

STATE OF NEW MEXICO
-VS-

ARTICLE 2
INITIATION OF PROCEEDINGS
STATE OF NEW MEXICO
COUNTY OF BERNALILLO
IN THE METROPOLITAN COURT

Name: Gilbert Angelo Serrano
Address: [REDACTED]
Albuquerque, NM 87121
D.O.B. [REDACTED] 1982
S.S.N. [REDACTED] 2564
Charge: Aggravated Assault with a deadly weapon, Child Abuse (Three Counts),
Felon in Possession of a firearm

Arrest Date: _____
Driver Lic. #: [REDACTED] 4567
Citation #: _____
Arrest #: _____
Docket #: _____
Date Filed: 07/20/14 - 1084

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Complainant or Officer: Detective James Larranaga Man #: 3144

CRIMINAL COMPLAINT- ARREST WARRANT AFFIDAVIT

The undersigned, under penalty of perjury, complains and says that on or about the 8th day of March 20 14, in the County of Bernalillo, State of New Mexico, the above-named defendant(s) did (here state the essential facts):

On 03/08/2014 at approximately 2335 Officers were dispatched to the home at [REDACTED] in reference to a domestic violence incident where shots were fired from a handgun. When Officers arrived they contacted [REDACTED] and her husband Ernesto Gallegos. Ernesto told the officers that Gilbert Serrano, his wife's ex boyfriend and the father of her daughter had come to the home at around 2330 hours. Ernesto told the officers that Gilbert Serrano had gotten angry after the family would not allow his daughter to come outside so that he could give her a present. Ernesto told officers that Gilbert threw food at the door to the home and flashed a gun around his waist area. The gun was described as being a silver handgun which had a slide which had to be pulled back to put a round in the chamber of the gun. Felicia stated that she observed Gilbert doing this. Ernesto stated that as the argument progressed, Gilbert Serrano got angrier and began to yell and curse at the couple. Ernesto stated that Gilbert was angry and said, "I'll kill you". Ernesto stated that Gilbert pulled out the gun and put it on the seat of the truck and then continued to argue. It appeared that Gilbert wanted the two people to know he was armed. Ernesto stated that Gilbert first pulled up his shirt and showed the gun.

Ernesto stated that Gilbert then came up and argued with [REDACTED] who refused to allow her daughter to come out. Both Ernesto and [REDACTED] stated that two other men began to come towards them as they were arguing and [REDACTED] pulled Ernesto back towards the house. As this was happening Gilbert Serrano picked up what was described as a silver handgun and pointed it at Ernesto and [REDACTED]. [REDACTED] told me that she pulled Ernesto into the home and they heard shots being fired. When asked where Gilbert was when the shots were fired, both Ernesto and [REDACTED] stated that he was inside the truck. Shortly after the shots were fired the truck sped off moving west. [REDACTED] told officers that they again heard shots as the truck moved onto Ladera Drive NW.

Officers searched the area for spent casings and did not find any. Officers were told that there was a video camera set up on a neighbor's home. The officers reviewed the video footage and found that there were at least four flashes of light as the gun discharged from inside of the vehicle. No impacts were found on the home. It was not known if the gun was being aimed at the home or up

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in the air. Ernesto Gallegos told officers that he was in fear for his safety when he observed the gun pointed at him and then heard the shots. Officers were not able to recover a copy of the video that neighbors recorded.

On 03/11/2014 at approximately 1400 hours I contacted [REDACTED], and Ernesto Gallegos. I asked if anyone else had been in the home. I found that there were three small children in the home during the incident. [REDACTED] told me that her daughter was terrified that her father was the person doing this. Nine year old [REDACTED] was in the doorway that faces the street and was in the most danger from the gunfire. There was an infant, [REDACTED] who was in the front bedroom room of the home that is closest to the street. [REDACTED] is not yet a year old. The third child fourteen year old [REDACTED] was in a room toward the middle of the home.

I asked [REDACTED] if she had seen the gun pointed at her. She told me that she had turned to get away and did not look until she closed the door. [REDACTED] told me that she had seen the gun and that she recalled Gilbert racking a round into the chamber. She simulated the motion he made as he did this. After Gilbert made the gun ready to be fired Ernesto and [REDACTED] moved into the home out of fear for their safety. Felicia told me that she grabbed her daughter and Ernesto and pulled them into the home when the gun came out. It appeared that she did this to protect her family.

I asked Ernesto Gallegos if he had seen the gun. Ernesto told me that he had seen the gun when Gilbert called him out and began to get angry. Ernesto told me that he then recalled that when Felicia was pulling him into the house the gun was pointed at both of them as they were moving away from Gilbert. Ernesto did appear to be in fear for his family's safety and believed that they were going to be the victim's of an aggravated battery if they did not move or get into the home.

It did appear to me that Gilbert Angelo Serrano did place the three children in a highly dangerous situation where a gun was fired with disregard for anybody's safety. No one knew where the bullets landed that were fired. Any of those four bullets could have killed or injured on of the children in the home.

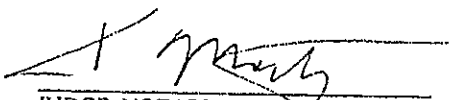
Gilbert Angelo Serrano did intentionally and willfully assault Ernesto Gallegos after telling him he would kill him. Serrano was armed with a silver handgun and did point that weapon at Mr. Gallegos during an argument. Gilbert Angelo Serrano is a convicted felon. This was verified through NCIC. I contacted the probation and parole and spoke to Yvonne Baldonado who is the parole officer for Mr. Serrano. I found that Gilbert Angelo Serrano is currently a wanted person after he absconded from parole. Serrano was convicted of several felonies and is on parole.

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BASED ON THE AFOREMENTIONED FACTS, I RESPECTFULLY REQUEST THAT AN ARREST WARRANT BE ISSUED FOR GILBERT ANGELO SERRANO FOR THE LISTED CHARGES.

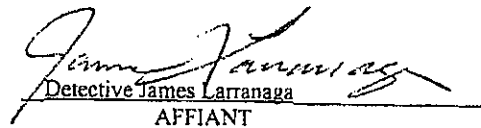
contrary to Section(s) 30-3-2, 30-3-13, 30-6-1D (THREE COUNTS), 30-7-16 NMSA 1978.
I SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT THE FACTS SET FORTH ABOVE ARE TRUE TO THE BEST OF MY INFORMATION AND BELIEF. I UNDERSTAND THAT IT IS A CRIMINAL OFFENSE SUBJECT TO THE PENALTY OF IMPRISONMENT TO MAKE A FALSE STATEMENT IN A CRIMINAL COMPLAINT.

SUBSCRIBED AND SWORN TO ME IN THE ABOVE NAMED COUNTY OF THE STATE OF NEW MEXICO THIS 12th DAY OF March, 2014 AT 1:25 pm



JUDGE, NOTARY, OR OTHER OFFICER
AUTHORIZED TO ADMINISTER OATHS

3 12-14
Date


Detective James Larranaga
AFFIANT

3-12-14 3144
Date Man #

Cheryl Johnston 03/11/2014
Assistant District Attorney Date

CAD # 140671348 Case # 140021190
APD CAD / Case

CF001
METROPOLITAN COURT RULE 7-201

Approved: Supreme Court, October 1, 1974; amended effective September 1, 1990; April 1, 1991; November 1, 1991.
 - Court - Defendant - Attorney - District Attorney