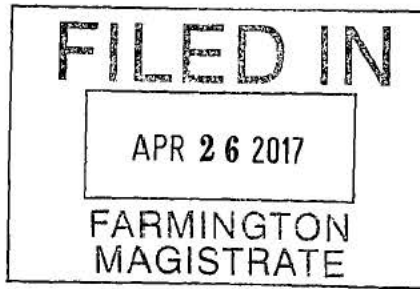


[5-208, 6-204, 7-204, 8-203]  
STATE OF NEW MEXICO  
COUNTY OF SAN JUAN  
MAGISTRATE COURT



STATE OF NEW MEXICO

v.

No. M-47-RK-2017-00997

ANTHONY WAGON, Defendant.

LKA: ,

██████████ ██████████ ██████████ ██████████ ██████████ ██████████

CASE #: 17-28320

## AFFIDAVIT FOR ARREST WARRANT

Affiant, being duly sworn, on his oath, states that he/she has reason to believe that on or about the 24th day of April, 2017, in San Juan County, New Mexico, the above-named defendant did commit the crime(s):

*Murder in the 1st degree (willful and deliberate)*

*did willfully, deliberately and with premeditation kill Jeremy Beard, a human being, without lawful justification or excuse, contrary to NMSA 1978, § 30-02-01(A)(1). (a capital felony).*

The undersigned further states the following facts on oath to establish probable cause to believe that the above-named defendant committed the crime charged:

I am J. Solomon, a full-time, salaried, and commissioned peace officer for the State of New Mexico, presently working as a Detective for the Farmington Police Department. I have been a New Mexico peace officer 17 year(s). I have received training in and have experience investigating a range of felony and misdemeanor crimes that includes classroom instruction and field experience. I am the affiant herein. I learned the following facts from the sources noted below and the investigation described:

*On 04/24/17 at approximately 2130 hours, I received a phone call from Detective Corporal Neilson. He advised me officers had been dispatched to the area of West Apache Street in reference to a fatal pedestrian hit and run. During the investigation, officers learned this incident was not a hit and run, but an intentional act. I responded to the 2300 block of West Apache Street where I spoke with Sergeant Velarde, Sergeant Raybon, Officer Touchin and Officer Burns.*

*Sergeant Velarde told me once officers began to speak with witnesses they learned the victim, Jeremy Beard, Genella Holiday (Jeremy's wife), Anthony Wagon (Genella's nephew), and Garrett Holiday (Anthony's uncle) had been drinking at 2300 West Apache Street #7, the El Ray Trailer Park, for several hours. At some point Jeremy got into a fight with Anthony and*

**COPY**

*Garrett. Jeremy ran south from the house to Apache Street, where he turned west and began to run on the north side of Apache Street.*

*Anthony and Garrett got into a white 1998 Chevy pickup bearing [REDACTED], with Anthony Driving. Anthony followed Jeremy west onto Apache Street, drove up over the curb and struck Jeremy with the pickup near the entrance to 2310 West Apache Street (Jeremy was pronounced dead at the scene when medical personnel arrived).*

*Officer Touchin advised me he spoke with Brandy Yniguez. She said she was driving west bound on Apache Street when she saw a white pickup pull out of the El Ray Trailer Park, onto Apache Street, right in front of her. She said the pickup was moving at a high rate of speed and swerved to the left before swerving to the right. Yniguez said it appeared as if the white pickup struck a decorative "wheel" that was mounted at the entrance to 2310 West Apache Street before continuing to travel west.*

*Yniguez said she turned into 2310 West Apache Street to go home. As she began to turn off of Apache Street, she saw Jeremy lying in the drive to 2310 West Apache Street and called for police.*

*While I was on scene, Sergeant Veith told me officers with the Farmington Police Department Gang Task Force had located the suspect vehicle along with Anthony and Garrett. Sergeant Veith told me Anthony claimed responsibility and was willing to make a statement. Corporal Spruell transported Anthony to the Farmington Police Department where I met him for an interview.*

#### **INTERVIEW WITH ANTHONY WAGON**

*When I introduced myself to Anthony he told me he had already been read his Miranda rights by the officers who contacted him (Corporal Spruell told me Officer Stanton had mirandized Anthony when they located him). Anthony said he volunteered to come to the police department to make a statement. He said he told the officers to put handcuffs on him, but they did not.*

*Anthony told me he had been drinking with Jeremy, Garrett, and Genella. He said Jeremy became upset because he thought Anthony was trying to steal his beer. Jeremy hit Anthony a glancing blow to the back of his head and Anthony and Garrett took him to the ground and tried to calm him down. Jeremy got back up and hit Anthony again, knocking him down*

*Anthony told me as soon as Jeremy hit him he said "you're dead. You're fucking dead." I asked if he told Jeremy this and he said no, he said it to himself, in his mind. Anthony said Jeremy would not calm down and the fighting continued. He said eventually Jeremy ran south, away from the house, toward Apache Street with Garrett chasing him. Anthony said he got into the white pickup and began to follow them. He told me Garrett passed out as he was running so Anthony stopped and picked him up. He then drove onto Apache Street, heading west bound. Once on Apache Street he saw Jeremy walking west bound on the sidewalk. He said he "floored it," drove up on the curb and hit Jeremy with the truck.*

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Anthony talked about fighting Jeremy and said Jeremy was a "crack head." He said it was hard to fight people who were high on meth and talked about his past fights. He said the only way to "take someone out" who was on meth was "some other lethal weapon, which is my truck, and that's attempted murder, and that's a hit and run."

I asked Anthony why he hit Jeremy with the pickup. He said he wanted to paralyze or disable Jeremy, but "if he dies, he dies, that's on him. Not me." He also said he knew Jeremy had to be hurt or dead because he hit him with the pickup. He described seeing Jeremy's back come up over the hood of the vehicle before he fell underneath the pickup. Anthony said he could then feel the pickup's tires drive over Jeremy. Anthony said he wanted Jeremy to know he messed with the wrong person.

WHEREFORE, your affiant respectfully requests that an arrest warrant be issued for the above-named defendant for the crime of:

Murder in the 1st degree (willful and deliberate) did willfully, deliberately and with premeditation kill Jeremy Beard, a human being, without lawful justification or excuse, contrary to NMSA 1978, § 30-02-01(A)(1). (a capital felony).

J. Solomon

Name of Affiant

*J. Solomon*

Signature of Affiant

DETECTIVE

Official Title

Approved: *Telephonic: Harold Downer*  
Assistant/Deputy District Attorney

Subscribed and sworn to or declared and affirmed to before me in San Juan County, State of New Mexico this 24<sup>th</sup> day of April 2017.

*Janice Arnes*  
Judge, Notary or Other Officer  
Authorized to Administer Oaths

*District Judge*  
Official Title

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