

AO 91 (Rev. 08/09) Criminal Complaint

**FILED**

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

**UNITED STATES DISTRICT COURT**

for the  
District of New Mexico

JAN 26 2011

United States of America  
v.  
Oscar L. Blair

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)

Case No.

**MATTHEW J. DYKMAN**  
CLERK

*11ms163*

Defendant(s)

**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(s) of 10/01/2010 in the county of Bernalillo in the  
       District of New Mexico, the defendant(s) violated:

*Code Section*  
18 United States Code 2250

*Offense Description*  
Failure to Register as a Sex Offender

This criminal complaint is based on these facts:

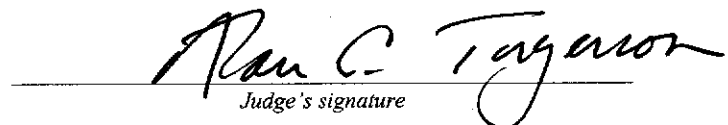
Continued on the attached sheet.

  
Complainant's signature

Lasha Smith, Deputy U.S. Marshal  
Printed name and title

Sworn to before me and signed in my presence.

Date: 01/26/2011

  
Judge's signature

City and state: Albuquerque, New Mexico

Alan C. Torgerson, U.S. Magistrate Judge  
Printed name and title

**STATEMENT OF FACTS**

**AFFIDAVIT**

I, Lasha Smith, being duly sworn, do hereby declare and state the following:

1. I, Lasha Smith, a Deputy U.S. Marshal assigned to the District of New Mexico, have been with the U.S. Marshals Service for over seven (7) years. I am currently assigned to the Enforcement Division. One of my responsibilities is to investigate crimes involving individuals that are convicted sex offenders, that have failed to register as required by 18 U.S.C. § 2250, also known as the Adam Walsh Child Protection and Safety Act of 2006. As a Deputy U.S. Marshal, I am authorized under 28 U.S.C. Section 564 to enforce the laws of the United States, including violations of the Sex Offender Registration and Notification Act ("SORNA"), 42 U.S.C. § 16901, and the new federal failure to register offense, pursuant to 18 U.S.C. § 2250.
2. This affidavit is made in support of a criminal complaint charging Oscar L. Blair with Failure to Register, in violation of 18 U.S.C. § 2250.
3. Criminal records indicate that on February 21, 1992, Oscar L. Blair pled guilty and was convicted of Rape 2<sup>nd</sup> degree, by the Circuit Court of Henry County in Alabama. Blair was sentenced to serve three (3) years in the custody of the Alabama Department of Corrections. Blair was convicted of his second sexual crime on April 10, 1998, by the Circuit Court of Henry County, for Sexual Misconduct, and sentenced to serve twelve (12) months in the Alabama Department of Corrections. Records indicate that Blair first registered as a sex offender with the State of Alabama on March 31, 1997, as a lifetime registrant.
4. On or about February 26, 2010, in the State of Alabama, Blair went to the Henry County Sheriff's Department, to update his registration form, according to the registration form, Blair is responsible for the information written in Alabama Code 15-20- et seq, which states in part; (1) If an adult criminal sex offender intends to transfer his or her residence to a different location, he or she shall submit a notice of intent to move to the sheriff of the county and the chief of police of the municipality in which he or she resides, and to the sheriff of the county and chief of police of the municipality to which he or she plans to move, if such are different, at least 30 days prior to moving to the new location; (2) The notice for intent to move shall be on a form developed by the department of Public Safety provided by the sheriff and shall include all the information required by this article for community notification; failure to provide a timely and accurate written declaration shall constitute a Class C felony. On February 26, 2010, Blair signed and dated the Alabama Bureau of Investigations Sex Offender Registration Form, acknowledging he understood the requirements.
5. Based on Blair's criminal history, he has been charged and arrested on five (5) Failure to Register violations, which were all in the State of Alabama.
6. On or about January 12, 2011, the Affiant received information from the United States Marshals Service Office (USMS) in Montgomery, Alabama, stating that Blair had two (2) Failure to Register as a Sex Offender warrants from Henry and Dale County Sheriff's Offices, both located in Alabama. A report stated that Blair was possibly residing at the Extended Stay Hotel, located at 2401 Wellesley Dr., Albuquerque, NM. On January 13, 2011, the Affiant along with the arrest team, located Blair at the hotel, where he was subsequently arrested.


7. On January 13, 2011, the Affiant interviewed the Extended Stay Hotel clerk and she confirmed that Blair had been residing in room 128 since the beginning of October 2010 until present (1/13/2011).

8. On January 13, 2011, the Affiant interviewed Teena Skinner and Sonya Fields, who are friends of Blair, both Skinner and Fields stated that Blair had been working and residing in Albuquerque, NM since the beginning of October 2010.

9. On January 13, 2011, the Affiant informed Blair of his Miranda rights, which he stated he understood and agreed to give a statement. Blair stated that he had been in New Mexico since the first week of October 2010, he stated that he knew he was required to register as a sex offender, but failed to do so because he didn't want to go back to jail; Blair also admitted that he knew it was a federal violation to travel and cross state lines without registering. Blair also admitted that he was aware of the two (2) state warrants pending in Alabama and knew that they were from Henry and Dale County Sheriff's Offices and that both warrants were for Failure to Register violations.

10. Oscar L. Blair has been in the state of New Mexico for approximately four (4) months without registering, which is in violation of the Adam Walsh Act. Blair is currently in custody at the Metropolitan Detention Center, located in Albuquerque, NM.


11. Based on the aforementioned facts, your Affiant respectfully submits that probable cause exist to charge, Oscar L. Blair, with violation of 18 U.S.C. § 2250, also known as the Adam Walsh Child Protection and Safety Act of 2006, for failure to register as a sex offender in the State of New Mexico and having traveled from the State of Alabama, where he was convicted of Rape 2<sup>nd</sup> Degree and Sexual Misconduct.

  
*Complainant's signature*  
Lasha Smith, Deputy U.S. Marshal  
*Printed name and title*

Sworn to before me and signed in my presence.

Date: 1/26/2011

City and state: Albuquerque, NM

  
*Judge's signature*  
Alan C. Torgerson  
**U.S. Magistrate Judge**  
*Printed name and title*