

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court

State and

New Mexico

FILED
District of
At Albuquerque NM

UNITED STATES OF AMERICA

v.

JUN 24 2010

CRIMINAL COMPLAINT

ADRIANA NICOLE ABEITA

Year of birth: 1987

SSAN: XXX-XX-5971

MATTHEW J. DYKMAN
CLERK

10-MJ-1813

(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 June 22, 2010 in Bernalillo county, in the state and District of New Mexico defendant(s) did, (track statutory Language of Offense) by intimidation and force and with a knife did take money from the persons and presence of the Bank of the West located at 500 Doctor Martin Luther, Junior, Avenue, Northeast, Albuquerque, New Mexico, on June 22, 2010, a federally insured financial institution

in violation of Title 18 United States Code, Section(s) 2113(a) and 2

I further state that I am a Special Agent, FBI and that this complaint is based on the following

Special Agent, FBI

Official Title

facts: See attached Affidavit.

Continued on the attached sheet and made a part hereof:

 YES

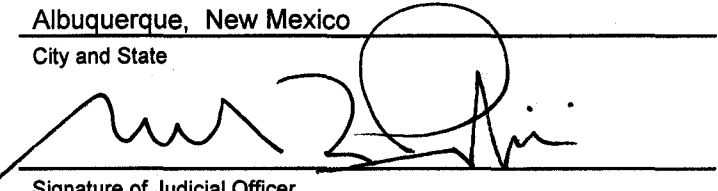
No

Signature of Complainant

JEFFREY A. ROMERO
Special Agent
Federal Bureau of Investigation

Albuquerque, New Mexico

City and State



Signature of Judicial Officer

Sworn to before me and subscribed in my presence,

June 24, 2010

Date

at

U.S. Magistrate Judge

Name & Title of Judicial Officer

RICHARD L. PUGLISI
U.S. MAGISTRATE JUDGE

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA)

VS.)

ADRIANA NICOLE ABEITA)

Year of birth: 1987)

SSAN XXX-XX-5971)

AFFIDAVIT

I, the undersigned, being duly sworn, hereby depose and state as follows:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) and have been employed in that capacity for almost fourteen years. I am currently assigned to the Albuquerque Division and investigate major crimes and conduct other investigations including but not limited to violent crimes and bank robberies. The information set forth in this affidavit has been derived from my own investigation or communicated to me by other sworn law enforcement officers or from other reliable sources.

2. On June 22, 2009, at approximately 10:04 a.m., the Bank of the West, 500 Doctor Martin Luther King, Junior, Avenue, Northeast (NE), Albuquerque, New Mexico (NM), was robbed by an individual who entered the bank, verbally demanded money, and displayed a 12" kitchen knife.. The robber said words to the effect of, "Give hundreds and fifties." The robber also demanded money from the "refill" drawer. The teller provided the robber with a sum of United Stated Federal Reserve Bank Notes. The robber was last seen by bank personnel, getting into the passenger side of a dark green Dodge Stratus that had a missing front bumper. A woman was seen driving the Stratus. The car was last seen fleeing the bank in a southern direction.

1 Bank of the West is a federally insured financial institution, and did sustain a
2 loss in United States Federal Reserve Bank Notes.

3
4 The aforementioned robbery was conducted by a man described as a Hispanic
5 or Native American male, approximately 5'6"-5'7", dark medium complexion, medium
6 build, dark hair and dark mustache, and approximately Mid-30s years in age. The robber
7 was further described as wearing a white t-shirt with "TAR HEELS" in blue letters across
8 the front, a white baseball style cap, and tan painter style pants.

9
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11 3. In the evening of June 22, 2010, multiple sources called different law
12 enforcement Agencies, and all tips consistently advised that the robber was James Joshua
13 Abeita, year of birth 1980, Social Security Account Number (SSAN) XXX-XX-7374. The
14 tips also advised that the James Joshua Abeita was in the presence of Adriana Nicole Abeita,
15 year of birth 1987, SSAN XXX-XX-5971, on a near constant basis since his release from
16 Federal Prison several weeks ago. The tips reported that Adriana owned a 2005 dark gray
17 Dodge Stratus that was missing it's front bumper.

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20 4. A driver's license (DL) photograph was obtained via the Motor Vehicle
21 Division of James Joshua Abeita, year of birth 1980, SSAN XXX-XX-7374. Immediately,
22 the writer recognized Abeita bore strong resemblance to the bank robbery in the surveillance
23 pictures from the bank robber of the Bank of the West, 500 Doctor Martin Luther King,
24 Junior, Avenue, NE, Albuquerque, NM, on June 22, 2010. Other Federal Bureau of
25 Investigation (FBI) Special Agents and other local law enforcement entities compared
26 Abeita's DL photograph and all concurred that Abeita looked like the bank robber. Abeita's
27 new Federal Probation Officer, Jason Towne, also expressed that he believed that Abeita and
28 the bank robber of the Bank of the West, 500 Doctor Martin Luther King, Junior, Avenue,

1 NE, Albuquerque, NM, on June 22, 2010, looked very much alike. Finally, the writer
2 noticed that Abeita, in his DL photograph was wearing what appeared to be a University of
3 North Carolina Football Jersey. The color of the "Carolina Blue" was very distinctive. The
4 mascot of the University of North Carolina is known as the "TAR HEELS."

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7 5. A six-picture photographic array was shown to three witnesses from the
8 aforementioned victim banks. Two witnesses, the victim-teller and the teller next to the
9 victim-teller, selected James Joshua Abeita, year of birth 1980, SSAN XXX-XX-7374, as
10 the man who robbed their bank. The third bank employee advised that he was outside
11 smoking and did not get a good look at the man, therefore, he could not be certain if the
12 bank robber existed among the six pictures.

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15 6. At approximately 3:00 pm, Isleta Pueblo Police located Adriana Nicole
16 Abeita, year of birth 1987, SSAN XXX-XX-5971, and took her into custody. Shortly
17 thereafter, the writer arrived and interviewed Adriana. Adriana was read her "Advice of
18 Rights" and ^{JR}agreed to waive her rights and speak to the FBI and the Isleta Pueblo Police.

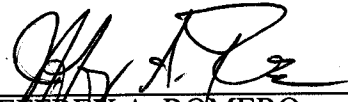
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20
21 7. Adriana confessed that she had driven the getaway car and had full
22 knowledge that James Joshua Abeita, year of birth 1980, SSAN XXX-XX-7374, entered the
23 Bank of the West, 500 Doctor Martin Luther King, Junior, Avenue, NE, Albuquerque, NM,
24 on June 22, 2010, for the sole purpose of robbing that bank. Adriana advised that she and
25 James Joshua Abeita discussed robbing a bank on Sunday night, June 20, 2010, while
26 getting drunk together. Adriana advised the getaway car used was her car that she got from
27 R & J Auto in Bosque Farms, NM.

8. Adriana also identified that James Joshua Abeita located a key piece of evidence and Adriana observed him discarded ^{sub} right where it was located by the Albuquerque Police Department.

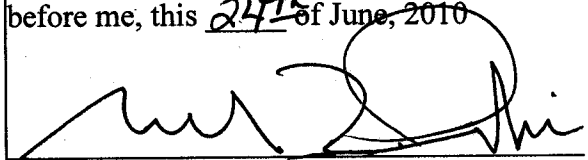
Based on the information set forth in this affidavit, your affiant submits that there is probable cause to believe that Adriana Nicole Abeita, year of birth 1987, SSAN XXX-XX-5971, did by intimidation and force, take money from the persons and presence of the the Bank of the West, 500 Doctor Martin Luther King, Junior, Avenue, NE, Albuquerque, NM, on June 22, 2010, a federally insured financial institution.

Your affiant further submits that these robberies was committed in violation of Title 18 United States Code, Section 2113(a) and 2.

I swear that this information is true and correct to be best of my knowledge.


JEFFREY A. ROMERO
Special Agent,
Federal Bureau of Investigation

Subscribed to and sworn to before me, this 24th of June, 2010



UNITED STATES MAGISTRATE JUDGE
Albuquerque, NM

RICHARD L. PUGLISI
U.S. MAGISTRATE JUDGE