

Case Information

Case Number:	S-0700-CR-2011007580	view case minutes	
Title:	St of AZ Vs. Monique Deanda, E	Category:	CRIMINAL
Court:	Maricopa County Superior	Filing Date:	9/13/2011
Judge:		Disposition Date:	12/11/2012

Clerk Of The Court	Unknown - ?6		
Monique Gracia Deanda	DEFENDANT - D2		Date of Birth: 07/1975
Citation	Count	Description	Disp. Date Disposition
	1	MONEY LAUND-EVADE REPORT	12/11/2012 COMPL DISMISSED BY CTY ATTY
	2	MONEY LAUND-EVADE REPORT	12/11/2012 COMPL DISMISSED BY CTY ATTY
Frank Blas Gracia ,III	DEFENDANT - D3		Date of Birth: 05/1984
Citation	Count	Description	Disp. Date Disposition
	1	MONEY LAUND-EVADE REPORT	12/11/2012 COMPL DISMISSED BY CTY ATTY
	2	MONEY LAUND-EVADE REPORT	12/11/2012 COMPL DISMISSED BY CTY ATTY
Gil C Negrete	DEFENDANT - D4		Date of Birth: 09/1976
Citation	Count	Description	Disp. Date Disposition
	1	MONEY LAUND-EVADE REPORT	12/4/2012 COMPL DISMISSED BY COURT
	2	MONEY LAUNDERING	9/25/2012 PLEA TO OTHER CHARGES
Irene Gracia Rodriguez	DEFENDANT - D5		Date of Birth: 08/1966
Citation	Count	Description	Disp. Date Disposition
	1	MONEY LAUND-EVADE REPORT	12/7/2012 COMPL DISMISSED BY COURT
	2	MONEY LAUNDERING	10/25/2012 PLEA TO OTHER CHARGES
State Of Arizona	PLAINTIFF - P1		

Case Activity

Date	Description	Party
12/31/2023	Alert	D3
12/11/2019	OSJ - Order re: Setting Aside Judgment of Guilt	D4
12/6/2019	Restoration Of Civil Rights	D4
12/6/2019	Restoration Of Civil Rights	P1
9/18/2019	REL - Reply	D4
9/9/2019	Telephonic Call / Documentation	D4
9/9/2019	Telephonic Call / Documentation	P1
9/4/2019	RMR - Response to Defendant's Motion	P1
9/4/2019	RMR - Response to Defendant's Motion	D4
8/8/2019	CFI - Criminal Financial Information Worksheet	D4
8/7/2019	ASJ - Application to Set aside Judgment / Dismiss Charges	D4
8/7/2019	Restoration Of Civil Rights	D4
8/7/2019	Restoration Of Civil Rights	P1
7/23/2014	DEW - Disposition Of Exhibit Worksheet	D4
3/31/2014	LED - 2.8 (d) Letter	D4
10/31/2013	ODP - Order of Discharge of Probation	D4
9/19/2013	PTP - Petition Early Termination Probation Order	D4
9/16/2013	Adult Probation	D4
9/16/2013	Adult Probation	P1
6/13/2013	023 - ME: Order Entered By Court	D2
6/3/2013	Motion	D2
6/3/2013	Motion	P1

5/30/2013	MTD - Motion To Dismiss	D2
4/3/2013	ODM - Order of Discharge from Probation - Misdemeanor Design	D5
4/3/2013	PTP - Petition Early Termination Probation Order	D5
4/1/2013	Adult Probation	D5
4/1/2013	Adult Probation	P1
12/24/2012	DRE - Disposition Report	D2
12/24/2012	DRE - Disposition Report	D3
12/21/2012	DRE - Disposition Report	D4
12/18/2012	DRE - Disposition Report	D5
12/14/2012	042 - ME: Case Dismissed - Full	D3
12/14/2012	042 - ME: Case Dismissed - Full	D2
12/11/2012	ORE - Order To Release/Exonerate Bond	D2
12/11/2012	Status Conference	D2
12/11/2012	Status Conference	D3
12/11/2012	110 - ME: Suspension Of Sentence - Unsupervised Probation	D5
12/11/2012	Status Conference	P1
12/7/2012	Sentencing	P1
12/7/2012	NRR - Notice Of Rights	D5
12/7/2012	PSR - Presentence Report	D5
12/7/2012	Sentencing	D5
12/7/2012	TCP - Terms & Conditions Of Probation/Money Ordered	D5
12/6/2012	110 - ME: Suspension Of Sentence - Unsupervised Probation	D4
12/4/2012	NRR - Notice Of Rights	D4
12/4/2012	PSR - Presentence Report	D4
12/4/2012	Sentencing	D4
12/4/2012	TCP - Terms & Conditions Of Probation/Money Ordered	D4
12/4/2012	Sentencing	P1
12/3/2012	SME □ Sentencing Memo	D4
11/30/2012	Adult Probation	P1
11/30/2012	Adult Probation	D5
11/29/2012	029 - ME: Status Conference	D2
11/26/2012	029 - ME: Status Conference	D3
11/15/2012	Status Conference	D3
11/15/2012	Status Conference	D2
11/15/2012	Status Conference	D5
11/15/2012	Status Conference	P1
11/2/2012	056 - ME: Hearing Set	D5
10/31/2012	105 - ME: Plea Agreement/Change Of Plea	D5
10/31/2012	169 - ME: Sent/Dispo Reset	D4
10/25/2012	Sentencing	D4
10/25/2012	PAG - Plea Agreement	D5
10/25/2012	Settlement Conference	D5
10/25/2012	Sentencing	P1
10/25/2012	Settlement Conference	P1
10/23/2012	Adult Probation	P1
10/23/2012	SME □ Sentencing Memo	P1

10/23/2012	Adult Probation	D4
10/23/2012	SME □ Sentencing Memo	D4
10/10/2012	Trial	D4
10/10/2012	083 - ME: Conference Reset/Cont	D3
10/10/2012	Trial	D3
10/10/2012	083 - ME: Conference Reset/Cont	D2
10/10/2012	Trial	D2
10/10/2012	Trial	P1
10/10/2012	083 - ME: Conference Reset/Cont	D5
10/10/2012	Trial	D5
10/2/2012	Pre-Trial Conference	D5
10/2/2012	Status Conference	D5
10/2/2012	Pre-Trial Conference	P1
10/2/2012	Status Conference	P1
10/2/2012	Pre-Trial Conference	D2
10/2/2012	Status Conference	D2
10/2/2012	Pre-Trial Conference	D3
10/2/2012	Status Conference	D3
10/2/2012	Pre-Trial Conference	D4
10/2/2012	Status Conference	D4
10/1/2012	085 - ME: Conference	D4
10/1/2012	002 - ME: Hearing Vacated	D3
10/1/2012	002 - ME: Hearing Vacated	D2
10/1/2012	002 - ME: Hearing Vacated	D5
9/26/2012	105 - ME: Plea Agreement/Change Of Plea	D4
9/25/2012	PAG - Plea Agreement	D4
9/25/2012	Status Conference	D4
9/25/2012	Status Conference	P1
9/24/2012	Settlement Conference	P1
9/24/2012	Settlement Conference	D5
9/24/2012	Settlement Conference	D4
9/24/2012	Settlement Conference	D3
9/24/2012	Settlement Conference	D2
9/21/2012	MEM - Memorandum	D4
9/14/2012	083 - ME: Conference Reset/Cont	D4
9/14/2012	083 - ME: Conference Reset/Cont	D2
9/14/2012	083 - ME: Conference Reset/Cont	D3
9/14/2012	083 - ME: Conference Reset/Cont	D5
9/13/2012	Status Conference	D5
9/13/2012	Status Conference	P1
9/13/2012	Status Conference	D3
9/13/2012	Status Conference	D2
9/13/2012	Status Conference	D4
8/27/2012	081 - ME: Trial Vacated	D4
8/27/2012	ORD - Order	D4
8/27/2012	081 - ME: Trial Vacated	D2

8/27/2012	081 - ME: Trial Vacated	D3
8/27/2012	081 - ME: Trial Vacated	D5
8/23/2012	Status Conference	D5
8/23/2012	Status Conference	P1
8/23/2012	Status Conference	D3
8/23/2012	Status Conference	D2
8/23/2012	Status Conference	D4
8/22/2012	Motion	D4
8/22/2012	NOT - Notice	D4
8/22/2012	Motion	P1
8/21/2012	MFD - Motion For Discovery	D4
8/21/2012	REQ - Request	D4
8/17/2012	Motion	D3
8/17/2012	Motion	P1
8/15/2012	MOT - Motion	D3
8/13/2012	085 - ME: Conference	D3
8/13/2012	085 - ME: Conference	D2
8/13/2012	023 - ME: Order Entered By Court	D4
8/13/2012	085 - ME: Conference	D4
8/13/2012	085 - ME: Conference	D5
8/9/2012	Settlement Conference	D5
8/9/2012	Settlement Conference	P1
8/9/2012	Settlement Conference	D4
8/9/2012	Settlement Conference	D2
8/9/2012	Settlement Conference	D3
8/8/2012	Motion	D4
8/8/2012	Motion	P1
8/7/2012	OBJ - Objection/Opposition.	D4
8/6/2012	Motion	D3
8/6/2012	Motion	P1
8/6/2012	Motion	D5
8/3/2012	OBJ - Objection/Opposition.	D5
8/3/2012	OBJ - Objection/Opposition.	D3
7/20/2012	089 - ME: Trial Setting	D3
7/20/2012	089 - ME: Trial Setting	D2
7/20/2012	089 - ME: Trial Setting	D4
7/20/2012	089 - ME: Trial Setting	D5
7/19/2012	023 - ME: Order Entered By Court	D4
7/18/2012	Status Conference	D4
7/18/2012	Status Conference	D2
7/18/2012	Status Conference	D3
7/18/2012	Status Conference	D5
7/18/2012	Status Conference	P1
7/17/2012	Motion	P1
7/17/2012	Motion	D4
7/16/2012	MOT - Motion	D4

7/12/2012	Status Conference	D4
7/12/2012	Status Conference	D3
7/12/2012	Status Conference	D2
7/12/2012	Status Conference	P1
7/12/2012	Status Conference	D5
7/11/2012	ALT - Appeals Letter Of Transmittal	D4
7/11/2012	CAO - Court Of Appeals Order	D4
7/5/2012	083 - ME: Conference Reset/Cont	D4
7/5/2012	083 - ME: Conference Reset/Cont	D2
7/5/2012	083 - ME: Conference Reset/Cont	D3
7/5/2012	083 - ME: Conference Reset/Cont	D5
6/13/2012	Motion	P1
6/13/2012	Motion	D4
6/5/2012	028 - ME: Status Conference Set	D4
6/5/2012	028 - ME: Status Conference Set	D3
6/5/2012	028 - ME: Status Conference Set	D2
6/5/2012	028 - ME: Status Conference Set	D5
5/25/2012	Status Conference	D5
5/25/2012	Motion	P1
5/25/2012	Status Conference	P1
5/25/2012	Status Conference	D2
5/25/2012	Status Conference	D3
5/25/2012	Motion	D4
5/25/2012	ORD - Order	D4
5/25/2012	Status Conference	D4
5/24/2012	MOT - Motion	D4
4/26/2012	MIL - Motion In Limine	D2
4/26/2012	Motion	D2
4/26/2012	Motion	P1
4/25/2012	005 - ME: Hearing	D5
4/25/2012	005 - ME: Hearing	D2
4/25/2012	005 - ME: Hearing	D3
4/25/2012	005 - ME: Hearing	D4
4/20/2012	Oral Argument	D4
4/20/2012	Oral Argument	D3
4/20/2012	Oral Argument	D2
4/20/2012	Oral Argument	D5
4/20/2012	Oral Argument	P1
4/2/2012	RES - Response	D2
3/30/2012	REL - Reply	D4
3/20/2012	Motion	D2
3/20/2012	Motion	P1
3/16/2012	RES - Response	P1
3/16/2012	RMR - Response to Defendant's Motion	P1
3/16/2012	MOT - Motion	D2
3/16/2012	RES - Response	D2

3/16/2012	RMR - Response to Defendant's Motion	D4
3/15/2012	NOT - Notice	D2
3/12/2012	NOT - Notice	D3
3/5/2012	Motion	D4
3/5/2012	Motion	P1
3/2/2012	NOT - Notice	D5
3/2/2012	MTD - Motion To Dismiss	D4
3/1/2012	005 - ME: Hearing	D4
3/1/2012	005 - ME: Hearing	D3
3/1/2012	005 - ME: Hearing	D2
3/1/2012	005 - ME: Hearing	D5
2/29/2012	NOJ □ Notice of Joinder	D3
2/28/2012	Trial	D3
2/28/2012	Trial	D2
2/28/2012	Trial	D4
2/28/2012	Trial	D5
2/28/2012	Trial	P1
2/24/2012	Oral Argument	P1
2/24/2012	Oral Argument	D5
2/24/2012	EXW - Exhibits Work Sheet	D4
2/24/2012	Oral Argument	D4
2/24/2012	Oral Argument	D2
2/24/2012	Oral Argument	D3
2/21/2012	Pre-Trial Conference	D3
2/21/2012	Pre-Trial Conference	D2
2/21/2012	Pre-Trial Conference	D4
2/21/2012	Pre-Trial Conference	D5
2/21/2012	Pre-Trial Conference	P1
2/20/2012	REL - Reply	D2
2/16/2012	083 - ME: Conference Reset/Cont	D2
2/16/2012	083 - ME: Conference Reset/Cont	D3
2/16/2012	095 - ME: Oral Argument Reset	D4
2/16/2012	083 - ME: Conference Reset/Cont	D5
2/10/2012	Oral Argument	P1
2/10/2012	Oral Argument	D4
2/8/2012	Motion	D3
2/8/2012	Motion	D2
2/8/2012	Motion	P1
2/8/2012	Motion	D5
2/7/2012	Motion	P1
2/7/2012	Motion	D4
2/6/2012	094 - ME: Oral Argument Set	D4
2/6/2012	MCO - Motion To Continue	D4
2/3/2012	MCO - Motion To Continue	D4
2/3/2012	REL - Reply	D4
1/31/2012	RMR - Response to Defendant's Motion	D3

1/27/2012	004 - ME: Hearing Continued	D2
1/26/2012	Motion	D4
1/26/2012	Motion	P1
1/25/2012	MFR - Motion For Reconsideration	D4
1/23/2012	019 - ME: Ruling	D4
1/23/2012	Motion	D3
1/23/2012	Motion	P1
1/20/2012	Oral Argument	P1
1/20/2012	Oral Argument	D2
1/19/2012	REL - Reply	D2
1/16/2012	MTD - Motion To Dismiss	D3
1/13/2012	005 - ME: Hearing	D3
1/13/2012	005 - ME: Hearing	D2
1/13/2012	005 - ME: Hearing	D4
1/13/2012	005 - ME: Hearing	D5
1/12/2012	Status Conference	D5
1/12/2012	Status Conference	P1
1/12/2012	Status Conference	D4
1/12/2012	Status Conference	D2
1/12/2012	Status Conference	D3
1/11/2012	RMR - Response to Defendant's Motion	D4
1/10/2012	056 - ME: Hearing Set	D5
1/10/2012	085 - ME: Conference	D5
1/5/2012	Settlement Conference	D5
1/5/2012	Settlement Conference	P1
1/4/2012	Motion	P1
1/4/2012	Motion	D4
12/29/2011	094 - ME: Oral Argument Set	D2
12/28/2011	MOT - Motion	D4
12/20/2011	027 - ME: Pretrial Conference	D4
12/20/2011	027 - ME: Pretrial Conference	D2
12/20/2011	027 - ME: Pretrial Conference	D3
12/20/2011	027 - ME: Pretrial Conference	D5
12/19/2011	Comprehensive PreTrial Conference	D5
12/19/2011	STA - Statement	D5
12/19/2011	Comprehensive PreTrial Conference	P1
12/19/2011	Comprehensive PreTrial Conference	D3
12/19/2011	STA - Statement	D3
12/19/2011	Comprehensive PreTrial Conference	D2
12/19/2011	STA - Statement	D2
12/19/2011	Comprehensive PreTrial Conference	D4
12/19/2011	STA - Statement	D4
12/15/2011	MOT - Motion	D4
12/15/2011	094 - ME: Oral Argument Set	D2
12/6/2011	RES - Response	D2
12/1/2011	Motion	D4

12/1/2011	Motion	P1
11/22/2011	Motion	P1
11/22/2011	Motion	D2
11/21/2011	MTD - Motion To Dismiss	D2
11/21/2011	MET - Motion for Extension Of Time	D4
11/18/2011	RTR - Return Receipt For Official Court Files/Transcripts/Ex	D5
11/16/2011	194 : Me: Initial Pretrial Conference	D4
11/16/2011	194 : Me: Initial Pretrial Conference	D5
11/16/2011	194 : Me: Initial Pretrial Conference	D2
11/16/2011	194 : Me: Initial Pretrial Conference	D3
11/15/2011	NOT - Notice	D3
11/15/2011	REQ - Request	D3
11/11/2011	NOT - Notice	D2
11/11/2011	NOT - Notice	D4
11/10/2011	MTR - Motion for Temporary Removal Of Court File/Transcripts	D5
11/10/2011	OFT - Order for Temporary Removal of Court File/Transcripts/	D5
11/10/2011	RRF - Release Receipt For Official Court Files/Transcripts/E	D5
11/9/2011	Initial Pretrial Conference	D5
11/9/2011	Initial Pretrial Conference	D4
11/9/2011	Initial Pretrial Conference	D2
11/9/2011	Initial Pretrial Conference	D3
11/9/2011	Initial Pretrial Conference	P1
11/2/2011	RTR - Return Receipt For Official Court Files/Transcripts/Ex	D2
11/1/2011	MTR - Motion for Temporary Removal Of Court File/Transcripts	D2
11/1/2011	OFT - Order for Temporary Removal of Court File/Transcripts/	D2
11/1/2011	RRF - Release Receipt For Official Court Files/Transcripts/E	D2
10/27/2011	STP - Stipulation	D2
10/27/2011	RTR - Return Receipt For Official Court Files/Transcripts/Ex	D4
10/26/2011	016 - ME: Ext/Time/Filing Granted	D4
10/25/2011	MTR - Motion for Temporary Removal Of Court File/Transcripts	D4
10/25/2011	OFT - Order for Temporary Removal of Court File/Transcripts/	D4
10/25/2011	RRF - Release Receipt For Official Court Files/Transcripts/E	D4
10/25/2011	NOT - Notice	D2
10/25/2011	REQ - Request	D2
10/24/2011	NDR - Notice of Defenses and Request for Notice of Rebuttal	D5
10/24/2011	RAD - Request For Automatic Additional Disclosure	D5
10/20/2011	NOT - Notice	D5
10/20/2011	NOT - Notice	D4
10/20/2011	Request	D4
10/20/2011	NOT - Notice	D2
10/20/2011	NOT - Notice	D3
10/20/2011	Request	P1
10/18/2011	MET - Motion for Extension Of Time	D4
10/3/2011	152 - ME: Not Guilty Plea Arraign	D5
10/3/2011	152 - ME: Not Guilty Plea Arraign	D3
10/3/2011	152 - ME: Not Guilty Plea Arraign	D2

9/29/2011	152 - ME: Not Guilty Plea Arraign	D4
9/28/2011	DRO - Indigent Defense Reimbursement Order	D5
9/28/2011	Original Arraignment Hearing	D5
9/28/2011	ROO <input type="checkbox"/> Release Order Own Recognizance	D5
9/28/2011	UPI - Updated Information Address and/or Name	D5
9/28/2011	DRO - Indigent Defense Reimbursement Order	D2
9/28/2011	Original Arraignment Hearing	D2
9/28/2011	ROO <input type="checkbox"/> Release Order Own Recognizance	D2
9/28/2011	UPI - Updated Information Address and/or Name	D2
9/28/2011	DRO - Indigent Defense Reimbursement Order	D3
9/28/2011	Original Arraignment Hearing	D3
9/28/2011	ROO <input type="checkbox"/> Release Order Own Recognizance	D3
9/28/2011	UPI - Updated Information Address and/or Name	D3
9/28/2011	Original Arraignment Hearing	P1
9/26/2011	Original Arraignment Hearing	P1
9/26/2011	NAR - Notice Of Appearance	D4
9/26/2011	Original Arraignment Hearing	D4
9/26/2011	ROO <input type="checkbox"/> Release Order Own Recognizance	D4
9/26/2011	UPI - Updated Information Address and/or Name	D4
9/21/2011	SAS - Summons & Affidavit Of Service	D4
9/21/2011	SAS - Summons & Affidavit Of Service	D5
9/21/2011	SAS - Summons & Affidavit Of Service	D3
9/21/2011	SAS - Summons & Affidavit Of Service	D2
9/13/2011	602 - ME: True Bill/Venue Set	D2
9/13/2011	IND - Indictment	D2
9/13/2011	602 - ME: True Bill/Venue Set	D3
9/13/2011	IND - Indictment	D3
9/13/2011	602 - ME: True Bill/Venue Set	D5
9/13/2011	IND - Indictment	D5
9/13/2011	602 - ME: True Bill/Venue Set	D4
9/13/2011	IND - Indictment	D4

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crmdrug@azag.gov

Attorneys for Plaintiff

MICHAEL K. JERRIES, CLERK
BY *W. Merling* DEPT. CLERK
FILED

11 SEP 13 PM 1:04

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

STATE OF ARIZONA,
Plaintiff,

v.

MONIQUE GRACIA DEANDA (001),
FRANK BLAS GRACIA, III (002),
GIL C. NEGRETE (003),
IRENE GRACIA RODRIGUEZ (004),
Defendants.

Case No:

CR 2011 - 007580 - 001 ⁰⁰⁴

69 SGJ 142

INDICTMENT

CHARGING VIOLATIONS OF:

**COUNT 1: CONSPIRACY TO COMMIT
MONEY LAUNDERING**, a Class 3
Felony, in violation of A.R.S. § 13-1003, 13-
2317 (B)(5)
(Defendants 001, 002, 003 & 004)

COUNT 2: MONEY LAUNDERING, a
Class 3 Felony, in violation of 13-2317
(B)(5)
(Defendants 001, 002, 003 & 004)

The Arizona State Grand Jury accuses **MONIQUE GRACIA DEANDA, FRANK BLAS GRACIA, III, GIL C. NEGRETE** and **IRENE GRACIA RODRIGUEZ**, charging on this 13th day of September, 2011 that in or from Maricopa County, Arizona:

COUNT 1

CONSPIRACY TO COMMIT MONEY LAUNDERING

On or about April 13, 2011, **MONIQUE GRACIA DEANDA, FRANK BLAS GRACIA, III, GIL C. NEGRETE** and **IRENE GRACIA RODRIGUEZ**, defendants herein, with the intent to promote or aid the commission of an offense, did agree with one or more persons, both known and unknown to the State Grand Jury, that at least one of them or another person would engage in conduct constituting the offenses, in particular:

1) **MONEY LAUNDERING**, in violation of A.R.S. § 13-2317 (B)(5).

In furtherance of this conspiracy and to effect the foregoing objects thereof, these defendants and their co-conspirators did commit numerous overt acts, including but not limited to: (a) the overt acts described in Count 2 of this Indictment (which is incorporated herein by reference as if set forth in full), in violation of A.R.S. §§ 13-1003, 13-2317 (B)(5), 13-701, 13-702, 13-702.01 and 13-801.

COUNT 2

MONEY LAUNDERING

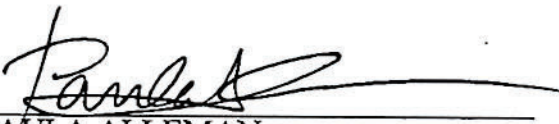
On or about April 13, 2011, **MONIQUE GRACIA DEANDA, FRANK BLAS GRACIA, III, GIL C. NEGRETE** and **IRENE GRACIA RODRIGUEZ**, intentionally or knowingly evaded or attempted to evade any reporting requirement under §6-1241, either by structuring transactions as described in 31 Code of Federal Regulations part 103, by causing any financial institution, money transmitter, trade or business to fail to file the report or by failing to file a required report or record or by any other means.

Pursuant to A.R.S. § 21-425, the State Grand Jurors find that the offenses described above were committed in Maricopa County, Arizona.

A True Bill
(A "True Bill")

THOMAS C. HORNE
ATTORNEY GENERAL
STATE OF ARIZONA

Dated: 9-13-11



PAULA ALLEMAN
Assistant Attorney General
#2293917



Foreperson of the State Grand Jury

COURT INFORMATION SHEET (CIS)

FELONY/MISDEMEANOR #: _____

SUBMITTAL #: _____

AZ BAR NO. 020972

A.G. FILE NO: P0022011000808

69 SGJ 142

STATE V. IRENE GRACIA RODRIGUEZ (004)

CR 2011 - 007580 - 004

DEFENDANT'S ADDRESS: 1408 S. 111TH DRIVE, CASHION, AZ 85329

DEFENDANT'S EMPLOYER: UNKNOWN

DEFENDANT'S DESCRIPTION:

DOB: 8/21/1966

RACE: H

SEX: F

HGT: 5'01"

WGT: 170

HAIR: BRO

EYES: BRO

SS No. 526-69-329

CHARGES FILED:

COUNT 1: CONSPIRACY TO COMMIT MONEY LAUNDERING, a Class 3 Felony, in violation of A.R.S. § 13-1003, 13-2317 (B)(5)

COUNT 2: MONEY LAUNDERING, a Class 3 Felony, in violation of 13-2317 (B)(5)

INDICTMENT – CR No.

SGJ Date September 13, 2011

CHARGING ATTORNEY: PAULA ALLEMAN, ASSISTANT ATTORNEY GENERAL

DEPARTMENTAL REPORTS:

DR No. 2011-00707707 - Phoenix PD

WITNESS: Detective J. Buscher

ALREADY SUBPOENAED

SERVICE BY: SUMMONS

EXTRADITE YES NO

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-007580-003 DT

09/26/2011

COMMISSIONER BRIAN S. REES

CLERK OF THE COURT
R. Miller
Deputy

STATE OF ARIZONA

PAULA ALLEMAN

v.

GIL CRUZ NEGRETE (003)

ALAN M SIMPSON

Custody Status: Own Recognizance Release

VICTIM SERVICES DIV-CA-CCC

NOT GUILTY ARRAIGNMENT

9:39 a.m.

Courtroom ECB 813

State's Attorney: Michael Flynn for Liz Barrick
Defendant's Attorney: Alan Simpson
Defendant: Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

IT IS ORDERED entering a Not Guilty Plea to all charges on behalf of the Defendant at this time.

Pursuant to Rule 4.2, Count(s) 1 and 2,

IT IS ORDERED releasing Defendant on own recognizance.

In preparation for the Initial Pretrial Conference (IPTC), the parties shall do the following:

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-007580-003 DT

09/26/2011

1. The defense attorney shall conduct a conflicts check within the office to determine whether a conflict exists. If a conflict exists, counsel shall staff the conflict with the appropriate supervisor, and counsel shall file the appropriate Motion to Withdraw so new counsel can appear at the Initial Pretrial Conference.

2. Motions to Modify Release Conditions shall be heard at the Initial Pretrial Conference. Motions shall be filed with the assigned Commissioner not later than 10 days prior to the Initial Pretrial Conference.

3. If a plea agreement is extended by the State, the State shall extend the plea not later than 10 days before the Initial Pretrial Conference. Defense Counsel shall make reasonable efforts to present the plea to in custody defendants before the Initial Pretrial Conference.

4. Motion for Rule 11 Evaluations shall be heard at the Initial Pretrial Conference. Motions shall be filed with the assigned Commissioner not less than 10 days before the Initial Pretrial Conference.

5. Defense Counsel shall prepare and file a List of Specific Items of Discovery required under Rule 15.1 (b), but which were not disclosed. See Rule 15.2(e). Such list shall be filed with the assigned Commissioner not less than 5 days before the Initial Pretrial Conference.

6. All electronic media (audio tapes, CD's, etc.) or documents which require language translation shall be submitted to the Court Interpretation and Translation Department (CITS) on or before the IPTC hearing date.

ANY MOTION TO MODIFY RELEASE CONDITIONS, OR RULE 11 MOTIONS NOT FILED BEFORE THE INITIAL PRETRIAL CONFERENCE WILL BE HEARD AT THE COMPREHENSIVE PRETRIAL CONFERENCE BEFORE THE DESIGNATED MASTER CALENDAR JUDICIAL OFFICER. ALL MOTIONS SHALL BE IN WRITING WITH SPECIFIC FACTS TO SUPPORT THE MOTIONS.

This case is assigned to the Honorable Cari Harrison.

LET THE RECORD REFLECT the Defendant has provided proof of ten-print fingerprints in accordance with A.R.S. § 41-1750.

IT IS FURTHER ORDERED setting Initial Pretrial Conference for November 9, 2011, at 8:15 a.m. before Commissioner Starr.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-007580-003 DT

09/26/2011

IT IS ORDERED that the Defendant shall contact and meet with his/her attorney in person no later than three weeks from this date, for the purpose of preparing for the Initial Pretrial Conference.

NOTICE TO DEFENDANTS:

Failure to comply with the above orders may result in revocation of Defendant's release from custody and/or the imposition of other sanctions.

The Defendant may be tried in his/her absence if he/she fails to appear for trial.

LAST DAY: 03/24/2012

IT IS ORDERED the docket be updated to reflect the Defendant's true name as Gil Cruz Negrete (from Gil C. Negrete).

9:41 a.m. Matter concludes.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-007580-003 DT

09/24/2012

COMMISSIONER VIRGINIA L. RICHTER

CLERK OF THE COURT
Y. King
Deputy

STATE OF ARIZONA

PAULA ALLEMAN

v.

GIL C NEGRETE (003)

ALAN M SIMPSON

MINUTE ENTRY

11:51 a.m.

Courtroom CCB 1002

State's Attorney: Paula Alleman
Defendant's Attorney: Alan Simpson
Defendant: Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

This is the time set for a Settlement Conference.

Settlement Conference is held and a Donald advisory is conducted.

An agreement having not been reached this date,

IT IS ORDERED setting Status Conference on **09/25/2012 8:15 a.m.** before this division.

LAST DAY REMAINS: 11/25/2012.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-007580-003 DT

09/24/2012

LET THE RECORD REFLECT the Defendant is addressed by the Court and advised of the consequences if he/she fails to appear for any proceeding set by the Court.

IT IS ORDERED affirming prior release orders.

12:19 p.m. Matter concludes.

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

THE STATE OF ARIZONA,

Plaintiff,

vs.

GIL NEGRETE,

Defendant.

NO. CR 2011-007580-003DT

PLEA AGREEMENT

FILED
09/25/12 5:00 p.m.
MICHAEL K. JEANES, Clerk
By [Signature]
Deputy

The State of Arizona and the Defendant hereby agree to the following disposition of the case:

Plea: The Defendant agrees to plead GUILTY to:

Amended Count 2: Facilitation to Commit Money Laundering, a Class 6 undesignated Felony, in violation of A.R.S. §§ 13-1004, 13-2317(B)(5), 13-701, 13-702, 13-707, 13-801 and 13-802, committed on or about April 13, 2011.

This is a non dangerous, non repetitive offense under the criminal code.

Plea deadline: 1/13/12.

Terms: On the following understandings, terms and conditions:

1. Amended Count 2 a presumptive sentence of 1 years; a minimum sentence of .5 years (.33 years if the Court makes exceptional circumstances finding); and a maximum sentence of 1.5 years (2 years if the Court makes exceptional circumstances finding). Probation IS available. Restitution of economic loss to the victim and a waiver of extradition for probation revocation proceedings are required. The maximum fine that can be imposed is \$150,000 plus an 84% surcharge. If Defendant is sentenced to prison, Defendant shall also be sentenced to serve a term of community supervision equal to one-seventh of the prison term to be served consecutively to the actual period of imprisonment. If Defendant fails to abide by the conditions of community supervision, Defendant can be required to serve the remaining term of community supervision in prison. Special conditions regarding sentence imposed by statute (if any) are: Pursuant to A.R.S. § 13-610, Defendant shall submit to Deoxyribonucleic Acid (DNA) testing for law enforcement identification purposes. If the offense is designated a misdemeanor, the maximum fine is \$2,500 and the maximum term of incarceration is 6 months in jail.
2. The parties stipulate to the following additional terms, subject to court approval at the time of sentencing as set forth in paragraph 7): 1) Defendant shall be sentenced to probation.
3. The following charges are dismissed or, if not yet filed, shall not be brought against Defendant: Count 1.
4. This agreement serves to amend the complaint or information, to charge the offense to which Defendant pleads, without the filing of any additional pleading. However, if the plea is rejected by the court or withdrawn by either party, or if the conviction is subsequently reversed, the original charges and any charges that are dismissed by reason of this plea are automatically reinstated.
5. If Defendant is charged with a felony, he hereby waives and gives up his right to a preliminary hearing or other probable cause determination on the charges to which he pleads. Defendant agrees that this agreement shall not be binding on the State should Defendant be charged with or commit a crime between the time of this agreement and the time of sentencing in this cause; nor shall this agreement be binding on the State until the State confirms all representations made by Defendant and his attorney, to-wit: Defendant avows that he has NO felony convictions in any state under any name and he was not on probation, release, parole, or community supervision at the time of this offense. If the Defendant fails to appear for sentencing, the court may disregard the stipulated sentence and impose any lawful sentence which is the same as or exceeds the stipulated sentence in the plea agreement. In the event the court rejects the plea, or either the State or the Defendant withdraws the plea, the Defendant hereby waives and gives up his right to a preliminary hearing or other probable cause determination on the original charges.
6. Unless the plea is rejected by the court or withdrawn by either party, Defendant hereby waives and gives up any and all motions, defenses, objections, or requests which he has made or raised, or could assert hereafter, to the court's entry of judgment against his and imposition of a sentence upon his consistent with this agreement. By entering this agreement, Defendant further waives and gives up the right of appeal.

THE STATE OF ARIZONA,

Plaintiff,

vs.

GIL NEGRETE,

Defendant.

NO. CR 2011-128504-003DT

PLEA AGREEMENT

Page 2 of 2

7. The parties hereto fully and completely understand and agree that by entering into a plea agreement, Defendant consents to judicial fact-finding by preponderance of the evidence as to any aspect or enhancement of sentence, and that any sentence either stipulated to or recommended herein in paragraph two is not binding on the court. In making the sentencing determination, the court is not bound by the rules of evidence. If after accepting this plea the court concludes that any of the plea agreement's provisions regarding the sentence or the term and conditions of probation are inappropriate, it can reject the plea. If the court decides to reject the plea agreement provisions regarding sentencing, it must give both the state and Defendant an opportunity to withdraw from the plea agreement. In case this plea agreement is withdrawn, all original charges will automatically be reinstated. Defendant in such case waives and gives up his right to a probable cause determination on the original charges.
8. If the court decides to reject the plea agreement provisions regarding sentencing and neither the state nor Defendant elects to withdraw the plea agreement, then any sentence either stipulated to or recommended herein in paragraph 2 is not binding upon the court, and the court is bound only by the sentencing limits set forth in paragraph 1 and the applicable statutes.
9. This plea agreement does not in any way compromise, or provide any protection or defense with regard to, any civil action, whether by or on behalf of a victim or any government entity, and whether previously or later filed, including but not limited to an action pursuant to A.R.S. Title 13, Chapter 23 or § 13-4301-4315; nor does it abrogate or limit the provisions of A.R.S. § 13-2314(H) or A.R.S. § 13-4310(C), or in any other way adversely affect the State in any current or future forfeiture proceeding or other civil action pursuant to A.R.S. § 13-2314, § 13-4301-4315, or § 32-1993, if applicable.
10. I understand that if I am not a citizen of the United States that my decision to go to trial or enter into a plea agreement may have immigration consequences. Specifically, I understand that pleading guilty or no contest to a crime may affect my immigration status. Admitting guilt may result in deportation even if the charge is later dismissed. My plea or admission of guilt could result in my deportation or removal, could prevent me from ever being able to get legal status in the United States, or could prevent me from becoming a United States citizen. I understand that I am not required to disclose my legal status in the United States to the court.
11. I have read and understand the provisions of pages one and two of this agreement and I have discussed the case and my constitutional rights with my lawyer. My lawyer has explained the nature of the charge(s) and the elements of the crime(s) to which I am pleading. I understand that by pleading guilty I will be waiving and giving up my right to a determination of probable cause, to a trial by jury, to confront, cross-examine, compel the attendance of witnesses, to present evidence in my behalf, my right to remain silent, my privilege against self-incrimination, presumption of innocence and right to appeal. I agree to enter my plea as indicated above on the terms and conditions set forth herein. I fully understand that if, as part of this plea agreement, I am granted probation by the court, the terms and conditions thereof are subject to modification at any time during the period of probation. I understand that if I violate any of the written conditions of my probation, my probation may be terminated and I can be sentenced to any term or terms state above in paragraph one, without limitation.

I have personally and voluntarily placed my initials in each of the above boxes and signed the signature line below to indicate I read and approved all of the previous paragraphs in this agreement, both individually and as a total binding agreement.

Date 9/25/12 Defendant GIL NEGRETE

I have discussed this case with my client in detail and advised him of his constitutional rights and all possible defenses. I have also explained the nature of the charge(s) and the elements of the crime(s). I believe that the plea and disposition set forth herein are appropriate under the facts of this case. I concur in the entry of the plea as indicated above and on the terms and conditions set forth herein.

Date 9/25/12 Defense Counsel Alan Simpson

I have reviewed this matter and concur that the plea and disposition set forth herein are appropriate and are in the interests of justice.

Date 9/25/12 Prosecutor Paula B. Alleman

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-007580-003 DT

09/25/2012

COMMISSIONER VIRGINIA L. RICHTER

CLERK OF THE COURT
K. Sotello-Stevenson
Deputy

STATE OF ARIZONA

PAULA ALLEMAN

v.

GIL C NEGRETE (003)

ALAN M SIMPSON

APO-PLEAS-CCC
VICTIM WITNESS DIV-AG-CCC

PLEA AGREEMENT/CHANGE OF PLEA

9:20 a.m.

Courtroom CCB 1002

State's Attorney: Paula Alleman
Defendant's Attorney: Alan Simpson
Defendant: Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Defendant was present for the group advisement given on the record at 9:23 a.m. this date in CCB 1002.

The Court reviews the Plea Agreement with Defendant. The Court advises Defendant of the range of possible sentence and the availability of probation, and any special conditions of sentencing and probation. The Court advises Defendant of all pertinent constitutional rights and rights of review.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-007580-003 DT

09/25/2012

Defendant enters a plea of Guilty to the following:

OFFENSE: Count 2 (AMENDED) FACILITATION TO COMMIT MONEY
LAUDERING

Class 6 UNDESIGNATED FELONY

A.R.S. § 13-1004, 2317(B)(5), 701, 702, 707, 801, 801

Date of Offense: April 13, 2011

Non Dangerous - Non Repetitive

IT IS ORDERED accepting the plea.

IT IS ORDERED setting time for sentencing on 10/25/2012 at 8:30 a.m. before this
division.

IT IS FURTHER ORDERED that the following will be deemed submitted at the time of
sentencing: Motion To Dismiss Count 1 as reflected in the Plea Agreement.

IT IS ORDERED the Adult Probation Department shall prepare a Presentence Report,
and that Defendant shall report to the Adult Probation Department if not in custody.

IT IS ORDERED vacating any pending dates.

IT IS FURTHER ORDERED affirming prior release orders.

9:26 a.m. Matter concludes.

THOMAS C. HORNE
Attorney General
Firm State Bar No. 14000

PAULA B. ALLEMAN
State Bar No. 020972
Assistant Attorney General
1275 West Washington Street
Phoenix, Arizona 85007-2926
Telephone 602.542.3881
paula.alleman@azag.gov
Attorney for Plaintiff

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

STATE OF ARIZONA

Plaintiff,

v.

GIL NEGRETE,

Defendant.

Case No:

CR2011-007580-003DT

STATE'S SENTENCING MEMORANDUM

(Assigned to the Honorable Virginia Richter)

The State of Arizona, by and through undersigned counsel, hereby submits the following sentencing memorandum. For the reasons described herein, the State recommends that the offense remain a Class 6 undesignated felony at the time of sentencing. The State also recommends that defendant Negrete pay a fine and perform community service. The defendant conspired with three co-defendants to commit money laundering by structuring transactions to avoid reporting requirements to purchase cashier's checks. The cashier's checks were utilized to post bond a \$75,000 cash only bond for a convicted drug trafficker, Brian Escobedo. Based on the facts of the case as described more fully in the attached memorandum, the offense should only be designated a misdemeanor after the defendant has successfully completed the terms of supervised probation.

RESPECTFULLY SUBMITTED this 23rd day of October, 2012.

THOMAS C. HORNE
Attorney General

/s/ Paula Alleman
Paula Alleman
Assistant Attorney General

MEMORANDUM OF POINTS AND AUTHORITIES

I. Facts

On April 1, 2011, Brian Escobedo was arrested and given a \$75,000.00 cash only bond for his involvement in two court authorized wiretap investigations. Brian Escobedo was charged with drug trafficking and related offenses for his role as the head of a drug trafficking organization. (Brian Escobedo had been convicted in a previous case in 2006 and served time in the Department of Corrections for Conspiracy to Possess for Sale Marijuana, a class 2 felony.) Brian Escobedo was represented by Dan Kaffana, an associate with the Law Offices of Gil Negrete, on the drug trafficking offenses. On April 13, 2011, co-defendant Deanda posted the \$75,000.00 cash-only bond with seven cashier's checks in the amounts of \$9,900, \$9,900, \$9,500, \$9,000, \$8,500, \$7,900 and \$20,000. As detailed below, defendant Negrete and family members of Brian Escobedo, co-defendants Deanda, Gracia and Rodriguez, went to three different banks all within close proximity to each other within a two and a half hour time frame and purchased seven cashier's checks totaling \$74,700.00 to post Brian Escobedo's bond. (Co-defendants Deanda and Rodriguez are Brian Escobedo's sisters and co-defendant Gracia is his nephew.) After the bond was posted, Brian Escobedo was released from jail.

As part of the investigation into the structuring of the cashier's checks, detectives subpoenaed Brian Escobedo's jail calls. Brian Escobedo had numerous telephone conversations with family members and defendant Negrete from the jail regarding posting the bond. All participants of the calls were repeatedly notified via a recording during the course of the conversation that the call was from a Maricopa County jail and that it was being recorded. Brian Escobedo and defendant Negrete had daily conversations from April 8, 2011 to April 13, 2011 wherein they discussed the bond and the process of posting it. The following are excerpts from the Phoenix Police Department DR2011-00707707 which summarize some of the calls:

On April 12, 2011, at 1130 hours, Brian Escobedo called defendant Negrete at 602-478-1309. Brian asked Gil if he still wanted to see Lisa (Brian Escobedo's wife). Gil said the only reason he wanted her to drive in (to Phoenix) was so that he could talk to her in person. Gil said that was why he drove all the way out to Brian's house, so he could talk in person (Gil is cautious talking on the phone). Brian told Gil to call Lisa and have her bring Chente (Brian's nephew) so Gil could meet with Chente and Chente could explain things. **Gil said he knew everything that was going on and was not out of the loop on anything.** Gil said it only

sounded that way because they were on the telephone (Gil does not want to make recorded statements). Gil said he had all his ducks in a row and would explain it to Lisa. (Emphasis added.)

On April 13, 2011 at 1104 hours, Brian Escobedo called Gil Negrete at 602-478-1309. Gil said he was talking to Lisa, and Irene and Monique were also there. Brian asked about the release of discovery. Gil said that "Paula" (referring to Assistant Attorney General Paula Alleman) was actually the same attorney that was at the initial appearance. Gil said he talked to Paula outside the courtroom and she was "cool" and things should go fine. Gil said he was going to go with the girls (Irene and Monique) and take care of business (buy cashier's checks). Gil said Brian should be out by midnight and told him to call if he needed a ride. Gil said that Brian's sisters were upstairs and Lisa left. **Brian asked Gil how long it will take to post it (bond) and Gil told him it would take "an hour or two just to do the cashier's checks" and then they would post it.** Brian told Gil, "Just guide my sisters through it cuz they are all new to this shit." Gil replied, "Yeah, no, I'll show them what's going on." Brian thanked Gil and the conversation ended. (Emphasis added.)

Bank surveillance footage revealed that on April 13, 2011, defendants Deanda, Gracia and Rodriguez first went into Bank of America Park Central branch. Defendant Gracia purchased a cashier's check for \$9,900.00 and defendant Rodriguez purchased a cashier's check for \$9,900.00. A short time later, bank surveillance footage shows that defendants Deanda, Gracia and Rodriguez went into Bank of America Uptown branch and defendant Gracia purchased a cashier's check for \$7,900.00 and defendants Deanda and Rodriguez purchased a cashier's check for \$20,000.00. Defendant Deanda later admitted, post Miranda, that herself and defendant Rodriguez had intended on purchasing two cashier's checks but because defendant Deanda did not have an account, they purchased one cashier's check instead. Bank surveillance footage from Chase Bank shows that defendants Deanda, Rodriguez, Gracia and Negrete went to the Chase Bank at 3620 North Central. Defendant Deanda purchased a cashier's check for \$8,500.00, defendant Gracia purchased a cashier's check for \$9,000.00, and defendant Rodriguez purchased a cashier's check for \$9,500.00. The branch manager was subsequently interviewed and stated that the above-listed defendants came into the branch to purchase cashier's checks and there was going to be a large fee involved. Defendant Negrete then requested that the fees associated with the purchases of the cashier's checks be waived since he had the accounts for Law Offices of Gil Negrete at Chase Bank. Despite the fact that three separate cashier's check were purchased by the co-defendants, the branch manager filed a

Currency Transaction Report (CTR) unbeknownst to the co-defendants because he considered all three transactions to be one transaction. All seven of the cashier's checks plus \$300 in cash was used to post the cash bond for Brian Escobedo.

After the defendants went to three different banks to purchase cashier's checks, Brian Escobedo called defendant Negrete. The following is an excerpt from the Phoenix Police Department DR2011-00707707 which summarizes the call:

On April 13, 2011 at 1417 hours, Brian Escobedo called Gil Negrete at 602-478-1309. Gil said he met Lisa this morning and then left with Monique and Irene. Gil said he just dropped them off and they had everything (referring to the \$75,000) but he gave them three 100 dollar bills. Gil told Brian that for whatever reason the 75 (thousand) was short 300 dollars. Gil said he told Lisa and she said she would get the \$300 to him. They talked about the jail not accepting the three 100 dollar bills. **Gil said he was not going to take them to another bank because he already took them to four banks today.** Gil said it looked like Brian would get out at 2 or 3. (Emphasis added.)

After an investigation into the above-detailed money laundering, investigators interviewed co-defendant Irene Rodriguez. She detailed her own involvement in the structuring and that of her co-defendants. After receiving her Miranda warnings, co-defendant Rodriguez explained that defendant Negrete had possession of all of the bond money except co-defendant Deanda's contribution (which co-defendant Deanda purported was \$7,000.00) when the co-defendants went to his office on April 13, 2011. Per co-defendant Rodriguez, when she and the other co-defendants left defendant Negrete's office to go to the banks, co-defendant Rodriguez had the \$75,000.00 in cash with her. She also stated that prior to entering the bank; she would get into Mr. Negrete's car and count the amount that would be needed at that specific bank. When questioned as to why she would get into Mr. Negrete's car and not count it in Mr. Gracia's truck, she stated that she was the one that was talking with Mr. Negrete. She affirmed that she would tell Mr. Negrete who was going to purchase checks and in what amounts and stated that Mr. Negrete would say alright.

II. Recommendation

First and most importantly, the State recommends that the offense remain an undesignated felony pending defendant Negrete's successful completion of probation. As detailed above, defendant Negrete conspired with three co-defendants to launder money by

structuring transactions to avoid reporting requirements. Despite defendant Negrete's assertions to the contrary, his intent to evade the reporting requirements is clear from his guilty plea and the evidence, namely that defendant Negrete and the co-defendants went to three different banks on the same day within a three hour time period to purchase seven different cashier's checks for the purpose of posting bond for one individual.

Defendant Negrete's intention to go to several banks is clear from his call with Brian Escobedo on April 13, 2011 at 1104 hours. The call occurred **before** defendant Negrete accompanied the co-defendants to several banks. In the call, defendant Negrete told Brian Escobedo that it would take **"an hour or two just to do the cashier's checks."** The defendant's own statements in this call negate his assertion that he merely told the co-defendants the location of a bank to purchase a single cashier's check. Defendant Negrete's statement to Brian Escobedo that it would take "an hour or two" shows that he intended to take the co-defendants to several banks. In addition, his reference to "cashier's **checks**" in the plural shows he intended to assist the co-defendants in purchasing more than one check. Defendant Negrete's participation in the structuring is further confirmed in his statements to Brian Escobedo on April 13, 2011 at 1417 hours wherein defendant Negrete **said he was not going to take them** (referring to co-defendants Deanda, Gracia and Rodriguez) **to another bank because he already took them to four banks today.** Once again, there is no other reason that defendant Negrete would take the co-defendants to four banks on one day to purchase cashier's checks to post Brian Escobedo's bond other than to evade the reporting requirements.

Having defendant Negrete earn a misdemeanor, as opposed to designating it a misdemeanor at the time of sentencing, is warranted and necessary to provide a just and fair punishment of the defendant for his crime. Defendant Negrete clearly crossed the line from an attorney assisting a client to conspiring to commit, and in fact committing, a crime for the benefit of his client and by extension himself. Such conduct should not be looked upon lightly. The defendant's lack of criminal history and other mitigating factors have already been taken into account by the State when the plea offer was made. Defendant Negrete was charged with two class 3 felonies. Defendant Negrete's involvement in the conspiracy and his position as an attorney is especially problematic. As an attorney, defendant Negrete is looked to counsel others on following the laws and to follow the laws himself, not to assist others in breaking them which is precisely what he did in this case.

In addition to the offense remaining undesignated, the State also recommends that defendant Negrete be ordered to pay a fine of \$7,500 and perform 200 hours of community restitution.

RESPECTFULLY SUBMITTED this 23rd day of October, 2012.

THOMAS C. HORNE
Attorney General

/s/ Paula Alleman
Paula Alleman
Assistant Attorney General
Criminal Division

ORIGINAL of the foregoing e-filed this
23rd day of October, 2012 with the

Clerk of the Court
Maricopa County Superior Court
201 West Jefferson Street
Phoenix, Arizona 85003

COPIES of the foregoing mailed/delivered
this 23rd day of October, 2012 to:

Honorable Virginia Richter
Judge of the Superior Court
201 West Jefferson Street
Phoenix, Arizona 85003

Alan Simpson
7301 E. Sundance Trail
Suite B2101
Carefree, AZ 85377
Attorney for Defendant Negrete

By: /s/ Maride Juarez-Jones

Doc. 2909457

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11 e-mail: sean@alansimpson.net

12 Attorneys for Gil Negrete, Defendant.

13 **IN THE SUPERIOR COURT**
14 **COUNTY OF MARICOPA, STATE OF ARIZONA**

15 **THE STATE OF ARIZONA,**

16 **NO. CR2011-007580-003**

17 **Plaintiff,**

18 **v.**

19 **SENTENCING MEMORANDUM**
20 **OF GIL NEGRETE**

21 **GIL CRUZ NEGRETE,**

22 **Defendant.**

23 Gil Negrete submits this memorandum in support of his request that the offense be designated a
24 misdemeanor and he be placed on a short period of summary probation. Attached to this memorandum
25 are images of the events which transpired at Chase Bank, and letters of support from interested persons
26 in the community.

27 The factors supportive of this recommendation include, but are not limited to, Negrete's life
circumstances, the particulars of the offense, the aims of sentencing, and the broader interests of the
community.

I. LIFE BACKGROUND. Negrete is the eldest of five children. His family embodies the American
dream, as they have all achieved a high level of success. His father is the son of Mexican immigrants,
and is a retired civil engineer with the City of Phoenix Street Transportation Division. His paternal aunts

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are educators in the Isaac School District. His mother is a retired U.S. Postal employee. His maternal grandfather escaped a Nazi Germany Concentration Camp in 1943 and later earned U.S. citizenship and fought in the Korean War. His maternal grandmother worked for the Honorable Val Cordova in the 1960's and EEOC in the 70's and 80's. A maternal uncle is an auditor for the IRS and maternal aunt is a retired City of Glendale Grief Counsel who spent much of her life on-call to counsel grieving police officers and fire fighters after tragedy. In summary, Negrete's family is filled with individuals who have provided valued service to their communities.

Negrete is a lifelong Phoenix native. He attended Centennial High School in Peoria playing football, wrestling, track, and baseball. He continued his education at Glendale Community College (GCC) where he also played football. When he was 20 his daughter Alicia was born and Negrete left GCC but 18 months later resumed studies at Phoenix College before transferring to Arizona State University. In 2002 he became the first person in his family to graduate from college obtaining dual majors in 'History for Secondary Education' and 'Political Science' as well as a minor in 'Prelaw'. Notably, in his senior year he made Dean's List while taking 18 credits, working two jobs, and caring for his daughter as a single father¹.

On May 19, 2001 Negrete was the victim of an attempted carjacking and shot in the abdomen with a .380 caliber handgun outside his apartment. No arrests were made and he still has vivid memories and nightmares of the attack. His survival of the crime reinforced his faith in God and was a factor which moved him to apply to law school. In 2002, he was admitted to the Sandra Day O'Conner School of Law and graduated three years later. In addition to coursework he participated in many activities including CLLSA, Trial Advocacy and intramural sports. During school he clerked part time for Attorney Francisco X. Gutierrez whose office focuses on civil litigation and he later worked there as an attorney until 2009.

1 As his background suggests, Negrete has a strong interest in sports which moved him, while in
2 law school, to form GNFX Sports Management to represent athletes in player contracts and
3 endorsements. He promoted this enterprise while working with Attorney Gutierrez. He was the moving
4 force behind The Amare Stoudemire Basketball Camp which brought underprivileged kids from around
5 the Valley to develop skills and get one-on-one time with the star athlete. Negrete also found success
6 negotiating dozens of minor league baseball contracts and obtained a NFL Players Association license to
7 negotiate NFL player contracts. Seven professional contracts were successfully negotiated with clubs.
8 Negrete pursued recruiting athletes from universities like Alabama, Georgia, Wisconsin, Notre Dame,
9 Arizona, Maryland, Purdue, Arkansas, USC and Florida.
10

11 The world of a sports advisor crowded his enjoyment of family and his daughter. There was also
12 an underside of sports representation which he failed to participate in and was a source of frustration.
13 Prevalent was the unethical practice of recruiting players and offering money to represent them. He
14 often found young men effectively being sold to the highest bidder. This was not a business that he
15 would continue an involvement.
16

17 In 2009 Negrete turned to the practice of law following his licensure. Within days he opened his
18 own practice specializing in civil litigation including insurance bad faith disputes, transactional law,
19 wrongful death, tort liability and forfeiture proceedings. He reports that to date his firm has negotiated
20 nearly \$3 million dollars in settlements. His longtime friend from law school, Dan Kaffana, joined the
21 practice to handle family law and criminal cases. Presently his office has 60+ personal injury files open
22 and approximately 30 open family and criminal cases active. There are several employees. He reports
23 doing approximately 3-4 family and criminal cases a year pro bono. He remains a member in good
24 standing and has never had a bar complaint.
25
26
27

¹ In 2003 Negrete was awarded sole custody of his daughter.

1 Negrete has provided employment to high school and college students, assisted several family
2 members in enrolling in college and makes a significant contribution to his cousin's high school tuition at
3 St. Mary's High School. He is active in his church and advertises at Centennial High School football
4 games as well as several Catholic Churches in the Valley. Further, he endorses youth leagues throughout
5 South Phoenix with sponsorships for baseball and football. He adds that he often covers the court costs
6 for filing fees for many family and friends going through divorce or child custody proceedings.
7

8 In 2007 he married his longtime friend and college sweetheart, Trina Marie. In March 2011,
9 after nearly losing hope of having any children, they welcomed the birth of their first child, Liana Marie
10 Negrete. Trina Maria recently entered her eleventh year as a teacher in the Alhambra School District
11 where the vast majority of its students are from underprivileged backgrounds. There are many things she
12 does to brighten the days of her students.
13

14 Gil Negrete has been and hopes to continue adding to his community as has his siblings. His
15 sister Bernadette is the Executive Payroll Manager for Hillstone Restaurants and managing payroll each
16 week for thousands of employees. She and her ex-husband, Mario Ortiz, a peace officer have one child.
17 His sister Susanna earned her Master's Degree in Education from ASU and is in her 7th year as an
18 educator in the Glendale Union School District. Susanna claims that her brother Gil was her inspiration
19 to complete college. His sister Celia obtained a finance degree from Grand Canyon University in 2011.
20 She and her husband, Staff Sergeant Luis Bonilla of the U.S. Marine Corp. are currently stationed in
21 Okinawa with their two young children. Luis has been with the Marines for nearly 6 years and served in
22 Iraq and Afghanistan. His sister Veronica is in her third block for the education program at Arizona
23 State University and expects to graduate in December.
24

25 ///

26 ///

27

1 2. THE OFFENSE CONDUCT.

2 On September 25, 2012, Negrete pleaded guilty to one count of Facilitation to Commit Money
3 Laundering, a class 6 undesignated felony offense. This Court may recall the conference with the
4 attorneys and the discussion of the necessary elements of the preparatory structuring offense to which he
5 would plead guilty. Negrete entered his plea offering the following factual basis:
6

7 On April 13th of 2011 within Phoenix, Maricopa County, Arizona, Mr. Negrete
8 assisted Monique Deana, Frank Garcia and Irene Rodriguez to obtain multiple
9 checks in amounts under \$10,000.00 for the purpose of posting a \$75,000.00 cash
10 bond for a defendant who was in custody. Mr. Negrete brought these individuals into
11 his Chase Bank branch where these individuals purchased three cashier's checks
12 totaling \$27,000.00. He facilitated the transaction by his presence and his use of his
13 Chase account through which the checks were purchased.²

14 3. THE GOALS OF SENTENCING The sentence to be imposed in every case should address the
15 seriousness of the offense, provide respect for the law and provide just punishment for the offense; afford
16 an adequate deterrent to criminal conduct; protect the public from further crimes of a defendant; and
17 provide needed rehabilitation in the most effective manner. These aspects are examined in inverse order.

18 a. Rehabilitative Needs. The report of the probation department informs that "the defendant
19 does not have any significant areas of risk and/or need which would require active supervision
20 while he remains in the community." PSR at 7 The recommendation is for unsupervised
21 probation with which the defense agrees.

22 b. Protection of the Public. The probation recommendation for unsupervised probation is
23 consistent with a view that a defendant does not pose a threat for which supervision becomes a
24 necessary component to a community-based sanction. The report also reflects the criminogenic
25 assessments which indicate that "...the defendant is a low risk to reoffend." PSR at 7 Indeed
26 the sole criterion that supports the even low risk to reoffend is rooted in this prosecution and
27

² See, audio recording of 9/25/12 Change of Plea Hearing, 9:25:20 a.m. – 9:25:54 a.m.

1 Negrete's feelings that his prosecution has been unfair. PSR at 6. The absence of any other
2 criminal infractions all support a view that Negrete does not pose any threat to this community.

3 c. Deterrence to Additional Criminal Conduct. There is little argument to be advanced under
4 this factor because Negrete is not prone to unsocial conduct, has no history of such, and has been
5 profoundly impacted by this matter.

6
7 d. Seriousness of the offense, provide respect for the law and provide just punishment for the
8 offense.

9 i. Seriousness of the Offense. The state argues in its Sentencing Memorandum that in the
10 Rodriguez interview "[S]he affirmed that she would tell Negrete who was going to purchase
11 the checks and in what amounts and stated that Negrete would say alright." Id at 4. Negrete
12 points out however that it was after a break in the questioning of Rodriguez that detectives
13 revisited the process of the check purchases. The ensuing dialogue made clear that Rodriguez
14 would go and count money in Negrete's car out of her concern that someone would see and
15 try taking the money from her. The detectives asked her if there were conversations about
16 how much money would be used at the particular bank and Rodriguez responded, "No."
17 Rodriguez Int. at 10:36:49. She explained that all she did in Negrete's car was count the
18 money and she would tell Gil what amounts she would be giving to her codefendants and in
19 response Gil would say, "Nothing, just alright." Id, at 10:37:30. The dialogue taken in the
20 context of the entire interrogation shows that Negrete had not directed specific amounts or
21 multiple banks.
22

23
24 In her interview Rodriguez explained she expressed to Gil (Negrete) her worry about an
25 audit and he assured her that they had all the (legitimate) paperwork. Police asked, "How
26 many banks did the attorney tell you to go to?" She responded, "Well, I asked him where the
27

1 *Bank of Americas were because I had an account at Bank of America... I did not know the*
2 *area.*” Rodriguez said that at first Negrete gave her the (Bank of America) locations but then
3 she called Negrete because she did not know where she was. She repeatedly told police that
4 she “*did not know where she was at*” which was why she telephoned Negrete who then then
5 came out (of his office) and showed her where the banks were. In that interview it is apparent
6 that Rodriguez was simply lost finding the Bank of America locations. Id, Interview at 9:23-
7 9:32.
8

9 These statements of Rodriguez are consistent with the statements made to the court by
10 Negrete during settlement conference and also consistent with the factual basis provided at
11 the guilty plea proceeding.
12

13 The 19 screen grabs are attached because they show Escobedo’s family members handing
14 to the Chase Bank teller their identifications. Indeed, Negrete is seen inspecting one of them.
15 Thereafter the teller electronically filed the Currency Transaction Report. That report was
16 filed by the teller the identity of whom was discovered through a Third-Party Discovery
17 Order directed to JP Morgan Chase Bank.

18 ii. Provide Respect for the Law. The investigation made clear that Negrete was concerned
19 about *Nebbia* issues and wanted assurances that the monies to be used for bail were all
20 legitimately sourced. He was given those assurances. The sentence should embrace this
21 feature of the case.
22

23 iii. Provide Just Punishment for the Offense. There is agreement that probation is the
24 appropriate disposition. The criminal conviction is punishment especially on an unblemished
25 record. This is a proper circumstance to consider. See, *United States v. Autery*, 555 F.3d
26 864 (9th Cir. 2009) commenting on a federal departure in part because of positive
27

1 characteristics “such as his having no history of substance abuse, no interpersonal instability,
2 no sociopathic or criminalistic attitude , his motivation and intelligence, and his support of his
3 wife and child”. The real issue is whether the probation should be for a misdemeanor or for
4 an undesignated offense. The discussion on this follows.

5
6 4. DISCUSSION.

7 There is nothing in Negrete’s background that would remotely suggest that he will not
8 successfully complete a term of probation. The recommendation in the PSR that the offense remain
9 undesignated is made without discussion on the impact which a sentence of anything other than a
10 misdemeanor would have on Negrete’s licensure and, by extension, upon the individuals employed by
11 the firm with which Negrete is the key person. At best, an undesignated offense will lead to expensive
12 bar proceedings and a likely suspension affecting not only Negrete and his family but several co-
13 employees. The nature of the specific conduct to which Negrete pleaded guilty, taken in the context of
14 his life circumstances and the goals of sentencing, do not support a sentence with implications far deeper
15 than summary probation.

16
17 The letters which are attached, and indeed the dialogue that Negrete had with Court and counsel
18 at settlement conference, all make clear the profound impact this prosecution has had. Justice Thurgood
19 Marshall penned words appropriate to the conclusion of this paper.

20
21 At a time in our history when the streets of the Nation's cities inspire fear and
22 despair, rather than pride and hope, it is difficult to maintain objectivity and concern
23 for our fellow citizens. But, the measure of a country's greatness is its ability to
24 retain compassion in time of crisis. No nation in the recorded history of man has a
25 greater tradition of revering justice and fair treatment for all its citizens in times of
26 turmoil, confusion, and tension than ours. This is a country which stands tallest in
27 troubled times, a country that clings to fundamental principles, cherishes its
constitutional heritage, and rejects simple solutions that compromise the values that
lie at the roots of our democratic system. *Furman v. Georgia*, 408 U.S. 238, 371, 92
S. Ct. 2726, 2793-9 (1972) (Marshall, T. concurring).

ALAN M. SIMPSON, P.C.
7301 E. Sundance Trail, Suite B201
Carefree, Arizona 85377
(480) 488-1119

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Gil Negrete asks the Court to designate the offense a misdemeanor and place him on 6-months summary probation.

Respectfully submitted this 3rd of December 2012.

Alan M. Simpson, PC
Attorneys at Law

By /s/ Alan Simpson
Attorneys for Gil Negrete

Copies of the foregoing
mailed/delivered this 3rd
day of December 2012; to:

Hon. Virginia L. Richter
Maricopa County Superior Court

Paula Alleman, Esq.
Assistant Attorney General

By /s/ Adriana Monroy

8/20/2012 2:29:15 PM
US Mountain Standard Time

DVR Player



DVR Video Snapshot

F:\JPMorgan Chase Bank Records\04-13-11 JP Morgan Chase Bank Video\SBP 281252\14.24.57_14.39.59.avi
Wed, Apr 13, 2011, 12:25:06 PM (US Mountain Standard Time)
Event: No event selected



Video Capture Size: 352x240 pixels
Time of snapshot: 4/13/2011 12:25:06 PM (US Mountain Standard Time)
(4/13/2011 12:25:06 PM (US Mountain Standard Time))

8/20/2012 2:32:46 PM
US Mountain Standard Time

DVR Player



DVR Video Snapshot

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Wed, Apr 13, 2011, 12:25:29 PM (US Mountain Standard Time)
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Video Capture Size: 352x240 pixels
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(4/13/2011 12:25:29 PM (US Mountain Standard Time))

8/20/2012 2:35:00 PM
US Mountain Standard Time

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DVR Video Snapshot

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Event: No event selected



Video Capture Size: 352x240 pixels
Time of snapshot: 4/13/2011 12:25:43 PM (US Mountain Standard Time)
(4/13/2011 12:25:43 PM (US Mountain Standard Time))

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Video Capture Size: 352x240 pixels
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(4/13/2011 12:25:44 PM (US Mountain Standard Time))

8/20/2012 2:36:02 PM
US Mountain Standard Time

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(4/13/2011 12:25:45 PM (US Mountain Standard Time))

8/20/2012 2:36:35 PM
US Mountain Standard Time

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DVR Video Snapshot

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(4/13/2011 12:25:46 PM (US Mountain Standard Time))

8/20/2012 2:36:48 PM
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Event: No event selected



Video Capture Size: 352x240 pixels
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(4/13/2011 12:25:47 PM (US Mountain Standard Time))

8/20/2012 2:38:27 PM
US Mountain Standard Time

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Event: No event selected



Video Capture Size: 352x240 pixels
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(4/13/2011 12:26:15 PM (US Mountain Standard Time))

8/20/2012 2:38:47 PM
US Mountain Standard Time

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(4/13/2011 12:26:20 PM (US Mountain Standard Time))

8/20/2012 2:39:03 PM
US Mountain Standard Time

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Event: No event selected



Video Capture Size: 352x240 pixels
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(4/13/2011 12:26:21 PM (US Mountain Standard Time))

8/20/2012 2:39:36 PM
US Mountain Standard Time

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(4/13/2011 12:26:22 PM (US Mountain Standard Time))

8/20/2012 2:39:54 PM
US Mountain Standard Time

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DVR Video Snapshot

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Video Capture Size: 352x240 pixels
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(4/13/2011 12:26:22 PM (US Mountain Standard Time))

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(4/13/2011 12:26:23 PM (US Mountain Standard Time))

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Video Capture Size: 352x240 pixels
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(4/13/2011 12:26:49 PM (US Mountain Standard Time))

8/20/2012 2:43:18 PM
US Mountain Standard Time

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DVR Video Snapshot

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Wed, Apr 13, 2011, 12:26:50 PM (US Mountain Standard Time)
Event: No event selected



Video Capture Size: 352x240 pixels
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(4/13/2011 12:26:50 PM (US Mountain Standard Time))

8/20/2012 2:44:02 PM
US Mountain Standard Time

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DVR Video Snapshot

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Wed, Apr 13, 2011, 12:27:13 PM (US Mountain Standard Time)
Event: No event selected



Video Capture Size: 352x240 pixels
Time of snapshot: 4/13/2011 12:27:13 PM (US Mountain Standard Time)
(4/13/2011 12:27:13 PM (US Mountain Standard Time))

8/20/2012 2:53:18 PM
US Mountain Standard Time

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DVR Video Snapshot

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Event: No event selected



Video Capture Size: 352x240 pixels
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(4/13/2011 12:33:04 PM (US Mountain Standard Time))

DVR Video Snapshot

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Wed, Apr 13, 2011, 12:33:09 PM (US Mountain Standard Time)
Event: No event selected



Video Capture Size: 352x240 pixels
Time of snapshot: 4/13/2011 12:33:09 PM (US Mountain Standard Time)
(4/13/2011 12:33:09 PM (US Mountain Standard Time))

October 18, 2012

To the Honorable Virginia L. Richter:

My name is James Velasquez and Gil Negrete is my best friend. I have known Gil for over twenty years, beginning the summer of 1990, I was fourteen. More than my friend and brother, he has been one of the most influential people I have ever known. Today I have a great family, a good job and a life I am proud to live. I believe it was his incessant push to be better than people believed he could be that instilled my belief, that hard work would make this life possible.

To say that my upbringing was not ideal is an understatement, but almost daily Gil would remind me that life is not scripted and I would be able to create my own path. I only knew of one uncle in my extended family graduating from high school, so college was a pipe dream. My senior year in high school Gil signed me up to take a college entrance exam and we ended up going to Glendale Community College together. After I left college to help raise my younger sister, Gil came to my apartment, and under the guise of grabbing some lunch, he drove me to Arizona State and helped me enroll. As I was getting ready to graduate from ASU, Gil was just beginning his first year of Law School. I was very proud of Gil, especially since he graduated from college while being a single father to a young child. He alone raised his baby daughter while he attended college. It wasn't easy. Gil worked more than a few odd jobs to help get him through school. Between classes he was a caretaker for Seniors, and he even cleaned toilets as a janitor. He has earned all the success he has achieved.

I understand the charges Gil faces and I understand his need to find resolution. Gil said that being taken into custody was the most embarrassing and humbling moment of his life. He saw the honest life and career he built begin to crash. Gil is strong, he will rebound and I know he has learned a great lesson from this process. Each day he thinks about possible penalties that may be handed down to him from the court. He is not concerned about himself, but how it would affect his wife Trina and their two beautiful daughters. I believe Gil's greatest strength is his desire to help people and if possible, help to make their lives better. I believe the court has a unique opportunity to capitalize on what makes Gil special. Requiring Gil to participate with at risk youths can be an invaluable chance to make an impact in a child who might otherwise get left behind. Gil's positive attitude and influence could change someone's life. Requiring Gil to participate and be of service to the Boys Club, Big Brothers, Junior Achievement or schools for homeless children which would make great use of his skills. He can make a difference.

Your Honor, please take this letter into consideration. He is a dedicated man who worked hard to put himself through school and create a better life for his fifteen year old daughter Alicia who is now attending Xavier High School. I credit Gil's influence in helping me to graduate from college, and work in the office of Congressman Ed Pastor. Currently, I am a District Manager for Chase Bank overseeing the day to day operations of multiple banks. For whatever its worth, I would not perceive what Gil did as a crime, but rather an unfortunate circumstance. I am also attending classes and hope to one day teach at Arizona State. I hope this letter gives you clarity about my friend.

Respectfully,


James Velasquez

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
UNSUPERVISED PROBATION CONDITIONS

12/4/12 FILED @ 11:57 AM
MICHAEL K. JEANES, Clerk
Y. King Deputy

State of Arizona, Maricopa County

CR-2011-007580-003-DT

GIL C. NEGRETE
PID#: AZ 22260626

A.R.S. §13-901.01 1st 2nd Ineligible Non-Prop 200 Offense

OFFENSE(S) COUNT 2: FACILITATION TO COMMIT MONEY LAUNDERING, A CLASS SIX UNDESIGNATED FELONY A CLASS 1 MISDEMEANOR

It is ordered suspending imposition of sentence and placing defendant on Unsupervised Probation to be monitored by the Adult Probation Department (APD) in accordance with APD's Compliance Monitoring standards for a period of TWELVE year(s) month(s) from this date 10-25-2012 under the following conditions:

I AGREE TO THE FOLLOWING: (Conditions Checked Also Apply)

LAW ABIDING BEHAVIOR

- 1. I will maintain a crime-free lifestyle, obey all laws, and not engage or participate in any criminal activity.
- 2. I will not possess or control any stun guns, tasers, firearms, ammunition, deadly, or prohibited weapons as defined in A.R.S. §13-3101.
- 5. If deported or processed through voluntary departure, I will not return to the United States illegally during the term of my probation. If I am deported, all conditions except Condition 5 and _____ are suspended.

REPORTING TO APD

- 6. I will report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. I understand my responsibility is to keep APD advised of any conditions I complete. I will comply with any written directive of the APD to enforce compliance with the conditions of probation.

RESIDENCE

- 7. I will notify the APD within 10 days of any change of address and/or telephone number.
- 8. I will request and obtain permission of the APD prior to leaving the state.
- 9. I may apply for Interstate Compact supervision in the state of _____ and will not proceed to that state until reporting instructions are received and the APD issues a written travel permit. I understand that if accepted by that state through Interstate Compact transfer, I agree to be supervised by that state's standard supervision practice and to comply with any additional conditions of probation imposed by that state.

TREATMENT/BEHAVIOR CHANGE/PRO-SOCIAL ACTIVITIES

- 11. To help me make positive lifestyle changes, I will actively participate and cooperate in the following program(s):
 Alcohol Counseling Substance Abuse Counseling Anger Management/Domestic Violence Program
 MADD Victim Impact Panel Program Eight (8) hour drug education program within _____ days of sentencing.
- 15. I will be financially responsible by paying all restitution, fines, and fees in my case as imposed by the Court. I understand, if I do not pay restitution in full, the Court may extend my probation.

SPECIAL REQUIREMENTS

- 17. I will complete a total of 200 hours of community restitution. I will complete T.B.P hours per month. I will complete these hours at a site approved by the APD.
- 18. I will serve _____ days month(s), in the county jail beginning _____ with credit for _____ days served, not to be released-until _____. I will report to the APD within 72 hours of my release from jail.
 I understand that I shall participate in the Work Furlough Program, if health qualified and MCSO classification approved. I agree to Comply with all program rules.
- 22. Other:

Immediately after Court, report to one of the following locations:

Adult Probation Department
111 S. 3rd Ave. 5th Floor
Phoenix, AZ 85003

Southeast Facility
222 E. Javelina, Suite 1500
Mesa, AZ 85210

RECEIPT AND ACKNOWLEDGEMENT: I hereby acknowledge receipt of the conditions of probation and any attached addenda to these conditions. I understand that a violation of any of the conditions could result in the revocation of my probation and the court may impose sentence upon me in accordance with the law. As a further condition, I waive extradition for any probation revocation proceedings in this matter.

Defendant _____

12/4/12
Date

Telephone

Address _____

City/State _____ Zip _____

Virginia P. Richter
Judge of the Superior Court

12/4/12
Date

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
JUDGMENT AND ORDERS OF RESTITUTION, FINES AND FEES**

STATE OF ARIZONA

MARICOPA COUNTY DIVISION: _____

VS. GIL C. NEGRETE

CASE / CR / COUNT: CR2011-007580-003 DT

PID #: AZ22260626

Pursuant to Uniform Condition 15: I will pay all restitution, fines, and fees in my case as imposed by the Court.

<u>Financial Sanctions</u>	<u>Total Amount</u>	<u>Payment</u>	<u>Begin Date</u>
<input type="checkbox"/> a. Total Restitution Ordered*	_____	_____	_____
<input checked="" type="checkbox"/> b. Monthly Probation Service Fee (PSF)	_____	<u>65.00</u>	<u>2-1-13</u> <u>12-01-2012</u>
<input type="checkbox"/> c. Delinquent Probation Service Fees	_____	_____	_____
<input type="checkbox"/> d. Base Fine: \$ _____ Drug \$ _____ Non-drug	_____	_____	_____
<input type="checkbox"/> e. Surcharges: _____ % = \$ _____	_____	_____	_____
Total Fine & Surcharges (add d and e) =	_____	_____	_____
<input type="checkbox"/> f. Reimbursement (A.R.S. 11-584 C 3)	_____	_____	_____
<input type="checkbox"/> g. DUI Abatement Fund (A.R.S. 28-1382 D 2)	_____	_____	_____
<input type="checkbox"/> h. DUI Incarceration Cost (A.R.S. 28-1444)	_____	_____	_____
<input type="checkbox"/> i. Prison Construction & Operations Fund (A.R.S. 41-1651)	_____	_____	_____
<input type="checkbox"/> j. State General Fund (A.R.S. 28-1383)	_____	_____	_____
<input type="checkbox"/> k. Monthly GPS Monitoring Fee (A.R.S. 13-902 G)	_____	_____	_____
<input type="checkbox"/> l. Delinquent GPS Monitoring Fees	_____	_____	_____
<input type="checkbox"/> m. Sex Offender Monitoring Fund (A.R.S. 13-3824 B)	_____	_____	_____
<input type="checkbox"/> n. Other _____	_____	_____	_____
<input type="checkbox"/> o. Other _____	_____	_____	_____
TOTAL PAYMENT MONTHLY =		\$ _____	

Other Assessments (paid in conjunction with monthly payment)

<input checked="" type="checkbox"/> p. Probation Surcharge (A.R.S. 12-114.01)	\$ <u>20.00</u>	<u>20.00</u>	<u>2-1-13</u> <u>12-01-2012</u>
<input type="checkbox"/> q. Time Payment Fee (A.R.S. 12-116)	\$ _____	_____	_____
<input type="checkbox"/> r. Warrant Charge (Maricopa County A. O. 2004-199)	\$ _____	_____	_____
<input type="checkbox"/> s. Interstate Compact Application Fee**	\$ _____	_____	_____
<input type="checkbox"/> t. Inter-county Transfer Fee (A.O. 2004-02)	\$ _____	_____	_____
<input type="checkbox"/> u. Other _____	\$ _____	_____	_____

* Probation will automatically be extended pursuant to A.R.S. 13-902 C.

** Interstate Compact Process and Application Fee: Only one fee per defendant with entire fee due at time of application.

RECEIPT AND ACKNOWLEDGMENT: I acknowledge receipt of the Judgment and Orders of Restitution, Fines and Fees and understand my financial obligation to the Court and other related parties.

DEFENDANT

DATE

12/4/12

JUDGE OF SUPERIOR COURT

DATE

Virginia L. Richter 12/4/12

1100-044 (R-10-10)

White (original): Court File

Yellow: APD File

Pink: Defendant

**HONORABLE VIRGINIA L. RICHTER
MARICOPA COUNTY SUPERIOR COURT**

**MARICOPA COUNTY ADULT PROBATION DEPARTMENT
WORK FURLOUGH SCREENING**

Probationer:	Gil C. Negrete	APO:	Mike Moe
DOB:	09-17-1976	Phone:	602-619-9209
CR#:	2011-007580-003-DT	Screening Date:	October 16, 2012
OST Score:	4	Sentence/Surrender Date:	October 25, 2012
Supervision Level:	Low		
Screening Result: The defendant is appropriate for the Work Furlough Program.			
Notes:			

1. Is the probationer statutorily eligible to serve jail time as a condition of probation? YES
2. Is the present offense of a violent nature per the arrest record, booking information, or charge? NO
3. Does the past **5 years** of criminal history reflect **3 or more** arrests for violence, including DV disorderly conduct or DV criminal trespass?
(If in prison during the past 5 years, review years prior to incarceration.) NO
4. Is there a stipulation or an order barring the probationer from participation in the Work Furlough Program? NO
5. Does the probationer have other court actions pending that would interfere with participation in the Work Furlough Program? NO
6. If not a citizen, is the probationer authorized to work in the U.S. ? YES
7. Has an APD substance abuse assessment determined that residential treatment is needed? NO
8. Does the probationer's criminal history reflect any prior escape from a correctional facility or furlough program or any active FOJ (Fugitive of Justice) charges? NO
9. Did the present offense involve the use/possession of a deadly weapon, or does the past **10 years** of criminal history include any arrests involving weapons? NO
10. Is the probationer at least 18 years of age? YES
11. Does the probationer have a physical or mental disability that precludes the probationer from participation in the Work Furlough Program? NO
12. Is the probationer self-employed? NO
 - a. If self-employed, can the probationer provide documentation indicating a legitimate business? (i.e. current tax and business license, previous year's income tax return) *Note: Final approval for self employment must be determined by APD Work Furlough Supervisor. N/A
13. Does the probationer have any sex offense convictions? NO
 - a. Is the probationer a repeat sex offender, **OR** have multiple victims, **OR** have multiple offenses? N/A
 - b. Is the probationer self-employed, **OR** working from home, **OR** employed by a family member or personal friend? N/A

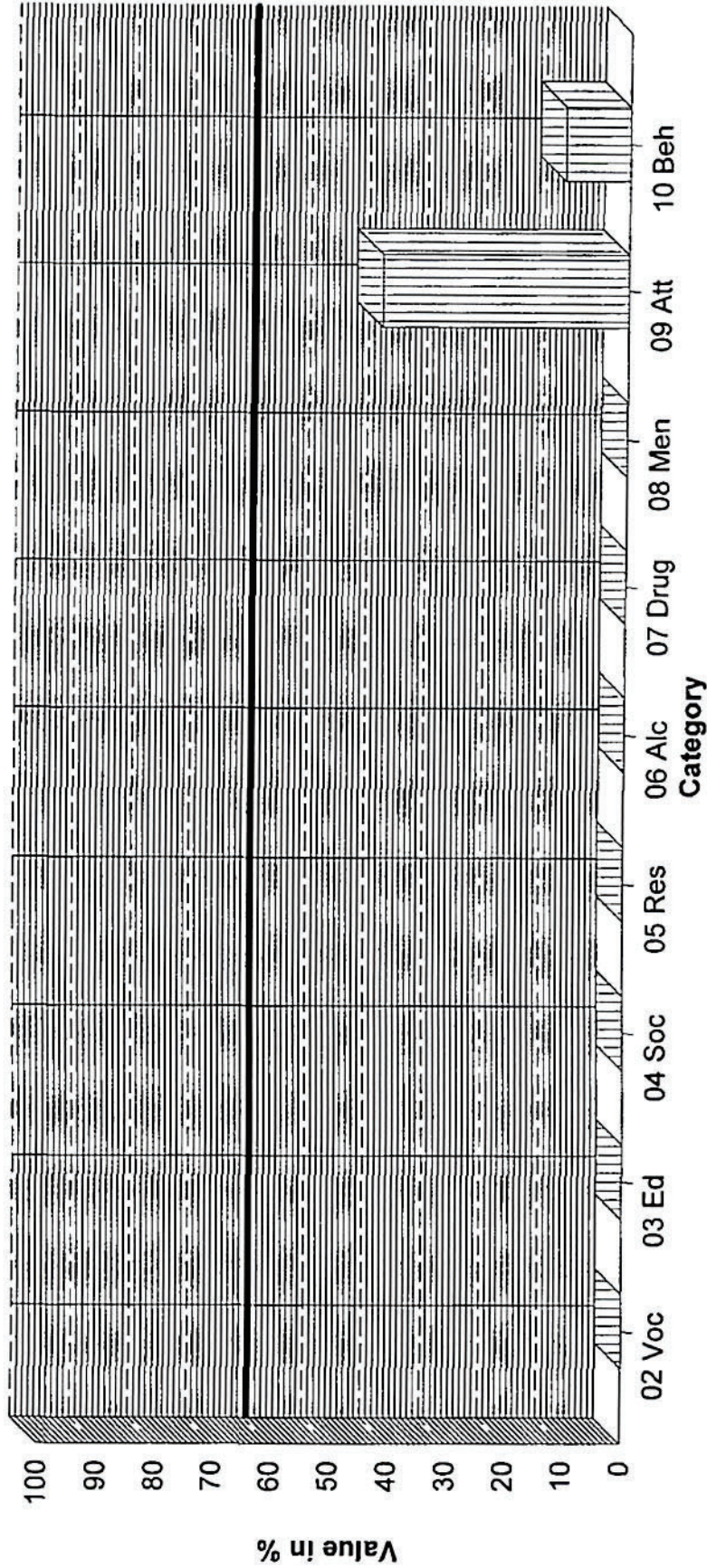
FURLOUGH SCREENING RESULTS:

The defendant is appropriate for the Work Furlough Program.

Assessment Date 09/25/2012

As of 10/16/2012

127 Offender Screening Tool (OST) Graph



Item(s)	0%	0%	0%	0%	0%	0%	0%	0%	11%	
Not Answered	0	0	0	0	1	1	0	0	0	2

Total OST Score (Sum of all 9 categories) 4 Risk Level Low Risk

Enclosed is the Criminal History information portion of the Pre-sentence Report. Dissemination is restricted to Criminal Justice Agencies only. Secondary dissemination to non-criminal Justice Agencies is prohibited.

LOCATION ONLY
See Discovery & Confidential Materials

The Superior Court of Arizona in Maricopa County – Adult Probation Department
Chief Probation Officer Barbara A. Broderick

PRESENTENCE INVESTIGATION

State of Arizona v. Gil C. Negrete, CR2011-007580-003-DT

Superior Court Criminal Division EDC01

Sentencing Date: **October 25, 2012**

FILED 10/25/12
By MICHAEL K. JEANES, Clerk
y King
Y. King Deputy

Sentencing Judge: **Virginia Richter**
PSI Officer: **Mike Moe**

Prosecutor: **Paula Alleman, AAG**
Defense Counsel: **Alan Simpson, PVT**

Present Offense:

The following information is summarized from Phoenix Police Departmental Report #2011-00707707:

Between April 8th and April 13, 2011, the defendant worked in conjunction with family members of an individual named Brian Escobedo (the head of a drug trafficking organization) to bail Mr. Escobedo out of jail. The defendant participated in several recorded jail conversations with Mr. Escobedo in which they discussed the process for obtaining the money that was needed to bond him out. He ultimately assisted the family members with obtaining a total of \$74,700.00 in cash, which was in turn used to purchase cashier's checks from banks to pay for Mr. Escobedo's bail. A total of seven cashier's checks were obtained from various banks. Each of these checks was purposely made out in amounts that were under \$10,000.00 each (the threshold amount for reporting the transaction to a government agency) in order to avoid being brought to the attention of law enforcement officials, who would in turn most likely investigate the source or sources of the cash that was used to obtain the cashier checks.

On April 13, 2011, the defendant personally transported codefendants Irene Gracia Rodriguez, Monique Gracia Deanda and Frank Blas Gracia III to four separate banking institutions and assisted them with making the structured transactions (Count 2 and dismissed Count 1). During a transaction at one of the banks, the defendant requested that normal banking fees be waived for the purchase of three of the cashier checks. When this request was denied, he used his own Chase Bank account to facilitate the purchase of the checks.

The defendant and codefendants had the ability to make one banking transaction and purchase one cashier's check for the entire amount of the bond. However, this would have generated a currency transaction report that would have in turn made law enforcement aware of the transaction. The Phoenix Police Department believed, based on their investigation, that the \$74,700.00 was intentionally structured so as to avoid mandatory reporting on the part of the banks.

The Superior Court of Arizona in Maricopa County – Adult Probation Department
Chief Probation Officer Barbara A. Broderick

State of Arizona v. Gil C. Negrete, CR2011-007580-003-DT

Codefendant Action:

Monique Gracia Deanda (001) is scheduled for a Status Conference on November 15, 2012.

Frank Blas Gracia III (002) is scheduled for a Status Conference on November 15, 2012.

Irene Gracia Rodriguez (004) is scheduled for a Status Conference on November 15, 2012.

Defendant's Statement:

In regard to the present offense, the defendant states he was assisting his client's family members to obtain cashier checks at his bank. He denies that there was any criminal intent on his part. There was no motive, no intent and no gain from conducting the transaction.

As for sentencing, he feels no further action should be taken against him. The last thirteen months of this indictment have been humiliating, embarrassing and gut wrenching. He has suffered each and every day since his arrest.

Statement of Interested Parties:

Assistant Attorney General Paula Alleman is recommending the defendant be sentenced to supervised probation and that his offense be left undesignated by the Court. She would like for the defendant to be given the opportunity to earn a misdemeanor designation for his offense.

Risk/Needs Assessment:

Based on the Offender Screening Tool (OST), the following is an assessment of the defendant's risk to re-offend and criminogenic needs. Domains with scores above 60%, or Mental Health score above 50%, significantly contribute to the overall assessed Risk/Needs level and must be addressed when developing supervision strategies. Domains below 60% and above 0% may contribute to the overall assessed Risk/Needs level and may require intervention. Domains with 0% do not contribute to the overall assessed Risk/Needs level and do not require intervention. The OST is a standardized statewide tool that has been validated and approved by the Administrative Office of the Courts (AOC). A copy of the OST score results in a graph format is attached to this report.

The Superior Court of Arizona in Maricopa County – Adult Probation Department
Chief Probation Officer Barbara A. Broderick

State of Arizona v. Gil C. Negrete, CR2011-007580-003-DT

OVERALL RISK/NEEDS LEVEL
(Male Risk/Needs Range)

4			
Low (0-5)	Medium-Low (6-10)	Medium-High (11-17)	High (18-42)

DOMAINS THAT DO NOT CONTRIBUTE TO OVERALL RISK/NEED LEVEL

DOMAIN	SCORE	SUMMARY
Alcohol Use	0/3 0%	<ul style="list-style-type: none"> The defendant reports he did not drink any alcohol at all during the thirty days leading up to his offense. He states that he drinks during social events. Per defendant, he has never had a problem with alcohol use.
Drug Abuse	0/3 0%	<ul style="list-style-type: none"> He reports a prior history of marijuana use. However, he has not used the drug during the past nineteen years.
Education	0/3 0%	<ul style="list-style-type: none"> The defendant graduated with a law degree from Arizona State University in 2005.
Family and Social Relationships	0/8 0%	<ul style="list-style-type: none"> He was raised by his parents. He has four sisters. He reports having a positive relationship with his family at the present time. He has been married to his wife for the past five years and describes their relationship as being strong and supportive. He describes his current peer/associate relationships as being positive and law abiding. He has two daughters, ages one and fifteen.
Mental Health	0/2 0%	<ul style="list-style-type: none"> He has never been diagnosed with a mental health disorder.
Residential	0/2 0%	<ul style="list-style-type: none"> He is currently residing in a residential home with his wife and two daughters. He describes this living environment as being positive.
Vocational	0/5 0%	<ul style="list-style-type: none"> He is currently employed full-time as an attorney. He states he is able to meet his current financial obligations.

The Superior Court of Arizona in Maricopa County – Adult Probation Department
Chief Probation Officer Barbara A. Broderick

State of Arizona v. Gil C. Negrete, CR2011-007580-003-DT

DOMAINS THAT MAY CONTRIBUTE TO OVERALL RISK/NEED LEVEL

DOMAIN	SCORE		SUMMARY
Attitude	3/7	43%	<ul style="list-style-type: none">• He feels his conviction is unfair and believes he has been mistreated (he feels his current conviction has been used as a vehicle to seize funds from a civil forfeiture proceeding).• He does not feel he would have a problem complying with community supervision.
Criminal Behavior	1/9	11%	<ul style="list-style-type: none">• The present offense is a felony.

DOMAINS THAT SIGNIFICANTLY CONTRIBUTE TO OVERALL RISK/NEED LEVEL

DOMAIN	SCORE		SUMMARY
			<ul style="list-style-type: none">• No domains scored in this range

Additional Assessments and Screenings:

The defendant was screened for the Adult Probation Department's Work Furlough program and was found to be eligible for participation in this program.

Financial Assessment:

The defendant is currently self-employed as an attorney and reports that he earns \$5,000.00 per month. His wife earns \$2,500.00 per month. Together, their total combined monthly income is \$7,500.00. He reports having monthly expenses totaling \$6,500.00 (mortgage/rent, utilities, automobile, insurance, groceries and entertainment). He has assets totaling \$1,029,060.00 (cash on hand, checking account, life insurance and investments) and liabilities totaling \$95,530.00 (mortgage, automobile loan and credit card bills). Based on a review of the defendant's current monthly income and expenses, he should have the ability to be able to pay toward any court-ordered fees imposed in the present offense.

The Superior Court of Arizona in Maricopa County – Adult Probation Department

Chief Probation Officer Barbara A. Broderick

State of Arizona v. **Gil C. Negrete, CR2011-007580-003-DT**

Discussion and Evaluation:

Standard assessments indicate the defendant is a low risk to reoffend. There are no specific areas which contribute significantly to his risk. Some areas that may contribute to his risk include attitude and criminal behavior. Areas of stability with the defendant that do not appear to require any intervention at the present time include vocation, education, family/social relationships, residential environment, alcohol use, drug use and mental health.

The defendant is before the Court facing his first felony conviction at the age of thirty-six. It is also his first criminal conviction of any kind. In the present offense, he actively assisted a known drug trafficker's family to secure \$75,000.00 in cash. This money was in turn used to bond this individual out of jail. *The crime of money laundering was committed when the cash was broken up into seven separate cashier checks that were all made out in amounts of under \$10,000.00 each. This was done in order to avoid having the banks notify the government, which in turn could have led to a possible law enforcement investigation into the source or sources of the cash that was used to secure the bond.*

The plea agreement stipulates the defendant is to be sentenced to a term of probation. This appears to be an appropriate disposition when considering the defendant's low overall risk score and the fact this represents his first criminal conviction of any kind. A term of supervised probation was considered as a sentencing recommendation for this offense. However, *the defendant does not have any significant areas of risk and/or need which would require active supervision while he remains in the community.* Consequently, a term of unsupervised probation will be recommended.

Identification Status:

The defendant has provided documentation verifying his identity in the form of a State of Arizona driver license.

Recommendation:

It is respectfully recommended that offense remain undesignated and that the defendant be granted Twelve month(s) unsupervised probation to date from 10-25-2012 to include the following additional conditions:

- Condition #15 I will be financially responsible by paying all restitution, fines, and fees in my case as imposed by the Court. I understand, if I do not pay restitution in full, the Court may extend my probation.
- 15b. Probation Service Fee of \$65.00 per month beginning on December 1, 2012.

The Superior Court of Arizona in Maricopa County – Adult Probation Department
Chief Probation Officer Barbara A. Broderick

State of Arizona v. **Gil C. Negrete, CR2011-007580-003-DT**

15p. Probation Surcharge in the total amount of \$20.00 beginning on December 1, 2012.

Reviewed by:

Judge: 

Date: 12/4/12

HONORABLE VIRGINIA L. RICHTER
MARICOPA COUNTY SUPERIOR COURT.

Respectfully submitted by:



Mike Moe, Adult Probation Officer

Cell: 602-619-9209/

October 23, 2012

<mailto:mmoe@apd.maricopa.gov>

Melissa Filas, Supervisor

Phone: 602-506-1331, 602-619-2059

12/6/12 @ 8:00 AM

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-007580-003 DT

12/04/2012

JUDGE PRO TEM VIRGINIA L. RICHTER

CLERK OF THE COURT
Y. King
Deputy

STATE OF ARIZONA

PAULA ALLEMAN

v.

GIL C NEGRETE (003)
DOB: 09/17/1976

ALAN M SIMPSON

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
RFR

SUSPENSION OF SENTENCE - UNSUPERVISED PROBATION

11:07 a.m.

Courtroom CCB 1002

State's Attorney: Paula Alleman
Defendant's Attorney: Alan Simpson
Defendant: Present

Court Reporter, Kathy Braley, is present.

A record of the proceeding is also made by audio and/or videotape.

This is the time set for Mitigation and Sentencing.

LET THE RECORD REFLECT Jamie Sparks, Mario Ortiz and Trina Negrete address the Court on behalf of the Defendant.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-007580-003 DT

12/04/2012

Count(s) 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 2 (As Amended) Facilitation to Commit Money Laundering
Class 1 Misdemeanor
A.R.S. § 13-1004, 13-2317(B)(5), 13-701, 13-702, 13-707, 13-801, 13-802
Date of Offense: 04/13/2011
Non Dangerous - Non Repetitive

IT IS ORDERED suspending imposition of sentence and placing defendant on Unsupervised Probation to be monitored by the Adult Probation Department (APD) in accordance with APD's Compliance Monitoring Standards:

Count 2 Probation Term: 12 Months

To begin 12/04/2012.

Conditions of probation include the following:

Condition 5 - If deported or processed through voluntary departure, will not return to the United States illegally during the term of probation. If deported, all conditions, except Condition 5, are suspended.

Condition 6 - Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of any conditions completed. Comply with any written directive of the APD to enforce compliance with the conditions of probation.

Condition 7 - Notify APD within 10 days of any change of address and/or telephone number.

Condition 8 - Request and obtain permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 2 - \$65.00 per month, beginning 02/01/2013.

PROBATION SURCHARGE: Count 2 - \$20.00 payable on 02/01/2013.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-007580-003 DT

12/04/2012

All amounts payable through the Clerk of the Superior Court.

Condition 17: Complete a total of 200 hours of community restitution. Complete amount to be determined per month. Complete these hours at a site approved by the APD.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Count 1.

11:57 a.m. Matter concludes.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

HONORABLE VIRGINIA RICHTER

CLERK OF THE COURT

12/4/12
Date

Y. King
~~K. Sotello-Stevenson~~
Deputy

CR2011-007580-003

STATE V. GIL C. NEGRETE

Let the record reflect that the Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

(thumbprint)




Virginia Richter

JUDICIAL OFFICER OF THE SUPERIOR COURT

Hon. Virginia Richter

**ARIZONA DEPARTMENT OF PUBLIC SAFETY
DISPOSITION REPORT**

Mail to: Criminal History Records
AZ Department of Public Safety
P.O. Box 18450
Phoenix, AZ 85005-8450

1 SID NUMBER AZ22260626		2 NAME (Last, First, Middle) NEGRETE, GIL C		3 DATE OF BIRTH (CCYYMMDD) 19760917		4 DATE OF ARREST (CCYYMMDD) 20110921		5 PCN 2119032081									
6 ARRESTING AGENCY ORI AZ0070000		7 ARRESTING AGENCY CASE NO. MSOD162305		8 BOOKING AGENCY ORI AZ0070000		9 BOOKING NUMBER MSOD162305001											
10 CHARGES / AMENDED CHARGES CHARGES: Please write literal, if more than three (3) charges list on second (2 nd) form. LAW ENFORCEMENT AGENCY: Fill in original charge(s) on line(s) 1a, 2a, etc. PROSECUTOR/COURT: Fill in amended charge(s) on line(s) 1b, 2b, etc.		11 ARIZONA REVISED STATUTE OR ORDINANCE	12 DATE OF OFFENSE / VIOLATION	13 OFFENSE TYPE	14 PREPARATORY OFFENSE	15 DOMESTIC VIOLENCE & VICTIM INFO.	16 DESIGNATED COURT NAME / IDENTIFIER	17 AMENDED TO (X)	18 DISPOSITION CODE	19 PRISON OR JAIL	20 LENGTH OF CONFINEMENT (da, mo, yr)	21 SENTENCE CODE	22 PROBATION LENGTH (da, mo, yr)	23 FINE YES OR NO	24 COURT CASE / COMPLAINT NUMBER	25 DISPOSITION DATE	26 AGENCY ORI MAKING DISPOSITION DECISION
1a 13-2317B5		20110413	F	C		AZ007035J		CD	P J				Y N	CR2011007580003	12/4/12	AZ007035J	
1b									P J				Y N				
2a 13-2317B5		20110413	F	X		AZ007035J			P J				Y N	CR2011007580003			
2b Facilitation Money Laundering 13-2317B5 13-1084			M F					GG	P J		PS SS	10 mo	Y N	CR2011007580003	12/4/12	AZ007035J	
3a									P J				Y N				
3b									P J				Y N				
27 FURTHER EXPLANATIONS OR MODIFICATIONS																	
<p>DISPOSITION REPORT A Disposition Report is Required from the disposition Agency (arrest, prosecutor or court) pursuant to AZ Rules of Criminal Procedure (Rule 37) for each person fingerprinted for a reportable crime pursuant to A.R.S. 41-1750.</p> <p>14 PREPARATORY OFFENSE CODES: A - Attempted C - Conspiracy F - Facilitate S - Solicit</p> <p>15 DOMESTIC VIOLENCE OR VICTIM INFORMATION CODES: D - Crime involves domestic violence M - Victim is a minor A - Victim is a vulnerable adult L - Victim is a law enforcement officer C - Dangerous crimes against children</p> <p>16 DISPOSITION CODES: AC - Acquitted / Not guilty CD - Court Dismissed DP - Deferred Prosecution DS - Deferred Sentencing GG - Guilty GI - Guilty but Inane NF - No complaint filed NP - Nolo Contendere plea NR - Not referred for Prosecution PD - Pardoned PM - Pending due to marital incompetency PO - Plea to other charges RI - Not responsible by reason of insanity</p> <p>17 APPELLATE CODE: AF - Affirmed AR - Affirmed Remanded for Re-sentencing and Remanded RV - Reversed and Convicted SM - Sentence Overturned Modified</p> <p>18 SENTENCE CODES: CC - Concurrent CS - Consecutive PS - Public or Community Service SS - Court Suspended Sentence</p> <p>28 RIGHT INDEX FINGERPRINT</p> <p align="right">Right Index</p>  <p align="right">By: <u>Michael N. Jeanes-Cibit</u> J. Ratner, Deputy</p>																	

Please call DPS Criminal History Records (602) 223-2222 for assistance with this form.
DPS 802-03757-F rev. 02/2002

SUPERIOR COURT OF THE STATE OF ARIZONA
MARICOPA COUNTY

FILED
9/19/13 1:00 p.m.
MICHAEL K. JEANES, Clerk

By D. VanHorn
D. VanHorn, Deputy

Division
Pros Atty:
APG

EBCT1 CMC04
AAG
Kit Russell, SCOTTS

THE STATE OF ARIZONA
vs.
GIL C NEGRETE
DOB: 09/17/1976

Case Number: **CR2011-007580-003-DT**

**PETITION FOR EARLY TERMINATION OF
PROBATION OR UNSUPERVISED PROBATION**

The defendant was formally judged guilty of the crime of **COUNT 2: FACILITATION TO COMMIT MONEY LAUNDERING, A CLASS 1 MISDEMEANOR**

Probation Start Date: 12/04/2012 Prob. Length: 12 month(s) Unsupervised

It is respectfully recommended that the defendant's probation be terminated for the following reasons:
The defendant has completed over one-half of his unsupervised probation grant without any problems. He successfully completed all 200 hours of community service and remains current with his Curt fees. Mr. Negrete was not returned to Curt for probation violation and does not have any warrants for his arrest. He is employed full-time and stable in the community. Early termination appears appropriate.

Commissioner Virginia Richter

SEP 16 2013

Victim Status: There is no victim involved in this case.

Dated this 17th day of September, 2013. Kit Russell
KR:nkl/09/12/2013 Probation Officer Kit Russell Phone 480-481-0437

- IT IS ORDERED** that the foregoing petition for early termination ^{MAY} will be granted by this court 30 days from this date unless written objection thereto is filed not less than 72 hours before said date. A copy of this petition is herewith transmitted to the prosecuting attorney.
- IT IS ORDERED** denying the petition for early termination. It is further ordered that the defendant be placed on unsupervised probation, deleting all conditions except Condition #1 and continue to pay Probation Service Fees as previously ordered by the Court. If the defendant obeys all laws it is ordered that unsupervised probation be automatically terminated on _____ This expiration date reflects granted Earned Time Credit.
- IT IS ORDERED** _____

Dated this 16th day of September, 2013. [Signature]
Judge of the Superior Court

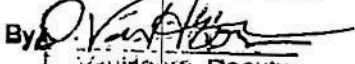
PETITION FOR EARLY TERMINATION OF PROBATION OR UNSUPERVISED PROBATION

cc: APD File Court (Original) Pros Atty.

SUPERIOR COURT OF THE STATE OF ARIZONA
MARICOPA COUNTY

Division
Pros Atty
APO

EDC1CMCO4
DCA
Kit Russell, SCOTTS

FILED
10/31/13 5:00P.M
MICHAEL K. BEANES, Clerk
By 
L. VanHorn, Deputy

THE STATE OF ARIZONA
vs.
GIL C NEGRETE
DOB: 09/17/1976


Case Number: CR2011-007580-003-DT

ORDER OF DISCHARGE FROM PROBATION

The defendant was formally judged guilty of the crime of **COUNT 2: FACILITATION TO COMMIT MONEY LAUNDERING, A CLASS 1 MISDEMEANOR**

Probation Start Date: 12/04/2012 Prob. Length: 12 month(s) Unsupervised

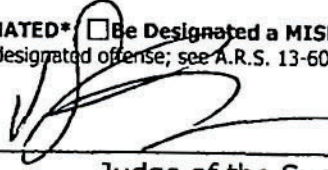
Please see attached Petition for Early Termination of Probation.

Dated this 12th day of September, 2013 
KR:nkl/09/12/2013 Probation Officer Kit Russell Phone 480-481-0437

IT IS ORDERED pursuant to Rule 27.4(A) that the defendant is hereby discharged from probation in this case effective 10/31/13.

THE COURT NOTES the defendant failed to comply with conditions _____

IT IS ORDERED the undesignated offense: REMAIN UNDESIGNATED* Be Designated a MISDEMEANOR
*Notice: The defendant may request misdemeanor designation for an undesignated offense; see A.R.S. 13-604. All requests must be submitted to the Court in writing and provide detailed reasons to support the request.

Dated this 21st day of October, 2013. 
Judge of the Superior Court

ORDER OF DISCHARGE FROM PROBATION

THE DEFENDANT IS ADVISED THAT A.R.S. SECTIONS 13-604, 13-905, 13-907 AND 13-908 PROVIDE IN PART AS FOLLOWS:
13-604. Class 6 felony; designation

A. Notwithstanding any other provision of this title, if a person is convicted of any class 6 felony not involving a dangerous offense and if the court, having regard to the nature and circumstances of the crime and to the history and character of the defendant, is of the opinion that it would be unduly harsh to sentence the defendant for a felony, the court may enter judgment of conviction for a class 1 misdemeanor and make disposition accordingly or may place the defendant on probation in accordance with chapter 9 of this title and refrain from designating the offense as a felony or misdemeanor until the probation is terminated. The offense shall be treated as a felony for all purposes until such time as the court may actually enter an order designating the offense a misdemeanor. This subsection does not apply to any person who stands convicted of a class 6 felony and who has previously been convicted of two or more felonies.

B. If a crime or public offense is punishable in the discretion of the court by a sentence as a class 6 felony or a class 1 misdemeanor, the offense shall be deemed a misdemeanor if the prosecuting attorney files any of the following:

1. An information in superior court designating the offense as a misdemeanor.
2. A complaint in justice court or municipal court designating the offense as a misdemeanor within the jurisdiction of the respective court.
3. A complaint, with the consent of the defendant, before or during the preliminary hearing amending the complaint to charge a misdemeanor.

13-905. RESTORATION OF CIVIL RIGHTS: PERSONS COMPLETING PROBATION

A. A person who has been convicted of two or more felonies and whose period of probation has been completed may have any civil rights which were lost or suspended by the felony conviction restored by the judge who discharges him at the end of the term of probation.

B. On proper application, a person who has been discharged from probation either before or after adoption of this chapter may have any civil rights which were lost or suspended by the felony conviction restored by the superior court judge by whom the person was sentenced or the judge's successors in office from the county in which the person was originally convicted. The clerk of the superior court shall have the responsibility for processing the application on request of the person involved or the person's attorney. The superior court shall serve a copy of the application on the county attorney.

C. If the person was convicted of a dangerous offense under section 13-704, the person may not file for the restoration of the right to possess or carry a gun or firearm. If the person was convicted of a serious offense as defined in section 13-706 the person may not file for the restoration of the right to possess or carry a gun or firearm for ten years from the date of his discharge from probation. If the person was convicted of any other felony offense, the person may not file for the restoration of the right to possess or carry a gun or firearm for two years from the date of the person's discharge from probation.

13-907. Setting aside judgment of convicted person on discharge; application; release from disabilities; exceptions

A. Except as otherwise provided in this section, every person convicted of a criminal offense, on fulfillment of the conditions of probation or sentence and discharge by the court, may apply to the judge, justice of the peace or magistrate who pronounced sentence or imposed probation or such judge, justice of the peace or magistrate's successor in office to have the judgment of guilt set aside. The convicted person shall be informed of this right at the time of discharge.

B. The application to set aside the judgment may be made by the convicted person or by the convicted person's attorney or probation officer authorized in writing.

C. If the judge, justice of the peace or magistrate grants the application, the judge, justice of the peace or magistrate shall set aside the judgment of guilt, dismiss the accusations or information and order that the person be released from all penalties and disabilities resulting from the conviction other than those imposed by:

1. The department of transportation pursuant to section 28-3304, 28-3306, 28-3307, 28-3308 or 28-3319, except that the conviction may be used as a conviction if such conviction would be admissible had it not been set aside and may be pleaded and proved in any subsequent prosecution of such person by the state or any of its subdivisions for any offense or used by the department of transportation in enforcing section 28-3304, 28-3306, 28-3307, 28-3308 or 28-3319 as if the judgment of guilt had not been set aside.
2. The game and fish commission pursuant to section 17-314 or 17-340.

D. This section does not apply to a person convicted of a criminal offense:

1. Involving the infliction of serious physical injury.
2. Involving the use or exhibition of a deadly weapon or dangerous instrument.
3. For which the person is required or ordered by the court to register pursuant to section 13-3821.
4. For which there has been a finding of sexual motivation pursuant to section 13-118.
5. In which the victim is a minor under fifteen years of age.
6. In violation of section 28-3473, any local ordinance relating to stopping, standing or operation of a vehicle or title 28, chapter 3, except a violation of section 28-693 or any local ordinance relating to the same subject matter as section 28-693.

13-908: RESTORATION OF CIVIL RIGHTS IN THE DISCRETION OF THE SUPERIOR COURT JUDGE.

Except as provided in 13-912, the restoration of civil rights and the dismissal of the accusation or information under the provisions of this chapter shall be in the discretion of the superior court judge by whom the person was sentenced or his successor in office.

WARNING: THE RESTORATION OF CIVIL RIGHTS AND THE SETTING ASIDE OF ANY JUDGMENT OF GUILTY DOES NOT EXPUNGE OR SET ASIDE YOUR ARREST OR CONVICTION RECORD.

October 8, 2012

Dear Judge Richter,

My name is Trina Negrete, and I am the wife of Gil Negrete. I am 34 years old, a native of Phoenix, Arizona and a college graduate from Arizona State University. I am a 1st grade teacher in the Alhambra School District and have taught at Westwood Primary School for over 11 years. Currently, I'm on a leave of absence to stay home and raise our 19-month old and 15 year old daughters, Liana and Alicia. I am fully aware of the charges my husband faced and that he recently pled guilty.

I have known Gil Negrete all of my life and next month we will celebrate our 5-year wedding anniversary. My husband is a fun, caring, honest, and loving man. I love and admire him for so many reasons, especially for the fact that he raised his daughter Alicia as a single father while obtaining two undergraduate degrees at ASU. He persevered through many hardships that came along his way including being gunned down at his apartment complex in 2001 by car thieves. Through all his adversity he was still able to graduate and pursue a law school degree. We were married after law school and from that time he has worked hard to provide a good life for his family. It brings happiness to my heart when I see him interact with our 19-month old daughter, Liana. Her face "lights up" and she runs to him every evening when he returns home from work. Our 15-year old daughter, Alicia, adores her father. She counts on her dad for advice, guidance, and love. Gil is a loving friend, son, brother, uncle, grandson, father, and husband. Many people would describe him as generous, "a giver," and a true friend.

He is well known and loved not only by his family, but the community as well. He has volunteered his time to a number of charities and has donated much of his funds and resources to countless programs including his alma mater Centennial High School football program, his

Godson/nephew's pop warner football team, Muscular Dystrophy Association, (MDA); Catholic Education of Arizona (CTOP); Val Cordova Scholarship Foundation, The Arizona Heart Institute, "Autism Speaks"; and a number of programs for people with diabetes. He has also provided tuition assistance for my family attending Brophy College Preparatory and St. Mary's High School that would not be able to attend otherwise. He is devoted to not only his family but to his profession. Gil works long hours and puts all his effort into everything he does. His cell phone number is on his business card and it rings constantly from people who need his services. His heart is absolutely too big to turn people away that need help.

While many lawyers do little or no pro bono work, my husband takes countless cases for no fee. These are cases for people that can't afford an attorney on their own. This is the premise for why Gil opened his own office.

Over the course of the last year my husband has suffered a great deal. He speaks to me each and every day about his case. We have spent many nights in bed crying together trying to comfort one another through all the adversity. My husband is a good man, an honest man, not the criminal the State has portrayed. He feels so embarrassed, humiliated and ashamed of these charges. As his wife I can tell you that this case has left him with a broken heart. These events have tested our faith and our resolve, but our faith is greater than any challenge. We will move on from this tragedy and Gil will continue to do great things in this community. If you can find it in your heart to give my husband leniency as he has already suffered and been punished so much, I would be greatly indebted to you. My husband for all that he's done for others should be granted an opportunity for a fresh start. Thank you and God bless.

Sincerely,


Trina Negrete

October 8, 2012

Dear Judge Richter,

My name is Alicia Negrete and I am the eldest daughter of Gil Negrete. I am 15 years old and currently a sophomore at Xavier College Preparatory. I am a native of Phoenix, Arizona and a U.S citizen. I am fully aware of the charges my father faced and the fact that he pled guilty.

In 2000, my father took sole custody of me from my mother and later through the court system. While it is rare to be raised in a single father household, it speaks to the kind of person he is. During college and through law school I can always remember him taking me to school and picking me up, giving me baths, ironing my clothes and combing my hair. He always worked hard to provide a good life for me sometimes working two or even three jobs while going to ASU fulltime.

My Dad has taught me the importance of religion, family, and education as well as how to be a good person. He has taught me to be responsible and make good decisions in life. He is the perfect role model and I look up to my father in every aspect of life. People who know my father know they can count on my father because he is a loving, caring, and a trustworthy person. He is always there for everyone and puts everybody else's needs before his own. He is generous with his time and his money. He leads by example and all four of his sisters have gone on to obtain college degrees citing his hard work ethic as their motivation. My father has not only given me the opportunity to receive a great education at Xavier, he has also supported several of his cousins to help

put them through St. Mary's High School and Brophy College Preparatory. He has even assisted family and friends with their junior college tuition.

Over the last year, I have witnessed my father struggle and cope with his case. He has suffered very much and I know he has had trouble dealing with his emotions. This case has left him with a lot of sadness. It has been difficult seeing my Father through this time as I know he's a good person and doesn't deserve this.

I am aware that my Father is facing a possible felony or a misdemeanor at his sentencing. I would only ask that as this court weighs its decision, that it does so with the knowledge that my father has endured much pain and suffering already. Any further punishment would be absolutely unfair to this incredible man. Thank you.

Respectfully,

A handwritten signature in black ink that reads "Alicia Negrete". The signature is written in a cursive, flowing style.

Alicia Negrete

GUTIÉRREZ LAW FIRM, P.C.

1001 N Central Avenue
Suite 660
Phoenix, AZ 85004-1961

Phone: 602-495-0000
Fax: 602-253-7724
Toll Free: 1-800-535-4741
Email: fxglaw@qwestoffice.com

October 19, 2012

Re: Gil Negrete

Dear Commissioner Richter:

I have known Gil Negrete since he was a toddler. Many years before Gil's birth, the man he calls his father, Michael Negrete, and I attended St. Mary's High School together, back when St. Mary's was on Polk Street. For its day the St. Mary's student body was fairly well diversified. There was a significant group of Latino students and I made life-long friends with several of my Latino peers. We all had aspirations to make a better life (at least financially) than our parents had, to raise good kids, to travel and see the world. Over the years we married, raised children and managed to maintain our friendships despite taking a different path to the same dream.

Looking back, I have noted that for the most part each one of my friends from St. Mary's has done a hell of a job of raising some incredible children. I recently attended a wedding for one of my friend's daughters and had a chance to do some catching up. Most of them have graduated from St. Mary's and gone on to college and to establish a career. I noted that one of the common denominators with each of these kids is that they are all upstanding, hardworking and honest citizens who would give a friend the shirt off their back. I have to congratulate myself and my friends and let them know they all did a good job of raising these kids - kids who know right from wrong and would rather work hard at being successful than taking easy shortcuts. One of these kids is Gil Negrete.

Since Gil ended up marrying my eldest daughter, I have had opportunities to give him advice about his future. Shortly before graduating from ASU he sat down in my office and asked me what I thought he should do after he received his diploma. I suggested that since he had the grades, smarts and common sense he should apply to law school. It was as if someone had magically turned on a light to a profession he had never considered. However, once he realized that he could become a lawyer he went after it with all his abilities and was a lawyer before too long. He worked for me for a while, but being confident in his abilities he soon decided to form his own firm and was quickly successful.

I have seen him work long and hard to achieve the success he has achieved in such a short period of time. He has been a good husband, father and an excellent provider to his family. He has advised me of his present predicament and it is unfortunate that he allowed himself to get too involved in his clients' affairs. I understand that he was simply trying to help his clients, just as I have seen him help countless other folks. Someone with a little more experience and seasoning would have not assisted these clients. Based on the facts in this case, it is obvious that Gil was not trying to get around any banking regulations.

I have discussed with him the risks of going to trial. It has been an agonizing decision for him. In my 28 years of practice I have seen how sometimes the risk of fighting the government is overwhelming. While I

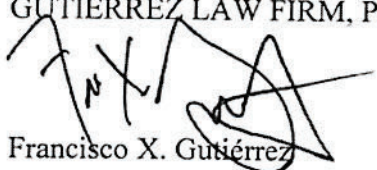
respect the government, I also know that sometimes government officials are compelled to do things to justify years of work that has borne little fruit. I agree with Gil that putting his license, his profession and the ability to feed his family on the line is just too much to risk. Accepting a guilty plea – even a misdemeanor – will weigh on him forever. But it is the most reasonable choice at this time.

I ask you to take into consideration Gil's upbringing, his family and family values, and his long hard road to becoming a lawyer in sentencing him. I ask that you consider the minimal sentence given all the facts in his case.

Thank you.

Sincerely,

GUTIÉRREZ LAW FIRM, P.C.



Francisco X. Gutiérrez
Attorney at Law

FXG/yg

October 16, 2012

Honorable Virginia Richter,

My name is Dan Kaffana, I am 33 years of age and I am a lawyer here in Maricopa County. I currently work with Mr. Negrete at the Law Offices of Gil Negrete, P.C. I am responsible for all criminal and family matters at our office. Accordingly, I was the attorney of record on the criminal case (CR2011-11625-002) from which the charges against Mr. Negrete arose.

I have had the pleasure of knowing Gil Negrete since the day that I moved to Arizona, way back in July of 2002. Since that time I have come to know Gil as a man who puts friends and family above all else, and someone who is always concerned about giving back to the community. Gil is respected by everyone who knows him, not because he is an attorney and not because of power or influence, but because of his heart. People know that they can rely on Gil to be there for them when they truly need help.

As I have stated, I work with Gil every day, and I have spoken with him at length about what happened on the date in question. I can honestly say that Gil did not believe he was doing anything wrong on the date in question. Gil had a friendly relationship with Mr. Escobedo (the Defendant in my criminal matter) and he offered to help his family prepare the bond for his release. Nothing more. He was acting as a friend and was doing so out of the goodness of his heart. He had no idea that helping someone whom he considered to be a friend, would change his life forever.

Gil drives his daughter to school every morning and he enjoys this time with his daughter. Gil has had primary physical custody of his daughter since she was very young, and he has always strived to be a good role model for her. On the date that Gil was arrested, the investigating officers followed him from his home, with his daughter in the car, and stopped him before they could make it to her school. This changed Gil's life forever. The shame and embarrassment that the officers inflicted upon Gil, in front of his daughter, was more damaging than any jail sentence or criminal charge. To take a man who has worked his entire life to do the right thing, and to raise his daughter to always do the right thing, and arrest him on the side of the road without any prior notice, was simply devastating.

I know that the Court is faced with the decision to designate the current offense as a felony or a misdemeanor. I respectfully request that the Court take into consideration all the good that Mr. Negrete has done for the community in his short time as an attorney. Gil provides quality representation at reasonable rates to ensure that everyone receives the representation they deserve, regardless of their income level. The State and the county need more attorneys like Gil Negrete. Designating this offense as a felony would preclude him from continuing to do this for

the foreseeable future. I can attest that these charges have already had a serious and detrimental effect on Gil's life. A misdemeanor charge and unsupervised probation would be more than sufficient in this matter.

Thank you for your time and consideration.

Best Regards,



Dan Kaffana

Honorable Commissioner Virginia Richter:

My name is Jamie Sparks and I have appeared in your court on many occasions as both a prosecutor and more recently as a defense attorney. I am writing this letter on behalf of Gil Negrete. I have had the pleasure of getting to know him very well because for over four years we share the same office space. I interact, socialize, discuss cases and have observed him interact with clients, his family members, his employees and my staff on a daily basis.

Throughout this time, I would describe Gil as an individual that is very passionate about his clients and his family. We have had many discussions about what the practice of law means to both of us and why we consider it an honor to be able to represent people who sometimes find themselves in helpless positions. Gil did not come from an affluent background and had to work extremely hard for what he has achieved. I believe this has sculpted him into an attorney the community benefits from significantly because he appreciates the crucial role he plays in an individual's life when he represents them. Gil has never taken any of his success for granted.

One of the attributes Gil possesses that is difficult to describe unless you work around him every day is how other people react to him. I think it is important because it speaks highly regarding his character. Gil takes time every single day to make sure that those around him are taken care of and supported. This is reflected in the way people react to him. Whether it is his daughter who lights up when she looks at him because she has just been picked up from school by her Father, a client, his staff or a friend it is always clear that those around Gil feel safe and protected. It is in the reflection of these individuals that I most glaringly have been witness to Gil's kindness and generosity.

While I will not speak to the facts surrounding the case as it would be inappropriate, I would like to address the impact and consequence it has rendered. I have been a witness to changes in Gil in the past year that I cannot describe. The man I detailed above is barely recognizable. Gil suddenly found himself in a position where everything he worked so hard to build began to crumble around him. I have seen the pain, humiliation, fear and terror he has experienced throughout the course of these proceedings. No matter what the outcome this incident has already changed his life forever. He was very open about what had taken place and did not hide, minimize or withhold information regarding a very private incident. I acknowledge this because I want the court to know the profound impact this has had on Gil already.

Based upon my experience with Gil in the last four years, I think it would be a great loss if he were not able to represent people because I have witnessed many of them who look up to him for his kindness and compassion. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Jamie Sparks". The signature is written in a cursive, flowing style with a large initial "J".

Jamie Sparks

Matthew F. Leathers
Two Renaissance Square
40 North Central Avenue Suite 2250
Phoenix, AZ 85004

Honorable Virginia Richter
Maricopa County Superior Court
Central Court Building 1002
Phoenix, AZ 85003

Dear Commissioner Richter:

I have appeared before your court many times as a lawyer advocating on behalf of clients mired in unfortunate situations. This time I am writing this letter advocating on behalf of a friend. A friend named Gil Negrete ("Gil"). I hope you read this letter and all of its words and find it in your mind to exercise leniency upon Gil as he looks to put this matter behind him and move on with both his life and career.

In August of 2003, I first met Gil. I recently moved from Los Angeles, CA and was out-of-state for the first time ever. That August, I was a 1L enrolled at the then Arizona State University College of Law ("ASU College of Law"). Gil was a 2L. We met while playing on the law school intramural football team. As a 1L and being new to Arizona, I knew very little people.

As a 1L away from home, Gil eased the anxiety of residing in an unfamiliar place. Gil introduced me to other law school students. In addition, Gil introduced me to his friends, family, and extended family. Gil invited me to family functions and I began to consider him apart of my extended family.

In the summer of 2005, I experienced adversity while prior to my 3L year. I began to question my desire to complete law school as well as becoming a lawyer. Immediately, Gil was the first person I called. Within moments of our conversation, Gil provided me with insight and guidance. Moreover, he assured me that I possessed the requisite capabilities and qualities to become a lawyer when the law school administration doubted my ability.

Through my time knowing Gil, I learned that he too overcame adversity to become a lawyer. His road to his current position as owner of his own firm began when Gil's biological father abandoned both he and his oldest sister in the Maryvale neighborhood of Phoenix. He grew up with a loving step-father who took he and his oldest sister as his own. Next, Gil graduated from Centennial High School and enrolled at Glendale Community College ("GCC") While at GCC he played tight end only to have his playing career cut short by academic issues. During this period, Gil found himself a new dad and forced to pay rent to his step-father. Gil easily could gone astray as so many of my clients did. However, Gil refused to become another statistic. Gil completed obtained his Associates Degree and enrolled at Arizona State University-West Campus. There Gil obtained his Bachelor's Degree. While most would have stopped, Gil continued on his pursuit of higher education and enrolled at ASU College of Law. Gil would later graduate, pass the bar exam, and become admitted to the State Bar of Arizona.

Today Gil's actions emblemize the American dream. Gil came from humble beginnings. He, through his educational endeavors, affords his two daughters a life he never had as a child. He is married to a beautiful wife. His oldest, daughter attends Xavier College Preparatory School for which Gil's attorney income allows him to pay the tuition. Gil has been able to buy a house and provide for his wife and infant daughter. Moreover, Gil has been able to hire several employees. Lastly, though Gil's life and educational endeavors, he has and continues to serve as a role model for similarly situated individuals.

In closing, I am asking the court show leniency and mercy upon Gil. Gil has overcome a tremendous amount of adversity to stand here before the court. Gil is a role model and a contributing member of society. I hope that this transgression will not preclude Gil from maintaining his status within the legal community as well as the larger community. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew F. Leathers". The signature is fluid and cursive, with a large loop at the end.

Matthew F. Leathers

Daniel F. Leathers, MBA
3922 Crenshaw Boulevard Apt 1
Los Angeles, Ca 90008

Honorable Virginia Richter
Maricopa County Superior Court
Central Court Building 1002
Phoenix, AZ 85003

Dear Commissioner Richter,

This letter is in regards to Gil Negrete. I have known Gil for nearly ten years and have been able to share many great experiences with him. Gil and I first met when he was at Arizona State University College of Law with my brother Matthew Leathers. Gil immediately struck me as the type of gregarious, caring, and thoughtful friend my brother needed in his life as they both matriculated through law school. As you know, nobody makes it alone, and Gil was able to provide support to my brother when he needed it the most.

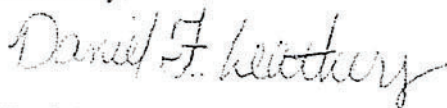
Gil and I share many great conversations and life experiences. He invited me to his wedding where his family welcomed my brother and me with open arms. There, the true good nature of Gil was crystallized. He comes from a loving and supporting family and is going to keep his family legacy strong for generations to come.

As the years progress I got to know Gil and his rich personal story. He had ample opportunities to throw in the towel on his life, but his persistence provided him with an opportunity to create a wonderful life for his family. He built his own Law Practice that is flourishing to the point where he needed to hire support staff. By not only creating financial independence for his family, but allowing others families to do the same is the embodiment of the American Dream.

It is my hope that the court will exercise leniency in regards to Gil's recent transgression. It will allow this devoted father, husband, uncle, and friend to continue to support his family and be an asset to our community.

Thank you for your time.

Sincerely,



Daniel F. Leathers, MBA

October 17, 2012

Honorable Virginia Richter:

My name is Adrian Reyes, I am twenty-three years of age. I am the office manager at the Law Offices of Gil Negrete, P.C.

Gil is a kind hearted individual willing to help someone in need if he is capable. Not only have I personally seen him help many people, whether it be close friends, people in the community or family but most importantly, Gil has helped me. He has helped me in so many ways I don't think I can ever thank him enough. Gil has not only shown me that I have the potential to do anything I put my mind to but has also shown me that I can always count on him for anything that crosses my path.

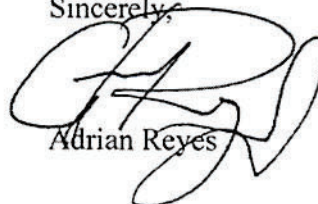
In my eyes Gil is much more than my employer, he is family. Throughout the years I have gotten to know this kind hearted person on a personal level. Gil is always willing to put others before himself. He is the type of person that will do favors for people but never ask anything in return because that is just the type of person he is. Gil always wants the best for others, especially his daughter Alicia. When people ask Gil where his daughter goes to school he will tell you with a proud smile on his face, Xavier College Prep. The best part of every day for him is the time they spend together on the ride to school.

I cannot begin to explain the heart ache that this tragic event has caused Gil. We work in an office with a few attorneys and their staff, when this happened it shifted the way his life once was. Gil no longer socialized with everyone the way he once did, they no longer saw him coming into the office with a smile on his face. In Gil's mind his career that he has worked so hard for and is so proud of might be near an end. Gil still came into work every day trying not to show others something was eating him from inside out.

I truly believe this has changed Gil's way of life. He no longer smiles the way he once did, is now mostly quiet at the office and gatherings outside of work. He is now on ulcer medication due the stress of the embarrassment he is going through. Not only is the stress causing him to take medication but, the person I once knew who loved to exercise, eat healthy and be active throughout the day is no longer there. I have personally seen Gil go through a lot this past year, not only emotionally or mentally but physically as well.

I look up to Gil as do many of his friends and clients. If Gil is forced to stop practicing this will not only effect his and his family's life, this will also have an effect on the life's of people in the community knowing they have nowhere to go. Thank you for your time and consideration.

Sincerely,



Adrian Reyes

October 15, 2012

Honorable Commissioner Richter:

My name is Andrew Angulo, I am twenty-one years old, a full time student at Arizona State University and an employee of Gil Negrete's law firm, but most importantly a friend of Gil's.

Since the first day I was hired to work for Gil, he has made me feel like his own son, literally always trying to help me better my life, always encouraging me to do better and want more. If it wasn't for Gil I honestly don't know where I would be in life right now. He has helped me get through tough classes in college, and made coming to work every day a pleasure. No matter how busy Gil can get with work, I know whenever I need something I can count on him to drop everything and help me get through whatever problem I face. Anytime I need to simply talk to someone about how my day is going or what went wrong that day he is there for me. Honestly it's really easy to love Gil as my family does. They have seen everything he has done for me and have been amazed at how generous of a person he is. He is someone I can look up to and want to be like. He deserves nothing but the best in life. In high school I attended **Brophy College Preparatory, where I learned to live out my life being a man for others and that's exactly what Gil is.**

I've never seen Gil so upset at the thought that people believe he was up to no good. This has changed his life and bothered him ever since day one when he was taken into custody. When someone is wrong in a situation or action they have done, I have no problem being honest and saying everyone makes mistakes, but in this case I know for a fact that Gil was just being himself, trying to help out a family in need, not trying to do anything illegal, just like he has helped me better myself. Thank you for your time.

Respectfully,

A handwritten signature in cursive script that reads "Andrew Angulo". The signature is written in black ink and is positioned above the printed name.

Andrew Angulo

Alcantar & Associates, PLLC.

A Professional Association of Attorneys

Herman Alcantar, Jr., Esq.
alcantar@qwestoffice.net

Jamie Sparks, Esq.
js_alcantarlaw@qwestoffice.net

October 19, 2012

Honorable Commissioner Virginia Richter
Maricopa County Superior Court
201 West Jefferson Street, 10D
Phoenix, Arizona 85003

Re: *Gil Negrete*

To the Honorable Virginia Richter:

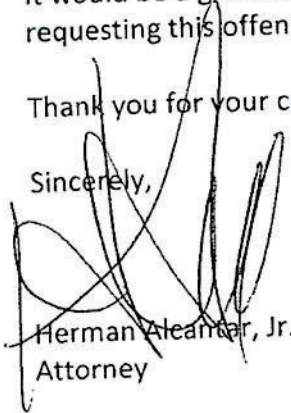
I have known Mr. Negrete for approximately 10 years. We currently practice law in the same office and during this time I have witnessed his maturation from legal assistant to attorney. During this time, Mr. Negrete raised his young daughter while working full time and attending law school. Mr. Negrete has worked hard for what he has achieved. Mr. Negrete is very passionate about his work and his family. Over these 10 years Mr. Negrete has married and fathered another daughter.

This offense has impacted his life in many ways on both a professional and personal level. This experience will not be easily forgotten by Mr. Negrete or his family. Mr. Negrete's daughter was present when he was stopped, arrested and questioned by detectives regarding this incident.

It would be a great loss for Mr. Negrete and his family if he were not able to practice law. I am requesting this offense be designated a misdemeanor.

Thank you for your consideration.

Sincerely,


Herman Alcantar, Jr.
Attorney

November 30, 2012

Commissioner Virginia Richter
Maricopa County Superior Court
175 West Madison Street, SCT 2A
Phoenix, Arizona 85003

Re: *Gil Negrete*
Character Reference

Honorable Commissioner Richter:

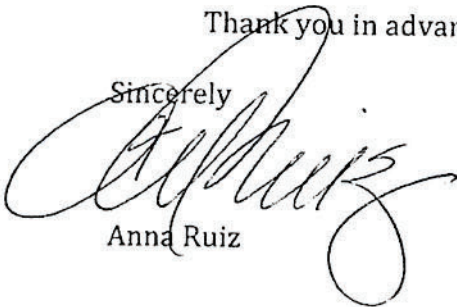
My name is Anna Ruiz and I have known Gil Negrete for approximately 12 years. During those 12 years I have known him on a professional and personal level. I have been employed by Herman Alcantar, Jr., for the past 19 years and have had the opportunity to work with Mr. Negrete in the same office suite. During this time I have known him while he was working as a legal assistant to the time he accomplished his goal of becoming an attorney with his own practice.

When I first met Mr. Negrete he was working as a legal assistant, going to school and raising his daughter on his own. Mr. Negrete has demonstrated that he is very ambitious in his work whether it was just working as a legal assistant and now in his own practice. He has worked very hard to achieve his goals in the workplace and with his family. Mr. Negrete is married and has two daughters. Both of his children display the love and good upbringing that Gil and Trina provide to them. My family and I have participated with Trina and Gil in family gatherings and other events which has allowed me to know him at a personal level as well. Gil has always tried to make everyone happy and is a caring person. This good characteristic has also opened the door to allow individuals to take advantage of him and then in turn make the wrong decisions.

For the past year I have seen the toll that it has taken on Mr. Negrete and the stress he deals with everyday regarding this circumstance. I truly believe that it has impacted both himself and his family and he has learned a great deal through this entire process. I am asking that you please give Mr. Negrete the chance to continue his passion with allowing him to his practice and continue to be a productive attorney to our court system and community.

Thank you in advance for your consideration.

Sincerely


Anna Ruiz

Melissa Medina

3837 E. Joan De Arc Ave, Phoenix, AZ 85032

(602)312-5484

Honorable Commissioner Virginia Richter:

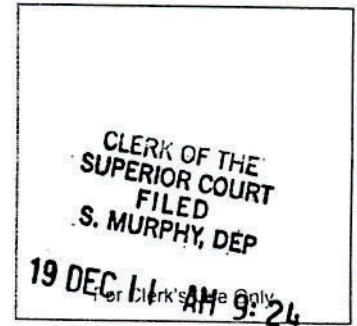
My name is Melissa Medina, I work as a legal secretary for Alcantar & Associates and we share office space with Gil Negrete and his staff. In the 3 years that I have worked for Alcantar & Associates I have had the pleasure of getting to know and interact with Gil and his family.

I can say that during these three years I have really had the opportunity get to know what an amazing person Gil is, one of the qualities that struck me first about him is the incredible relationship he has with his 2 girls. We have had many discussions about the struggles of raising a family and I always admired his dedication to his oldest daughter even as a single father in law school. Still today with a growing practice and all the hours he dedicates to his practice, his wife and new 1 year old baby girl he still shows her the same dedication, love and attention that she needs, and this has set the foundation for the growth of the wonderful young woman she has become. She is happy, intelligent and ambitious a mirror of her father and his love for her. He is also a wonderful father to his new baby girl, he often works late so he can spend the morning with her, give his wife a break or make her feel better when she is not feeling well. He talks about her with such pride and shows her off any time she is visiting at the office. These are qualities that show someone's true character, and watching Gil with his girls shows the loving, compassionate and dedicated person that he truly is.

Many of the conversations we have had over the years have been about the struggles of becoming the successful person that he has while raising a daughter and working through law school. We have often talked about how much he values his practice and all the things he wishes to achieve. Because of this I can say that it took great strength and humility on his behalf to accept this letter from me. I have witnessed the pain and humiliation that he has experienced through this process, not to mention the fear of losing everything that he has worked so hard for. I know this experience has shaken his world and could only have made him a better person and I believe whole heartily that he deserves the opportunity to continue to do what he loves and has worked so hard to achieve.

Sincerely,

Melissa Medina



**SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY**

STATE OF ARIZONA,
Plaintiff
-vs-

Case Number: CR2011-007580-003

GIL NEGRETE
Defendant (First, MI, Last)
Date of Blrth: 9/17/1976

**ORDER REGARDING APPLICATION TO
SET ASIDE CONVICTION and
RESTORATION OF GUN RIGHTS**

Based on the information presented to the Court, THE COURT FINDS THAT: (only those items marked)

The prosecutor has received a copy of the Application to Set Aside Conviction.

- The Defendant **has met** all of the statutory requirements for the application; OR
- The Defendant **has not met** all of the statutory requirements for the application.
- The Defendant was convicted of a criminal offense not eligible to be set aside due to:
 - a dangerous offense.
 - an offense for which the person is required or ordered by the court to register pursuant to A.R.S. § 13-3821.
 - an offense for which there has been a finding of sexual motivation pursuant to A.R.S. § 13-118.
 - an offense in which the victim is a minor under fifteen years of age.
 - an offense in violation of section 28-3473, any local ordinance relating to stopping, standing, or operation of a vehicle, or title 28, chapter 3, except a violation of section 28-693 or any local ordinance relating to the same subject matter as section 28-693.

IT IS ORDERED:

- GRANTING** the application setting aside the judgment of guilt, dismissing the complaint, information, or indictment, and that the applicant be released from all penalties and disabilities resulting from the conviction except those imposed by:
 - a. The Department of Transportation pursuant to A.R.S. §§ 28-3304, 28-3305, 28-3306, 28-3307, 28-3308, 28-3312, and 28-3319.
 - b. The Game and Fish Commission pursuant to A.R.S. §§ 17-314 or 17-340.

The applicant's right to possess a gun or firearm is also restored.

OR

The applicant's right to possess a gun or firearm is **DENIED** due to the applicant's conviction for a serious offense as defined in Section 13-706.

DENYING: the application to set aside conviction for the following reasons:

The Defendant **has not met** all statutory requirements for the application.

The Defendant was convicted of a criminal offense not eligible for a conviction to be set aside.

Other reasons: Nature of offense.

DATED this 6 day of December, 2019.



Judicial Officer

Commissioner Annelaurie Van Wie