

AO 91 (Rev. 5/85) Criminal Complaint

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO
JUN 7 2010

United States District Court

DISTRICT OF

MATTHEW J. DYKMAN
New Mexico
CLERK

UNITED STATES OF AMERICA
v.

Sterling Clyde
YOB: 1980
SSAN: xxx-xx-2697

CRIMINAL COMPLAINT

CASE NUMBER: 10-MJ-1692
10-MQ-033

(Name and Address of Defendant)

I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief. On or about June 5, 2010 in SAN JUAN county, in the Distriot of New Mexico Defendant(s) did, (Track Statutory Language of Offense)

"Aggravated Sexual Abuse" Defendant knowingly causes another person to engage in a sexual act by using force against that other person. Christie Coho is a Native American female who is an enrolled member of the Navajo Nation Tribe. Defendant is a Native American male and is an enrolled member of the Navajo Tribe. The act occurred in Indian country.

In violation of Title 18 United States Code, Section(s) 1153, 2241(a)(1)

I further state that I am a(n) FBI Special Agent Official Title and that this complaint is based on the following facts: *See attached Affidavit hereby incorporated by reference as if fully restated herein.*

Continued on the attached sheet and made a part hereof: Yes No

Sworn to before me and subscribed in my presence,

Robert W IUSA
Date US Magistrate Judge
Name & Title of Judicial Officer

[Signature]
Signature of Complainant

Gallup, N. M.
City and State

[Signature]
Signature of Judicial Officer

1 IN THE UNITED STATES DISTRICT COURT
2 DISTRICT OF NEW MEXICO

3
4 United States of America,

5 Plaintiff,

6 vs.

7 STERLING CLYDE

8 YOB: 1980

9 SSAN: XXX-XX-2697

10 Defendant

) Case No.: 10.MJ.1692
) 10.MG.033

) AFFIDAVIT

11
12 1. Your affiant is a special agent (SA) of the Federal Bureau of
13 Investigation (FBI) and has been employed in that capacity since 2004. Your
14 affiant was previously stationed in El Paso, Texas, where he had investigative
15 responsibility of crimes involving drug trafficking and public corruption. Your
16 affiant is currently assigned to the Albuquerque Division of the FBI, Gallup
17 Resident Agency, and has primary investigative responsibility in crimes that
18 occur in Indian country; including violent crimes such as homicide, robbery,
19 arson, aggravated assault, and sexual assault. The information set forth in this
20 affidavit has been derived from an investigation conducted by FBI SA Bradley
21 Michael of the Farmington Resident Agency, Navajo Nation Criminal
22 Investigation Services (NNCIS) Criminal Investigator (CI) Dale West of the
23 Shiprock Police District, as well as other law enforcement Officers of the Navajo
24 Nation Department of Public Safety (NNDPS).

1 2. On June 5, 2010, Christie Coho, an adult Navajo Indian female, and her
2 friend, Ryan Mute, an adult Navajo Indian male, were at a party facilitated by
3 Sterling Clyde, an adult Navajo Indian male. Christie Coho and Ryan Mute were
4 invited to the party by a friend whom they knew as "Trout". The party was held
5 at a blue house approximately one hundred yards east of the old wool market, on
6 Ayani Neez Boulevard, north of the New Mexico State Highway Department,
7 Shiprock, New Mexico. The location of the house is within the exterior
8 boundaries of the Navajo Nation Indian Reservation.

9 3. At approximately 3:00 am, most of the individuals who were at the
10 party had left the residence except for Ryan Mute, who had "passed out" on the
11 bed due to his excessive alcohol consumption, Christie Coho, who had stayed
12 with Ryan Mute, and Sterling Clyde, who was living at the house.

13 4. At approximately the same time, Ryan Mute woke up and went outside
14 to use the outhouse as there was no running water inside the house. Sterling
15 Clyde locked the doors to the house and told Ryan Mute to go home. Ryan Mute
16 left the residence on foot.

17 5. Christie Coho got up and attempted to figure out what was going on.
18 She discovered that the doors to the house were locked and she couldn't get out.
19 Sterling Clyde told her that he was going to rape her and there was nothing she
20 could do about it. Christie Coho attempted to crawl out a window, but Sterling
21 Clyde pulled her back inside the house. Sterling Clyde was stronger than she was
22 and he forced her onto the bed and took off her clothes. She tried to push him off
23 of her, but she relented because she was afraid of getting hit. Sterling Clyde had
24 penile to vaginal sexual intercourse with Christie Coho. Sterling Clyde also told
25 her that he was going to rape her all night long.

1 6. Ryan Mute had walked down the road when he felt that "something
2 wasn't right" and he returned to the blue house. He knocked on the door and
3 window and called out Christie's name. Sterling Clyde heard Ryan Mute outside,
4 got off Christie Coho, and went to the door. Christie Coho quickly put her clothes
5 on and ran out the door past Ryan Mute. Ryan Mute ran to catch up with Christie
6 Coho and asked her, "What's wrong?" Christie Coho told Ryan Mute that
7 Sterling had raped her. Christie Coho and Ryan Mute went to Ryan Mute's
8 residence and called the Shiprock Navajo Police and reported the incident.

9 7. Navajo Police Officer (NPO) Nelson Peterson met with Christie Coho
10 and Ryan Mute. Christie Coho was transported to the hospital by ambulance for
11 treatment. NPO Peterson then proceeded to the blue house. NPO Peterson
12 knocked on the door. An adult Navajo Indian male opened a window and looked
13 out. The male individual verbally identified himself as Sterling Clyde, but he
14 refused to open the door for NPO Peterson. NPO Peterson retreated to his patrol
15 unit and radioed for back-up. Sterling Clyde then escaped from the house through
16 a back window and fled on foot. NPO Peterson didn't see Sterling Clyde until he
17 heard the neighbor's dogs barking on the back side of the house. NPO Peterson
18 saw Sterling Clyde fleeing on foot, by himself, in the distance.

19 8. Upon the arrival of additional patrol units, NPO Peterson made entry
20 into the house, but did not find anyone else inside the house. Navajo Police
21 Sergeant Phillip Joe and NPO Ernest Sanisya tracked the single set of foot prints
22 leaving from the house until they lost track of the footprints in a graveled area.
23 NPO Peterson stayed at the residence and maintained security of the scene.

24 9. SA Bradley Michael obtained a search warrant for the residence and
25 assisted CI Dale West and Evidence Technician (ET) Amos Ben in collecting

1 evidence from the exterior and interior of the house. ET Amos Ben took
2 photographs of the inside and outside of the house to include the curtilage.
3 Plaster casts of the footprints fleeing the house were taken. A green bed sheet
4 was collected as evidence. The bed sheet had a dried substance on it and there
5 were also footprints near the side of the bed where the window was located.

6 10. CI Dale West transported Christie Coho to the Sexual Assault Nurse
7 Examiner's (SANE) Office for further examination and treatment. Results of the
8 examination are still pending.

9 11. Based on the information set forth in this affidavit, your Affiant
10 submits there is probable cause to believe that on or about June 5, 2010, within
11 the exterior boundaries of the Navajo Nation Indian Reservation, Sterling Clyde,
12 (an adult Indian male), did, knowingly cause another person to engage in a sexual
13 act by using force against another person, in violation of Title 18, United States
14 Code, Sections 1153, 2241(a)(1) Aggravated Sexual Abuse by contact between
15 the penis of Sterling Clyde and the vagina of Christie Coho (an adult Indian
16 female). Affiant respectfully requests this court issue an arrest warrant for
17 Sterling Clyde.

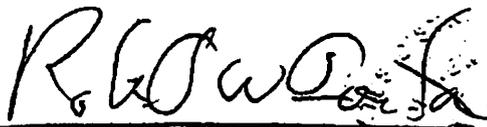
18 I swear that this information is true and correct to the best of my
19 knowledge and belief.

20 
21 _____
Jonathan J. McPherson, Special Agent
22 Federal Bureau of Investigation

23 Subscribed and sworn

24 Before me, on this

25 7th day of June, 2010


US Magistrate Judge