

AO 91 (Rev. 02/09) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
District of New Mexico

FILED
At Albuquerque NM

AUG 2 2017

MATTHEW J. DYKMAN
CLERK

United States of America)

v.)

SCHULER, Gordon)
xxx-xx-4053)

Case No. 17-MJ-1966

Defendant

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 of 08/01/2017 in the county of Bernalillo in the _____ District of
New Mexico, the defendant violated Title 18 U. S. C. § 844(i)
, an offense described as follows:
On 07/31/2017, Gordon SCHULER, did set fire to the Peace Lutheran Church in Rio Rancho, County of Sandoval,
State of New Mexico.

This criminal complaint is based on these facts:

See Attached

☒ Continued on the attached sheet.



Complainant's signature

Derek Wright, Special Agent, ATF

Printed name and title

Sworn to before me and signed in my presence.

Date: 08/01/2017



Judge's signature

City and state: Albuquerque, New Mexico

William P. Lynch

Printed name and title

Criminal Complaint - Continued.

United States of America

V.

SCHULER, Gordon

SSN: 4053

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been since August 2016. Prior to employment by the ATF your affiant spent approximately ten (10) years employed by the City of Albuquerque Police Department, four (4) of those years having been spent on the investigation of federal felony crimes as a Task Force Officer for the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives.
2. In this capacity your Affiant investigates violations of federal criminal statutes, to include violation of federal firearms, explosives and arson laws, and has specifically investigated violations related to subjects who are found to be in possession of illegal and altered firearms, Hobbs Act robbery cases, Carjacking cases, and other cases involving violent crime. Your affiant has attended the Federal Law Enforcement Training Center where your affiant received training in multiple aspects related to firearms, arson and explosives.
3. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

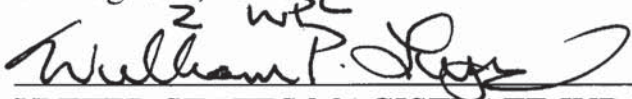
4. On July 31, 2017, the Rio Rancho Fire Department's crew from Station 1 were returning to their station from another call at approximately 0459 hours when they observed a fire at 2800 Cabezon Blvd. SE, Rio Rancho, Sandoval County, New Mexico. When fire department personnel arrived they observed a structure fire at the Peace Lutheran Church.
5. Firefighters began to conduct fire suppression activities and were able to extinguish the fire. Once extinguished and safe to enter the church, they found there to be extensive damage to the sanctuary area as well as heavy smoke damage to the remainder of the structure.
6. ATF responded to the scene and began assisting the fire department in the investigation into the cause of fire and worked alongside the Rio Rancho Police Department, Rio Rancho Fire Department and the State of New Mexico Fire Marshal's Office. Through conversation it was learned that there was a suspect in multiple arsons from the summer of 2016. He was identified as Gordon SCHULER. Gordon SCHULER was recently released from jail and absconded from probation approximately a week prior, on July 25, 2017, and a warrant for Gordon SCHULER's arrest was issued.

7. SA's Rominger and Kempton were conducting a neighborhood canvass to see if anyone observed anything from the morning. SA's Rominger and Kempton went to the Life Roots Center at 1909 29th Ave, in Rio Rancho which is south approximately two hundred yards from the church. While at the Life Roots Center they observed there were numerous surveillance cameras. Once inside SA Kempton spoke with an employee, Andrea Garcia who stated that the alarm went off for the business at approximately 0227 hours. SA's Rominger and Kempton viewed the surveillance footage, while viewing the footage they observed a male subject that looks like Gordon SCHULER. Gordon SCHULER is wearing a backpack in the surveillance footage and carrying a hammer in his left hand. Gordon SCHULER is viewed walking east through the interior courtyard and then back west, while walking west through the courtyard hallway; Gordon SCHULER is viewed directly by the camera.
8. While fire investigators were inside the church they observed a backpack and hammer, matching the same ones viewed in the video, in the kitchen area in the west end of the church laying on a countertop. Both items were photographed and collected by the Rio Rancho Police Department.
9. Certified Fire Investigator Anuszyk stated the fire was purposefully caused and was an act of arson.
10. On August 1, 2017, SA Wright spoke with Pastor Zeiker from Peace Lutheran church, during the course of the conversation it was learned that Peace Lutheran church donates two (2) percent of their monthly income from donations to the Wisconsin Evangelical Lutheran Synod which is based out of Wisconsin, therefore affecting interstate commerce.
11. Your affiant queried Gordon SCHULER and found him to have one (1) previous felony conviction in cause numbers: D-1329-CR-201600470 for the charge of Forgery, out of the 13th Judicial District Court, County of Sandoval, State of New Mexico.
12. Your affiant opines that there is probable cause to believe Gordon SCHULER did intentionally set the fire at the Peace Lutheran Church in Rio Rancho, County of Sandoval, State of New Mexico on July 31, 2017, in violation of Title 18 U.S.C. 844(i).

Respectfully submitted,

Derek Wright
Special Agent ATF

Subscribed and sworn to before me
on August 1, 2017:


UNITED STATES MAGISTRATE JUDGE