



Office of the City Clerk  
P.O. Box 1293  
Albuquerque, NM 87103  
Phone (505) 924-3650 Fax (505) 924-3660  
www.cabq.gov/clerk

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CITY CLERK

State of New Mexico )

) s.s.

County of Bernalillo )

### COMPLAINT FORM

1. Complainant's Information			
Last Name Holguin		First Name Neri	
Mailing Address [REDACTED]	City Albuquerque	State NM	Zip Code [REDACTED]
Daytime Phone Number (include area code) [REDACTED]	Email Address neriholguin@gmail.com		

2. Respondent's Information			
Last Name Gonzales III		First Name Manuel	
Mailing Address [REDACTED]	City Albuquerque	State NM	Zip Code [REDACTED]
Daytime Phone Number (include area code) [REDACTED] (per his contact sheet)	Email Address manny@mannyforabq.com		

3. If Respondent is a Candidate, the office or position sought
Mayor of Albuquerque

4. Has this complaint been filed with any law enforcement agencies? If so, list all agencies and attach copies of all complaints submitted. Additional pages may be attached to this form if the space provided below is not adequate.

No.

5. Describe in reasonable detail the alleged violation(s), including the Section(s) or Part(s) of the Election Code, Code of Ethics, Open and Ethical Elections Code, or Rules and Regulations of the Board of Ethics or City Clerk that you believe were violated, explain how you believe the Election Code, Code of Ethics, Open and Ethical Elections Code, or Rules and Regulations of the Board of Ethics or City Clerk were violated, the date of the alleged violation(s), and include any other pertinent information. Additional pages may be attached to this form if the space provided below is not adequate.

**Violation: Submission of fraudulent qualifying contributions.**

On Thursday, May 27, 2021 at a meeting of the Salvation Army Advisory Board, Bernalillo County Sheriff and candidate for Mayor of Albuquerque, Manuel Gonzales III was soliciting petition signatures and \$5 contributions in his bid to qualify for the ballot and for public financing of his campaign.

After Sheriff Gonzales had addressed the Board, the Sheriff's deputies accompanying Mr. Gonzales asked the members of the Board to sign the petition permitting Mr. Gonzales to appear on the ballot as a candidate for mayor. They also asked those present to sign a book reflecting that they had provided Qualifying Contributions to enable Mr. Gonzales to qualify for public financing.

As requested, Salvation Army Advisory Board member Dean Zantow filled out a receipt reflecting that he had provided a Qualifying Contribution. At that point, Mr. Zantow asked Sheriff Gonzales, " Am I supposed to give you \$5?" In response, Sheriff Gonzales responded, " No, we'll cover that." Mr. Zantow did not give Mr. Gonzales or anyone associated with his campaign a \$5 Qualifying Contribution. See his attached statement.

Sheriff Gonzales signed and dated the Qualifying Contribution book as a "Collecting Representative." See a copy of his qualifying contribution.

On Tuesday, June 1, Sheriff Gonzales' campaign submitted the Qualifying Contribution receipt book to the Albuquerque City Clerk office to be counted towards his public financing requirements.

The specific provisions or parts of the Code of Ethics (Article XII) or Election Code (Article XIII) of the City Charter we believe have been violated are:

NMSA 1978, § 1-19-34.3(A): " It is unlawful for a person to make a contribution in the name of another person, and no person shall knowingly accept a contribution made by one person in the name of another person."

2021 Regulations of the Albuquerque City Clerk for the Election Code Part I(1): " No person may make a Contribution in the name of another person or knowingly permit his or her name to be used to accomplish such a Contribution. No person may knowingly accept a Contribution made by one person in the name of another. The contributor identified in reports submitted to the City Clerk must be the actual source of funds for the Contribution."

2021 Regulations of the Albuquerque City Clerk for the Open and Ethical Elections Code Part C(6) " Applicant Candidates are responsible for assuring that receipts are fully and correctly filled out ... All \$5 Qualifying Contributions must be paid by the contributor; if the funds are provided by any person other than the contributor who is listed on the receipt, the Qualifying Contribution will be deemed fraudulent."

2021 Regulations of the Albuquerque City Clerk for the Open and Ethical Elections Code Part C(17) " The certification of a Participating Candidate may be revoked at any time if the City Clerk determines that the candidate or an agent of the candidate ... submitted any fraudulent Qualifying Contributions or Qualifying Contributions that were not made by the named contributor, and the Participating Candidate knew or should have known of the fraudulence."

6. Describe the inquiry undertaken regarding the alleged violation. Additional pages may be attached to this form if the space provided below is not adequate.

**I spoke with Mr. Dean Zantow about the Salvation Army event on May 27, 2021. Mr. Zantow volunteered to sign a statement attesting to the events of that day.**

7. List and attach evidence that supports your allegations, including but not limited to:
  - a. The names/telephone numbers of persons whom you believe may be witnesses to the facts;
  - b. A copy or picture of any political advertisement(s) Complainant references;
  - c. A copy of each document the Complainant references; and
  - d. Any other evidence supporting your allegations.

Additional pages may be attached to this form if the space provided below is not adequate.

**A.**

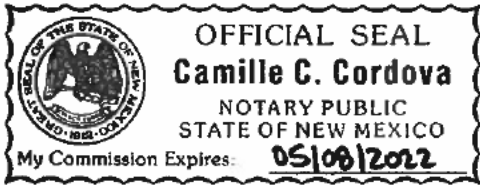
**Sheriff Manuel Gonzales III, 6721 Conrad Ave. NW, Albuquerque, NM 87120.**

**Dean Zantow, 35 Plaza San Blas NE, Albuquerque, NM 87109, 505/269-6941.**

**B.**

- 1. Mr. Zantow's signed statement about the events that transpired on May 27, 2021.**
- 2. Copy of the \$5 Qualifying receipt signed on May 27, 2021 by Sheriff Manuel Gonzales and Dean Zantow.**
- 3. Signed statement from April 9, 2021 from Manuel Gonzales acknowledging his familiarity with the City Charter Election codes and regulations as a candidate for Mayor.**

I, Neri Holguin, hereby swear and affirm under penalty of perjury that, to the best of my knowledge, information, and belief, formed after a reasonable inquiry under the circumstances, each factual contention of this Complaint is supported by evidence.



Neri Holguin  
Complainant (Signature)

Neri Holguin  
Print or type name of Complainant

Sworn or affirmed before me, the undersigned authority by \_\_\_\_\_ this 7 day of June 2021.

Camille C. Cordova  
Notary Public

**If, after a reasonable inquiry under the circumstances, you are unable to certify that certain specifically identified factual contentions of the Complaint are supported by evidence, you may certify as follows:**

I, Neri Holguin, hereby swear and affirm under penalty of perjury that, to the best of my knowledge, information, and belief, there are grounds to conclude that the specifically identified factual contentions of this Complaint are likely to be supported by evidence after a reasonable opportunity for further inquiry

\_\_\_\_\_  
Complainant (Signature)

\_\_\_\_\_  
Print or type name of Complainant

Sworn or affirmed before me, the undersigned authority by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Notary Public

**All exhibits or attachments referenced in the complaint must be included with the Complaint.**



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**Candidate Acknowledgment of Familiarity with Codes and Required Disclosures**

I declare and acknowledge that I am familiar with the City Charter's Election Code, Rules and Regulations of the Board of Ethics and Campaign Practices relating to the Election Code of the City Charter as amended to date, and the 2021 Regulations of the Albuquerque City Clerk, and acknowledge receipt of same, and that notifications mailed or delivered at the address below will be deemed to have been received by me.

Name of Candidate: Manvel Gonzales III  
 Address: [REDACTED] Albuquerque, NM [REDACTED]  
 Telephone Numbers: Home [REDACTED] Work [REDACTED]  
 Email Address: m3gonzales@comcast.net  
 Secondary Contact: Dolores Gonzales-Limon

I elect to receive notices from the Office of the City Clerk via email to the following address(es):  
mannyformayor2021@gmail.com and/or limon@g.com

I further declare and acknowledge that as a candidate for elective office I must file Eleven (11) Disclosure Statements of Campaign Financing with the City Clerk as required by Section 4(c)2 of Article XIII of the City Charter no later than 5:00 p.m. on the following days. I will not be required to file a statement on days that occur prior to my intent to become a candidate filed with the City Clerk.

- |                     |                            |
|---------------------|----------------------------|
| First Statement:    | Monday, April 12, 2021     |
| Second Statement:   | Monday, May 11, 2021       |
| Third Statement:    | Monday, June 14, 2021      |
| Fourth Statement:   | Monday, July 12, 2021      |
| Fifth Statement:    | Monday, August 9, 2021     |
| Sixth Statement:    | Monday, September 13, 2021 |
| Seventh Statement:  | Monday, October 11, 2021   |
| Eighth Statement:   | Monday, October 18, 2021   |
| Ninth Statement:    | Monday, October 25, 2021   |
| Tenth Statement:    | Monday, November 1, 2021   |
| Eleventh Statement: | Thursday, December 2, 2021 |

**\*BEGINNING OCTOBER 29, 2021, CANDIDATES MUST REPORT CONTRIBUTIONS AND EXPENDITURES OVER \$500.00 BY 5:00 P.M. OF THE FOLLOWING DAY\***



**CITY OF ALBUQUERQUE**

Qualifying \$5 Contribution Receipt  
Make \$5 check payable to CAOEE Fund.  
Cash is accepted.

MANUEL GONZALES III  
 Name of Candidate (Please print)

Check one  Mayor  Council # \_\_\_\_\_

Nonrefundable Contribution of \$5 only, is made from my funds to qualify the above named candidate. I will not be compensated in any way for this contribution.

Dea Zenteno  
 Name of Contributor (Please print)

85 Plaza Sol Rialto  
 Albuquerque Address of Contributor as shown on Voter Registration Rolls (No P.O. Box)      # \_\_\_\_\_ Council District

Dea Zenteno  
 Signature of Contributor

MANUEL GONZALES III  
 Representative Collecting Contribution (Print Name)

[Signature]  
 Signature of Representative

Amount Contributed      \$5.00

5, 27, 2021  
Date of Contribution

## **STATEMENT OF DEAN ZANTOW**

I, Dean Zantow, do hereby attest to the following facts:

1. My name is Dean Zantow.
2. I reside at 35 Plaza San Blas NE, Albuquerque, New Mexico.
3. I am a member of the Salvation Army Advisory Board and, on May 27, 2021,

attended an in-person meeting of that Board.

4. Manuel Gonzales III also attended the May 27, 2021 meeting as an invited guest. Mr. Gonzales was accompanied by two other representatives of the Bernalillo County Sheriff's Office.

5. After Mr. Gonzales has addressed the Board, the men accompanying Mr. Gonzales asked the members of the Board to sign the petition permitting Mr. Gonzales to appear on the ballot as a candidate for mayor. They also asked those present to sign a book reflecting that they had provided Qualifying Contributions to enable Mr. Gonzales to qualify for public financing.

6. As requested, I filled out a receipt reflecting that I had provided a Qualifying Contribution.

7. At that point, I asked Mr. Gonzales, "Am I supposed to give you \$5."

8. In response, Mr. Gonzales responded, "No, that's OK, we'll cover that."

9. I did not give Mr. Gonzales or anyone associated with his campaign a \$5 Qualifying Contribution.

10. I understand that Mr. Gonzales submitted the receipt that I filled out, reflecting that I had provided a \$5 Qualifying Contribution, to the City Clerk's Office.



  
Dean Zantow

06.06.2021  
Date