

FILED

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

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

APR 9 2024

MITCHELL R. ELFERS  
CLERK

UNITED STATES OF AMERICA, )

Plaintiff, )

vs. )

**JAREMY ALEXANDER SMITH,** )

Defendant. )

CRIMINAL NO. 24-434 JB

Count 1: 18 U.S.C. § 2119(3): Carjacking  
Resulting in Death;

Count 2: 18 U.S.C. §§ 924(c)(1)(A)(iii) and  
(j)(1): Using and Carrying a Firearm During  
and in Relation to a Crime of Violence, and  
Possessing a Firearm in Furtherance of Such  
Crime; Discharging Said Firearm; and  
Causing Death Through Use and Possession  
of a Firearm;

Count 3: 18 U.S.C. § 1201(a)(1):  
Kidnapping Resulting in Death;

Count 4: 18 U.S.C. §§ 922(g)(1), (g)(2), and  
924: Prohibited Person in Possession of a  
Firearm;

Count 5: 18 U.S.C. § 922(j): Possession of a  
Stolen Firearm;

Count 6: 18 U.S.C. § 2312: Interstate  
Transportation of a Stolen Motor Vehicle.

INDICTMENT

The Grand Jury charges:

Count 1

On or about March 15, 2024, in Quay County, Guadalupe County, and elsewhere, in the District of New Mexico, the defendant, **JAREMY ALEXANDER SMITH**, with the intent to cause death and serious bodily harm, took a motor vehicle, that is, a Ford Explorer, that had been transported, shipped and received in interstate and foreign commerce, from the person and

presence of John Doe, by force and violence, and by intimidation, resulting in the death of John Doe.

In violation of 18 U.S.C. § 2119(3).

Count 2

On or about March 15, 2024, in Quay County, Guadalupe County, and elsewhere, in the District of New Mexico, the defendant, **JAREMY ALEXANDER SMITH**, knowingly used and carried a firearm, during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, specifically, carjacking resulting in death as charged in Count 1 of this indictment, and possessed said firearm in furtherance of such crime, and the firearm was discharged, and in the course of said offense caused the death of John Doe through the use of the firearm, and the killing constituted murder as defined in 18 U.S.C. § 1111.

In violation of 18 U.S.C. §§ 924(c)(1)(A)(iii) and (j)(1).

Count 3

On or about March 15, 2024, in Quay County, in the District of New Mexico, the defendant, **JAREMY ALEXANDER SMITH**, unlawfully and willfully seized, confined, kidnapped, abducted, carried away, and held for some purpose and benefit John Doe, and, in committing and in furtherance of the commission of the offense, used a motor vehicle, an interstate highway, and a firearm, means, facilities, and instrumentalities of interstate and foreign commerce, and, as to John Doe, death resulted.

In violation of 18 U.S.C. § 1201(a)(1).

Count 4

From on or about March 13, 2024, through on or about March 17, 2024, in Quay County, Bernalillo County, and elsewhere, in the District of New Mexico, the defendant, **JAREMY**

**ALEXANDER SMITH**, knowing that he had been convicted of at least one crime punishable by imprisonment for a term exceeding one year, specifically:

- (1) attempted robbery, and
- (2) hostage taking by an inmate,

and knowing that he was a fugitive from justice, knowingly possessed a firearm, that is, a Taurus GX4 9mm handgun, serial number GC42386, in and affecting commerce.

In violation of 18 U.S.C. §§ 922(g)(1), (g)(2), and 924.

Count 5

From on or about March 13, 2024, through on or about March 17, 2024, in Quay County, Bernalillo County, and elsewhere, in the District of New Mexico, the defendant, **JAREMY ALEXANDER SMITH**, knowingly possessed, concealed, stored, and disposed of a stolen firearm, that is, a Taurus GX4 9mm handgun, serial number GC42386, which had been shipped and transported in interstate and foreign commerce, knowing and having reasonable cause to believe that the firearm was stolen.

In violation of 18 U.S.C. § 922(j).

Count 6

From on or about March 13, 2024, to on or about March 15, 2024, in Quay County, in the District of New Mexico, and elsewhere, the defendant, **JAREMY ALEXANDER SMITH**, unlawfully transported in interstate commerce a stolen motor vehicle, that is, a white BMW, from the State of South Carolina to the State of New Mexico, knowing the same to be stolen.

In violation of 18 U.S.C. § 2312.

FORFEITURE ALLEGATION

Upon conviction of any offense in violation of 18 U.S.C. §§ 922(g), 922(j), 924(c), 1201(a)(1), and 2119(3), the defendant, **JAREMY ALEXANDER SMITH**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms involved in the commission of the offense, including, but not limited to, a Taurus GX4 9mm handgun, serial number GC42386.

NOTICE OF SPECIAL FINDINGS

The Grand Jury repeats and realleges the accusations in Counts 1, 2, and 3 of the Indictment.

With respect to Counts 1, 2, and 3, the Grand Jury makes the following special findings that the defendant, **JAREMY ALEXANDER SMITH**:

- a. was 18 years of age or older at the time of the offenses charged in Counts 1, 2, and 3 (18 U.S.C. § 3591(a));
- b. intentionally killed John Doe (18 U.S.C. § 3591(a)(2)(A));
- c. intentionally inflicted serious bodily injury that resulted in the death of John Doe (18 U.S.C. § 3591(a)(2)(B));
- d. intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and that John Doe died as a direct result of the act (18 U.S.C. § 3591(a)(2)(C));
- e. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the

- offense, such that participation in the act constituted a reckless disregard for human life and John Doe died as a direct result of the act (18 U.S.C. § 3591(a)(2)(D));
- f. caused death, and injury resulting in death, during the commission, attempted commission, and immediate flight from the commission of an offense under 18 U.S.C. § 1201 (18 U.S.C. § 3592(c)(1));
- g. has previously been convicted of a violent felony involving a firearm which is punishable by a term of imprisonment of more than one year (18 U.S.C. § 3592(c)(2)); and
- h. committed the offense as consideration for the receipt, or in the expectation of the receipt, of anything of pecuniary value (18 U.S.C. § 3592(c)(8)).

A TRUE BILL

IS  
FOREPERSON OF THE GRAND JURY

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Assistant United States Attorney