

STATE OF NEW MEXICO
COUNTY OF VALENCIA
13th JUDICIAL DISTRICT COURT

No. D-1314-SW-2024-00179

-VS-

VCSO Case# VCSO24003217

In the matter of the apprehension of a Thomas Rodrigues
A search of 116 B La Ladera RD
Los Lunas NM 87031

SEARCH WARRANT

THE STATE OF NEW MEXICO, TO ANY OFFICER AUTHORIZED TO EXECUTE THIS WARRANT: Proof by Affidavit for Search Warrant having been submitted to me, I am satisfied that the person named/described and/or property described in the Affidavit are located where alleged in the Affidavit, and I find that grounds exist for the issuance of the Search Warrant. A copy of the Affidavit is attached and made a part of this Search Warrant.

YOU ARE HEREBY COMMANDED to search forthwith the person and/or place described in the Affidavit, commencing between the hours of 6:00 a.m. and 10:00 p.m. [unless I have specifically authorized a nighttime search as stated below], and continuing thereafter until completed, for the person and/or property described in the Affidavit, serving this Warrant together with a copy of the Affidavit, and making the search and if the person and/or property be found here, to seize the person and/or property and hold for safekeeping until further Order of the Court.

EXECUTING OFFICER (S) are directed to prepare a written inventory of any person or property or evidence seized. You are further directed to file the return and written inventory with the Court promptly after execution of this Search Warrant.

DATED THIS _____ DAY OF 09/30/24, 2024 AT 6:32a HOURS.



James Lawrence Sordy
HONORABLE JUDGE

AUTHORIZATION FOR NIGHTTIME SEARCH

I further find that reasonable cause has been shown for nighttime execution of this Warrant.

James Lawrence Sordy
HONORABLE JUDGE

09/30/24
DATE

FILED
13th JUDICIAL DISTRICT COURT
Valencia County
09/30/2024 07:29:03
PHILLIP ROMERO
CLERK OF THE COURT VCSO Case# VCSO24003217
Moctezuma, Nancy D-1314-SW-2024-00179

STATE OF NEW MEXICO
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Affiant, being duly sworn, upon his oath, states that I have reason to believe that on the following described premises, vehicle and/or person of: (here name person and/or describe premises):

Home:

GPS Coordinates: 34.81313 N; -106.66965 W (Approximate)
#1 Thomas Rodriguez 116 B La Ladera RD Los Lunas, New Mexico 87031

#1 The person of: Thomas Rodriguez, DOB: [REDACTED] 1977

This home is a rectangular shaped single-family home consisting of one mobile home. The home has a west facing entrance with a porch extending from the west side of the home where the front door is located. It is oriented along its length from North to South. GIS Mapping System indicated the address to be #116 La Ladera Space B. The home is light blue with a black roof and red skirting surrounding the home. The home is located on the west side of the property. Within the property an RV is located to the east of the main home as well as a storage shed on the north side of the property.

And that the facts/circumstances tending to establish the foregoing grounds for issuance of a Search Warrant are as follows:

I your affiant, E.Erives, am a full time salaried law enforcement officer who has been employed as a law enforcement officer for four (4) years, and has been so employed by the Valencia County Sheriff's Department for a period of five (5) years. I am currently assigned to the Criminal Investigations Division. Affiant has received specialized training in criminal investigation through the New Mexico Law Enforcement Academy.

In addition, Affiant has received training in the investigation of crimes including but not limited to burglary, fraud, homicide, controlled substance trafficking, DWI and various other crimes. Affiant has received both classroom and on the job training concerning the investigation of the above offense(s). Affiant's experience was gained via patrol in high crime areas wherein Affiant has made numerous arrests and learned from those offenders, firsthand, how their crimes have been committed. Based on training and experience, Affiant is familiar with the methods used and actions of persons who commit these types of crimes. As a result of these investigations, Affiant has obtained and assisted in obtaining search warrants and arrest warrants for people involved in these crimes.

I hereby state the facts to establish probable cause for the issuance of this order:

CRIMINAL INVESTIGATIONS DIVISION INVOLVEMENT:

On 09/29/2024 at approximately 1942 hours central dispatch received a call for service regarding a disturbance at 116 La Ladera. Upon arrival Deputies made contact with Michael Gabaldon who was on the Eastman leading to 116 La Ladera space B. Michael had a handgun in his hand at which point deputies began giving commands to put the weapon down. Michael complied with deputies and informed them that Thomas Rodriguez who was now located inside the residence at 116 La Ladera Space B had drove at him attempting to hit him with the a vehicle. Thomas missed hitting Michael at which point Thomas discharged a firearm out of the vehicle's window before driving into his residence.

Deputies attempted to make contact with Thomas with negative results. Deputies made contact with Carol Ann Cyrus the owner and Thomas mother. Deputies advised Carol of the allegations made by Michael at which point they were advised to leave the residence, so they would not be at risk. Carol and Christopher Rodriguez left the residence as there has been a pattern of Thomas shooting from his RV which is located on the same property just east of the main home.

Deputies began to make call outs in an attempt to make contact with Thomas as deputies could hear him inside the residence. Due to the likely hood of a confrontation with Thomas, after several minutes of call outs and no response from Thomas Deputies departed the residence with no making contact with Thomas.

Deputies was called to the 116 La Ladera Space A for a disturbance a second time. The reporting party later identified as Patricia Gabaldon stated Thomas has pointed a fire arm at them. Prior to deputies arrival Thomas and Michael exchange fire at which point Michael was shot in the back.

Upon deputy Chavez and Radice arriving on scene a male was observed on the on the ground, deputies began to conduct lifesaving measures on Michael who had a gunshot wound to the back. Upon other deputies arriving the secured the scene and Michael was transported to Albertson's to be airlifted. Deputies who were at the scene began to make call outs in an attempted to get Thomas to come out of the residence. Los Lunas Police Officers observed Thomas running into the main residence located at 116 La Ladera Road Space B.

Affiant is aware through training and experience that individuals who are actively sought by law enforcement for outstanding arrest warrants will barricade inside of a residence and resist efforts made by law enforcement to effect that arrest.

Therefore, to overcome this active resistance to lawful orders by law enforcement it may become necessary for certain tactics to be used to increase the likelihood of a peaceful resolution. This may include but is not limited to the use of chemical agents, damage to property, and other measures as deemed appropriate on scene that could further damage the residence, or other structure/vehicle, that the wanted individual may be using to avoid capture.

Therefore, to ensure a complete and thorough investigation, investigators may be required to examine the entire, above-mentioned premises, vehicle(s) and/or person(s), including, but not limited to, the examination of furniture, walls, crawl-spaces, and/or attics. It may be necessary for investigators to remove and/or damage entire portions of the premises and/or vehicle(s) including but not limited to doors, windows, carpets, upholstery, clothing,

STATE OF NEW MEXICO
COUNTY OF VALENCIA
13TH JUDICIAL DISTRICT COURT

D-1314-SW-2024-199

VCSO CASE # VC2024003217

In The Matter Of The Issuing Of A Search Warrant On The 6th Day of February, 2019.

RETURN AND INVENTORY

I received the attached Search Warrant on 9/30/24 and executed it on Not Executed
at 0632 hours. I searched the person or premises described in the Warrant and left a copy of the Warrant
with:

(name of the person searched or owner at the place/thing searched)

Together with a copy of the inventory for the items seized. The following is an inventory of the property taken
pursuant to the Warrant:

This inventory was made in the presence of Det. Edgar Eaves And _____
Applicant for Search Warrant Owner or other witness

[Signature]
Signature of Officer or Detective

Signature of Owner or Witness

Return made this 7 day of Oct, 2024 at 1042 hours.

[Signature]
(Judge Clerk)

After a careful search, I could not find at the place, or on the person described, the property described in this
Warrant.

(Officer)

(Date)