

DISTRICT COURT, CITY AND COUNTY OF  
DENVER, STATE OF COLORADO  
1437 Bannock Street  
Denver, CO 80202

THE PEOPLE OF THE STATE OF COLORADO,

Plaintiff,

v.

**DAVID WARFFELI**, individually and doing  
business as **THREE M TRUCKING**,

**WHIP-CO TRUCKING, LLC**,

**ADELINA WARFFELI**,

and

**ARSLAN SHAKSHAKPAEV**,

Defendants.

PHILIP J. WEISER, Attorney General  
MICHAEL J. MCCARTHY,  
Assistant Attorney General, Reg. No. 60025\*  
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Denver, CO 80203  
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\* Counsel of Record

Δ COURT USE ONLY Δ

Case No.:

GJ Case No.: 24CR0001

Courtroom: 259

**COLORADO STATE GRAND JURY INDICTMENT**

Of the 2024-2025 term of the Denver District Court in the year 2025; the 2024-2025 Colorado State Grand Jurors, chosen, selected and sworn in the name and by the authority of the People of the State of Colorado, upon their oaths, present the following:

COUNT 1      ATTEMPT TO INFLUENCE A PUBLIC SERVANT,  
C.R.S. 18-8-306 [F4] **24051**

COUNT 2      FORGERY OF A PUBLIC RECORD,  
C.R.S. 18-5-102(1)(D) [F5] **1001D**

- COUNT 3 CONSPIRACY TO COMMIT ATTEMPT TO INFLUENCE A PUBLIC SERVANT, C.R.S. 18-8-306, 18-2-201 [F5] **CON 24051**
- COUNT 4 CONSPIRACY TO COMMIT FORGERY OF A PUBLIC RECORD, C.R.S. 18-5-102(1)(D), 18-2-201 [F6] **CON 1001D**
- COUNT 5 PERJURY IN THE SECOND DEGREE, C.R.S. 18-8-503 [M2] **25022**
- COUNT 6 AIR QUALITY CONTROL ACT VIOLATION, C.R.S. 25-7-122.1(1)(b) [Unclassified Misdemeanor] **53071**

### INDEX OF COUNTS

<b>Defendant</b>	<b>Counts Applicable</b>
David Warffeli, individually and doing business as Three M Trucking	1-6
Whip-Co Trucking, LLC	1-2 and 5-6
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Arslan Shakshakpaev	3-4, 6

### COUNT 1

ATTEMPT TO INFLUENCE A PUBLIC SERVANT, C.R.S. 18-8-306 [F4] **24051**  
(Incident Nos. 1-23, Grand Jury Ex. 02 at Slides 11-108)

Between January 23, 2023 and August 30, 2024, in the State of Colorado, **DAVID WARFFELI**, individually and doing business as **THREE M TRUCKING**, and **WHIP-CO TRUCKING, LLC**, unlawfully and feloniously attempted to influence a public servant, namely, Jill Hunsaker Ryan, Executive Director of the Colorado Department of Public Health and Environment, and/or her agents, employees, and designees, 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

FORGERY OF A PUBLIC RECORD, C.R.S. 18-5-102(1)(D) [F5] **1001D**  
(Incident Nos. 1-23, Grand Jury Ex. 02 at Slides 11-108)

Between January 23, 2023, and August 30, 2024, in the State of Colorado, **DAVID WARFFELI**, individually and doing business as **THREE M TRUCKING**, and **WHIP-CO TRUCKING, LLC**, with the intent to defraud the Colorado Department of Public Health and Environment, unlawfully, feloniously, and falsely made, completed, altered, or uttered a written instrument that was or purported to be, or that was calculated to become or to represent if completed, a public record or an instrument, namely, a U.S. Environmental Protection Agency Method 27 Testing

Report, filed, required by law to be filed, or legally fileable in or with the Colorado Department of Public Health and Environment, a public office or public servant; in violation of section 18-5-102(1)(d), C.R.S.

**COUNT 3**

CONSPIRACY TO COMMIT ATTEMPT TO INFLUENCE A PUBLIC SERVANT,  
C.R.S. 18-8-306, 18-2-201 [F5] **CON 24051**  
(Incident Nos. 1-23, Grand Jury Ex. 02 at Slides 11-108)

Between January 23, 2023 and August 30, 2024, in the State of Colorado, **DAVID WARFFELI, ADELINA WARFFELI, ARSLAN SHAKSHAKPAEV**, and one or more persons known or unknown to the People and the Grand Jury, with the intent to promote or facilitate the commission of the crime of Attempt to Influence a Public Servant in the State of Colorado, unlawfully and feloniously agreed that one or more of the above named defendants would engage in conduct which constituted that crime, or agreed to aid the other person or persons in the planning or commission of that crime, and an overt act in pursuance of the conspiracy was as committed by one or more of the conspirators; in violation of sections 18-8-306 and 18-2-201, C.R.S.

**COUNT 4**

CONSPIRACY TO COMMIT FORGERY OF A PUBLIC RECORD,  
C.R.S. 18-5-102(1)(D), 18-2-201 [F6] **CON 1001D**  
(Incident Nos. 1-23, Grand Jury Ex. 02 at Slides 11-108)

Between January 23, 2023 and August 30, 2024, in the State of Colorado, **DAVID WARFFELI, ADELINA WARFFELI, ARSLAN SHAKSHAKPAEV**, and one or more persons known or unknown to the People and the Grand Jury, with the intent to promote or facilitate the commission of the crime of Forgery of a Public Record in the State of Colorado, unlawfully and feloniously agreed that one or more of the above named defendants would engage in conduct which constituted that crime, or agreed to aid the other person or persons in the planning or commission of that crime, and an overt act in pursuance of the conspiracy was committed by one or more of the conspirators; in violation of sections 18-8-306 and 18-2-201, C.R.S.

**COUNT 5**

PERJURY IN THE SECOND DEGREE, C.R.S. 18-8-503 [M2] **25022**  
(Incident Nos. 18-23, Grand Jury Ex. 02 at Slides 85-108)

Between December 11, 2023, and August 30, 2024, in the State of Colorado, **DAVID WARFFELI**, individually and doing business as **THREE M TRUCKING**, and **WHIP-CO TRUCKING, LLC**, with an intent to mislead a public servant in the performance of his or her duty, unlawfully made a materially false statement, namely: a falsified U.S. Environmental Protection Agency Method 27 Testing Report, which they did not believe to be true, under an oath required or authorized by law; in violation of section 18-8-503, C.R.S.

## COUNT 6

AIR QUALITY CONTROL ACT VIOLATION, C.R.S. 25-7-122.1(1)(b)

[Unclassified Misdemeanor] **53071**

(Incident No. 18-23, Grand Jury Ex. 02 at Slides 85-108)

Between December 11, 2023, and August 30, 2024, in the State of Colorado, **DAVID WARFFELI**, individually and doing business as **THREE M TRUCKING, WHIP-CO TRUCKING, LLC, ADELINA WARFFELI, ARSLAN SHAKSHAKPAEV**, and unlawfully and knowingly violated a requirement or prohibition of an applicable emission regulation of the Colorado Air Quality Control Commission, state implementation plan, regulation, and/or permit, in violation of section 25-7-122.1(1)(b), C.R.S.

## ESSENTIAL FACTS COMMON TO ALL COUNTS

The essential, but nonexclusive, facts in support of Counts 1 through 6 include the following:

1. Volatile organic compounds (hereinafter, “VOCs”) are gases that can be harmful to human health and the environment. State and federal regulations, including emission regulations by the Colorado Air Quality Control Commission (hereinafter, the “Commission”), require gasoline-transport companies to submit their tanker trucks for annual testing to ensure that VOCs are not released when transporting gasoline. These tests must follow the U.S. Environmental Protection Agency’s (hereinafter, “EPA”) Method 27 test procedures to confirm that gasoline-transport trucks are vapor tight via a pressure-vacuum test.

2. Commission regulations also require that the owner or operator of a gasoline-transport truck (a) annually certify to the Colorado Department of Public Health and Environment (hereinafter, “CDPHE”) that the truck has been tested by a third-party testing company, and (b) provide CDPHE with the results of those tests. CDPHE reviews the test results submitted for gasoline tankers and issues a state certification for each gasoline-transport truck that demonstrates compliance with annual EPA Method 27 testing requirements. Without certification from CDPHE, gasoline-transport trucks cannot be filled with gasoline at a refinery or bulk terminal refueling facility in Colorado or transport gasoline on Colorado roadways.

3. CDPHE maintains a website where gasoline-transport companies can submit EPA Method 27 testing results. The website requires the company to identify the name and email address of the person making the submission. CDPHE’s website also offers a blank form on CDPHE letterhead into which EPA Method 27 test results can be entered. The form can be signed either by the testing company or the owner/operator of the gasoline-transport truck. Use of a CDPHE form is not required, however; testing results also can also be provided by directly uploading the testing

company's report. After reviewing the testing results, CDPHE emails the certification (along with the submitted test report) to the email provided at the time of submission.

4. Three M Trucking (hereinafter, "Three M") is a registered trademark of David Warffeli. Whip-Co Trucking, LLC (hereinafter, "Whip-Co") is a Colorado limited liability company owned by Mr. Warffeli and his wife, Adelina Warffeli. Together, Three M and Whip-Co have operated a fleet of at least 18 tanker trailers—which Three M and Whip-Co have assigned unit numbers (e.g., "Unit 01")—to transport gasoline between refineries, fuel terminals, and fuel-dispensing facilities within Colorado. In email correspondence, Ms. Warffeli described herself as Three M's office manager. Her adult children, Anastasia Ghandhour and Arslan Shakshakpaev, also are involved in both companies. In email correspondence, Gandhour described herself as Three M's safety manager, while Shakshakpaev described himself as Three M's safety assistant.<sup>1</sup>

5. In 2023, a routine audit of EPA Method 27 test results revealed that, over the course of several years, Three M and Whip-Co submitted falsified testing reports to CDPHE in order to obtain the certifications that are required to transport gasoline in Colorado. These tests were falsified in different ways. For example, in some instances, legitimate tests that had been submitted to CDPHE in prior years were altered to reflect a more recent test date and then resubmitted to CDPHE. In other instances, falsified test results were submitted under the forged signature of a testing official.

6. The falsified test results were purportedly from three third-party testing companies: Bosselman Tank & Trailer Inc., operating in Henderson, Colorado (hereinafter, "Bosselman"); Mile High Tank Services, LLC, operating in Commerce City, Colorado (hereinafter, "Mile High"); and High Gear Repair, Inc., operating in Woodward, Oklahoma (hereinafter, "High Gear"). Business records from Bosselman and Mile High confirm that some Three M and Whip-Co submissions were falsified.

7. Although the reports were submitted to CDPHE under the name of either Mr. Warffeli or Ms. Warffeli, all of the Individual Defendants were involved in creating and distributing falsified EPA Method 27 testing reports. The Individual Defendants sent these falsified reports not only to CDPHE, but also to gasoline refineries and other companies who require having CDPHE certifications on file before dispensing or receiving gasoline. It also appears that falsified test reports were sent to regulators in other States for certification to transport gasoline in those jurisdictions.

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<sup>1</sup> This Indictment refers to David Warffeli as "Mr. Warffeli" and Adelina Warffeli as "Ms. Warffeli." It refers to other individuals by their last names and the individuals named as defendants collectively as the "Individual Defendants."

8. Examples of each named Individual Defendant's direct participation in the scheme to create and distribute falsified EPA Method 27 test reports include, but are not limited to, the following:

- a. On February 22, 2023, Ghandhour emailed an EPA Method 27 test report to an email address that is in Mr. Warffeli's name but used by all Individual Defendants. The report had been falsified by replacing the testing date and the signature dates on an older report. Three weeks later, Shakshakpaev used this email address to email the report to a fuel terminal. However, the substituted dates in the version sent by Shakshakpaev had been further altered to disguise the falsification.
- b. On March 31, 2023, Mr. Warffeli emailed Ghandhour a falsified EPA Method 27 test report where modifications on a black-and-white document had been made in blue ink.
- c. On April 9, 2023, a driver emailed Mr. Warffeli to request "updated paper work" [sic] as his "trailer inspection information at [an oil terminal] expires tomorrow." Mr. Warffeli responded "yes" and forwarded the email to Shakshakpaev. Two days later, using Mr. Warffeli's email address, Shakshakpaev emailed a falsified EPA Method 27 test report to the driver.
- d. On April 14, 2023, Ms. Warffeli directed Shakshakpaev to prepare paperwork for various units and added, "please remember that they cannot be recorded on the same day." Within days, CDPHE received several falsified EPA Method 27 test reports for units referenced by Ms. Warffeli—all claiming that the units had been tested on different days.
- e. On April 28, 2023, Shakshakpaev sent an email to CDPHE wherein he stated that he submitted EPA Method 27 test reports for three units, including two that were among those flagged by Ms. Warffeli on April 14, 2023. At least two of the three reports received by CDPHE for these units were falsified.
- f. On August 29, 2024, Shakshakpaev emailed CDPHE and stated, "We were applying for a renewal of our annual certificate, and I could not figure out what to do after I filled out the blank Method 27 form. Could you please guide me as to what I should do next?" He attached to his email a falsified EPA Method 27 test report purportedly completed by a Bosselman employee, not Shakshakpaev.
- g. On September 24, 2024, after CDPHE notified Mr. Warffeli that it was opening an enforcement action into Three M and Whip-Co—Ms. Warffeli emailed Shakshakpaev in Russian, "Well, Arslan, we got there because of those mistakes, they checked us now."

9. The purpose of the conspiracies charged against the Individual Defendants was to fraudulently obtain CDPHE certifications authorizing gasoline-transport trucks operated by Three M and/or Whip-Co to transport gasoline and diesel fuel in the State of Colorado.

10. Defendants' criminal conduct, which also serve as overt acts taken in furtherance of the charged conspiracies, include the filing with CDPHE of falsified and/or forged Method 27 testing results purportedly performed by third-party testing companies, and in particular the following incidents:

- a. **Incident No. 1** (Grand Jury Ex. 02 at Slides 11-15; Grand Jury Ex. 5): On January 23, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 33 purportedly performed by Bosselman on October 21, 2022. The report contained the signature of a Bosselman employee. The signature was falsified, and no test was performed by Bosselman on the unit in question on that date.
- b. **Incident No. 2** (Grand Jury Ex. 02 at Slides 16-19; Grand Jury Ex. 6): On February 9, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 16 purportedly performed by Bosselman on December 15, 2022. No test was performed by Bosselman on the unit in question on that date.
- c. **Incident No. 3** (Grand Jury Ex. 02 at Slides 20-23; Grand Jury Ex. 7): On February 24, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 881 purportedly performed by Mile High on January 20, 2023. The report contained the signature of Mile High's owner. The electronic signature was falsified, and no test was performed by Mile High on the unit in question on that date.
- d. **Incident No. 4** (Grand Jury Ex. 02 at Slides 24-28; Grand Jury Ex. 8): On March 10, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 22 purportedly performed by Bosselman on March 10, 2023. The report contained the signature of a Bosselman employee. The signature was falsified, and no test was performed by Bosselman on the unit in question on that date.
- e. **Incident No. 5** (Grand Jury Ex. 02 at Slides 29-33; Grand Jury Ex. 9): On March 31, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 20 purportedly performed by Bosselman on March 31,

2023. The report contained the signature of a Bosselman employee. The signature was falsified, and no test was performed by Bosselman on the unit in question on that date.

- f. **Incident No. 6** (Grand Jury Ex. 02 at Slides 34-38; Grand Jury Ex. 10): On March 31, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 28 purportedly performed by Bosselman on March 30, 2023. The report contained the signature of a Bosselman employee. The signature was falsified, and no test was performed by Bosselman on the unit in question on that date.
- g. **Incident No. 7** (Grand Jury Ex. 02 at Slides 39-42; Grand Jury Ex. 11): On April 14, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 90 purportedly performed by Bosselman on April 13, 2023. The report contained the signature of a Bosselman employee. The signature was falsified, and no test was performed by Bosselman on the unit in question on that date.
- h. **Incident No. 8** (Grand Jury Ex. 02 at Slides 43-47; Grand Jury Ex. 12): On April 24, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 30 purportedly performed by Mile High on April 21, 2023. The report contained the electronic signature of Mile High's owner. The signature was falsified, and no test was performed by Mile High on the unit in question on that date.
- i. **Incident No. 9** (Grand Jury Ex. 02 at Slides 48-52; Grand Jury Ex. 13): On April 27, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 24 purportedly performed by Bosselman on April 5, 2023. The report contained the signature of a Bosselman employee. The signature was falsified, and no test was performed by Bosselman on the unit in question on that date.
- j. **Incident No. 10** (Grand Jury Ex. 02 at Slides 53-57; Grand Jury Ex. 14): On April 27, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 1406 purportedly performed by Bosselman on April 12, 2023. The report contained the signature of a Bosselman employee. The signature was falsified, and no test was performed by Bosselman on the unit in question on that date.



- k. **Incident No. 11** (Grand Jury Ex. 02 at Slides 58-61; Grand Jury Ex. 15): On April 27, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 01 purportedly performed by Mile High on April 7, 2023. The report contained the signature of Mile High's owner. The signature was falsified, and no test was performed by Mile High on the unit in question on that date.
- l. **Incident No. 12** (Grand Jury Ex. 02 at Slides 62-65; Grand Jury Ex. 16): On April 27, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 1174 purportedly performed by Mile High on April 11, 2023. The report contained the signature of Mile High's owner. The signature was falsified, and no test was performed by Mile High on the unit in question on that date.
- m. **Incident No. 13** (Grand Jury Ex. 02 at Slides 66-68; Grand Jury Ex. 17): On April 28, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 165 purportedly performed by Mile High on April 6, 2023. The report contained the signature of Mile High's owner. The signature was falsified, and no test was performed by Mile High on the unit in question on that date.
- n. **Incident No. 14** (Grand Jury Ex. 02 at Slides 69-71; Grand Jury Ex. 18): On April 28, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 1175 purportedly performed by Mile High on April 18, 2023. The report contained the signature of Mile High's owner. The signature was falsified, and no test was performed by Mile High on the unit in question on that date.
- o. **Incident No. 15** (Grand Jury Ex. 02 at Slides 72-76; Grand Jury Ex. 19): On May 30, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 352 purportedly performed by Mile High on May 17, 2023. The report contained the electronic signature of Mile High's owner. The signature was falsified, and no test was performed by Mile High on the unit in question on that date.
- p. **Incident No. 16** (Grand Jury Ex. 02 at Slides 77-80; Grand Jury Ex. 20): On August 7, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 28 purportedly performed by Bosselman on March 30, 2023. The report contained the signature of a Bosselman employee. The


signature was falsified, and no test was performed by Bosselman on the unit in question on that date.

- q. **Incident No. 17** (Grand Jury Ex. 02 at Slides 81-84; Grand Jury Ex. 21): On December 11, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 16 purportedly performed by Bosselman on December 11, 2023. The report contained the signature of a Bosselman employee. The signature was falsified, and no test was performed by Bosselman on the unit in question on that date.
- r. **Incident No. 18** (Grand Jury Ex. 02 at Slides 85-88; Grand Jury Ex. 22): On December 13, 2023, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 352 purportedly performed by Mile High on December 12, 2023. The report contained the signature of Mile High's owner. The signature was falsified, and no test was performed by Mile High on the unit in question on that date.
- s. **Incident No. 19** (Grand Jury Ex. 02 at Slides 89-92; Grand Jury Ex. 23): On April 9, 2024, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 24 purportedly performed by Bosselman on April 1, 2023. The report contained the signature of a Bosselman employee. The signature was falsified, and no test was performed by Bosselman on the unit in question on that date.
- t. **Incident No. 20** (Grand Jury Ex. 02 at Slides 93-96; Grand Jury Ex. 24): On April 9, 2024, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 1174 purportedly performed by Mile High on March 29, 2024. No test was performed by Mile High on the unit in question on that date.
- u. **Incident No. 21** (Grand Jury Ex. 02 at Slides 97-100; Grand Jury Ex. 25): On April 11, 2024, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 28 purportedly performed by Bosselman on August 24, 2023. The report contained the signature of a Bosselman employee. The signature was falsified, and no test was performed by Bosselman on the unit in question on that date.
- v. **Incident No. 22** (Grand Jury Ex. 02 at Slides 101-104; Grand Jury Ex. 26): On April 12, 2024, David Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for

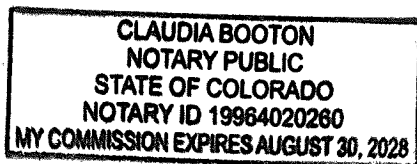
testing on Unit 1 purportedly performed by Mile High on April 4, 2024. The report contained the signature of Mile High's owner. The signature was falsified, and no test was performed by Mile High on the unit in question on that date.

- w. **Incident No. 23** (Grand Jury Ex. 02 at Slides 105-108; Grand Jury Ex. 27): On August 30, 2024, Adelina Warffeli, either directly or through a co-conspirator, submitted to CDPHE an EPA Method 27 testing report for testing on Unit 28 purportedly performed by Bosselman on August 19, 2024. The report contained the signature of a Bosselman employee. The signature was falsified, and no test was performed by Bosselman on the unit in question on that date.

PHILIP J. WEISER  
Attorney General

  
MICHAEL MCCARTHY, #60025  
Assistant Attorney General  
Special Prosecutions Unit  
Criminal Justice Section

Subscribed to before me in the City and County of Denver, State of Colorado,  
this 24<sup>th</sup> day of April, 2025.



  
Notary Public

SEAL

My commission expires: 8/30/28

The 2024-2025 Colorado Statewide Grand Jury presents the within  
Indictment, and the same is hereby ORDERED FILED this ~~23<sup>rd</sup>~~ <sup>24<sup>th</sup></sup> day of April, 2025.

Pursuant to §13-73-107, C.R.S., the Court designates Denver County,  
Colorado as the county of venue for the purposes of trial.



Hon. Christopher J. Baumann  
Presiding Judge, Statewide Grand Jury