

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

2026 FEB 19 PM 5:29  
CLERK-LAS CRUZ

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**KENNETH MANUEL AGUIRRE,**

Defendant.

CRIMINAL NO. 26-b055mo

Counts 1, 2, and 4: 18 U.S.C. §§  
922(g)(1) and 924: Felon in Possession  
of a Firearm and Ammunition;  
Count 3: 21 U.S.C. §§ 841(a)(1) and  
(b)(1)(B)(vi): Possession with Intent to  
Distribute 40 Grams and More of  
Fentanyl (N-phenyl-N-[1-(2-  
phenylethyl)-4-piperidinyll  
propanamide); 18 U.S.C. § 2: Aiding and  
Abetting;  
Count 5: 18 U.S.C. § 924(c)(1)(A)(i):  
Using and Carrying a Firearm During  
and in Relation to a Drug Trafficking  
Crime and Possessing a Firearm in  
Furtherance of Such Crime.

INDICTMENT

The Grand Jury charges:

Count 1

On or about July 5, 2025, in Doña Ana County, in the District of New Mexico, the  
defendant, **KENNETH MANUEL AGUIRRE**, knowing that he had been convicted of at least  
one crime punishable by imprisonment for a term exceeding one year, specifically:

- (1) felon in possession of a firearm,
- (2) trafficking controlled substances (possess with intent to distribute  
methamphetamine),
- (3) distribution of an imitation controlled substance,
- (4) possession of a controlled substance (two convictions), and
- (5) trafficking controlled substances by distribution,

knowingly possessed a firearm and ammunition in and affecting commerce.

In violation of 18 U.S.C. §§ 922(g)(1) and 924.

Count 2

On or about July 5, 2025, in Doña Ana County, in the District of New Mexico, in a location separate from the offense alleged in Count 1, the defendant, **KENNETH MANUEL AGUIRRE**, knowing that he had been convicted of at least one crime punishable by imprisonment for a term exceeding one year, specifically:

- (1) felon in possession of a firearm,
- (2) trafficking controlled substances (possess with intent to distribute methamphetamine),
- (3) distribution of an imitation controlled substance,
- (4) possession of a controlled substance (two convictions), and
- (5) trafficking controlled substances by distribution,

knowingly possessed a firearm and ammunition in and affecting commerce.

In violation of 18 U.S.C. §§ 922(g)(1) and 924.

Count 3

On or about August 13, 2025, in Doña Ana County, in the District of New Mexico, the defendant, **KENNETH MANUEL AGUIRRE**, unlawfully, knowingly and intentionally possessed with intent to distribute a controlled substance, and the offense involved 40 grams and more of a mixture and substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide).

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(B)(vi), and 18 U.S.C. § 2.

Count 4

On or about August 13, 2025, in Doña Ana County, in the District of New Mexico, the defendant, **KENNETH MANUEL AGUIRRE**, knowing that he had been convicted of at least one crime punishable by imprisonment for a term exceeding one year, specifically:

- (1) felon in possession of a firearm,
- (2) trafficking controlled substances (possess with intent to distribute methamphetamine),
- (3) distribution of an imitation controlled substance,
- (4) possession of a controlled substance (two convictions), and
- (5) trafficking controlled substances by distribution,

knowingly possessed a firearm and ammunition in and affecting commerce.

In violation of 18 U.S.C. §§ 922(g)(1) and 924.

Count 5

On or about August 13, 2025, in Doña Ana County, in the District of New Mexico, the defendant, **KENNETH MANUEL AGUIRRE**, during and in relation to a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, specifically, possession with intent to distribute fentanyl as charged in Count 3 of this indictment, knowingly used and carried a firearm, and in furtherance of such crime, possessed said firearm.

In violation of 18 U.S.C. § 924(c)(1)(A)(i).

SENTENCING ALLEGATION

Before the defendant, **KENNETH MANUEL AGUIRRE**, committed the offense charged in Count 2 of the indictment, the defendant was convicted of trafficking controlled substances (possess with intent to distribute methamphetamine) in violation of Section 30-31-20 NMSA 1978, a serious drug felony, for which he served more than 12 months of imprisonment

and for which he was released from serving any term of imprisonment related to that offense within 15 years of the commencement of the instant offense.

FORFEITURE ALLEGATION

Upon conviction of any offense in violation of 18 U.S.C. §§ 922(g) or 924(c), the defendant, **KENNETH MANUEL AGUIRRE**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in the commission of the offense, including, but not limited to:

- a. a Glock, model 27, .40 caliber handgun, serial number SCA026;
- b. a Diamondback AR-15, 5.56 Nato Multi Cal rifle, serial number DB2635022;
- c. a Smith & Wesson, model Governor, .45/.410 caliber revolver, serial number CTF5501;
- d. approximately 6 rounds of 5.56mm ammunition;
- e. approximately 9 rounds of .40 caliber ammunition;
- f. approximately 20 rounds of 12-gauge shotgun ammunition;
- g. approximately 47 rounds of .223 caliber ammunition; and
- h. approximately 1 round of .410 shotgun ammunition.

Upon conviction of any offense in violation of 21 U.S.C. § 841, the defendant, **KENNETH MANUEL AGUIRRE**, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offense(s). The property to be forfeited includes, but is not limited to:

- a. a Glock, model 27, .40 caliber handgun, serial number SCA026;
- b. a Diamondback AR-15, 5.56 Nato Multi Cal rifle, serial number DB2635022;

- c. a Smith & Wesson, model Governor, .45/.410 caliber revolver, serial number CTF5501;
- d. approximately 6 rounds of 5.56mm ammunition;
- e. approximately 9 rounds of .40 caliber ammunition;
- f. approximately 20 rounds of 12-gauge shotgun ammunition;
- g. approximately 47 rounds of .223 caliber ammunition; and
- h. approximately 1 round of .410 shotgun ammunition.

A TRUE BILL:

  
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Assistant United States Attorney

/s/  
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FOREPERSON OF THE GRAND JURY

RCW 2/13/2026