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6 Attorneys for Plaintiff

7 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
8 **IN AND FOR THE COUNTY OF MARICOPA**

10 **THE STATE OF ARIZONA,**

11 *Plaintiff,*

12 **vs.**

13 **JOAQUIN FRANCO PEREZ**

14 **a/k/a. KINO FRANCO,**

15 *Defendant.*

No. _____

INDICTMENT

55 SGJ 44

CHARGING VIOLATIONS OF:

**COUNTS 1-3 : COMPUTER
TAMPERING**, a Class 4 Felony, in
violation of A.R.S. § 13-2316 (A) (2)

**COUNT 4: FRAUDULENT SCHEMES
AND ARTIFICES**, a Class 2 Felony, in
violation of A.R.S. § 13-2310

COUNT 5: THEFT, a Class 3 Felony, in
violation of A.R.S. § 13-1802

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20 The Arizona State Grand Jury accuses **JOAQUIN FRANCO PEREZ a/k/a KINO**
21 **FRANCO** charging that in or from Maricopa County, Arizona:

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23 **COUNT 1**

24 **COMPUTER TAMPERING**

25 On or about August 18, 2001, the defendant, **JOAQUIN FRANCO PEREZ a/k/a KINO**
26 **FRANCO**, acted without authority or exceeded his authorization of use, committed computer
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1 tampering by knowingly altering, damaging, or destroying computer programs or data in violation
2 of A.R.S. §§ 13-2316 (A) (2), 13-2301, 13-701, 13-702, 13-702.01, and 13-801

3 This conduct did occur when the defendant **JOAQUIN FRANCO PEREZ a/k/a KINO**
4 **FRANCO** acted without authority or exceeded his authorization of use, and knowingly altered,
5 damaged, or destroyed approximately 1539 files on the computer called Backoffice belonging to
6 VISIX Gaming, L.L.C.

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COUNT 2

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COMPUTER TAMPERING

10 On or about August 18, 2001, the defendant, **JOAQUIN FRANCO PEREZ a/k/a**
11 **KINO FRANCO**, acted without authority or exceeded his authorization of use, committed
12 computer tampering by knowingly altering, damaging, or destroying computer programs or
13 data in violation of A.R.S. §§ 13-2316 (A) (2), 13-2301, 13-701, 13-702, 13-702.01, and 13-
14 801.

15 This conduct did occur when the defendant **JOAQUIN FRANCO PEREZ a/k/a**
16 **KINO FRANCO** acted without authority or exceeded his authorization of use, and
17 knowingly altered, damaged, or destroyed approximately 1962 files on the computer called
18 Sandra belonging to VISIX Gaming, L.L.C.

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COUNT 3

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COMPUTER TAMPERING

22 On or about August 18, 2001, the defendant, **JOAQUIN FRANCO PEREZ a/k/a**
23 **KINO FRANCO**, acted without authority or exceeded his authorization of use, committed
24 computer tampering by knowingly altering, damaging, or destroying computer programs or
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1 data in violation of A.R.S. §§ 13-2316 (A) (2), 13-2301, 13-701, 13-702, 13-702.01, and 13-
2 801.

3 This conduct did occur when the defendant **JOAQUIN FRANCO PEREZ a/k/a**
4 **KINO FRANCO** acted without authority or exceeded his authorization of use, and
5 knowingly altered, damaged, or destroyed approximately 466 files on the computer called
6 OEMComputer belonging to VISIX Gaming, L.L.C.

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COUNT 4

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FRAUDULENT SCHEMES AND ARTIFICES

10 During a time period beginning June 1, 2001 and ending on or about August 18, 2001,
11 the defendant, **JOAQUIN FRANCO PEREZ a/k/a KINO FRANCO**, pursuant to a scheme
12 or artifice to defraud did knowingly obtain benefit by means of false or fraudulent pretenses,
13 representations, promises or material omissions in violation of A.R.S. §§ 13-2301, 13-2310,
14 13-301, 13-302, 13-303, 13-306, 13-701, 13-702, 13-702.01, and 13-801.

15 This occurred when the defendant **JOAQUIN FRANCO PEREZ a/k/a KINO**
16 **FRANCO** with the intent to defraud knowingly misrepresented to the owners of Visix
17 Gaming, L.L.C. that he intended to purchase or merge with their company when in fact he did
18 not, and as a result obtained access to Visix Gaming, L.L.C. materials, documents, assets or
19 funds to which he would not otherwise be entitled.

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COUNT 5

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THEFT

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24 During a time period beginning on or about June 1, 2001 and ending on or about August
25 18, 2001, the defendant, **JOAQUIN FRANCO PEREZ a/k/a KINO FRANCO**, obtained the
26 property of another by means of material misrepresentations with intent to deprive the other

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1 person of property, or obtained the property of another with the intent to deprive the other person
2 of such property, said property having a value of more than \$3,000.00 in violation of A.R.S. §§
3 13-1801, 13-1802, 13-301, 13-302, 13-303, 13-306, 13-701, 13-702, 13-702.01, and 13-801.

4 This occurred when the defendant, **JOAQUIN FRANCO PEREZ a/k/a KINO FRANCO**,
5 obtained funds from Visix Gaming, L.L.C. which were used to rent office space which was in fact
6 occupied by another business operated by **PEREZ**.

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8 Pursuant to A.R.S. § 21-425, the State Grand Jurors find that the offenses described
9 above were committed in Maricopa County, Arizona.

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11 TERRY GODDARD
12 Attorney General
13 State of Arizona

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14 TODD C. LAWSON
Assistant Attorney General

("True Bill")

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Date

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FOREPERSON OF THE GRAND JURY

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