

FILED

THIRD JUDICIAL DISTRICT  
COUNTY OF DOÑA ANA  
STATE OF NEW MEXICO

2018 FEB 22 PM 2: 56

DISTRICT COURT  
DONA ANA COUNTY, NM

STATE OF NEW MEXICO,

No: D-0307-CR-~~2017~~<sup>2018</sup>-210

Plaintiff.

Judge: Douglas R. Driggers

vs.

EDUARDO TRISTE,  
DOB: 10/14/1940  
SSN: XXX-XX-5536

Defendant.

CHARGES: Fraud, Embezzlement, Securities Fraud

**GRAND JURY INDICTMENT**

**THE GRAND JURY CHARGES:**

**COUNT 1: FRAUD (EXCEEDS \$20,000) (0556)**, in that on, or about, or between the 19<sup>th</sup> day of June, 2015 and the 24<sup>th</sup> day of October, 2016, in Doña Ana County, New Mexico, the above-named defendant did by words or conduct, misrepresent a fact intending to deceive or cheat Mary Hill, and because of Mary Hill's reliance on the misrepresentation, the defendant obtained over \$20,000, contrary to Section 30-16-6(F), NMSA 1978.

**OR IN THE ALTERNATIVE:**

**COUNT 1: EMBEZZLEMENT (OVER \$20,000) (0605)**, in that on, or about or between the 19<sup>th</sup> day of June, 2015 and the 27<sup>th</sup> day of December, 2016, in Doña Ana County, New Mexico, the above-named defendant did convert to his own use money exceeding \$20,000, and with which defendant had been entrusted, with intent at the time of the said conversion to fraudulently deprive the owner of her property, contrary to Section 30-16-8(F), NMSA 1978.

**COUNT 2: SECURITIES FRAUD (5797)**, in that on or about the 1<sup>st</sup> day of May, 2015 and the 24<sup>th</sup> day of October, 2016, in Doña Ana County, New Mexico, the above-named defendant did sell and/or offer to sell a security, and in connection with the sale and/or offer to sell the security the defendant purposely and directly or indirectly: used a plan or scheme to deceive or cheat others, and/or made an untrue statement of fact that under the circumstances would have been important or significant to the investment decision of a reasonable person; and/or omitted a fact that under the circumstances would have been misleading to the investment decision of a reasonable person, contrary to Section 58-13C-501, NMSA 1978.

CASE INFORMATION

NMRLD #: 17-03-0007

PROSECUTOR: BENJAMIN R. SCHROPE

EDUARDO TRISTE,

DOB: [REDACTED] 1940

SSN: XXX-XX-5536

[REDACTED]  
Las Cruces, NM 88012


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

Special Agent Robert Barr  
Justin Adcock

I hereby certify that the foregoing is a TRUE bill.

  
\_\_\_\_\_  
Foreperson

02/22/2018  
\_\_\_\_\_  
Date

Approved by:  
  
special assistant district attorney