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House Ethics Complaint

55th Legislature - STATE OF NEW MEXICO - Second Session, 2022

State of New Mexico
County of
Signed and sworn to (or affirmed) before me on
Date
By
Name of individual making statement
Signature of notarial officer
Stamp
Title of office
New Mexico notary public commission number and date of commission expiration:

A COMPLAINT RELATING TO ETHICS; SEEKING THE DISCIPLINING OF A HOUSE
MEMBER

A statement with reasonable particularity of the relevant facts upon which the charges are based,
to allow the house to balance the various interests involved - including the particular needs of the
house, fairness to an accused member and regard for potential criminal prosecutions and the
criminal justice system.

Joseph Cervantes was the member of the State of New Mexico House of Representatives,
District: 52; County: Doña Ana; Service: Representative from 2001-2012 (Senator since 2013)

1 SECTION 1. JOSEPH CERVANTES, a member of the House of Representatives, District 52;
2 County: Dona Ana; Legislator since 2001-2012.
3 Occupation: Attorney
4 Address: 901 E. University Ave., Suite 965L
5 Las Cruces, NM 88001

6

7 DESCRIPTION OF THE MEMBERS' CONDUCT:

8 Member enters into a contract, an agreement or transaction having a value of more than one
9 thousand dollars (\$1,000), with a state agency for lease of a building; and, makes a knowing and
10 willful violation of the provisions by failing to make full disclosure of real or potential conflicts
11 of interest.

12

13 LAWS ALLEGED TO BE VIOLATED:

14 House Rules 26-1

15 Chapter 10, Article 16 NMSA 1978 Governmental Conduct Act

16 10-16-3. Ethical principles of public service; certain official acts prohibited; penalty.

17 Chapter 10, Article 16A NMSA 1978 Financial Disclosure Act

18 Procurement Code

19

20 EVIDENCE WITH EXHIBIT A

21

22 CERVANTES III, LTD.

23 LESSEE/AGENCY: NEW MEXICO SPACEPORT AUTHORITY

1 Summary Data for Spaceport Authority at 901 E. University Ave., 925 Unit 2E, Las Cruces, NM
2 Facility Code 07 998 10-034
3 Lease
4 Lease Record: 10-034
5 Lease term - From: 11/17/2010
6 Lease term - To: 11/16/2011
7 Years Remaining on Lease: 0.50 of < 1 Year
8 Have Options to Extend: Yes for 2-6Mo
9 Current rental payment - Per month: \$3,368.27
10 Current rental payment - Per year: \$40,419.18
11 \$ per FTE Per Year: \$5,052.00
12 Administrative
13 Agency: Spaceport Authority
14 Agency Number: 495
15 Respondent: Christine Anderson
16 Email: Christine.Anderson@state.nm.us
17 Owner/Lessor
18 Owner/Lessor Name: Cervantes III, Ltd.
19 Lessee/Agency: New Mexico Spaceport Authority
20 Phone Number: 575-373-6110
21 Business Unit: 49500
22 Lessor Address: 901 E. University Ave, 925 Unit 2E, Las Cruces
23 Lessor County: Dona Ana

1 Facility
2 Building Name:
3 Total leasable square footage: 3,126
4 Current number of employees (full-time and part-time) in the facility: 8
5 SF to Current Total EEs: 391
6 Other agencies/private sector occupants: New Mexico Spaceport Authority Board
7 Number of FTE vacancies in the facility: 7
8 Projected FTE's for FY 2012: 15
9 SF to Projected FY 2012 Total EEs: 208
10 Projected FTE's for FY 2013: 15
11 Projected FTE's for FY 2014: 12
12 Current leasable square footage under lease, by program: 3126 as of April 15, 2011
13 Leasable SF by funding source: 3126 as of April 15, 2011
14 Any space sub-leased: No -
15 Use Category: Office
16 Primary Space Use: Office - General
17
18 CITE
19 State of New Mexico Leased Buildings Details. Dona Ana County. State of New Mexico
20 Inventory of Facilities and Properties 2012.
21

1 Internet access 03/12/21, URL:
2 <https://www.arcforms.info/nmfacilities2/facilities/leasedbuildinginfo.php?lrn=10-034&lat=32.283810&lng=-106.758018>

4
5 EVIDENCE WITH EXHIBIT B

6
7 Entity Details

8 Business ID#: 1702992

9 Status: Active

10 Entity Name: CERVANTES III, LTD. CO.

11 Entity Type and State of Domicile

12 Entity Type: Domestic Limited Liability Company

13 State of Incorporation: New Mexico

14 Statute Law Code: 53-19-1 to 53-19-74

15 Formation Dates

16 Date of Organization in NM: 12/22/1994

17 Registered Agent Information

18 Name: K. JOSEPH CERVANTES

19

20 CITE

21 CERVANTES III, LTD. CO., Business ID#: 1702992. Search Information, Corporations and

22 Business Services, Secretary of State, NM. Internet access January 25, 2022. URL:

23 <https://portal.sos.state.nm.us/BFS/online>

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