

UNITED STATES DISTRICT COURT
for the
District of New Mexico

United States District Court
Albuquerque, New Mexico

Mitchell R. Elfers
Clerk of Court

United States of America
v.

Justin Tso
(year of birth 1987)

Case No.

24mj443

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 March 23, 2024 in the county of San Juan County in the

District of New Mexico, the defendant(s) violated:

Code Section

18 U.S.C. § 1153
18 U.S.C. § 113(a)(3)
18 U.S.C. § 2

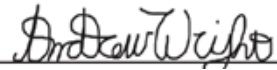
Offense Description

Offenses committed in Indian Country
Assault with a Dangerous Weapon
Aiding and Abetting

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.



Complainant's signature

Andrew Wright, Special Agent

Printed name and title

Telephonically sworn and electronically signed.

Date: ~~03/26/2024~~ March 26, 2024



Judge's signature

City and state: Farmington, New Mexico

Hon. B. Paul Briones, U.S. Magistrate Judge

Printed name and title

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

UNITED STATES OF AMERICA

VS

JUSTIN TSO
Year of birth: 1987

Case No. _____

AFFIDAVIT IN SUPPORT OF
PROBABLE CAUSE ARREST

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Andrew Wright, being duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. This affidavit is made in support of a Criminal Complaint and an Arrest Warrant for JUSTIN Tso (hereinafter referred to as JUSTIN), year of birth 1987.

2. I am currently serving as an FBI Special Agent assigned to the FBI, Albuquerque Division, Farmington Resident Agency, where I primarily investigate crimes that occur in Indian Country to include homicide, aggravated assault, child sexual assault, kidnapping and rape. I have been with the FBI for approximately 3 years. I received on the job training from other experienced agents, detectives, Indian Country criminal investigators, and tribal police officers. My investigative training and experience include, but is not limited to, processing crime scenes, conducting surveillance, interviewing subjects and witnesses, writing affidavits for executing search warrants and arrest warrants, examining cellular telephones, managing confidential human sources and cooperating witnesses/defendants, serving subpoenas, collecting evidence and analyzing public records.

3. The information set forth in this affidavit was derived from my own investigation and/or communicated to me by other sworn law enforcement officers. Because this affidavit is submitted for the limited purpose of securing a criminal complaint, I have not included each

and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish the probable cause to support a criminal complaint and arrest of JUSTIN, for criminal statutes 18 U.S.C. § 1153, crimes committed in Indian Country, 18 U.S.C. § 113(a)(3) assault with a dangerous weapon and 18 U.S.C. § 2, aiding and abetting.

PROBABLE CAUSE

4. On or about March 23, 2024, the FBI was notified by Navajo Nation Department of Criminal Investigations (NNDICI) of an assault against a female (hereinafter referred to as JANE DOE), year of birth 1982, and male (hereinafter referred to as JOHN DOE 1), year of birth 1984, which took place at GPS Coordinates 36.7374488, -108.5433954, Lower Fruitland, New Mexico.

5. JANE DOE was at her residence when she became aware of her cousins, WALLIFORD TSO and JUSTIN TSO, approaching her home. JUSTIN came into JANE DOE's home and asked for cigarettes. JANE DOE informed JUSTIN that she had no cigarettes. JUSTIN then took a machete, which was laying near the front door, without permission from JANE DOE and left the house. JANE DOE's significant other, JOHN DOE 1, asked what happened. JANE DOE informed JOHN DOE 1 that JUSTIN took the machete. JOHN DOE 1 went out to the porch and yelled after JUSTIN, saying that he needed the machete to cut firewood. JOHN DOE 1 had an ax in his hand while he was yelling toward JUSTIN and WALLIFORD. JUSTIN and WALLIFORD turned around stated and they heard JOHN DOE 1 and JANE DOE were talking about the TSO brothers' parents.

6. After this verbal exchange, JUSTIN and WALLIFORD chased after JOHN DOE 1. JOHN DOE 1 entered the house and shut the door behind himself. JANE DOE then locked the door. As JANE DOE was locking the door, JUSTIN and WALLIFORD kicked in the door.

Due to the force of the door opening JANE DOE was knocked down to the ground. JANE DOE sustained minor injuries to her knee and right shoulder.

7. After JUSTIN and WALLIFORD entered the house, they began to assault JOHN DOE 1 by punching him. During the assault of JOHN DOE 1, while JUSTIN was holding JOHN DOE 1, WALLIFORD picked up a tire rim to a vehicle and threw it at JOHN DOE 1. JOHN DOE 1 stated that the rim was at his head level. JOHN DOE 1 deflected the rim with his arm and sustained an abrasion to his arm.

8. After a struggle, JOHN DOE 1 was able to get away from JUSTIN and WALLIFORD by slipping out of his shirt as WALLIFORD and JUSTIN tried to hold him. JOHN DOE 1 exited the house along with JANE DOE and her small child, who was present during the assault. JOHN DOE 1 and JANE DOE were able to alert 911 using their cell phone. JOHN DOE 1 was pursued by JUSTIN and WALLIFORD into the driveway. JOHN DOE 1 began to run in circles in an attempt to wear JUSTIN and WALLIFORD down. JOHN DOE 1 stated that JUSTIN and WALLIFORD were intoxicated. At one point, WALLIFORD picked up a long steel fence post and threw it at JOHN DOE 1. The post missed JOHN DOE 1. JUSTIN then threw a large rock at JOHN DOE 1, which also missed JOHN DOE 1. WALLIFORD then picked up the steel post again and threw it at JOHN DOE 1, missing him a second time.

9. JOHN DOE 1 then ran into a field adjacent to the house. JUSTIN ran after JOHN DOE 1. JUSTIN continued to search for JOHN DOE 1 and JANE DOE. While JUSTIN was looking for JOHN DOE 1 and JANE DOE, WALLIFORD got into the truck that he arrived and drove over the gate to the property, completely breaking the wood and cement posts attached to the gate. WALLIFORD then used the truck to ram into two vehicles parked in front of JANE DOE's home. WALLIFORD hit the vehicles with enough force to break a cinderblock retaining wall. Part of one of the vehicles came to rest on top of the broken wall. JANE DOE

stated that she observed WALLIFORD ramming the vehicles as well as use a large wooden board to hit the sides of the vehicles and vehicles' windows.

10. Navajo Nation Police (NPD) arrived during the incident. A NPD Officer, hereinafter referred to as JOHN DOE 2, detained JUSTIN.

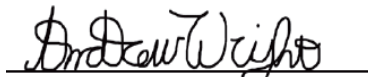
11. The incident location was within the boundaries of the Navajo Nation according to NNDCL.

12. WALLIFORD and JUSTIN are enrolled members of the Navajo Nation.

CONCLUSION

13. Based on my training, experience, and the facts as set forth in this affidavit, your affiant submits there is probable cause to believe JUSTIN violated federal criminal statutes, 18 U.S.C. § 1153, crimes committed in Indian Country, 18 U.S.C. § 113(a)(3) assault with a dangerous weapon, and 18 U.S.C. § 2 aiding and abetting.

14. Supervisory Assistant United States Attorney Elisa Dimas reviewed and approved this affidavit for legal sufficiency to establish probable cause.



Andrew Wright
Special Agent
Federal Bureau of Investigation

Electronically SUBSCRIBED and telephonically SWORN to me on March 26,
2024.



B. Paul Briones
United States Magistrate Judge