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JUSTICE
FALLON

1 Case No. 14 CR 00260

2 Dept. No. _____

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6 **IN THE JUSTICE COURT OF NEW RIVER TOWNSHIP**
7 **IN AND FOR THE COUNTY OF CHURCHILL, STATE OF NEVADA**

9 THE STATE OF NEVADA,)
10)
11) Plaintiff,)
12)
13) vs.)
14)
15) TAL PIERRE SMITH,)
16)
17) Defendant.)

CRIMINAL COMPLAINT

18 The undersigned, Wayne A. Fazzino, based upon the attached declaration, complains and
19 charges the above-named defendant, TAL PIERRE SMITH, with having committed the following
20 crimes within the County of Churchill, State of Nevada: MISCONDUCT OF A PUBLIC OFFICER, a
21 Category E felony in violation of NRS 197.110 and NRS 193.019; FRAUDULENT APPROPRIATION
22 OF PROPERTY, a Category D felony in violation of NRS 197.210 and NRS 193.019; and THEFT, a
23 Category B felony in violation of NRS 205.0832 and NRS 205.0835(4) (Four Counts).

24 **COUNT I**

25 **MISCONDUCT OF PUBLIC OFFICER,**
26 **a Category E felony in violation of NRS 197.110 and NRS 193.019.**

27 That the defendant, TAL PIERRE SMITH, a public officer, without lawful authority, did
28 willfully and feloniously employ or use any money or property under his official control or direction, or
in his official custody, for the private benefit or gain of the public officer or another, to wit: That on or
between January 1, 2010, and December 31, 2013, while employed by the State of Nevada, Department
of Transportation, located at 888 Harrigan Road, Fallon, Nevada, SMITH engaged in unauthorized
transactions involving the financial accounts of the Nevada Department of Transportation ("NDOT"),

1 whereby property, including, but not limited to, goods and equipment, was acquired using funds and/or
2 associated purchase accounts belonging to NDOT, but never delivered to the possession of NDOT, and
3 instead was diverted for the use of the defendant or third parties for sale or private use, and/or simply
4 was never received by NDOT. SMITH acquired said property in his capacity as a purchasing agent for
5 and employee of NDOT.

6 **COUNT II**

7 **FRAUDULENT APPROPRIATION OF PROPERTY,**
8 **a Category D felony in violation of NRS 197.210 and NRS 193.019.**

9 That the defendant, TAL PIERRE SMITH, a public officer, fraudulently appropriated to his own
10 use or to the use of another person, or secreted with the intent to appropriate to such a use, any money,
11 evidence of debt or other property entrusted to the officer by virtue of his office, said property
12 amounting to more than \$650, to wit: That on or between January 1, 2010, and December 31, 2013,
13 while employed by the State of Nevada, Department of Transportation (“NDOT”), located at
14 888 Harrigan Road, Fallon, Nevada, SMITH engaged in unauthorized transactions involving the
15 financial accounts of NDOT, whereby property, including, but not limited to, goods and equipment, was
16 acquired using funds and/or associated purchase accounts belonging to NDOT, but never delivered to
17 the possession of NDOT, and instead was diverted for the use of the defendant or third parties for sale
18 or private use, and/or simply was never received by NDOT. Through defendant’s scheme, SMITH
19 fraudulently appropriated approximately \$250,639.11 in money and/or property.

20 **COUNT III**

21 **THEFT—AMOUNT \$3,500 OR MORE,**
22 **a Category B felony in violation of NRS 205.0832 and NRS 205.0835(4).**

23 That on or between January 1, 2010, and December 31, 2010, at 888 Harrigan Road, in Fallon,
24 Churchill County, Nevada, the defendant, TAL PIERRE SMITH, controlled any property of another
25 person with the intent to deprive that person of the property; and/or converted, made an unauthorized
26 transfer of an interest in, or without authorization controlled any property of another person, or used the
27 services or property of another person entrusted to him or placed in his possession for a limited,
28 authorized period of determined or prescribed duration or for a limited use; and/or obtained real,

1 personal or intangible property or the services of another person by a material misrepresentation with
2 intent to deprive that person of the property or services; and/or came into control of lost, mislaid or
3 misdelivered property of another person under circumstances providing means of inquiry as to the true
4 owner and appropriated that property to his own use or that of another person without reasonable efforts
5 to know that the property was stolen, to wit: That on or between January 1, 2010, and December 31,
6 2010, defendant, an employee of the State of Nevada, Department of Transportation, located at
7 888 Harrigan Road, Fallon, Nevada, engaged in unauthorized transactions involving the financial
8 accounts of the Nevada Department of Transportation ("NDOT"), whereby property, including, but not
9 limited to, goods and equipment, was acquired using funds and/or associated purchase accounts
10 belonging to NDOT, but never delivered to the possession of NDOT, and instead was diverted for the
11 use of the defendant or third parties for sale or private use, and/or simply was never received by NDOT.
12 Defendant engaged in a scheme of acquiring property, falsifying and/or altering invoices and/or other
13 purchase documents in order to conceal the names of the items he purchased and/or to misrepresent the
14 source of the work order, and ultimately selling, pawning, or retaining said property.

15 The fraudulent transactions in which defendant engaged between January 1, 2010, and
16 December 31, 2010, amounted to more than \$3,500, totaling approximately \$55,006.46.

17 **COUNT IV**

18 **THEFT—AMOUNT \$3,500 OR MORE,**
19 **a Category B felony in violation of NRS 205.0832 and NRS 205.0835(4).**

20 That on or between January 1, 2011, and December 31, 2011, at 888 Harrigan Road, in Fallon,
21 Churchill County, Nevada, the defendant, TAL PIERRE SMITH, controlled any property of another
22 person with the intent to deprive that person of the property; and/or converted, made an unauthorized
23 transfer of an interest in, or without authorization controlled any property of another person, or used the
24 services or property of another person entrusted to him or placed in his possession for a limited,
25 authorized period of determined or prescribed duration or for a limited use; and/or obtained real,
26 personal or intangible property or the services of another person by a material misrepresentation with
27 intent to deprive that person of the property or services; and/or came into control of lost, mislaid or
28 misdelivered property of another person under circumstances providing means of inquiry as to the true

1 owner and appropriated that property to his own use or that of another person without reasonable efforts
2 to know that the property was stolen, to wit: That on or between January 1, 2011, and December 31,
3 2011, defendant, an employee of the State of Nevada, Department of Transportation, located at
4 888 Harrigan Road, Fallon, Nevada, engaged in unauthorized transactions involving the financial
5 accounts of the Nevada Department of Transportation ("NDOT"), whereby property, including, but not
6 limited to, goods and equipment, was acquired using funds and/or associated purchase accounts
7 belonging to NDOT, but never delivered to the possession of NDOT, and instead was diverted for the
8 use of the defendant or third parties for sale or private use, and/or simply was never received by NDOT.
9 Defendant engaged in a scheme of acquiring property, falsifying and/or altering invoices and/or other
10 purchase documents in order to conceal the names of the items he purchased and/or to misrepresent the
11 source of the work order, and ultimately selling, pawning, or retaining said property.

12 The fraudulent transactions in which defendant engaged between January 1, 2011, and
13 December 31, 2011, amounted to more than \$3,500, totaling approximately \$70,766.22.

14 COUNT V

15 THEFT—AMOUNT \$3,500 OR MORE, 16 a Category B felony in violation of NRS 205.0832 and NRS 205.0835(4).

17 That on or between January 1, 2012, and December 31, 2012, at 888 Harrigan Road, in Fallon,
18 Churchill County, Nevada, the defendant, TAL PIERRE SMITH, controlled any property of another
19 person with the intent to deprive that person of the property; and/or converted, made an unauthorized
20 transfer of an interest in, or without authorization controlled any property of another person, or used the
21 services or property of another person entrusted to him or placed in his possession for a limited,
22 authorized period of determined or prescribed duration or for a limited use; and/or obtained real,
23 personal or intangible property or the services of another person by a material misrepresentation with
24 intent to deprive that person of the property or services; and/or came into control of lost, mislaid or
25 misdelivered property of another person under circumstances providing means of inquiry as to the true
26 owner and appropriated that property to his own use or that of another person without reasonable efforts
27 to know that the property was stolen, to wit: That on or between January 1, 2012, and December 31,
28 2012, defendant, an employee of the State of Nevada, Department of Transportation, located at

1 888 Harrigan Road, Fallon, Nevada, engaged in unauthorized transactions involving the financial
2 accounts of the Nevada Department of Transportation (“NDOT”), whereby property, including, but not
3 limited to, goods and equipment, was acquired using funds and/or associated purchase accounts
4 belonging to NDOT, but never delivered to the possession of NDOT, and instead was diverted for the
5 use of the defendant or third parties for sale or private use, and/or simply was never received by NDOT.
6 Defendant engaged in a scheme of acquiring property, falsifying and/or altering invoices and/or other
7 purchase documents in order to conceal the names of the items he purchased and/or to misrepresent the
8 source of the work order, and ultimately selling, pawning, or retaining said property.

9 The fraudulent transactions in which defendant engaged between January 1, 2012, and
10 December 31, 2012, amounted to more than \$3,500, totaling approximately \$68,500.53.

11 **COUNT VI**

12 **THEFT—AMOUNT \$3,500 OR MORE,**
13 **a Category B felony in violation of NRS 205.0832 and NRS 205.0835(4).**

14 That on or between January 1, 2013, and December 31, 2013, at 888 Harrigan Road, in Fallon,
15 Churchill County, Nevada, the defendant, TAL PIERRE SMITH, controlled any property of another
16 person with the intent to deprive that person of the property; and/or converted, made an unauthorized
17 transfer of an interest in, or without authorization controlled any property of another person, or used the
18 services or property of another person entrusted to him or placed in his possession for a limited,
19 authorized period of determined or prescribed duration or for a limited use; and/or obtained real,
20 personal or intangible property or the services of another person by a material misrepresentation with
21 intent to deprive that person of the property or services; and/or came into control of lost, mislaid or
22 misdelivered property of another person under circumstances providing means of inquiry as to the true
23 owner and appropriated that property to his own use or that of another person without reasonable efforts
24 to know that the property was stolen, to wit: That on or between January 1, 2013, and December 31,
25 2013, defendant, an employee of the State of Nevada, Department of Transportation, located at
26 888 Harrigan Road, Fallon, Nevada, engaged in unauthorized transactions involving the financial
27 accounts of the Nevada Department of Transportation (“NDOT”), whereby property, including, but not
28 limited to, goods and equipment, was acquired using funds and/or associated purchase accounts

1 belonging to NDOT, but never delivered to the possession of NDOT, and instead was diverted for the
2 use of the defendant or third parties for sale or private use, and/or simply was never received by NDOT.
3 Defendant engaged in a scheme of acquiring property, falsifying and/or altering invoices and/or other
4 purchase documents in order to conceal the names of the items he purchased and/or to misrepresent the
5 source of the work order, and ultimately selling, pawning, or retaining said property.

6 The fraudulent transactions in which defendant engaged between January 1, 2013, and
7 December 31, 2013, amounted to more than \$3,500, totaling approximately \$56,365.90.

8 All of which is contrary to the form, force and effect of the statutes in such cases, made and
9 provided, and against the peace and dignity of the State of Nevada.

10 Said complainant therefore desires that an arrest warrant be issued to said defendant, and that he
11 be dealt with according to law.

12 DATED this 8th day of April, 2014.

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SUBMITTED BY:

CATHERINE CORTEZ MASTO
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MICHELLE G

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JUSTICE
FALLOP

Case No. 14 CR 00260

Dept. No. _____

IN THE JUSTICE COURT OF NEW RIVER TOWNSHIP
IN AND FOR THE COUNTY OF CHURCHILL, STATE OF NEVADA

THE STATE OF NEVADA,)
)
) Plaintiff,)
)
) vs.)
)
) TAL PIERRE SMITH,)
)
) Defendant.)

**DECLARATION OF
PROBABLE CAUSE IN SUPPORT
OF CRIMINAL COMPLAINT AND
WARRANT OF ARREST**

I, Wayne A. Fazzino, hereby state, based upon personal knowledge and/or information and belief, that the assertions of this declaration are true:

1. That your declarant is a Criminal Investigator employed by the Office of the Attorney General. Pursuant to my employment, I obtained facts or knowledge of circumstances related to the offenses of Misconduct of a Public Officer, a Category E felony in violation of NRS 197.110 and NRS 193.019; Fraudulent Appropriation of Property, a Category D felony in violation of NRS 197.210 and NRS 193.019; and Theft (Four Counts), a Category B felony in violation of NRS 205.0832 and NRS 205.0835(4), having been committed in Churchill County, Nevada. This knowledge was obtained through an interview with defendant Tal Pierre "Pete" Smith ("SMITH"), interviews with witnesses from the Nevada Department of Transportation ("NDOT"), my review of memoranda and supporting documentation provided by NDOT, and my own investigation, as follows:

2. That on October 10, 2013, I was assigned a state employee misconduct investigation involving SMITH, a Supply Technician II, employed with NDOT, District II, Reno, Nevada. SMITH was assigned to NDOT's Equipment Bureau facility at 888 Harrigan Road in Fallon, Nevada.

...

Office of the Attorney General
100 North Carson Street
Carson City, Nevada 89701-4717

1 3. That pursuant to his employment, SMITH was assigned a State of Nevada Procurement
2 Card (VISA) reflecting account number 4246 0441 0145 2005. The expiration date is 3/15, and the
3 Tax Exemption number on the card is 88-6000022. The card lists the name "Pete Smith NDOT."

4 4. That NDOT provided information to indicate SMITH used his assigned NDOT credit
5 card to purchase tools and equipment that cannot be accounted for. This matter came to the attention of
6 NDOT during the week of October 7, 2013, when a chainsaw was delivered to NDOT's Fallon facility
7 while SMITH was on a hunting vacation. When NDOT questioned the purchase, it was discovered the
8 invoice had been altered to reflect that the Maintenance Shop initiated the order. Additionally, the
9 reflected purchase item was for a chop saw, not a chainsaw, and therefore more in line with NDOT's
10 purchase tendencies.

11 5. That on October 10, 2013, NDOT provided me with an Equipment Division
12 memorandum listing "questionable purchases" made by SMITH during September 2013. Attached to
13 the list were supporting documents identifying each purchase item.

14 6. That on October 11, 2013, I spoke with Catherine "Kathy" Black, an auditing manager
15 with the Equipment Division at NDOT's Reno offices, located at 310 Galletti Way, Sparks, Nevada.
16 Black informed me she is involved in the audit of SMITH's purchases. She also indicated she would
17 continue to audit SMITH's purchases in order to provide an accurate restitution list.

18 7. That on October 14, 2013, I met with Gary Erskine at NDOT, 888 Harrigan Road,
19 Fallon, Nevada. Erskine is a Highway Equipment Mechanic Supervisor I in NDOT's Fallon
20 Maintenance Bureau. He agreed to provide me with an overview of NDOT's Equipment Bureau and
21 Maintenance Bureau at the Fallon location. He informed me that SMITH is one of two Equipment
22 Bureau purchasing employees assigned and housed at NDOT's Fallon location. The Equipment Bureau
23 offices are located across the parking lot from the Maintenance Bureau building where Erskine and the
24 mechanics are housed. Erskine noted that he and the assigned mechanics requisition equipment and
25 parts directly from SMITH and the other purchasing employee.

26 8. That Erskine described the ordering process for parts and equipment as follows:

27 a. The Maintenance Bureau requests parts from the Equipment Bureau by office
28 requisition;

1 b. Upon receipt of a request, SMITH or Rhonda Stauverman, the other purchasing
2 employee, call distributors and locate, order and pay for the necessary parts and equipment;

3 c. Upon receipt by the Equipment Bureau, the equipment is then given to the
4 requestor after the requestor signs for the purchases/inventory;

5 d. Invoices and credit card receipts are subsequently forwarded to the District II
6 Equipment Bureau in Reno for reconciliation.

7 9. That Erskine and I reviewed Black's memorandum listing questionable purchases made
8 by SMITH. In discussing Item 14, a laptop, Erskine explained he was aware of said purchase because
9 SMITH brought the laptop to him at the end of April or early May 2012, and requested he both remove
10 and install various software programs onto the laptop. SMITH told Erskine he was giving the laptop to
11 his daughter Amber Smith (now married) who resides in Wells, Nevada. Erskine explained he was not
12 aware at the time that the laptop was purchased with NDOT funds. Following our meeting, I went to
13 Wal-Mart at 1550 Newlands Drive East, Fernley, Nevada, and with the receipt confirmed the laptop
14 purchase by SMITH. A Wal-Mart manager verified that the laptop was a Hewlett-Packard product.

15 10. That on October 14, 2013, I called Hewlett-Packard to determine if a product warranty
16 card was on file for serial number 5CB2013U57. Customer relations informed me they have no
17 customer information connected to that serial number.

18 11. That on October 23, 2013, I called SMITH and advised him I had been assigned to
19 investigate allegations that he purchased and used NDOT property for his personal use. SMITH
20 acknowledged the allegations. I asked him if he was represented by an attorney, and he informed me
21 that he was not. SMITH indicated he wanted to resolve these matters on his own in order to get this
22 situation behind him. SMITH agreed to an interview.

23 12. That on October 24, 2013, I interviewed SMITH in my office. He again confirmed he
24 wanted to resolve all his NDOT issues and to assist with my investigation. After apprising SMITH of
25 the allegations, I had him sign a Voluntary Statement indicating he was not represented by legal counsel
26 and was voluntarily speaking with me. Together we reviewed an INFORM OF AND WAIVER OF
27 RIGHTS document. SMITH read the document line by line and initialed each line. SMITH informed
28 me he understood his rights and did not want an attorney to be present before or during questioning.

1 13. That SMITH confirmed he attended an NDOT personnel interview on October 17, 2013,
2 during which he was asked questions surrounding the “questionable purchases” he made. SMITH
3 informed me he was truthful during the personnel interview and claimed he admitted using the
4 NDOT purchase card to purchase items that he kept for personal use and/or sold for gambling monies.

5 14. That although I informed SMITH he was not required to do so, SMITH agreed to release
6 all “protected” NDOT personnel records to assist me with this investigation. SMITH stated that he had
7 nothing to hide now. SMITH signed an AUTHORIZATION OF RELEASE OF INFORMATION
8 document.

9 15. That SMITH informed me he has a gambling problem and that he used the monies he
10 generated from NDOT purchases to fund his gambling addiction. He claimed that during the eleven
11 years he was with NDOT, he misused his assigned credit card for the past two and a half to three years.
12 He informed me he altered invoices to hide the name of the items he purchased. He acknowledged he
13 gambled during work hours.

14 16. That SMITH informed me he continued to keep his purchases around the five-thousand
15 dollar (\$5,000) level because this was his NDOT purchase card limit. He informed me he would have
16 been questioned if his purchases had exceeded this amount. SMITH further informed me that he sold
17 most of the NDOT purchase items but did retain some tools at his residence. SMITH agreed to
18 surrender any items he had retained at his residence in order to reduce the restitution amount he
19 anticipated he would be assessed.

20 17. That SMITH informed me he pawned most of the items in the Fallon, Fernley, Dayton,
21 Carson City and Reno areas. He named many of the local pawn shops during our interview that were
22 subsequently confirmed and will be discussed further in this declaration. SMITH claimed he generally
23 obtained \$150 from items he pawned/sold that were valued between \$500 and \$600.

24 18. That SMITH also sold NDOT property vis-à-vis a Fallon, Nevada, radio talk show
25 program called the Trading Post (KVLV radio). SMITH listed NDOT property with the program and
26 they advertised the items on the air. SMITH claims prospective buyers would call his telephone

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1 number, and private arrangements were then made to exchange the property for cash. KVLV has since
2 informed me that they are unable to verify any of SMITH's transactions due to their old computer
3 system.

4 19. That SMITH informed me his daughter, Amber Smith, had possession of the Hewlett
5 Packard laptop at her home in Wells, Nevada. He informed me that although she was initially unaware
6 the laptop was stolen property, he has since had a conversation with her informing her that the laptop is
7 actually NDOT property. On December 5, 2013, SMITH brought the laptop to the Attorney General's
8 Office at which time he was given a Property Receipt.

9 20. That on October 29, 2013, I spoke with Detective Jerry Edwards at the Fallon Police
10 Department. Detective Edwards provided me with a leadsonline.com document listing pawn and
11 secondhand store transactions from January 2011 to present in the name of Tal Pierre Smith,
12 5065 Caleb Drive, Fallon, Nevada. Approximately seventy-six (76) transactions were listed on this
13 document, including the identification of the various businesses where the transactions had occurred. I
14 provided a copy of this document to NDOT to assist them in connecting NDOT property to pawned
15 property.

16 21. That on November 1, 2013, I met with SMITH at his residence for the purpose of
17 collecting any NDOT property he had retained at his home. I received the following NDOT tools and
18 property from the back of a truck parked in SMITH's yard:

- | | | | |
|----|----|---|-----------------------|
| 19 | a. | One Husqvarna Chain Saw | DHVXS0565AA |
| 20 | b. | One Husqvarna Chain Saw Orange Box | No serial number |
| 21 | c. | One Milwaukee Cordless Combo 6 Tool Set | 2696-26 |
| 22 | d. | Two Milwaukee Wet Dry Vacuum[s] | Red Box and Brown Box |
| 23 | e. | One Milwaukee Cordless Grinder | 2680-20 |
| 24 | f. | One Milwaukee Cordless Compact Wrench | 2652-20 |
| 25 | g. | One DeWalt Circular Saw | DC390b |
| 26 | h. | One Milwaukee Battery Pack | 48-11-1811 |
| 27 | i. | One Milwaukee Jobsite Radio | 2790-20 |
| 28 | j. | One Gear Wrench 4 PC Scraper Set | 840066 |

- 1 k. One Gear Wrench Screwdriver Set 80066
- 2 l. One Grainger Rubber Weather Stripping 5MFNO
- 3 m. One Impact Socket Set 1504-FW
- 4 n. Two AST Sealant Tape Rolls 3PDL9
- 5 o. Three Dorite Weather Stripping Rolls 2X595

6 22. That prior to leaving SMITH's property, I recorded the above-listed items on an evidence
7 sheet, which SMITH acknowledged by signature. I gave him a yellow carbon copy of the evidence
8 sheet. With Attorney General Special Investigator Dainelle Harris' assistance, I booked all items for
9 safekeeping later in the day in the Attorney General's Evidence Room.

10 23. That SMITH also provided me with a folder that contained NDOT invoices he retained
11 while he was on vacation and following his termination. Black subsequently told me that these invoices
12 assisted the auditing team with the identification of items SMITH purchased with his NDOT credit card.

13 24. That in comparing the HP laptop serial number, 5CB2013W57, found on the inside of
14 the laptop, to the serial number on the Wal-Mart receipt, I discovered the receipt had been altered to
15 reflect the letter "U" in place of the letter "W." On December 10, 2013, I called the Wal-Mart in
16 Fernley and confirmed the laptop that was purchased there had the same serial number as the laptop
17 received from SMITH, 5CB2013W57.

18 25. That following my meeting at SMITH's house on November 1, 2013, I provided all the
19 invoices I had received to Superintendent Mike Stair in Reno, Nevada, to be used in NDOT's protracted
20 audit and for purposes of reconciling questionable invoices and purchases.

21 26. That Black has continually kept me apprised as to the status of the NDOT audit. On
22 November 19, 2013, Black called to inform me the audit team had completed the audit of SMITH's
23 purchases for all of 2013 and for June through December 2012. The total amount of all purchases at
24 this time, and therefore the total loss to NDOT, was approximately \$89,544.73. On December 4, 2013,
25 I received an email from Black indicating the audit of SMITH's questionable purchases now totaled
26 \$125,002.43.

27 27. That on December 13, 2013, I met with Black in Reno to review the list of questionable
28 purchases and the results of the audit. I observed that the supporting invoices and purchase orders for

1 the audit were contained in a long line of banker boxes. Black noted that SMITH consistently made
2 alterations to purchase documents to either mask the true identity of the purchased item or to indicate
3 the item had originated from a non-related work order.

4 28. That on December 20, 2013, I spoke with Black in reference to the leadsonline.com
5 documents. She informed me purchase invoices in her possession revealed SMITH did not pawn many
6 of the items he purchased with his NDOT credit card. There was also some indication SMITH may
7 have purchased construction materials to remodel a bathroom. Black further informed me the total loss
8 to NDOT now exceeded \$150,000.

9 29. That on December 31, 2013, Black called to inform me that the total loss to NDOT from
10 May 2011 through 2013 was approximately \$173,000.

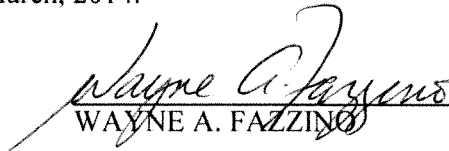
11 30. That on February 7, 2014, I received an email from NDOT Equipment Superintendent
12 Michael Stair informing me that the NDOT audit staff had completed the purchasing review related to
13 SMITH. I received an updated spreadsheet with the email and was directed to contact Michael Stair or
14 Joe Crawford, NDOT Auditor II, with any questions concerning the audit. The final audit total from
15 January 2010 through December 2013 was \$250,639.

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1 31. That your declarant believes that there is probable cause to believe that the crimes of
2 Misconduct of a Public Officer, a Category E felony in violation of NRS 197.110 and NRS 193.019;
3 Fraudulent Appropriation of Property, a Category D felony in violation of NRS 197.210 and
4 NRS 193.019; and Theft (four counts), a Category B felony in violation of NRS 205.0832 and
5 NRS 205.0835(4), have been committed and, therefore, requests that a warrant be issued for
6 TAL PIERRE SMITH, and that he be dealt with according to the law.

7 Pursuant to NRS 53.045, declarant herein certifies, under penalty of perjury, that the foregoing is
8 true and correct.

9 Executed on this 18th day of March, 2014.

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13 WAYNE A. FAZZINO

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23 **SUBMITTED BY:**
24 CATHERINE CORTEZ MASTO
25 Attorney General
26 ABIGAIL JAQUETTE MORAN
27 Deputy Attorney General
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Carson City, Nevada 89701-4717
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