

ARTICLE 2
INITIATION OF PROCEEDINGS
STATE OF NEW MEXICO
COUNTY OF BERNALILLO
IN THE METROPOLITAN COURT

Name: Daryl Albert
Address: [REDACTED]
Albuquerque, NM 87108
[REDACTED]
[REDACTED]
Charge: Open Count Murder
Tampering with Evidence

FILED IN METROPOLITAN COURT
2017 JAN 18
Arrest Date: 01/17/2017
Citation #: [REDACTED]
Arrest #: [REDACTED]
Docket #: 74PL17327
Date Filed: 1/18/17

Complainant or Officer: Detective J. Brown Man #: 5349

CRIMINAL COMPLAINT

The undersigned, under penalty of perjury, complains and says that on or about the 17 day of January 20 17, in the County of Bernalillo, State of New Mexico, the above-named defendant(s) did (here state the essential facts):

January 17, 2017

Approximately 6:37 pm

Officer R. Vanderlip and Officer J. Bludworth were initially dispatched to the Circle K located at Central and Wyoming in reference to an aggravated driver incident. Upon their arrival they did not observe anything related to their initial dispatch. Officer Vanderlip and Officer Bludworth did however observe two individuals, later identified as Christopher Martinez and Daryl Albert, in a physical altercation near the Circle K. Officers observed Christopher at one point punch Daryl in the face with a closed fist. Officers asked Daryl if he wanted to press charges and Daryl refused to press charges. Officer Bludworth contacted Christopher while Officer Vanderlip contacted Daryl. Officers told Daryl and Christopher to leave the area after making sure neither of them had any weapons, by patting them down for weapons, or warrants, by checking via NCIC. Officers stated Daryl walked south to the bus stop while Christopher walked in a southwesterly direction toward Central Avenue.

Officers C. Keeling and E. Higgs, who were conducting a tactical operation plan on bicycles, were riding in the area when they observed Officers Vanderlip and Officer Bludworth at the Circle K. Officer Keeling and Officer Higgs rode to the Circle K and once on the property, they observed a male in front of Circle K loitering. Officer Keeling and Officer Higgs contacted the male in front of Circle K. Officer Vanderlip and Officer Bludworth who were still at the bus stop with Daryl, left the bus stop to assist Officer Keeling and Officer Higgs. Officer Bludworth stated approximately two minutes after they went to assist Officer Keeling and Officer Higgs, they observed Christopher come back toward them holding a box cutter in his right hand while he held his left hand against his left side and stating he had just been stabbed by the man who he had been fighting with earlier.

Officer Bludworth drew his duty weapon and ordered Christopher to drop the knife. As Christopher dropped the knife, he stated that the guy whom he was fighting with earlier had just stabbed him. Officers observed that Christopher was bleeding profusely from his left side of his chest and called for rescue to the scene. Prior to rescue arriving on-scene, Officer Higgs and Officer Bludworth ran west around the McDonalds where they observed Daryl and immediately detained Daryl near Central and Wisconsin. As Officer Bludworth and Officer Higgs escorted Daryl back towards the Circle K, a male, who did not want to cooperate with this investigation, yelled at Daryl, "You had to be a bitch and stab him." Rescue then arrived and transported Chris to the University of New Mexico Hospital (UNMH) where he was later pronounced deceased due to his injuries.

As Officers began securing the scene, Officer Higgs contacted an individual identified who will be identified as OH. OH told Officer Higgs that he observed the male identified as Daryl run from the bus stop which is located just south of Circle K west toward Central and Wisconsin where the victim identified as Christopher was standing. OH observed Daryl stab Christopher with a knife. OH stated after Christopher was stabbed, he observed Christopher pull out a knife from his pocket and then walk east toward the front of the Circle K where officers were.

Approximately 7:45 pm

Albuquerque Police Department (APD) Dispatch contacted me advising of a Violent Crimes Call-out at Central and Wyoming.

Approximately 8:43 pm

After arriving on-scene, I was notified by officers that the deceased male was identified as Christopher Martinez and that they had a male identified as Daryl Albert detained. It should be noted Daryl appeared highly intoxicated. I contacted DWI Officer T. McCarson and asked him to administer a portable breath test to determine Daryl's level of intoxication.

Approximately 8:47 pm

DWI Officer McCarson stated Daryl blew almost twice the legal limit and that it would take approximately eight hours for his BAC level to be back to zero. It was determined because of his level of intoxication an interview would be conducted with Daryl at a later time.

Approximately 10:30 pm

Detective J. Gonterman and Detective D. Torgrimson interviewed a juvenile male who will be identified as DL. DL told detectives that he observed Daryl, whom he knows as Puppet, run toward the victim (Christopher) and stab him with a knife.

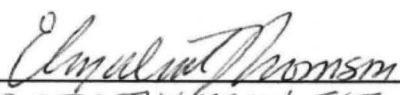
Approximately 11:16 pm

Criminalistics Detective F. Pezzano while searching the scene notified me that a folding knife was located inside a bush on the corner of Wisconsin and Central, the bush is located on the southeast corner. The knife appeared to have a substance consistent with blood on it.


Based on the aforementioned facts, Daryl Albert was arrested for an open count of murder and tampering with evidence.

contrary to Section(s) 30-2-1, 30-22-5 NMSA 1978.

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.

Approved 
ELIZABETH TUVINSON, SGT, 2702
DISTRICT ATTORNEY OR LAW
ENFORCEMENT OFFICER

Complainant
Title (if any)
Agency


Homicide Detective
(man #) 5349
APD 170005672