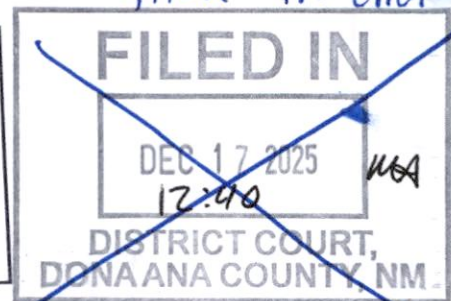
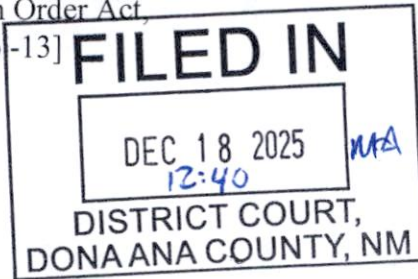


[Extreme Risk Firearm Protection Order Act,
NMSA 1978, Sections 40-17-1 to -13]

STATE OF NEW MEXICO
COUNTY OF DONA ANA
THIRD JUDICIAL DISTRICT

IN THE MATTER OF AN EXTREME RISK
FIREARM PROTECTION ORDER FOR
DION TORRES (RESPONDENT)



No. D-307-FP-2025-4

PETITION FOR EXTREME RISK FIREARM PROTECTION ORDER

SECTION I. PETITIONER (*Petitioner must be a law enforcement officer working for a law enforcement agency as defined under the Extreme Risk Firearm Protection Order Act ("Act")*)

Petitioner is employed by the following type of agency:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Police Department | <input type="checkbox"/> District Attorney's Office |
| <input type="checkbox"/> Sheriff's Office | <input type="checkbox"/> Attorney General's Office |
| <input type="checkbox"/> State Police | |

1. Petitioner's name: Detective Pierce Wilber

Badge/CAID Number: L841

2. Law Enforcement Agency Petitioner works for: Las Cruces Police Department

3. Law Enforcement Agency's address:

217 E. Picacho Ave

Las Cruces, NM 88001

4. Law Enforcement Agency's telephone number: 575-528-4222

SECTION II. PERSON WHO COMPLETED THE AFFIDAVIT OR STATEMENT

In support of this petition, I am attaching as Exhibit "A":

☐ Affidavit of the Reporting Party

OR

☒ Statement from the Law Enforcement Officer.

A. Reporting Party

1. Reporting Party's full name: _____
2. Reporting Party's relationship to Respondent: _____
3. Reporting Party's address:
 - a. ☐ The Reporting Party has completed a Request to Omit the Reporting Party's Contact Information.

OR

- b. Reporting Party's address (Do NOT complete if 3a is checked above)

B. Law Enforcement Officer

1. Law enforcement officers full name: Detective Pierce Wilber
2. Law enforcement agency name: Las Cruces Police Department
3. Law enforcement officer's agency address:

217 E. Picacho Ave

Las Cruces, NM 88001

SECTION III. RESPONDENT

1. Respondent's full legal name: Dion Torres
2. Respondent's date of birth: 04/30/2000
3. Respondent's address:

2210 Kent Rd

Las Cruces, NM 88001

SECTION IV. BASIS FOR PETITION

In support of this petition, the undersigned Law Enforcement Officer swears or affirms that based upon credible information in the attached Exhibit A (*select one option*):

☐ Affidavit of the Reporting Party

OR

☒ Statement from the Law Enforcement Officer

there is probable cause to believe the Respondent poses a significant danger of causing imminent personal injury to self or others by having custody or control of a firearm *or* by purchasing, possessing or receiving a firearm. The undersigned Law Enforcement Officer has probable cause to believe the following factors should be considered by the Court when determining whether to issue a temporary extreme risk firearm protection order:

- ☒ A recent act or threat of violence by the Respondent against self or others, regardless of whether the act or threat involved a firearm;
- ☒ A pattern of acts or threats of violence by the Respondent within the past twelve months, including acts or threats of violence against self or others;
- ☒ The Respondent's mental health history;
- ☒ The Respondent's use of controlled substances or alcohol;
- ☐ The Respondent's previous violations of any court order;
- ☐ Previous extreme risk firearm protection orders issued against the Respondent;
- ☐ The Respondent's criminal history, including arrests and convictions for violent felony offenses, violent misdemeanor offenses, crimes involving domestic violence or stalking;
- ☐ The Respondent's history of the use, attempted use or threatened use of physical violence against another person; of stalking another person; or of cruelty to animals; and
- ☐ Any recent acquisition or attempts at acquisition of a firearm by the Respondent.
- ☒ Other considerations: See attached documents

FIREARMS. The quantities, types, and total number of all firearms the Petitioner believes to be in the Respondent's ownership, possession, custody, or control are listed below and/or attached as Exhibit B.

Type of Firearm	Number	Location	Ammunition
<input type="checkbox"/> Long gun (includes rifles and shotguns)	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
<input checked="" type="checkbox"/> Handgun (includes revolvers and pistols)	1	In bedroom	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
<input type="checkbox"/> Other (includes any other firearms): _____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

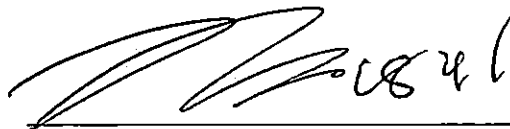
TOTAL NUMBER OF FIREARMS: 1

LEGAL ACTION(S) BETWEEN REPORTING PARTY AND THE RESPONDENT.

- ☐ Lawsuit. *Please describe:* _____
- ☐ Complaint. *Please describe:* _____
- ☐ Petition. *Please describe:* _____
- ☐ Restraining Order. *Date Issued:* _____ *Issued by:* _____
- ☐ Injunction. *Please describe:* _____
- ☐ Other Legal Action. *Please describe:* _____
- ☒ None.

For the foregoing reasons, Petitioner respectfully requests the court enter a Temporary Extreme Risk Firearm Protection Order and schedule a hearing to be held within 10 days of the issuance of a Temporary Extreme Risk Firearm Protection Order to determine if a One-Year Extreme Risk Firearm Protection Order should be entered.

Respectfully submitted this 18th day of December, 2025.



Signature of Petitioner

EXHIBIT A

LAW ENFORCEMENT STATEMENT IN SUPPORT OF A PETITION FOR AN EXTREME RISK FIREARM PROTECTION ORDER

1. INFORMATION ABOUT THE PERSON WHO I BELIEVE POSES A SIGNIFICANT DANGER (RESPONDENT)

A. The name of the person who I believe poses a significant danger of causing imminent personal injury to self or others by having custody or control or by purchasing, possessing or receiving a firearm is: Dion Torres

B. Respondent's date of birth: 04/30/2000

C. Address of the person (Respondent) who I believe poses a significant danger:

2210 Kent St

Las Cruces, NM 88001

D. Firearms I believe the Respondent has custody of, controls, owns or possesses:

Type of Firearm	Number	Location	Ammunition
<input type="checkbox"/> Long gun (includes rifles and shotguns)	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
<input checked="" type="checkbox"/> Handgun (includes revolvers and pistols)	1	In bedroom	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
<input type="checkbox"/> Other (includes any other firearms): _____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

TOTAL NUMBER OF RESPONDENT'S FIREARMS: 1

2. INFORMATION ABOUT LAW ENFORCEMENT OFFICER COMPLETING STATEMENT

A. Employed by the following type of agency:

☒ Police Department

☐ District Attorney's Office

☐ Sheriff's Office

☐ Attorney General's Office

☐ State Police

B. Full name: Detective Pierce Wilber

C. Badge/CAID Number L841

D. Law Enforcement Agency you work for: Las Cruces Police Department

E. Law Enforcement Agency address:

217 E. Picacho Ave

Las Cruces, NM 88001

F. Law Enforcement Agency's telephone number: 575-528-4222

3. **Description of circumstances under which I collected credible information that gave rise to the petition:** *(You may attach additional pages, if needed)* See Attached document

4. **Statement of facts I want the court to know:** *(See attached document)*

A. Any recent act or threat of violence by the respondent against self or others, regardless of whether the act or threat involved a firearm. *Please describe:* School shooting threat online on 12/16/2025

B. A pattern of acts or threats of violence by the respondent within the past twelve months, including acts or threats of violence against self or others. *Please describe:*

C. The respondent's mental health history. *Please describe:*

Diagnosed Bi-polar and mother is caretaker. Listed in Las Cruces Public schools as having documented mental health disorders

D. The respondent's abuse of ☒ controlled substances or ☐ alcohol. *Please describe:*

Heavy marijuana user as evidenced by paraphernalia in his room, odor and active drug use in front of police officers on 12/17/2025

E. The respondent's previous violations of any court order. *Please describe:*

F. Previous extreme risk firearm protection orders issued against the respondent.

Date of Order: _____

Issued by: _____

G. The respondent's criminal history, including:

arrests and convictions for violent felony offenses. *Please describe:*

No charges due to victim noncooperation but he shot his brother during an argument in 2023

arrests and convictions for violent misdemeanor offenses. *Please describe:*

arrests and convictions for crimes involving domestic violence or stalking. *Please describe:*

H. The respondent's history of the use, attempted use or threatened use of physical violence against another person; of stalking another person; or of cruelty to animals. *Please describe:*

I. Any recent acquisition or attempts at acquisition of a firearm by the respondent. *Please describe:* has purchased multiple firearms within the past few years and possessed a large amount of rifle ammunition (121 rounds 5.56 with armor piercing tips.)

J. In addition, I would like the Court to also consider the following: His bedroom showed evidence of physical violence such as multiple holes punched in the wall. His parents/caretakers stated he has anger issues and cannot even live with his brother whom he shot due to extreme violence between them. He made the statement "If I wanted to shoot up a school I already would have" to Affiant

5. AFFIDAVIT OF LAW ENFORCEMENT OFFICER

I, Detective Pierce Wilber, hereby swear or affirm that I believe Dion Torres, poses a significant danger of causing imminent personal injury to self or others by having custody or control or by purchasing, possessing or receiving a firearm for the reasons sworn to in this Statement.


Signature

Pierce Wilber
Printed Name

Additional pages are attached to this Affidavit? ☒ YES ☐ NO

[Approved for use by Supreme Court Order No. S-1-AO-2025-00009.]

STATE OF NEW MEXICO
IN THE DISTRICT COURT
COUNTY OF DONA ANA

State of New Mexico

V.

Dion Torres

In Re: Extreme Risk Firearm Protection Order

The undersigned Affiant states the following facts on oath to establish probable cause for an Extreme Risk Firearm Protection Order Petition.

- A. Affiant learned the following from FBI Albuquerque that on 12/17/2025 at 6:30 PM they received an emergency threat notification from TikTok containing customer records and stored content related to a school shooting threat made on their platform from a user: "alihjy.johny"
- B. The threatening comment which was posted on someone else's live stream was "Im shoot up a school tomorrow time to kill kids"
- C. FBI sent an emergency request to Comcast for the IP Address provided by TikTok that was used to post that comment (98.48.1.248)
- D. Comcast identified the owner of that comcast wifi as Tito Lopez at 2210 Kent Rd. Las Cruces, NM 88001.
- E. The email used in the creation of the TikTok account from the threats was alihjyjohny@gmail.com
- F. Affiant went to 2210 Kent Rd on 12/17/2025 and spoke with Tito Lopez the homeowner.
- G. Tito lived at the residence with his wife Joann, his daughter and their son Dion Torres age 25.
- H. Dion was intoxicated with marijuana that night to include smoking more marijuana in the presence of officers.
- I. Everyone in the house was cooperative, including allowing Affiant to view their phone except Dion who refused to cooperate in anyway.
- J. Dion and his parents told officers Dion had a firearm in his bedroom described by Dion as an AR pistol.
- K. Affiant then sent an emergency request to Google for subscriber information for the suspect Gmail account "alihjyjohny"
- L. Google provided the information to include the Android device used in the creation of the email in 2024 and all other Gmail accounts linked to it.
- M. Affiant noted 3 of the accounts linked to the suspect Gmail had Dion Torres' full name in the account name.
- N. Affiant learned from Tito and Joann that Dion is diagnosed with Bio-Polar and anger issues.
- O. Joann described herself as his caretaker and why he lived at her house at 25.

- P. Affiant learned in 2023 during a verbal argument at the 2210 Kent address, Dion shot his brother Anthony with a Glock handgun. Anthony did not press charges.
- Q. Joann told Affiant that Anthony and Dion cannot even live together in the house due to extreme violence between them.
- R. Affiant located an AR pistol with 3 full magazines of 5.56mm ammunition and some rounds with green colored armor piercing tips. The firearm was just out in the open on Dion's bed.
- S. Affiant noted at least 3 bongs visible in the room and a strong odor of marijuana.
- T. Joann said Dion takes prescription medication for Bi-polar which Affiant is concerned about the possible synergistic effect with the heavy marijuana use.
- U. Affiant also noted that in Dion's room there were numerous different sized holes in the walls which appeared to have been created by someone punching or kicking holes in the wall.
- V. Affiant notes there were no security cameras at the residence except on the exterior window for Dion's bedroom.
- W. Written on the wall near Dion's closet, Affiant observed what could be a shopping list or perhaps an inventory that contained items such as clothing but also 5.56mm green tip rounds aka armor piercing rounds.
- X. Affiant also learned from the Las Cruces Public Schools that when Dion Torres attended school, he had documented mental health and social issues in his school file.
- Y. Affiant asked Dion if he disclosed when purchasing the AR pistol or any of the Glock handguns that he had purchased if he disclosed his mental health diagnosis or drug use and he implied he had not.
- Z. His parents knew he had a firearm in his room but when officers retrieved the AR pistol with 3 40 round magazines, they appeared quite shocked and exclaimed "that's what he had"
- AA. When seizing the firearm Dion was still verbally non-compliant and made the statement "If I wanted to shoot up a school I already would have"
- BB. Affiant found police reports from 2024 where Dion reported a Glock handgun stolen that he apparently left unattended and in the open and a friend may have taken it when he wasn't looking.

Affiant petitions the court to consider these facts in support of an Extreme Risk Firearm Protection Order.

A handwritten signature in black ink, appearing to read "Pierce Wilber #841", written over a horizontal line.

Affiant Pierce Wilber #841
Detective—LCPD

NOTARY PUBLIC APPROVAL

Subscribed and sworn before me in Dona Ana County, State of New Mexico, on this 18th day of Dec, 2025.

Shawn Lee Silva
Notary Public

Dec. 18, 2025
Date

My commission expires Feb. 01, 2027

SHAWN LEE SILVA NOTARY PUBLIC STATE OF NEW MEXICO COMMISSION # 1139621 COMMISSION EXPIRES: 02-01-2027



