

For Immediate Release
June 14, 2011

**DEMING MAN SENTENCED TO 20 YEARS IN PRISON FOR
METHAMPHETAMINE TRAFFICKING CONVICTION**

LAS CRUCES – United States Attorney Kenneth J. Gonzales announced that, today in federal court in Las Cruces, **Frank L. Gutierrez**, 49, a resident of Deming, New Mexico, was sentenced to 20 years in prison for his methamphetamine trafficking conviction. Gutierrez will be on supervised release for ten years after he completes his prison sentence.

Gutierrez was convicted of possession of methamphetamine with intent to distribute on April 20, 2010, after a two-day jury trial. According to the evidence at trial, in the early morning hours of November 12, 2008, Gutierrez was stopped on I-10 by a Lordsburg, New Mexico police officer for a traffic violation. As the officer was writing the citation, he noticed that Gutierrez seemed nervous and out of breath. When asked about his travel plans, Gutierrez claimed that he had been visiting a friend in Tucson “for a couple of hours.” Gutierrez’s passenger claimed, however, that they had been in Tucson the “whole day,” contradicting Gutierrez’ story. After writing the citation, the officer asked for consent to search the car. Gutierrez initially consented, but then changed his mind. The officer told Gutierrez and his passenger that they were free to leave, but that he was securing the car to obtain a search warrant. That afternoon, the officer executed the search warrant and found a plastic coffee canister in the car’s trunk with 70.96 net grams of pure methamphetamine inside.

In 1993, Gutierrez was convicted in United States District Court in New Mexico of conspiracy to possess marijuana with the intent to distribute. As a result of this prior conviction, Gutierrez was subject to a mandatory minimum sentence of 20 years in prison.

This case was investigated by Homeland Security Investigations and the Lordsburg

Police Department, and was prosecuted by Assistant United States Attorneys Luis A. Martinez and Andrea W. Hattan.

###

11-263