



**PRESS RELEASE**

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**For Immediate Release**

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**FEDERAL JURY FINDS TWO ALBUQUERQUE MEN GUILTY  
OF BEING FELON IN POSSESSION OF FIREARMS**

ALBUQUERQUE – On April 3, 2012, a federal jury found **Dominic Saavedra**, 29, and **Donald Lee Howard**, 42, guilty of being felons in possession of firearms and ammunition after a two-day trial, announced U.S. Attorney Kenneth J. Gonzales. The jury also found Saavedra guilty of possession of heroin with intent to distribute and using and carrying a firearm in connection with a drug trafficking crime.

At sentencing, Saavedra and Howard each face a mandatory minimum 15 years of imprisonment for their firearms convictions under the armed career criminal provisions of the federal felon in possession statute. Saavedra also faces a maximum penalty of 20 years of imprisonment on his heroin trafficking conviction. In addition, Saavedra faces a mandatory minimum of 25 years of imprisonment on his conviction for carrying a firearms in connection with a drug trafficking crime. The 25 year sentence must run consecutive to Saavedra's sentence on the other two counts of convictions. Consequently, Saavedra faces a mandatory minimum sentence of 40 years of imprisonment on his three counts of conviction. Saavedra and Howard are in federal custody and will remain detained pending their sentencing hearings, which have yet to be set.

Saavedra and Howard were indicted on July 27, 2011, and charged with illegally possessing firearms and ammunition in Bernalillo County on May 20, 2011. Saavedra also was charged with possession of heroin with intent to distribute and using and carrying a firearm in connection with a drug trafficking crime on that same day. On May 20, 2011, Saavedra and Howard were prohibited from possessing firearms and ammunition because each previously had been convicted of felony offenses.

According to the indictment, Saavedra previously had been convicted of two counts of armed bank robbery, one count of robbery, and one count of using and carrying a firearm during a crime of violence in the U.S. District Court for the District of New Mexico. Howard previously had been convicted of armed robbery; conspiracy to deal in credit cards of others and

possession of a stolen vehicle; aggravated assault with a deadly weapon; conspiracy to tamper with evidence; and shooting at a dwelling or occupied building in the Second Judicial District Court for the State of New Mexico. In addition, Howard previously had been convicted of being a felon in possession of a firearm in U.S. District Court for the District of New Mexico.

The evidence at trial established that, on May 20, 2011, two deputies of the Bernalillo County Sheriff's Office executed a traffic stop of a vehicle driven by Howard in the South Valley of Albuquerque because the vehicle did not have license plate lights. As one of the deputies approached the vehicle, he observed Howard reaching under the driver's seat and making furtive movements. As a result, the deputies asked Howard and Saavedra, his passenger, to step out of the vehicle. When one of the deputies asked Howard if there was anything under the driver's seat, Howard responded in the negative. However, when the deputy looked into the vehicle, he observed a silver colored revolver sticking out from under the driver's seat. The deputies then detained Howard and Saavedra pending further investigation.

When the deputies conducted an inventory search of the vehicle, they recovered an Arminius, model HW7, .22LR caliber revolver from under the driver's seat that had been occupied by Howard. The deputies recovered a second firearm – a Bryco Arms, model Bryco 38, .380 auto caliber semi-automatic pistol – between the passenger seat that had been occupied by Saavedra and the vehicle's center console. Both firearms were fully loaded.

On the floor board in front of the passenger seat that had been occupied by Saavedra, the deputies found a small tin can that contained 41 individually wrapped small baggies containing black tar heroin. In addition, when the deputies searched Saavedra, they recovered a digital scale in the front pocket of his pants.

During the defense case, Saavedra called witnesses who testified that the gun found between the passenger seat and the center console belonged to Howard, and that Saavedra was unaware of the 41 baggies of heroin that were found in front of the passenger seat.

The jury deliberated for approximately 90 minutes hours before returning a verdict of guilty on all counts.

The case was investigated by the Bureau of Alcohol, Tobacco, Firearms and Explosives and the Bernalillo County Sheriff's Office, and is being prosecuted by Assistant U.S. Attorneys Louis E. Valencia and David M. Walsh.

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