

AO 91 (Rev. 02/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the District of New Mexico

FILED
DISTRICT OF NEW MEXICO
2010 JUN -3 AM 8:58
CLERK-LAS CRUCES
[Signature]

United States of America)

v.)

Kimie May RENSHAW)
Walter Thomas RENSHAW)

Case No.

10-1641 MS

Defendant

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 of 06-01-2010 in the county of Dona Ana in the District of New Mexico, the defendant violated 21 U.S.C. § 841 (a) (1),

an offense described as follows:

Possession with Intent to Distribute approximately 115 pounds of marijuana, a Schedule I Controlled Substance

This criminal complaint is based on these facts:

As further discribed in Attachment A

Continued on the attached sheet.

[Signature]
Complainant's signature
Michael Jimenez, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 06-03-2010

[Signature]
Judge's signature
US Magistrate Judge
Printed name and title
William P. Lynch

City and state: Las Cruces, New Mexico

I, Michael Jimenez, am a duly sworn Special Agent (SA) with the Drug Enforcement Administration (DEA), having been so employed since August of 2009. While employed as a Special Agent with the DEA, I have received specialized training in narcotics investigations, identification and was designated by the Attorney General to be empowered with Title 21 authority, which authorizes me to seize and arrest anyone for violations of the Controlled Substances Act.

On Wednesday, May 27, 2010, at approximately 12:55 a.m., while conducting vehicle inspections in the primary inspection area at the USBP checkpoint on Interstate 25 mile marker 26 northbound, US Border Patrol Agent Kasey Kinley encountered a black 2005 Chevrolet Silverado 1500 bearing Kansas plates XQC 234. The vehicle contained two subjects, a female driver later identified as Kimmie May RENSHAW, and a male passenger later identified as Walter Thomas RENSHAW. Agent Kinley identified himself as a U.S. Border Patrol Agent and questioned the occupants as to their citizenship. While performing his immigration inspection, Agent Kinley noticed that the driver was staring forward and avoiding eye contact while she replied that they were both United States Citizens. At this time, Agent Kinley was informed by Agent Hoffman that his service assigned K-9 "Britney" had alerted to the vehicle. Agent Kinley then asked the driver, Kimmie RENSHAW, for consent to run a canine around the vehicle in secondary inspection. The Kimmie RENSHAW put both her hands on her legs and began to bounce her legs in a nervous manner. Kimmie RENSHAW asked if the dog was just going to run around the vehicle. Agent Kinley then asked for consent to have the canine search the vehicle in the secondary inspection station. Kimmie RENSHAW replied in a hesitant manner that she didn't mind. She was then directed to pull in the secondary inspection station.

Once in the secondary inspection area, Agent Hoffman conducted a systematic inspection of the vehicle with his assigned canine "Britney". Again Agent Hoffman later informed me that his canine had alerted to the vehicle, specifically to the back seat. Being that there were numerous bags and packages in the back seat, Agent Hoffman started removing luggage, boxes, and bags from the back seat of the vehicle. Once Agent Hoffman got to a large duffle bag wedged between the driver's seat and the back seat, Walter RENSHAW stated, "What is that?" Agent Hoffman then unzipped the duffle bag and revealed numerous bundles wrapped in black tape. At this time, the subjects were escorted into the checkpoint.

A further search of the vehicle revealed a large black duffle bag behind the driver's seat with 80 bundles wrapped in a black tape weighing a total of 93.9 pounds. The vehicle was then referred to VACIS to perform a scan of the vehicle. Agent Marques performed the VACIS scan which revealed an anomaly. A further search found a cardboard computer box containing 10 bundles wrapped in tan packaging tape weighing 21.8 lbs. Once inside the checkpoint, Agent Kinley conducted a field test of the green leafy substance contained in both the black and brown bundles. They tested positive for the properties of marijuana.

The subjects were given their rights via form I-214 in the English language. Both subjects stated that they understood their rights and signed the form at 1:15 AM. Both subjects refused to sign the Waiver of Rights portion of the form I-214 and did not want to speak to anyone.

DEA was contacted and advised of the apprehension. Special Agents Michael Jimenez and Omar Chavarria responded to the checkpoint to take possession of Kimmie RENSHAW, Walter RENSHAW and the marijuana.

WPK

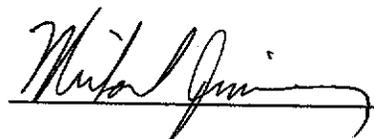
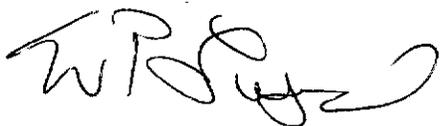
WJ

At the station, SA Jimenez advised both Kimmie RENSHAW and Walter Thomas RENSHAW of their constitutional rights. Both acknowledged an understanding of their rights verbally and by initializing. Kimmie RENSHAW requested a lawyer to be present before any questioning. Walter RENSHAW stated that he wanted to waive his rights and was willing to answer questions for SAs Jimenez and Chavarria.

Walter RENSHAW stated that he had no idea that the marijuana was inside his vehicle. On Saturday, May 29, 2010, Walter RENSHAW stated that he and Kimmie RENSHAW left Kansas City, KC for El Paso TX. They spent Saturday night at Oklahoma and arrived to El Paso, TX Sunday May 30, 2010. Walter RENSHAW stated that the reason they wanted to come to El Paso, TX was because they "wanted to get away for awhile." On Monday, May 31, 2010, Walter RENSHAW stated that they did some sightseeing and stopped by a CompUSA. When asked if he had a specific reason to visit El Paso, TX, i.e., family, friends, etc..., Walter RENSHAW stated that they just wanted to visit. When asked if he was aware of the violence happening in Juarez, Mexico because of the drug wars, Walter RENSHAW stated that he is unaware of any violence going on. Furthermore, Walter RENSHAW stated that he was not able to smell the marijuana even though it was sitting in the backseat.

Assistant United States Attorney Mike Nammar was contacted and agreed to take the case for federal prosecution.

Based on the above stated information your affiant believes that there is sufficient probable cause to show that Kimmie RENSHAW and Walter RENSHAW possessed with intent to distribute approximately 115 pounds of marijuana, a Schedule I controlled substance, being a violation of Title 21, USC 841(a)(1).



Special Agent Michael Jimenez, DEA