

AUSA: MJE

May 02, 2025

SEAN F. MCAVOY, CLERK

County: Spokane

*In re Affidavit in Support of Criminal Complaint as to **Martin Rafael DIAZ-Amezcu***

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

State of Washington        )

: ss

County of Spokane        )

I, James Cain, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of a criminal complaint seeking the arrest of Martin Rafael DIAZ-Amezcu for violating 18 U.S.C. § 111(a)(1), (b), assaulting a federal officer while engaged in their official duties.

2. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since January 2018. Prior to serving as a federal agent, I served as United States Border Patrol Agent, for 11 years. During my time as a law enforcement officer, I have participated in numerous investigations into crimes of violence, to include violent assaults on public servants.

3. The facts set forth below are based upon (1) my own personal observations; (2) reports and information provided to me by other law enforcement

agents or government agencies; (3) evidence collected through investigative operations. Because this affidavit is being submitted solely for establishing probable cause to support a criminal complaint, I have not included each and every fact known to me concerning this investigation. I have only set forth facts necessary to support the authorization of the requested arrest warrant and criminal complaint.

### **INVESTIGATION**

4. On April 29, 2025, agents with United States Customs and Border Protection were conducting surveillance in support of arrest efforts, in Spokane, Washington. During the surveillance, Border Patrol Agent Walter Sketch observed an individual he was able to identify as Martin Rafael DIAZ-Amezcuca, driving near the intersection of North Pittsburg street and East Glass avenue in Spokane, Washington. Agent Sketch was familiar with DIAZ, as DIAZ had been previously ordered removed from the United States by an immigration judge, and was illegally present in the United States. Agent Sketch observed DIAZ driving towards his known residence on East Glass, and park his vehicle. Agent Sketch activated the emergency lights on his unmarked agency vehicle and pulled in front in of DIAZ' vehicle. Agent Sketch could see DIAZ through the windshields of both vehicles. DIAZ exited his vehicle and began running towards the residence at 1724 East Glass. Agent Sketch exited his vehicle, while wearing his agency issued tactical vest, with agency placards visible, and identified himself as a Border Patrol Agent, and ordered

DIAZ to stop. DIAZ continued to run around the side of the residence, and attempted to open a side gate to the back yard. Agent Sketch caught up to DIAZ and attempted to stop DIAZ from absconding by placing both arms around DIAZ. Agent Sketch attempted to gain control of DIAZ, but DIAZ continued to pull away from Agent Sketch. Agent Sketch continued to identify himself as a Border Patrol Agent, and told DIAZ he was under arrest. DIAZ swung backwards with one his elbows, striking Agent Sketch in the eye. In a subsequent interview, Agent Sketch stated that the blow from DIAZ' elbow dazed him, that he saw stars, and his vision was blurred. Agent Sketch continued to attempt to gain control of DIAZ to effect the arrest. During this time, Agent Sketch gave multiple commands to DIAZ to stop resisting. DIAZ responded to Agent Sketch stating "fuck you mother fucker, get out of my house." Other Agents arrived on scene and were able to assist getting DIAZ restrained, and taken into custody.

5. Agent Sketch received medical treatment for his injuries at a local hospital. I spoke with Agent Sketch the following day, and observed significant bruising and swelling around his right eye. Agent Sketch stated that his vision out of his right eye had remained blurry from the time of the incident, into the following day.

6. Based on my training and experience, I know Agent Sketch, as a United States Border Patrol Agent, to be an officer of the United States government as

defined under 18 U.S.C. § 1114.

7. Based on the foregoing, your affiant submits that there is probable cause to believe that on April 29, 2025, DIAZ committed the offense of assaulting a federal officer while engaged in the performance of his official duties, in violation of 18 U.S.C. § 111(a)(1), (b).

I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

Respectfully submitted,

*James Cain*

James Cain, Special Agent  
Federal Bureau of Investigation

Sworn to telephonically and signed electronically on this 1<sup>st</sup> day of May 2025. *2nd JAG*



*James A. Goeke*

James A. Goeke  
United States Magistrate Judge