

FILEDUNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

JAN 6 2026

MITCHELL R. ELFERS
CLERKIN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MAX JARAMILLO,

Defendant.

CRIMINAL NO. 26-27KWRCounts 1-2: 18 U.S.C. § 1343: Wire
Fraud; andCounts 3-5: 29 U.S.C. § 501(c):
Embezzlement by an Officer of a Labor
Organization.INDICTMENT

The Grand Jury charges:

General Allegations

1. From on or about approximately January 1, 2014, and continuing through to on or about February 1, 2024, **MAX JARAMILLO** was the treasurer of National Postal Mail Handler's Union, Local 331 ("the Union").

2. The Union is a labor organization as defined under 29 U.S.C. § 402(i).

3. The treasurer of the Union occupies a position of trust and owes fiduciary duties to the Union and its members, including the duties to hold the Union's money and property solely for the benefit of the organization and its members and to manage, invest, and expend the same in accordance with its constitution and bylaws; and, to account to the organization for any profit received by him in whatever capacity in connection with transactions conducted by him or under his direction on behalf of the organization. 29 U.S.C. § 501(a).

4. The Union had a statutory obligation to file an annual report with the Secretary of Labor, called a form LM-3 Labor Organization Annual Report, signed by the treasurer and other

officers that, among other things, required the Union to accurately disclose its financial condition and operations for the preceding fiscal year, to include, among other things, salary, allowances, and other direct and indirect disbursements (including reimbursed expenses) to each union officer. 29 U.S.C. § 431(b).

Counts 1-2

5. The General Allegations are re-alleged and incorporated by reference as though fully set forth therein.

6. From on or about January 5, 2015, and continuing through to on or about November 28, 2023, in Bernalillo County, in the District of New Mexico, and elsewhere, the defendant, **MAX JARAMILLO**, with intent to defraud, knowingly and unlawfully devised and intended to devise a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, promises, and omissions, and for the purpose of executing and attempting to execute the scheme and artifice caused writings, signs, and signals to be transmitted by means of wire communications in interstate commerce.

The Scheme and Artifice

7. **MAX JARAMILLO's** scheme and artifice consisted of using his position as the Union's treasurer to access the Union's funds and to spend those funds on unauthorized personal expenses, to include using the Union's funds to buy, among other things, alcohol, cigarettes, condoms, personal meals, and hotel rooms.

8. As part of the scheme and artifice, **MAX JARAMILLO** falsely represented to the Department of Labor via annual union reports that the Union's funds were used only for authorized union expenses when in fact **MAX JARMILLO** used some of the Union's funds for his personal expenses.

9. As part of the scheme and artifice, **MAX JARAMILLO** failed to report to the Union's members and to the Department of Labor pursuant to the Union's required annual Union reports the nature and purpose of some of the Union's disbursements and that the nature and purpose of some of the Union's disbursements were to himself for personal purchases and such omissions were material.

Execution of the Scheme: Counts 1-2

10. On or about the dates listed below, in the District of New Mexico, and elsewhere, the defendant, **MAX JARAMILLO**, for the purpose of executing and in order to effect the above-described scheme and artifice to defraud and to obtain money and property by way of materially false and fraudulent pretenses, representations, and promises, knowingly transmitted and caused to be transmitted by means of wire communications in interstate commerce any writings, signs and signals as approximately described below:

<u>Count</u>	<u>On or About Date</u>	<u>Description</u>
1	March 15, 2023	Form LM-3 Labor Organization Annual Report electronic submission
2	March 15, 2022	Form LM-3 Labor Organization Annual Report electronic submission

In violation of 18 U.S.C. § 1343.

Counts 3-5

11. The General Allegations are re-alleged and incorporated by reference as though fully set forth therein.

12. On or about the dates alleged below, in Bernalillo County, in the District of New Mexico, and elsewhere, the defendant, **MAX JARAMILLO**, being an officer of a labor organization, that is, the treasurer of the Union, embezzled, stole, and unlawfully and willfully

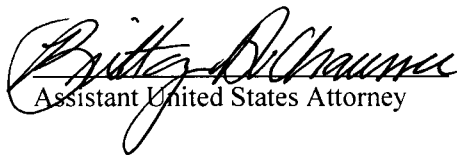
abstracted and converted to his own use, and the use of another, any of the moneys, funds, securities, property, and other assets of that labor organization as generally described below:

<u>Count</u>	<u>On or About Date</u>	<u>Description</u>	<u>Amount</u>
3	July 1, 2022	Woodford Reserve Kentucky Straight Bourbon Whiskey	\$49.98
4	November 3, 2021	Glenmorangie Original 10 Years Old Single Malt Scotch Whisky	\$44.27
5	January 13, 2021	Marl Lt King Pk	\$25.08

In violation of 29 U.S.C. § 501(c).

A TRUE BILL:

ISI
FOREPERSON OF THE GRAND JURY


Assistant United States Attorney