

**FILED**UNITED STATES DISTRICT COURT  
LAS CRUCES, NEW MEXICO

## UNITED STATES DISTRICT COURT

for the

District of New Mexico

FEB 25 2025

MITCHELL R. ELFERS  
CLERK OF COURT

United States of America )

v. )

Jonathan Daniel Martinez )

Case No. 25-283 MJ

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 Sep 15, 2024 in the county of Dona Ana in the  
District of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(o)	Possession of a machine gun
18 U.S.C. § 922(j)	Possession of a stolen firearm

This criminal complaint is based on these facts:

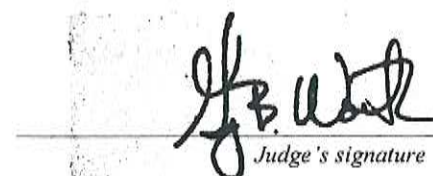
See attached "Affidavit"

☒ Continued on the attached sheet.


Complainant's signature

Benjamin Berling, FBI Task Force Officer

Printed name and title

Sworn to before me via telephone and signed in my presence.Date: 2/25/2025City and state: Las Cruces, New Mexico


Judge's signature

Gregory Wormuth, Chief U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO  
**AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT**

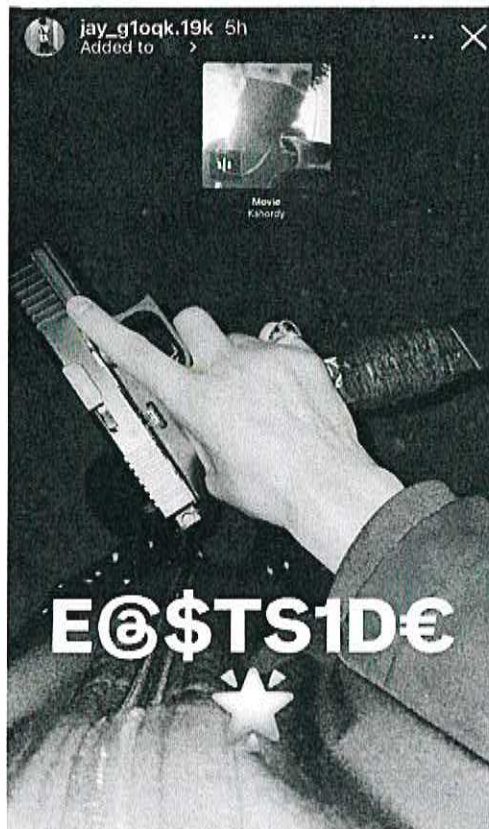
1. This affidavit is made in support of a criminal complaint charging Jonathan Daniel Martinez, with committing violations of 18 U.S.C. § 922(o), Possession of a Machine Gun, and 18 U.S.C. § 922(j), Possession of a Stolen Firearm.

2. I am a Federal Bureau of Investigation (FBI) Task Force Officer (TFO) currently assigned to the FBI Safe Streets Gang Task Force (SSGTF). I have been an FBI TFO since September 2023. In that capacity, I assist with federal investigations of criminal organizations, violent repeat offenders, and other federal drug and firearm related crimes. Additionally, I am assigned to the Las Cruces Police Department (LCPD) Street Crimes Unit. I have been an LCPD Officer since February 2015. As an FBI TFO, I am authorized to investigate crimes involving violations of the Firearms Act.

3. I am familiar with the facts and circumstances of the investigation of Jonathan Daniel Martinez. The information set forth in this affidavit has been derived from my own investigation or communicated to me by other sworn law enforcement officers or reliable sources. Since this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that Martinez has committed acts in violation of United States Code 18 U.S.C. § 922(o), Possession of a Machine Gun and 18 U.S.C. §922(j), Possession of a Stolen Firearm.

4. The FBI SSGTF along with the Las Cruces Police Department (LCPD) have been engaged in the investigation of violent criminal gang activity involving young adult offenders in Las Cruces, NM and elsewhere in Dona Ana County since the beginning of 2023. Over the course of the investigation, case agents have become aware of gang members and associates engaged in violent crime (to include homicide, aggravated assault with a deadly weapon, and kidnapping), trafficking of controlled substances, human smuggling, trafficking of firearms, and the illegal possession of firearms including fully automatic machine guns.

5. On or about August 18, 2024, I became aware of a post on the social media platform Instagram that depicted a male holding a black in color Glock handgun. The serial number on the firearm (CCAY249) was visible in the picture.. The post was made by the Instagram account with the username “jay\_g1oqk.19k”. I learned through a National Crime Information Center (NCIC) check that the black Glock handgun with that serial number had been reported stolen to the Las Cruces Police Department on or about April 14, 2024. Below is a screenshot of the Instagram post with the Glock handgun. I am also aware that “E@\$TS1DE” is a reference to the street gang, East Side Locos (ESL) which is the gang that Martinez affiliates with.



6. I observed an aftermarket attachment on the firearm in the picture that is commonly referred to as a “Glock switch.” I know through my training and experience that these aftermarket switches are designed to turn the firearm into a fully automatic machine gun that fires multiple rounds with a single trigger press. These machine guns are generally illegal under federal law for anyone to possess, except under very specific



circumstances and with approved documentation from the Bureau of Alcohol, Firearms, Tobacco, and Explosives (ATF).

7. A further inspection of the account with the username “jay\_g1oqk.19k” shows that the user appears to have been in possession of the firearm since at least June 19th, 2024, because he posted a picture of what appears to be the same firearm on that date to the Instagram account. Additionally, there are several other posts showing numerous firearms.

8. All the pictures and videos associated with the Instagram account with the username “jay\_g1oqk.19k” appear to be primarily of the same male. This person can be seen in numerous posts, and he appears to be a younger light-skinned male with dark curly hair and eyeglasses. I contacted School Resource Officers (SROs) with the Las Cruces Police Department, and I learned that two SROs were able to confirm that the male pictured in the Instagram posts was Jonathan Daniel Martinez. I also reviewed school photographs and the driver’s license photo of Martinez and determined that the male in the Instagram posts associated with the username “jay\_g1oqk.19k” appears to match Martinez. [make this its own paragraph]

9. On the post made on June 19, 2024, a person presumed to be Martinez is in possession of what is believed to be the same stolen black in color Glock handgun with the aftermarket “Glock Switch” inside of an unknown vehicle.

10. On or about July 3, 2024, a post to the story on the Instagram account with the username “jay\_g1oqk.19k” shows a person presumed to be Martinez in a bedroom with a floor mat with a dollar bill design on the floor and a white mattress in the background. In the video, the person is holding what appears to be the same stolen black Glock handgun with the aftermarket “Glock switch”.

11. On or about July 6, 2024, a post to the story on the account with the username “jay\_gloqk.19k” shows a person presumed to be Martinez in an unknown bedroom that has a string of lights in the background. In this post, the person is holding what appears to be the same stolen black Glock handgun with the aftermarket “Glock switch”. Below is a screenshot of that photograph posted to the Instagram account:

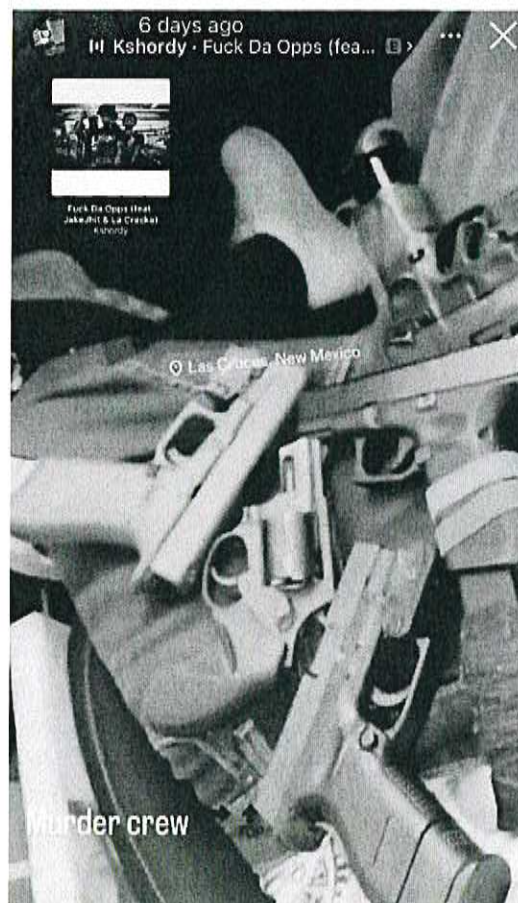


12. On or about July 30, 2024, a post to the story on the Instagram account with the username “jay\_gloqk.19k” shows a person presumed to be Martinez in an unknown room with a hole in the drywall and brown tile flooring. In this post, the person is holding what appears to be the same stolen black Glock handgun with the aftermarket “Glock switch”.

13. On or about August 4, 2024, a post to the story on the Instagram account with the username “jay\_gloqk.19k” shows a person presumed to be Martinez in a grey in color Kia sedan, at what appears to be a Circle K gas station. The exact location of the gas station cannot be determined based on the video. The video shows what appears to be the same stolen black Glock handgun with the aftermarket “Glock switch” on the front passenger seat of the vehicle, in addition to a second tan in color Glock handgun stuffed between the driver’s seat and the center console.

14. On or about August 10, 2024, a post to the story on the Instagram account with the username “jay\_gloqk.19k” shows a person presumed to be Martinez in an unknown vehicle. On the person’s lap is what appears to be the same stolen black Glock handgun with the aftermarket “Glock switch” and a large case of “Twisted Tea” alcoholic beverages.

15. On or about August 16, 2024, a post to the story on the Instagram account with the username “jay\_gloqk.19k” shows a person presumed to be Martinez in an unknown vehicle. On the person’s lap is what appears to be the same stolen black Glock handgun with the aftermarket “Glock switch” as well as three other semi-automatic handguns and one revolver. The caption on this post is “Murder Crew”. Below is a screenshot of the Instagram post:

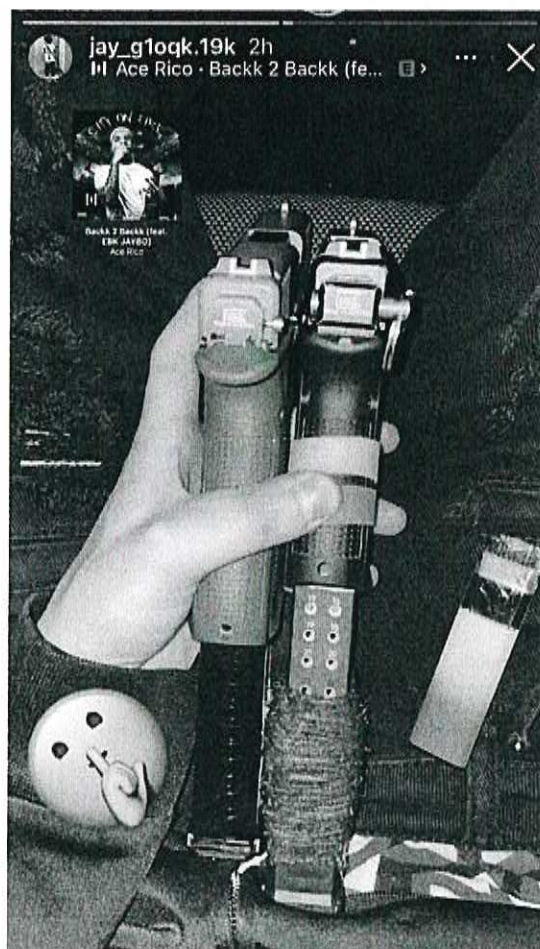


16. On or about August 19th, 2024, the Instagram account with the username “jay\_gloqk.19k” posted a video that appears to show Martinez shooting a fully automatic handgun out of the window of a moving



vehicle. I know this to be a fully-automatic handgun because of the rate of fire demonstrated with what appears to be a single press of the trigger by the person shooting it.

17. On or about August 20, 2024, a post to the story on the Instagram account with the username “jay\_g1oqk.19k” shows a person presumed to be Martinez in an unknown vehicle. The person is holding two handguns; one appears to be the above-mentioned stolen black Glock handgun with the aftermarket “Glock switch” and the other appears to be a tan in color Glock handgun with another aftermarket “Glock switch”. Below is a screenshot of the Instagram post:



18. On or about August 21, 2024, a post to the story on the Instagram account with the username “jay\_g1oqk.19k” shows a person presumed to be Martinez in an unknown vehicle holding what appears to be the above-mentioned stolen black Glock handgun with the aftermarket “Glock switch.”

19. On August 20, 2024, I petitioned the State of New Mexico Third Judicial District Court for a search warrant for the contents of the Instagram account with the username "jay\_gloqk.19k". The search warrant was submitted to Meta Platforms Inc, the parent company for Instagram, on the same date. I received the return from Meta Platforms Inc. on or about September 3, 2024. I reviewed the photos, videos, messages, and other content sent to and from that Instagram account.

20. Based on a review of search warrant results received, I learned that on or about July 21, 2024 there is a conversation with the account "jay\_gloqk.19k" and another Instagram account known to be utilized by another suspected gang member. In this conversation, "jay\_gloqk.19k" tells the other Instagram account user that a male named "Jacob" just requested to follow his Instagram account. The user of account "jay\_gloqk.19k" makes statements that Jacob is going to see posts of Jacob's "Gen 5". I know this to be in reference to a 5th Generation Glock handgun, commonly referred to as a "Glock Gen 5." I believe that the Jacob they are referring to in this conversation is Jacob G., the victim of the stolen firearm from April 14, 2024. This vernacular is consistent with the description of the Glock handgun described above with serial number CCAY249. I believe this conversation demonstrates knowledge by "jay\_gloqk.19k" that the black in color Glock 19 handgun with serial number CCAY249 is in fact stolen.

21. Also based on a review of the search warrant results, I observed that on or about July 26th, 2024 an Instagram account known to be utilized by another suspected gang member has a conversation with "jay\_gloqk.19k". It is my belief, based on my knowledge of the investigation and in reviewing the total conversation, that this is a conversation between Martinez and Jacob G. In this conversation, Jacob confronts Martinez about where Martinez got Jacob's "19." I know this to be a reference to a Glock 19 handgun, and I believe it to be in reference to the stolen black Glock 19 handgun described above with serial number CCAY249 that Martinez has made several Instagram posts with. I believe this conversation further demonstrates that Martinez had knowledge that the black Glock 19 handgun that he possessed and retained was stolen.

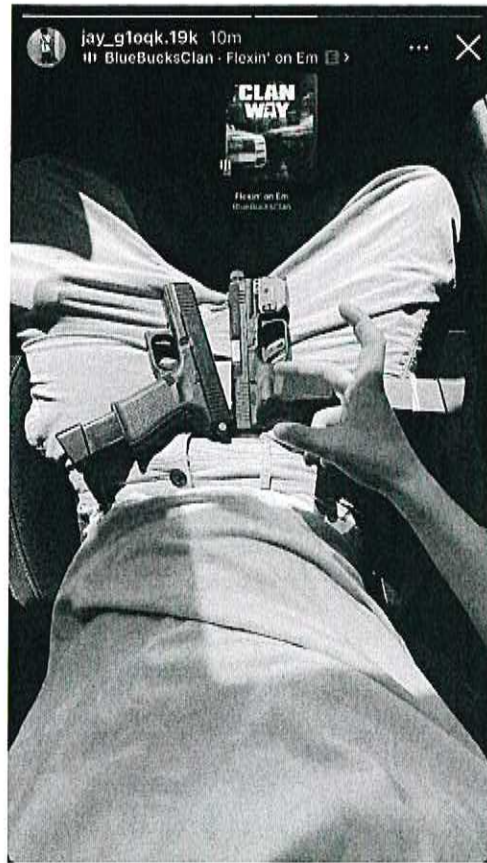
22. On or about September 7, 2024, a series of posts were made on the Instagram account with the username "jay\_gloqk.19k" depicting Martinez and another male shooting Glock handguns with fully-



automatic “Glock switches” attached. The videos show the males apparently pulling the trigger on the firearm a single time and firing several rounds in fully-automatic fire. Within that same series of posts was a video showing several firearms, including two Glock handguns with fully-automatic switches, and what appears to be the same stolen black in color Glock 19 with the serial number CCAY249. The firearms are placed on the hood of a silver 2024 Kia Forte bearing New Mexico license plate BXDN59. The license plate is visible in the video. This vehicle matches the description of the vehicle seen in previous posts and videos made by the account with the username “jay\_g1oqk.19k”. Below is a screenshot of the Instagram post:



23. On September 15, 2024, at approximately 1500 hours the Instagram account “jay\_g1oqk.19k” posted a picture of what is presumed to be himself in the front passenger seat of what appears to be the same silver Kia Forte previously pictured by the user of the account. The person has two handguns in their lap, including one with a “Glock switch” attached to a black in color Glock handgun. The person taking the picture, presumed to be Jonathan Martinez, is pictured wearing a white shirt and khaki pants. Below is a screenshot of the Instagram post:



At approximately 1540 hours on September 15th, 2024, I located the above-listed silver in color Kia Forte bearing New Mexico license plate BXDN59 parked on the north side of Apodaca Park in Las Cruces, NM. I conducted surveillance on the vehicle and observed the front seat passenger briefly exit the vehicle and I positively identified him as Martinez. I observed Martinez was wearing the same white shirt and khaki pants that were pictured in the above Instagram post.

24. Officers maintained surveillance of the vehicle and its occupants and later observed the vehicle with Martinez as the front passenger drive to a secluded area near the Rio Grande River and subsequently heard multiple gunshots being fired from that same area. At the time, I believed that this further demonstrated that the occupants of the vehicle were currently in possession of firearms. I and other officers then observed the vehicle travel directly to the address of 713 Long River Lane, Fairacres, NM where officers observed Martinez and the driver of the vehicle, a suspected gang associate, exit the vehicle and enter the residence. Based on the ongoing investigation, I am aware that this residence is Martinez's current residence.



25. I petitioned the State of New Mexico Third Judicial District Court for a search warrant for the silver Kia Forte bearing New Mexico license plate BXDN59 and the residence at 713 Long River Lane, Fairacres NM 88007. During the execution of the search warrant, I learned that Martinez told another officer that his bedroom was in the back of the residence. I observed a bedroom in the back of the residence that matched the background of some of the Instagram posts made by account “jay\_gloqk.19k”, specifically the string lights on the wall and the paper bags hanging on the wall. Inside of this bedroom was also a New Mexico ID card for Jonathan Daniel Martinez. Above the bedroom closet was a large shelf space and the black in color Glock 19 handgun with the serial number CCAY249 was located in that spot in Martinez’s bedroom. The firearm had a black in color “Glock switch” attached to the rear of the slide, which I know through my training and experience modifies the weapon to discharge multiple bullets with a single press of the trigger, which fits the federal definition of a machine gun. Below is a photograph of the handgun seized from Martinez’s bedroom:



26. In reviewing the manufacturer’s website, I learned that Glock handguns are either manufactured in the country of Austria, or in the state of Georgia. There are no Glock manufacturers within the state of New Mexico. Therefore, the firearm must have traveled in, or was shipped in, interstate commerce or foreign commerce to come to be in the state of New Mexico on September 15, 2024.

27. A Glock Switch by itself qualifies as a machine gun under Federal law.

28. Based on the foregoing, there is probable cause to believe that Jonathan Daniel Martinez committed acts in violation of 18 U.S.C. § 922(o), Possession of a Machine Gun and 18 U.S.C. §922(j), Possession of a Stolen Firearm.

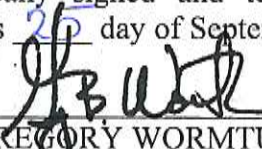
29. Assistant United States Attorney Maria Armijo approved the charges filed in this criminal complaint.

DATED: \_\_\_\_\_



Benjamin Berling  
Task Force Officer  
Federal Bureau of Investigation

Electronically signed and telephonically  
sworn this 25 day of September 2025.

  
\_\_\_\_\_  
GREGORY WORMTUH

UNITED STATES MAGISTRATE JUDGE