

AO 91 (Rev. 11/11) Criminal Complaint

FILED
U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO

UNITED STATES DISTRICT COURT
for the
District of New Mexico

2014 APR 28 AM 8:49
CLERK-LAS CRUCES

United States of America
v.
Luis Delgadillo, Gary Borja, Armando Lopez, Ana Lopez, Nancy Salas, Eric Lovato

Case No. 14-1399 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 _____ in the county of _____ Otero in the
_____ District of _____ New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 21 § 846	Conspiracy to Possess with the Intent to Distribute a Controlled Substance,

This criminal complaint is based on these facts:

See the attached Affidavit

Continued on the attached sheet.

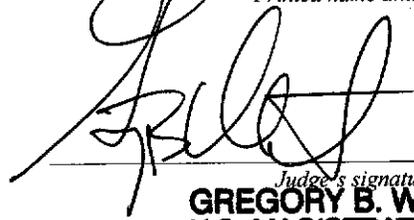

Complainant's signature

SA JACK WARBERGER
Printed name and title

Sworn to before me and signed in my presence.

Date: 28 Apr 2014

City and state: LAS CRUCES, NM


Judge's signature

GREGORY B. WORMUTH
U.S. MAGISTRATE JUDGE
Printed name and title

Attachment to Complaint

1. I, Jack Marberger, am a Special Agent of the Federal Bureau of Investigation (FBI) currently assigned to the Albuquerque Division, Las Cruces Resident Agency, and have been employed by the FBI since July 31, 2011. As a Special Agent for the FBI, I am authorized to investigate crimes that occur within the territorial jurisdiction of the United States, and I have been designated by the United States Attorney General to be empowered with Title 21 authority, which allows me to seize narcotics and arrest subjects for violating the Controlled Substances Act. During my employment as an FBI Special Agent, I have participated in numerous investigations. I, being duly sworn, depose and state the following:
2. Luis Delgadillo (CO Delgadillo) is a Corrections Officer (CO) at the Otero County Prison Facility, Chaparral, NM (OCPF), who conspires with several OCPF inmates, and others, to smuggle controlled substances into the OCPF.
3. Nancy Salas (Salas) is the fiancée of OCPF inmate, Eric Lovato. Salas delivers controlled substances to CO Delgadillo, and gives him the money to smuggle the controlled substances into the OCPF.
4. Ana Lopez, a/k/a Mayte (Mayte) is the sister of OCPF inmate, Armando Lopez. Mayte is a source of supply for the controlled substances which Salas delivers to CO Delgadillo.
5. Eric Lovato (Lovato) is an inmate at the OCPF, and is Salas's fiancée. Lovato helps coordinate the smuggling of controlled substances into the OCPF.
6. Armando Lopez (Lopez) is an inmate at the OCPF, and is Mayte's brother. Lopez helps coordinate the smuggling of controlled substances into the OCPF.
7. Gary Borja (Borja) is an inmate at the OCPF. Borja receives the controlled substances from CO Delgadillo, and distributes the controlled substances to other inmates.

SUMMARY OF INVESTIGATION AND PROBABLE CAUSE

8. On January 13 and January 27, 2014, the FBI received information from an agent with the New Mexico Department of Corrections (NMDOC) that the NMDOC has evidence that CO Delgadillo is smuggling heroin and methamphetamine into the OCPF. The evidence includes recorded inmate telephone calls, video surveillance from the OCPF, positive inmate drug tests, and the seizure of heroin from an inmate at the OCPF.
9. Upon receiving the information, the FBI launched an investigation into allegations that CO Delgadillo and others were smuggling controlled substances into the OCPF. As part of the

investigation, the FBI has reviewed recorded inmate telephone calls¹ and surveillance video from the OCPF, and conducted physical surveillance. I have paraphrased and summarized some of the inmate telephone calls and summarized the OCPF surveillance video, and physical surveillance below.

10. I have probable cause to believe that the following evidence supports one count of Conspiracy to Possess with the Intent to Distribute a Controlled Substance, in violation of 21 U.S.C. § 846.

Count 1

Conspiracy to Possess with the Intent to Distribute a Controlled Substance,
in violation of 21 U.S.C. § 846

11. From on or about January 28, 2014 to on or about April 26, 2014, in Otero County, in the District of New Mexico, Luis Delgadillo, Nancy Salas, Ana Lopez, Eric Lovato, Armando Lopez, and Gary Borja, conspired with each other, and others, to knowingly and intentionally possess with the intent to distribute a controlled substance, in violation of 21 U.S.C. § 846.

- a. Evidence of a Drug Transaction on or about February 5, 2014

12. On January 28, 2014, at approximately 8:50 p.m., during a recorded inmate telephone call, Lopez asked Mayte if she could go and buy that for him. Mayte told Lopez that she was talking to her friend Amber who was making calls to get it. I assess this conversation to mean that Lopez was asking Mayte to go and buy drugs for him and that Maytes's friend, Amber, was making telephone calls in order to obtain the drugs.
 13. On January 29, 2014, at approximately 10:40 a.m., during a recorded inmate telephone call, Mayte told Lopez that she got it, and that she paid 740 (believed to be \$740) in cash, and left her necklace because it cost 850 (believed to be \$850). Mayte told Lopez that Amber said it was a large amount and good quality. Lopez told Mayte to contact a female at the number 575-618-7575 so she can pick it up. I assess this conversation to mean that Mayte paid \$740 in cash, plus her necklace to obtain drugs to deliver to Salas. The telephone number of 575-618-7575 is one of the telephone numbers that, according to OCPF records, Lovato and Borja have used to contact Salas.
 14. On January 29, 2014, at approximately 4:03 p.m., during a recorded inmate telephone call, Salas told Lovato that she received a text (believed to be text message) that she could go and pick it up already. I assess this conversation to mean that Mayte texted Salas and told her that she has the drugs, and that they could meet up so that Mayte could deliver the drugs to Salas.

¹ Each recorded inmate telephone call referenced in this Affidavit begins with a pre-recorded message which states: "This call will be recorded, and is subject to monitoring at any time."

15. On January 30, 2014, at approximately 3:36 p.m., during a recorded inmate telephone call, Lopez told Mayte to call or text 575-618-7575 in order for them to pick it up. I assess this conversation to mean that Lopez wants Mayte to call or text Salas as 575-618-7575 so that Salas can pick up the drugs from Mayte.
16. On February 4, 2014, at approximately 3:08 p.m., during a recorded inmate telephone call, Salas told Lovato that she has it, and is going meet around 3 p.m. to drop it off. I assess this conversation to mean that Salas was planning to meet with CO Delgadillo at 3:00 p.m. to deliver drugs to him.
17. On February 5, 2014, at approximately 3:47 p.m., during a recorded inmate telephone call, Salas told Lovato that she was texting him, and he asked her if she got lost. Lovato asked why he could not give her directions. Salas said she was there waiting for him to get there. Lovato said to tell this fool to get me my music too. Salas said she will ask him. Lovato told Salas that he will say it is a problem but don't tell him it's for me. Salas told Lovato, hang on I think he's here. On the recording, agents can hear a male voice in the background asks if Salas got lost, and Salas says a little bit. I assess this conversation to mean that Salas got lost trying to meet up with CO Delgadillo. I further assess that Lovato wanted Salas to ask CO Delgadillo to get him music to play in the prison, but not to let CO Delgadillo know it is for Lovato. I further assess that CO Delgadillo arrived at the meeting and asked Salas if she got lost.
18. On February 5, 2014, at approximately 4:30 p.m., during a recorded inmate telephone call, Salas told Lovato that he could not bring the music in. Lovato asked why. Salas said she cannot talk about it on the telephone, but that Lovato knows why. Lovato said, yeah it's the same reason you have to take off your heels when you come to visit me. Lovato said he recognized the voice on the last call. I assess this conversation to mean that CO Delgadillo is not able to bring music into the jail because it would activate the metal detector. I further assess that Lovato recognized CO Delgadillo's voice in the background during Lovato's prior telephone conversation with Salas.
19. On February 7, 2014, at approximately 6:59 p.m., during a recorded inmate telephone call, Lopez told Mayte that the "carte" ("carte" means "card" in Spanish) was already there. I assess this conversation to mean that "carte" is code for drugs, and that CO Delgadillo successfully smuggled the drugs that he received from Salas on February 4, 2014, into the OCPF.

b. Evidence of a Drug Transaction on or about March 14, 2014

20. On February 17, 2014, at approximately 2:02 p.m., during a recorded inmate telephone call, Borja told Salas to pay \$1,000 to "that dude." I assess this conversation to mean that Borja told Salas to pay CO Delgadillo \$1,000, as either payment for smuggling drugs into the

OCPF on or about February 5, 2014, or as payment for smuggling drugs into the OCPF in the future.

21. Telephone records from T-Mobile Corporation show that CO Delgadillo is the subscriber to a cellular telephone assigned number 915-355-6637. Telephone records further reveal that telephone number 915-355-6637 has had contact with telephone number 575-618-7575 on multiple occasions, including February 5, 2014. I do not yet have subscriber information for telephone number 575-618-7575, however, I believe that number is assigned to a cellular telephone used by Salas, because, according to OCPF records, Lovato and Borja have dialed that number from the OCPF to speak with Salas. Therefore, I have reason to believe that CO Delgadillo and Salas are communicating over the telephone. Based on my training and experience, I believe that it is highly unlikely that a Corrections Officer would have any legitimate reason to regularly communicate with an inmate's fiancée.
22. On February, 18, 2014, at approximately 9:25 p.m., during a recorded inmate telephone call, Borja told Salas that Mayte will be meeting her on Tuesday in Alamogordo, NM, and to send \$200 to Mayte for her to drive to Alamogordo. Borja also told Salas that she will be receiving \$3,000 by mail and that \$1,000 of that money goes to "that dude." I assess this conversation to mean that Borja told Salas that Salas is going to receive \$3,000 in the mail, and that Salas will pay Mayte \$200 to drive to Alamogordo, and pay CO Delgadillo \$1,000 to smuggle drugs into the prison.
23. On March 2, 2014, at approximately 12:34 p.m., during a recorded inmate telephone call, Borja told Salas that he is going to have someone wire her money. Borja told Salas that he spoke to "this dude," and he told him he didn't want Salas to be "sitting on what old girl brought you for a week." I assess this conversation to mean that Borja was referring to CO Delgadillo as "this dude," and Borja was referring to Mayte when he said "old girl." Also, I believe that Borja is concerned because he does not want Salas to be in possession of the drugs that Mayte delivered to her for a week.
24. On March 9, 2014, at approximately 8:34 p.m., during a recorded inmate telephone call, Salas told Borja that as soon as she gets the money she will go "pay him." I assess this conversation to mean that Salas was going to pay CO Delgadillo as soon as Salas got money from Borja.
25. On March 12, 2014, at approximately 6:04 p.m., during a recorded inmate telephone call, Salas told Lovato that she has a knot in her stomach because there have been people on the news that have been busted lately in Chaparral, N.M., exchanging the stuff that she has on her right now. I assess this conversation to mean that Salas was nervous about being in possession of the drugs that she was supposed to give CO Delgadillo because there had been reports of other people in Chaparral, N.M. being arrested for selling drugs.

26. On March 13, 2014, at approximately 11:46 a.m., during a recorded inmate telephone call, Salas told Lovato that she texted "that guy." Salas asked him if they could meet tomorrow, but he has not responded. Lovato told Salas that he is at work right now and to just wait until later. I assess this conversation to mean that Salas texted CO Delgadillo regarding the exchange of drugs and/or money, but that CO Delgadillo had not texted Salas back. I further assess that Lovato told Salas that CO Delgadillo is working right now, but that CO Delgadillo will text her later.
27. On March 13, 2014, at approximately 2:17 p.m., during a recorded inmate telephone conversation, Salas told Lovato that she exchanged text messages with "that guy." Lovato told Salas to call him and tell him that he will have to wait until tomorrow or come to her. Salas told Lovato that he texted Salas back and said that it was okay to meet tomorrow, but it had to be at 3 or before 3. I assess this conversation to mean that Salas is informing Lovato that Salas and CO Delgadillo made plans to meet March 14, 2014, at or before 3:00 p.m., to exchange drugs and/or money.
28. On March 13, 2014, at approximately 7:58 p.m., during a recorded inmate telephone call, Lovato told Salas that he (Lovato) told Borja that Salas cannot go until tomorrow. I assess this conversation to mean that Lovato told Borja that Salas cannot meet with CO Delgadillo until March 14, 2014.
29. On March 14, 2014, at approximately 12:15 p.m., during a recorded inmate telephone call, Lovato asked Salas if she is on her way to her "mom's appointment." Salas answered "yes." I assess this conversation to mean that Salas was on her way to meet CO Delgadillo, and that "mom's appointment" is code for meeting CO Delgadillo.
30. On March 14, 2014, at approximately 1:20 p.m., during a recorded inmate telephone call, Salas told Lovato that she just passed the prison. Lovato asked her what time her "mom's appointment" is, and Salas answered, "at 3." I assess this conversation to mean that Salas advised Lovato that she was meeting with CO Delgadillo at 3:00 p.m. to exchange money and/or drugs. I further assess that the phrase "mom's appointment" is code for the meeting between Salas and CO Delgadillo.
31. On March 14, 2014, at approximately 2:37 p.m., during a recorded inmate telephone conversation, Salas told Lovato that she is already at the "doctor's office." Salas then told Lovato that she is at Lowe's (believed to be Lowe's Home Improvement Store). Salas told Lovato that her mom got out of the car because she did not want "him" to be nervous. Salas told Lovato that "he" is on his way to her. Salas told Lovato that her phone is going to die soon, and Lovato told Salas that he is going to hang up so he can call her later because he will go crazy if he does not know that she is alright. I assess this conversation to mean that Salas told Lovato that she is getting ready to meet CO Delgaillo at Lowe's. I further assess the conversation to mean that Salas told her mom to get out of Salas's car because Salas did

not want CO Delgadillo to get nervous about a third party being present for the exchange of money and/or drugs. I further assess the conversation to mean that Lovato is concerned about Salas being involved in a drug transaction.

32. On March 14, 2014, at approximately 2:50 p.m., FBI surveillance observed CO Delgadillo meet with Salas at the Lowe's Homes Improvement Store, 12100 Montana Ave., El Paso, TX. CO Delgadillo was driving a white sedan bearing a TX license plate BDN 0813, which is registered to Luis Delgadillo. Salas was parked in a white sedan bearing NM 381 PWY, which is registered to Nancy Salas. CO Delgadillo pulled up in his vehicle two parking spaces away from Salas's vehicle. CO Delgadillo exited his vehicle and got into the passenger side of Salas's vehicle. CO Delgadillo sat in her vehicle for approximately one minute, and then both CO Delgadillo and Salas exited Salas's vehicle and went into Lowe's. I assess that the brief meeting between CO Delgadillo and Salas in the Lowe's parking lot was for the purpose of Salas giving CO Delgadillo drugs and/or money for CO Delgadillo to smuggle into the OCPF.
33. On March 14, 2014, at approximately 2:55 p.m., during a recorded inmate telephone call, Lovato asked Salas if she was already done, if they met, and if he left. Salas told Lovato yes, and that she is in line buying flowers. I assess this conversation to mean that Lovato is asking Salas if her meeting with CO Delgadillo happened, and whether CO Delgadillo had left the meeting.
34. On March 14, 2014, at approximately 2:56 p.m., FBI surveillance observed Salas in line at Lowe's buying flowers. At approximately 3:02 p.m., Salas got back into her vehicle with an older woman (believed to be Salas's mother), and left the area. At approximately 3:07 p.m., CO Delgadillo exited Lowe's and got into his vehicle and departed the area.
35. On March 14, 2014, at approximately 3:13 p.m., FBI surveillance followed CO Delgadillo to Wal-Mart Neighborhood Market, 3000 Saul Kleinfeld Drive, El Paso, TX. CO Delgadillo went into the Wal-Mart Neighborhood Market, and then into Cash Store.² At approximately 3:47 p.m., CO Delgadillo left Cash Store, and drove to his residence at 12884 Hueco Mine Drive, El Paso Texas, 79938. At the residence, CO Delgadillo exited his vehicle, and spent approximately ten minutes doing something in the rear driver's side of his vehicle. CO Delgadillo then entered his residence. I assess that Salas gave CO Delgadillo money and drugs at Lowe's, and that CO Delgadillo took the money to Cash Store, and then went home and hid the drugs in the rear driver's side area of his vehicle or took the drugs into his residence.

² Cash Store is a payday loan service with several stores nationwide. The Cash Store that CO Delgadillo went to is located at 3010 Saul Kleinfeld Dr., El Paso, Texas. Customers receive and pay back loans at Cash Store.

36. On March, 15, 2014, CO Delgadillo was scheduled to work at the OCPF from 6:00 a.m. to 2:00 p.m. On March 15, 2015, at approximately 10:15 a.m., OCPF video surveillance shows CO Delgadillo enter a restroom for approximately one minute, and exit the restroom holding a white package. Shortly thereafter, video surveillance shows CO Delgadillo hand the white package to Borja. The video surveillance shows Borja take the white package and proceed to his bunk area. Lopez followed Borja to Borja's bunk area. I assess that on March 15, 2014, CO Delgadillo entered the OCPF with the drugs he received the day before from Salas. I further assess that CO Delgadillo hand-delivered those drugs to Borjas on that day.
37. On March 15, 2014, at approximately 10:05 a.m., during a recorded telephone call, Lopez told Mayte that they just brought in the "carta." Lopez told Mayte that "everything is all good with that," and he "is going to go and see what they got." I assess this conversation to mean that Lopez was advising Mayte that CO Delgadillo successfully smuggled drugs into the OCPF. I further assess, based on my training and experience, that "carta" is code for drugs.
38. On March 15, 2015, at approximately 11:50 a.m., during a recorded inmate telephone call, Lopez told Mayte that they have already received "it" and "it looks like sand." I assess this conversation to mean that Lopez was telling Mayte that CO Delgadillo brought heroin into the prison because heroin is brown and can have the same look and consistency as packed sand.
39. On March 18, 2014, the OCPF performed inmate drug tests. As a result of the drug tests, several inmates, including Borja, Lopez, and Peter Lovato (Eric Lovato's uncle), tested positive for opiates (heroin). Also on that date, Lopez was being transferred within the prison to the segregation area to serve a 30 day segregation sentence for previously testing positive for opiates. Before going into segregation, Lopez was searched and found to be in possession of a syringe and approximately four grams of a brown substance that field tested positive for heroin.
40. The telephone records from T-Mobile Corporation referenced above also reveal that the telephone number subscribed to by CO Delgadillo has also been in contact on multiple occasions with telephone number 575-415-8960, to include on March 14, 2014. Although I do not yet have subscriber information for this telephone number, I believe it is also assigned to a cellular telephone used by Salas, because, according to OCPF records, Borja and Lovato have dialed that number to speak with Salas.

c. Evidence of a Drug Transaction on or about April 26, 2014

41. On April 3, 2014, at approximately 8:52 p.m., during a recorded inmate telephone call, Borja told Mayte that Uncle Pete (Peter Lovato) will be sending \$6,370, and Monkey (believed to be OCPF inmate Richard Chormichle) (Chormichle) will send \$2,000 to her. Borja told Mayte that \$2,300 goes to "that dude." I assess this conversation to mean that Peter Lovato

and Chormicle will send money to Mayte to purchase drugs and \$2,300 of that should be paid to CO Delgadillo.

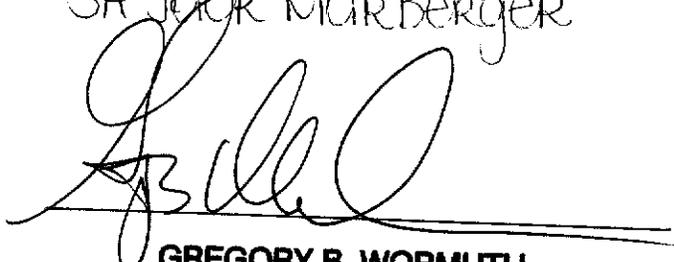
42. On April 5, 2014, at approximately 6:26 p.m., during a recorded inmate telephone call, Borja told his mother that he needs one ounce of what his brother was doing, and asks her how much that costs now. Borja explained that at one time, he paid \$620 for 28 grams. I assess this conversation to mean that Borja wants his mom to find out how much one ounce of methamphetamines costs. From previously recorded inmate telephone calls, I know that Borja's brother is addicted to methamphetamine.
43. On April 9, 2014, at approximately 8:42 a.m., during a recorded inmate telephone call, Borja told Mayte that he talked to his "homie" about paying him \$3,200 because his "homie's" mom just had an operation, and he had to pay \$5,000. I assess this conversation to mean that Borja will pay CO Delgadillo \$3,200 for the next delivery of drugs into the OCPF. I further assess that CO Delgadillo's mom just had surgery and he had to pay \$5,000 for her surgery, although that has not yet been confirmed.
44. On April 9, 2014, at approximately 8:42 p.m., during a recorded inmate telephone call, Borja told Mayte about all the money he has. Borja explained that his "homie" told him they approved his (Borja's) visit on April 19, and asked Mayte if she can come that day. I assess this conversation to mean that CO Delgadillo told Borja that OCPF approved a family visit on April 19, 2014. I further assess that Borja asked Mayte if she can meet with CO Delgadillo that day — April 19, 2014.
45. On April 10, 2014, at approximately 8:38 a.m., during a recorded inmate telephone call, Borja told Mayte that he wants two of his brothers and one of the other. I assess this conversation to mean that Borja wants Mayte to obtain two ounces of methamphetamine and one ounce of heroin, to deliver to CO Delgadillo so that he can smuggle it into the OCPF.
46. On April 10, 2014, at approximately 6:08 p.m., during a recorded inmate telephone call, Mayte told Borja that she will be going on Monday to pick it up. I assess this conversation to mean that Mayte will be going on Monday April 14, 2014 to pick up the drugs that she and/or Salas will deliver to CO Delgadillo.
47. On April 11, 2014, at approximately 5:59 p.m., during a recorded inmate telephone call, Borja asked Mayte how much she has. Mayte said she has one and a quarter of your brother. Mayte asked Borja what time she is supposed to meet his "homie." Borja told Mayte to buy more. Mayte said they only owe the "homie" \$1,000 more. I assess this conversation to mean that Mayte has already obtained one and quarter ounces of methamphetamine. I further assess that Mayte wants to know what time she will be meeting CO Delgadillo to give him the drugs. I further assess that Borja wants Mayte to buy more drugs for CO Delgadillo to smuggle into the OCPF. I further assess that Mayte told Borja that they still owe CO Delgadillo \$1,000 for previously smuggling drugs into the OCPF.

48. On April 12, 2014, at approximately 9:10 a.m., during a recorded inmate telephone call, Mayte told Borja to tell his "homie" to text her so that she knows what time to meet him. Borja told Mayte to hold on. After a short period of time, Borja got back on the telephone and told Mayte after 2. I assess this conversation to mean that Mayte wants to know what time she will be meeting with CO Delgadillo. I further assess that Borja asked CO Delgadillo about what time he could meet Myte, and then told Mayte that she could meet with CO Deldgadillo after 2:00 p.m. I know that CO Delgadillo is scheduled to work at the OCPF on April 19 until 2:00 p.m.
49. OCPF video surveillance shows that at approximately 9:10 a.m., while Borja was talking with Mayte, he set the telephone down, walked over to CO Delgadillo, engaged him in conversation, and then walked back to the telephone to continue his conversation with Myte. I assess that the video surveillance corroborates my belief that Borja asked CO Delgadillo what time he could meet with Mayte.
50. CO Delgadillo and Mayte did not meet on April 19, 2014, however, they did meet on April 26, 2014.
51. On April 26, 2014, the FBI observed CO Delgadillo meet with Mayte at The Outlet Shoppes at El Paso, 7051 S. Desert Blvd., Canutillo, Texas 79835. Mayte arrived at the outlet mall at approximately 2:30 p.m., and waited in the outlet mall parking lot until CO Delgadillo arrived, at approximately 2:50 p.m. When CO Delgadillo arrived, he parked next to Mayte's vehicle, and Mayte exited her vehicle and got into the passenger's seat of the vehicle driven by CO Delgadillo.
52. The FBI approached the vehicle driven by CO Delgadillo, at which time CO Delgadillo tried to exit the outlet mall at a high rate of speed. After a brief pursuit, law-enforcement stopped the vehicle driven by CO Delgadillo, and CO Delgadillo and Mayte were taken into custody.
53. A search of the vehicle driven by CO Delgadillo revealed a blue box on the floor of the front passenger seat that contained 38.9 grams of a white powdery substance that field tested positive for methamphetamine, 12.5 grams of a brown substance that appeared to be heroin, but did not test positive for heroin, and 10 suboxone pills. Based on conversations with other FBI agents, I know that sometimes heroin fails to test positive during a field test. I also know that suboxone pills are commonly used by heroin users to reverse the effects of heroin.
54. During a post-*Miranda* interview, Mayte stated that on two prior occasions (believed to be on or about February 5, 2014, and on or about March 14, 2014), she delivered one ounce of heroin to Salas, for the purpose of having the heroin smuggled into the OCPF. She further stated that on this occasion, she entered the vehicle driven by CO Delgadillo and handed him the blue box, which she knew contained heroin, methamphetamine, and suboxone pills, and that she knew that CO Delgadillo had a way to smuggle the drugs into the OCPF.

55. During a post-*Miranda* interview, CO Delgadillo stated that he has smuggled heroin into the OCPF on three prior occasions, and that he was paid \$1,000 on each occasion. CO Delgadillo explained that he is behind on his house payment and has other loans, and did it for money.
56. Based upon the above-stated facts contained in this Attachment, I believe there is probable cause to support the above-stated criminal charge.



SA JACK MARBERGER



GREGORY B. WORMUTH
U.S. MAGISTRATE JUDGE