

**FILED**

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

## UNITED STATES DISTRICT COURT DEC 16 2016

for the

District of New Mexico

MATTHEW J. DYKMAN  
CLERK

United States of America

v.

Antoine MITCHELL, Christopher DOMINGUEZ,  
Moses DICKENS III, and Justin HARRIS

Case No.

Item 4397

Defendant(s)

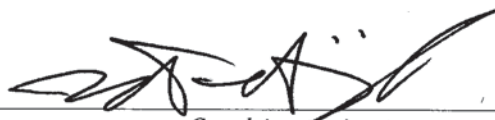
**CRIMINAL COMPLAINT**

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 December 3, 2016 in the county of Colfax in the  
       District of New Mexico, the defendant(s) violated:*Code Section*18 USC 1951;  
21 USC 841(a)(1) and (b)(1)(C);  
and  
18 USC 924(c)*Offense Description*Conspiracy to Interfere with Interstate Commerce by Robbery and Violence;  
Possession with Intent to Distribute Oxycodone, a Schedule II Controlled  
Substance; and Using and Carrying a Firearm, and Brandishing said Firearm,  
During and in Relation to a Crime of Violence and a Drug Trafficking Crime.

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Matthew S. Hoisington, Task Force Officer, DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/16/16City and state: Albuquerque, NM

Judge's signature

Steven C. Yarbrough

Printed name and title

**AFFIDAVIT**

I, Matthew Hoisington, Task Force Officer of the United States Department of Justice, Drug Enforcement Administration ("DEA"), being first duly sworn state as follows:

I am a sworn Law Enforcement Officer with the Albuquerque Police Department and have been since June 2004. Additionally, I am a federally deputized Task Force Officer and have served in this capacity since October 2014. I am currently assigned to the DEA Tactical Diversion Squad, Albuquerque District Office.

I graduated from the Albuquerque Police Department training academy where I received approximately 800 hours of specialized law enforcement training, to include drug-related investigations. The training included controlled substances identification, drug-related investigative techniques, interview and interrogation training, and tactical applications of drug-enforcement.

I have been a Task Force Officer with the DEA since October 2014. As a DEA Task Force Officer, I have participated in investigations targeting pharmacy robberies, individuals and organizations trafficking cocaine, cocaine-base, marijuana, methamphetamine, heroin, and other controlled substances, to include pharmaceutical medications, as defined in Title 21 United States Code ("U.S.C.") § 801.

The facts set forth in this affidavit are known to me as a result of my investigation and interviews with other agents and law enforcement officers. These are not all the facts known to me throughout the course of this investigation, but rather only those which are essential to establish probable cause for charging a complaint against Moses DICKENS, Christopher DOMINGUEZ, Justin HARRIS, and Antoine MITCHELL for the federal violations listed herein.

This affidavit is made in support of the issuance of a Criminal Complaint charging Moses DICKENS, Christopher DOMINGUEZ, Justin HARRIS, and Antoine MITCHELL with violations of 18 U.S.C. § 1951(a), Conspiracy to Interfere with Interstate Commerce by Robbery and Violence; 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), Possession with Intent to Distribute Oxycodone and 18 U.S.C. § 2: Aiding and Abetting; and 18 U.S.C. § 924(c)(1)(A)(ii): Using and Carrying a Firearm, and Brandishing said Firearm, During and in Relation to a Crime of Violence and a Drug Trafficking Crime.

**PROBABLE CAUSE**

On December 3, 2016, at approximately, 8:37 a.m., Trinidad Police Officer Casey Wold was dispatched to the address of 829 Tillotson, Trinidad, Colorado, concerning a 1999 green

Dodge Caravan bearing Colorado license plate DQL200, which was reportedly stolen from the front of that address' residence. Officer Wold arrived to the scene at approximately 8:46 a.m. and made contact with the reporting party. The reporting party stated that he was watching the vehicle on behalf of the registered owner. At approximately 8:00 a.m., the reporting party went outside and started the vehicle before returning inside the residence while the Caravan was warming up. At approximately, 8:35 a.m., the reporting party came back outside to find that the Caravan was no longer in the driveway.

At approximately 9:33 a.m., a green Dodge Caravan arrived at the parking lot of the Medicine Shoppe Pharmacy located at 1275 S. 2nd Street in Raton, New Mexico. A pharmacist was working behind the counter of the Medicine Shoppe as three males walked into the pharmacy with clothing covering their faces. The first two males entered the pharmacy area and jumped over the pharmacy counter; the third male monitored the front door of the store.

The first male was wearing a dark sweater, black pants, black and white shoes, black gloves, and a black ski mask. This first male, later identified as Moses DICKENS, climbed over the pharmacy counter and pointed a handgun at the pharmacist.

The second male was wearing a gray colored hoodie, dark pants, black shoes and red gloves, and a gray shirt tied around his face. This second male, later identified as Christopher DOMINGUEZ, entered the store and contacted two female employees while brandishing a handgun. DOMINGUEZ moved the female employees towards the pharmacy's safe before forcing them to kneel down. DOMINGUEZ also handed the two female employees black bags and directed them to hold the bags open. DOMINGUEZ pointed the gun to the back of the pharmacist's head and demanded that he open the safe. The Pharmacist complied by opening the pharmacy safe that contained controlled substances. DOMINGUEZ demanded Oxy 10s, 20s, and 30s. The pharmacist grabbed numerous items from within the safe and placed them into black bags that were being held open by the female store employees. DOMINGUEZ also demanded ketamine from the pharmacy. DOMINGUEZ walked with the pharmacist at gunpoint to the rear of the store to retrieve ketamine.

Shortly after DICKENS and DOMINGUEZ entered the pharmacy, a third male wearing a red hat, white gloves, gray pants, and a gray shirt tied over his face, later identified as Antoine MITCHELL, entered the store and monitored the front door while brandishing a handgun. At approximately 9:36 a.m., a male customer entered the Medicine Shoppe Pharmacy through the front door. The customer was promptly confronted by MITCHELL at gunpoint and forced to the ground. While brandishing a handgun, MITCHELL told the customer to lie on the ground and not move. DICKENS, DOMINGUEZ, and MITCHELL exited the Medicine Shoppe Pharmacy with bags full of the pharmacy's medications and entered the green 1999 Dodge Caravan before fleeing the area.



At approximately 9:47 a.m., Raton Police Officer John Valdez was dispatched to the Medicine Shoppe Pharmacy in reference to an armed robbery. Officer Valdez was driving towards the Medicine Shoppe while attempting to locate the 1999 green Caravan. Officer Valdez observed an abandoned vehicle matching the description of the green Caravan containing DICKENS, DOMINGUEZ, and MITCHELL, at the 1300 block of Vista Place. Officer Valdez also observed a 2014 gray Ford Escape bearing a New Mexico plate, 232SXD, driving away from the area where Valdez first observed the green Caravan. Officer Valdez followed the Ford Escape and watched as the vehicle failed to stop at a stop sign. Officer Valdez activated his vehicles emergency lights and equipment in an attempt to stop the Ford Escape. The vehicle pulled over briefly and, as Officer Valdez accompanied by Officer Derrick Valdez attempted a stop, the vehicle abruptly drove away at a high rate of speed. Officer Valdez attempted to follow the speeding Ford Escape. Deputy Sanchez with the Colfax County Sheriff's Office arrived and also attempted to follow the Ford Escape. The Ford Escape continued to speed away from law enforcement vehicles before colliding with a concrete barrier in a housing development near the 100 block of Nick Cimino Circle. Four male occupants exited the Ford Escape and ran away from the vehicle. DICKENS, DOMINGUEZ, and MITCHELL were arrested in the area after foot pursuits, and the fourth occupant remained missing.

At approximately 6:12 p.m., police dispatch received a tip of a male subject matching the description of the fourth, missing male seen running from Officers was walking on the Interstate-25. Officer John Valdez, Sergeant Norberto Dominguez, and Sergeant Cory Coca all attempted to locate the subject in the area. When Officer Valdez arrived he recognized the subject, later identified as Justin HARRIS, as the fourth subject that ran from the Ford Escape. HARRIS admitted that he was in the Ford Escape as they fled from officers. HARRIS also admitted that the subjects did go to Trinidad, Colorado, where they stole the 1999 Dodge Caravan and drove it to Raton. HARRIS denied knowledge of or involvement in the robbery of the Medicine Shoppe Pharmacy in Raton.

Raton Police Officers observed in plain view within the Ford Escape a stainless steel Ruger handgun, on the passenger side floorboard, as well as black bags consistent with the bags used to collect the bottles of medications during the Robbery of Medicine Shoppe Pharmacy.

Raton Police Captain James Valdez obtained a New Mexico State District Court search warrant for the 2014 Ford Escape and located:


- two black ski masks,
- a grey shirt in a knot consistent with use as a mask,
- a grey shirt consistent with use as a mask,
- a red New York Yankees baseball cap matching that seen in surveillance video of the robbery,

- two red gloves,
- two black knit gloves,
- one white glove,
- a Jimenez arms 9mm handgun,
- a silver Ruger P90 .45 caliber handgun,
- a Glock 23 .40 caliber handgun,
- and a Ruger LC-380 caliber handgun with black leather holster...

within the Ford Escape. Black bags containing the stolen controlled medications were recovered and photographed, and the contents were inventoried when returned to the Medicine Shoppe Pharmacy.

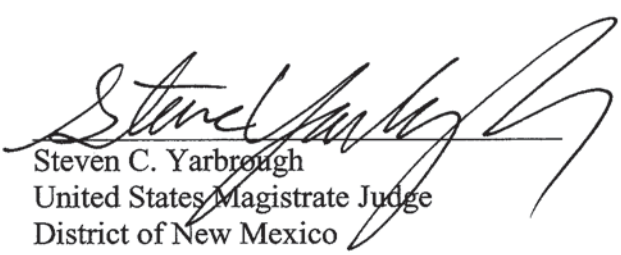
Based on the aforementioned information, I believe there exists probable cause to charge Moses DICKENS, Christopher DOMINGUEZ, Justin HARRIS, and Antoine MITCHELL with violations of 18 U.S.C. § 1951(a), Conspiracy to Interfere with Interstate Commerce by Robbery and Violence; 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), Possession with Intent to Distribute Oxycodone and 18 U.S.C. § 2: Aiding and Abetting; and 18 U.S.C. § 924(c)(1)(A)(ii): Using and Carrying a Firearm, and Brandishing said Firearm, During and in Relation to a Crime of Violence and a Drug Trafficking Crime.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.



Matthew Hoisington  
Task Force Officer  
U.S. Drug Enforcement Administration  
Albuquerque District Office

Sworn before me on this the 16th day of December, 2016



Steven C. Yarbrough  
United States Magistrate Judge  
District of New Mexico  
Albuquerque, New Mexico