

FILED
FIRST JUDICIAL
DISTRICT COURT

2017 MAR 15 PM 2:13

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT

STATE OF NEW MEXICO,

Plaintiff,

vs.

WILLIAM KALINOWSKI,
DOB: 10/1/1945
SSN: xxx-xx-0070

No. D-0101-CR-201300538
Judge T. Glenn Ellington

Defendant.

**JUDGMENT AND SENTENCE AND TRANSPORT ORDER TO NEW MEXICO
DEPARTMENT OF CORRECTIONS**

THIS MATTER came before the Court for sentencing on February 24, 2017. The State of New Mexico was represented by Ben Gubernick, Assistant District Attorney. The Defendant was present in custody and represented by counsel, Jeffrey Buckels.

The Defendant was convicted by jury on December 1, 2016, of the following offenses:

Count 1: **Embezzlement (over \$20,000) (0605)** in that on or about or between November 7, 2007, and November 14, 2007, in Santa Fe County, New Mexico, the above-named Defendant did embezzle or convert to his own use a thing of value, to wit: over \$20,000, with which he had been entrusted, with fraudulent intent to deprive Robert & Janice Sostrin, the owners of said item, said item having a value over \$20,000, contrary to NMSA 1978, Section 30-16-8(F).

Count 2: **Fraud (over \$20,000) (0556)** in that on or about March 5, 2008, in Santa Fe County, New Mexico, the above-named Defendant did intentionally misappropriate or take a thing of value or convert to his own use a thing of value, to wit: over \$20,000 in currency, belonging to Century Bank, by means of fraudulent practices, conduct or representations, said thing having a value over \$20,000, contrary to NMSA 1978, Section 30-16-6(F).

Count 3: **Embezzlement (over \$20,000) (0605)** in that on or about or between May 20, 2008, and May 22, 2008, in Santa Fe County, New Mexico, the above-named Defendant did embezzle or convert to his own use a thing of value, to wit: over \$20,000, with which he had been entrusted, with fraudulent intent to deprive Hawks Holdings, LLC, the owner

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of said item, said item having a value over \$20,000, contrary to NMSA 1978, Section 30-16-8(F).

Count 4: **Fraud (over \$20,000) (0556)** in that on or about or about October 3, 2008, in Santa Fe County, New Mexico, the above-named Defendant did intentionally misappropriate or take a thing of value or convert to his own use a thing of value, to wit: over \$20,000 in currency, belonging to Hawks Holdings, LLC, by means of fraudulent practices, conduct or representations, said thing having a value over \$20,000, contrary to NMSA 1978, Section 30-16-6(F).

Count 5: **Fraud (over \$20,000) (0556)** in that on or about or about October 14, 2008, in Santa Fe County, New Mexico, the above-named Defendant did intentionally misappropriate or take a thing of value or convert to his own use a thing of value, to wit: over \$20,000 in currency, belonging to Hawks Holdings, LLC, by means of fraudulent practices, conduct or representations, said thing having a value over \$20,000, contrary to NMSA 1978, Section 30-16-6(F).

Count 6: **Embezzlement (over \$20,000) (0605)** in that on or about or between October 3, 2008, in Santa Fe County, New Mexico, the above-named Defendant did embezzle or convert to his own use a thing of value, to wit: over \$20,000, with which he had been entrusted, with fraudulent intent to deprive Hawks Holdings, LLC, the owner of said item, said item having a value over \$20,000, contrary to NMSA 1978, Section 30-16-8(F).

Count 7: **Embezzlement (over \$20,000) (0605)** in that on or about September 15, 2008, in Santa Fe County, New Mexico, the above-named Defendant did embezzle or convert to his own use a thing of value, to wit: over \$20,000, with which he had been entrusted, with fraudulent intent to deprive Wells Fargo, the owner of said item, said item having a value over \$20,000, contrary to NMSA 1978, Section 30-16-8(F).

Count 8: **Embezzlement (over \$20,000) (0605)** in that on or about or between September 30, 2008, and October 1, 2008, in Santa Fe County, New Mexico, the above-named Defendant did embezzle or convert to his own use a thing of value, to wit: over \$20,000, with which he had been entrusted, with fraudulent intent to deprive Wells Fargo, the owner of said item, said item having a value over \$20,000, contrary to NMSA 1978, Section 30-16-8(F).

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