

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

OCT 24 2019

for the
District of New Mexico

MITCHELL R. ELFERS
CLERK

United States of America
v.
Hector Alex Garcia-Salas

Case No.

19mj 3797

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 October 23, 2019 in the county of Bernalillo in the
District of New Mexico, the defendant(s) violated:

Code Section

Offense Description

Title 21 U.S.C. Section 841(a)(1)
and (b)(1)(C)

Possession with Intent to Distribute a mixture and substance containing a
dectable amount of cocaine.

This criminal complaint is based on these facts:

Please see attached affidavit.

This affidavit has been reviewed and approved by AUSA Shana Long.

Continued on the attached sheet.


Complainant's signature
David Howell, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 10/24/2019


Judge's signature

City and state: Albuquerque, New Mexico

B. Paul Briones, U.S. Magistrate Judge
Printed name and title

Affidavit of DEA Special Agent David Howell

I, Special Agent (“SA”) David Howell, United States Department of Justice, Drug Enforcement Administration (“DEA”), being first duly sworn, hereby states as follows:

1. This affidavit is made in support of the issuance of a criminal complaint charging Hector Alex Garcia-Salas (“Garcia-Salas”) with a violation of Title 21 U.S.C. Section 841(a)(1) and (b)(1)(C). Because this Affidavit is written for the limited purpose of setting forth probable cause for the arrest of Garcia-Salas, I have not included every fact known to me through this investigation. I have set forth only those facts necessary to establish probable cause for Garcia-Salas’s arrest for violating Title 21 U.S.C. Section 841(a)(1) and (b)(1)(C).

Affiant’s Background

2. I have been employed by the DEA since August 2006. During this time, I have accumulated the following training and experience:

(a) I graduated from the DEA Academy in Quantico, Virginia, where I have received approximately 500 hours of specialized narcotics related training. The training included controlled substances identification, narcotics related investigative techniques, interview and interrogation training, preparation of search warrants, tactical application of narcotics enforcement, surveillance and electronic monitoring techniques and money laundering investigations.

(b) I have participated in numerous heroin and methamphetamine investigations and have written numerous criminal complaints for drug defendants and search warrant affidavits for residences of narcotic traffickers and stash houses. I have also participated in numerous drug related arrests.

Relevant Facts

3. On Wednesday, October 15, 2019, the Honorable United States Magistrate Judge Steven C. Yarbrough signed a search warrant (19MR1255) for 101 Abilene Avenue SE, Apt. C, Albuquerque, in Bernalillo County, within the District of New Mexico. This residence belongs to, and is used by Garcia-Salas. Garcia-Salas resides at this residence with his girlfriend Audrey Meyer and a minor child.

4. On Wednesday, October 23, 2019, at approximately 9:40 a.m., DEA and New Mexico Region III agents executed the search warrant at Garcia-Salas’s residence. Garcia-Salas was handcuffed with his hands behind his back. Agents also encountered Audrey Meyer (“Meyer”), Garcia-Salas’s partner. Meyer was not arrested and allowed to depart from the vicinity of the residence.

5. Pursuant to Garcia-Salas’ arrest, an agent observed Garcia-Salas drop a “Beats headphones” bag. The agent picked up the bag and discovered a small clear plastic

baggie inside of the "Beats headphones" bag. The plastic baggie contained five small suspected fentanyl pills.

6. Inside of Garcia-Salas's apartment agents discovered three hundred additional suspected fentanyl pills divided within three small clear plastic baggies (one hundred pills per baggie). These baggies were discovered in a men's 4XL shirt pocket, within the master bedroom closet. Garcia-Salas is a large male, weighing approximately 300 lbs.

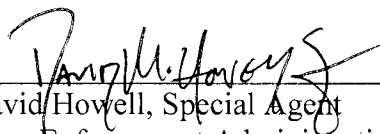
7. Inside of Garcia-Salas's apartment agents also discovered approximately 45 grams of powder cocaine and a small digital scale. The powder cocaine was divided within two small clear plastic baggies (one baggie contained an approximate half ounce of powder cocaine and the second baggie contained approximately one ounce of powder cocaine). These baggies of cocaine and the small digital scale were discovered in another men's 4XL shirt pocket, discovered within the same bedroom closet.

8. Upon completion of the search warrant, I transported the Drug and Non-Drug evidence to the DEA Albuquerque office. At the DEA office, agents conducted a field test on the suspected powder cocaine. Agents received a positive response from the white powdery substance for the presence of cocaine. The suspected fentanyl was also field tested. The fentanyl test returned as inconclusive. Based on my training on experience it is common to receive an inconclusive result for the presence of fentanyl. In addition, I have observed numerous other fentanyl pills that are similar in color, size and markings as the pills seized from Garcia-Salas's master bedroom closet. Both the seized cocaine and the suspected fentanyl pills were shipped to a DEA Laboratory where they will be analyzed and held in safekeeping.

Conclusion

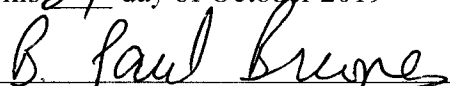
9. Based upon the aforementioned facts, including the total amount of cocaine, the three hundred suspected fentanyl pills, and the digital scale, I believe there is probable cause for the arrest of Hector Alex Garcia-Salas for a violation of Title 21 U.S.C. Section 841(a)(1) and (b)(1)(C), Possession with intent to Distribute a mixture and substance containing a detectable amount of cocaine.

10. I declare under penalty of perjury that the facts contained herein are true and correct to the best of my information and knowledge.



David Howell, Special Agent
Drug Enforcement Administration

SWORN and SUBSCRIBED to before me
This 24 day of October 2019



B. PAUL BRIONES
UNITED STATES MAGISTRATE JUDGE