

FILED  
U.S. DISTRICT COURT  
DISTRICT OF WYOMING

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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF WYOMING**

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**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**ADAM SHANE AVILES, JR,**

Defendant.

**CRIMINAL COMPLAINT**

Case Number: 23mj81-5

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

Between on or about November 2 and on or about November 4, 2023, in the District of Wyoming, the Defendant, **ADAM SHANE AVILES, JR**, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed ammunition, namely, a Focchi .45 caliber bullet, and the ammunition was in and affecting commerce.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8).

I further state that I am a Special Agent with the Federal Bureau of Investigation and that this complaint is based on the following facts:

*(See attached Sworn Statement)*

Continued on the attached sheet and made a part hereof.

Luke Williamson

Signature of Complainant

LUKE WILLIAMSON

Sworn and attested by the applicant before me by telephone, bearing a previous signature submitted by email communication in accordance with the requirements of Fed. R. Crim. P. 4.1

November 9, 2023

at Cheyenne, Wyoming

Date

HON. KELLY H. RANKIN

Chief United States Magistrate Judge

Name & Title of Judicial Officer

City and State

[Handwritten Signature]

Signature of Judicial Officer



**SWORN STATEMENT IN SUPPORT OF CRIMINAL COMPLAINT  
SPECIAL AGENT LUKE WILLIAMSON  
U.S. v. ADAM SHANE AVILES, JR**

I, Luke Williamson, have been employed as a Special Agent of the Federal Bureau of Investigation (FBI) since July 2020 and am currently assigned to the Lander Resident Agency (RA) of the Denver Division of the FBI. Since beginning employment with the FBI, I have investigated violations of Federal law in various areas including Federal crimes within Indian Country. I have attended training provided by the FBI and Bureau of Indian Affairs concerning investigations in Indian Country. Additionally, I have gained experience through training in seminars, classes and everyday work related to conducting these types of investigations. I have been the case agent for numerous investigations in Indian Country. Prior to the FBI, I was employed abroad for the U.S. Department of State and served as an Infantry Officer in the United States Marine Corps.

2. The information contained within this sworn statement is based upon interviews conducted by myself, other officers and investigators, my personal knowledge and observations, my training and experience, personal conversations with other law enforcement officers as well as a review of reports, documents, and other records. Since this sworn statement is being submitted for the limited purpose of securing a complaint, I have not included each and every fact known concerning this investigation but have set forth only the facts that I believe are necessary to establish probable cause to believe that Adam Shane Aviles, Jr. has committed acts in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8).

3. On November 2, 2023, M.H. contacted the Cody Police Department (CPD) to report her daughter, K.F., as missing. On the same day at approximately 1433 hours, CPD Sergeant Vanauken contacted K.F.'s boyfriend, Adam Aviles Jr., at 1243 Salisbury Avenue, in Cody,

Wyoming. Aviles Jr. was seen on body worn camera footage working on his 1999 Dodge Durango bearing Wyoming registration 11-37898.

4. Park County Sheriff's Office Investigator Clayton Creel learned from Sergeant Vanauken's incident notes that M.H. stated K.F. had been "clean" for a while but relapsed on an unknown drug. K.F. lived in Alabama and called Adam Aviles Jr. for help. Aviles Jr. came to Alabama but departed several weeks later with K.F. and their two children to return to Wyoming. As they were traveling, they stopped in the Little Rock, Arkansas area where K.F. did a "drug run" and has not been seen or heard from since. Sgt. Vanauken contacted Aviles Jr. at his residence. Aviles Jr. said K.F. was not missing but she just does not want contact with her mother.

5. On November 4, 2023, at approximately 1541 hours S.G. contacted the Park County Sheriff's Communications Division (Dispatch) to report an abandoned vehicle parked in the vicinity of Oregon Basin in rural Park County, Wyoming. PCSO Deputy Toohey, Deputy Caudle, Sgt. Lawler and Sheriff Steward traveled to this scene for investigation.

6. The investigation of the vehicle revealed the vehicle was a black 1999 Dodge Durango bearing Wyoming registration 11-37898 which appeared to be the same vehicle as seen by Sgt. Vanauken days prior. PCSO Dispatch queried the registration in a law enforcement database, which showed the vehicle registered to Adam Aviles Jr. The vehicle had trash bags blocking the view through the windows. Due to K.F. being listed as a missing person and her connection to Adam Aviles Jr., along with the suspicious condition and location of the vehicle, Deputies broke a window to make sure no one was in the vehicle who may need medical attention. Sheriff Steward told Investigator Creel that he could smell the odor of "putrefied blood" emitting from the vehicle. The front passenger seat was missing, and there were multiple Clorox wipes inside the vehicle. A Glock pistol magazine loaded to capacity with live ammunition, was located near the vehicle's center console.



7. Sheriff Steward viewed a trash bag inside of the vehicle with what appeared to be a tan piece of interior body molding protruding from the bag. The tan piece appeared to have a dried streak of blood on it. There was also what appears to be a projectile hole in the front passenger door. The suspected projectile hole had duct tape over the entrance and exit in an attempt to conceal it, but the protruding metal was still visible. The vehicle was secured and towed back to the Law Enforcement Center (LEC).

8. On or about November 4, 2023, while PCSO deputies were investigating the Dodge Durango, a man, later identified as Adam Aviles Jr. approached the scene with a gas canister. He indicated the Dodge Durango was his vehicle and he was there to fill the gas tank as the vehicle had run out of gas and was inoperable.

9. On November 5, 2023, Investigator Creel asked Dispatch to do an offline National Crime Information Center (NCIC) search to see if Adam Aviles Jr. was run through NCIC during his travels back from Alabama. Investigator Creel contacted DCI Special Agent Shane Reece with questions about preservation letters and cell phone data. Special Agent Reece agreed to come to the LEC to help him. Special Agent Reece and Investigator Creel reviewed the offline NCIC search and were able to construct a probable timeline.

10. On October 5, 2023, Adam Aviles Jr. and/or his vehicle were queried in NCIC by the Trumann Police Department in Trumann, Arkansas. K.F. was present in the passenger seat and Aviles Jr. was operating the vehicle. There was no projectile hole in the passenger side door on bodycam video captured on October 5, 2023. On October 9, 2023 Adam Aviles Jr.'s and/or his vehicle was run in NCIC by the Texas State Patrol. Agents reviewed this body worn camera footage and observed a projectile hole in the passenger door concealed with tape. K.F. was not in the vehicle and a large quantity of clothing was covering the passenger seat. On October 11, 2023, Adam Aviles Jr. and/or his vehicle was again queried in NCIC by the Colorado State Patrol when

contacted on the road. K.F., again, was not present in the vehicle and Aviles Jr. was the sole adult occupant of the vehicle. At all times in the observed body worn camera footage, Aviles Jr. was operating the vehicle during the three contacts with law enforcement; this assertion is based on reviewed body worn camera footage and statements from the respective law enforcement officers.

11. Investigator Creel learned the search conducted by Search and Rescue (SAR) after the Dodge Durango was found on November 4, 2023 included two working dogs (K9) trained in cadaver body recovery. One K9 alerted near a tire track where the vehicle was sitting when it was found. The other K9 alerted by the front passenger door of Adam Aviles Jr.'s vehicle, which was in the garage of the LEC at the time of the dogs' evaluation.

12. On November 6, 2023, Investigator Creel conducted a search of Adam Aviles Jr.'s vehicle, the 1999 Dodge Durango, at the Cody LEC, pursuant to a search warrant. Inside the vehicle Investigator Creel found a large quantity of what appeared to be dried blood; this was later confirmed as blood by the Wyoming State Crime Laboratory. Investigator Creel also recovered three fired projectiles consistent with a .45 caliber round. One was inside the passenger side "B pillar" of the vehicle and two were inside the front passenger door. Investigator Creel observed the front passenger seat was also missing. During the search of the vehicle, Investigator Creel noticed a large portion of the vehicle trim had been removed and was in trash bags in the back of the vehicle. Investigator Creel observed cleaning supplies and various tools. Investigator Creel observed clothing and various other items with what Investigator Creel believe to be blood stains.

13. Investigator Creel found a loaded magazine but did not find a firearm associated with this magazine. The recovered Glock magazine was loaded with rounds similar to the recovered projectiles. The rounds within the magazine were .45 caliber and numbered approximately twelve to thirteen rounds of ammunition within the magazine. The Glock magazine was consistent with magazines matching to a Glock 21 pistol, which is a .45 caliber handgun. The

magazine also had a quantity of what appeared to be blood within the perforations on the rear of the magazine.

14. Adam Aviles Jr. is a convicted felon who has a firearm disqualification. This was verified through Park County records and a NCIC criminal history inquiry. Aviles Jr. was convicted of felony heroin possession in 2017 in Park County, Wyoming. This crime is punishable by imprisonment for a term exceeding one year.

15. On November 8, 2023, the Wyoming Department of Criminal Investigations Crime Lab confirmed the presence of human blood on some of the items recovered from Adam Aviles Jr.'s vehicle, during the execution of the search warrant.

16. On November 8, 2023, A.A. Sr., the father of Aviles Jr., advised Sheriff Steward that he had observed his son in the recent past with a handgun. Again, the description was a large caliber handgun consistent with a Glock 21. Park County Sheriff's Office also conducted a search warrant at the residence of A.A. Sr., where Aviles Jr. is known to reside, on November 8, 2023, where they located packaging for holster that was designed for a large caliber pistol.

17. On November 8, 2023, a forensic interview was conducted by the FBI in Billings, MT on Minor Child 1 (a four-year-old female) who was in the vehicle with Adam Aviles Jr. and K.F. on their way from Alabama to Wyoming. Minor child 1 made a statement about her father accidentally hurting her mother. It is uncertain as to the timeframe minor child 1 may have been referring to.

18. On November 9, 2023 ATF Special Agent Matt Wright reviewed pictures of a bullet taken from the magazine found in the 1999 Dodge Durango. He conducted a nexus analysis and determined that the bullet was made by Fiocchi in Italy. Therefore, the bullet was not made in Wyoming and had to cross state lines in order to be found in Wyoming.

**END OF SWORN STATEMENT**

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**PENALTY SUMMARY**

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**DEFENDANT NAME:** ADAM SHANE AVILES, JR

**DATE:** November 9, 2023

**INTERPRETER NEEDED:** No

**VICTIM(S):** No

**OFFENSE/PENALTIES:** **18 U.S.C. §§ 922(g)(1) and 924(a)(8)**  
(Felon in Possession of Ammunition)

0-15 Years Imprisonment  
Up To \$250,000 Fine  
3 Years Supervised Release  
\$100 Special Assessment

**AGENT:** Luke Williamson, FBI

**AUSA:** Paige Hammer, Assistant United States Attorney

**ESTIMATED TIME OF TRIAL:** 1 to 5 days

**WILL THE GOVERNMENT SEEK DETENTION IN THIS CASE:** Yes

**ARE THERE DETAINERS FROM OTHER JURISDICTIONS:** No