

AO 91 (Rev. 9/01) Criminal Complaint

UNITED STATES DISTRICT COURT

for the District of New Mexico

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CLERK - LAS CRUCES

UNITED STATES OF AMERICA )

v. )  
Geronimo Molina ERIVES -λ )

) Case No.

mj 10-2175

CRIMINAL COMPLAINT

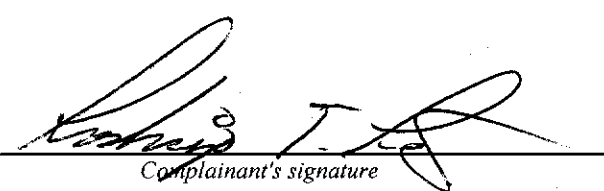
I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 08/07/2010 in the county of Luna in the State District of New Mexico, the defendant violated, 21 USC § 841 & 18 USC § 111 (a)(1), an offense described as follows:

unlawfully, knowingly, and intentionally possess with intent to distribute 205.6 pounds ( 93.45 kilograms ), of Marijuana a schedule 1 controlled substance: and forcibly assaults, resists, opposes, impedes, intimidates or interferes with a Federal Agent while the Agent was engaged in or on account of the performance of official duties, and did so with the use of a deadly or dangerous weapon, to wit: a folding knife.

This criminal complaint is based on these facts:

Continued on the attached sheet.

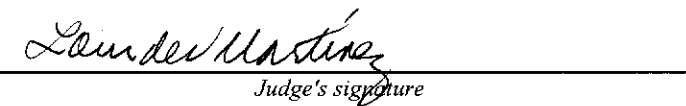
  
Complainant's signature

Special Agent

Printed name and title

Sworn to before me and subscribed in my presence,

Date: 08/09/2010

  
Judge's signature

City and state: Las Cruces, New Mexico

United States Magistrate Judge **Lourdes A. Martinez**  
Printed name and title

**United States of America**

v.

Geronimo Molina ERIVES

On August 7, 2010, at approximately 1:30 A.M., US Border Patrol Agents stationed in Deming, NM received information via service radio that Air and Marine Operations Center, (AMOC) was tracking an aircraft that had infiltrated the United States/Mexico International Border. AMOC advised the Deming Control Center that this aircraft was flying at a low altitude and was flying towards Deming, New Mexico.

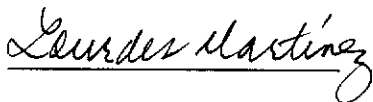
Agents responded to the area identified by AMOC and utilized a canine to conduct an open field search which resulted in a positive alert by the canine and the discovery of nine bundles near some mesquite brush. These bundles were packaged in a manner similar to that of bulk marijuana. Further search of the area resulted in the discovery and apprehension of the Defendant, Geronimo Molina ERIVES. The Defendant was found hiding in the brush a few hundred yards away from the bundles. The Defendant was subsequently handcuffed with his hands in front of his body by the agents.

The arresting agents reported that while they were escorting the Defendant out of the area, he reached towards his waistline, produced a folding knife and attempted to stab one of the agents. The agent knocked the knife away and the Defendant was forced to the ground. While attempting to re-handcuff the Defendant behind his back, he attempted to strike one of the subduing agents in the face with his elbow. The Defendant was then handcuffed with his hands in the back where he could no longer be a danger to the agents. The knife, (later identified as a box cutter) was secured by the agents and held as evidence.

The Defendant and the bundles were transported to the Deming Border Patrol Station for further processing. A field chemical test was performed on a sample from one of the bundles which resulted in a presumptive positive result for the presence of marijuana. The total approximate gross weight of the bundles was 205.6 pounds.

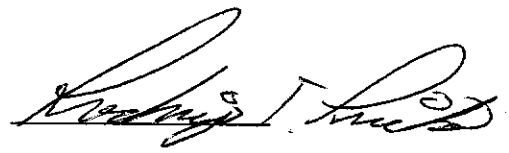
The Defendant was read the Miranda Warning via Government Form I-214 by Border Patrol Agents. The Defendant verbally acknowledged that he understood his rights. The Defendant admitted his knowledge of the presence of the marijuana.

The Defendant was turned over to the custody of Immigration and Customs Enforcement. Assistant United States Attorney Rene Camacho was advised of the incident and approved federal charges. The Defendant was transported to the Luna County Detention Center and booked without incident.



United States Magistrate Judge  
08/09/2010

**Lourdes A. Martinez**



Special Agent  
08/09/2010