

United States District Court

State and

DISTRICT OF

New Mexico

FILED
At Albuquerque NM

UNITED STATES OF AMERICA

V.

DEC 03 2009

CRIMINAL COMPLAINT

HAZEL BERNADETTE GUTIERREZ,
aka Hazel B. Hoffnagel,
Year of birth: 1957
SSAN: XXX-XX-8692

MATTHEW J. DYKMAN
CLERK

09mj 3380

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about November 20, 2009 in Bernalillo county, in the state and District of New Mexico defendant(s) did, (track statutory Language of Offense) by intimidation and force, and with a handgun, take money from the persons and presence of the Bank of America, 7644 Jefferson Street, Northeast, Albuquerque, New Mexico, a federally insured financial institution

in violation of Title 18 United States Code, Section(s) 2113(a)(d)
I further state that I am a Special Agent, FBI and that this complaint is based on the following

Official Title

facts: See attached Affidavit.

Continued on the attached sheet and made a part hereof:

☒ YES☐ No

Sworn to before me and subscribed in my presence,

December 2, 2009

Date

at

Signature of Complainant

JEFFREY A. ROMERO
Special Agent
Federal Bureau of Investigation
Albuquerque, New Mexico
City and State

W. DANIEL SCHNEIDER U.S. Magistrate Judge

Name & Title of Judicial Officer

Signature of Judicial Officer

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

1
2 **UNITED STATES OF AMERICA**

3
4 **VS.**

5 **HAZEL BERNADETTE GUTIERREZ**

aka, Hazel B. Hoffnagel

Year of birth: 1957

6 SSAN:XXX-XX-8692

7
8
9 **AFFIDAVIT**

10 I, the undersigned, being duly sworn, hereby depose and state as follows:

11
12 1. I am a Special Agent of the Federal Bureau of Investigation (FBI) and have
13 been employed in that capacity for more than thirteen years. I am currently assigned to the
14 Albuquerque Division and investigate major crimes and conduct other investigations
15 including but not limited to violent crimes and bank robberies. The information set forth in
16 this affidavit has been derived from my own investigation or communicated to me by other
17 sworn law enforcement officers or from other reliable sources.

18
19
20 2. On November 20, 2009, the Bank of America, 7644 Jefferson Street,
21 Northeast, Albuquerque, New Mexico, was robbed by an individual who entered the bank
22 and presented a demand note, than pulled a handgun from her purse and displayed it to the
23 teller. The teller provided the robber with a large sum of United States Federal Reserve
24 Bank Notes. The robber was last seen fleeing the bank on foot.

25
26 Bank of America is a federally insured financial institution, and did sustain a
27 large loss in United States Federal Reserve Bank Notes.

The aforementioned robbery was conducted by a woman described as a

1 White (Hispanic), approximately 5'0", light medium complexion w/ wrinkles, and
2 approximately 65 years in age. The robber was further described as wearing a black cloth
3 hat with folded up sides, red sweatshirt, faded blue jean overalls, black mesh-type purse, and
4 small black semi-automatic pistol.

5
6 3. Surveillance photograph of the bank robber were provided by the Bank of
7 America to the Federal Bureau of Investigation (FBI), which in turn, provided the same
8 photographs to the media.

9
10 4. Almost immediately, tips of the identity were called into the FBI. One
11 identification stood out because a driver's license picture looked just like the bank robber.
12 This individual was Hazel Bernadette Gutierrez, aka Hazel B. Hoffnagel, year of birth 1957,
13 SSAN XXX-XX-8692. Several FBI Special Agents reviewed Gutierrez photograph and
14 compared it to the bank surveillance photograph, and all concluded that Gutierrez looked
15 very much like the aforementioned bank robber.

16
17 5. In addition, Gutierrez is currently wanted for Misdemeanor Shoplifting and
18 does have a criminal history that includes a conviction for Residential Burglary and
19 numerous arrests for Probation Violation, Unlawful Taking of a Motor Vehicle, Aggravated
20 DWI, Embezzlement \$250-\$2500, and multiple Shoplifting arrests.


21
22 6. On November 25, 2009, the victim-teller from the November 20, 2009, was
23 shown, a six picture photo-array in which one picture was Hazel Bernadette Gutierrez, aka
24 Hazel B. Hoffnagel, year of birth 1957, SSAN XXX-XX-8692. The witness identified the
25 photograph of Gutierrez as the woman who robbed her bank.

7. In addition, a witness observed an older woman getting out of an older model Volkswagen beetle at the Bank of America, 7644 Jefferson Street, Northeast, Albuquerque, New Mexico, at approximately the same time the bank robber occurred. The woman description matched that of the bank robber and the vehicle matched the description of a vehicle reported stolen on November 19, 2009. Since the bank robbery, the vehicle has been seen twice and the description of the driver matches the description of the bank robber and of Gutierrez.

Based on the information set forth in this affidavit, your affiant submits that there is probable cause to believe that Hazel Bernadette Gutierrez, aka Hazel B. Hoffnagel, year of birth 1957, SSAN XXX-XX-8692, did by intimidation and force, and with a handgun, take money from the persons and presence of the Bank of America, 7644 Jefferson Street, Northeast, Albuquerque, New Mexico, on November 20, 2009, a federally insured financial institution.

Your affiant further submits that these robberies was committed in violation of Title 18 United States Code, Section 2113(a)(d).

I swear that this information is true and correct to be best of my knowledge.


JEFFREY A. ROMERO
Special Agent,
Federal Bureau of Investigation

Subscribed to and sworn to
before me, this 24th of December, 2009



UNITED STATES MAGISTRATE JUDGE
Albuquerque, NM