

FILED IN
MAGISTRATE COURT
DEC 2 2024
SANDOVAL COUNTY
DIVISIONS I & II

STATE OF NEW MEXICO
COUNTY OF SANDOVAL
IN THE MAGISTRATE COURT

No: M-45-MR-2024-00602

STATE OF NEW MEXICO

Vs.

NAME: EDWARS D. BONILLA-AGUINADA
ADDRESS: [REDACTED]
DOB: 03/19/1990
SOC: [REDACTED]

CRIMINAL COMPLAINT

CRIME: 30-47-4(A) Abuse of a Resident (No Harm) (0244)

The undersigned, under penalty of perjury, complains and says that on or about **May 5, 2024**, in Sandoval County, State of New Mexico, the above-named defendant(s) did:

Count 1: Abuse of a Resident: did intentionally and inappropriately “roughly handle” and exhibit inappropriate conduct that was likely to cause harm or that resulted and might reasonably be expected to result in fear or emotional or mental distress to a resident ([REDACTED]), under her care, at Morningstar Rio Rancho Assisted Living Facility., a petty misdemeanor, contrary to *Section 30-47-4(A), NMSA 1978*.

PROBABLE CAUSE:

On May 5, 2024, at approximately 9:00am, while caring for [REDACTED], the victim, who is a resident of Morningstar of Rio Rancho Assisted Living Facility, the defendant was attempting to assist her with showering the victim after she soiled herself. The victim had been diagnosed with mid to advanced Alzheimer’s, and during the evening she has sundowning but is pleasant and calm in the morning and is known to staff to be resistant to showers and being “changed”. While attempting to disrobe the victim, she became resistant and aggressive towards the defendant, refusing to cooperate. According to facility policy, caregivers are directed to “back off” upon first refusal and return later to attempt a second approach. The defendant did not follow this policy and chose to be physically aggressive, initially pushing the victim onto the bed, causing the victim’s head to snap backward. The defendant then aggressively pulled the victim’s left leg upward, forcing her onto her back, forcefully pulling and rolling the victim’s left leg over her right leg, with the defendant kneeling on the victim’s legs, pinning both victim’s legs down at the knee. As the defendant arose off the victim, the defendant pulled the victim’s lower body upward by the waist of her pants, aggressively pulling the pants off, forcing the victim downward, off the bed, and onto the floor.

Contrary to Section (s): 1) **30-47-4 (A)** N.M.S.A. (1978), as amended

ISWEAR 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.

If Probable Cause Determination Required:

Probable Cause Found ____ Not Found ____
(If not found, complaint dismissed & defendant released)

Date: _____

Judge: _____



Franklin Tomlinson, Complainant

Special Agent

Title (if any)

Approved: Gregory J. Garvey

Title: Assistant Attorney General

This Complaint may not be filed without the prior payment of a filing fee unless approved by the District Attorney or a law enforcement officer authorized to serve an Arrest or Search Warrant. Approval of the District Attorney or a law enforcement officer is not otherwise required.