her known home address listed as the physical address; it also lists her as the Secretary and Treasurer of the organization.

Patricia Smith is listed as a Director and Vice President and Joseph F. Johnson as the President. The NM SOS website lists this organization as being a non-profit organization with an active status. There is no website associated with the Charlie Morrissey Center for Creative Assistance, Inc.

Furthermore, there are several organizations in New Mexico that use the name Charlie Morrissey. None of these organizations are shown to have Sheryl Williams Stapleton as a member or otherwise serve in an official capacity.

According to documents received from the Bank of America, Sheryl Williams Stapleton opened a single business account for both the Ujima Foundation and Charlie Morrissey Foundation. Additionally, Bank of America information shows that Sheryl Williams Stapleton is listed on the signature cards for the bank account belonging to the Ujima Foundation, and the Charlie Morrissey Foundation.

Documents received from a compulsory process for the bank records of Robotics show that numerous large payments were made to the Charlie Morrissey Foundation. All checks were deposited or otherwise remitted at local Albuquerque area or Santa Fe Bank of America branches. Investigators noted that the majority of the checks were deposited or otherwise remitted at the East Lomas branch located at 5600 Lomas Blvd NE, Albuquerque, NM 87110. **From June 23, 2014 to December 21, 2020, 40 checks, totaling \$202,105.76 were remitted to the Charlie Morrissey Foundation from Robotics Management Learning Systems, LLC, 1004 Southern Ave SE, Washington, D.C. 20032; Bank of America Account number 4350 0334 7636.**

Agents conducted a thorough search through a number of open source databases and found no information on a Charlie Morrissey Foundation; the only link between this organization and Charlie Morrissey Center for Creative Assistance, Inc. is Sheryl Williams Stapleton.

Ujima Foundation

Investigators located several "Ujima" based nonprofit organizations worldwide. The actual Ujima Foundation appears to have been established in 2003 and is based in Africa. According to its website ujimafoundation.org:

Ujima is an old Swahili word that means 'achieved with the help of others'.

That organization is specifically dedicated to improving the lives of orphans in Africa, particularly orphans who are responsible for the care of their siblings.

Investigators found no website related to a New Mexico based Ujima Foundation but they did locate several references to a New Mexico-based Ujima Foundation on websites that catalogue or review community resources and nonprofit organizations. Agents have found no official link between this organization and the one in Africa.

According to the "Great Nonprofits" website (<https://greatnonprofits.org/org/ujima-foundation>) the causes of Ujima are "*Children & Youth, Crime & Law, Youth Violence Prevention*"; the mission is "*To promote issues of youth, health and education*"; and it's listed program states "*Distributed 5,500 in college scholarships to area students*"

The Ujima Foundation is found within the public portal of the NM SOS. This website lists Sheryl Williams Stapleton as the registered agent with her known home address listed as the physical address; it also lists her as the Secretary and Treasurer of the organization.

Patricia Smith is listed as a Vice President and Joseph F. Johnson as the President. The NM SOS website lists this organization as being a non-profit organization with an active status.

Documents received from a compulsory process for the bank records of Robotics show that numerous large payments were made to the Ujima Foundation. All checks were deposited or otherwise remitted at local Albuquerque area or Santa Fe Bank of America branches. Investigators noted that the majority of the checks were deposited or otherwise remitted at the East Lomas branch located at 5600 Lomas Blvd NE, Albuquerque, NM 87110. **From June 23, 2014 to December 21, 2020, 31 checks, totaling \$153,385.10 were remitted to the Ujima Foundation from Robotics Management Learning Systems, LLC, 1004 Southern Ave SE, Washington, D.C. 20032; Bank of America Account number 4350 0334 7636.**

Of note, the Bank of America records and video surveillance also revealed that at least two of those checks were deposited or otherwise remitted on the same dates and at the same branch where Sheryl Williams Stapleton is seen negotiating checks on behalf of Robotics.

Financials of the Charlie Morrissey and Ujima Foundations

Documents received from a compulsory process for the Bank of America bank records of the Charlie Morrissey and Ujima Foundations indicate that a single, commingled bank account was

opened for both of these non-profit organizations in 2009. Sheryl Williams Stapleton and "Joe" Johnson are listed on the corporate signature card (Foundation Account 1).

Those records also indicate that in 2015 Sheryl Williams Stapleton opened a separate bank account for the Ujima Foundation. The Charlie Morrissey Foundation was later added to this account, creating another commingled account for both entities (Foundation Account 2). This account was under the sole control of Sheryl Williams Stapleton.

Income

Both foundation accounts consistently received numerous large deposits from Robotics. In fact, Investigators noted that by far the largest "donor" and the majority of the money deposited into these accounts was from Robotics. In total, the foundations cumulatively received well over \$300,000 from Robotics between 2013 and 2021. This accounted for nearly 75% of the foundations' known income. At the time Investigators received the account records, less than \$5,000 remained in the commingled bank accounts.

Use of Foundation Money

Investigators reviewed the expenditures made from the foundation accounts. Agents located very few expenditures that reasonably appeared that they could be in support of or otherwise promulgate the known causes, missions, and programs associated with the Ujima Foundation described above. There was no information found on the expenditures from the bank statements that outwardly appeared to be related to the Charlie Morrissey Center for Creative Assistance or the Charlie Morrissey Foundation.

Investigators did however observe multiple expenditures that appeared to be anomalous for nonprofit enterprises and were particularly concerning. For example, Investigators observed a number of payments to Corley's Albuquerque Lincoln, a local car dealer, between 2015 and 2017. In total over \$10,000 was paid to Corley's during this period from the Ujima/Charlie Morrissey Foundation accounts.

Through open-source research Investigators observed that Corley's auto sales specializes in the sale of Lincoln and Volvo vehicles. Investigators found no indication of any other vehicles being associated with the Foundations except the vans previously described in this narrative.

They did however observe through physical surveillance and the use of Law Enforcement databases that Sheryl Williams Stapleton is the owner of at least two Volvos. One, a silver 2007 four-door sedan, and the other a blue 2017 Volvo T5 SUV. Investigators have observed Stapleton driving the blue Volvo T5 on numerous occasions, including the day she accessed P.O. Box 9323.

Interestingly, Stapleton's blue Volvo was titled less than 30 days after she issued and signed a \$5,000 check to Corley's (April 7, 2017) from the Foundation accounts. In conjunction with this, Investigators observed numerous payments to Corley's made from Stapleton's personal Nusenda Credit Union accounts.

Lastly, Investigators also found at least one other check made from the Foundation accounts to Independent Vehicle Services (a Volvo repair shop) signed by Sheryl Williams Stapleton and issued in January 2017.

Other anomalous transactions included, but were not exclusive to, trips and airline fees, payments for offsite storage locations, and expenditures at places like Walmart and Sam's Club.

Investigators observed over \$45,000 in cashier's checks and over \$188,000 in cash being withdrawn from the accounts between 2014 and 2021. In one instance alone the amount negotiated was \$15,000. What was done with that money is a subject of this investigation, but in each of those instances the person signing for those withdrawals was Sheryl Williams Stapleton.

Although "Joe" Johnson was initially listed on the signature card of the original foundation(s)' account there is no information to suggest that he ever used the account in any capacity.

Of equal concern were checks written directly to Sheryl Williams Stapleton, by Sheryl Williams Stapleton. **Nearly \$29,000 in checks, some as much as \$2,500, were written to herself from these accounts over the years.** The memo lines, if filled out at all, were vague, and included phrases like "expenses" and "contract services."

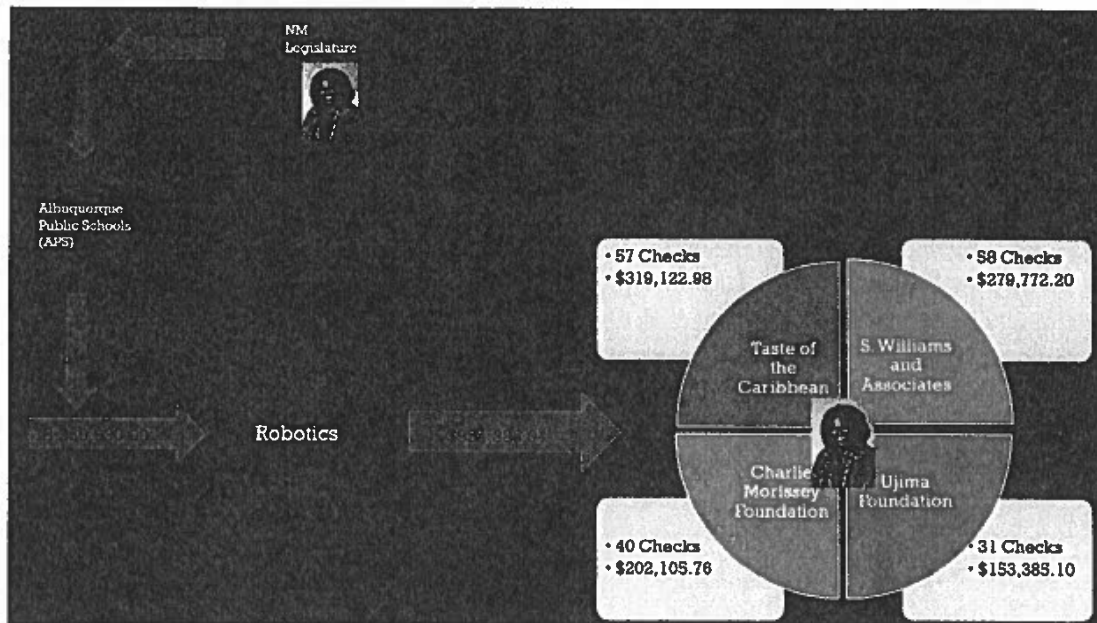
Investigators have uncovered no tax documents related to the Charlie Morrissey Foundation, but they have obtained tax records related to the Ujima Foundation. Agents reviewed several years of these records (2010 to 2017). Those records indicate that the Ujima Foundation filed as a tax-exempt nonprofit entity every year.

According to the financial records, the foundations collected over \$450,000 between 2014 and 2021, nearly 75% of which was from Robotics. According to the Ujima Foundation's tax-exemption records, just \$5,500 a year (average) was spent in the community, typically in the form of what they report as "scholarships." It should be noted that Investigators found no direct evidence of scholarships being distributed in the foundations' accounts.

According to those records the Ujima Foundation began reporting income in 2008, around the same time that Robotics began contracting with APS. Sheryl Williams Stapleton is listed as an employee every single year. Her reported salary is \$0.

Payments to Entities Overview

A review of Robotics' bank records for the period between 2014 to present revealed that the Taste of the Caribbean LLC was the largest recipient of money received from Robotics via check, **\$319,122.98**; S. Williams Associates was the second largest recipient of money received from Robotics via check, **\$279,772.20**; the Charlie Morrissey Foundation was the third largest recipient of money received from Robotics via check, **\$202,105.76**; and the Ujima Foundation was the fifth largest recipient of money received from Robotics via check, **\$153,385.10**.



Personal Accounts; Sheryl Williams Stapleton

Nusenda Credit Union

Through compulsory process Investigators obtained the Nusenda Credit Union financial records associated with Sheryl Williams Stapleton. A review of those records revealed several different accounts that were established at this financial institution. This account information documented that between 2009 and 2021 Sheryl Williams Stapleton owned or was associated with no less than eight (8) different accounts to include checking, saving and individual retirement account(s) (IRA).

Among those were accounts she shared (shares) with her husband Edread Stapleton, her brother Derrick Hendrickson, and others. Investigators observed that Sheryl Williams Stapleton also kept at least one reelection and one Political Action Committee account at this institution.

Income

Upon review, Investigators were able to determine that Nusenda Credit Union appears to be the institution where her legitimate sources of income are received. Her salaries from APS as well as the New Mexico State Legislature were observed to regularly and routinely be deposited here.

Investigators also located other sources of income in these accounts. This income included payments received from the Taste of the Caribbean and the Ujima/Charlie Morrissey Foundation accounts.

As previously stated, approximately \$319,122.98 of Robotics' money (from APS) went directly to Taste of the Caribbean, Sheryl Williams Stapleton's restaurant. Evidence received from Nusenda

Credit Union indicates that at least some of that money was later redistributed into personal accounts owned exclusively by Sheryl Williams Stapleton at Nusenda Credit Union. The extent to which Robotics' money was routed through Taste of the Caribbean and ultimately to Sheryl Williams Stapleton's personal accounts is a subject of this investigation.

As previously stated, over \$230,000 was withdrawn from the Ujima/Charlie Morrissey accounts via cash and cashier's check. Upon reviewing the Nusenda accounts, Investigators observed evidence to indicate that at least some of that money, including cashier's checks, was deposited into a personal account owned exclusively by Sheryl Williams Stapleton at Nusenda Federal Credit Union. The extent to which Robotics' money was routed through the Ujima and Charlie Morrissey Foundations and ultimately to Sheryl Williams Stapleton's personal accounts is a subject of this investigation.

Bank of America

Investigators also applied for and obtained compulsory documents for further Bank of America records associated with Sheryl Williams Stapleton and her enterprises. The aforementioned evidence indicates that the accounts for at least Taste of the Caribbean and S. Williams & Associates are maintained by that institution. Those records are still pending delivery to agents.

Bank of Nevis

During their review of the available financial records Investigators observed that payments including checks and wire transfers were made to the Bank of Nevis from the Ujima/Charlie Morrissey account(s) and Sheryl Williams Stapleton's personal accounts at Nusenda.

The Bank of Nevis is located on the islands of Saint Kitts and Nevis, officially the Federation of Saint Kitts and Nevis, a state composed of two islands of the Lesser Antilles in the eastern Caribbean Sea.

Investigators are aware that Sheryl Williams Stapleton has personal ties to the Virgin Islands which are a group of the Caribbean Islands. In a biography written by a Chicago based firm, *The History Makers*, it is noted that Sheryl Williams Stapleton was born in St. Croix, U.S. Virgin Islands. A Google search revealed that Nevis is approximately 140 miles away from St. Croix. It is unclear at this time if Sheryl Williams Stapleton or any of her close family members and/or associates are the owners of the recipient account where the aforementioned checks were negotiated.

Research indicates that Nevis is an offshore jurisdiction. On its website (law.cornell.edu) Cornell Law School describes the use of offshore accounts in the context of money laundering operations:

Criminals often use offshore accounts to hide money because they offer greater privacy, less regulation, and reduced taxation. Because the U.S. government has no authority to require foreign banks to report the interest earned by U.S. citizens with foreign bank accounts, the criminal can keep the account abroad, fail to report the account's existence, and receive the interest without paying personal income taxes on it in the U.S.

These were not the only offshore money transfers Agents found over the course of this investigation. Upon review of the available financial records Investigators uncovered that approximately \$36,000 was sent to offshore interests from the Ujima/ Charlie Morrissey Foundation accounts between 2014 and 2021.

Albuquerque Public Schools Main Office

As previously stated, Sheryl Williams Stapleton has been employed by APS since 1984. The APS website, <https://www.aps.edu/career-technical-education/cte-staff-1>, lists her office location at 6400 Uptown Blvd. NE, Ste. 590 West, Albuquerque NM, 87110. Information voluntarily provided by APS states that Sheryl Williams Stapleton was actively involved in the procurement and all associated matters involving Robotics at the main office. Documents show that Sheryl Williams Stapleton signed invoices from Robotics showing approval or writing in "ok to pay". APS employees also reported that she would inquire about the payment of Robotics or handle paperwork to and from the company; which is reported not to be a regular practice. Furthermore, as previously stated, Sheryl Williams Stapleton signed and provided documentation for the procurement and payment of CyberQuest from Robotics. Investigators have determined that Sheryl Williams Stapleton proposed numerous legislative measures specifically for the "CTE" programs for public schools. At least three (3) of those bills are known to have passed and two (2) have been subsequently funded. Sheryl Williams Stapleton is the CTE Director for APS and an integral part of securing the contracts for Robotics.

Based upon the information gathered during this investigation, Sheryl Williams Stapleton operates at least four entities which have received about \$896,000 from Robotics. These payments were made possible because of Robotics' longstanding contracts with APS. Moreover, the award of these lucrative contracts to Robotics was made possible by Williams Stapleton's unique position of influence within APS. It is reasonable that she would have documents and items enumerated in this search warrant for seizure located at her place of employment, where she obtained and maintained these contracts.

CONCLUSION

Sheryl Williams Stapleton is an employee of the Albuquerque Public School system and a current New Mexico State representative with over 20 years of experience. Both positions qualify her as a public officer or employee as defined in the New Mexico Governmental Conduct Act [10-16-2(I) NMSA 1978].

APS paid Robotics \$5,360,030.00 from March 2006 to June 2021. Bank of America records detail that overwhelmingly, Robotics' primary source of income is its contracts with APS. APS employees and NMAG Investigators have noted that the procurement process with regard to Robotics was not performed in accordance with state law.

Sheryl Williams Stapleton is directly involved in this process. The facts and circumstances surrounding this investigation suggest that she (among other things) proposed and secured funding through the legislative process for the programs she directs. She provided sole source justification

for the continued procurement of Robotics services, interjected herself on behalf of Robotics when their contract appeared to be in jeopardy, provided documentation for and acted as a point of contact between APS and Robotics.

Furthermore, the transactions described above show that Sheryl Williams Stapleton participated directly and/or indirectly in the procurement process with APS at a time when she would have known that she or any member of her immediate family had a financial interest in Robotics who had sought and obtained a contract from APS. There is no evidence to indicate that Sheryl Williams Stapleton declared any potential conflict of interest to any party regarding Robotics/CyberQuest.

On May 19, 2021 Sheryl Williams Stapleton led a presentation to the APS Board of Education regarding, among other things, distance learning. Over the course of that presentation the CyberQuest learning platform was featured as an integral part of the CTE programs at APS, and the CTE staff were referred to as the "CyberQuest Team." She specifically indicated to the APS Board that she would obtain the financial resources necessary for APS to continue funding this program.

The evidence suggests that separate financial documents including checkbooks exist both in New Mexico and on the East Coast. Sheryl Williams Stapleton has been observed by Investigators to have direct personal access to the P.O. Box where APS sent Robotics' checks, and as described above there is demonstrative evidence to suggest that Sheryl Williams Stapleton is responsible for negotiating those checks. Based on evidence discovered by Investigators described above it is also reasonable that Sheryl Williams Stapleton remitted checks on behalf of Robotics in Santa Fe at a time when she was serving the Legislature.

The evidence indicates that Sheryl Williams Stapleton was the eventual recipient of that APS money. **Investigators calculated that approximately 60% of money paid to Robotics by APS between 2014 and 2021 was subsequently redirected to Sheryl Williams Stapletons' direct interests, including her son David Hendrickson, her restaurant A Taste of the Caribbean, S. Williams & Associates, and the Ujima and Charlie Morrissey Foundations.** That total is approximately \$954,386.04. It should be noted that Bank of America could not produce records dating back to the beginning of APS' contracts with Robotics (2008).

The evidence also indicates that in some cases that money was further redirected into Sheryl Williams Stapleton's personal bank accounts. The extent to which Sheryl Williams Stapleton directly profited, and what happened to that money is a subject of this ongoing investigation.

Based upon the information known to investigators, probable cause exists that Sheryl Williams Stapleton has received proceeds derived, directly or indirectly, from a pattern of activity in which she has participated in. She then used those proceeds and invested in the operation of several enterprises. These proceeds were a result of structured financial transactions to Robotics that involves the public money entrusted to the Albuquerque Public Schools for the purpose of providing education to children within its area of service. These financial transactions were designed in whole or in part to conceal or disguise the nature, location, source, ownership and people involved. Furthermore, she knowingly received proceeds as a result of her involvement in

the procurement process (purchasing, leasing, ordering, or arranging for or recommending purchasing, leasing, or ordering any goods, facilities, services, or items for which payment may be made in whole or in part with public money).

Based upon the information known to investigators, probable cause exists that Sheryl Williams Stapleton received remuneration in the form of a kickback (*A bribe for routing a job, contract, or order. Typically comes out of the income generated by the job, contract, or order.* Black's Law Dictionary Free Online Legal Dictionary 2nd Ed.) in return for the purchasing, leasing, ordering, and/or arranging for or recommending purchasing, leasing, and services for the CyberQuest computer program through Robotics. That these items were paid with public money.

Based upon the information known to investigators, probable cause exists that Sheryl Williams Stapleton (a public officer or employee) took an official act for the primary purpose of directly enhancing her financial interest or financial position.

Based upon the information known to investigators, probable cause exists that Sheryl Williams Stapleton did not declare her financial interest in the Taste of the Caribbean, S. Williams and Associates, and the money garnered from her foundations of Charlie Morrissey and Ujima. These forms were signed under penalty of perjury under law as outlined by the New Mexico Secretary of State and New Mexico State Statutes.

Based on the aforementioned information and circumstances, it is necessary to obtain communication information, documents, and other evidentiary information establishing criminal activity as well as a baseline and history for Sheryl Williams Stapleton and the enterprises she is involved or otherwise associated with. The timeline is inclusive of February 1, 2008 to current date.

Based on Affiant's training, experience, and investigation of this case, Affiant believes there is evidence of crimes contained within the computer servers and data storage of the Albuquerque Public Schools. Specifically within the user williams_sm@aps.edu; including but not limited to, subscriber information, including but not limited to user Identification Number, email addresses associated with the account, date and time stamp of account creation date, most recent logins, registered mobile number.

1. Expanded Subscriber Content; including but not limited to; Profile contact information, mini-feed, status update history, shares, notes, wall postings, group listing, future and past events, video listing with filename.
2. Additionally, user photos, also referred to as Photoprint, Group information including BSI of group creator /administrator.
3. IP logs including but not limited to; connection dates and times, disconnect dates and times, method of connection, i.e., TelNet, FTP, HTTP, data transfer volume, user name associated with the connections, telephone caller identification records, put-get logs, or any other record showing exercise of control or domain over the content or cloud or online digital storage;

4. All other records of communications and messages made or received by the user, including all private messages, messages received and sent, chat history, video calling history, call logs, and requests.
5. Any other connection information such as Internet protocol address of the source connection, connection information for the other computer to which the user of the above-referenced accounts connected by any means during the connection period including destination, IP address, connection time and date, disconnect time and date, method of connection to the destination computer and all other information related to the connection from the cellular service provider. Any other records or accounts related or associated with the above reference name, swilliams_sm@aps.edu.

Affiant is aware through training and experience that people involved in the commission of crime(s) often attempt to conceal, tamper with and/or dispose of evidence, including but not limited to the item(s) listed above, to be seized. The materials used to render aid may assist investigators in identifying people with knowledge of the crime(s).

Affiant is also aware that suspect(s), victim(s) and/or witness(es) may document information relating to the crime(s) on paper, on computers and/or on other forms of media. They often make and/or receive telephone calls before, during and/or after the commission of crime(s). Such information, if it exists, may be important and material evidence in a criminal investigation. This warrant shall include the viewing, listening to, copying, transcribing, transferring and/or recording of data on the above-listed item(s), to be seized.

Affiant is also aware that item(s) which establish or tend to establish possession, use, residence, presence and/or occupancy of the above-described premises and/or vehicle(s), to be searched, often demonstrate who had access to the premises and/or vehicle(s). Such information may be material and relevant to this investigation. Documentation of the herein-described premises, vehicle(s) and/or person(s) is important to the investigation. It is important to document the condition and/or location of items found at the scene.

Affiant is aware through training and experience that before, during and/or after the commission of a crime(s), there is often a transfer of money between suspect(s), victim(s), witness(es), and other involved parties. The evidence, if it exists, may assist in determining the identity of any person who may have been present at the time of the incident(s).

Your Affiant has not included every fact related to this investigation but included only those facts your Affiant believes is necessary to establish the probable cause for the issuance of this search warrant. The above information has led your Affiant to believe that probable cause exists that there are items of evidence related to felony criminal offenses of: Racketeering NMSA § 30-42-4, Money Laundering NMSA § 30-51-4, Receiving Illegal Kickback NMSA § 30-41-1, Unlawful interest in a public contract NMSA § 30-23-6; Unlawful employee participation prohibited (Procurement Code) NMSA § 13-1-190; Ethical principles of public service; certain official acts prohibited (Governmental Conduct Act) NMSA § 10-16-3; and Committing an official act to improve one's direct financial interest, (Governmental Conduct Act) NMSA § 10-16-4.

This warrant shall include the copying, transcribing, transferring and/or recording of data of the APS employee of Sheryl Williams Stapleton. The scope of this warrant is limited to the work space(s), computer(s) and electronic device(s) that Sheryl Williams Stapleton had access to and/or was issued to her as part of her employment. Therefore, in order to ensure that a complete and thorough investigation is done, investigators need to seize the entire above mentioned records from APS. Furthermore, APS shall assist Affiant with producing the items and evidence listed herein, to include any Information Technology that would require employed APS personnel who have access and can provide access to digital files and all other materials defined in this warrant related to Sheryl Williams Stapleton, Robotics, CyberQuest, TriTech, and Joseph Johnson. APS and it's employees are commanded to assist in order to minimize disruption to the governmental services rendered by this entity.

Based on the aforementioned facts, Affiant believes that evidence exists in multiple locations, to include those listed in this Affidavit. Therefore, Affiant respectfully requests that the Court issue a Warrant commanding the search of the above-described premises, vehicle(s) and/or person(s).



Signature of Affiant
Special Agent, NMOAG
Official Title

Approved as to legal sufficiency:



Zach Jones
Assistant Attorney General

Subscribed and sworn to or declared and affirmed to before
me in the above-named county of the State of New Mexico this

21 day of July, 2021.



Judge, Notary or Other Officer Authorized to Administer Oaths

District Court Judge

Official Title

Criminal Form 9-213NMRA

NM ST CR Form 9-213

END OF DOCUMENT