

FILED
At Albuquerque NM

FEB 15 2010

MATTHEW J. DYKMAN
CLERK

UNITED STATES DISTRICT COURT

for the

Judicial District of District

United States of America)

v.)

Reyna Dominguez-Trujillo and)
Froylan Torres-Hernandez)

Case No.

10-MJ-380

Defendant

CRIMINAL COMPLAINT

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

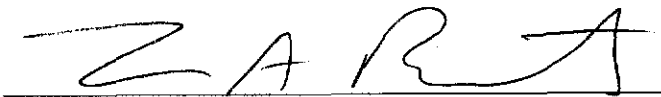
On or about the date of 02-12-2010 in the county of Bernalillo in the _____ District of New Mexico, the defendant violated Title 21 U. S. C. § 841(a)(1), (b)(1)(A) &(D), an offense described as follows:

possession with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a controlled substance, and possession with intent to distribute less than 50 kilograms of marijuana.

This criminal complaint is based on these facts:

See attached Affidavit

Continued on the attached sheet.



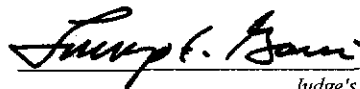
Complainant's signature

Thomas A Bartusiak, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 02-15-2010



Judge's signature

City and state: Albuquerque, NM

Lorenzo F. Garcia, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Tom Bartusiak, Special Agent of the Drug Enforcement Administration (DEA), being duly sworn, depose and state:

I am a Special Agent of the Drug Enforcement Administration and have been so employed since January, 1991. I am currently assigned to the Albuquerque District Office, of the DEA, specifically assigned to investigate federal drug offenses.

I am familiar with the information contained in this affidavit through information that was described to me by other agents and officers as well as personal contact with the defendants described herein.

This affidavit is made in support of the issuance of a Criminal Complaint charging Reyna Dominguez-Trujillo and Froylan Torres-Hernandez with violations of Title 21 U.S.C. Section 841(a)(1), (b)(1)(A), possession with intent to distribute 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a controlled substance and Title 21 U.S.C. Section 841(a)(1), (b)(1)(D), possession with intent to distribute less than 50 kilograms of marijuana.

On 02-12-2010 at approximately 11:00AM New Mexico State Police (NMSP) Sergeant (Sgt) Miguel Mendez contacted me and advised me that NMSP Sgt Nick Ramos had stopped a vehicle earlier that morning and had found a substantial amount of methamphetamine in the vehicle. Sgt. Mendez also advised me that there were four passengers in the vehicle and that all four subjects were being held at the NMSP District 5 office in Albuquerque, NM.

At approximately 12:30pm SA Jeff Armijo and I responded to the NMSP District 5 office and met with Sgt. Ramos and Sgt Mendez. At that time Sgt. Ramos advised me that he had stopped a 1995 Ford Econoline van bearing Arkansas license 433-OBM on I-40 just west of Albuquerque, NM, for seat belt violations. When Sgt. Ramos approached the vehicle, he noticed that the van had an Arkansas license plate as well as a temporary permit from California. Sgt Ramos identified the driver of the vehicle as Reyna Dominguez-Trujillo. Dominguez-Trujillo had no valid driver's license and stated that she was going to Arkansas to visit. Sgt Ramos identified the other passengers as Froylan Torres-Hernandez, Edgar Sodi-Reyes, and Sandra Trujillo-Dominguez.

After issuing a citation to Dominguez-Trujillo for operating a vehicle without a valid driver's license, Sgt Ramos obtained verbal and written consent from all four subjects to search the van. A thorough search of the van by NMSP officers, as well as a K-9, revealed approximately (20) pounds of suspected methamphetamine and approximately (50) pounds of marijuana, which were secreted in the rear portion of the head liner of the van.

After speaking with Sgt Ramos, SA Armijo and I interviewed Reyna Dominguez-Trujillo. I read Dominguez-Trujillo her Miranda warnings in Spanish. Dominguez-Trujillo understood and waived her rights. Dominguez-Trujillo stated that she knew there were drugs in the vehicle but was not sure where they were hidden. Dominguez-Trujillo also stated that she believed that she was transporting marijuana but was unaware that there was methamphetamine in the van. Dominguez-Trujillo further stated that Froylan Torres-Hernandez also knew that there were drugs in the vehicle and that he had helped her drive a previous load of drugs across country. Dominguez-Trujillo confessed that she was to be

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paid \$1500 for driving the load and that Torres-Hernandez was also going to get paid but she did not know how much. I asked Dominguez-Trujillo if she would agree to help agents execute a controlled delivery of the drugs to the intended recipient and she stated that she could not deliver the drugs without the cooperation of Torres-Hernandez as he was the one that was in contact with the intended recipient.

After interviewing Dominguez-Trujillo, I read Torres-Hernandez his Miranda warnings in Spanish and told Torres-Hernandez that I would like his cooperation in executing a controlled delivery of the drugs. Torres-Hernandez stated that he wished to speak to an attorney. The interview was terminated at that point.

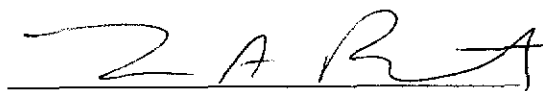
While myself and SA Dahlstrom were transporting Dominguez-Trujillo and Torres-Hernandez to the regional Detention Center, I overheard Torres-Hernandez ask Dominguez-Trujillo what she was going to do. I then overheard Dominguez-Trujillo state "I guess I'm going to do the ten years, what else can we do?"

Special Agent Mike Dahlstrom performed a field test on one of the packages of suspected methamphetamine. This field test did react positive for the presence methamphetamine. The suspected methamphetamine was weighed by SA Dahlstrom and found to have an approximate gross weight of 9.48 kilograms. Based on my training and experience this amount is consistent with a distributable amount of methamphetamine.

Based on the aforementioned information, I believe that Reyna Dominguez-Trujillo and Froylan Torres-Hernandez illegally possessed with the intent to distribute over 500 grams of methamphetamine in violation of Title 21 USC Section 841(a)(1), (b)(1)(A), possession with intent to distribute more than 500 grams of a mixture or substance containing a detectable amount of methamphetamine, a controlled substance, and illegally possessed with the intent to distribute less than 50 kilograms of marijuana, in violation of Title 21 USC Section 841(a)(1), (b)(1)(D), possession with intent to distribute less than 50 kilograms of marijuana.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

[Handwritten signature]
JNB



Thomas A. Bartusiak
Special Agent
Drug Enforcement Administration
Albuquerque District Office

Sworn before me on this the 15th day of February, 2010.



Lorenzo F. Garcia
United States Magistrate Judge
New Mexico Judicial District
Albuquerque, New Mexico