

UNITED STATES DISTRICT COURT

for the
District of New Mexico

United States of America

v.

Manuel A. Gonzalez

Case No.

19-mj-3663

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 10, 2019 in the county of Dona Ana in the
District of New Mexico, the defendant(s) violated:

Code Section

21 USC 952 (a)

Offense Description

Importation of a controlled substance into the customs territory of the United States, to wit: approximately 9 kilograms (19.5 pounds of heroin), a Schedule I drug.

This criminal complaint is based on these facts:

See attached

☒ Continued on the attached sheet.

Complainant's signature

April Skinner, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: _____

Judge's signature

City and state: Las Cruces, New Mexico

Carmen E. Garza, US Magistrate Judge

Printed name and title

Affidavit

On October 10, 2019, at approximately 1400hrs, Manuel GONZALEZ, a Mexican national, who is a Lawful Permanent Resident of the United States, applied for admission into the United States from Mexico via the Santa Teresa, New Mexico Port of Entry, as the driver and sole occupant of a maroon in color, Dodge Ram pickup, bearing New Mexico license plate AHKC38.

GONZALEZ claimed ownership of the Dodge Ram pickup he was driving. GONZALEZ provided a negative customs declaration to CBP officers. GONZALEZ told officers he traveled to Ciudad Juarez, Mexico from the Albuquerque, New Mexico area to visit a doctor.

As GONZALEZ was being asked questions by the CBP officer, he opened a lollipop and started to bite down on it, making loud noises. During the inspection, law enforcement database queries revealed a lookout for the vehicle driven by GONZALEZ. The lookout identified the vehicle as linked to a heroin seizure in Arizona. The vehicle was referred to secondary for further inspection.

GONZALEZ gave a second negative customs declaration. During the secondary inspection, the vehicle was scanned by the Z-Portal X-ray machine, which revealed an anomaly in the rear tailgate area. CBPO Chavez and his assigned canine "Sophie" conducted a search of the Dodge Ram and the canine alerted to the rear of the truck, near the tailgate.

Further inspection of the vehicle resulted in the discovery of 13 brick like items, which were removed from the tailgate of the Dodge Ram. The contents of a random brick were field tested, which tested positive for the properties of Heroin. The total weight of the bricks and its wrappings was 9.0 kilograms/19.5 pounds.

Homeland Security Investigations (HSI) Special Agents (SAs) April Skinner and Steve Lopez later arrived at the port of entry in response to the smuggling event. Special Agents were informed by CBPOs regarding their earlier interactions with GONZALEZ.

Homeland Security Investigations (HSI) Special Agent (SA) Lopez read the Miranda Statement of Rights aloud in the Spanish language, which was witnessed by HSI SA Skinner. GONZALEZ indicated he understood his rights and agreed to speak to agents. The following is a non-verbatim summary of statements made by GONZALEZ.

GONZALEZ told agents the Dodge Ram pickup was his. GONZALEZ said on October 10, 2019, he drove the vehicle from Albuquerque area to Ciudad Juarez, Mexico for the purpose of visiting a doctor. GONZALEZ said he saw his cousin at an intersection just south of the port of entry. GONZALEZ traveled with his cousin to Ciudad Juarez, where they cooked food and drank beer. GONZALEZ said he gave his vehicle to his cousin and two friends to get beer while he was in Mexico. GONZALEZ asked his cousin to take him to the doctor, but never went to a doctor. GONZALEZ said they finished drinking beer and he returned to the United States. GONZALEZ asked for an attorney and the interview ended.

Federal prosecution was accepted by AUSA Richard Williams.

Complainant's signature

April Skinner HSI Special Agent

Printed name and title

Judge's signature

Carmen E. Garza, U.S. Magistrate Judge

Printed name and title