

United States District Court
DISTRICT OF
NEW MEXICO

AUG 05 2010

UNITED STATES OF AMERICA
v.
Eric CONTRERAS
Roswell, NM 88203

CRIMINAL COMPLAINT

CASE NUMBER: 10-2161mJ

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 24, 2010 in Chaves county, in the Judicial District of New Mexico, defendant(s) did, (*Track Statutory Language of Defense*) possess a firearm and ammunition in and affecting commerce after being convicted of a crime punishable for more than one year in violation of Title 18 United States Code, Section(s) 922(g)(1)

I further state that I am a(n) ATF Task Force Agent and that this complaint is based on the following facts:
See Attachment

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

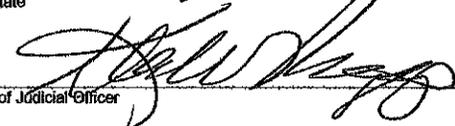

Sworn to before me and subscribed in my presence,

8/5/10
Date


Signature of Complainant

Roswell, NM
City and State


Name and Title of Judicial Officer


Signature of Judicial Officer

Attachment

This complaint is based on the following facts:

I, Greg Carrasco, being duly sworn, state that I am employed as a Detective with the Roswell Police Department and currently commissioned as a Task Force Agent (TFA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been so employed with the police department for twelve years and a TFA for two years. I am currently assigned to work in the Roswell, New Mexico area.

1. On May 24, 2010, RPD Detective Michael Stanton observed a black Dodge Magnum traveling north on Garden in Roswell, New Mexico. Detective Stanton recognized the driver as George Ortiz and had prior knowledge that Mr. Ortiz had a suspended driver's license. Detective Stanton confirmed Mr. Ortiz's license status and initiated a traffic stop on the vehicle. Mr. Ortiz stopped and quickly exited the vehicle. Mr. Ortiz was placed under arrest for the suspended driver's license. Ana Gomez (Ortiz) was the front seat passenger of the vehicle and Eric CONTRERAS DOB: 1985 SSN: 7722 Roswell, NM, was the rear driver's side seat. Detective Stanton had both subjects exit the vehicle. Detective Stanton began an inventory of the vehicle due to it being towed. Ms. Gomez requested her purse and gave Detective Stanton consent to search the purse. Detective Stanton located narcotics in the purse and secured the vehicle pending a search warrant.
2. On May 25, 2010, Detective Stanton was contacted by Ms. Gomez and requested to speak to him. Ms. Gomez stated that after Mr. Ortiz was arrested, CONTRERAS contacted her. She asked CONTRERAS if there were any guns left in the car and CONTRERAS told her yes. CONTRERAS told her that his fingerprints were likely going to be found on the guns. Ms. Gomez stated that the car was hers and that any guns found in the car would have been placed there on that day (May 24, 2010). Ms. Gomez stated that the only people that have been in the car were CONTRERAS, Mr. Ortiz, and herself. Ms. Gomez stated that CONTRERAS did not want the Police to search the car.
3. On the same date, Detective Stanton obtained and executed a District Court state search warrant on the vehicle. Detective Stanton located a Smith and Wesson, model 27, 357 caliber revolver, SN: S240584 loaded with six Winchester 357 ammunition and a Charter Arms, undercover, 38 special revolver, SN: 493882 loaded with five PMC 38 special ammunition. The firearms were located under the driver's seat directly in front of where CONTRERAS was seating.
4. On June 23, 2010, TFA Carrasco test fired the weapons pertaining to CONTRERAS, that being a Smith and Wesson, model 27, 357 caliber revolver, SN: S240584 and a Charter Arms, undercover model, 38 special revolver, SN: 493882. Both firearms were found to function as designed.

5. On July 15, 2010, TFA Carrasco obtained a copy of the United States District Court Judgment and Sentence pertaining to Eric CONTRERAS. Upon review of Judgment and Sentence No. 2:07CR00540-001WJ, TFA Carrasco observed that on August 22, 2007, CONTRERAS had pled guilty to the indictment for the charge of Title 26; Section 5861(d) Possession of an Unregistered Firearm made from a Shotgun. CONTRERAS was sentence to 30 months in the custody of the United States Bureau of Prisons and 2 years Supervised Release.

6. One firearm was manufactured by Smith & Wesson and had the stampings of "MADE IN U.S.A." and "SPRINGFIELD, MASS.". The second firearm was manufactured by Charter Arms and had the stampings of "CHARTER ARMS CORP." and "STRATFORD, CONN.". TFA Carrasco knows through training and experience that Smith and Wesson firearms nor Charter Arms firearms are not and have never been manufactured in New Mexico. Therefore the firearms possessed by CONTRERAS on May 24, 2010, traveled in and affected interstate commerce.

USA Ron Jennings reviewed this criminal complaint.



Greg Carrasco
ATF Task Force Agent

Sworn Before Me on this ^{5th} day of August, 2010,



Hon. Kea Riggs, U.S. Magistrate Judge