

FILED IN
METROPOLITAN COURT

2024 OCT 09 AM 12:10

BACKGROUND
INVESTIGATIONS

9-201. Criminal complaint.

[For use with District Court Rule 5-201 NMRA,
Magistrate Court Rule 6-201 NMRA,
Metropolitan Court Rule 7-201 NMRA and
Municipal Court Rule 8-201 NMRA]

STATE OF NEW MEXICO
COUNTY OF BERNILLO
CITY OF ALBUQUERQUE
METROPOLITAN COURT

v.

No. T 4 F R 2024 - 07197
10-08-2024

Matthew Ray Jarmillo, Defendant.
ADD: 8519 Trotter RD SW, Albuquerque NM 87121
DOB: 12/20/1979
SS#: [REDACTED]

CRIMINAL COMPLAINT

CHARGES:

- Child solicitation by electronic communication device and meets with child (child 13 to 16)
- Statute: 30-37-03.2(A) & (C)(1)
- Code: 6709
- That on or about the 08 day of October, 2024, the above named defendant in the City of Albuquerque, Bernalillo County, State of New Mexico, the above named defendant knowingly and intentionally solicited, a child at least thirteen but less than sixteen years of age, by means of an electronic communication device to engage in sexual intercourse, sexual contact, a sexual or obscene performance, or any other sexual conduct and the defendant was at least four years older than the child and the defendant appeared for, attended or was present at a meeting that he/she arranged pursuant to the solicitation, a third degree felony, contrary to NMSA 1978, Section 30-37-3.2 (2007)

AND

- Criminal Sexual Penetration (2nd Degree) (Child 13-18) (Force or Coercion) - attempt
- Statute: 30-09-11(E)(1) & 30-28-01
- Code: 4937
- Language: That on or about the 08 day of October, 2024, the above-named defendant in City of Albuquerque, Bernalillo County, State of New Mexico did

attempt to commit Felony, to wit: Criminal Sexual Penetration in the Second Degree (Child Age 13-18), in that the defendant intended to commit a Felony, to wit: Criminal Sexual Penetration in the Second Degree (Child Age 13-18), and began to do an act which constituted a substantial part of Felony, to wit: Criminal Sexual Penetration in the Second Degree (Child Age 13-18), but failed to commit the offense, a third degree felony, contrary to NMSA 1978, Sections 30-9-11(E)(1) (2009) and 30-28-1 (1963).

STATEMENT OF PROBABLE CAUSE:

On October 05, 2024, a sworn-certified Albuquerque Police Department (APD) detective posed as a fifteen-year-old female juvenile for an undercover chat operation. Matthew met the fifteen-year-old on Skip the Games, ad. The ad had a telephone number to contact the female. Matthew continued the conversation via text from the phone number on the Skip the Games ad.

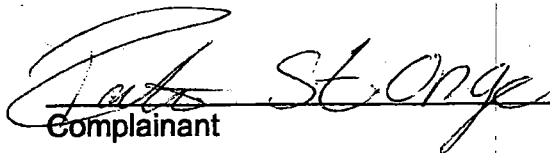
In the conversation, the undercover detective gives out that she is fifteen years old, to Matthew Jaramillo, in the beginning. Matthew asks if she is working with the cops or is a cop. Matthew states, "I wish you didn't tell me you're 15. I would have loved to meet you and try to impregnate you in adulterous fun. I'm not going to risk being arrested or trapped have a good night." This text message was sent on October 05, 2024.

Tuesday, October 08, 2024, Matthew Jaramillo, sent a message to the same phone number he had previously communicated with saying "Sorry we got off on the wrong foot." The undercover detective replies, from that number, what do you want to do? Matthew said, "Cum inside you, a few times over; do you have a place or do I need to pick you up." The undercover detective replies, am I going to get pregnant? Matthew responds, "Maybe you will, maybe you won't."

During the conversation, Matthew tells the undercover detective that she will be safe and describes his vehicle. Matthew said, "I am not a cop and trying to keep myself safe and you safe. I keep getting this sinking feeling you might be working with the cops because you keep asking me what I want to do even though I have been pretty clear about it." Matthew arrives at the location in Albuquerque to meet the fifteen-year-old. Matthew is directed by the undercover detective to meet at the front door. Matthew arrives at the location and parks his vehicle across the street in front of the location to meet the fifteen-year-old. Matthew was then apprehended in his vehicle by law enforcement agents.

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.


Complainant

APD Detective St. Onge

Title

Approved:
John Duran, AAG

(Optional: Criminal Form 9-207A NMRA is available in lieu of completing this section of Criminal Form 9-201 NMRA.)

If Probable Cause Determination Required:

Probable Cause Found

Probable Cause Not Found and Defendant Released from Custody

Judge: _____

Date: _____

Time: _____

[As amended, effective September 1, 1990; April 1, 1991; November 1, 1991; as amended by Supreme Court Order No. 13-8300-020, effective for all cases pending or filed on or after December 31, 2013; as amended by Supreme Court Order No. S-1-RCR-2023-00026, effective for all cases pending or filed on or after December 31, 2023.]