

# United States District Court

State and

DISTRICT OF

New Mexico

**FILED**

UNITED STATES OF AMERICA UNITED STATES DISTRICT COURT

v.

ALBUQUERQUE, NEW MEXICO

**CRIMINAL COMPLAINT (Amended)**

**Christopher Robert Gray**  
**Year of Birth: 1990**  
**SSAN: XXX-XX-5461**

**CASE NUMBER:**

MAY 20 2011

*ml8*

11-MJ-1344

**MATTHEW J. DYKMAN**  
**CLERK**

(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 May 19, 2011 in Bernalillo county, in the state and District of New Mexico defendant(s) Christopher Robert Gray did travel across state lines to engage in illicit sexual conduct with a female under the age of 18 years. The sexual conduct occurred in the state of New Mexico.

in violation of Title 18 United States Code, Section(s) 2423 (b)(f)

I further state that I am a Special Agent, FBI and that this complaint is based on the following

Official Title

facts: See attached Affidavit.

Continued on the attached sheet and made a part hereof:

YES  No

*Mary F. Adkins*

Signature of Complainant

Mary F. Adkins  
Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

May 20, 2011 at  
Date

Albuquerque, New Mexico  
City and State

U.S. Magistrate Judge  
Name & Title of Judicial Officer

*George S. Davis*  
Signature of Judicial Officer

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA, )  
 )  
 V. )  
 )  
 Christopher Robert Gray, )  
 )  
 SSN: xxx-xx-5461 )  
 )  
 Year of Birth: 1990 )

**AMENDED AFFIDAVIT OF MARY F. ADKINS**

Your Affiant, Mary F. Adkins, having been first duly sworn,  
does hereby depose and state as follows:

**I. INTRODUCTION**

1. Your Affiant is a Special Agent of the Federal Bureau  
of Investigation (FBI). Your Affiant has been a Special Agent  
(SA) since March, 2000. Your Affiant is currently assigned to  
the Albuquerque Field Office, Cyber Crimes Squad, with a  
primary duty to investigate individuals involved in the on-line  
sexual exploitation of children.

2. Your Affiant has participated in investigations of  
persons suspected of violating federal child pornography and  
exploitation laws, including Title 18, United States Code, Section  
2423. Your Affiant has also participated in various FBI training  
for the investigation and enforcement of federal child pornography  
and exploitation laws in which computers and computer-related

1 media are used as the means for receiving, possessing, and  
2 distributing images depicting minors engaged in sexually explicit  
3 conduct (hereafter referred to as child pornography). Your Affiant  
4 has received training through discussions and on the job training  
5 with agents in Albuquerque and Los Angeles currently working  
6 crimes that involve the sexual exploitation of children through  
7 computers and the Internet. Your Affiant has taken a course in  
8 online Internet investigations through the FBI and attended the  
9 Basic Online Undercover Training. Your Affiant attended the  
10 annual Crimes Against Children Conference in Dallas, Texas in  
11 2008, 2009 and 2010. Your Affiant has also attended the National  
12 and Local Project Safe Childhood training in Columbus, Ohio and  
13 Albuquerque, NM, respectively.

14  
15 3. This affidavit will show there is probable cause in  
16 support of a criminal complaint against Christopher Robert  
17 Gray, (Year of Birth 1990, SSN xxx-xx-5461), for a violation  
18 of 18 U.S.C. §§ 2423(b)(f), that being, A person who travels  
19 in interstate commerce, for the purpose of engaging in any  
20 illicit sexual conduct with a person under 18 years of age.

21  
22 4. The statements contained in this affidavit are based  
23 upon Your Affiant's investigation, training, experience, and  
24 information provided by other law enforcement officers.  
25 Because this affidavit is being submitted for the limited  
26 purpose of securing an arrest warrant, Your Affiant has not  
27 included each and every fact known to me concerning this  
28 investigation. Your Affiant has set forth only the facts

*Handwritten signature/initials*  
MA

1 that Your Affiant believes are necessary to establish  
2 probable cause to support a criminal complaint against  
3 Christopher Robert Gray, in violation of 18 U.S.C. §§  
4 2423(b)(f).

5 **II. RELEVANT STATUTES**

6 5. This investigation concerns alleged violations of 18  
7 U.S.C. §§ 2423(b)(f), A person who travels in interstate  
8 commerce, for the purpose of engaging in any illicit sexual  
9 conduct with a person under 18 years of age.

10  
11 **III. DETAILS OF INVESTIGATION**

12 6. On May 19 2011, the Albuquerque Police Department  
13 was contacted by Officer Mike Riley of the Albuquerque Public  
14 Schools Police Department regarding Christopher Gray. At  
15 approximately 9:15 a.m. there was a fire drill at Atrisco  
16 Heritage Academy. During the fire drill, Campus Safety Aid,  
17 Vicky Vanderpool, saw an individual she believed was a  
18 student leaving the school grounds. Vanderpool contacted  
19 Bernalillo County Sheriff's Officer Rebecca Koster, who drove  
20 to Gray's location and detained him. Gray was brought back  
21 to the office and told Officer Riley that he was a 17 year  
22 old from Phoenix interested in going to school there. Gray  
23 provided Riley with a date of birth. Officer Koster went to  
24 run criminal history on Gray. As Officer Koster left, Gray  
25 told Riley that he was lying and that he did not provide his  
26 true date of birth. Gray then provided his true date of  
27 birth and told the officer he was from Denver, Colorado and  
28 had been staying at "Jane Doe's" residence and sleeping under



1 her bed. Gray met "Jane Doe" on Facebook and she initially  
2 told him she was eighteen(18) and later told Gray she was  
3 fifteen(15). Gray told Riley nothing happened between him  
4 and "Jane Doe". Riley asked Gray about the hickeys on his  
5 neck and he admitted to kissing "Jane Doe". At this point  
6 Riley discontinued the interview and contacted APD.

7

8 7. APD Detectives initially spoke to "Jane Doe," and  
9 she indicated Gray had arrived the day before and nothing had  
10 happened between her and Gray. "Jane Doe" admitted that she  
11 was not being truthful and agreed to talk to APD Detective  
12 Steve Walsh. During the interview with Detective Walsh "Jane  
13 Doe" had met Gray about a month ago on a telephone chat line  
14 wherein initially she told him she was 18 years old. They  
15 exchanged phone numbers, and they continued to have  
16 communication. "Jane Doe" indicated that one of their  
17 telephone conversations was sexual in nature. Moreover,  
18 during one of those conversations, "Jane Doe" told Gray that  
19 she was fifteen(15). Last Tuesday, May 10, 2011, Gray told  
20 "Jane Doe" he was coming to Albuquerque to see her. Gray  
21 took the Greyhound bus to Albuquerque and took the city bus  
22 to "Jane Doe's" residence. "Jane Doe" advised she had sex  
23 with Gray two times on her bed and two times on the floor in  
24 her residence located in Albuquerque New Mexico. Gray  
25 performed oral sex on her three times and digitally  
26 penetrated her twice. Gray did not use a condom. Gray was  
27 staying under "Jane Doe's" bed to avoid detection.

28



1           8. On May 19, 2011, Your Affiant conducted a forensic  
2 interview of "Jane Doe" at the Family Advocacy Center .  
3 During the interview, "Jane Doe" indicated she had met Gray  
4 through a telephone chatline approximately one month ago.  
5 "Jane Doe" indicated she and Gray communicated through  
6 telephones. Gray told "Jane Doe" that he was going to come  
7 visit her. "Jane Doe" tried to discourage Gray from coming,  
8 but he came anyway. On Wednesday, May 11, 2011, Gray arrived  
9 at "Jane Doe's" residence located at in Albuquerque, NM.  
10 "Jane Doe" let him in the house through her bedroom window.  
11 "Jane Doe" said they watched television in her bedroom and  
12 had vaginal and anal intercourse approximately four times in  
13 the residence located in Albuquerque, NM. Gray also  
14 performed oral sex on "Jane Doe."

15  
16           9. Special Agent Ryan Hale and Detective Stephen Walsh  
17 conducted a tape recorded interview of Gray. After being  
18 advised of his Miranda Rights, Gray voluntarily provided the  
19 following information: Gray admitted that he had traveled  
20 from Denver, CO, to Albuquerque, NM by Greyhound Bus. Gray  
21 came to Albuquerque to meet "Jane Doe." Gray met "Jane Doe"  
22 through a friend of a friend on Facebook website. After  
23 exchanging several messages via this website, Gray had  
24 numerous telephone conversations with "Jane Doe." On or  
25 about April 20, 2011, Gray and "Jane Doe" started having  
26 phone sex sessions wherein they would describe what they were  
27 doing to each other and make moaning noises while  
28 masturbating. Gray indicated he came to Albuquerque to



1 protect "Jane Doe" from her physically abusive grandfather.  
2 Gray believed "Jane Doe" was 15 years old. When Gray  
3 arrived, he went to "Jane Doe's" residence, and she let him  
4 into the house through her bedroom window. Gray admitted to  
5 having anal and oral sex with "Jane Doe" on the first night.  
6 Gray slept on the floor and hid in the closet so "Jane Doe's"  
7 parents would not see him. Gray admitted to having anal  
8 intercourse approximately two times and vaginal intercourse  
9 approximately three times. Gray also admitted to digitally  
10 penetrating "Jane Doe."  
11

12 **IV. INTERSTATE NEXUS**

13 10. Based upon the statement by Gray to the  
14 interviewing agents, Gray admitted to traveling from Denver,  
15 CO to Albuquerque, NM via Greyhound Bus so as to satisfy  
16 Interstate Nexus.

17 **V. CONCLUSION**

18 11. Based on all of the foregoing information, Your  
19 Affiant submits there is probable cause to believe that  
20 Christopher Robert Gray violated 18 U.S.C. §§ 2423(b)(f),  
21 that being, A person who travels in interstate commerce, for  
22 the purpose of engaging in any illicit sexual conduct with a  
23 person under 18 years of age. Your Affiant requests this  
24 Court issue a criminal complaint in this matter charging  
25 Christopher Robert Gray with a violation of 18 U.S.C. §§  
26 2423(b)(f).  
27  
28

1 I swear that this information is true to the best of my  
2 knowledge and belief.

3 Respectfully submitted,

4  
5 

6 Mary F. Adkins  
7 Special Agent  
8 Federal Bureau of Investigation

8

9

10

11

Subscribed and sworn to  
before me this 20 day  
of May 20, 2011.

12

13

14   
UNITED STATES MAGISTRATE JUDGE

15

16

17

18

19

20

21

22

23

24

25

26

27

28