

UNITED STATES DISTRICT COURT

for the

District of New Mexico



United States of America

v.

Jerome Weaver
(2003)

Case No. MJ 24-973 BPB

*Defendant(s)***FILED**United States District Court
Albuquerque, New MexicoMitchell R. Elfers
Clerk of Court**AMENDED 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 San Juan County in the
_____ District of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 1153	Offenses committed within Indian Country
18 U.S.C. § 113(a)(3)	Assault with a dangerous weapon, with intent to do bodily harm
18 U.S.C. § 924(c)(1)(A)(ii)	Carrying a firearm in furtherance of a violent crime

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.*Complainant's signature*

FBI Special Agent Dustin Patterson

Printed name and title

Sworn to before me and signed in my presence.

Date: 07/09/2024*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

Jerome Weaver
Year of birth: 2003

Case No. _____

AMENDED AFFIDAVIT IN SUPPORT OF A PROBABLE CAUSE ARREST

I, Dustin Patterson, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been since May 2017. As such, I am a law enforcement officer of the United States and I am empowered by law to conduct investigations and to make arrests for criminal offenses. My current assignment is working as a Special Agent in Farmington, New Mexico, where I primarily investigate crimes that occur in Indian Country to include homicide, drug trafficking, aggravated assault, child sexual assault, kidnapping, and rape. Since joining the FBI, I received training at the FBI Academy in Quantico, Virginia and since the academy have completed numerous in-service trainings related to federal investigations. My training and experience as a Special Agent includes, but is not limited to, processing crime scenes, conducting surveillance, interviewing subjects and witnesses, writing affidavits, examining cellular telephones, managing confidential human sources, and collecting evidence.

2. Prior to being assigned to Farmington, New Mexico, I was a Special Agent in the Portland, Oregon field office, where I worked on the Clackamas County Interagency Task Force (CCITF). I have participated in numerous complex drug trafficking and money laundering investigations.

3. The information set forth in this affidavit has been derived from an investigation conducted by the Farmington Resident Agency of the FBI, the Navajo Department of Criminal Investigations (NNDICI), the Navajo Police Department (NPD), and/or communicated to me by other law enforcement officers and witnesses.

4. This affidavit is in support of criminal charges against subject, Jerome Weaver (WEAVER). WEAVER was accused and admitted to physically assaulting and threatening his mother, Jane Doe, and father John Doe. WEAVER pointed a black Glock 19 handgun at the victims, thereby committing assault with a dangerous weapon in Indian Country in violation of 18 U.S.C. §§ 1153 and 113(a)(3), and using and carrying a firearm during and in relation to a crime of violence, in violation of 18 U.S.C. § 924(c)(1)(A)(ii)

INVESTIGATION

5. On July 9, 2024, at approximately 6:30 a.m., Navajo Nation Criminal Investigator (CI) Jefferson Joe notified the FBI that a male subject, later identified as Jerome WEAVER had physically assaulted and threatened family members with a firearm at a residence in Shiprock, NM within the exterior boundaries of the Navajo Nation reservation.

6. At approximately 5:17 a.m., Navajo Nation Police were dispatched to a residence northeast of the 7-2-11 in Shiprock, NM. The caller was identified (Witness 1) as a young girl reporting that her brother was fighting with her parents.

7. Navajo Nation Police Officer Jeffery Simms was the first to arrive at the scene, located near GPS Coordinates 36.7850966, -108.6682824 at 5:20 a.m. At this location, there is one home on the property belonging to John and Jane Doe

8. As Officer Simms walked into the house through the back door he observed a male subject, later identified as John Doe, holding his nose. He was sitting near the entry way to the

kitchen. John Doe pointed across the room on the other side of the wall from Officer Simms. Officer Simms moved into the room and he observed a male subject (WEAVER) holding a gun to a female's (Jane Doe) head. Jane Doe was kneeling crying with her eyes closed. WEAVER complied with orders to drop the gun and he was taken into custody by Officer Simms. The black handgun with serial number CBFC864 was seized by officers.

9. Investigators learned from responding officers that Weaver's father, John Doe, was being treated at Northern Navajo Medical Center for injuries to his face. WEAVER's mother, Jane Doe, had declined medical treatment. WEAVER was taken into custody by the Navajo Nation Police and transported to the Navajo Nation Corrections Facility in Kayenta, Arizona.

10. Investigators arrived at John Doe's residence near GPS Coordinates 36.7850966, -108.6682824 where the assault occurred. John Doe came to the door and told investigators he had recently been released from the hospital. John Doe had visible injuries to the right side of his face and nose. John Doe had blood down his grey shirt. John Doe and Jane Doe agreed to speak with investigators.

INTERVIEW OF JANE AND JOHN DOE

11. At approximately 1:00 a.m. on July 9, 2024, John Doe and Jane Doe's son, WEAVER called and told them he was going to come over. WEAVER does not live with John and Jane Doe, and hasn't since approximately 2020. WEAVER has been living with his girlfriend in Kirtland, NM. At approximately 3:00 a.m. WEAVER arrived at the house driving his Chevrolet Tahoe. WEAVER arrived with a friend who was in the passenger seat, but the friend did not go into the residence and stayed in the passenger seat of the Tahoe. When WEAVER first arrived at the house, he did not seem agitated but appeared to have been drinking. Also, at the residence of Jane and John Doe were their two daughters ages six and eight.

12. As WEAVER talked with John and Jane Doe, he became upset that Jane Doe had borrowed his Grandparent's car. They were in the front room, and WEAVER became so agitated, he pushed Jane Doe down onto the bed and began choking her. John Doe attempted to stop WEAVER from assaulting Jane Doe, but WEAVER hit John Doe in the face. John Doe immediately noticed he was bleeding severally from his nose and that WEAVER was holding a black handgun. John Doe believed he had been struck in the face by the gun being held by WEAVER. WEAVER attacked John Doe again striking him on the right side of his face with the black handgun. The physical altercation caused John Doe to stumble back to the far side of the room. John Doe had visible injuries to the right side of his face and nose which were photographed by investigators.

13. WEAVER held Jane Doe down on the bed, choking her and restricting her breathing. As WEAVER held her down, he pushed the black handgun against her head and neck. At some point during the altercation, WEAVER walked out of the residence and Jane Doe tried to shut the door. WEAVER forced his way back into the house and Jane Doe ended up on the floor of the residence. After being struck in the face twice by WEAVER, John Doe, handed his phone to his eight-year-old daughter, WITNESS 1, and instructed her to call 911. As John and Jane Doe waited for police to arrive WEAVER continued to argue with Jane and John Doe. While arguing he pressed the black handgun against Jane Doe's head. He also pointed the gun at John Doe who was across the room. While pointing the gun at John Doe's head he used a blue laser that was attached to the gun. Jane and John Doe were both afraid for their lives. Jane and John Doe estimated it was approximately 20 minutes before police arrived. Jane and John Doe noticed WEAVER was wearing black mechanics gloves when he assaulted them.

14. John Doe was treated at Northern Navajo Medical Center for facial abrasions and two broken ear drums. John Doe did not sustain any facial fractures from the assault. Jane Doe was treated for minor injuries to her face and head but declined to be transported to the hospital.

15. WEAVER, Jane Doe, and John Doe are all enrolled members of the Navajo Nation.

INTERVIEW OF WEAVER

16. After speaking with Jane and John Doe, investigators travelled to Kayenta, Arizona and interviewed WEAVER at the Navajo Nation Corrections center. Weaver was interviewed in an interrogation room at the facility. He was handcuffed in the front of his body during the interview. Prior to asking WEAVER any questions, WEAVER was read his Miranda rights, and he stated he understood them and wished to speak with investigators. The reading of the Miranda rights and the interview were audio recorded.

17. WEAVER lives in Kirtland, NM with his girlfriend and child. On the night of July 8, 2024, he drove to Shiprock to spend time with his friend. WEAVER was driving his Chevrolet Tahoe. WEAVER had a couple of drinks during the night. WEAVER was drinking beer and was not “too drunk.” WEAVER recently purchase a Glock 19 MOS, that he usually keeps in a box in the back of his Tahoe. WEAVER has a flashlight/laser combo on his gun. The laser is blue.

18. After spending time with his friend, WEAVER decided to go talk to his dad, John Doe, because the refrigerant in his car was low. When he got to John Doe’s house, he was upset that his mom, Jane Doe, was there. WEAVER’s mother, Jane Doe, has a boyfriend and doesn’t take care of his father, John Doe. This angered WEAVER, and when he saw that Jane Doe was driving his grandparent’s car, he became more upset. WEAVER became more and more upset and physically pushed Jane Doe onto the bed. When he pushed Jane Doe, John Doe tried to intervene, and WEAVER punched him with a closed fist. WEAVER only remembered hitting

John Doe one time. After he pushed Jane Doe and punched John Doe he went outside to his Tahoe and put on gloves and pulled out his Glock handgun. He went back into the residence and pointed the gun at Jane Doe's head and pointed the gun at John Doe.

19. WEAVER admitted to knowing what he was doing was wrong, but he was upset because Jane Doe had a boyfriend and because she was driving his grandparent's car. WEAVER admitted he went to his car to get the gun to threaten Jane Doe but did not intend to shoot anyone. WEAVER pointed the gun at Jane and John Doe until police arrived. When police arrived on scene WEAVER was pointing the gun at the back of Jane Doe's head. When police came in WEAVER dropped the gun and complied with officers' demands.

Conclusion

20. Based on the facts and evidence gathered during this investigation, including WEAVER's own admissions, I have probable cause to believe and do believe that WEAVER was involved in a physical and verbal altercation with John Doe and Jane Doe at John Doe's residence in Shiprock, NM. During the physical and verbal altercation WEAVER pulled out a black Glock 19 handgun and held it against Jane Doe's head and pointed it at John Doe, causing both of them to fear for their lives. The altercation happened within the exterior boundaries of the Navajo Nation. WEAVER, John Doe, and Jane Doe are all enrolled members of the Navajo Nation.

21. I have probable cause to believe, and I do believe that WEAVER used the handgun to point and threaten the lives of Jane and John Doe, thereby committing assault with a dangerous weapon in Indian Country in violation of 18 U.S.C. §§ 1153 and 113(a)(3), and using and carrying a firearm during and in relation to a crime of violence, in violation of 18 U.S.C. § 924(c)(1)(A)(ii). Your Affiant swears this information to be true and correct to the best of his knowledge and belief.

22. On July 10, 2024, an amended affidavit was submitted to the Court to correct WEAVER's year of birth from 2002 to 2003.


23. Assistant United States Attorney Brittany DuChaussee, United States Attorney's Office, District of New Mexico, reviewed this complaint.

Respectfully submitted,



Dustin Patterson
FBI Special Agent
Farmington, New Mexico

Subscribed and sworn telephonically
Before me this 10th day
Of July 2024.



The Honorable B. PAUL BRIONES
United States Magistrate Judge