



CRIMINAL COMPLAINT

STATE OF NEW MEXICO

BERNALILLO

COUNTY

ALBUQUERQUE

CITY

IN THE METROPOLITAN COURT

CASE # 240098781

FILED IN
METROPOLITAN COURT

2024 NOV 30 PM 10:34

BACKGROUND
INVESTIGATIONS

-- VS --

Name: Bearden, Kyle,
Address: _____
City/Zip: _____
D.O.B.: 1993-09-09
S.S.N. _____
Height: _____ Weight: lb
Hair: _____
Eyes: _____

STN #: _____
Arrest Date: 11/30/2024
Driver Lic.#: _____
Citation.#: _____
Arrest #: 24-021845
Docket #: _____
Date Filed: 11/30/2024

T 4 F R 2024 - 0 8 4 1 9

The undersigned, under penalty of perjury, complains and says that on or about 11/30/2024, In the County/City of ALBUQUERQUE, State of New Mexico, the above named Defendant(s) did:

Contrary to Section: _____

Charge Code 30-03-02A, , , ,

CRIME:

Aggravated Assault with Deadly Weapon | 1304 | 30-03-02A, , , ,

(Common name of Offense or Offenses)

On 11/30/24 I was dispatched to 900 Medical Arts Ave Ne in reference to a assault/battery call for service.

Upon arrival officer Z. Lannon, sergeant J. Rolston, and myself approached with a force array in place. I initially spoke with the two truck driver, Robert Salazar. Robert stated his company runs parking enforcement at the hotel 505. Robert stated he was notified about an individual sleeping in the a red Chevy Cruze, loitering. Robert stated he went up to the vehicle and knocked on the car window, stating he advised the subject, later identified as Kyle Bearden, that he needed to move his vehicle or else he would tow it. Robert stated Kyle started arguing, stating the vehicle does not run and that he was not going to move the vehicle. Robert stated he offered to assist Kyle with pushing the vehicle off of property but stated Kyle continued to argue and refused help. Robert stated Kyle pointed a black "Revolver" at him. Robert stated he was in fear for his life and did want to pursue charges.

Robert stated Kyle was parked on the North side of the parking lot at this time. Officers made our approach and did not locate the suspected vehicle. I observed a vehicle that was possibly a red Chevy Cruze parked about 600 feet northeast of the parking lot. While making the approach the vehicle was confirmed to be a red Chevy Cruze. Officers made announcements and had Kyle step out of the vehicle. Kyle was detained without issue.

I then read Kyle his Miranda Rights. Kyle waived his rights orally. Kyle stated he was sleeping in his vehicle when he was woken up by Robert in a "very aggressive manner". Kyle stated Robert was yelling at him to move his vehicle or he would tow it. Kyle stated the two parties were arguing. Kyle stated Robert then hooked up the front of his vehicle to the tow truck while Kyle and his dog were still inside the vehicle. Kyle stated he grabbed his handgun and placed it on his lap. Kyle stated Robert then offered to help push his vehicle off property but never did and parked on the other side of the parking lot. Kyle stated he never pointed his gun at Robert at any point during the incident. Kyle stated he was in fear for his life and claims he pulled out his gun as self defense. Kyle stated he believed Robert was holding a black flashlight during the incident.

When Kyle was getting handcuffed, he stated officers could not enter his vehicle because he did not want his dog to be harmed. When revisiting the subject, Kyle was advised that animal control would need to enter the vehicle to get the dog for safekeeping. Kyle stated the firearm was under his front seat and gave officers permission to grab the gun for evidence. Kyle also requested officers retrieve his wallet from his front seat. A black .45 caliber handgun was seized from the vehicle along with approximately 56 live rounds and 2 pistol magazines.

Officer Z. Lannon was advised by motel staff that no cameras are in view of the area where the incident occurred. The firearm and live ammunition were tagged into (CONTINUED NEXT PAGE)

evidence.

I transported Kyle to the prisoner transport center. Kyle will be booked for aggravated assault with a deadly weapon.

My interaction was recorded by my OBRD and will be uploaded to Evidence.com.

14FR 2024 - 08419

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 FALSE STATEMENT IN A CRIMINAL COMPLAINT.

Complainant

Name Crusito Gonzales-Lopez

Title(if any) 7585

Agency(if any) Albuquerque PD

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.

Approved Rolston, Jason #5925

DISTRICT ATTORNEY OR LAW ENFORCEMENT OFFICER

[As amended, approved by the Supreme Court of New Mexico, effective September 1, 1990; April 1, 1991; November 1, 1991.]

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.]