

ARTICLE 2
INITIATION OF PROCEEDINGS

STATE OF NEW MEXICO
VS
RICHARD J. HERMANN

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
IN THE METROPOLITAN COURT

NAME: RICHARD J. HERMANN
ADDRESS: [REDACTED]
[REDACTED] NM [REDACTED]
DOB: [REDACTED]
SSN: [REDACTED]
HT: [REDACTED] WGT: [REDACTED]

ARREST DATE: 1/9/2008
Driver Lic. #: [REDACTED]
Citation #: [REDACTED]
Arrest #: [REDACTED]

CR 725-08

FILED IN THIS OFFICE
TIME 2:26

JAN 09 2008

Docket #:

CHARGE(S): Harassment
Complainant or Officer: Deputy John McKenna

Date filed: 1/9/08

CLERK-METROPOLITAN COURT
BY [REDACTED]

ARREST WARRANT AFFIDAVIT/CRIMINAL COMPLAINT

The undersigned, under penalty of perjury, complains and says that on or about the 8th of January, 2008 County of Bernalillo, State of New Mexico, the above-named defendant(s) did (here state essential facts)

On 01/08/2008 I was contacted by Sergeant Escalante in reference to e-mails received by Judge Nan Nash Second Judicial Court, which is located at 400 Lomas N.W. in the County of Bernalillo. I made contact with Judge Nash who stated she had received a total of 2 threatening Electronic Mail HIA: E-mail (s) letters over the past two weeks. Judge Nash then showed me the letters received. The main content of the letters uses profanity toward Judge Nash. One of the phrases that are repeated in the letters states "She is a fucking lying bitch who does not believe in the law". Judge Nash stated she had received the first E-Mail on January 7th, 2008, which was forwarded by James Noel the Executive Director and General Counsel New Mexico Judicial Standards, however the E-Mail was generated December 23rd, 2007. The second E-Mail was sent to her on January 8th, 2008. The E-mails were turned over to Sergeant Adrianna Escalante the supervisor, of court security at the District Court House. I was advised by Sergeant Adrianna Escalante to make a duplicate copy of a phone message that was left on Judge Nash's answering machine which is located in her chambers at District Court. The message was left by a male subject who identified himself as Richard Hermann. I proceeded to make a copy of the message which advised Judge Nash to not make any "rash decisions" and to be careful, stating that he was not about to do anything rash unless provoked. After I copied the message, Judge Nash showed me a copy of the e-mail she received on January 8, 2008. The E-Mail made references to having knowledge to the Judge's home address, names of all family members and was very specific in describing in detail her neighborhood. Also in the body of the E-Mail Hermann makes reference to owning a gun and would cause harm to Judge Nash and law enforcement officers. Hermann stated he would be present in the class that Judge Nash would be teaching and would be wearing a t-shirt that said "Nan Nash is a lying Beach, spelled this way", and went on to say that "spending a few days in jail for battery would be highly worth while and enjoyable given the circumstances, then again, I may be forced to carry more serious weaponry as she most likely will have conspired with "the gansta" Judge William Lang and will have arranged for hired protection".


On the E-Mail dated December 23rd, sent to Professor Scott Hughes Program Director for UNM Mediation training and cc to James Noel and Judge Nash. Noels then forward the E-Mail to Nan Nash, who co-teaches with him at U.N.M. Some of the demands made to Professor Hughes were

that Nan Nash be removed as a mediation instructor at UNM because she is a "fucking lying bitch who does not believe in the law or its enforcement." Hermann stated that Professor Hughes would recognize him, Richard Hermann, as he would be wearing a t-shirt stating "Nan Nash is a lying beach." The E-Mails have caused Judge Nash to be seriously alarmed and afraid for her own welfare and the welfare of her family, which further caused emotional distress.

contrary to Section(s); 30-3A-2 NMSA 1978

I SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT THE FACTS SET FORTH ABOVE ARE TRUE TO THE BEST OF MY INFORMATION AND BELIEF. I UNDERSTAND THAT IT IS A CRIMINAL OFFENSE SUBJECT TO THE PENALTY OF IMPRISONMENT TO MAKE A FALSE STATEMENT IN A CRIMINAL COMPLAINT.

Subscribed and sworn to me in the above named county of the State of New Mexico this 9th day of January, 2008


JUDGE, notary, or other officer
authorized to administer oaths

BOND: \$25,000
RS

 506
Affiant

Title District Judge

Title Security Sheriff BCSO

ORIGINAL SIGNED COPY- Court; ADDITIONAL COPIES- Defendant, Attorney, District Attorney