

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America

v.

Jose Angel Frias-Mendoza

Case No.

20MJ976

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 March 20, 2020 in the county of Dona Ana in the
District of New Mexico, the defendant(s) violated:

Code Section

21 USC 841 (a) (1)
21 USC 952

Offense Description

Did knowingly or intentionally possess with the intent to distribute and did knowingly and intentionally import into the United States from the Republic of Mexico, approximately 67.50 pounds (gross weight) of marijuana, a Schedule I controlled substance

This criminal complaint is based on these facts:

See attached.

☒ Continued on the attached sheet.



Complainant's signature

Fernando Lozoya, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: _____

City and state: Las Cruces, New Mexico



Judge's signature

STEPHEN M. VIDMAR

UNITED STATES MAGISTRATE JUDGE

Printed name and title

United States

v.

Jose Angel Frias-Mendoza

On March 20, 2020, at approximately 8:36 AM, Jose Angel Frias-Mendoza entered the United States from the Republic of Mexico at the Santa Teresa, New Mexico, Port of Entry (POE), which is within the District of New Mexico. Frias-Mendoza was the sole occupant of a 2009 Dodge Durango bearing Chihuahua license plates ENU4105.

Frias-Mendoza, a Mexican Citizen, presented a B1/B2 visa to the U.S Customs & Border Protection (CBP) Officer. During routine questioning, Frias-Mendoza claimed ownership of the 2009 Dodge Durango and stated that he was in route from Chihuahua City, Chihuahua to Denver, Colorado to pick up family members. During such, Frias-Mendoza displayed nervous behavior such as, avoiding eye contact and his hands were shaking. Due to the nervous behavior, the vehicle was referred to the Z-Portal for a more intrusive inspection. During the Z-Portal scan, anomalies were discovered in the fuel tank and roof area of the 2009 Dodge Durango. After the Z-Portal scan, a CBP K-9 Officer conducted a canine sniff with K-9 "Sofie". K-9 "Sofie" alerted to the odors of narcotics within the interior of the vehicle. A second CBP Officer asked Frias-Mendoza if he had anything to declare, to include narcotics. Frias-Mendoza stated "No".

A thorough inspection of the dashboard, roof and the fuel tank revealed a total of eighty-eight (88) bundles with a green leafy substance within which subsequently field tested positive for the properties of marijuana. A total weight of 67.5 Lbs. (gross weight) of marijuana was extracted.

United States Homeland Security Investigations Special Agent (SA) Carlos Martos and SA Fernando Lozoya arrived at the Santa Teresa POE and began an investigation. SA Fernando Lozoya, as witnessed by SA Carlos Martos read Frias-Mendoza his Miranda Statement of Rights in the Spanish language. Frias-Mendoza acknowledged in writing that he understood his rights and he agreed to make a statement without the presence of an attorney.

Frias-Mendoza proceeded to inform agents that he was hired by an unnamed subject to drive the drug laden vehicle from Chihuahua City, Chihuahua to Denver, Colorado and be paid \$7,000.

Because this affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning the investigation.

United States

v.

Jose Angel Frias-Mendoza

I make this affidavit on the basis of my personal knowledge and information furnished to me by other law enforcement officers.



United States Magistrate Judge

Fernando Lozoya, Special Agent