

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

for the

JUL 09 2025

District of New Mexico

**MITCHELL R. ELFERS**
CLERK OF COURT

United States of America

v.

Dominic Carbajal

Case No. 25-2705 MSDefendant(s)**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 June 15, 2024 - March 23, 2025 in the county of Grant in theDistrict of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 1951	Hobbs Act
18 U.S.C. § 924(c)	Firearms Act
18 U.S.C. § 922(g)	Felon in Possession of a Firearm
18 U.S.C. § 2119	Carjacking

This criminal complaint is based on these facts:

See attachment.

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

Lilly Aldana, FBI Special Agent

*Printed name and title*Sworn to before me ^{via phone} and signed in my presence.Date: 9 July 2025*Judge's signature*City and state: Las Cruces, New Mexico**Damian L. Martinez**, United States Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Lilly Aldana, being first duly sworn, hereby depose and state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since January 2024. I have gained experience through training and everyday work relating to conducting these types of investigations. Prior to becoming an FBI Special Agent, I earned both a bachelor's and a master's degree in Criminal Justice. 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 Albuquerque Field Office, Las Cruces Resident Agency, in New Mexico. Prior to my current position, I was employed for three years as a Federal Probation Officer with the United States Probation Office in the Western District of Texas. I am currently assigned to investigate violations of federal law.

2. The information contained herein is based upon my investigation as well as information supplied to me by other duly sworn law enforcement officers, 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 Dominic Carbajal, violated 18 U.S.C. § 1951, 18 U.S.C. § 924 (c), 18 U.S.C. § 922(g), and 18 U.S.C. § 2119. I am authorized by the Attorney General to request an arrest warrant.

Relevant Statutes

3. Title 18 U.S.C. § 1951, makes it a crime for someone to "whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in

violation of this section shall be fined under this title or imprisoned not more than twenty years or both.”

4. Title 18 U.S.C. § 924(c), makes it a crime for someone to “ except to the extent that a greater minimum sentence is otherwise provided by this subsection or by any other provision of law, any person who, during and in relation to any crime of violence or drug trafficking crime (including a crime of violence or drug trafficking crime that provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device) for which the person may be prosecuted in a court of the United States, uses or carries a firearm, or who, in furtherance of any such crime, possesses a firearm, shall, in addition to the punishment provided for such crime of violence ...”

5. Title 18 U.S.C. § 922(g)(1), makes it a crime for someone to “[i]t shall be unlawful for any person . . . who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year . . . to . . . possess in or affecting commerce, any firearm or ammunition.” A defendant is guilty of this crime if:

- (a) the defendant knowingly possessed a firearm or ammunition;
- (b) the defendant was convicted of a felony, that is, a crime punishable by imprisonment for a term exceeding one year, before he possessed the firearm or ammunition;
- (c) the defendant knew he was convicted of a felony at the time he possessed a firearm or ammunition; and
- (d) before the defendant possessed the firearm or ammunition, the firearm or ammunition had moved at some time from one state to another or from a foreign country to the United States.

Criminal Pattern Jury Instructions (10th Cir. 2021), § 2.44 (Possession of a Firearm by a Convicted Felon) (brackets omitted).

6. Title 18 U.S.C. § 2119, makes it a crime for someone to “Whoever, with the intent to cause death or serious bodily harm takes a motor vehicle that has been transported, shipped, or received in interstate or foreign commerce from the person or presence of another by force and violence or by intimidation, or attempts to do so...”

Details of the Investigation

7. **On June 15, 2024**, at approximately 11:45 p.m., Silver City Police Department (SCPD) officers responded to 1413 North Gold Street, Silver City, New Mexico, 88061 in reference to an incident involving Dominic Carbajal potentially having a firearm. Upon arrival, officers made contact with Carbajal. At this time, Carbajal was detained and searched. SCPD officer, Jon Singleton, found a loaded 9mm magazine inside Carbajal's pocket. SCPD officers requested consent to search Carbajal's room, to what Carbajal and his mother Celica Carbajal, gave consent.

8. After searching Carbajal's bedroom, SCPD officers found a tan and black in color Glock 19X (Serial number: BTEE719) fully loaded with a 32-round magazine. The firearm ran the serial number to what the firearm is reported stolen out of Grant County Sheriff's Office. Carbajal intentionally possess a firearm, having been convicted of a felony offense for which less than ten years have passed since Carbajal was found guilty of a felony. Carbajal was sentenced to 36 months' probation on August 30, 2021, for possession of a firearm by a felon and felony possession of a controlled substance. Carbajal stated that he knew he was a felon and cannot have a firearm, but denied knowing it was stolen.

9. On January 22, 2025, at approximately 2:41 p.m., SCPD officers responded to a report of an armed robbery at Living the Dream Nutrition at 524 Silver Heights Boulevard, Silver

City, New Mexico 88061. Upon arrival, SCPD officers met with the owner Alfonso Santa Maria and a female witness. Santa Maria reported the following:

10. An unknown male subject with a black hooded sweatshirt entered the store and began shopping. A female witness identified the unknown male as Dominic Carbajal. A SCPD officer familiar Carbajal reviewed the surveillance video footage from the store and verified that the subject was indeed Carbajal. In the video, Carbajal had various items which he carried around the store. Carbajal asked Santa Maria if the store carried a large sized jacket. As soon as Santa Maria turned his back on Carbajal to search for the jacket, Carbajal ran out of the store without paying for the merchandize. Santa Maria followed Carbajal out of the store and towards a white Acura. Carbajal then turned and faced Santa Maria holding a black handgun and stated, "back up fool." Santa Maria retreated back into the store in fear of getting shot and called 911.

11. SCPD officers know that Carbajal drives a 2010 white Acura (Texas License plate RXJ3439). After meeting with Santa Maria, SCPD officers began to look for the white Acura. The vehicle was found at 1413 North Gold Street, Silver City, New Mexico, 88061. Officers made contact with Amy Flores who advised that the vehicle was hers. Flores gave consent to search the vehicle. A witness informed SCPD officers that Carbajal was observed wearing a black with white hoddie and was holding something in his arms. The witness saw Carbajal accompanied by a short Hispanic female (this fit the description of Flores) and the two went inside the residence.

12. SCPD officers spoke with Carbajal's mother, Celica Carbajal, who reported that Carbajal had his own bedroom in the residence and that he was not present. SCPD applied for a searched warrant. They secured the residence pending the warrant. At approximately 5:28 p.m., the search warrant was approved and executed. SCPD officers found three pairs of the stolen socks in Carbajal's bedroom.

13. On March 23, 2025, at approximately 2:15 p.m., SCPD officers responded to a report of an armed robbery at 400 W. Chihuahua Street, Silver City, New Mexico 88061. Upon arrival, SCPD officers met with the victim, Junior Casaus.

14. Casaus reported the following: Casaus was parked and seated in the driver's seat of his silver 2002 Chevrolet Avalanche (NM License Plate ADWB67) at the La Capilla Parking Lot, 1450 NM-90, Silver City, New Mexico 88061. A blue Dodge truck with two males and a female approached him. The male passenger from the Dodge truck approached Casaus and demanded that he exit his vehicle and give them his keys. Casaus refused to exit his vehicle. The subject began to strike Casaus with a closed fist about 20 times. The male, later identified as Carbajal, continued to demand the vehicle. Seeing that Casaus did not comply with his demand, Carbajal then utilize a metal pipe to strike Casaus. Despite the assault, Casaus refused to get out of the vehicle to which Carbajal threaten to pull out a gun.

15. Upon Carbajal's threat to pull out a firearm, Casaus then exited the vehicle. Carbajal then demanded that Casaus empty his pockets. Casaus complied with Carbajal's demands. Carbajal took from Casaus a matte black carbon fiber with orange wallet containing \$209.00 in cash, a \$200.00 prepaid card, black iPhone phone, two necklaces (a GLD necklace and a silver necklace with a cross) from Casaus neck. Carbajal entered Casaus Avalanche and drove off with it.

16. Casaus mother tracked Casaus' phone with the snap chat location. The app showed the phone was located in the Pheasant Drive area. SCPD officers arrived at 225 Mountain View Drive, Silver City, New Mexico 88061. A neighbor reported observing Carbajal exiting that residence and pointed them to Carbajal's location. SCPD officers saw Carbajal with two Pitbull dogs. As officers attempted to apprehend Carbajal, Carbajal signal the two Pitbull dogs which

began to rush towards the deputies. One of the Pitbull dogs began to attack one of the deputies and did bite the rifle barrel. During the officers' taking Carbajal into custody, the Pitbull dogs bit or attempted to bite two deputies.

17. Once Carbajal saw the deputies, he began to walk away and he removed his black hoddie and black hat. Carbajal was reaching towards his back and ignored officers' commands. Carbajal was then tased by one of the officers and placed into custody.

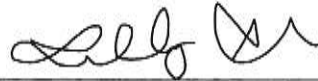
18. Carbajal was under the influence of opioids. Carbajal was asked if he took fentanyl pills or powdered to what Carbajal whispered powder. Carbajal was then taken to the hospital for an opioid overdose, but Carbajal refused treatment from the Hospital.

19. The stolen Avalanche was found parked under the carport at 225 Mountain View Drive, Silver City, New Mexico 88061. There was miscellaneous drug paraphernalia scattered throughout the residence. There was blood smear on the driver's door arm rest, blood spatter on the driver's side rear quarter panel and a DNA collection was collected. Casaus necklaces (the GLD diamond and the silver necklace without the cross) were observed in the ground near the rear of the truck. The necklaces had possible blood on them. Carbajal's hoddie contained the \$9.00 in cash and possible DNA/blood spatter on it.

20. Based on the foregoing, I submit that probable cause exists to believe that Dominic Carbajal violated 18 U.S.C. § 1951; 18 U.S.C. § 924 (c); 18 U.S.C. § 922(g); and 18 U.S.C. § 2119, by using and possessing a firearm as a convicted felon while committing several crimes such as robbery and carjacking.

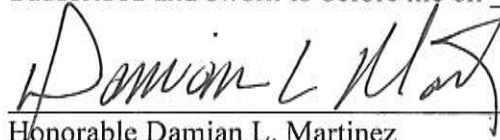
This affidavit reviewed by AUSA James Dickens.

Respectfully submitted,



Lilly Aldana
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me on 9 July, 2025.



Honorable Damian L. Martinez
UNITED STATES MAGISTRATE JUDGE