

**FILED**  
UNITED STATES DISTRICT COURT  
ROSWELL, NEW MEXICO

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT AUG 15 2023

for the  
District of New Mexico

**MITCHELL R. ELFERS**  
CLERK OF COURT

United States of America )  
v. )  
Edward Laning GORDON )

Case No. 23-MJ-1286

\_\_\_\_\_  
*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 11 and August 11, 2023 in the county of Chaves in the  
       District of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 USC Section 844(e)	Wilfully making a telephonic threat to kill (July 11, 2023) and to unlawfully destory a building by means of fire (August 11, 2023).

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.

ERIC LIVENGOOD

Digitally signed by ERIC LIVENGOOD  
Date: 2023.08.15 09:53:56 -06'00'

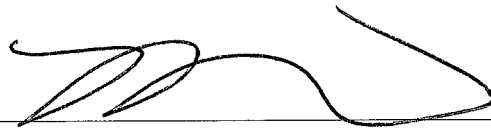
\_\_\_\_\_  
*Complainant's signature*

Eric Livengood / ATF Special Agent

\_\_\_\_\_  
*Printed name and title*

Sworn to before me and signed in my presence.

Date: 8/15/23

  
\_\_\_\_\_  
*Judge's signature*

City and state: Roswell, New Mexico

Barbara S. Evans, U.S. Magistrate Judge

\_\_\_\_\_  
*Printed name and title*

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Eric Livengood, being first duly sworn, hereby depose and state as follows:

1. I make this affidavit in support of a criminal complaint that on or about August 11, 2023, in Chaves County, New Mexico, Edward Laning Gordon (date of birth November 3, 1990), using a telephone, willfully made threats to kill the staff members of a dental office by shooting, and willfully made threats to unlawfully destroy the building of Pueblo de Chamisa, an occupied apartment complex located at 1800 S Pennsylvania Avenue, in Roswell, New Mexico, by means of fire, in violation of Title 18, United States Code, Sections 844(e).

2. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been since October of 2019. I am currently assigned to the Roswell, New Mexico Satellite Office, in the Dallas Field Division of ATF. My training includes twenty-seven (27) weeks of Criminal Investigator and ATF Special Agent Basic Training at the Federal Law Enforcement Training Center in Glynco, Georgia. During this training, I received instruction relating to federal law violations, various investigation strategies, evidence collection, interview techniques, and search and seizure. As a Special Agent with ATF, part of my duties and responsibilities include conducting criminal investigations for possible violations of federal firearms, explosives, and arson laws. Previously, as a Richmond, Virginia sworn police officer and detective, I conducted a wide range of criminal investigations including, but not limited to firearms violations, narcotics violations, robbery, burglary, embezzlement, sexual assault, rape, aggravated assault, and homicide. Through my training, experience, and discussions with other law enforcement officers who have experience in similar investigations, I have become familiar with the tactics and methods used by criminals engaging in various violations of law. As a

federal agent, I am authorized to investigate violations of the laws of the United States, and as a law enforcement officer, I am authorized to execute warrants issued under the authority of the United States.

3. The information contained herein is based upon my own investigation as well as information supplied to me by other duly sworn law enforcement officers, and does not contain all information known by me, only facts for consideration of probable cause.

**Probable Cause**

4. In August of 2023, I received information that Edward Laning Gordon (“Gordon”), made multiple threats against the lives of citizens and law enforcement officers. Gordon made telephonic threats to kill the staff of a dental office by way of shooting on July 18, 2023, and on August 11, 2023, a telephonic threat to kill his neighbor and to burn down an occupied apartment complex building, “Pueblo de Chamisa” (where Gordon resides), located in Roswell, New Mexico. I know from my training and experience that multiple people reside at the “Pueblo de Chamisa” apartment building and the apartment building affects interstate commerce by accepting vouchers from The Eastern Regional Housing Authority, a public housing subsidiary program of The Department of Housing and Urban Development (‘HUD’ payments) and by allowing residents to pay rent through various private banking systems whose funds travel outside the State of New Mexico.

5. On July 18, 2023, Roswell Police Department (RPD) responded to a call for service regarding threatening behavior. RPD had received information that Gordon advised he was going to shoot the staff of a dental office because he couldn’t get an appointment. RPD identified the dental office and met with the complainant (herein Complainant 1), a staff member

of a local dental office. Complainant 1 reported that Gordon arrived at the dental office without an appointment and became upset that he could not receive treatment. Complainant 1 reported that Gordon engaged in combative behavior and made a lewd verbal statement. I requested, received, and reviewed the RPD police report related to the aforementioned complaint.

6. On August 14, 2023, I contacted the staff of the dental office to verify the information in the RPD report. I spoke with the staff member who received the initial notification of the threats (hereinafter Complainant 2). Complainant 2 advised that their dental office received a call from The National Veterans and Military Crisis Line (NVMCL) on Monday, July 10, 2023, and they advised Complainant 2 that Gordon had made threats against the dental office. Complainant 2 went on to explain that NVMCL representative stated Gordon had actually called into the hotline and made the threat against the dental office on July 9, 2023 (Sunday). At this point, Complainant 1 spoke with NVMCL and learned that Gordon specifically stated he was going to kill his dentist.

7. Complainants 1 and 2 stated that the next day (Tuesday, July 11, 2023), Gordon showed up at the dental office unannounced and wanting treatment. Complainants 1 and 2 stated they were very nervous with Gordon's presence due to the information received from NVMCL. After becoming aggressive with the staff, Gordon eventually left with an appointment date of August 2, 2023. Complainants 1 and 2 advised that they eventually received additional information from RPD that Gordon called NVMCL after leaving the office (on July 11, 2023) and told the representative that he would kill the staff members of the dental office when he came in for his scheduled appointment on August 2, 2023. RPD received this threat information from NVMCL. On July 18, 2023, RPD responded to the dental office to take a report of the situation and advise the dental office staff members of the impending August 2, 2023, threats.

8. On July 30, 2023, RPD responded to a residence in Roswell, New Mexico, regarding a domestic situation and threats. Upon arrival, RPD contacted Gordon. During a consensual interview, Gordon was questioned by RPD regarding threats that were made by him (Gordon). Gordon stated that he had thoughts of “shooting it out” with the cops. Gordon additionally stated that “big brother” and “the shadow cops” are out to get him and always have been. Gordon then stated his thoughts were just thoughts and he didn’t have a plan to hurt anyone. RPD transported Gordon to Eastern New Mexico Medical Center for an involuntary mental evaluation. Once Gordon was transferred to the hospital, he (Gordon) was asked if he wanted to hurt anyone, to which he replied, “Oh yeah, I want to kill a lot of fucking people.”

9. During this interaction, RPD seized a pistol and ammunition from Gordon, that had been in a holster attached to his hip area. The pistol was later identified as a Ruger, LCR model, .38 caliber revolver, bearing serial number: 154360336. I requested, received, and reviewed the RPD police report related to the aforementioned incident.

10. On August 10, 2023, Gordon called RPD’s front desk to inquiry about the return of his revolver that was seized by RPD on July 30, 2023. During the phone call, Gordon stated he was told that RPD was just waiting on the doctor’s order to “green light” the gun and he wished to receive a call back from the seizing officer with an update. Gordon also advised the call taker that he had already purchased another gun since the incident.

11. I requested, received, and reviewed a copy of the recorded phone call from Gordon to RPD regarding the return of his firearm and claim to have purchased an additional firearm.

12. On August 11, 2023, Chaves County District Attorney Investigators (CCDAI) sought and received an ‘Extreme Risk Firearm Protection Order’ from Chaves County District

Court Judge Hudson, for the temporary seizure of firearms from Gordon due to his current homicidal behavior. CCDAI and RPD responded to Gordon's residence in Roswell, New Mexico. CCDAI and RPD contacted Gordon inside of his residence and seized a semi-automatic firearm from the residence without incident. During the interaction and while reviewing a copy of the signed firearm petition, Gordon stated to CCDAI Ramirez, "You know, I do want to kill one of your officers." "He's a shitbag." "Hey, I'm allowed to talk... he's a fucking shitbag, I wanna kill him." Gordon never identified the law enforcement officer. I requested, received, and reviewed RPD body camera recordings regarding the aforementioned incident.

13. On August 11, 2023, at approximately 5 P.M., RPD received a call from The National Veterans and Military Crisis Line (NVMCL) requesting a welfare check on Gordon. The NVMCL representative (Complainant 3) stated that Gordon was currently on the line with a crisis worker making threats to burn down his apartment building and slit his neighbor's throat. RPD responded back to Gordon's residence and contacted him. Upon contact, RPD asked Gordon if he had been making threats to burn down the apartment complex that he resides at, to which Gordon responded, "I would like too". RPD then asked Gordon about the threats made to slit his neighbor's throat, to which Gordon replied, "They're just thoughts man". RPD transported Gordon to Eastern New Mexico Medical Center where he was admitted for an involuntary mental evaluation.

14. On August 13, 2023, I contacted NVMCL to confirm the details of the call made by Gordon. NVMCL confirmed the Gordon made the call to their hotline number: 470-747-3703, based out of Atlanta, Georgia, from cellular phone number: 217-670-3466. Using law enforcement databases, I confirmed the crisis hotline phone number: 470-747-3703 was a land line, which functions using a CenturyLink cellular network. I know that CenturyLink is a

national cellular network owned by telecommunications company, Lumen Technologies. I also confirmed the cellular phone number 217-670-3466 was registered 'Edward L. Gordon' with service provided by the national cellular network of Verizon Wireless.

15. I requested, received, and reviewed a copy of the recorded phone call from Complainant 3 to RPD requesting a welfare check for Gordon due to his homicidal threats. I also requested, received, and reviewed RPD body camera recordings and police report regarding the aforementioned incident.

**Conclusion**

16. Based on the aforementioned facts, I submit that probable cause exists to believe that Edward Laning Gordon violated Title 18 U.S.C. Section 844(e), which makes it a crime for any person to use a telephone to threaten, to kill another person, or destroy a building by means of fire.

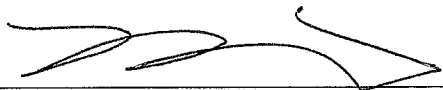
Prosecution of Edward Laning Gordon was approved by AUSA Maria Y. Armijo.

Respectfully submitted,

ERIC LIVENGOOD Digitally signed by ERIC LIVENGOOD  
Date: 2023.08.14 17:21:08 -06'00'

Eric Livengood  
ATF Special Agent

Subscribed and sworn to before me on August 15, 2023:



The Honorable Barbara S. Evans  
United States Magistrate Judge