

FILED**UNITED STATES DISTRICT COURT**UNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO

for the

NOV - 6 2024

District of New Mexico

MITCHELL R. ELFERS
CLERK OF COURT

United States of America)

v.)

Kenneth Eric Yeager)

Case No. 24MJ1622

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 _____ in the county of Dona Ana in the
_____ District of New Mexico, the defendant(s) violated:*Code Section**Offense Description*

21 U.S.C. § 856

Maintaining drug-involved premises

This criminal complaint is based on these facts:

See attached "Affidavit"

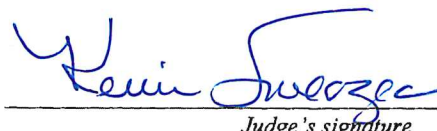
☒ Continued on the attached sheet.

Complainant's signature

Victor Tellez, HSI Special Agent

Printed name and title

Electronically submitted and telephonically Sworn to before me.

Date: 11-06-2024

Judge's signature

City and state: Las Cruces, New Mexico

Kevin R. Sweazea, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, HSI Special Agent (SA) Victor Tellez, being duly sworn, state that the following information is true and correct to the best of my knowledge and belief:

The following information is based upon information provided to me by other officers and agents and is presented as probable cause to arrest Kenneth Eric Yeager (hereinafter referred to as Yeager). Since this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each and every known fact regarding this investigation. More specifically, I have set forth only pertinent facts that I believe are necessary to establish probable cause.

According to Doña Ana County Property records, Yeager is the owner of a residence located at 1954 Lyon Place, Las Cruces, New Mexico 88001 ("the Subject Premises"). Yeager purchased the property in 2006 and has owned it ever since. Based on the investigation, agents know that Yeager resides at the Subject Premises, and agents have made contact with Yeager at the Subject Premises on multiple occasions.

Based on a drug trafficking investigation which began in early 2024, agents know that Yeager allows multiple drug users to stay at the Subject Premises and use narcotics at the Subject Premises and that Yeager frequently accepts drugs from the individuals in lieu of rent.

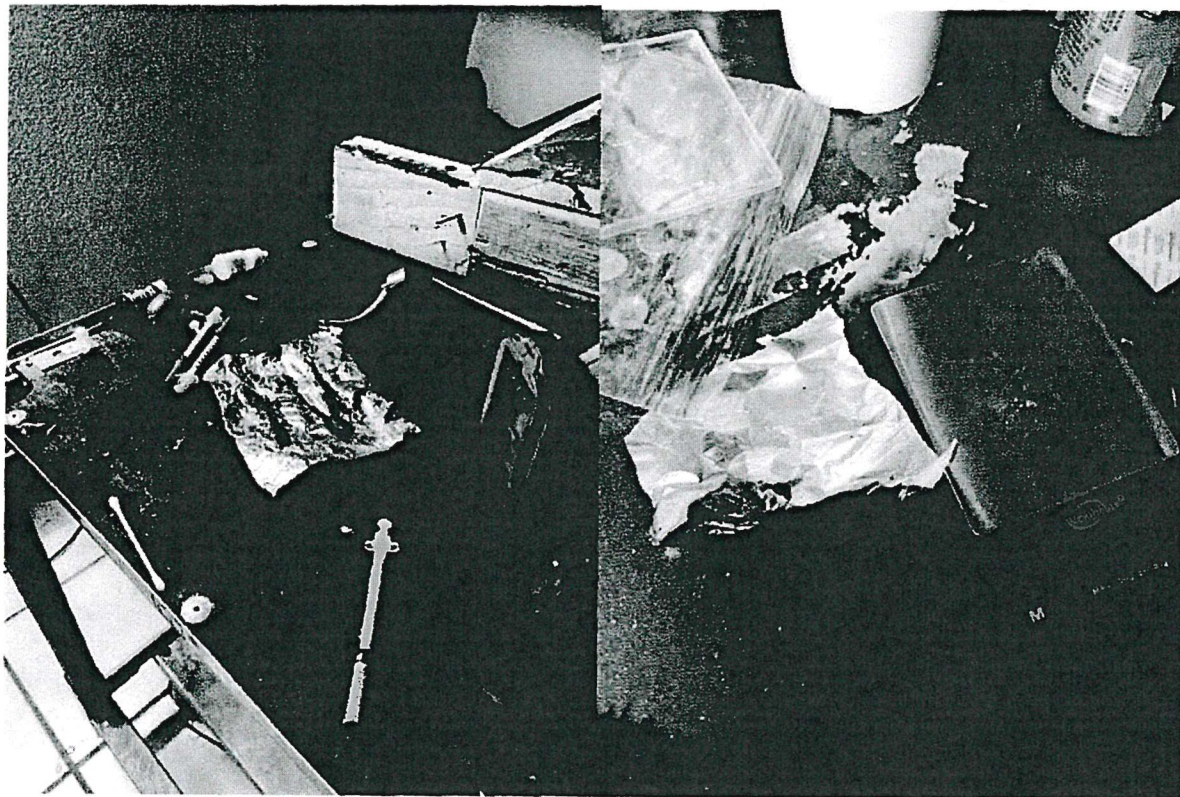
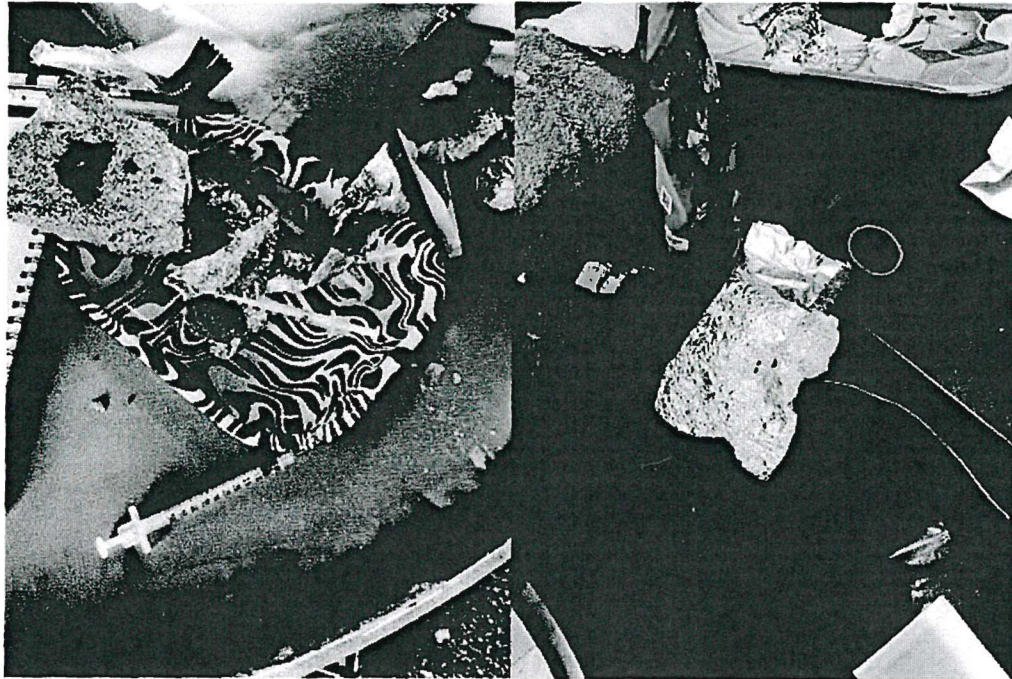
On July 27, 2024, officers with the Las Cruces Police Department learned of an overdose death at the Subject Premises. Agents responded to the Subject Premises and encountered Yeager, Brock Beserra ("Beserra"), and a deceased overdose victim in the residence. Yeager admitted that he owned the Subject Premises and that both he and Beserra lived at the Subject Premises. On August 21, 2024, agents received a report for the Office of the Medical Investigator which confirmed that the death of the person who died at the Subject Premises was caused by toxic effects of fentanyl and methamphetamine.

In mid-2024, agents received information from a source of information that the Subject Premises is a "trap house" that is used by Yeager, Beserra, and others to distribute and consume drugs. Based on my training, experience, and knowledge of this investigation, I know that "trap house" is a slang expression used by individuals involved with drugs to refer to house to which drug users go to purchase and use drugs and that it is common to have significant numbers of drug users in such a house at any given time.

On November 6, 2024, at approximately 6 a.m., agents executed a search warrant at the Subject Premises. Agents encountered 17 individuals inside the Subject Premises, including Yeager and

Beserra. Inside the residence, agents encountered extreme amounts of drug paraphernalia, as well as small blue pills, which, based on my training and experience, are fentanyl pills.

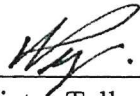
Pictures of some of the drug paraphernalia are shown below:



Subsequent to the execution of the search warrant, Yeager told agents that he is the owner of the Subject Premises. Yeager stated that Beserra is his main tenant at the Subject Premises, and that Yeager, Beserra, and two other individuals live at the Subject Premises. Yeager admitted that he is a methamphetamine and fentanyl addict and that several of the individuals present in the residence would provide him with drugs in exchange for being able to stay at the Subject Premises. Yeager also admitted to agents that he was aware that the other individuals present at the residence use drugs at the Subject Premises.


Based on the above, there is probable cause to believe that on November 6, 2024, in the District of New Mexico, Yeager maintained a place and made it available for the purpose of storing, distributing, and using a controlled substance, in violation of 21 U.S.C. § 856.

AUSA Renee Camacho authorized the case for federal prosecution against Yeager.



Victor Tellez
HSI Special Agent

Electronically submitted and telephonically
Sworn to before me on November 6, 2024



KEVIN R. SWEAZEA
U.S. Magistrate Judge