

AO 91 (Rev. 02/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of New Mexico

United States of America)

v.)

Nathan JENSEN)

XX/XX/XX82)

XXX-XX-3483)

Defendant

Case No.

16-MJ-2303

FILED
At Albuquerque NM
MAY 17 2016
MATTHEW J. DYKMAN
CLERK

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 05/16/2016 in the county of Bernalillo in the _____ District of
New Mexico, the defendant violated Title 18 U. S. C. § 922(g)(1) and 924 (a)(2)

, an offense described as follows:

On 05/16/2016, Nathan Jensen, a multi-convicted felon, unlawfully possessed a Smith and Wesson model SW40VE, .40 caliber semi-automatic pistol bearing serial number DUM5085 and seven (7) rounds of Winchester brand .40 caliber ammunition that have traveled in and affected interstate commerce in violation of Title 18 U.S.C 922 (g)(1) and Title 18 U.S.C. 924 (a)(2).

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

Complainant's signature

Lisa Gaul, Special Agent, ATF

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/17/2016City and state: Albuquerque, New Mexico

Judge's signature

Kirtan Khalsa U.S. Magistrate Judge

Printed name and title

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Criminal Complaint - Continued.

United States of America

V.

Nathan JENSEN

SSN: 3483

1. I, Lisa Gaul, a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), being duly sworn, deposes and states
2. I am a Special Agent within the Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been employed with ATF since March of 2014. I am an investigative, or law enforcement officer of the United States, within the meaning of Title 18, United States Code, Section 2510 (7), in that I am an officer of the United States who is empowered by law to conduct investigations and make arrests for the offenses enumerated in Title 18, 21 and 26, United States Code. I am currently assigned to the ATF Albuquerque Field Office. I am deputized with the United States Marshals Service since September 2015 as part of the Southwest Investigative Fugitive Team.
3. Through the ATF, I have received specialized training in the enforcement of federal firearms, explosives, and arson laws. I have successfully completed the Criminal Investigator Training Program and the Special Agent Basic Training at the Federal Law Enforcement Training Center in Glynco, Georgia that certified me as a Special Agent with ATF. In connection with my official duties, I have been involved in numerous investigations of persons who are prohibited from lawfully possessing firearms, ammunition and narcotics. I have experience in the execution of arrest and search warrants, surveillance, analysis and processing of documentary, electronic, and physical evidence and debriefings and interviews of defendants, suspects, witnesses, victims and informants. I have testified in judicial proceedings in federal court involving prosecutions relating to violations of federal firearms laws.

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4. Prior to being employed with the ATF, I was employed as a United States Border Patrol Agent from March 2007 to March 2014. During my employment with the U.S. Border Patrol, I was also assigned to the Drug Enforcement Agency (DEA) from November 2010 to November 2012.
5. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

6. On May 16, 2016, members of the United States Marshals Southwest Investigative Fugitive Team (SWIFT), including your Affiant, were conducting surveillance at 2900 19th St. NW, Albuquerque, New Mexico based off of information that a wanted fugitive, Nathan JENSEN, was at that location. JENSEN had an active Arrest Warrant for violating the conditions of his federal supervised release.
7. Members of the U.S. Marshals SWIFT observed JENSEN leave the residence and get into a vehicle. At that time members of the U.S. Marshals SWIFT, properly marked as police, commanded JENSEN out of the vehicle and after failing to comply with police commands, JENSEN was extracted from the vehicle and placed under arrest.
8. During a search incident to arrest of JENSEN, a Smith and Wesson model SW40VE, .40 caliber semi-automatic pistol bearing serial number DUM5085 and seven (7) rounds of Winchester brand .40 caliber ammunition, were found in the waistband of JENSEN.
9. Your Affiant determined that Nathan JENSEN (also known as Nathan JENSON) was previously convicted of the following felony crimes: Felon in Possession of a Firearm under court case 08-CR000682-WJ in the United States District Court for the District of New Mexico, Receiving/Transferring a Stolen Motor Vehicle under court case D-202-CR-200203436 in the

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Albuquerque District Court, Escape from Jail under court case D-202-CR-200203409 in the Albuquerque District Court, Robbery under court case D-202-CR- 2003000034 in the Albuquerque District Court, Receiving/ Transferring a Stolen Motor Vehicle under court case D-202-CR-200705366 in the Albuquerque District Court and Robbery under court case D-202-CR-200704491 in the Albuquerque District Court.

10. Your Affiant determined the above firearm and ammunition were not manufactured in the State of New Mexico and found in the State of New Mexico; therefore affecting interstate commerce.
11. Based upon these facts, your Affiant opines there is probable cause to suggest that Nathan JENSEN, a previously multi convicted felon, possessed the above firearm in violation of Title 18 U.S.C 922(g) (1) and 924 (a)(2).

Respectfully submitted,



Lisa Gaul
Special Agent
ATF

Subscribed and sworn to before me
on May 17, 2016:



Kirtan Khalsa
UNITED STATES MAGISTRATE JUDGE