

**FILED**

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE DISTRICT OF NEW MEXICO

AUG 05 2010



**MATTHEW J. DYKMAN**

CLERK

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 KEVIN GARNER, )  
 )  
 Defendant. )  
 )  
 )  
 )  
 )  
 )

CRIMINAL NO. 09-3207 JB

Count 1: 21 U.S.C. § 846:  
Conspiracy.

Count 2: 18 U.S.C. § 924(c)(1)(A):  
Carrying a Firearm During and In  
Relation to a Drug Trafficking Crime.

**INFORMATION**

The United States Attorney charges:

**COUNT 1**

On or about October 15, 2009, in Bernalillo County, in the District of New Mexico, the defendant, **KEVIN GARNER**, unlawfully, knowingly and intentionally combined, conspired, confederated, and agreed with others to commit the following offense against the United States, to wit: possession with intent to distribute a mixture and substance containing a detectable amount of cocaine, contrary to 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

In violation of 21 U.S.C. § 846.

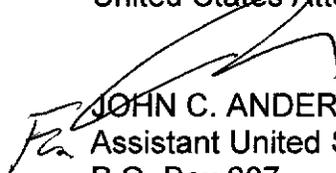
**COUNT 2**

On or about October 15, 2009, in Bernalillo County, in the District of New Mexico, the defendant, **KEVIN GARNER**, knowingly carried a firearm, a Smith and

Wesson 9 mm, serial number PDV8066 during and in relation to a drug trafficking crime for which the defendant may be prosecuted in a court of the United States: to wit, conspiracy to possess with intent to distribute cocaine, as charged in Count 1 of this information.

In violation of 18 U.S.C. § 924(c)(1)(A).

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