

UNITED STATES DISTRICT COURT

for the

District of New Mexico

FEB 28 2025

United States of America

v.

Andrew Josiah Segura

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)

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)

)

Case No.

25Mj323

MITCHELL R. ELFERS
CLERK OF COURT

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 February 19, 2025 in the county of Dona Ana in the
District of New Mexico, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 111(a)(1)

Assault, resistance, opposition, and intimidation of an officer or employee of
the United States involving physical contact

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.

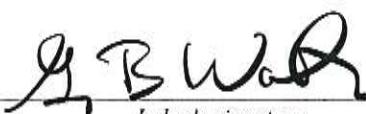


Complainant's signature

Ryan Beck, HSI Special Agent

Printed name and title

Telephonically sworn and electronically signed.

Date: February 28, 2025

Judge's signature

City and state: Las Cruces, New MexicoGregory B. Wormuth, Chief U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Ryan Beck, being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent with Homeland Security Investigations and have been since September 2020. I have gained experience through training and everyday work relating to conducting these types of investigations. Prior to becoming a Special Agent, I earned a Bachelor's degree in Criminal Justice from New Mexico State University. I am classified, trained, and employed as a federal law enforcement officer with statutory arrest authority charged with conducting criminal investigations of alleged violations of federal criminal statutes, including Title 18 of the United States Code. I am currently assigned to the HSI Office of the Assistant Special Agent in Charge, Las Cruces, New Mexico. Prior to my current position, I was a police officer certified through the state of New Mexico from June 2012 through September 2020. I am currently assigned to investigate violations of federal law, including assault on a federal officer.

2. The information contained herein is based upon my investigation as well as information supplied to me by other duly sworn law enforcement officers, federal employees, and witnesses and does not contain all information known to me, only facts for consideration of probable cause. I make this affidavit in support of a criminal complaint that there is probable cause to find that Andrew Josiah Segura violated 18 U.S.C. § 111(a)(1), Assault, resistance, opposition, and intimidation of an officer or employee of the United States involving physical contact.

Relevant Statutes

3. Title 18 U.S.C. § 111(a)(1) makes it a crime for someone to forcibly assault, resist, oppose, impede, intimidate, or interfere with any person designated in section 1114 of this title, involving physical contact, while engaged in or on account of the performance of official duties.

A Customs and Border Protection (CBP) Mission Support Specialist and a CBP Mission Support Assistant both constitute officers or employees of the United States pursuant to 18 U.S.C § 1114.

Details of the Investigation

4. On February 19, 2025, Homeland Security Investigations (HSI) Special Agents learned from United States Customs and Border Protection (CBP) that earlier that day, two CBP employees had been verbally threatened by a male subject and that one of the employees had been physically assaulted by the same subject while they were engaged in the performance of official duties in Santa Teresa, New Mexico. CBP also advised there was another incident involving the same subject threatening a United States Border Patrol (USBP) agent in Santa Teresa on February 11, 2025.

5. HSI Special Agents learned from the Federal Bureau of Investigations (FBI) and USBP that on February 11, 2025, a USBP agent stopped for lunch at the Love's Travel Stop, located at 2401 Airport Road in Santa Teresa when he was approached by a male subject who began to verbally threaten him. The subject told the agent that he was a "traitor" and further said, "I will smack the shit out of you." Following the threats, the USBP agent observed the subject depart in a gray Honda Accord bearing New Mexico license plate "402TSX." Record checks revealed that the license plate was registered to an older couple residing at 111 Santo Ysidro Road in Santa Teresa. Further record checks showed multiple residents living at the address. When photographs of the residents were shown to the USBP agent, he identified Andrew Josiah Segura as the subject who verbally threatened him.

6. On February 20, 2025, HSI Special Agents interviewed Adam Chavez and Marco Pena, both of whom were identified as being full-time employees of CBP. Chavez advised his job title was "Mission Support Specialist" and Pena advised his job title was "Mission Support

Assistant." Both subjects were wearing CBP-issued uniforms consisting of collared shirts and tan tactical-style pants. The collared shirts featured the Department of Homeland Security (DHS) seal embroidered on the left chest, white lettering reading "U.S. CUSTOMS AND BORDER PROTECTION" embroidered above the seal, and their last names embroidered in white lettering on the right chest. Both subjects stated they were wearing these same uniforms on February 19, 2025 when they traveled to the United States Post Office located at 5290 McNutt Road, Suite 211 in Santa Teresa.

7. Chavez and Pena advised that they drove a marked CBP vehicle with emergency light bar and clearly visible DHS and CBP decals to the post office to check for any inbound mail or packages that had been received for the CBP Santa Teresa Port of Entry. They stated that checking for incoming mail was part of their official CBP duties.

8. Upon arriving at the post office, Chavez and Pena parked the CBP vehicle in the parking spaces south of the post office. As Chavez exited the vehicle, a gray Honda Accord approached from his right and stopped in the lane of travel in front of, and perpendicular to the CBP vehicle as if to block it. The Honda's male driver, later identified as Segura, began to yell at Chavez. Chavez did not respond but instead got back into the CBP vehicle as to avoid conflict with Segura.

9. After waiting until Segura left the immediate area, Chavez exited the CBP vehicle and entered the post office. Moments later, Segura returned to the area and walked into the post office, where he began to yell at Chavez and call him a "traitor." Segura further walked up to Chavez and stood right next to him, looking down at the paperwork Chavez was filling out. Segura then said, "I saw your name now, Adam Chavez. You better watch your back."

10. Per Chavez, Segura's close proximity to him and verbal threats made Chavez fear that Segura might attempt to strike him. Chavez responded by telling Segura to leave the post office.

11. After seeing Segura enter the post office after Chavez, Pena advised that he was worried for Chavez's safety, so Pena also entered the post office. As Pena entered the building through one door, Segura exited through another door. Segura then proceeded to walk around the building and to the door that Pena had just entered, at which point Segura approached Pena and began yelling and demanding Pena to provide his name to Segura. After Pena refused, Segura placed his open hands on Pena's chest and pushed him backwards, initiating a physical confrontation. Pena responded by punching Segura and the two began to wrestle with each other. At one point, Segura grabbed Pena's arms, leaving significant bruising to Pena's right bicep.

12. After post office employees yelled at Segura to leave, he exited the building and returned to his vehicle. He proceeded to drive around the post office several times before parking and walking back towards the post office. While walking towards the post office, witnesses observed that Segura had his hand in the front pocket of his sweatshirt, which appeared to be weighed down with something heavy. After hearing the sirens of responding police officers, Segura returned to his vehicle and departed the area.

13. Multiple witnesses to the incident were interviewed and stated that Segura's actions and hostility toward Chavez and Pena were unprovoked and appeared to be due to their employment, as Segura did not bother any other customers or employees in the post office. The witnesses also claimed that when Segura entered the post office the second time, Pena attempted to deescalate the situation by reaching out to shake Segura's hand as a gesture of peace, to which Segura responded by pushing Pena.

14. The witnesses further stated that Chavez and Pena were regular customers at the post office and that Segura did not enter the post office to conduct any business. Two of the witnesses stated that they feared for their safety when they saw Segura returning to the post office after the physical altercation because they believed he might have had a weapon in his sweatshirt pocket.

15. The witnesses stated that the gray Honda driven by Segura had a yellow New Mexico license plate beginning with either "204" or "402."

16. Chavez, Pena, and three witnesses independently identified Segura by his driver's license photo as being the subject who physically assaulted Pena.

17. Chavez, Pena, and the witnesses said they had never seen or met Segura before the incident.

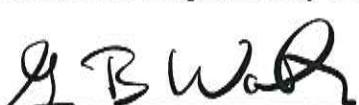
18. I submit that probable cause exists to believe that Andrew Josiah Segura committed the crime of Assault, resistance, opposition, and intimidation of an officer or employee of the United States involving physical contact, in violation of 18 U.S.C. § 111(a)(1).

Respectfully submitted,



Ryan Beck, Special Agent
Homeland Security Investigations

Subscribed and telephonically sworn before me on this 28  day of February 2025.



THE HONORABLE GREGORY B. WORMUTH
CHIEF UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
for the
District of New Mexico

United States of America

v.

Andrew Josiah Segura

) Case No. 25MJ323

)

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) Andrew Josiah Segura,

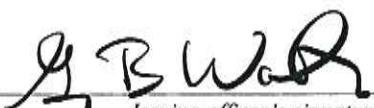
who is accused of an offense or violation based on the following document filed with the court:

Indictment Superseding Indictment Information Superseding Information Complaint
 Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 111(a)(1) - Assault, resistance, opposition, and intimidation of an officer or employee of the United States involving physical contact

Date: February 28, 2025



Issuing officer's signature

City and state: Las Cruces, New Mexico

Gregory B. Wormuth, Chief U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

This second page contains personal identifiers provided for law-enforcement use only and therefore should not be filed in court with the executed warrant unless under seal.

(Not for Public Disclosure)

Name of defendant/offender: Andrew Josiah Segura

Known aliases: N/A

Last known residence: 111 Santo Ysidro Rd., Santa Teresa, NM 88008

Prior addresses to which defendant/offender may still have ties: N/A

Last known employment: N/A

Last known telephone numbers: N/A

Place of birth: Unknown

Date of birth: 09/06/1996

Social Security number: 634-54-2295

Height: 6'00"

Weight: 200 lbs

Sex: Male

Weight: _____

U.S. Brown

Race: White

Blue cheek piercings, neck tattoo (possibly Chinese lettering)

History of violence, weapons, drug use: Verbally assaulted USBP agent on 2/11/25, verbally assaulted two CBP employees on 2/19/25, physically assaulted CBP employee 2/19/25; Suspected of carrying a firearm

Known family, friends, and other associates (name, relation, address, phone number): Manuela and Fernando Sanchez, 111 Santo Ysidro Rd, Santa Teresa, NM 88008 Possible parents reside at same address;

FBI number: EDC612CP1

Complete description of auto: Gray 2017 Honda Accord w/ yellow NM plate "402TSX"; May have dent to front right corner

Investigative agency and address: HSU Las Cruces, 200 E. Griggs Avenue, Las Cruces, NM 88001

Name and telephone numbers (office and cell) of pretrial services or probation officer (if applicable):

Date of last contact with pretrial services or probation officer (if applicable):