

THIRD JUDICIAL DISTRICT COURT
COUNTY OF DONA ANA
STATE OF NEW MEXICO

STATE OF NEW MEXICO,
Plaintiff,

vs.

No. _____
NMAGO# 202304-00621

KIM AIKEN, JR.
DOB: 06/01/1999
SSN: 621-13-2825
ADDRESS: 1255 E. Citrus Ave #105, Redlands, CA 92374
Defendant.

CRIMES CHARGED

**CRIMINAL SEXUAL PENETRATION (2ND DEGREE) (AIDED BY ANOTHER);
CRIMINAL SEXUAL CONTACT (4TH DEGREE) (AIDED BY ANOTHER) (FOUR
COUNTS); CONSPIRACY TO COMMIT CRIMINAL SEXUAL CONTACT (4TH
DEGREE) (AIDED OR ABETTED BY ANOTHER); CONSPIRACY TO COMMIT
FALSE IMPRISONMENT and FALSE IMPRISONMENT (FOUR COUNTS)**

GRAND JURY INDICTMENT

THE GRAND JURY CHARGES:

COUNT 1: CRIMINAL SEXUAL PENETRATION (2ND DEGREE) (AIDED BY ANOTHER)
(4948)

That on or between the 12th day of November and the 13th day of November, 2022, in Dona Ana County, New Mexico, the above-named defendant did unlawfully and intentionally cause the penetration, to any extent and with any object, of the genital or anal openings of another, by the use of force or coercion and was aided or abetted by one or more persons, a second degree felony, contrary to NMSA 1978, Section 30-9-11(E)(4) (2009).

COUNT 2: FALSE IMPRISONMENT (0127)

That on our between 12th day of November and the 13th day of November, 2022, in Dona Ana County, New Mexico, the above-named defendant did restrain or confine against his will and with the knowledge that he had no authority to do so, a fourth degree felony, contrary to NMSA 1978, Section 30-4-3 (1963).

COUNT 3: CRIMINAL SEXUAL CONTACT (4TH DEGREE) (AIDED BY ANOTHER) (0309)

That on or about the 18th day of November, 2022, in Dona Ana County, New Mexico, the above-named defendant did, without consent, touch or apply force to the unclothed intimate parts

of [REDACTED] to wit: scrotum and Payton Grindstaff was eighteen years of age or older, and the defendant used force, coercion or credible threats of force or violence, and the defendant acted with the help or encouragement of one or more persons, a fourth degree felony, contrary to NMSA 1978, Section 30-9-12(A), (C) (1993).

COUNT 4: FALSE IMPRISONMENT (0127)

That on or about the 18th day of November, 2022, in Dona Ana County, New Mexico, the above-named defendant did restrain or confine [REDACTED] against his will and with the knowledge that he had no authority to do so, a fourth degree felony, contrary to NMSA 1978, Section 30-4-3 (1963).

COUNT 5: CRIMINAL SEXUAL CONTACT (4TH DEGREE) (AIDED BY ANOTHER) (0309)

That on or between the 21st day of October and the 19th day of November, 2022, in Dona Ana County, New Mexico, the above-named defendant did, without consent, touch or apply force to the unclothed intimate parts of [REDACTED] to wit: primary genital area and [REDACTED] was eighteen years of age or older, and the defendant used force, coercion or credible threats of force or violence, and the defendant acted with the help or encouragement of one or more persons, a fourth degree felony, contrary to NMSA 1978, Section 30-9-12(A), (C) (1993).

COUNT 6: FALSE IMPRISONMENT (0127)

That on or between the 21st day of October and the 19th day of November, 2022, in Dona Ana County, New Mexico, the above-named defendant did restrain or confine [REDACTED] against his will and with the knowledge that he had no authority to do so, a fourth degree felony, contrary to NMSA 1978, Section 30-4-3 (1963).

COUNT 7: CRIMINAL SEXUAL CONTACT (4TH DEGREE) (AIDED BY ANOTHER) (0309)

That on or about the 8th day of August, 2022, in Dona Ana County, New Mexico, the above-named defendant did, without consent, touch or apply force to the unclothed intimate parts of [REDACTED] to wit: primary genital area and [REDACTED] is eighteen years of age or older, and the defendant used force, coercion or credible threats of force or violence, and the defendant acted with the help or encouragement of one or more persons, a fourth degree felony, contrary to NMSA 1978, Section 30-9-12(A), (C) (1993).

COUNT 8: FALSE IMPRISONMENT (0127)

That on or about the 8th day of August, 2022, in Dona Ana County, New Mexico, the above-named defendant did restrain or confine [REDACTED] against his will and with the knowledge that he had no authority to do so, a fourth degree felony, contrary to NMSA 1978, Section 30-4-3 (1963).

COUNT 9: CRIMINAL SEXUAL CONTACT (4TH DEGREE) (AIDED BY ANOTHER) (0309)

That on or about the 7th day of September, 2022, in Dona Ana County, New Mexico, the above-named defendant did, without consent, touch or apply force to the unclothed intimate parts of _____ to wit: primary genital area and _____ was eighteen years of age or older, and the defendant used force, coercion or credible threats of force or violence, and the defendant acted with the help or encouragement of one or more persons, a fourth degree felony, contrary to NMSA 1978, Section 30-9-12(A), (C) (1993).

COUNT 10: CONSPIRACY TO COMMIT CRIMINAL SEXUAL CONTACT (4TH DEGREE) (AIDED OR ABETTED BY ANOTHER) (0315)

That on or between the 8th day of August and the 19th day of November, 2022, in Dona Ana County, New Mexico, the above-named defendant did by words or acts agree together with another person(s) to commit Criminal Sexual Contact in the Fourth Degree (Aided or Abetted by Another) and they intended to commit Criminal Sexual Contact in the Fourth Degree (Aided or Abetted by Another), a fourth degree felony, contrary to NMSA 1978, Section 30-9-12(A), (C) (1993) and Section 30-28-2 (1979).

COUNT 11: CONSPIRACY TO COMMIT FALSE IMPRISONMENT (0129)

That on or between the 8th day of August and the 19th day of November, 2022, in Dona Ana County, New Mexico, the above-named defendant did by words or acts agree together with another person(s) to commit False Imprisonment and they intended to commit False Imprisonment, a fourth degree felony, contrary to NMSA 1978, Section 30-4-3 (1963) and Section 30-28-2 (1979).

The names of the witnesses upon whose testimony this Indictment is based are as follows:

Special Agent Dennis Park

I hereby certify that the foregoing Indictment is a _____ Bill.

APPROVED:

R. John Duran
Assistant Attorney General

Foreman

Date

Date