

FIRST JUDICIAL DISTRICT COURT

COUNTY OF SANTA FE

STATE OF NEW MEXICO

STATE OF NEW MEXICO,

Plaintiff,

vs.

WILLIAM KALINOWSKI

DOB: . . .

SSN:

ADD: 700 Bay Road, Duxbury, MA 02332

Defendant.

ENDORSED  
First Judicial District Court

SEP 11 2013

Santa Fe, Rio Arriba &  
Los Alamos Counties  
PO Box 2288  
Santa Fe, NM 87504-2288

AT

No. D-0101-CR-2013 538

Judge:

STEPHEN D. PFEFFER

CHARGES: **Embezzlement (over \$20,000.00)(7 Counts), Fraud (over \$20,000.00)(3 Counts)**

**GRAND JURY INDICTMENT**

**THE GRAND JURY CHARGES:**

Count 1: **EMBEZZLEMENT OVER \$20,000.00(0605)**, in that on or about or between November 2, 2007 and November 9, 2007, in Santa Fe County, New Mexico, the above-named Defendant (doing business as Lot 530 Development Company) did embezzle or convert to his own use a thing of value, to wit: OVER \$20,000.00, with which he had been entrusted, with fraudulent intent to deprive ROBERT AND JANICE SOSTRIN, the owner thereof of said item, said thing of value having a value of over \$20,000; contrary to NMSA 1978, Section 30-16-8(F).

Count 2: **FRAUD OVER \$20,000.00(0556)**, in that on or about March 5, 2008, in Santa Fe County, New Mexico, the above-named Defendant (doing business as Lot 530 Development Company and/or K2 Construction) did intentionally misappropriate or take a thing of value, to wit: MONEY WHICH HAD A MARKET VALUE OVER \$20,000.00, belonging to CENTURY BANK, by means of fraudulent conduct, practices or representations, said thing of value having a value of over \$20,000, contrary to NMSA 1978 Section 30-16-6(F).

Count 3: **EMBEZZLEMENT OVER \$20,000.00(0605)**, in that on or about or between May 21, 2008 and May 23, 2008, in Santa Fe County, New Mexico, the above-named Defendant (doing business as K2 Construction) did embezzle or convert to his own use a thing of value, to wit: OVER \$20,000.00, with which he had been entrusted, with fraudulent intent to deprive HAWKS HOLDINGS, L.L.C., the owner thereof of said item, said thing of value having a value of over \$20,000; contrary to NMSA 1978, Section 30-16-8(F).

Count 4: **FRAUD OVER \$20,000.00(0556)**, in that on or about or between October 1, 2008 and October 8, 2008, in Santa Fe County, New Mexico, the above-named Defendant (doing business as K2 Construction) did intentionally misappropriate or take a thing of value, to wit: MONEY WHICH HAD A MARKET VALUE OVER \$20,000.00, belonging to HAWKS HOLDINGS, L.L.C., by means of fraudulent conduct, practices or representations, said thing of value having a value of over \$20,000, contrary to NMSA 1978 Section 30-16-6(F).

Count 5: **FRAUD OVER \$20,000.00(0556)**, in that on or about or between October 8, 2008 and October 20, 2008, in Santa Fe County, New Mexico, the above-named Defendant (doing business as K2 Construction) did intentionally misappropriate or take a thing of value, to wit: MONEY WHICH HAD A MARKET VALUE OVER \$20,000.00, belonging to HAWKS HOLDINGS, L.L.C., by means of fraudulent conduct, practices or representations, said thing of value having a value of over \$20,000, contrary to NMSA 1978 Section 30-16-6(F).

Count 6: **EMBEZZLEMENT OVER \$20,000.00(0605)**, in that on or about or between October 1, 2008, and October 10, 2008, in Santa Fe County, New Mexico, the above named Defendant (doing business as K2 Construction) did embezzle or convert to his own use a thing of value, to wit: OVER \$20,000.00, with which he had been entrusted, with fraudulent intent to deprive HAWKS HOLDINGS, L.L.C., the owner thereof of said item, said thing of value having a value of over \$20,000; contrary to NMSA 1978, Section 30-16-8(F).

Count 7: **EMBEZZLEMENT OVER \$20,000.00(0605)**, in that on or about or between September 15, 2008, and September 24, 2008, in Santa Fe County, New Mexico, the above-named Defendant (doing business as K2 Construction) did embezzle or convert to his own use a thing of value, to wit: OVER \$20,000.00, with which he had been entrusted, with fraudulent intent to deprive WELLS FARGO, the owner thereof of said item, said thing of value having a value of over \$20,000; contrary to NMSA 1978, Section 30-16-8(F).

Count 8: **EMBEZZLEMENT OVER \$20,000.00(0605)**, in that on or about or between September 24, 2008, and October 1, 2008, in Santa Fe County, New Mexico, the above named Defendant (doing business as K2 Construction) did embezzle or convert to his own use a thing of value, to wit: OVER \$20,000.00, with which he had been entrusted, with fraudulent intent to deprive WELLS FARGO, the owner thereof of said item, said thing of value having a value of over \$20,000; contrary to NMSA 1978, Section 30 16 8(F).

Count 9: **EMBEZZLEMENT OVER \$20,000.00(0605)**, in that on or about August 5, 2008, in Santa Fe County, New Mexico, the above named Defendant (doing business as K2 Construction) did embezzle or convert to his own use a thing of value, to wit: OVER \$20,000.00, with which he had been entrusted, with fraudulent intent to deprive WELLS FARGO, the owner thereof of said item, said thing of value having a value of over \$20,000; contrary to NMSA 1978, Section 30-16-8(F).

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Count 10: **EMBEZZLEMENT OVER \$20,000.00(0605)**, in that on or about or between September 10, 2008, and September 30, 2008, in Santa Fe County, New Mexico, the above named Defendant (doing business as K2 Construction) did embezzle or convert to his own use a thing of value, to wit: OVER \$20,000.00, with which he had been entrusted, with fraudulent intent to deprive WELLS FARGO, the owner thereof of said item, said thing of value having a value of over \$20,000; contrary to NMSA 1978, Section 30-16 -8(F).

The names of the witnesses upon whose testimony this Indictment is based are

Special Agent Shawn P. Beck  
Special Agent Christopher Young  
Marla D. Storms-Sorrels.


I hereby certify that the foregoing instrument is a True Bill.

  
FOREPERSON

DATE: 9/10/13

APPROVED

  
SCOTT L. MULLINS  
Special Assistant District Attorney

I hereby certify that the foregoing pleading is a true and correct copy of same which has been filed in my office on the 11 day of Sept 2013  
Dated this 11 date of Sept 2013  
By   
Deputy

STEPHEN T. PACHECO  
Court Administrator/District Court Clerk

