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| COUNTY COURT, GRAND COUNTY, STATE OF COLORADO  Grand County Judicial Center  307 Moffat Avenue, PO Box 192  Hot Sulphur Springs, CO 80451  970-725-3357 | **COURT USE ONLY** |
| **THE PEOPLE OF THE STATE OF COLORADO**  **vs.**  **JAMES LESLIE NEWBERRY ,**  Defendant |
| Bruce I. Brown, #24294, District Attorney, Fifth Judicial District  Appointed Special Prosecutor  Post Office Box 2000  Georgetown, CO 80444  Phone Number: 303-679-2448  Fax: 303-569-2757  E-ma[il: bbrown@da5.us](mailto:bbrown@da5.us) | Case No:  Div: Courtroom: |
| **COMPLAINT AND INFORMATION** | |

**CHARGES**: **3**

**COUNT 1: ATTEMPT TO INFLUENCE A PUBLIC SERVANT, C.R.S. 18-8-306 (F4){24051}**

**COUNT 2: EMBEZZLEMENT OF PUBLIC PROPERTY, C.R.S. 18-8-407 (F5){24132} COUNT 3: FIRST DEGREE OFFICIAL MISCONDUCT, C.R.S. 18-8-404 (M2){24101}**

Bruce I. Brown, District Attorney for the Fifth Judicial District, of the State of Colorado, in the name and by the authority of the People of the State of Colorado, acting as Appointed Special Prosecutor, informs the court of the following offenses committed, or triable, in the County of Grand:

**COUNT 1-ATTEMPT TO INFLUENCE A PUBLIC SERVANT (F4)**

The defendant, James Leslie Newberry unlawfully and feloniously attempted to influence Treasurer, and his or her representatives, County of Grand, a public servant, by means of deceit, with the intent thereby to alter or affect the public servant's decision, vote, opinion, or

action concerning a matter which was to be considered or performed by the public servant or the agency or body of which the public servant was a member; in violation of section 18-8-306, C.R.S.

**COUNT 2-EMBEZZLEMENT OF PUBLIC PROPERTY (F5)**

The defendant James Leslie Newberry, a public servant in possession of public monies or public property, the property of County of Grand, a political subdivision of the State of Colorado, unlawfully, feloniously, and knowingly converted the public monies or property to his own use or to a use other than the public use authorized by law; in violation of section 18-8-407, C.R.S.

**COUNT 3-FIRST DEGREE OFFICIAL MISCONDUCT (M2)**

The defendant, James Leslie Newberry, a public servant, committed the offense of First Degree Official Misconduct, CRS 18-8-404(1)(a), a class 2 misdemeanor, by knowingly committing an act relating to his offices, Commissioner, Grand County and Board Member, Colorado River District, with intent to obtain a benefit for himself.

In particular, in support of each Count, 1, 2 and 3, the following acts occurred:

In the County of Grand, State of Colorado, the defendant, James Leslie Newberry, submitted claims for auto mileage reimbursement for single instances of travel, to and from both offices and their attendant functions for Grand County,and the Colorado River District, and made mileage claims exceeding the actual amount incurred and/or exceeding allowable limits as permitted by law and/or, submitted duplicate claims for reimbursement; and/or

In the County of Grand, State of Colorado, the defendant, James Leslie Newberry, a public servant, relating to any one or all of his offices, Commissioner, Grand County and Council Member, Northwest Colorado Council of Governments (NWCCOG) by submitting to Grand County claims for auto mileage reimbursement for instances of travel for official functions of NWCCOG which he did not attend.

On the following dates travel was claimed to have occurred and/or claims were submitted for reimbursement:

Date

Mileage reported CRWCD

Mileage reported Grand County

CRWCD Paid @ per mile

Grand County paid @ per mile

Grand County Payment

1/20/2009 244.5 230 $0.55 $134.55 $0.57 $131.11

3/26/2009 80 $0.57 $45.60 NWCCOG

4/21/2009 230 230 $0.55 $126.50 $0.57 $131.11

4/23/2009 173 $0.57 $98.61 NWCCOG

10/21/2009 230 240 $0.55 $126.50 $0.57 $136.80

11/23/2009 $1,223.20

1/19/2010 230 240 $0.50 $115.00 $0.57 $136.80

4/20/2010 240 240 $0.50 $120.00 $0.57 $136.80

7/20/2010 240 240 $0.50 $120.00 $0.57 $136.80

9/15/2010 240 240 $0.50 $120.00 $0.57 $136.80

4/20/2011 230 240 $0.51 $117.30 $0.57 $136.80

7/20/2011 240 240 $0.55 $133.20 $0.57 $136.80

9/14/2011 420 410 $0.55 $233.10 $0.57 $233.70

10/19/2011 230 240 $0.55 $127.65 $0.57 $136.80

1/17/2012 240 240 $0.55 $132.00 $0.57 $136.80

4/16/2012 230 240 $0.55 $127.65 $0.57 $136.80

9/11/2012 181 260 $0.55 $100.00 $0.57 $148.20

9/12/2012 181 298 $0.55 $100.00 $0.57 $169.86

12/6/2012 173 $0.57 $98.61 NWCCOG

1/15/2013 240 240 $0.55 $132.00 $0.57 $136.80

3/8/2013 230 240 $0.57 $131.11 $0.57 $136.80

4/16/2013 240 240 $0.57 $132.00 $0.57 $136.80

7/16/2013 240 240 $0.57 $136.80 $0.57 $136.80

9/13/2013 600 520 $0.57 $339.00 $0.57 $296.40

All offenses against the peace and dignity of the people of the State of Colorado. Bruce I. Brown, #24294

District Attorney, Appointed Special Prosecutor

By: Date: Bruce I. Brown, #24294

District Attorney, Appointed Special Prosecutor

**ENDORSED WITNESS LIST**

Jake Scott

Summit County District Attorney

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