

FILED

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

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for the

District of New Mexico

CLERK - LAS CRUCES

United States of America  
v.  
Christopher A. BERUMEN

Case No. 10-2435 MJ

Defendant(s)

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(s) of April 22, 2010 in the county of Grant in the  
       District of New Mexico, the defendant(s) violated:

*Code Section*  
Title 26 U.S.C. 5861(d)

*Offense Description*  
To possess a firearm which is not registered to him in the National Firearms  
Registration and Transfer Record.

This criminal complaint is based on these facts:

See Attached Affidavit.

Continued on the attached sheet.

*[Handwritten Signature]*  
Complainant's signature

CARLOS VALDES ATF Special Agent  
Printed name and title

Sworn to before me and signed in my presence.

Date: 9-9-10

*[Handwritten Signature]*  
Judge's signature

City and state: Las Cruces, NM

Lourdes A. Martinez, U.S Magistrate Judge  
Printed name and title

UNITED STATES OF AMERICA

VS

Christopher A. BERUMEN

Affidavit of Carlos Valles

1. Your affiant, Carlos Valles, is a Special Agent (S/A) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and has been so employed since April 5, 2009. Prior to April, your affiant worked for approximately one year as an Agent with the United States Border Patrol. Your affiant maintains a Bachelors Degree in Criminal Justice and a Bachelors Degree in Foreign Languages (Spanish) from New Mexico State University. As part of training to become an ATF Special Agent, your affiant attended six months of specialized training sponsored by the Federal Law Enforcement Training Center in Glynco, Georgia. As a result of this training, your affiant has been certified as a Federal Investigator and has received specific training involving violations of federal law. Your affiant has also received ATF specific training in the determination of probable cause and in the use of warrants and complaints to enforce federal firearms laws. Your affiant is currently assigned to the Las Cruces, New Mexico Field Office and has conducted and participated in numerous firearms investigations.
2. Your affiant, being duly sworn, states the following to be true and correct to the best of his knowledge and belief based upon his personal observations and from information provided by knowledgeable law enforcement agents and officers who are

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involved in the investigation of Christopher A. BERUMEN.

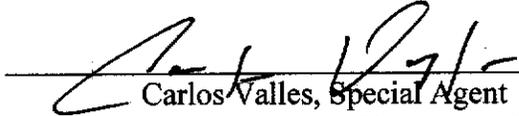
3. As a result of my training and experience as an ATF Special Agent, I am familiar with federal criminal laws and know that it is a violation of Title 26 United States Code, Section 5861(d) for any person to possess a firearm which is not registered to him in the National Firearms Registration and Transfer Record.
4. On April 22, 2010, at approximately 1720 hrs, Christopher A. BERUMEN was stopped in a 1989 Ford Crown Victoria bearing NM license plate 290PGY on U.S. Highway 180 and the north entrance to the Bayard city limits. BERUMEN was stopped by a Bayard Police Department Officer for having a cracked windshield. A driver's license inquiry of BERUMEN revealed that he had an outstanding warrant for his arrest and he was subsequently placed under arrest.
5. BERUMEN was advised of his Miranda Rights and then told Bayard Police Department Officers that there was a shotgun in the trunk of the car however; it had been in there since he bought the car. The officers then secured the vehicle and transported BERUMEN and the vehicle to the Bayard Police Department.
6. A state search warrant for the vehicle was subsequently obtained and executed on April 22, 2010. During the course of the search, Bayard Police Department Officers located a 12 gauge shotgun with a shortened barrel and an obliterated serial number in the trunk of the vehicle.

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7. A measurement of the weapon pertaining to the BERUMEN Case; that being a Winchester 12 gauge shotgun, model 1200, with an obliterated serial number revealed the weapon had a barrel of approximately 13.75 inches in length and overall length of approximately 25.5 inches.
8. An interview of the previous owner of the 1989 Ford Crown Victoria in which Christopher A. BERUMEN was stopped and subsequently arrested revealed there were no firearms, specifically a shotgun with a shortened barrel in the car when it was sold to BERUMEN. The previous owner also stated he has never owned a shotgun with a shortened barrel.
9. A query of the National Firearms Registration and Transfer Record indicated the Winchester 12 gauge shotgun, model 1200, with an obliterated serial number was not registered to Christopher A. BERUMEN. The query indicated BERUMEN has no NFA weapons registered to him.
10. BERUMEN is fully identified as Christopher A. BERUMEN, white male, date of birth 04/28/1986. A query of BERUMEN'S criminal history indicates he has no prior felony convictions.
11. Based upon the above information, your affiant believes that on April 22, 2010, Christopher A. BERUMEN possessed a firearm (weapon made from a shotgun) that was not registered to him in the National Firearms Registration and Transfer Record

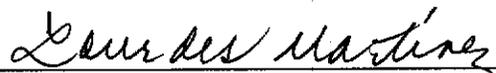
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in violation of Title 26 United States Code 5861(d). This violation occurred within Grant County, in the District of New Mexico.

  
\_\_\_\_\_  
Carlos Valles, Special Agent  
Bureau of Alcohol, Tobacco, Firearms and Explosives

**Subscribed and sworn to before**

me this 9<sup>th</sup> day of September, 2010

  
\_\_\_\_\_  
LOURDES MARTINEZ JUDGE