

AO 91 (Rev. 11/11) Criminal Complaint

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

UNITED STATES DISTRICT COURT

for the

District of New Mexico

OCT 30 2024

MITCHELL R. ELFERS
CLERK

United States of America)

v.)

Raymond Lucero)
Jacob Gonzales)

Case No. 24-MJ-1585

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 October 30, 2024 in the county of Valencia in the
 District of New Mexico, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 922(g)

Possession of a Firearm by a Convicted Felon

This criminal complaint is based on these facts:

See attached affidavit.

Continued on the attached sheet.



Complainant's signature

Jordan Spaeth, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

10/30/2024



Judge's signature

Steven C. Yarbrough

Printed name and title

City and state:

Albuquerque, New Mexico

AFFIDAVIT IN SUPPORT OF ARREST WARRANT AND CRIMINAL COMPLAINT

I, Jordan Spaeth, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a special agent with the Federal Bureau of Investigation (FBI) and have been a sworn law enforcement officer for more than 15 years, serving first as a police officer and then as an FBI special agent. I have been with the FBI since 2018 and am currently assigned to the Albuquerque, New Mexico field office, to the Violent Gang Task Force (“VGTF”). As a member of the VGTF my primary responsibility is to investigate criminal enterprises involving violent repeat offenders, gang members, and associates who participate in violations of the Controlled Substances Act, firearms violations, murder, racketeering, and other violations of federal law. Prior to my current assignment, I was assigned to the Violent Crime Task Force and also worked violent felony crimes which were committed on the multiple Indian Reservations/Pueblos surrounding Albuquerque.

2. My investigative training and experience includes, but is not limited to, interviewing subjects, targets, and witnesses; writing affidavits for, and executing search and arrest warrants; collecting evidence; conducting surveillance; and analyzing public records. Over the course of my career, I have arrested hundreds of persons for offenses relating to armed robberies, firearm violations, bank robberies, illegal narcotics, and other criminal conduct. I have also been responsible for serving subpoenas and supervising cooperating sources, as well as analyzing phone records.

3. I make this affidavit in support of the arrest of RAYMOND LUCERO (hereinafter “LUCERO”) and JACOB GONZALES, aka: “TRIGGER,” for a violation of Possession of a Firearm by a Convicted Felon, contrary to 18 U.S.C. § 922(g).

4. The statements contained in this affidavit are based upon my investigation, training and experience, and information provided by other law enforcement officers or from other reliable sources. Because this affidavit is being submitted for the limited purpose of securing a criminal

AFFIDAVIT IN SUPPORT OF ARREST WARRANT AND CRIMINAL COMPLAINT

complaint, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts which I believe are necessary to establish probable cause to support a criminal complaint against ATENCIO.

PROBABLE CAUSE

5. On October 29, 2024, I obtained 13 search warrants for residences of individuals involved in assisting CCCC inmates obtain drugs inside the facility. One of the aforementioned search warrants was for LUCERO and GONZALES's residence, located at 3 Jose P Sanchez Rd, Los Lunas, NM 87031. The search warrants were approved by the Honorable Steven C. Yarbrough, the Case Number for the search warrant for LUCERO and GONZALES's residence is MR 24-1991.

6. On October 30, 2024, four FBI SWAT teams, the United States Marshals Service ("USMS") Special Operations Group, USMS Task Force, along with FBI agents and Task Force Officers executed the 13 search warrants. Upon agents executing the search warrant at LUCERO and GONZALES's residence, LUCERO was located inside the main residence and GONZALES was located in a small camper on the property. Agents located and seized a Smith and Wesson .357 revolver, model Airlight, serial number DAR4841, inside LUCERO's vehicle and a .22 Marlin rifle, model M99, with no serial number, inside the small camper GONZALES was living in.

7. LUCERO agreed to speak with agents, without an attorney, and advised that he had purchased the firearm located in the floorboard of his vehicle about a week ago from someone on the street. LUCERO said he purchased the firearm for \$20 and first thought that it was a .38 caliber. LUCERO later learned that the firearm was a .357 caliber. LUCERO also advised agents that someone had shot at him, so he then purchased the firearm for protection. LUCERO advised that he was a felon, convicted of burglary, and he had also been to prison in California. LUCERO explained that he had grown up in a California gang and was a Sureño. LUCERO stated that he knew he was not supposed to

AFFIDAVIT IN SUPPORT OF ARREST WARRANT AND CRIMINAL COMPLAINT

possess firearms because he was a felon.

8. GONZALES agreed to speak with agents, without an attorney, and advised that he had recently been released from prison after serving a 22 year sentence. GONZALEZ stated that there was a .22 caliber rifle in his camper and that he knew he was not supposed to possess firearms because he was a convicted felon.

THE TARGET SUBJECT'S CRIMINAL HISTORY

9. LUCERO has the following felony convictions:

- a. Burglary (commercial), in the Bernalillo County District Court, Case No. D-202-CR-2011-04620,
- b. Burglary (commercial/automobile), in the Bernalillo County District Court, Case No. D-202-CR-2003-02140,
- c. Robbery 2x, Conspiracy to Commit a Crime, and Possession of a Firearm by a Felon, in the Bernalillo County District Court, Case No. D-202-CR-1992-00592,
- d. Burglary (Dwelling House), in the Bernalillo County District Court, Case No. D-202-CR-1986-41665,
- e. Burglary (Dwelling House), in the Bernalillo County District Court, Case No. D-202-CR-1984-38886, and
- f. Burglary (Dwelling House), in the Bernalillo County District Court, Case No. D-202-CR-1984-37653.

10. GONZALES has the following felony convictions:

- a. As far as I can tell, GONZALES was charged in connection to a murder and convicted of Tampering with Evidence, Shooting From/Into a Vehicle (No Bodily Harm), in the Valencia County District Court, Case No. D-1314-CR-2001-00470.

AFFIDAVIT IN SUPPORT OF ARREST WARRANT AND CRIMINAL COMPLAINT

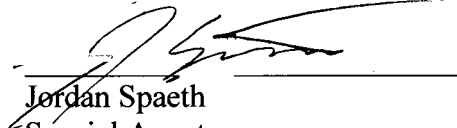
INTERSTATE NEXUS

11. On October 30, 2024, agents examined the firearms listed above. The firearms functioned as designed and they meet the federal definition of a firearm pursuant to 18 U.S.C. § 921 Chapter 44. Based on my training, research, and experience I am aware that Smith and Wesson and Marlin firearms are not manufactured in the state of New Mexico and therefore traveled in interstate commerce before they were possessed by GONZALES and LUCERO.

CONCLUSION

12. Based on the above information, I believe there is probable cause that LUCERO and GONZALES violated 18 U.S.C. section 922(g) Possession of a Firearm by a Convicted Felon. This affidavit has been reviewed and approved by Assistant United States Attorney Paul Mysliwec. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Respectfully submitted,


Jordan Spaeth
Special Agent
Federal Bureau of Investigation

Sworn telephonically to me and signed electronically
on October 30, 2024:


HONORABLE STEVEN C. YARBROUGH
UNITED STATES MAGISTRATE JUDGE
ALBUQUERQUE, NEW MEXICO