



U.S. Department of Justice

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PRESS RELEASE

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**GARNER DETAINED PENDING TRIAL ON
FEDERAL NARCOTICS TRAFFICKING CHARGE**

United States Attorney Kenneth J. Gonzales announced that, this morning, **Kevin Garner**, 43, was arraigned on a one-count indictment charging him with distribution of methamphetamine by United States Magistrate Judge Lorenzo F. Garcia. Garner was indicted by a federal grand jury in Albuquerque on December 28, 2010, and was arrested on December 29, 2010 by special agents and task force officers the United States Drug Enforcement Administration, and officers of the Albuquerque Police Department and New Mexico State Police. If convicted, Garner faces up to twenty-years imprisonment and a maximum \$1 million fine.

During this morning's hearing, Magistrate Judge Garcia granted the United States' motion to detain Garner pending trial after finding that Garner poses a danger to the community and risk of flight. When he entered his detention order, Magistrate Judge Garcia noted Garner's "abysmal" record and "disregard for law and societal norms." In finding that Garner poses a danger to the community, Magistrate Judge Garcia considered Garner's lengthy arrest record and specifically relied on the Information to Establish Prior

Convictions filed by the United States Attorney's Office, which enumerates Garner's three prior convictions on felony drug offenses. Magistrate Judge Garcia noted that Garner failed to appear for state court proceedings more than 50 times in finding that Garner poses a risk of flight.

This case was investigated by the Drug Enforcement Administration and the Albuquerque Police Department, and is being prosecuted by Assistant United States Attorneys Joel R. Meyers and Jon K. Stanford.

Charges in indictments are only accusations. All criminal defendants are presumed innocent unless proven guilty beyond a reasonable doubt.

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