

AO 91 (Rev. 02/09) Criminal Complaint

FILED
U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO
2010 DEC 13 AM 9:25
CLERK-LAS CRUCES

UNITED STATES DISTRICT COURT

for the
District of New Mexico

Christine

United States of America)
v.)
Aliceia Paterson-Shepard; Danielle Sherie Thorn; Daniel)
Miramontes and Romelia Edith Trujillo-Caraveo)
Rivera)
Defendant)

Case No. *10 mj 3152*

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 12/10/2010 in the county of Dona Ana in the _____ District of New Mexico, the defendant violated Title 21 U. S. C. § 841(a)(1) and 846 x an offense described as follows:

Knowingly and intentionally possess with the intent to distribute a controlled substance, a quantity less than 100 kilograms, to wit: approximately 75.25 Kilograms (165.89 Pounds) of Marijuana, a schedule I substance and

Knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed with others to commit offenses against the United States, that is to say, they conspired to possess with intent to distribute, a Schedule I controlled substance, to wit: 75.25 Kilograms (165.89 Pounds) of Marijuana.

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.

Jesse Martinez
Complainant's signature

Jesse Martinez, DEA Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 12/11/2010

Gregory B. Wormuth
Judge's signature

City and state: Las Cruces, NM

U.S. Magistrate Judge **Gregory B. Wormuth**
Printed name and title

Attachment A

FACTS:

On December 10, 2010, Border Patrol Agent C. Acosta was working the USBP checkpoint on I-10 west of Las Cruces, NM, when a 1998 Silver Dodge truck entered the primary inspection area, which the driver, later identified as Aliceia PATTERSON quickly handed USBP Agent Acosta a Texas Driver License and immediately stated that she was a U.S. citizen and was headed to Albuquerque, NM, where she had recently moved. PATTERSON also stated that she and her passenger, later identified as Danielle THORN, were from Amarillo, Texas and had just travelled to Mexico to find THORN's boyfriend who was recently deported. USBP Agent Acosta also observed PATTERSON displaying signs of nervous behavior by fidgeting in her seat and grasping the steering wheel constantly and kept smiling at agent Acosta. Agent Acosta noticed that THORN never spoke and kept avoiding eye contact. Agent Acosta asked PATTERSON for consent to perform a canine inspection on the vehicle, which she verbally consented. The vehicle and both subjects were referred to the secondary inspection area.

Agent B. Hoffman performed a systematic canine inspection of the vehicle and the canine positively alerted to the vehicle. A further search of the vehicle revealed two metal containers and three small plastic packages located inside the gas tank.

Both, PATTERSON and THORN were informed of their rights via Service Form I-214 by Agent B. Hoffman and they both waived their rights by signing and dating the Form. Upon questioning, PATTERSON claims that she and THORN went to a town outside Juarez, Mexico and stayed at a hotel, however does not remember the name of the town or the hotel. Both PATTERSON and THORN freely admitted to being paid \$5,000 to take the truck to Albuquerque, NM, and drop it off with a guy named "Chuy" at an apartment complex in Albuquerque. PATTERSON and Thorn stated that they knew they were being followed however, didn't know the names of the individuals.

A 72 hour lane check was performed via sector radio, which indicated that the vehicle had one crossing through Ysleta POE on 12/10/2010. It was also referred to secondary inspection area at the POE.

DEA Special Agent Jesse Martinez was contacted and was en-route for a further follow-up investigation.

On 12-10-2010, Agent B. Hoffman, recalls the following facts while working at the USBP Checkpoint on I-10 with his service assigned canine "Britney." During this time, a Maroon Ford F150 with unknown Colorado tags entered the primary inspection of the checkpoint. At that time, Agent C. Acosta was conducting primary inspection of the vehicle and I advised her that my canine had alerted to the vehicle. Agent Hoffman saw Agent C. Acosta continue to talk to the driver and direct the vehicle to the secondary inspection area of the checkpoint. At that point, I walked up the vehicle line with my canine and prior to performing a systematic search of the Maroon F150, my canine alerted to the 1998 Silver Dodge 1500 Pickup bearing NM tags LNA 735. Once the Maroon Ford F-150 and the Dodge 1500 entered the secondary inspection area, I performed systematic searches of both vehicles. Search of the Maroon F150 revealed no



contraband and the subjects were released. Search of the Dodge 1500 revealed .01 pounds of crystal methamphetamine later claimed by THORN. THORN and PATTERSON were escorted inside the checkpoint for processing and read their Miranda Rights and both subjects agreed to talk about the case. Both stated in sum but not verbatim; that on December 3, 2010, they (THORN and PATTERSON) arrived in Albuquerque, NM from Amarillo, TX where they both resided. They checked into a Motel 6 located at 6015 Liff Rd NW, Albuquerque, NM, where they stayed until December 8, 2010. On December 8, 2010, they were escorted by a Hispanic male and female inside the Maroon F150 to El Paso, Texas. Neither THORN nor PATTERSON knew the names of the individuals in the Maroon F150. However, those same people crossed the border into Cd. Juarez and drove the Dodge 1500 to a hotel south of Juarez that was run by Mennonites. On December 10, 2010, the same individuals drove the Dodge 1500 back to the Ysleta port of entry and had PATTERSON drive the vehicle through the port of entry, while Thorn was the passenger. Once in the United States, PATTERSON again followed the Maroon F150 onto I-10 and through the USBP Checkpoint on I-10. THORN and PATTERSON gave a thorough description of the Maroon F150 and its occupants. USBP Agents put out the information to local law enforcement and shortly thereafter Luna County Sheriff's Officer R. Collins pulled over the vehicle on NM Highway 26. Both vehicle and its passengers were transported to the Las Cruces Border Patrol Station as per DEA Agent J. Martinez.

Once the Subjects arrived at the Las Cruces Border Patrol Station, Daniel MIRAMONTES was interviewed by FIA R. Ramirez. Prior to any questioning MIRAMONTES, he was advised of his rights via Form I-214 by FIA Ramirez and as witnessed by BPA O. Delgado. MIRAMONTES was questioned as to his involvement in an attempted smuggling scheme that was apprehended at the U.S. Border Patrol Checkpoint located on Interstate 10, MIRAMONTES claims that a man known as "Chuy" contacted him and offered to pay him \$1000.00 U.S. Dollars to escort two (2) females from Albuquerque, NM to Cuauhtemoc, Chihuahua, Mexico and back to Albuquerque, NM. MIRAMONTES states that he agreed and escorted the females to the U.S/Mexico border in El Paso, Texas. MIRAMONTES stated that he and his wife left the vehicle at an aunt's house and walked into Mexico. Upon entering Mexico, the females met MIRAMONTES at a pre determined location. MIRAMONTES then drove the truck from Ciudad Juarez to Cuauhtemoc and left the females at an unknown hotel. MIRAMONTES claims that the truck and keys were then given to an unknown male who dropped him and his wife off at MIRAMONTES's grandparent's home. MIRAMONTES stated that he worked as a translator between the females and the unknown male. MIRAMONTES claims that the females had knowledge that the truck was going to be taken and loaded with narcotics. MIRAMONTES claims that the females questioned the male if the "load" was going to be marijuana. MIRAMONTES claims his wife knew the reason for the trip to Cuauhtemoc, Mexico. MIRAMONTES claims two days later, the unknown male picked them up and dropped off the truck with him. MIRAMONTES and his wife then traveled to the hotel and picked up the females. The group traveled together to Ciudad Juarez, MIRAMONTES and his wife exited the truck prior to arriving to the International boundary. MIRAMONTES and his wife presented themselves for entry at the BOTA Port of Entry through the pedestrian lanes. The females drove the truck and presented themselves for entry at BOTA Port of Entry through the vehicle lanes. After both couples made entry into the United States, they met at a gas station.

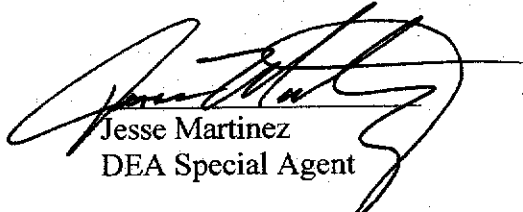


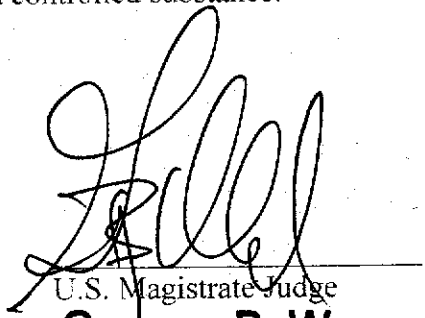

MIRAMONTES claims that the females were to follow him back to Albuquerque, New Mexico at which time he was to receive payment from "Chuy." MIRAMONTES revealed information that he and his wife had attempted to escort another narcotic loaded vehicle in to the United States on December 4, 2010 through BOTA. The attempt was unsuccessful when CBP Officers apprehended the drivers of the 1999 red in color suburban. MIRAMONTES was placed under oath by BPA. O. Delgado and witnessed by FIA R. Ramirez. MIRAMONTES provided a sworn statement pertaining to the event.

All four subjects and narcotics were turned over to DEA Special Agent J. Martinez. Special Agent Martinez advised Alfred Perez of that facts who accepted federal prosecution on all four subjects for violations under Titled 21 USC 841 & 846.

Based upon the above information, Special Agents believe that Aliceia PATTERSON-Shepard, Danielle Sherie THORN did possess with intent to distribute a controlled substance, to wit 75.25 kilograms (165.89 pounds of marijuana), a Schedule I controlled substance, in violation of Title 21 USC 841 and 846 Conspiracy and Daniel MIRAMONTES and Romelia Edith TRUJILLO-Caraveo did conspired with other in violation of Title 21 USC 846; Consiracy to Distribute a controlled substance.

Respectfully Submitted


Jesse Martinez
DEA Special Agent


U.S. Magistrate Judge

Gregory B. Wormuth