

United States District Court

IN THE

UNITED STATES DISTRICT COURT
DISTRICT OF
ALBUQUERQUE, NEW MEXICO

UNITED STATES OF AMERICA

JAN 12 2010

v.

CRIMINAL COMPLAINT

VINSON SIX Jr., YOB: 1978
NELVIN RAY WILLIE, YOB: 1985

MATTHEW J. DYKMAN
CLERK

CASE NUMBER: 10-MJ-094
10-MG-002

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about the year January 01, 2010 in McKinley county, in the District of New Mexico defendant(s), **registered members of the Navajo Nation Indian Tribe, within the exterior boundaries of the Navajo Indian Reservation, assaulted Christopher Cornelius Kenneth, with two dangerous weapons, to wit: a baseball bat and broom handle; the assault resulted in serious bodily injury; and defendants aided and abetted,** in violation of Title 18 United States Code, Section(s) 1153, 113 (a)3, 113 (a) 6 and 2(a).

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

See Attached Affidavit hereby incorporated by reference as if fully restated herein.

Continued on the attached sheet and made a part hereof: Yes No



Signature of Complainant
SA David D. Cordova
Special Agent
Federal Bureau of Investigation

AUSA - PT
Sworn to before me and subscribed in my presence,

1/12/2010

Date
Robert W. Tonta

Name & Title of Judicial Officer
US Magistrate - Judge

Gallego, N.M.

City and State
WR

Signature of Judicial Officer

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IN THE UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA)

vs.)

VINSON SIX, Jr., YOB:1978)
NELVIN RAY WILLIE, YOB:1985)

10-MJ-094
10-MG-001

AFFIDAVIT

The undersigned being duly sworn, deposes and says:

1) I, David D. Cordova, am a Special Agent of the Federal Bureau of Investigation (FBI), currently assigned to the Albuquerque Division, Gallup Resident Agency. I have been so employed since April 2008. I have a total of approximately nine (9) years of federal law enforcement experience. I have primary investigative responsibility in crimes that occur in Indian Country including violent crimes such as homicide, robbery, arson, aggravated assault, and sexual assault. The information set forth is known to me as a result of my own investigation or has been communicated to me by other law enforcement officers:

2) This affidavit has been made in support of an criminal complaint and application for an arrest warrant for Vinson Six Jr., and Nelvin Ray Willie, both registered members of the Navajo Nation Indian Tribe. This arrest warrant is to be conducted in connection with the assault of

1 Christopher Cornelius Kenneth (a registered member of the
2 Navajo Nation Indian Tribe), in violation of Title 18, United
3 States Code, Section(s) 1153, 113(a)(3), 113(a)(6) and 2(a);
4 assault with a dangerous weapon; assault resulting in serious
5 bodily injury; and aiding and abetting. The assault occurred
6 within the exterior boundaries of the Navajo Nation Indian
7 Reservation in Indian Country.

8
9 3) In the early morning of January 01, 2010, two
10 individuals, identified as Vinson Six Jr., and Nelvin Ray
11 Willie assaulted Christopher Cornelius Kenneth at his
12 residence located in Smith Lake, New Mexico. Nelvin Ray
13 Willie, Viola James-Willie, Vinson Six Jr., and Andreanna
14 Martinez drove to Christopher Cornelius Kenneth's residence
15 in a blue Titan extended-cab pickup truck intending to
16 assault Christopher Cornelius Kenneth. Nelvin Ray Willie, the
17 driver of the pickup truck, drove onto the driveway and to
18 the back of the Christopher Cornelius Kenneth's residence
19 where he parked near the backside of the residence facing the
20 street.

21
22 4) Upon arrival at Christopher Cornelius Kenneth's
23 residence, the back door to the house was open and
24 Christopher Cornelius Kenneth was standing on the back step.
25 Vinson Six Jr., approached Christopher Cornelius Kenneth and
26 an argument broke out between the men. The argument led to a
27 physical confrontation in the snow covered backyard. Nelvin
28 Ray Willie, Viola James-Willie and Andreanna Martinez

1 interjected themselves in an attempt to stop the physical
2 confrontation. During at this stage of the confrontation,
3 Nelvin Ray Willie's eyeglasses were broken; Christopher
4 Cornelius Kenneth's T-shirt was torn and pulled-off; Viola
5 James-Willie was struck in the face.

6
7 5) Fearing for his life, Christopher Cornelius
8 Kenneth ran from his residence to Quanah Henry's residence,
9 who lives next door. Christopher Cornelius Kenneth knocked on
10 the door, but it went unanswered. No one was present at the
11 residence. Vinson Six Jr., immediately followed Christopher
12 Cornelius Kenneth to Quanah Henry's residence. Nelvin Ray
13 Willie followed behind. The assault of Christopher Cornelius
14 Kenneth continued at Quanah Henry's residence, except now
15 both Vison Six Jr., and Nelvin Ray Willie possessed weapons
16 in hand.

17
18 6) According to Nelvin Ray Willie, Vinson Six Jr.,
19 possessed an aluminum broom handle, 3 to 4 feet in length,
20 and he (Nelvin Ray Willie) possessed an aluminum baseball
21 bat, which Andreanna Martinez handed over to him. When Nelvin
22 Ray Willie arrived at Quanah Henry's residence, he observed
23 Christopher Cornelius Kenneth was backed up against the front
24 door of the residence, leaning on it, facing the street and
25 in a squatting position. Nelvin Ray Willie observed Vinson
26 Six Jr., repeatedly strike Christopher Cornelius Kenneth with
27 the broom handle. As a result, the glass to the screen door
28 of the residence was broken. Nelvin Ray Willie then struck

1 Christopher Cornelius Kenneth on his arms with the baseball
2 bat. Throughout the assault Christopher Cornelius Kenneth was
3 screaming. Nelvin Ray Willie later led investigators to the
4 baseball bat used during the assault.

5
6 7) After the assault, both Vinson Six Jr., and
7 Nelvin Ray Willie ran from the scene and back to Nelvin Ray
8 Willie's pickup truck which was at Christopher Cornelius
9 Kenneth's residence. The two men along with Andreanna
10 Martinez entered the vehicle, now, driven by Viola James-
11 Willie. The vehicle drove off, leaving a shirtless,
12 disoriented, and injured Christopher Cornelius Kenneth at the
13 scene alone, without help.

14
15 8) Christopher Cornelius Kenneth walked to another
16 residence several houses down, knocked on the door and asked
17 for help. The individuals inside the residence provided
18 first-aid to Christopher Cornelius Kenneth. Christopher
19 Cornelius Kenneth was transported to the Crownpoint Indian
20 Health Services (CIHS), Crownpoint, New Mexico, where he
21 received treatment for his injuries. Navajo Nation Department
22 of Law Enforcement (NNDLE) was subsequently notified of the
23 incident.

24
25 9) According to CIHS medical personnel, Christopher
26 Cornelius Kenneth sustained the following injuries: four (4)
27 inch laceration to the top of the head requiring fifteen (15)
28 sutures; a fractured left forearm; a contusion on the right

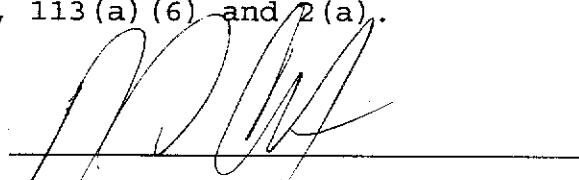
1 arm near the elbow; a fractured top front tooth, later
2 removed by medical personnel; and abrasions and bruises to
3 both knees among other minor injuries. Medical personnel also
4 found small pieces of charred glass sitting on top of the
5 skin on Christopher Cornelius Kenneth's backside.

6
7 10) Christopher Cornelius Kenneth provided a
8 statement in which he stated both Vinson Six Jr., and Nelvin
9 Ray Willie assaulted him. During the assault, Christopher
10 Cornelius Kenneth fled from his residence in an attempt to
11 obtain help from his neighbors. Christopher Cornelius Kenneth
12 stated he thought he was going to "die" when he was being
13 assaulted. Later, Christopher Cornelius Kenneth informed
14 investigators he was missing a baseball bat and a blue broom
15 handle from the washing room located near the back door of
16 his residence.

17
18 11) On January 07, 2010, after two previous failed
19 attempts to locate, Vinson Six Jr., and Andreanna Martinez,
20 they were interviewed at their residence in Smith Lake, New
21 Mexico where they provided voluntary statements. Vinson Six
22 Jr., admitted to assaulting Christopher Cornelius Kenneth,
23 but denied using the broom handle. Andreanna Martinez denied
24 providing Nelvin Ray Willie the baseball bat. Investigators
25 later located and seized a blue broom handle, approximately
26 3' 4" in length, behind the residence of Clarence Martinez
27 Sr., Andreanna Martinez's grandfather. Vinson Six Jr., and
28 Andreanna Martinez also live at this residence. The broom


1 handle had a white plastic tip and contained red stains on
2 and near the white tip.

3
4 12) Based on the training, experience of the
5 affiant, and information set forth in this affidavit, your
6 affiant submits that there is probable cause to believe that
7 on January 01, 2010, within the exterior boundaries of the
8 Navajo Nation Indian Reservation in Indian Country, in the
9 county of McKinley, in the State and District of New Mexico,
10 Vinson Six Jr., and Nelvin Ray Willie, registered members of
11 the Navajo Nation Indian Tribe, did assault Christopher
12 Cornelius Kenneth with two dangerous weapons, to wit: a
13 baseball bat and a blue broom handle; the assault resulted in
14 serious bodily injury; and the defendants aided and abetted
15 in violation of 18 United States Code, Section(s) 1153,
16 113(a)(3), 113(a)(6) and 2(a).

17
18 

19 David D. Cordova
20 Special Agent
21 Federal Bureau of Investigation
22 Gallup, New Mexico

23 Subscribed and sworn to before me this 12 day of Jan
24 2010.

25 
26 U.S. Magistrate Judge Robert W. Ionta