



STATE OF NEW MEXICO

MARY HERRERA
SECRETARY OF STATE

DON FRANCISCO TRUJILLO II
DEPUTY SECRETARY OF STATE

October 4, 2008

Mr. Jerome D. Block, Jr.
1308 Lejano Lane
Santa Fe, NM 87501

Dear Mr. Block:

Please be advised that we are conducting a preliminary inquiry to determine the propriety of an investigation. Contained within the documentation we have to date, there appears to be conflicting information. E-mail correspondence between yourself and David Giuliani of the La Vegas Optic dated September 24, 2008, implies that you were untruthful about money you spent from the Public Election Fund toward an expenditure in your campaign. We hereby give you the opportunity to clarify the information contained within this particular correspondence and ask that you advise us accordingly in writing. In the event that possible irregularities exist with other expenditures related to the Public Election Fund and your Public Regulation Commission District 3 Campaign Reports, we will appreciate your informing us in writing as well.

Be advised that pursuant to Section 1-2-2(E) NMSA 1978, the Secretary of State's Office shall "report possible violations of the Election Code of which the secretary of state has knowledge to the district attorney or the attorney general for prosecution" and Section 1-19-34.6(A) NMSA 1978, "If the secretary of state reasonably believes that a person committed or is about to commit, a violation of the campaign reporting act [1-19-25 NMSA 1978], the secretary of state shall refer the matter to the attorney general or a district attorney for enforcement." In addition, Section 1-19A-9(D) NMSA 1978, "Certified candidates shall report expenditures according to the campaign reporting requirements specified in the Election Code [1-1-1 NMSA 1978]" and Section 1-19A-7(D) NMSA 1978, "A certified candidate shall return to the secretary, within thirty days after the primary election, any amount that is unspent or unencumbered by the date of the primary election for direct deposit into the fund."

Your response is required no later than Friday, October 10, 2008 by 5:00 PM. If you have any questions I may be reached at 575.741.0909.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Francisco Trujillo II".

Don Francisco Trujillo II
Deputy Secretary of State

C: Hon. Mary Herrera, Secretary of State
Zack Shandler, Assistant Attorney General, SOS Legal Counsel