

REPORT

Agency Name	<i>Sandoval County Sheriffs Office</i>
ORI	<i>NM0230000</i>

Cash#	21-001727
Date / Time Reported	12/04/2021 11:17 Sat
Last Known Secure	12/04/2021 11:17 Sat
At Found	12/04/2021 11:17 Sat

Location of Incident				Gang Relat		Premise Type		Beat/Tract		Last Known Secure	
53B CAMINO DE LAS HUERTAS, Placitas NM				NO		Residence/home				12/04/2021 11:17 Sat	
										At Found	
										12/04/2021 11:17 Sat	
#1	Crime Incident(s)			(Com)	Weapon / Tools						Activity
	Making A False Affidavit (perjury)										N
#2	Crime Incident			(Com)	Entry						Exit
	Making A False Report Of A Violation Of The Criminal Code - 30-39-01				Security						
#3	Crime Incident			(Com)	Weapon / Tools						Activity
	Cruelty To Animals										N
	30-18-01			M	Entry						Exit
					Security						

MO												
V I C T I M	# of Victims <i>I</i>		Type: GOVERNMENT		Injury: None							
	V1	Victim/Business Name (Last, First, Middle)				Victim of Crime # <i>I</i> ,	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
	Home Address										Home Phone	
	Employer Name/Address								Business Phone		Mobile Phone	
	VYR	Make	Model	Style	Color	Lic/Lis			VIN			

CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)											
Type: INDIVIDUAL											
Injury:											
Code IO	Name (Last, First, Middle) AVILA, SHELLY DOREEN				Victim of Crime #	DOB 1968 Age 53	Race W	Sex F	Relationship To Offender	Resident Status Resident	Military Branch/Status
Home Address 4941 REGINA CIR NW ALBUQUERQUE, NM 871051523									Home Phone 505-363-4615		
Employer Name/Address							Business Phone		Mobile Phone		
Type: INDIVIDUAL											
Injury:											
Code IO	Name (Last, First, Middle) ROMERO, DEIJAH SHAZAY				Victim of Crime #	DOB 1992 Age 29	Race W	Sex F	Relationship To Offender	Resident Status Resident	Military Branch/Status
Home Address 53B CAMINO DE LAS HUERTAS PLACITAS, NM 870438610									Home Phone 505-702-7674		
Employer Name/Address							Business Phone		Mobile Phone		

[illegible]

Officer/ID#	STEEN, ERIC (SC93105)		
Invest ID#	(0)		Supervisor HOLT, SCOTT (SC93085)
Complainant Signature	Case Status Closed	12/04/2021	Case Disposition: Page 1

Incident Report Additional Offense List

Sandoval County Sheriffs Office

OCA: 21-001727

Offense List (Continued)

Page 2

Counter	Offense Description	Fel/Misd	Statute	Completed/Attempted
# 4	LEAVING THE SCENE OF AN ACCIDENT INVOLVI	M	66-07-202	Com
# 5	RECKLESS DRIVING	M	66-08-113	Com

Incident Report Additional Name List

Sandoval County Sheriffs Office

OCA: 21-001727

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) WI 2	MILES, GARY MILES, GARY Address 37 LLANO DEL NORTE, PLACITAS, NM 87043- Empl/Addr Self		1960	61	W	M
			H: 505-867-0004			
			B: - -			
			Mobile #: - -			
2) WI 1	DELAPP, J MARSDEN Address 5 PLAZA DE SONADORES, PLACITAS, NM 87043-8626 Empl/Addr		1962	59	W	M
			H: 505-239-1194			
			B: - -			
			Mobile #: - -			
3) WI 3	DOMINGUEZ, ALONZO MARIO Address 16 CAMINO DE LA CIRUELA, PLACITAS, NM 87043-8768 Empl/Addr		1988		W	M
			H: 505-917-0373			
			B: - -			
			Mobile #: - -			
4) WI 4	ODOWD, PATIENCE O'DOWD, PATIENC Address 39 LLANO DEL NORTE, PLACITAS, NM 87043-8306 Empl/Addr Self		1956	65	W	F
			H: 505-610-7644			
			B: - -			
			Mobile #: - -			
5) WI 5	BREWER-REILLY, MONICA DAWN Address 32 SUNRISE DR, PLACITAS, NM 87043-8902 Empl/Addr		1957	64	W	F
			H: 505-280-5148			
			B: - -			
			Mobile #: - -			
6) WI 6	BETTS, MEGAN JAYCEE Address 7012 VATAPA RD NE, RIO RANCHO, NM 87144-5339 Empl/Addr		1980	41	W	F
			H: 720-206-7205			
			B: - -			
			Mobile #: - -			

INCIDENT/INVESTIGATION REPORT

Sandoval County Sheriffs Office

Case # 21-001727

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

D R U G S	IBR	Status	Quantity	Type Measure	Suspected Type

Assisting Officers

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Sandoval County Sheriffs Office

Victim	Offense	OCA 21-001727
	MAKING A FALSE AFFIDAVIT (PERJURY)	Date / Time Reported Sat 12/04/2021 11:17
THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY		

On December 4, 2021 at approximately 1134 hours, I was dispatched to 53B Camino De Las Huertas in reference to a Stolen Motor Vehicle. I was advised that the calling party Samuel Jacob Nunez wanted to report that his vehicle a Red 2009 Kia Spectra was found to be missing from Hwy 165 this morning, after an accident that occurred the previous day on December 3, 2021 when he hit a horse. Samuel reported to Dispatch that he left his vehicle on Hwy165 on the side of the road by the Placitas Post Office approximately ½ mile down the roadway.

Upon my arrival I spoke with Samuel Jacob Nunez. Samuel stated that on December 3, 2021 at approximately 7:30am, he was traveling west on Hwy 165 at approximately 25 miles per hour through the center town portion of Placitas. He stated that he approached a heard of horses near the roadway when a horse jumped out in front of his car. Samuel reported that he hit the horse causing it serious injury. Samuel stated that right after his crash another driver came up behind him driving a tow truck. Samuel stated that the horse was badly injured and was suffering in the roadway so while the horse was still dying he and the tow truck driver dragged the horse well off the roadway and far into a field so nobody would have to see the injured horse. Samuel stated that since the horse was suffering after they got it into the field they decided to put it out of its misery so they used a rock and killed the horse by hitting it in the head.

Samuel then stated that the tow truck driver offered to tow his car, but told him that the tow fees were going to be higher than the value of the car itself. With this in mind and because Samuel was late for work the tow truck driver agreed to give Samuel a ride to work in the South Valley in Albuquerque. Samuel stated that the car was completely totaled so it was left on the side of the roadway at the scene of the crash. I told Samuel that his story didn't make any sense to me. I explained that it didn't seem likely that someone would hire a tow truck to steal a totaled vehicle left abandoned on the side of the road. Samuel stated that he understood that the story didn't sound very likely and everyone has been telling him his story didn't make any sense, but he insisted that he was being totally honest and that was exactly what happened and he was just trying to report what happened because it was the right thing to do.

I got a Theft Declaration Form so he could put it in writing and officially report the car stolen and have it entered into NCIC. I explained to Samuel that signing this Theft Declaration was a crime if he had any knowledge that the car was not stolen. Samuel stated again that his story was the truth and insisted on signing the Theft Declaration and swearing the car was stolen from Hwy 165 near the Placitas Post Office from the side of the roadway. I asked Samuel the name of the truck driver, and who he worked for so I could speak with him. Samuel stated that he never got the tow truck driver's name and didn't know who he worked for and had no idea how to reach him. Samuel stated he never saw the tow truck driver before the day of the crash.

Prior to leaving the scene I was told by dispatch that Gary Miles was at the scene of the crash the previous day and removed and disposed of the horse involved in the crash after it died. I was also advised that Deputy Littlejohn had handled the Motor Vehicle Crash. Since Samuel's story still didn't make any sense to me I asked him if he could take me to the scene of the crash so I could see and look for evidence. Samuel stated that he already attempted to find the scene of the crash this morning, but could not because all the evidence was gone. He stated the dead horse had disappeared and there was no sign of vehicle parts or debris or even blood from the horse on the ground. With no way to continue my investigation at this point, I took the Theft Declaration and provided Samuel with my card and his case number for his Stolen Motor Vehicle Report. This interview was recorded on my digital recorder and uploaded to the server. The recorded file for this interview is 211204_004.wav.

After leaving the residence I called Gary Miles to attempt to get additional information on this call. Gary told me over the phone that he did have additional information. He stated he had photographs of the scene and a dash cam

REPORTING OFFICER NARRATIVE

Sandoval County Sheriff's Office

Victim	Offense	OCA 21-001727
	MAKING A FALSE AFFIDAVIT (PERJURY)	Date / Time Reported Sat 12/04/2021 11:17

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video of the entire incident. Gary agreed to meet me by the mail boxes at the intersection of Camino De Las Huertas and Hwy 165.

After Gary arrived he provided me with a jump drive containing a dash cam video and 4 photographs taken from the video. The photographs clearly identified the same Red 2009 Kia Spectra and Samuel as the driver with the license plate that matched all the information I just received from Samuel at his residence. I then watched the video. The video showed Samuel pulling out of the driveway from his residence onto Camino De Las Huertas. Samuel pulled out behind a full size school bus just prior to 7:30am after it stopped to pick up some children at a bus stop. Samuel then failed to come to a complete stop a give the right away to the driver of the vehicle that recorded the dash cam video that I was watching. The driver of this vehicle hit his breaks and sounded his horn. Then the bus, Samuel, and the Dash Cam Video Driver proceeded east on Camino De Las Huertas to Hwy 165.

Once they approached Hwy 165 the School Bus turned east on Hwy 165 and Samuel and the Dash Cam Driver turned west and started into the town's center, and toward Placitas Elementary. Both vehicles then accelerated. The vehicle with the dash cam appeared to be traveling approximately 50 mile per hour as he approached the entrance of Placitas Elementary. The time was 7:29am just one minute prior the school light activation lowering the speed limit to 15mph in a school zone. By the time Samuel passed the entrance to Placitas Elementary his vehicle appeared to be traveling approximately 70mph double the speed limit. By the time the vehicle with the Dash Cam passed the school entrance and passed the right curve on the east side of town, Samuel had already reached the west side of town and hit the horse. Samuel's speed at the time he hit the horse was likely double the speed limit possibly as high as 90mph in a 35mph zone from my speed estimates from the video and the time and distances traveled.

From the video the horse was hit right as the speed limit changes from 35mph to 45mph as you leave the west side of town. This area is where the roadway makes a left hand curve. The video clarity was not good enough for me to see debris on the roadway although a portion of Samuel's fender was visible just in front of the horse, both were on the left side of the roadway approximately 5-8 feet south of the edge line of the road. What was clear, is there was a trail of vehicle fluids likely antifreeze that started in the center of the east bound lane, and then pulled slowly back into the west bound lane then continued for approximately 300 yards stopping at the end of the guardrail on the right side of the roadway. The dash cam video then stopped as the driver passed Samuel then standing outside his vehicle looking back at the crash scene several hundred yards back down the roadway. For additional information on the crash see Deputy Littlejohn's Motor Vehicle Crash under this same Case # 2100 1727.

From the video and my experience, it appeared that Samuel was traveling as such a high rate of speed he likely over corrected on the last curve leaving town or was using the entire roadway cutting to the inside of the road into apposing traffic lanes to navigate the turn at the extreme speed his vehicle was traveling. What was clear is that it was 7:30am on a Friday school morning, and school busses were in the area of Placitas Elementary School picking up children. Samuel was traveling at twice the speed limit or more and driving in the opposite lane of travel around a blind corner when he hit the horse. Given this behavior Samuel could have easily hit oncoming traffic containing children on their way to school. With this in mind Samuel was driving in a reckless and negligent manner and will be charged with Reckless Driving. Due to the, "Negligent Killing without Lawful Cause", of the horse that resulted from his Reckless Driving. Samuel will also be charged with, "Misdemeanor Cruelty to Animals".

After watching this video Gary Miles advised that he arrived on scene closer to 8:00am. When he arrived he stated the horse was accompanied by Dawn Brewer Riley. Gary stated that when he arrived Samuel's vehicle was not on scene and had left the area. Gary stated that he observed car parts all over the roadway some of which he picked up

REPORTING OFFICER NARRATIVE

Sandoval County Sheriffs Office

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and were in the back of his truck. Samuels fender was still on the shoulder of the roadway, and later I found out the Deputy Littlejohn also had car parts in his truck from this crash. Gary stated that after he loaded the horse onto his trailer after it passed away he followed the trail of antifreeze all the way down Hwy 165 to the Interstate. Gary stated he then followed the antifreeze trail onto Southbound Interstate 25 to exit 240. Gary stated at that time he lost the trail as the vehicle had entered south end of the town of Bernalillo.

Prior to ending my interview with Gary he called Dawn Riley and I was able to interview her over the phone. She did confirm that she arrived at the time of the crash. She stated that after Samuel hit the horse he continued on down the roadway and never came back to check on the horse, and at no time did he ever interact with the horse in any way after striking it with his car. Before leaving, I asked Gary to tell me who provided him with the dash cam video. Gary stated that this person wanted to remain anonymous, but he would talk to him and try to convince him to speak with me. Gary also stated the only reason he did not contact Law Enforcement the previous day is because this individual only told him about the video and provided it to him this morning. Gary stated once he had the video in hand he left for the Sheriff's Office to make a report, and then I called. Given this information I went back to Samuel's residence to re-interview him.

Once I arrived back at Samuel's residence, I explained to him that I now had seen the dash cam video of the entire incident, and I had witnesses to the aftermath of the crash. I started explaining that I observed everything from the time he pulled out onto Camino De Las Huertas all the way to where he pulled over a couple minutes later after hitting the horse at high speed. As I walked Samuel through the chain of events he continued to attempt to lie and cover up every single detail of his story. Only after I explained detail after detail Samuel admitted he never drug the horse off the highway, he admitted he never put the horse out of its misery by hitting it in the head with a rock. He also admitted leaving the scene of the crash and driving his vehicle all the way to the 240 exit and into the town of Bernalillo and lying to me about the car being stolen off Hwy 165. With the facts on hand and Samuel admitting that he lied about the entire story, Samuel will be charged with, "Making a False Report", and, "Making a False Affidavit of a Stolen Motor Vehicle". This interview was also recorded and will be uploaded to the server with this report. For reference this interview's file is 211204_005.wav.

During my final interview with Samuel, his girlfriend came out onto the porch. She listened to our conversation and told me that the unknown tow truck driver that was part of Samuel's story was actually her cousin a man named Alonzo Dominguez. She stated that she did not have his phone number for me at the time, and did not have any other contact information. After leaving Samuels residence, I contacted Samuels mother the registered owner of the car. I explained what had happened and told her the car was not stolen and that Samuel had lied, and the car was somewhere in the town of Bernalillo where he left it. I did this to ensure she had all the information required so she would not unknowingly commit insurance fraud herself.

Later that day, I was contacted by Gary Miles. Gary stated that he got permission from the owner of the dash cam to release his name to me and he agree to be interviewed. Gary told me his name was Mars Delapp. The next day I was able to identify Mars as Marsden Delapp and found his contact information. I called Marsden Delapp and did get his interview completed by phone. This interview is under file name 211205_003.wav. Marsden did agree to testify so the chain of custody would be unbroken as far as the dash cam video was concerned. I asked him what happened and asked him to take me through the events of that day. His statements were consistent with the video I watched earlier the previous day. He only added that after he passed Samuel on the side of the roadway he continued down the road and could not tell me if Samuel left the scene of the crash or not.

REPORTING OFFICER NARRATIVE

Sandoval County Sheriffs Office

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Toward the end of my investigation I also was able to identify and interview the tow truck driver Alonzo Mario Dominguez. I called him and conducted his interview by phone. His interview can be found under file name 211205_002.wav which was also uploaded to the server. He stated on that morning he pulled out onto Hwy 165 and saw a cloud of dust and found Samuel pulled over on the side of the road after he hit a horse. Alonzo stated that he stopped to check if Samuel was ok, and offered to call someone for him if he needed help. Alonzo stated Samuel told him that he was ok and got back into his car and drove off. Alonzo confirmed that at no time did Samuel ever get in his car and he never gave him a ride anywhere. Alonzo stated that he did not have time to give Samuel a ride as he is a very busy man.

With this interview and having a first person witness of Samuel leaving the scene of the crash, and with the supplemental witnesses of Gary Miles and Deputy Littlejohn stating that he was not present when they arrived on the crash scene, Samuel will also be charged with, "Leaving the Scene of a Motor Vehicle Crash".

On December 6 2021 at 2248 hours, I received a written statement via email from patience O'Dowd. This email contained her statement that reaffirmed all the facts that have already been entered into evidence. This email also contained several pictures that show the roadway at the exact point where the horse was hit. These pictures provide additional clarity to the video submitted by Marsden showing that Samuels vehicle was driving in the exact center of the eastbound lane while driving westbound. The point of impact showed the first dump for fluid from the car after impact. The photographs also show scratch marks on the roadway from the debris from the crash in the center of the east bound lane. Additional photographs were taken of the roadway as Patience O'Dowd and Megan Betts her companion in her vehicle followed the fluid trail coming from Samuel's vehicle as he drove down Hwy 165. The fluid trail was very clear immediately after the crash. The photographs clearly showed that Samuel turned onto Interstate 25 drove down interstate 25 then got off at the 240 exit into Bernalillo. The photographs clearly showed when Samuel turned westbound off the 240 exit additional fluid shifted and dumped even more fluid as he entered the town of Bernalillo. With these two additional witness as to the exact path and final location of Samuel's vehicle somewhere in Bernalillo it brings the total witness count to 5 people including Deputy Littlejohn. These 5 witness clearly show that Samuel left the scene of the crash then, "Made a False Report", and "Made and signed a False Affidavit of a Stolen Motor Vehicle" the next day. Patience O'Dowd's statement and photographs contained in her email will be uploaded to the server and added to the evidence in this case.

On December 7 2021 at approximately 1535 hours, I contacted State Farm Agent Rigo Castillo-Sanchez. This call was in reference to my investigation in the possible Insurance Fraud resulting from the false report of a Samuel's stolen motor vehicle report. Rigo did confirm the Samuel did attempt to report that his vehicle was stolen in an attempt to make a fraudulent claim. Rigo explained that due to the coverages that were current at the time of the crash his claim was rejected because this coverage did not cover either the crash into the horse or of a stolen motor vehicle. Since there was only a phone call to the agent and no written paperwork was filed, also because no claim was actually made do to the lack of coverage no charges will be filed in reference to, "Insurance Fraud". Rigo was give my information and where they could get my report if Samuel attempts to claim this incident under another provision of his insurance coverage. No further investigation took place in reference to this claim.

Incident Report Suspect List

Sandoval County Sheriffs Office

OCA: 21-001727

1	Name (Last, First, Middle)					Also Known As					Home Address																																	
	NUANEZ, SAMUEL JACOB										53B CAMINO DE LAS HUERTAS PLACITAS, NM 87043 830-777-4243																																	
	Business Address																																											
	DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.																																	
	1996	25	W	M	N	507	150	BRO	BRO	LGT																																		
Scars, Marks, Tattoos, or other distinguishing features																																												
<table border="1"> <tr> <td colspan="2">Reported Suspect Detail</td> <td colspan="2">Suspect Age</td> <td>Race</td> <td>Sex</td> <td>Eth</td> <td>Height</td> <td>Weight</td> <td>SSN</td> </tr> <tr> <td>Weapon, Type</td> <td>Feature</td> <td>Make</td> <td colspan="2">Model</td> <td>Color</td> <td>Caliber</td> <td colspan="2">Dir of Travel</td> <td></td> </tr> <tr> <td>Veh Yr/Make/Model</td> <td>Drs</td> <td>Style</td> <td>Color</td> <td>Lic/St</td> <td colspan="2">Mode of Travel</td> <td colspan="3">VIN</td> </tr> </table>															Reported Suspect Detail		Suspect Age		Race	Sex	Eth	Height	Weight	SSN	Weapon, Type	Feature	Make	Model		Color	Caliber	Dir of Travel			Veh Yr/Make/Model	Drs	Style	Color	Lic/St	Mode of Travel		VIN		
Reported Suspect Detail		Suspect Age		Race	Sex	Eth	Height	Weight	SSN																																			
Weapon, Type	Feature	Make	Model		Color	Caliber	Dir of Travel																																					
Veh Yr/Make/Model	Drs	Style	Color	Lic/St	Mode of Travel		VIN																																					
Notes																																												
Physical Char																																												

Incident Report Related Vehicle List

Sandoval County Sheriffs Office

OCA: 21-001727

1	Veh Yr/Make/Model 2009 KIA		Style 4D		Color MAR		Lic/Lis AYLB04 NM 2023		VIN KNAFE221X95026339	
	IBR Status Unknown/other		Date 12/04/2021		Location 4941 REGINA CIRCLE NW, ALBUQUERQUE NM					
	Condition TOTALLED		Value \$0.00		Offense Code 90Z		Jurisdiction Locally		State # NIC #	
	Name (Last, First, Middle) Avila, Shelly Doreen				Also Known As			Home Address 4941 REGINA CIR NW ALBUQUERQUE, NM 87105-1523 505-363-4615		
	Business Address									
	DOB 1968	Age 53	Race W	Sex F	Hgt 503	Wgt 115	Scars, Marks, Tattoos, or other distinguishing features			
Notes										

Incident Report Related Property List

Sandoval County Sheriffs Office

OCA: 21-001727

1 Property Description OTHER		Make		Model		Caliber	
Color	Serial No.	Value	Qty	Unit	Jurisdiction		
Status Stolen,	Date 12/04/2021	NIC #	State #	Local #	OAN		
Name (Last, First, Middle) * No name *		DOB		Age	Race	Sex	

Notes

Theft Declaration