

FILED

**UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO**

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court

SEP 23 2009

DISTRICT OF New Mexico

**MATTHEW J. DYKMAN
CLERK**

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

**Reuben Martin
Date of Birth 1983**

CASE NUMBER:

09-MJ-2782

(Name and Address of Defendant)

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 September 2009 in San Juan county, in the _____ District of New Mexico defendant(s) did, (Track Statutory Language of Offense) within special maritime and territorial jurisdiction of the United States, committ robbery by force and violence, or by intimidation, take from a person value in violation of Title 18 United States Code, Section(s) Section 2111 and 1153.

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

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

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

Sworn to before me and subscribed in my presence,

SEP. 23 2009

LORENZO F. GARCIA
Chief United States Magistrate Judge

United States Magistrate Judge

Steven Carbett

Signature of Complainant

**Special Agent
Federal Bureau of Investigation**

Albuquerque, New Mexico

Larry E. Bonni

Signature of Judicial Officer

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CB/AUSA

NEW MEXICO

ALBUQUERQUE, NEW MEXICO

United States of America)

vs)

Larro A. Begay
DATE OF BIRTH: 1991)
Social Security Number XXX-XX-2138

Theron J. Reed
DATE OF BIRTH: 1985)
Social Security Number XXX-XX-0435

Reuben H. Martin
DATE OF BIRTH: 1983)
Social Security Number XXX-XX-3096

Bernellia A. Reed
DATE OF BIRTH: 1983)
Social Security Number XXX-XX-8279

AFFIDAVIT

1) I am a regularly appointed Special Agent (SA) of the Federal Bureau of Investigation (FBI) assigned to the Albuquerque Division of the FBI. I have been an SA for one year. The following facts were determined during the course of an investigation conducted by agents of the FBI and Navajo Nation Police Department Criminal Investigators.

2) On September 20, 2009, the Naschitti Trading Post Store in Naschitti, New Mexico was robbed by three male subjects. According to witnesses, three males walked into the store. Male #1 walked straight back towards the bathroom area, but remained in the doorway looking toward the cashier area. Male #2 walked to the register, pulled out a gun and demanded money. Male #3 stood behind him and looked around the store. An employee of the store gave Male #2 all of the money in the cash drawer, approximately \$530 cash. After Male #2 and Male #3 got the money, Male #1 ran from the bathroom area and exited the store with the others.

SS *SM*

1 3) Video surveillance was obtained from the Naschitti Trading Post
2 Store that showed three males walking into the store. Male #1, was wearing
3 dark clothes with a white stripe on his pants. Male #2 had a gun and was
4 wearing mask, sunglasses, and hat. Male #3 was standing behind Male #2 and
5 was not wearing a mask.

6 4) An employee of the store positively identified Male #3 as Larro
7 Begay. The employee knew Begay from living in the same neighborhood. The
8 employee also knew Begay from school.

9 5) On September 21, 2009, approximately 1:17 a.m. the Navajo Tribal
10 Police Department in Shiprock, NM, arrested Larro Begay for public
11 intoxication. Larro told the officer that some guys had beat him up near Sheep
12 Springs, New Mexico. The Officer noticed Larro had swelling above his left
13 eye and dry blood around his nose.

14 6) On September 21, 2009, approximately 9:45 a.m. Larro Begay was
15 interviewed by SA Dustin Grant and Criminal Investigator (CI) Louis St.
16 Germaine. He was advised of his rights and agreed to answer questions. Larro
17 was asked to explain why he was identified by a store employee and video
18 surveillance robbing the Naschitti Store in Naschitti, New Mexico on
19 September 20, 2009.

20 7) Larro stated that late in the day on September 20, he was picked up
21 in Sheep Springs by his friend Theron Reed, Theron's sister, and a male whose
22 name he didn't know. Larro Related these were the same people with whom he
23 committed the robbery of the Naschitti Store. Larro said Theron Reed was
24 Male #1, the unknown man was Male #2, and he (Larro) was Male #3. They
25 were driving a small, black, four door car. Larro said that Theron and Male #2
26 are a part of the Westside Crips gang and they were "bangin out" in their gang
27 clothes.

28 8) With all four of them in the car they drove towards Naschitti, New
Mexico with Theron's sister driving. It was discussed among all of them about
robbing the Naschitti Trading Post. All of them agreed and Larro stated that
Male #2 had a black toy gun with him. There were also knives in the car.

1 9) They pulled up near the Elementary in Naschitti and Theron, Larro,
2 and Male #2 got out of the car. The three of them went behind the Naschitti
3 Trading Post. Theron walked to the front of the store to observe how many
4 vehicles were in the parking lot. Theron came back, told Larro and Male #2 the
5 store was clear.

6 10) All three of them walked into store. Theron walked towards the
7 restroom, and Larro was behind Male #2 to be a look out in the store. Male #2
8 had the toy gun and was wearing a mask. Larro heard Male #2 tell the store
9 employee to give him money. After Male #2 got the money, all three of them
10 ran out of the store and up the hill where the small, black car was parked.
11 Theron's sister was driving and all of them drove off. Larro remembers Male
12 #2 ripping the money and gave him a ripped \$20 bill. Larro threw the \$20 bill
13 out the window and told Male #2 that he didn't need money. Then Male #2
14 handed him a \$100 bill, but Larro said he didn't want it.

15 11) Larro wasn't sure how much money they got from the store but
16 Male #2 did give Theron and Theron's sister some money. They drove to
17 Black House Mesa and Theron, Male #2, and some other guys started to beat
18 him up because he didn't want to take the money. Larro then ran off and
19 called 911.

20 12) Larro was shown the video surveillance from the Naschitti Trading
21 Post and identified himself as Male #3 in the video. He also identified the taller
22 male in a black jogging suit with white stripes in the video as (Male #1) Theron
23 Reed. He repeated he did not know the name of Male #2 and could only state
24 that he was the nephew of a neighbor named Gilbert.

25 13) On September 21, 2009, Theron Reed was arrested on tribal
26 charges at his parents house in Sheep Springs, New Mexico. Theron was
27 interviewed by SA Dustin Grant and CI Louis St. Germaine and was observed
28 wearing black jogging pants with a white stripe on the side matching the
description in the surveillance video. He was asked about the robbery of the
Naschitti Trading Post in Naschitti, New Mexico on September 20, 2009.

14) Theron stated that during the day on September 20, 2009 he was
in a small, black, four door, Saturn. He was with his friend Reuben Martin, his

1 sister Bernellia Reed, and Larro Begay. Bernellia was driving the car for all of
2 them and they drove all over from Two Grey Hills and Sheep Springs. Later in
3 the day they discussed robbing the Naschitti Trading Post Store in Naschitti,
4 New Mexico. They all agreed to do it.

5 15) Bernellia drove the car by the Naschitti Elementary and parked at
6 the top of the hill near the Naschitti Trading Post. Theron, Reuben, and Larro
7 got out of the car. Reuben had a black toy gun in his hand that he had earlier in
8 the car. Theron doesn't remember exactly who was going to get the money but
9 he was going to look for cars in the front parking lot while Reuben and Larro
10 waited in back of the building. When Theron looked in the front parking lot
11 there were four cars in front. He went back a second time and saw that there
12 were still four cars. He went and told Reuben and Larro the store is clear.

13 16) All three of them went into the building at about the same time.
14 Theron went first and walked straight to the bathroom. He wasn't sure who got
15 the money. When he was looking out from the bathroom he saw both Reuben
16 and Larro running out the door and he followed behind them. They all went
17 back up the hill where the car was parked and Bernellia Reed then drove them
18 all away from the scene.

19 17) Reuben got in the front passenger seat and Larro and Theron got
20 in the back seat. Theron then received four \$20 bills from Reuben, Larro got
21 one \$100 bill, and Bernellia got money but he wasn't sure how much. Theron
22 wasn't sure how much money total Reuben got from the store.

23 18) They all drove to a bootleggers house on Black House Mesa and
24 bought some alcohol. Theron spent all his money at the bootleggers house.
25 Later that night he walked home.

26 19) Theron disclosed that everyone in the car knew they were going to
27 rob the store and they all received money. He wasn't sure who's toy gun
28 Reuben used to rob the store, but Reuben was playing with it before they
robbed the store. Theron believes that the small, black, Saturn, with low rider
rims is Reuben's car.

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20) A check of the enrollment records of the Navajo Nation showed Theron Reed, Larro Begay, Bernellia Reed, and Reuben Martin are enrolled members of the Navajo Indian tribe. The Naschitti Trading Post is located within the exterior boundaries of the Navajo Indian Reservation.

21) Based on the above, your affiant believes probable cause exists to believe Theron Reed, Larro Begay, Bernellia Reed, and Reuben Martin, all enrolled tribal members of the Navajo Nation, committed the following offenses on September 20, 2009: Did commit robbery by force and intimidation and took from the Naschitti Trading Post United States Currency in the amount of \$530, in violation of Title 18, United States Code 2111; and that the offense occurred in Indian Country, to wit the Navajo Indian Reservation, in violation of Title 18, United States Code 1153..



Special Agent
Federal Bureau of Investigation

Subscribed and sworn before me on
this 23 day of September, 2009



United States Magistrate Judge

