

AO 91 (Rev. 02/09) Criminal Complaint

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

UNITED STATES DISTRICT COURT

11 JAN 12 AM 9:05

for the
District of New Mexico

CLERK-LAS CRUCES

United States of America

v.

Micheal AMADOR

Defendant

Case No. 11-MJ-00057

CRIMINAL COMPLAINT

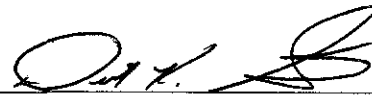
I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 01/10/2011 in the county of Dona Ana in the _____ District of
New Mexico, the defendant violated 21 U. S. C. § 841(a)(1)
 x an offense described as follows:

Knowingly and intentionally possess with the intent to distribute a controlled substance, to wit: approximately 55.95 kilograms (123.1 Pounds) of marijuana, a schedule I substance.

This criminal complaint is based on these facts:
 See attached Affidavit, which is marked Attachment "A", and which is incorporated by reference as if fully set out herein.

☒ Continued on the attached sheet.



Complainant's signature

David K. Shirley, DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 01/12/2011


Judge's signature

City and state: Las Cruces, New Mexico

Lourdes Martinez, U.S. Magistrate Judge

Printed name and title

Attachment A

On January 10, 2011, Agents M. Douglas, R. Torres, J. Leal and M. Morales were assigned traffic check duties at the United States Border Patrol Checkpoint on U.S. Highway 54, south of Alamogordo, New Mexico.

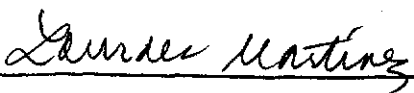
At approximately 9:45PM, a black 1996 Chevrolet Silverado, bearing Texas plates AX26983, entered the checkpoint for inspection. Agent Leal greeted and questioned the driver later identified as Micheal AMADOR, as to his citizenship. AMADOR stated he was a U.S. citizen. Agent Leal questioned AMADOR as to his destination. AMADOR replied he was headed to Alamogordo, New Mexico, to go fishing. At this time, Agent Leal noticed AMADOR was fidgeting in his seat. When Agent Leal asked AMADOR where in Alamogordo he was going to go fishing, AMADOR stated he was unsure of the name of the lake. Agent Leal questioned AMADOR as to where he was coming from and AMADOR stated he was coming from Fabens, Texas. Agent Leal questioned AMADOR how long was he planning on staying in Alamogordo. AMADOR replied he was going further north of Alamogordo and was staying about three days. Due to the above mentioned facts, Agent Leal asked for and received consent to perform a canine inspection from AMADOR. Agent Leal referred the vehicle to the secondary inspection area.

Once in secondary inspection, Agent Torres and canine partner Akita performed a systematic canine inspection of the vehicle. Canine Akita alerted to the gas tank of the vehicle. Agent Torres informed AMADOR of the canine alert. Agent Torres asked for and received consent to search the vehicle. While searching the vehicle, Agent Torres noticed fresh tool marks on the bolts of the gas tank. Agent Torres also noticed fresh paint on the wheel well of the driver's side of the vehicle. Agent Torres asked AMADOR if there had been any mechanic work done on the gas tank. AMADOR stated he took it to a mechanic in El Paso, Texas. Agent Torres asked AMADOR if he knew the name of the mechanic shop. AMADOR stated he did not know where exactly the shop was and did not recall the name of the shop. AMADOR then asked if he could get his cigarettes from the truck. Agent Torres noticed AMADOR was rocking back and forth and lifting his legs.

Agent Torres utilized the fiber optic scope and noticed a metal container inside of the gas tank. Due to the above mentioned facts, the gas tank was removed. Agents discovered two metal containers in the gas tank containing a green leafy substance. Agent Torres field tested the green leafy substance, which tested positive for marijuana. Agent Leal arrested AMADOR and escorted him into the checkpoint for processing. The total amount of marijuana concealed in the gas tank was 123.1 lbs.

Agent Leal read AMADOR his rights per government form I-214. AMADOR signed the form indicating that he understood his Miranda warnings. AMADOR requested the presence of an attorney. No further questions were asked.

On January 11, 2011, DEA SA David K. Shirley contacted AUSA John Crews regarding this investigation. SA Shirley related that facts of this case to AUSA Crews, and after hearing the fact, AUSA Crews accepted prosecution of this case.



LOURDES A. MARTINEZ
U.S. MAGISTRATE JUDGE



DAVID K. SHIRLEY