



UNITED STATES DISTRICT COURT
for the
District of New Mexico

United States of America)
v.)
EDISON BRADY)
(YOB 1969))
)
)
)
)
)

Defendant(s)

Case No. 24-MJ-1078

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 July 25, 2024 in the county of San Juan in the
 District of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 1153	Offenses committed within Indian Country
18 U.S.C. § 1111	Second Degree Murder

This criminal complaint is based on these facts:
See attached affidavit.

Continued on the attached sheet.

Complainant's signature

Jared Harshbarger, Special Agent FBI

Printed name and title

Telephonically sworn and electronically signed.

Date: 07/26/2024

Judge's signature

City and state: Farmington, New Mexico

Hon. B. Paul Briones, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, Jared Harshbarger, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”). I have been employed with the FBI since January 2021. As such, I am a “federal law enforcement officer” within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent with statutory arrest authority charged with conducting criminal investigations of alleged violations of federal criminal statutes, including Title 18 of the United States Code. I am presently assigned to the Farmington Resident Agency (RA), Albuquerque Division, where my duties include investigating violations of Federal law, specifically those violations occurring on the Navajo Indian Reservation.

2. I have received training and gained experience in the investigation and enforcement of major crimes including murder, firearms offenses, and other federal crimes. Additionally, I have received training and experience in interview techniques, arrest procedures, search warrant applications, the execution of searches and seizures, and various other criminal laws and procedures. I have previously participated in investigations within Indian Country involving the crimes enumerated below.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, law enforcement officers, and witnesses. Because this affidavit is submitted for the limited purpose of securing a criminal complaint, I have not included every fact known to me concerning the investigation. I have

set forth only those facts that I believe are necessary to establish that probable cause to support a criminal complaint as explained below.

4. This affidavit is being submitted in support of a criminal complaint charging Edison **Brady (BRADY)**(YOB 1969) with Murder in the Second Degree in Indian Country pursuant to 18 U.S.C. §§ 1153 and 1111.

RELEVANT STATUTES

5. 18 U.S.C. § 1153(a), in relevant part, states: “Any Indian who commits against the person or property of another Indian or other person any of the following offenses, namely, murder, manslaughter, . . . a felony assault under section 113 . . . shall be subject to the same law and penalties as all other persons committing any of the above offenses, within the exclusive jurisdiction of the United States.”

6. 18 U.S.C. § 1111(a) states: “Murder is the unlawful killing of a human being with malice aforethought. Every murder perpetrated by poison, lying in wait, or any other kind of willful, deliberate, malicious, and premeditated killing; or committed in the perpetration of, or attempt to perpetrate, any arson, escape, murder, kidnapping, treason, espionage, sabotage, aggravated sexual abuse or sexual abuse, child abuse, burglary, or robbery; or perpetrated as part of a pattern or practice of assault or torture against a child or children; or perpetrated from a premeditated design unlawfully and maliciously to effect

the death of any human being other than him who is killed, is murder in the first degree. Any other murder is murder in the second degree.”

PROBABLE CAUSE

7. At 1:01 PM on July 25, 2024, the Navajo Nation Police Department (NNPD) was dispatched to a complaint of a fight in progress and an individual stabbing another individual during the course of the altercation in Shiprock, New Mexico. Officers arrived near Shiprock Express Lube, US-491, Shiprock, NM (GPS 36.775828, -108.697444) where they found a man (“JOHN DOE”) alive, laying on the ground, with apparent wounds to his face. The responding officer called for additional emergency services to provide life saving aid to JOHN DOE. When first responders arrived, they began performing life saving measures and observed that JOHN DOE had sustained a laceration to the chest area. JOHN DOE was transported to the Northern Navajo Medical Center (NNMC). JOHN DOE was later pronounced dead at NNMC.

8. NNPD secured the scene and contacted the Navajo Nation Department of Criminal Investigators (NNDICI) and FBI Special Agents in the Farmington office who responded and joined the investigation.

9. A search of the area where responding officers located JOHN DOE revealed blood pools on the cement and the garage door to the rear of the temporarily closed business. Witnesses were identified and subsequently interviewed by law enforcement officers.

10. An assessment of JOHN DOE revealed that he had significant trauma to his facial bones. Swelling and bleeding was also observed within the face. A laceration

within the chest area was observed, which appeared to be consistent with trauma inflicted by a sharp-edged object.

11. Navajo Nation Police Officer Herbert lee Frazier III was the first responding officer to contact JOHN DOE. Officer Frazier observed JOHN DOE's face and chest were facing downward towards the ground while he laid on the ground. JOHN DOE was observed to be breathing but was unresponsive. Officer Frazier was approached by H.T. ("Witness 1") who was the reporting party. WITNESS 1 identified **BRADY**, who was actively speaking with another officer, to be the perpetrator. WITNESS 1 advised he saw **BRADY** punch and kick JOHN DOE in the face while JOHN DOE was lying on the ground. He saw **BRADY** go to his backpack and take out a knife and then WITNESS 1 observed **BRADY** stab JOHN DOE.

12. Navajo Nation Police Officer Andrew Wauneka also responded to the call for service. Officer Wauneka observed a male with no shirt in a parking lot. Officer Wauneka contacted **BRADY** and observed blood on **BRADY'S** arms and right knuckle. Red stains were also present on **BRADY'S** shoe. Officer Wauneka asked **BRADY** if that was blood or not. **BRADY** stated it was JOHN DOE'S blood and not his own. **BRADY** advised Officer Wauneka that JOHN DOE attempted to pull pants off S.S., **BRADY'S** girlfriend, and that was the reason **BRADY** began to punch JOHN DOE. Officer Wauneka had both BRADY and S.S. sit in the back of his patrol vehicle and drove them back to the primary crime scene where he was able to gather more details about the incident. **BRADY** told Officer Wauneka that he had a knife in his duffle bag, but he did not use it on JOHN DOE. Officer Wauneka received consent from **BRADY** to search the

bag. Officer Wauneka located a fixed bladed knife with red stains on the blade that appeared to be blood. The knife had a silver blade with a black handle and was located on the bottom of the black duffle bag. There was also a grey folding knife located in the side pocket of the black duffle bag with no red stains on it.

13. Investigators interviewed D.P. (“Witness 2”) who was present during the assault. Witness 2 stated JOHN DOE was talking with the group for about an hour until he was assaulted by BRADY. During this time, JOHN DOE did not speak with S.S. or interact with her. Witness 2 advised that **BRADY** got angry at JOHN DOE but Witness 2 was unsure why. **BRADY** initially assaulted JOHN DOE by punching him in his face. **BRADY** stepped away from the altercation and then reapproached JOHN DOE. **BRADY** continued to punch JOHN DOE, kicked JOHN DOE in the face, and then pulled a knife out and stabbed JOHN DOE. Witness 2 described the knife to be about six to seven inches in length. JOHN DOE was intoxicated, sat there quietly, and did not defend himself. Witness 2 knows **BRADY** to be a violent person who always carries a weapon on him. Witness 2 and her sister were assaulted by **BRADY** on July 23, 2024.

14. **BRADY** was arrested by NNPD and charged with the offense of Aggravated Battery in violation of Title 17 § 317 (A)(1), Code of the Navajo Nation. **BRADY** was transported to NNPD. An assessment of **BRADY** revealed that he had red stains, appearing to be blood, on both hands to include his knuckles and palm side. **BRADY** also believed he had broken his middle finger/knuckle during the course of the altercation. **BRADY** appeared to be intoxicated and was not interviewed.

15. Previous criminal charges for **BRADY** include Sexual Abuse of a Minor, Aggravated Sexual Abuse, Probation Violations, Escape, and Failure to Register as a Sex Offender. BRADY has a full extradition warrant issued by US Marshals Service for a probation violation. Date of Warrant was June 10, 2020.

16. As referenced above, the homicide occurred on the Navajo Nation Reservation. Specifically, investigators determined the location to be near Global Position System (GPS) Coordinates: 36.775828, -108.697444N, Shiprock Express Lube, US-491, Shiprock, NM, which is within the exterior boundaries of the Navajo Nation Reservation

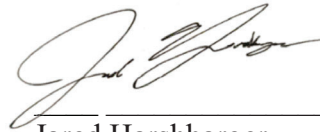
17. Records state that **BRADY**, and JOHN DOE are all enrolled members of the Navajo Nation.

CONCLUSION

18. Based on the above information, I submit that there is probable cause to believe that **BRADY** violated federal law by committing the offense of Murder in the Second Degree in violation of 18 U.S.C. §§ 1153 and 1111.

19. Therefore, I respectfully request that the Court approve the attached criminal complaints and issue arrest warrants.

12. This complaint was reviewed and approved by Supervisory Assistant United States Attorney Elisa Dimas.



Jared Harshbarger
Special Agent
Federal Bureau of Investigation

Subscribed to and sworn before me
this 26th day of July 2024

Telephonically sworn and electronically submitted via email



United States Magistrate Judge