

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Mexico

FILED
U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO
2017 APR 27 AM 11:18
CLERK-LAS CRUCES

United States of America)

v.)

Maria Isabel REYES,
Roberta Guillermina ORNELAS)

Case No. 17-MJ-1042

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 April 20, 2017 in the county of Doña Ana in the
Judicial District of New Mexico, the defendant(s) violated:

Code Section	Offense Description
21 U.S.C. § 846	Conspiracy to possess with the intent to distribute approximately 17.80 pounds (8.10 kilograms) of heroin
21 U.S.C. § 841 (a) (1)	Possession with the intent to distribute approximately 17.80 pounds (8.10 kilograms) of heroin

This criminal complaint is based on these facts:

See attached statement of probable cause incorporated by reference herein.

Continued on the attached sheet.

B. Muñoz

Complainant's signature

Benjamin Munoz, DEA Task Force Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 9/27/17

Stephan M. Vidmar

Judge's signature

City and state: Las Cruces, New Mexico

Stephan M. Vidmar, U.S. Magistrate Judge

Printed name and title

United States of America
v.
Maria Isabel REYES,
Roberta Guillermina ORNELAS

Attachment to Criminal Complaint

I, Benjamin Munoz, Affiant, 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 known to me and/or provided to me by other agents and is presented as probable cause to issue an arrest warrant for Maria Isabel REYES (“REYES”) and Roberta Guillermina ORNELAS (“ORNELAS”). Because 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.

DEA Agents received information indicating that a 2003 silver Volkswagen Passat, bearing a Texas license plate JJW-9968, was being used to transport drugs. Agents also received information that REYES and ORNELAS were utilizing this vehicle to transport the drugs to other individuals in Albuquerque, New Mexico, and elsewhere.

On April 20, 2017, at approximately 12:16 p.m., agents learned that the silver Volkswagen Passat had just passed through the Border Patrol checkpoint on I-25, north of Las Cruces, New Mexico. Based on this information, agents arranged for law enforcement to stop the Volkswagen Passat near Hatch, New Mexico.

At approximately 12:37 p.m., officers from the Hatch Police Department (“HPD”) observed the silver Volkswagen traveling northbound on I-25 as the vehicle was passing the Hatch, New Mexico, exit. Officers conducted a traffic stop of the silver Volkswagen for speeding near mile marker 44. Officers identified the driver as Maria I. REYES, and the front seat passenger as Roberta ORNELAS. REYES and ORNELAS were the only occupants in the vehicle. Neither REYES nor ORNELAS had a valid driver’s license. Officers requested consent to search the vehicle, which REYES granted.

During the search of the vehicle, agents located numerous black tape-wrapped bricks concealed inside the factory void around the rear-end of the Volkswagen near the heat shield and rear skid plates. Agents removed the bricks, totaling 11 pieces, all of which later tested positive for the properties of heroin. The gross weight of the heroin was approximately 17.80 pounds, or 8.10 kilograms.

In a post-*Miranda* interview, REYES claimed that she and ORNELAS were en route from Horizon, Texas, to Hatch, New Mexico, to buy chile, and then on to Albuquerque, New Mexico, and were planning to stay the night there. REYES claimed that they were going to stay the night at a Quality Inn off Coors Blvd. in Albuquerque. I know that the Quality Inn hotel described by REYES to be a location where agents have observed members of this drug trafficking organization (DTO) stay overnight while delivering drugs to Albuquerque.

REYES claimed that she and ORNELAS had purchased the Volkswagen together jointly at a dealership in El Paso, Texas, off Alameda Ave named "Auto Credit." REYES claimed that she and ORNELAS had recently purchased the car, and during that time, the seller informed her that the car needed repairs. REYES claimed that she took the vehicle to Juarez, Chihuahua, Mexico, in order to have the repairs done. REYES could not remember the name of the auto shop that did the repairs, but stated that the repairs were to the engine, A/C unit, and the steering areas. REYES stated that she believed that the mechanics at this auto shop in Juarez must have concealed the drugs inside. When informed that the Volkswagen contained drugs, REYES denied any knowledge of the drugs. REYES added that she was a good person, and said that although she was not employed, she earned wages cleaning houses. Agents informed REYES that she was being released, and REYES agreed to be in touch with agents to provide more information about the auto shop in Juarez that REYES claimed worked on the vehicle. REYES provided her telephone number as 915-305-2138.

In a post-*Miranda* interview, ORNELAS was interviewed and denied knowledge of the drugs being in the Volkswagen Passat. ORNELAS also denied knowing what type of drug was in the vehicle. ORNELAS claimed that she and REYES were only going to Hatch, New Mexico, to buy peppers, and were planning to overnight in Hatch, New Mexico. ORNELAS claimed that REYES was the sole owner of the Volkswagen. ORNELAS stated that she did not know where the Volkswagen had been purchased or what mechanic work had been done to the vehicle.

In order to continue the investigation, REYES and ORNELAS were released in the Volkswagen Passat with their belongings after their interviews.

In the evening hours of April 20, 2017, HPD officers advised DEA agents that REYES had returned to the Hatch Police Department asking to speak to one of the investigators involved in their detention. Officers then gave REYES the contact information for DEA agents involved in this case. REYES then called the DEA agents using telephone number 915-305-2138. REYES explained that her boss from her work had found out that REYES had been detained, and wanted "proof" that REYES had only been speeding, and not involved in the drug seizure, or REYES would be fired.

On the morning of April 21, 2017, DEA agents received additional calls from REYES, using 915-305-2138, in which REYES inquired again as to the status or possibility of obtaining a report of the seizure. REYES advised that her boss, named Rosa DE SANTIAGO ("DE SANTIAGO"), might wish to speak to TFO Munoz at a later time.

Based on my training and experience, I know that members of a drug trafficking organization often ask law enforcement for reports detailing drugs seizures to confirm that the drugs were in fact seized by law enforcement, and not stolen by the couriers who were hired to transport the drug loads.

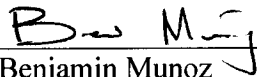
I also know that De Santiago is a narcotics and money transporter for this DTO. Through my investigation of this case, I have learned that De Santiago provides vehicles loaded with drugs to

couriers, such REYES and ORNELAS, in order to facilitate the transportation of those drugs to Albuquerque and elsewhere.

A few hours later, on April 21, 2017, DEA agents received another call from REYES, using telephone number 915-305-2138. During this call, REYES introduced DE SANTIAGO as her boss and put DE SANTIAGO on the phone with the agents. DE SANTIAGO asked about details of the detention and seizure, and asked for a report detailing the stop of REYES and ORNELAS and the seizure of drugs. I believe that DE SANTIAGO was asking for a report of the drug seizure to confirm that the drugs were in fact seized by law enforcement, and not stolen by REYES and ORNELAS.

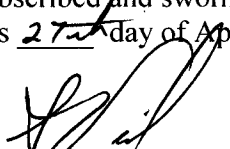
Based on the above information, I believe that REYES and ORNELAS did knowingly conspire with each other and others to possess with the intent to distribute approximately 17.80 pounds (8.10 kilograms) of heroin, and both REYES and ORNELAS possessed with the intent to distribute approximately 17.80 pounds (8.10 kilograms) of heroin.

Assistant United States Attorney Selesia Winston was advised of the facts of this investigation, and accepted prosecution of both REYES and ORNELAS.



Benjamin Munoz
Task Force Agent
Drug Enforcement Administration

Subscribed and sworn to before me on
this 27th day of April, 2017.



Stephan M. Vidmar
United States Magistrate Judge