

Judge Hears Voter Fraud Case

By Austin Fisher
SUN Staff Writer

The three absentee ballots that were never counted in the March 1, 2016 Española municipal election still sit in the vault at city hall. They belong to Ben Lopez, Lenora Herrera and Lee Roy Herrera.

Councilor Robert Seeds won the race for the District 4 seat on the city council against challenger Cory Lewis by just two votes, 238 to 236. Altogether, voters cast 292 early or absentee ballots. Seeds received 94 absentee ballots, while Lewis received 10.

Former deputy city clerk Therisa Aguilar testified in First Judicial District Court, Jan. 25, that during early voting, Dyon Herrera arrived at city hall with the councilor's wife, Laura Seeds, with the absentee ballots of his grandmother, Lenora Herrera, and grandfather, Lee Roy Herrera, who has since died.

In tears, and with her voice breaking on the witness stand, Lenora Herrera testified that Lee Roy Herrera mistook the ballots for junk mail, and tore them apart. Aguilar said she and Kelli Romero, a former state election director hired by City Clerk Anna Squires to help run the election, taped them back together and gave them to Dyon so that he could return them to his grandparents to sign.

Aguilar said she saw Dyon get in a white two-door car, likely his Mustang, with a pair of people in their 20s.

"Dyon was in the car, I saw him open one of the ballots," Aguilar said. Three to four minutes later, she said, Dyon returned to city hall bearing ballots that had signatures on them. Aguilar and Romero told Squires that the ballots were suspicious.

Lenora Herrera said she saw her husband sign the absentee ballot.

"His signature was very professional," Lenora said.

However, Thomas Van Valkenburgh, a former forensic handwriting expert, said the signature that appears on the outer envelope of Lee Roy Herrera's absentee ballot is more of a scribble.

"There is no comparison, there is nothing similar about the signatures," Van Valkenburgh said of the signatures on the voter registration application and the absentee ballot out envelope belonging to both Lenora and Lee Roy Herrera.

Throughout the trial, Laura Seeds ushered witnesses into the courtroom. When Lewis's Santa Fe-based Attorney Christopher Graeser warned Judge Sarah Singleton that Laura Seeds was talking with witnesses before they stepped in, Singleton told Seeds she was not allowed to speak with

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Suspects in Shooting Tell Their Side

By Jennifer Garcia
SUN News Editor

What seemed to police like a pretty clear case of "guns, drugs and gangs," has become more of a case of whodunnit.

Phillip Baca, 16, and his father, Daniel Baca, suspects in a drive-by shooting, Friday night at Allsup's on Riverside Drive, went to the Española Police Department Monday morning, to speak with officers.

Because they were considered suspects in the shooting that sent Daniel Suarez, 20, to the University of New Mexico Hospital with a bullet lodged in his temple, police wanted to speak with them regarding the incident.

Det. George Martinez said the father and son showed up at the Police Department around 9 a.m., Monday and were questioned well into the afternoon, by Española police officers, as well as Michael Maryczk, with the Federal Bureau of Investigations' office in Albuquerque.

Following the interviews, Martinez said they were not much closer to solving the case because the Bacas denied being anywhere near Allsup's when the shooting occurred.



An unidentified New Mexico State Police officer guards the scene of a shooting, Jan. 27, on North Riverside Drive next to the Allsup's Convenience Store.

Police responded to a call regarding shots fired at the convenience store. A few minutes later, they got another call regarding shots fired near the Española Hospital.

According to witnesses, Jose Atencio, 19, was with his passenger, Suarez, and two teens, getting gas at Allsup's, when someone opened fire on Atencio's car. They told police they heard four to six

shots, then realized Suarez had been hit in the head, by one of the bullets. The bullet penetrated his skull and lodged in his temple.

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Police Find Chained Woman In Van

By Wheeler Cowperthwaite
SUN Staff Writer

Española and State Police officers rescued a 28-year-old Las Vegas, Nev., woman, Monday night, found chained in the back of a minivan.



Priebe



Morgan

Officers arrested Jack Morgan, 31, of Española and freed Jane Priebe, 28, of Las Vegas. Passenger Samuel Brown, 19, of Phenix City, Ala., was also arrested. He was described as being dressed as a woman. It's not clear at what point Morgan picked up Brown.

State Police are investigating the case and Morgan has been charged with kidnapping and false imprisonment. Brown has been charged with conspiracy to commit a kidnapping and false imprisonment.

According to news reports, a single neighbor saw Priebe, bound and gagged Monday morning, being dragged out of her Las Vegas apartment and put into the back of a white van. The neighbor then called 911.

Española Deputy Police Chief Matthew Vigil said the E911 Dispatch Center received a call from Las Vegas Metro Police Department Sgt. Christopher O'Brien. O'Brien told dispatchers they had pinged one of the cell phones in Morgan's car and it came back as being on the outskirts of Santa Fe, headed north toward Española.

Española and State Police officers then waited by the Dreamcatcher movie theater, on U.S. highway 84/285, hoping Morgan's white minivan, with Texas license plates,

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VALDEZ PARK RE-DEDICATION



Kim Currie, vice president of marketing for Del Norte Credit Union, hands out gifts while the crowd grabs packets of healing herbs provided free by Tewa Women United, Jan. 31, at the end of the re-dedication ceremony of Valdez Park in Española. The park, named after Petty Officer Phil Valdez, an Española High School graduate from Dixon, was adopted by Del Norte Credit Union.

State Takes District Money to Help Balance Budget

By Barron Jones
SUN Staff Writer

Republican Gov. Susana Martinez signed a bill into law that would take the bulk of the cash balances from the state's 89 school districts and re-route it to the state's General Fund so it can be rebudgeted.

With the stroke of pen, Martinez authorized a one-time measure that will generate approximately \$46 million to help legislators combat a statewide revenue shortfall because of declining revenue from the ad

valorem tax on the oil and gas equipment and production.

The legislation means all of the officials from the state's 89 school districts will have to surrender, or revert to the state, a portion of the cash balances they have in their accounts. The districts will be allowed to keep three-percent of their operational fund budget.

In the message that accompanied the signed legislation, Martinez wrote she would have preferred if the districts were allowed to keep a larger per-

centage of their operational budget for a cash balance, but praised the lawmakers for their cooperative efforts.

"My original proposal would have ensured that not a single district's cash balances dropped below five percent, a floor that would have allowed school districts and state charters to operate more comfortably," Martinez wrote in the Tuesday message. "However, SB 11 arrived on my desk with a compromise of a three-percent floor. This compromise represents respon-

sible cuts that preserve classroom spending and maintain the quality of district program for student and staff alike."

Superintendent Eric Martinez surmised that the sweep would have a negative impact on the District, but didn't go into detail.

Española School District Business Manager Myrna Garcia said it is too soon to tell exactly how the cash balance pull-back will impact the District.

Garcia and contractor Maria

Fildalgo are in the process of reconciling the District's cash balances dating back to October 2015.

Once this is complete, the District will have an accurate picture on how much money, if any, they stand to lose.

Under the legislation, tentatively, about \$484,377 could be taken from the District, in State Equalization Funds.