

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

FILED IN MY OFFICE THIS
MAY 07 2015 11:31A
J. Flores
CLERK DISTRICT COURT

Case #: D-202-CR-2013-02753
Hon. Jacqueline Flores

STATE OF NEW MEXICO,

Plaintiff,

vs.

JOHN PEREA,

Defendant.

ORDER OF CONDITIONAL DISCHARGE

THIS MATTER having come before the Court on April 30, 2015, the State represented by Brandon R. Toensing, Special Prosecutor, the Defendant appearing personally and through his attorney Nicole Moss, the Defendant having entered a plea of Guilty on February 19, 2015 to Count 1, Fraud (over \$20,000), Count 3, Fraud (over \$20,000), Count 5, Fraudulent Sale of a Security (Securities Fraud), and the lesser-included of Count 7, Embezzlement (over \$2,500 but under \$20,000), all occurring on or between the dates of March 3, 2008 and December 28, 2008, and the Court being otherwise fully advised of the circumstances:

IT IS HEREBY ORDERED THAT, without adjudication of guilt, further proceedings be deferred pursuant to NMSA 1978 Section 31-20-13 (Com.Supp. 1996), and the Defendant be placed on supervised probation for five (5) years, under the following conditions:

Defendant shall pay restitution in full to all named victims, per state law and the Plea and Disposition Agreement, in the following amounts: Paul Cheng – \$280,000; Ann Knight – \$120,000;

Thomas Stark – \$40,000; and Gary Pierson – \$42,050. The Defendant shall execute promissory notes for each victim reflecting the amount owed and a promise to repay. Probation shall be transferred to the Defendant's resident county, Valencia County. The Defendant must fully comply with all aspects of Probation, especially regarding establishing and fulfilling a restitution plan. The Defendant shall have no contact with the victims, except to facilitate repayment for restitution. The Defendant must maintain full-time employment. The Defendant is permitted to travel around New Mexico and out of state for work purposes and for his daughter's school or athletic functions only. The Defendant shall not solicit investments of any kind for five (5) years. Probation costs shall be waived. Defendant must comply with all other terms of probation or the Plea and Disposition agreement. Only upon a showing that restitution has been fully made to each victim, the Defendant shall have his probation converted to unsupervised for the remaining time period. STEPS is authorized.

IT IS FURTHER ORDERED that, if probation is revoked and an adjudication of guilt is entered, defendant shall receive credit for one (1) day presentence confinement against the sentence imposed.



Hon. Jacqueline Flores
DISTRICT JUDGE

APPROVED



Brandon R. Toensing,
Prosecuting Attorney

electronic approval 5/4/15
Nicole Moss,
Attorney for the Defendant