

DISTRICT COURT, JEFFERSON COUNTY, COLORADO 100 Jefferson County Parkway Golden, CO 80401	DATE FILED February 2, 2024 11:03 AM FILING ID: 6C2345EF475FA CASE NUMBER: 2024CR417
THE PEOPLE OF THE STATE OF COLORADO Plaintiff. vs. MARTINEZ, DANIELLE MARIE, D.O.B. (05/21/1992) Defendant.	<input type="checkbox"/> COURT USE ONLY <input type="checkbox"/>
PHILIP J. WEISER, Attorney General DANIEL A. PIETRAGALLO, #41794 Senior Assistant Attorney General JOSHUA LISK, #56249 Assistant Attorney General Ralph L. Carr Colorado Judicial Center 1300 Broadway, 9th Floor Denver, CO 80203 (720) 508-6000	Case No: Div: Courtroom:
FELONY COMPLAINT AND INFORMATION	

CHARGES:

- COUNT ONE:** Theft – Series – \$5,000 - \$20,000, § 18-4-401(1)(a),(2)(g),
 C.R.S. (Class 5 Felony) [08A14]
- COUNT TWO:** Theft – Series – \$5,000 - \$20,000, § 18-4-401(1)(a),(2)(g),
 C.R.S. (Class 5 Felony) [08A14]
- COUNT THREE:** Cybercrime-Commit Theft - \$5,000 - \$20,000, 18-5.5-
 102(1)(d),(3)(a)(VI), C. R. S. (Class 5 Felony) [15039]
- COUNT FOUR:** Theft – Series – \$5,000 - \$20,000, § 18-4-401(1)(a),(2)(g),
 C.R.S. (Class 5 Felony) [08A14]

- COUNT FIVE:** Cybercrime-Commit Theft - \$5,000 - \$20,000, 18-5.5-102(1)(d),(3)(a)(VI), C. R. S. (Class 5 Felony) [15039]
- COUNT SIX:** Theft – Series – \$5,000 - \$20,000, § 18-4-401(1)(a),(2)(g), C.R.S. (Class 5 Felony) [08A14]
- COUNT SEVEN:** Cybercrime-Commit Theft - \$5,000 - \$20,000, 18-5.5-102(1)(d),(3)(a)(VI), C. R. S. (Class 5 Felony) [15039]
- COUNT EIGHT:** Attempt to Influence a Public Servant, § 18-8-306, C.R.S. (Class 4 Felony) [24051]
- COUNT NINE:** Filing a False Tax Return §39-21-118(4) C.R.S. (Class 5 Felony) [40024]
- COUNT TEN:** Filing a False Tax Return §39-21-118(4) C.R.S. (Class 5 Felony) [40024]
- COUNT ELEVEN:** Medicaid-False Claim - \$5,000 – 20,000 §24-31-808(1)(a),(3)(f) C.R.S. (Class 5 Felony) [53606]
- COUNT TWELVE:** Medicaid-Alter, Falsify, or Conceal Records § 24-31-808(1)(g)(I),(4) C.R.S. (Class 5 Felony) [53651]

Philip J. Weiser, Attorney General for the State of Colorado, in the name and by the authority of the People of the State of Colorado, pursuant to § 10-1-129, C.R.S. informs the court of the following offenses committed, or triable, in the County of Jefferson, State of Colorado:

COUNT ONE

Theft – Series – \$5,000 - \$20,000
C.R.S. 18-4-401(1)(a),(2)(g), F5

On or about and between May 17, 2020 and November 17, 2020, within the State of Colorado, with a date of discovery on or after December 6, 2021, Danielle Marie Martinez, unlawfully, feloniously, and knowingly obtained or exercised control over a thing of value, namely: money, of the Colorado Department of Labor and Employment (CDLE) twice or more within a period of six months, with an aggregate value of five thousand dollars or more but less than twenty thousand dollars, without authorization, or by threat or deception, and intended to deprive the victim permanently of its use or benefit; in violation of section 18-4-401(1)(a),(2)(g), C.R.S.

COUNT TWO

Theft – Series – \$5,000 - \$20,000
C.R.S. 18-4-401(1)(a),(2)(g), F5

On or about and between November 21, 2020 and May 7, 2021, within the State of Colorado, Danielle Marie Martinez, unlawfully, feloniously, and knowingly obtained or exercised control over a thing of value, namely: money, of the Colorado Department of Labor and Employment (CDLE) twice or more within a period of six months, with an aggregate value of five thousand dollars or more but less than twenty thousand dollars, without authorization, or by threat or deception, and intended to deprive the victim permanently of its use or benefit; in violation of section 18-4-401(1)(a),(2)(g), C.R.S.

COUNT THREE

Cybercrime – Commit Theft - \$5,000 - \$20,000
C.R.S. 18-5.5-102(1)(d),(3)(a)(VI), F5

On or about and between November 21, 2020 and May 7, 2021, within the State of Colorado, Danielle Marie Martinez, unlawfully, feloniously, and knowingly accessed a computer, computer network, or computer system, or any part thereof to commit theft, and the loss, damage, value of services, or thing of value taken, or cost of restoration or repair was five thousand dollars or more but less than twenty thousand dollars; in violation of section 18-5.5-102(1)(d),(3)(a)(VI), C.R.S.

COUNT FOUR

Theft – Series – \$5,000 - \$20,000
C.R.S. 18-4-401(1)(a),(2)(g), F5

On or about and between May 8, 2021 and October 25, 2021, within the State of Colorado, Danielle Marie Martinez, unlawfully, feloniously, and knowingly obtained or exercised control over a thing of value, namely: money, of the Colorado Department of Labor and Employment (CDLE) twice or more within a period of six months, with an aggregate value of five thousand dollars or more but less than twenty thousand dollars, without authorization, or by threat or deception, and intended to deprive the victim permanently of its use or benefit; in violation of section 18-4-401(1)(a),(2)(g), C.R.S.

COUNT FIVE

Cybercrime – Commit Theft - \$5,000 - \$20,000
C.R.S. 18-5.5-102(1)(d),(3)(a)(VI), F5

On or about and between May 8, 2021 and October 25, 2021, within the State of Colorado, Danielle Marie Martinez, unlawfully, feloniously, and knowingly accessed a computer, computer network, or computer system, or any part thereof to commit theft, and the loss, damage, value of services, or thing of value taken, or cost of restoration or repair was five thousand dollars or more but less than twenty thousand dollars; in violation of section 18-5.5-102(1)(d),(3)(a)(VI), C.R.S.

COUNT SIX

Theft – Series – \$5,000 - \$20,000
C.R.S. 18-4-401(1)(a),(2)(g), F5

On or about and between May 28, 2022 and November 21, 2022, within the State of Colorado, Danielle Marie Martinez, unlawfully, feloniously, and knowingly obtained or exercised control over a thing of value, namely: money, of the Colorado Department of Labor and Employment (CDLE) twice or more within a period of six months, with an aggregate value of five thousand dollars or more but less than twenty thousand dollars, without authorization, or by threat or deception, and intended to deprive the victim permanently of its use or benefit; in violation of section 18-4-401(1)(a),(2)(g), C.R.S.

COUNT SEVEN

Cybercrime – Commit Theft - \$5,000 - \$20,000
C.R.S. 18-5.5-102(1)(d),(3)(a)(VI), F5

On or about and between May 28, 2022 and November 21, 2022, within the State of Colorado, Danielle Marie Martinez, unlawfully, feloniously, and knowingly accessed a computer, computer network, or computer system, or any part thereof to commit theft, and the loss, damage, value of services, or thing of value taken, or cost of restoration or repair was five thousand dollars or more but less than twenty thousand dollars; in violation of section 18-5.5-102(1)(d),(3)(a)(VI), C.R.S.

COUNT EIGHT

Attempt to Influence a Public Servant
C.R.S. § 18-8-306, F4

On or about and between May 28, 2022 and November 21, 2022, within the State of Colorado, Danielle Marie Martinez unlawfully and feloniously attempted to influence CDLE Executive Director Joseph Barela and/or his employees and designees, 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 NINE

Filing a False Tax Return
C.R.S. § 39-21-118(4), F5

On or about January 30, 2022, within the State of Colorado, Danielle Marie Martinez, unlawfully, feloniously, and willfully made and subscribed a return, statement, or other document, which contained or was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of section 39-21-118(4), C.R.S.

COUNT TEN

Filing a False Tax Return
C.R.S. § 39-21-118(4), F5

On or about February 3, 2023, within the State of Colorado, Danielle Marie Martinez, unlawfully, feloniously, and willfully made and subscribed a return, statement, or other document, which contained or was verified by a written declaration that it was made under the penalties of perjury, and which the defendant did not believe to be true and correct as to every material matter; in violation of section 39-21-118(4), C.R.S.

COUNT ELEVEN

Medicaid-False Claim - \$5,000 – 20,000
C.R.S. § 24-31-808(1)(a),(3)(f), F5

Between and including September 19, 2019 and August 25, 2023, in the State of Colorado, Danielle Marie Martinez, unlawfully, feloniously, knowingly, and willfully, with intent to defraud, made a claim or caused a claim to be made, knowing the claim contained material information that is false, in whole or in part, by commission or omission, where the aggregate amount of payments illegally claimed or received is five thousand dollars or more but less than twenty thousand dollars in violation of section; in violation of 24-31-808(1)(a),(3)(f), C.R.S.

COUNT TWELVE

Medicaid-Alter, Falsify, or Conceal Records
C.R.S. § 24-31-808(1)(g)(I),(4), F5

Between and including September 19, 2019 and August 25, 2023, in the State of Colorado, Danielle Marie Martinez unlawfully, feloniously, knowingly, and willfully, having submitted a claim for or received payment for a good or a service under the Medicaid program, with the intent to prevent their disclosure and review by representatives of the state or their designees, altered, falsified, or concealed any records that are necessary to fully disclose the nature of all goods or services for which the claim was submitted or for which reimbursement was received in violation of section 24-31-808(1)(g)(I),(4) C.R.S.

All offenses against the peace and dignity of the People of the State of Colorado.

Philip J. Weiser
Attorney General,

By: /s/ Daniel Pietragallo Date: February 2, 2024
Daniel Pietragallo
Senior Assistant Attorney General