

DISTRICT COURT, ARAPAHOE COUNTY, COLORADO 7325 S. Potomac Street Centennial, CO 80112	<div style="text-align: center;">σ COURT USE ONLY σ</div>
<hr/> Plaintiff: THE PEOPLE OF THE STATE OF COLORADO Defendant: CLINTON DEE FRALEY DOB: 01/05/1977	
	Case Number: _____ Div.: Criminal Ctrm: _____
SUPPORTING AFFIDAVIT FOR ARREST WARRANT	

I, Richard S. Rogers, of lawful age do swear upon my oath to the facts set forth below and on the following pages:

Your Affiant, Richard S. Rogers, is employed as an Investigator for the Colorado Division of Securities (“DIVISION”).

Your Affiant was assigned to investigate allegations of Securities Fraud and Theft regarding Clinton Dee Fraley (“FRALEY”).

On February 15, 2007, FRALEY was hired as a financial Registered Representative by Northwestern Mutual Investment Services (“NORTHWESTERN”). On April 29, 2011, FRALEY left NORTHWESTERN to become a financial Registered Representative for Mass Mutual Investors Services (“MASS”). While FRALEY was employed by NORTHWESTERN and MASS, he built a client base through offering financial products to acquaintances, friends and other clients. It was in this context that FRALEY established investment accounts for friends and former work associates Eric Ballard (“BALLARD”) and Jennifer Cowperthwaite-Dines (“DINES”) (BALLARD and DINES are married). FRALEY also established investment accounts for acquaintances Amanda Stolz (“STOLZ”) and Marli Overman (“OVERMAN”).

While employed at NORTHWESTERN and MASS as an account representative, FRALEY offered financial products to his clients such as mutual funds which were invested in American Funds, a mutual fund company. These financial products are securities as defined 11-51-201, C.R.S. Since FRALEY was authorized as an account representative, he had account access to investor accounts that had been invested in American Funds while FRALEY was employed by MASS and NORTHWESTERN.

FRALEY was terminated by MASS on September 21, 2011 for violations of firm policy related to non-securities life insurance premiums. However, due to an error by personnel at MASS, when FRALEY was terminated at MASS, he was not removed as the account representative on investor accounts. This error meant that FRALEY was still able to phone in and/or otherwise contact American Funds to redeem funds from investor accounts even though his access should have been denied.

While using the pretense of starting his own financial services company, Wealth by Design, Inc., which was located at 88 Inverness Circle East, Suite A212, Englewood, CO which is located in Arapahoe County within the State of Colorado, and holding himself out publicly as a financial services company, FRALEY was able to lead investors to believe that he was still in the financial services industry when in fact, he was not.

In January 2012, FRALEY told BALLARD and DINES that he was starting his own financial planning company, Wealth by Design, although he failed to tell them that he had been fired by MASS for violating firm policy. FRALEY also told investors STOLZ and OVERMAN that he was starting Wealth by Design but did not explain that he had been terminated by MASS.

FRALEY had a website that contained information for investors that was consistent with being a licensed Investment Advisor Representative (“IAR”); however, FRALEY was never licensed as an IAR. During this time (after being fired by MASS), FRALEY was unlicensed and, therefore was not authorized to operate in any capacity as an IAR or as a Registered Representative. FRALEY also started another company named Principal First WMG, LLC which he registered with the Colorado Secretary of State on September 14, 2011.

In March 2012, FRALEY initially filed the application with the DIVISION to become an IAR and for his firm, Wealth by Design, to become an Investment Advisor. This application showed that FRALEY did not meet the necessary qualifications to be an IAR, was filled with regulatory red flags, and was deemed incomplete. FRALEY was notified of these issues and failed to resolve any of them.

JENNIFER DINES

After DINES had already invested with FRALEY through NORTHWESTERN into American Funds, FRALEY became aware that DINES was receiving an inheritance when her grandparents passed away. DINES wanted to invest the money when she received it and FRALEY told her that he could invest the money in a mutual fund called “Principal First/PIMCO.” FRALEY told DINES that it was a good mutual fund that was performing well. DINES had never heard of “Principal First” but she had heard of PIMCO so she followed FRALEY’S advice to invest the money in “Principal First/PIMCO.” DINES invested \$8,000 with FRALEY into Principal First WMG, LLC by giving him a check made payable to “Principal First WMG, LLC” at FRALEY’S request. DINES gave FRALEY the check at her residence located at 16539 Hitching Post Circle,

Parker located in Douglas County, Colorado. On September 16, 2011, instead of investing the money into a mutual fund, FRALEY deposited the check into a bank account he opened for his business, Principal First WMG, LLC. DINES made a second investment of \$60,000 with FRALEY into Principal First WMG, LLC. DINES also gave FRALEY this check at her residence at 16539 Hitching Post Circle, Parker, Colorado. On November 17, 2011, FRALEY deposited the \$60,000 check into the Principal First WMG, LLC bank account. FRALEY used the funds from DINES for personal use including purchases at restaurants, for airline tickets, and for entertainment. DINES was unaware that FRALEY had not invested her money as promised.

On June 28, 2012, DINES received a letter from MASS that contained copies of four money market checks that had been written in April and May of 2012. The letter asked DINES, if DINES had redeemed money from her American Funds investment account using the money market checks issued by American Funds. The checks had DINES' name and address listed on them as the account holder. DINES did not know that the money market checks existed and had not withdrawn any money from her account for any reason between April and May of 2012. In addition, DINES had not authorized FRALEY to remove money from her investment account. It is unknown how FRALEY obtained the money market checks; although as mentioned earlier, FRALEY was friends with BALLARD and DINES (FRALEY was BALLARD'S best man at DINES' and BALLARD'S wedding). BALLARD and FRALEY had previously worked together as firefighters before FRALEY left to become a financial representative. DINES and BALLARD trusted FRALEY enough to have him over to their house on several occasions, he knew where they hid keys to their residence, and FRALEY even watched their home for them when DINES and BALLARD were on vacation.

Two of the money market checks were used to pay DINES' taxes; one check was paid to the Colorado Department of Revenue and the second check was paid to the Internal Revenue Service. DINES said that FRALEY did ask her if she wanted him to pay her taxes, which she agreed to have him do. However, DINES did not know or want FRALEY to withdraw money from her investment account to make the payments and DINES certainly did not authorize FRALEY to forge her signature on the money market checks.

The two other money market checks were made out to Wealth by Design, Incorporated. One check was written for \$60,000 and was deposited into FRALEY'S Wealth by Design bank account at Chase Bank on May 9, 2012. The second check was written for \$281,500 and was deposited into FRALEY'S Wealth by Design bank account at Chase Bank on May 15, 2012. DINES did not write these checks and stated that FRALEY forged them.

After reviewing the information sent by MASS, DINES discovered that beginning in April, 2012 and continuing in May, 2012, FRALEY wrote money market checks that were drawn upon DINES' American Funds investment account without Jennifer DINES' permission by forging the money market checks. In addition, FRALEY took the money from the checks that were cashed on September 16, 2011 and November 17, 2011. FRALEY deposited the checks into

bank accounts that FRALEY controlled. DINES has not received any of those funds from FRALEY, therefore FRALEY has permanently deprived DINES of those funds in violation of 18-4-401(1), (2) (d), C.R.S., Theft.

FRALEY unlawfully, feloniously, and knowingly used the personal identifying information of DINES without DINES' permission by forging DINES' signature on the money market checks in violation of 18-5-902(1)(a), C.R.S., Identity Theft.

FRALEY with the intent to defraud Jennifer DINES, JP Morgan Chase Bank, Mass Mutual Investor Services, American Funds, unlawfully, feloniously, and falsely made, completed, altered, or uttered written instruments which were or which purported to be, or which were calculated to become or to represent if completed, namely: money market checks; in violation of 18-5-102(1)(c), C.R.S., Forgery, by forging DINES' signature on the money market checks without DINES' permission or knowledge. The following chart outlines each forgery violation of 18-5-102(1)(c), C.R.S., Forgery, related to Jennifer DINES:

Felony Complaint Count	Date on Check	Check Payable to	Check Number	Account Deposited	Check Forged by	Amount
Three	April 12, 2012	Colorado Department of Revenue	1001	Bank One	Clinton Fraley	\$ 350.00
Four	April 12, 2012	Internal Revenue Service	1002	IRS Bank	Clinton Fraley	\$ 1,250.00
Felony Complaint Count	Deposited in Bank Account	Check Payable to	Check Number	Account Deposited	Check Forged by	Amount
Five	May 9, 2012	Wealth by Design, Inc.	1003	Chase Bank	Clinton Fraley	\$ 60,000.00
Six	May 15, 2012	Wealth by Design, Inc.	1004	Chase Bank	Clinton Fraley	\$ 281,500.00

Beginning in September 16, 2011 and through August 1, 2012, CLINTON FRALEY, in connection with the offer, sale, or purchase of a security, directly or indirectly, unlawfully, feloniously, and willfully continued to operate, and also to use Wealth by Design and Principal First WMG, LLC as part of a device, scheme, or artifice to defraud investors including DINES in violation of 11-51-501(1)(a), Securities Fraud.

Beginning on September 16, 2011 and through August 1, 2012, FRALEY failed to tell DINES that her initial investment into Principal First WMG, LLC was not invested in a mutual fund account as he told DINES and was instead deposited into his company's bank account for his personal use. When DINES invested a second time on November 17, 2011, FRALEY failed to tell DINES that he had used her initial investment for personal use. By deceiving DINES into believing that he would invest the money in a mutual fund, and in connection with the offer or

sale of any security, CLINTON FRALEY directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; in violation of 11-51-501(1)(b); Securities Fraud.

Beginning on September 16, 2011 and through August 1, 2012, and by using Wealth by Design and Principal First WMG, LLC as a purported legitimate businesses, CLINTON FRALEY, in connection with the offer, sale, or purchase of a security, directly or indirectly, unlawfully, feloniously, and willfully was using Wealth by Design and Principal First WMG, LLC as a purported legitimate businesses, while selling securities from investor accounts such as DINES' and stealing the money, engaged in an act, practice, or course of business which operated or would have operated as fraud or deceit upon Jennifer DINES, in violation of 11-51-501(1)(c), Securities Fraud.

ERIC BALLARD

On February 7, 2012, Clinton FRALEY, in a recorded phone call to American Funds, called to redeem \$15,000 from Eric BALLARD'S investment account. According to BALLARD, FRALEY did not have BALLARD'S permission to redeem these funds. FRALEY asked American Funds to send the funds overnight to BALLARD'S home address which is 16539 Hitching Post Circle, Parker, Colorado. FRALEY asked American Funds to leave a note to the package delivery company to leave the package on BALLARD'S front porch. FRALEY left a day time phone number (303) 898-9784 which is FRALEY'S cell phone. This \$15,000 check was deposited in FRALEY'S Wealth by Design account on March 13, 2012.

On May 15, 2012, Clinton FRALEY, in a recorded phone call to American Funds, called to redeem the rest of the money in BALLARD'S account (\$37,176.75). According to BALLARD, FRALEY did not have BALLARD'S permission to redeem these funds. FRALEY told American Funds to leave a note on delivery to place the package under mat at the front door at BALLARD'S residence. FRALEY again left a day time phone number (303) 898-9784.

On May 17, 2012, FRALEY called American Funds trying to re-route the FedEx package containing the six redemption checks. FRALEY was told that he would have to contact FedEx and was provided with the FedEx tracking number (# 528480263645). He was also told that the package was to be delivered to BALLARD'S home address at 10:30 am on May 17, 2012.

Based on FedEx records, FedEx received a phone call from a person identifying themselves as Eric Ballard on May 17, 2012 requesting that the FedEx package be held for pick up at a FedEx location at 7795 E. Belleview Ave., Englewood, Colorado. The call back number left by the caller was (303) 894-9784. FedEx records for FedEx package tracking number 528480263645 shows that the package was picked up on May 17, 2012 and signed by "C. Fraley." On May 17, 2012, BALLARD'S six redemption checks were deposited into FRALEY'S Wealth by Design bank account at Chase Bank.

On March 13, 2012 and on May 17, 2012, CLINTON FRALEY forged BALLARD'S signature on the redemption checks and deposited the checks into bank accounts that FRALEY controlled. BALLARD has not received any of those funds from FRALEY therefore FRALEY has permanently deprived BALLARD of those funds in violation of 18-4-401(1), (2) (d), C.R.S., Theft.

CLINTON FRALEY unlawfully, feloniously, and knowingly used the personal identifying information of BALLARD without BALLARD'S permission by forging BALLARD'S signature on the seven redemption checks in violation of 18-5-902(1)(a), C.R.S., Identity Theft.

CLINTON FRALEY with the intent to defraud Eric BALLARD, JP Morgan Chase Bank, Mass Mutual Investor Services, American Funds, unlawfully, feloniously, and falsely made, completed, altered, or uttered written instruments which were or which purported to be, or which were calculated to become or to represent if completed, namely: seven checks; in violation of § 18-5-102(1)(c), C.R.S., Forgery, by forging BALLARD'S signature on the redemption checks without BALLARD'S permission or knowledge. The following chart outlines each forgery violation of 18-5-102(1)(c), C.R.S., Forgery, related to Eric BALLARD:

Felony Complaint Count	Deposited in Bank Account	Check Payable to	Check Number	Account Deposited	Check Forged by	Amount
Twelve	March 13, 2012	Eric Ballard	33860749	Wealth by Design	Clinton Fraley	\$ 15,000.00
Thirteen	May 17, 2012	Eric Ballard	75072551	Wealth by Design	Clinton Fraley	\$ 12,632.55
Fourteen	May 17, 2012	Eric Ballard	75072708	Wealth by Design	Clinton Fraley	\$ 1,449.38
Fifteen	May 17, 2012	Eric Ballard	75072851	Wealth by Design	Clinton Fraley	\$ 284.88
Sixteen	May 17, 2012	Eric Ballard	75073301	Wealth by Design	Clinton Fraley	\$ 6,994.47
Seventeen	May 17, 2012	Eric Ballard	75073540	Wealth by Design	Clinton Fraley	\$ 9,381.78
Eighteen	May 17, 2012	Eric Ballard	75073574	Wealth by Design	Clinton Fraley	\$ 6,433.69

Beginning on September 16, 2011 and through August 1, 2012, CLINTON FRALEY, in connection with the offer, sale, or purchase of a security, directly or indirectly, unlawfully, feloniously, and willfully continued to operate, and also to use Wealth by Design and Principal First WMG, LLC as part of a device, scheme, or artifice to defraud investors including BALLARD in violation of 11-51-501(1)(a), Securities Fraud.

Beginning on September 16, 2011 and through August 1, 2012, FRALEY failed to tell BALLARD that beginning in September 2011 that he (FRALEY) had stolen money from another investor, BALLARD'S wife Jennifer DINES, when DINES invested into a company called Principal First WMG, LLC which FRALEY said was a mutual fund investment. FRALEY instead deposited DINES' money into his company's bank account where the funds were used for FRALEY'S personal use. In addition, beginning in February 2012, FRALEY also failed to tell BALLARD that he (FRALEY) had sold some of BALLARD'S and Amanda STOLZ'S mutual funds holdings in American Funds without BALLARD'S and STOLZ'S permission and/or knowledge and had stolen the money for FRALEY'S own use. By failing to tell BALLARD these details, and by selling mutual funds positions in BALLARD'S account without his permission in February and May of 2012, CLINTON FRALEY in connection with the offer or sale of any security to Eric BALLARD, directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; in violation of 11-51-501(1)(b), Securities Fraud.

Beginning on September 16, 2011 and through August 1, 2012, and by using Wealth by Design and Principal First WMG, LLC as a purported legitimate businesses, CLINTON FRALEY, in connection with the offer, sale, or purchase of a security, directly or indirectly, unlawfully, feloniously, and willfully was using Wealth by Design and Principal First WMG, LLC as a purported legitimate businesses, while selling securities from investor accounts such as BALLARD'S and stealing the money, engaged in an act, practice, or course of business which operated or would have operated as fraud or deceit upon Eric BALLARD, in violation of 11-51-501(1)(c), Securities Fraud.

AMANDA STOLZ

As mentioned earlier, Amanda Stolz ("STOLZ") had met FRALEY and eventually invested money with FRALEY with him acting as her financial account representative.

STOLZ said that on June 28, 2012, she received an inquiry statement from Mass Mutual with copies of redemption checks that were taken from her account and supposedly sent to her. STOLZ added that the letter also asked if the checks coincided with her records. STOLZ stated that she never signed any of the checks but rather that someone (STOLZ suspected FRALEY and recognized his handwriting) forged her name on the checks. MASS sent copies of the redemption checks to STOLZ and the checks were dated beginning on February 2, 2012. The checks were endorsed, "Pay to the order of Principal First, WMG" or "Pay to the order of Wealth by Design." The signature on the checks uses STOLZ'S name but she states the signatures are not hers and are forged.

Based on a subsequent investigation, it was determined that on February 2, 2012, FRALEY, in a recorded phone call to American Funds, called to redeem funds from Amanda STOLZ'S

investment account. FRALEY identified himself to American Funds using his “rep ID number” and provided STOLZ’S account number to American Funds. FRALEY tried to get American Funds to send STOLZ’S redemption checks to his Wealth by Design office address but was denied. FRALEY then asked American Funds to overnight the funds to STOLZ’S address and asked about how the package would be delivered. FRALEY was told the package would be delivered on February 6, 2012 and FRALEY left his phone number as (303) 898-9784.

According to American Funds records and investigation into the redemption of the checks by FRALEY, FedEx unsuccessfully attempted to deliver the package to STOLZ’S address on February 6, 2012. On February 7, 2012, FRALEY called FedEx and requested the FedEx tracking number for the package which was provided to him. Then, on February 7, 2012, a caller, who identified themselves as Amanda STOLZ, asked that the FedEx package containing the checks be held at a FedEx pick-up facility located at 333 W. Hampden, Englewood, CO. The phone number of the caller was (303) 898-9784 which is a cell phone belonging to Clinton FRALEY. FRALEY then signed for the FedEx package and picked it up on February 8, 2012. The package contained four redemption checks and on February 8, 2012 and then again on February 21, 2012, FRALEY deposited two redemption checks for STOLZ into his Principal First WMG, LLC bank account at Chase Bank.

On April 10, 2012, FRALEY, in another recorded phone call to American Funds, called to redeem the rest of the money from Amanda STOLZ’S investment account. FRALEY then asked American Funds to overnight the funds to STOLZ’S address. FRALEY was told the package containing the checks would be mailed on April 11, 2012. The call back number that FRALEY provided to American Funds was (303) 800-4704 which is FRALEY’S phone number that is listed for his business, Wealth by Design.

On April 12, 2012, FRALEY called American Funds to receive the FedEx tracking number for the April 11, 2012 package which was provided to FRALEY (FedEx tracking number #528480211431).

According to American Funds records and investigation into the redemption of the checks by FRALEY, a caller who again identified themselves as Amanda STOLZ, asked that the FedEx package containing the sic redemption checks be held at a FedEx pick-up facility. The FedEx representative suggested a pick-up facility located at 105 Wadsworth Blvd., Denver, CO and the caller agreed. Again, a call back number was left which was (303) 898-9784, FRALEY’S cell phone. FedEx records show that the package was signed for and picked up at that the Wadsworth facility on April 13, 2012 by FRALEY. On April 13, 2012, FRALEY deposited STOLZ’S six redemption checks into the Wealth by Design bank account at Chase Bank.

On February 8, 2012 through April 13, 2012, CLINTON FRALEY forged STOLZ’S signature on the checks and deposited the checks into bank accounts that FRALEY controlled. FRALEY has not returned any of the money to STOLZ, therefore permanently depriving STOLZ of those funds in violation of 18-4-401(1), (2) (d), C.R.S., Theft.

CLINTON FRALEY unlawfully, feloniously, and knowingly used the personal identifying information of STOLZ without STOLZ'S permission by forging STOLZ'S signature on the ten redemption checks in violation of 18-5-902(1)(a), C.R.S., Identity Theft.

CLINTON FRALEY with the intent to defraud Amanda STOLZ, JP Morgan Chase Bank, Mass Mutual Investor Services, American Funds, unlawfully, feloniously, and falsely made, completed, altered, or uttered written instruments which were or which purported to be, or which were calculated to become or to represent if completed, namely: ten checks; in violation of § 18-5-102(1)(c), C.R.S., Forgery, by forging STOLZ'S signature on the redemption checks without STOLZ'S permission or knowledge. The following chart outlines each forgery violation of 18-5-102(1)(c), C.R.S., Forgery, related to Amanda STOLZ:

Felony Complaint Count	Deposited in Bank Account	Check Payable to	Check Number	Account Deposited	Check Forged by	Amount
Twenty-Four	February 8, 2012	Amanda Stolz	33856318	Principal First WMG	Clinton Fraley	\$ 19,627.00
Twenty-Five	February 8, 2012	Amanda Stolz	33856719	Principal First WMG	Clinton Fraley	\$ 11,986.39
Twenty-Six	February 21, 2012	Amanda Stolz	33856900	Principal First WMG	Clinton Fraley	\$ 15,731.65
Twenty-Seven	February 21, 2012	Amanda Stolz	33856077	Principal First WMG	Clinton Fraley	\$ 16,949.34
Twenty-Eight	April 13, 2012	Amanda Stolz	75035834	Wealth by Design	Clinton Fraley	\$ 7,767.95
Twenty-Nine	April 13, 2012	Amanda Stolz	75036225	Wealth by Design	Clinton Fraley	\$ 9,317.02
Thirty	April 13, 2012	Amanda Stolz	75036502	Wealth by Design	Clinton Fraley	\$ 5,395.50
Thirty-One	April 13, 2012	Amanda Stolz	75036621	Wealth by Design	Clinton Fraley	\$ 4,293.86
Thirty-Two	April 13, 2012	Amanda Stolz	75036915	Wealth by Design	Clinton Fraley	\$ 3,816.41
Thirty-Three	April 13, 2012	Amanda Stolz	75037049	Wealth by Design	Clinton Fraley	\$ 3,797.01

Beginning on September 16, 2011 and through August 1, 2012, CLINTON FRALEY, in connection with the offer, sale, or purchase of a security, directly or indirectly, unlawfully, feloniously, and willfully continued to operate, and also to use Wealth by Design and Principal First WMG, LLC as part of a device, scheme, or artifice to defraud investors including STOLZ in violation of 11-51-501(1)(a), Securities Fraud.

Beginning on September 16, 2011 and through August 1, 2012, FRALEY failed to tell STOLZ that beginning in September 2011 that he (FRALEY) had stolen money from another investor,

Jennifer DINES, when DINES invested into a company called Principal First WMG, LLC which FRALEY said was a mutual fund investment. FRALEY instead deposited DINES' money into his company's bank account where the funds were used for FRALEY'S personal use. In addition, beginning in February 2012, FRALEY also failed to tell STOLZ that he (FRALEY) had sold some of BALLARD'S and STOLZ'S mutual funds holdings in American Funds without BALLARD'S and STOLZ'S permission and/or knowledge and had stolen the money for FRALEY'S own use. By failing to tell STOLZ these details, and by selling mutual funds positions in STOLZ'S account without her permission in February and April of 2012, CLINTON FRALEY in connection with the offer or sale of any security to Amanda STOLZ, directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; in violation of 11-51-501(1)(b), Securities Fraud.

Beginning on September 16, 2011 and through August 1, 2012, and by using Wealth by Design and Principal First WMG, LLC as a purported legitimate businesses, CLINTON FRALEY, in connection with the offer, sale, or purchase of a security, directly or indirectly, unlawfully, feloniously, and willfully was using Wealth by Design and Principal First WMG, LLC as a purported legitimate businesses, while selling securities from investor accounts such as STOLZ'S and stealing the money, engaged in an act, practice, or course of business which operated or would have operated as fraud or deceit upon Amanda STOLZ, in violation of 11-51-501(1)(c), Securities Fraud.

MARLI OVERMAN

As mentioned earlier, Marli Overman ("OVERMAN") had meet FRALEY and eventually invested money with FRALEY with him acting as her financial account representative.

On June 28, 2012, OVERMAN received a letter from MASS stating it was conducting an audit and asked her to confirm whether or not she had authorized redemption checks and to confirm that the signatures that endorsed the checks were hers. OVERMAN had not authorized anyone to make redemptions from her American Funds account. MASS sent copies of five redemption checks to OVERMAN and the checks were dated May 16, 2012. Each of the checks was endorsed, "Pay to the order of Wealth by Design." The signature on the checks uses OVERMAN'S name but she states the signatures are not hers and were forged.

Based on a subsequent investigation, it was determined that on May 15, 2012, FRALEY, in a recorded phone call to American Funds, called to redeem funds from Marli OVERMAN'S investment account without OVERMAN'S permission. FRALEY asked that all the funds in her account to be redeemed and sent to OVERMAN at her residence at 2375 Corona Street, Denver, Colorado through an overnight package delivery. The call back number that FRALEY provided to American Funds was (303) 800-4704 which is FRALEY'S phone number that is listed for his business, Wealth by Design. The redemption checks were sent to OVERMAN through FedEx.

It appears that FRALEY was able to take the FedEx packages from OVERMAN'S residence after the packages had been left at OVERMAN'S door. On May 17, 2012, FRALEY deposited OVERMAN'S five redemption checks into the Wealth by Design account at Chase Bank.

On or about May 15, 2012, CLINTON FRALEY forged OVERMAN'S signature on the checks and deposited the checks into bank accounts that FRALEY controlled. FRALEY has not returned any of the money to OVERMAN, therefore permanently depriving OVERMAN of those funds in violation of 18-4-401(1), (2) (d), C.R.S., Theft.

CLINTON FRALEY unlawfully, feloniously, and knowingly used the personal identifying information of OVERMAN without OVERMAN'S permission by forging OVERMAN'S signature on the redemption checks in violation of 18-5-902(1)(a), C.R.S., Identity Theft.

CLINTON FRALEY with the intent to defraud Marli OVERMAN, JP Morgan Chase Bank, Mass Mutual Investor Services, American Funds, unlawfully, feloniously, and falsely made, completed, altered, or uttered written instruments which were or which purported to be, or which were calculated to become or to represent if completed, namely: five checks; in violation of § 18-5-102(1)(c), C.R.S., Forgery, by forging OVERMAN'S signature on the redemption checks without OVERMAN'S permission or knowledge. The following chart outlines each forgery violation of 18-5-102(1)(c), C.R.S., Forgery, related to Marli OVERMAN:

Felony Complaint Count	Deposited in Bank Account	Check Payable to	Check Number	Account Deposited	Check Forged by	Amount
Thirty-Nine	May 17, 2012	Marli Overman	75072859	Wealth by Design	Clinton Fraley	\$ 13,414.81
Forty	May 17, 2012	Marli Overman	75073068	Wealth by Design	Clinton Fraley	\$ 9,507.73
Forty-One	May 17, 2012	Marli Overman	75073234	Wealth by Design	Clinton Fraley	\$ 6,066.33
Forty-Two	May 17, 2012	Marli Overman	75073354	Wealth by Design	Clinton Fraley	\$ 4,201.45
Forty-Three	May 17, 2012	Marli Overman	75073580	Wealth by Design	Clinton Fraley	\$ 5,236.17

Beginning on September 16, 2011 and through August 1, 2012, CLINTON FRALEY, in connection with the offer, sale, or purchase of a security, directly or indirectly, unlawfully, feloniously, and willfully continued to operate, and also to use Wealth by Design and Principal First WMG, LLC as part of a device, scheme, or artifice to defraud investors including OVERMAN in violation of 11-51-501(1)(a), Securities Fraud.

Beginning on September 16, 2011 and through August 1, 2012, FRALEY failed to tell OVERMAN that beginning in September 2011 that he (FRALEY) had stolen money from another investor, Jennifer DINES, when DINES invested into a company called Principal First WMG, LLC which FRALEY said was a mutual fund investment. FRALEY instead deposited

DINES' money into his company's bank account where the funds were used for FRALEY'S personal use. In addition, beginning in February 2012, FRALEY also failed to tell OVERMAN that he (FRALEY) had sold some of BALLARD'S and STOLZ'S mutual funds holdings in American Funds without BALLARD'S and STOLZ'S permission and/or knowledge and had stolen the money for FRALEY'S own use. By failing to tell OVERMAN these details, and by selling mutual funds positions in OVERMAN'S account without her permission in May 2012, CLINTON FRALEY in connection with the offer or sale of any security to Marli OVERMAN, directly or indirectly, unlawfully, feloniously, and willfully made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading; in violation of 11-51-501(1)(b), Securities Fraud.

Beginning on September 16, 2011 and through August 1, 2012, and by using Wealth by Design and Principal First WMG, LLC as a purported legitimate businesses, CLINTON FRALEY, in connection with the offer, sale, or purchase of a security, directly or indirectly, unlawfully, feloniously, and willfully was using Wealth by Design and Principal First WMG, LLC as a purported legitimate businesses, while selling securities from investor accounts such as OVERMAN'S and stealing the money, engaged in an act, practice, or course of business which operated or would have operated as fraud or deceit upon Marli OVERMAN, in violation of 11-51-501(1)(c), Securities Fraud.

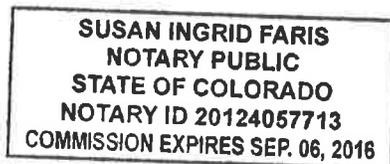
Based on the foregoing, your Affiant respectfully requests that a Warrant be issued for the arrest of CLINTON DEE FRALEY, DOB: 1/5/1977, for THEFT 18-4-401(1),(2)(d) C.R.S. (F3), 4 COUNTS; IDENTITY THEFT 18-5-902(1)(a) C.R.S. (F4), 4 COUNTS; FORGERY 18-5-102(1)(c) C.R.S. (F5), 26 COUNTS; SECURITIES FRAUD 18-51-501(1)(a) C.R.S. (F3), 4 COUNTS; SECURITIES FRAUD 18-51-501(1)(b) C.R.S. (F3), 4 COUNTS; SECURITIES FRAUD 18-51-501(1)(c) C.R.S. (F3), 4 COUNTS.



AFFIANT

Subscribed and Sworn to before me this 27 day of February, 2013.

My commission expires: _____





NOTARY PUBLIC