

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Case No. 26-mj-57 (JFD)

STATE OF MINNESOTA)
) UNDER SEAL
COUNTY OF RAMSEY)

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Richard Berger, being duly sworn, do hereby state as follows:

INTRODUCTION & AGENT BACKGROUND

1. I am Special Agent with the U.S. Homeland Security Investigations, Department of Homeland Security (HSI) and have been so employed since September 2009. I am a graduate of the Federal Law Enforcement Training Center, which consisted of the Criminal Investigator Training Program, and U.S. Immigration and Customs Enforcement Special Agent Training.

2. Prior to working with HSI, I was employed as a U.S. Customs and Border Protection Officer for approximately four years. During my career, I have conducted and participated in multiple investigations involving the unlawful importation and the distribution of controlled substances, the assault and hinderance of federal officers while engaged in the performance of their official duties, fraud and identity theft violations, export violations, financial crimes, illegal alien smuggling and human trafficking violations, child pornography, and various immigration violations. During these investigations, I have conducted physical surveillance, executed arrest and search warrants,

reviewed tape-recorded conversations, and personally interviewed numerous sources of information as well as confidential sources.

3. This affidavit is submitted for the limited purpose of establishing probable cause in support of issuing a complaint and arrest warrant for Nitzana Belle FLORES, for assault of a federal officer in violation of Title 18, United States Code, Section 111(a).

4. This affidavit is based on my personal knowledge, as well as information I have learned from other law enforcement officers and the review of reports, written materials, and recordings at the writing of this affidavit. This affidavit does not include all the details I have learned regarding this investigation. Rather, it only includes information believed to be sufficient to establish probable cause.

PROBABLE CAUSE

5. On January 7, 2026, at approximately 3:00 p.m., Agents and Officers with the United States Border Patrol (Herein, "USBP") and Customs and Border Protection (CBP) Office of Professional Responsibility (OPR) conducted roving operations in the vicinity of Minneapolis / Saint Paul metro area streets and subsequently executed a probable cause arrest of a subject who rammed a USBP vehicle in the vicinity of Roosevelt High School, located at 4029 S 28th Ave, Minneapolis, MN.

6. While executing the probable cause arrest, students were being

released from Roosevelt High School and a crowd of bystanders formed and began to protest the USBP activity. Several members of the crowd began to obstruct law enforcement and impede their ability to clear and exit the area. While USBP Agents were leaving the area, two additional agitators, were arrested for interfering, impeding, and / or assaulting United States Border Patrol Agents (Herein, "BPA").

7. While executing one of the arrests referenced above, an individual later identified as Nitzana Belle FLORES, dropped her shoulder and forced a collision with BPA(s) 1 and 2, who were wearing clearly marked law enforcement clothing, interfering with an arrest and impeding BPA(s) 1 and 2's abilities to perform their law enforcement duties. As a result of FLORES's interference and attempts to impede BPA(s) from subduing the additional agitators, BPA(s) attempted to arrest FLORES. During the arrest, FLORES fought and resisted the BPA(s) attempts at restraining her. BPA 3, who was in proximity, observed the struggle and placed FLORES under arrest for violation of Title 18, United States Code, Section 111(a).

CONCLUSION

8. Based on the information set forth above, there is probable cause to believe that the Defendant, Nitzana Belle FLORES forcibly assaulted, resisted, opposed, impeded, intimidated, or interfered with a federal officer in performance of official duties, and the act(s) involved physical contact with the

victim, in violation of Title 18, United States Code, Section 111(a).



Richard Berger
Special Agent, HSI

SUBSCRIBED and SWORN before me
by reliable electronic means via FaceTime
and email pursuant to Fed. R. Crim. P. 41(d)(3) on
January 23, 2026

John F. Docherty
JOHN F. DOCHERTY
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF MINNESOTA