



U.S. Department of Justice

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PRESS RELEASE

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FORMER GOVERNOR OF PUEBLO OF TESUQUE **PLEADS GUILTY TO EMBEZZLING TRIBAL FUNDS**

On December 16, 2010, **Joseph Marvin Herrera**, 75, entered a guilty plea to embezzling and theft of tribal funds before United States Magistrate Judge Lorenzo F. Garcia. Herrera, an enrolled member of and the former governor of the Pueblo of Tesuque, entered his plea under a plea agreement with the United States Attorney's Office. Although Herrera pleaded guilty to an offense punishable by up to five-years imprisonment, the plea agreement stipulates that Herrera will not serve prison time due to his medical conditions, which include advanced rectal cancer. Instead, Herrera agreed to pay full restitution of \$242,560 to the Pueblo of Tesuque, the victim of his crime, and to serve either a sentence of probation or home confinement.

United States Attorney Kenneth J. Gonzales said that Herrera embezzled and stole a total of \$242,560 from the Pueblo of Tesuque by making 24 separate ATM withdrawals from the Pueblo's bank account between June 23, 2008 and August 15, 2008. According to the plea agreement, as a former governor of the Pueblo of Tesuque, Herrera was an authorized signer on the account. Herrera admitted that he was not authorized to make these 24 withdrawals and that

he used the proceeds for his own personal purposes. The plea agreement reflects, for example, that Herrera used part of the embezzled funds to purchase a two vehicles and to pay for airline tickets to Bakersfield, CA, Hawaii and Phoenix. Herrera also gave thousands of dollars to relatives and friends.

This case was investigated by the Federal Bureau of Investigation, and is being prosecuted by Assistant United States Attorney Cynthia L. Weisman.

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