



**PRESS RELEASE**

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**For Immediate Release**

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**RIO RANCHO, N.M., WOMAN SENTENCED TO PRISON  
FOR AGGRAVATED IDENTITY THEFT CONVICTION**

ALBUQUERQUE – This morning, a federal judge sentenced Donna Gabaldon, 41, of Rio Rancho, N.M., to a two-year term of imprisonment for her aggravated identity theft conviction. Gabaldon will be on supervised release for a year after she completes her prison sentence. She also was ordered to pay \$141, 233.57 in restitution to the victims of her criminal conduct. Gabaldon was ordered to surrender to a federal correctional institution to be designated by the U.S. Bureau of Prisons within 60 days to begin serving her prison sentence.

On March 28, 2012, Gabaldon and her co-defendant, Shelly Nichols, 42, of Albuquerque, N.M., were charged in a 60-count indictment alleging identity theft; passing counterfeit checks with the intent to deceive bank officials; and aggravated identity theft.

On May 25, 2012, Gabaldon pled guilty to two counts of aggravated identity theft under a plea agreement with the U.S. Attorney's Office. In her plea agreement, Gabaldon admitted that, from Oct. 2009 through June 2010, she and Nichols cashed fake payroll checks at Walmart stores throughout New Mexico, Arizona, Utah, Colorado and Texas. According to the plea agreement, Nichols created fake drivers' licenses with false names, addresses and license numbers that had photographs of herself or Gabaldon on them. Nichols also created fake checks made payable to the individuals identified in the fake drivers' licenses. Nichols and Gabaldon then used the fake drivers' licenses to cash the fake checks at Walmart stores. When cashing the fake checks, Gabaldon used the social security numbers of real people who did not know she was using their social security numbers and had not given her permission to do so. Gabaldon asserted that she gave Nichols half of the money that she obtained from cashing the fake checks.

Nichols has entered a not guilty plea to the indictment. She is on conditions of release under pretrial supervision pending her trial, which is currently scheduled for Nov. 5, 2012. Charges in indictments are only accusations, and all criminal defendants are presumed innocent unless proven guilty beyond a reasonable doubt.

The case was investigated by the U.S. Secret Service, and is being prosecuted by Assistant U.S. Attorney Cynthia L. Weisman.

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