

FOR IMMEDIATE RELEASE:
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Attorney General/District Attorney Task Force Secures Indictment of Former Miss New Mexico Executive Director for Fraud, Embezzlement, Racketeering, & Tax Evasion

Albuquerque, NM—Attorney General Hector Balderas and District Attorney Andrea Reeb today announced that a Roosevelt County Grand Jury indicted former Miss New Mexico Executive Director Greg Smith on charges that he stole money from the organization, funds which were designated for participant scholarships. The Grand Jury indicted Smith on 18 felony charges of embezzlement, fraud, racketeering, tax evasion, and issuing worthless checks.

“New Mexican women who seek leadership opportunities should not see those opportunities taken by corporate corruption,” said Attorney General Balderas. “My office is dedicated to ensuring that vulnerable New Mexicans are protected from those who prey upon them, and we look forward to presenting this case to a jury.”

Greg Smith operated the Miss New Mexico Scholarship Organization from 2015 to 2018. When he took over the organization he was provided approximately \$21,000 from the National Organization for the express purpose of paying out scholarships to the remaining contest winners from 2014 and previous years. He was provided the amount owed and the information for the contestants, but failed to distribute the scholarships owed. Smith was indicted for multiple felony offenses surrounding the withholding scholarship money owed to several contest winners and using the Organization’s accounts to conduct personal transactions during his time as Director. Arraignment will be scheduled at a future date where conditions of release will be set by a District Court Judge.

A copy of the indictment is attached.

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State v. Greg K. Smith
Grand Jury Indictment

NINTH JUDICIAL DISTRICT
ROOSEVELT COUNTY, NM
FILED IN MY OFFICE

STATE OF NEW MEXICO
COUNTY OF ROOSEVELT
IN THE NINTH JUDICIAL DISTRICT

2019 AUG -8 AM 11:40

STATE OF NEW MEXICO,

Karen A. Russell
CLERK OF DISTRICT COURT

Plaintiff,

vs.

No. D-0911-CR-2019-00087
NMAGO#: 201702-00024
D-0911-GJ-2019 00003

GREG K. SMITH,

DOB: [REDACTED] 1963

SSN: [REDACTED]

ADDRESS: 791 South Roosevelt Rd. AM, Elida NM 88116

Defendant.

CRIMES CHARGED

FRAUD (OVER \$2,500) (0558) (TWO COUNTS); EMBEZZLEMENT (OVER \$2,500) (0607) (TWO COUNTS); EMBEZZLEMENT (OVER \$500 BUT NOT MORE THAN \$2,500) (4552) (FIVE COUNTS); ISSUING WORTHLESS CHECKS (\$25 OR MORE) (0805) (FIVE COUNTS); RACKETEERING (0897); ATTEMPT TO EVADE A TAX (1941) (THREE COUNTS).

GRAND JURY INDICTMENT

THE GRAND JURY CHARGES:

COUNT 1

FRAUD (OVER \$2,500) (0558), That on or between June 1st, 2015 and June 30th, 2015 in Roosevelt County, New Mexico, the above-named defendant, by any words or conduct, misrepresented a fact, the price for rooms at Eastern New Mexico University during an Organization event in June 2015, to Miss New Mexico Scholarship Organization participants, intending to deceive or cheat those participants, and because of the misrepresentation and the participants' reliance on it, the defendant obtained approximately \$6,200.00, which had a market value over \$2,500 and belonged to someone other than the defendant, a third degree felony, contrary to NMSA 1978, Section 30-16-6.

COUNT 2

FRAUD (OVER \$2,500) (0558), That on or between June 1st, 2016 and June 30th, 2016 in Roosevelt County, New Mexico, the above-named defendant, by any words or conduct, misrepresented a fact, the price for rooms at Eastern New Mexico University during an

Organization event in June 2016, to Miss New Mexico Scholarship Organization participants, intending to deceive or cheat those participants and because of the misrepresentation and the participants' reliance on it, the defendant obtained approximately \$4,862.00 which had a market value over \$2,500 and belonged to someone other than the defendant, a third degree felony, contrary to NMSA 1978, Section 30-16-6.

COUNT 3 ✓

EMBEZZLEMENT (OVER \$2,500)(0607) That on or between January 1st, 2015 and December 31st, 2015, in Roosevelt County, New Mexico, the above-named defendant did convert to his own use scholarship money designated for 2014 contest winners, which had a market value of over \$2,500, and with which defendant had been entrusted, with intent at the time of conversion to fraudulently deprive the owner of that property, a third degree felony, contrary to NMSA 1978, Section 30-16-8.

COUNT 4 ✓

EMBEZZLEMENT (OVER \$2,500)(0607) That on or about November 9th, 2017, in Roosevelt County, New Mexico, the above-named defendant did convert to his own use City of Portales Lodgers tax payment to be paid to Sherry Smith for audio/visual work, which had a market value of over \$2,500, and with which defendant had been entrusted, with intent at the time of conversion to fraudulently deprive the owner of that property, a third degree felony, contrary to NMSA 1978, Section 30-16-8.

COUNT 5 ✓

EMBEZZLEMENT (OVER \$500 BUT NOT MORE THAN \$2,500) (4552) That on or about August 18th, 2015 in Roosevelt County, New Mexico, the above-named defendant did convert to his own use funds from Miss America National Organization designated for 2015 contest winner's wardrobe, which had a market value of over \$500, and with which defendant had been entrusted, with intent at the time of conversion to fraudulently deprive the owner of that property, a fourth degree felony, contrary to NMSA 1978, Section 30-16-8.

COUNT 6 ✓

EMBEZZLEMENT (OVER \$500 BUT NOT MORE THAN \$2,500) (4552) That on or about August 15th, 2016 in Roosevelt County, New Mexico, the above-named defendant did convert to his own use funds from Miss America National Organization designated for 2016 contest winner's wardrobe, which had a market value of over \$500, and with which defendant had been entrusted, with intent at the time of conversion to fraudulently deprive the owner of that property, a fourth degree felony, contrary to NMSA 1978, Section 30-16-8.

COUNT 7 ✓

EMBEZZLEMENT (OVER \$500 BUT NOT MORE THAN \$2,500) (4552) That on or between February 1st, 2016 and December 31st, 2017 in Roosevelt County, New Mexico, the

above-named defendant did convert to his own use scholarship funds owed to Stephanie Chavez for contest participation, which had a market value of over \$500, and with which defendant had been entrusted, with intent at the time of conversion to fraudulently deprive the owner of her property, a fourth degree felony, contrary to NMSA 1978, Section 30-16-8.

COUNT 8 ✓

EMBEZZLEMENT (OVER \$500 BUT NOT MORE THAN \$2,500) (4552) That on or between June 1st, 2017 and December 31st, 2017 in Roosevelt County, New Mexico, the above-named defendant did convert to his own use scholarship funds owed to Madison Belcher for contest participation, which had a market value of over \$500, and with which defendant had been entrusted, with intent at the time of conversion to fraudulently deprive the owner of her property, a fourth degree felony, contrary to NMSA 1978, Section 30-16-8.

COUNT 9 ✓

EMBEZZLEMENT (OVER \$500 BUT NOT MORE THAN \$2,500) (4552) That on or between June 1st, 2017 and December 31st, 2017 in Roosevelt County, New Mexico, the above-named defendant did convert to his own use scholarship funds owed to Taylor Ray for contest participation, which had a market value of over \$500, and with which defendant had been entrusted, with intent at the time of conversion to fraudulently deprive the owner of her property, a fourth degree felony, contrary to NMSA 1978, Section 30-16-8.

COUNT 10 ✓

ISSUING WORTHLESS CHECKS (\$25 OR MORE) (0805), That on January 17th, 2017, in Roosevelt County, New Mexico, the above-named defendant did give check #1016 in the amount of \$2,487.72 to NMSU, intending to cheat or deceive NMSU or another by the use of the check, knowing that when the check was given there was neither sufficient funds nor credit for payment of the check in full, and NMSU gave goods or services for the check which had a value of \$25.00 or more, a felony, contrary to Section 30-36-4, NMSA 1978.

COUNT 11 ✓

ISSUING WORTHLESS CHECKS (\$25 OR MORE) (0805), That on April 10th, 2017, in Roosevelt County, New Mexico, the above-named defendant did give check #1023 in the amount of \$720.34 to Guerrilla Graphix, intending to cheat or deceive Guerrilla Graphix or another by the use of the check, knowing that when the check was given there was neither sufficient funds nor credit for payment of the check in full, and Guerrilla Graphix gave goods or services for the check which had a value of \$25.00 or more, a felony, contrary to Section 30-36-4, NMSA 1978.

COUNT 12

ISSUING WORTHLESS CHECKS (\$25 OR MORE) (0805), That on April 11th, 2017, in Roosevelt County, New Mexico, the above-named defendant did give check #1024 in the

amount of \$1314.94 to Fed Ex Kinkos, intending to cheat or deceive Fed Ex Kinkos or another by the use of the check, knowing that when the check was given there was neither sufficient funds nor credit for payment of the check in full, and Fed Ex Kinkos gave goods or services for the check which had a value of \$25.00 or more, a felony, contrary to Section 30-36-4, NMSA 1978.

COUNT 13

ISSUING WORTHLESS CHECKS (\$25 OR MORE) (0805), That on June 19th, 2017, in Roosevelt County, New Mexico, the above-named defendant did give check #1035 in the amount of \$3,713.00 to Better Off Apparel, intending to cheat or deceive Better Off Apparel or another by the use of the check, knowing that when the check was given there was neither sufficient funds nor credit for payment of the check in full, and Better Off Apparel gave goods or services for the check which had a value of \$25.00 or more, a felony, contrary to Section 30-36-4, NMSA 1978.

COUNT 14

ISSUING WORTHLESS CHECKS (\$25 OR MORE) (0805), That on August 30th, 2017, in Roosevelt County, New Mexico, the above-named defendant did give check #1037 in the amount of \$423.56 to William Robins, intending to cheat or deceive William Robins or another by the use of the check, knowing that when the check was given there was neither sufficient funds nor credit for payment of the check in full, and William Robins gave goods or services for the check which had a value of \$25.00 or more, a felony, contrary to Section 30-36-4, NMSA 1978.

COUNT 15

RACKETEERING (0897), That on or between January 1st, 2015 and December 31st, 2017, in Roosevelt County, New Mexico, the above-named defendant, directly or indirectly, did use or invest the proceeds, or any part thereof, derived, directly or indirectly, from a pattern of racketeering activity in which the defendant participated, in the establishment or operation of an enterprise; OR, did engage in a pattern of racketeering activity in order to acquire or maintain, directly or indirectly, an interest in or control of an enterprise; OR, was employed or associated with an enterprise and did conduct or participate, directly or indirectly, in the conduct of the enterprise's affairs by engaging in a pattern of racketeering activity; a second degree felony, contrary to Section 30-42-4(A, B, or C), NMSA 1978.

COUNT 16

ATTEMPT TO EVADE OR DEFEAT TAX (1941), That on or between January 1st, 2015 through December 31st, 2015, in Roosevelt County, New Mexico, the above-named defendant, willfully attempted to evade or defeat any tax or payment thereof, a fourth degree felony, contrary to 7-1-72, NMSA 1978.

COUNT 17

ATTEMPT TO EVADE OR DEFEAT TAX (1941), That on or between January 1st, 2016 through December 31st, 2016, in Roosevelt County, New Mexico, the above-named defendant, willfully attempted to evade or defeat any tax or payment thereof, a fourth felony, contrary to 7-1-72, NMSA 1978.

COUNT 18

ATTEMPT TO EVADE OR DEFEAT TAX (1941), That on or between January 1st, 2017 through December 31st, 2017, in Roosevelt County, New Mexico, the above-named defendant, willfully attempted to evade or defeat any tax or payment thereof, a fourth degree felony, contrary to 7-1-72, NMSA 1978.

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

Jennifer Lund, Special Agent, Attorney General's Office

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

APPROVED:



ANDREW COFFING
Assistant Attorney General



Foreman

8/8/19

Date

8-8-19

Date