

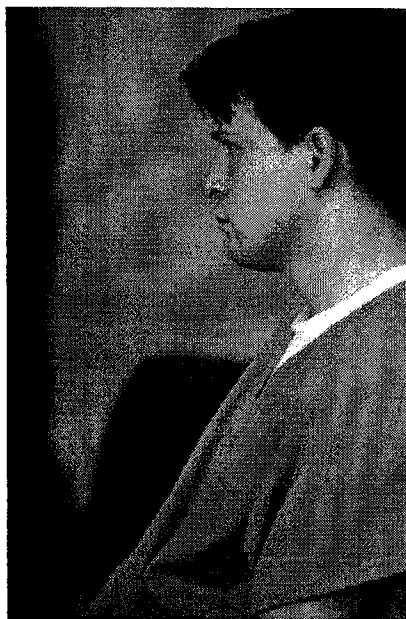
**DOMINIC MURPHY**



## Clovis man gets two life sentences

By David Irvin: CNJ staff writer

2005-05-31 23:35:15



Dominic Murphy showed no emotion Tuesday when he was sentenced to two life terms in connection with the 2003 shooting deaths of two Clovis men.

He will have to serve 60 years in prison before being eligible for parole, according to state law.

Murphy, 26, of Clovis, was convicted by a Curry County jury in January of what prosecutors called the "execution style" killings of Alex Rodriguez, 29, and Wesley Griest, 39, over a drug debt.

Murphy's lawyer and mother maintained his innocence during Tuesday's sentencing phase of the trial. Meanwhile, family members of the victims tearfully asked for the maximum sentence.

Teresa Rodriguez delivered a sharp censure of Murphy, calling him an animal who deliberately chose to take the life of her brother.

"He deserves to rot in prison," she said before the court. After the 60-year sentence was delivered, she remained resolute. "He couldn't even make a statement on his behalf. I'm glad he's not going to be around, but it still doesn't bring my brother back."

Murphy did not testify on his behalf in his trial or during the sentencing hearing. No alternative theories for the shootings or an alibi for Murphy were offered during the trial.

District Judge Joe Parker could have chosen to let the two life sentences run concurrently, so that Murphy would have effectively received 30 years in prison.

District Attorney Matthew Chandler fought for the sentences to run consecutively, and started the sentencing hearing by reciting the facts of the case and Murphy's criminal history.

Chandler said the slayings resulted from a \$150 drug debt owed by one of the slain men. Citing a presentence diagnostic report, Chandler revealed Murphy was arrested for burglary as a juvenile and had been in prison in 1999, but never completed his probation upon release.

Additionally, he said he had been on drugs since he was 14, and had taken LSD more than 100 times.

However, Murphy's lawyer, Abigail Aragon, said her client only began taking methamphetamine when he met Joey Martinez, who is serving a 29 1/2-year sentence in prison in connection with the case. Martinez pleaded guilty to accessory to second-degree murder in December of 2003.

To give perspective to the amount of time being discussed, Aragon said 30 years ago America was still involved in the Vietnam War. Sixty years back, the nation was just exiting World War II. She asked Parker only send her client away for 30 years, so that when Murphy exits the penal system he could still make a positive difference.

Murphy's mother, Mary Murphy, told the court her son is innocent of the charges and described her

bewilderment when he was convicted in January.

"The hardest thing for us to know is that he could spend his life in jail for something he didn't do," she said. "Why would he show remorse for something he didn't do?"

In a letter to the Clovis News Journal written from prison, Murphy said his conviction was based on the testimony of only one eye witness, Martinez, who he said is a diagnosed paranoid schizophrenic.

"There was no physical evidence, no weapon, no fingerprints and no DNA to place me at the crime scene," he wrote. "This evidence may have existed to clear me of the crime, but it was never tested for."

However, prosecutors say plenty of evidence existed and the reason the jury deliberated so long was the amount of information they were asked to consider. Chandler said jurors had 40 hours of testimony and evidence to consider in making their decision.

"The evidence in this case was obviously strong enough for 12 independent jurors to examine the evidence and return convictions on all counts," Chandler said. He cited shoe print evidence, paint transfer evidence and other physical evidence that prosecutors argued connected Murphy to the scene. He also cited witnesses who placed Murphy and Martinez together before and after the slayings.

In a poignant moment Tuesday morning, a letter was read from the 4-year-old daughter of Griest.

"I will never sit in my daddy's lap," she wrote, "(and) talk to him and show him what I've learned."

The child's mother and Griest's ex-wife, Raelynn Griest, tearfully asked the judge to show no mercy to Murphy. After the sentencing, she remained somber.

"I'm glad he's put away," she said. "I don't think there is any such thing as closure, because (my daughter) is going to have to deal with this for years."

Murphy will get an automatic appeal, Chandler said.

"We are pleased that justice prevailed in a case like this," Chandler said. "We are comfortable with the decision, and comfortable that Dominic Murphy will serve his natural life in prison."

**ERIC DURAN**



## Shooting accomplice receives 15 years

By David Irvin: CNJ staff writer

2005-03-01 01:35:12

A 27-year-old Clovis man who prosecutors said orchestrated the shooting death of another Clovis man was sentenced to 15 years in prison Monday in an emotionally charged courtroom.

Eric Duran pleaded guilty Monday to accessory to second-degree murder. First-degree murder and other lesser charges were dropped in exchange for the plea.

"I think justice was served in the fact that we received the conviction of second degree and the fact that we received the maximum sentence," District Attorney Matthew Chandler said.

Duran and two co-defendants are charged with killing Carlos Murillo, 27, of Clovis during a vehicle chase through city streets in the early-morning hours of Jan. 4, 2004.

Chandler stated in court that Duran gave guns to Christopher Meier, 21, and Santiago Calbert, 20, first coaching them through a drive-by shooting on Jan. 3, and later ordering the Murillo shooting.

The district attorney said Murillo shot Duran's car several times, at which point Duran chased the victim in his car to where the victim was eventually slain.

After hearing testimony from the victim's family, 9th Judicial District Court Judge Stephen Quinn sentenced Duran to the maximum for accessory to second-degree murder. Under the serious violent offender act, Duran will not be eligible for parole until 85 percent of his sentence is served — about 13 years. With one year of presentence confinement, he will be eligible for parole in about 12 years.

"When people chase each other up and down the streets of this city, it makes us all a little less free," Quinn said before handing down the sentence.

Murillo's wife offered a teary-eyed statement in the sentencing phase of the hearing.

"It is doubtful that I or my husband's family will ever be able to fully recover from this tragedy," said Eleisa Luero-Murillo, who was three months pregnant when her husband was killed.

Trying to contain her emotion, she described how her young daughter will never know her father, and anticipated the day when she will ask what happened to him.

After the sentencing, Duran turned toward the victim's family.

"I would just like to apologize to the victim's family," he said.

Earlier in the hearing, Duran considered rejecting the plea agreement.

Shortly after Monday's proceedings began, Duran's attorney advised the court his client had a "change of heart" and would not be going through with the plea agreement signed in February.

Duran was ordered back into custody, but returned to court after a 30-minute conference with his attorney, Dan Lindsey of Clovis, and agreed to the terms of the plea agreement. Lindsey said the judge's decision to remand Duran back into custody at the hearing weighed on his client's ultimate decision.

During the hearing, Duran's family members charged that Murillo's relatives had followed them in the streets of

Clovis. Members of the families traded barbs in open court, which brought admonishment from Quinn. Duran turned toward the victim's family, insisting all anger for the death fall exclusively on him.

Quinn pleaded with the family members to let the feud end at the hearing.

"I don't want any further violence or threats at all," Quinn said. "This should stop here in this courtroom."

Calbert's murder trial is slated for March 14, but a deal is on the table, Chandler said. Currently there is no setting for Meier, but Chandler said a plea agreement could also be reached in that case. Both men are charged with first-degree murder.

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**SANTIAGO CALBERT**



## Slaying suspect pleads guilty

By David Irvin: CNJ staff writer

2005-03-15 00:41:29

The second of three men charged in the January 2004 killing of Carlos Murillo of Clovis pleaded guilty Monday to voluntary manslaughter.

Including a one-year firearm enhancement filed by the state, Santiago Calbert, 20, of Clovis faces a maximum of seven years in prison, prosecutors said. Sentencing is scheduled for April.

Prosecutors have maintained Calbert, Eric Duran, 27, and Christopher Meier, 21, were involved in killing Murillo during a vehicle chase.

Duran received a 15-year sentence last month when he pleaded guilty to accessory to second-degree murder.

Ninth Judicial District Attorney Matthew Chandler said although the prosecution believes Calbert and Meier were the shooters, he allowed Calbert to plead to a lesser charge than Duran because he may have had a "provocation defense." He added that Duran was more culpable because he orchestrated the shootings, even though he didn't pull the trigger.

Prosecutors also said the three men may have been provoked by shots fired at them first.

"We have the duty to look at the law, look at the facts and join the two," Chandler said. "The prosecution team developed the theory that there would have been a 'sufficient provocation defense' by the defendant."

Murillo's wife said Monday the sentence for Calbert doesn't seem just.

"When they made the decision to do this, they didn't just kill one person, they killed the lives of an entire family," said Eleisa Loera-Murillo. "It could have been a possibility that they were provoked, but the sentence that they are getting is not near what they deserve."

Prosecutors maintain that Duran gave guns to Calbert and Meier and ordered them to shoot.

"Evidence would show that Santiago Calbert, when he started out that evening, didn't know he would have a gun put in his hand," Chandler said.

Loera-Murillo said the theory that Duran coerced Calbert and Meier into firing on Murillo doesn't add up.

"I don't think anybody can be coerced into doing something like that out of fear," she said. "I think the whole justice system in general needs to be reviewed because the sentences don't make sense."

Attempts to reach Calbert's lawyer and family Monday evening were unsuccessful.

Meier faces the same charges as Calbert for his part in the shooting, Chandler said. There is no plea agreement in place for Meier yet, but a court date is scheduled for April.



STATE OF NEW MEXICO  
COUNTY OF CURRY  
FILED IN MY OFFICE

IN THE NINTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO, COUNTY OF CURRY

STATE OF NEW MEXICO,

Plaintiff,

MAY 03 2005

*A. Blam*  
*Shanna L. Hunt*  
Clerk of District Court

vs.

SANTIAGO MIGUEL CALBERT,

DOB: 06/22/1984

SSN: 510-02-5846

STN: 050100040238

No. D-0905-CR-0200400183

Defendant.

**JUDGMENT, SENTENCE AND COMMITMENT**

THIS MATTER coming on for hearing on April 20, 2005, before the Honorable Teddy L. Hartley, District Judge, Plaintiff appearing by Matthew E. Chandler, District Attorney, and Defendant appearing personally and by his attorney, James W. Klipstine, Attorney at Law, the Defendant having been convicted on March 14, 2005 pursuant to a plea of guilty and a guilty plea agreement accepted and recorded by the Court of the following crime: Voluntary Manslaughter, a third degree felony.


Defendant is hereby found and adjudged guilty and convicted of said crime(s), and is sentenced to be imprisoned by the Department of Corrections for a term of seven (7) years, which includes the underlying sentence of six (6) years and the one (1) year firearm enhancement which will be served first.

That upon completion of service of the sentence provided herein, the Defendant shall be released under parole supervision for a period of two (2) years, subject to the statutory provisions

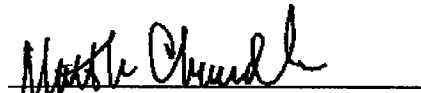
relating to condition, supervision and return of parolees.


Therefore, You, the Sheriff of Curry County, are hereby commanded to take Defendant in custody and deliver Santiago Miguel Calbert, together with this commitment, to the Department of Corrections, which is hereby commanded to receive him and confine Santiago Miguel Calbert for the above term.

Defendant shall receive credit for one hundred ninety-four (194) days pre-sentence confinement, (from 2/23/04 to 7/29/04 and from 3/14/05 to 4/20/05) and for post-sentence confinement until delivery to the Department of Corrections.

  
Teddy L. Hartley, DISTRICT JUDGE  
DIVISION III

HAVE SEEN:

  
Matthew E. Chandler  
District Attorney

  
James W. Klipstine 5/2/05  
Attorney for Defense JW

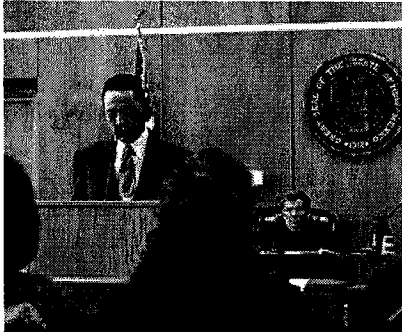
D.A. No. 04-205 MEC/jkw

**CHRIS MEIER**



## Man sentenced in shooting

By Tonya Garner: CNJ staff writer  
2005-08-15 22:58:03



A district court judge denied an impassioned plea for leniency and forgiveness and sentenced 20-year-old Chris Meier to six years in prison Monday for his role in the shooting death of another Clovis man.

Judge Ted Hartley told the defendant he didn't believe he "was a bad-to-the core person" but he did commit a serious crime.

"I just cannot have shooting on the streets in the town I grew up in," Hartley said.

The sentence, which followed a plea agreement for voluntary manslaughter, was the maximum Hartley could have given under New Mexico law.

Meier was one of three men who participated in a car chase and shootout that resulted in the death of Carlos Murillo, 27, of Clovis on Jan. 4, 2004, according to police.

Meier pleaded guilty to voluntary manslaughter in June, according to the district attorney's office.

Murillo's widow, Eleisa Luero-Murillo, said during Monday's sentencing hearing in district court that emotional wounds don't leave visible scars but they take a long time to heal.

She went on to describe her husband as an amazing person. "He wasn't perfect," Luero-Murillo said. "But I am a better person for knowing him."

Luero-Murillo was three months pregnant when her husband was killed. "He wasn't there to see his daughter born and he will never see her smile," she said.

Meier told police the shooting was self-defense.

District Attorney Matt Chandler said numerous shots were exchanged between Murillo and a vehicle driven by Meier's co-defendant, Eric Duran, during the half-mile chase near the North Plains Mall.

Earlier this year, Duran pleaded guilty to second-degree murder and Santiago Calbert pleaded guilty to voluntary manslaughter in connection with the shooting. Duran was sentenced to 15 years in prison and Calbert six years.

Luero-Murillo said she didn't believe Meier committed the crime out of fear.

"He had a choice," Luero-Murillo said. "He had a gun in his hand."

Luero-Murillo went on to say she hoped one day Meier would feel the full weight of the consequences of his actions.

Given an opportunity to speak on the defendant's behalf, Meier's father and several aunts and uncles apologized to the victim's family. The Meier family emotionally described Chris Meier as a multi-talented music lover who had never been in trouble before. Meier's father, John, asked the judge to "break the cycle of hatred and violence."

Chris Meier took the podium and addressed the victim's family.

"I am deeply remorseful for my involvement," he said. Meier went on to say he didn't even know Carlos Murillo. "I didn't want to hurt anyone. I believe anyone would have done the same thing."

Meier asked God and both families for forgiveness. He asked Hartley for leniency and promised he would never be seen in court again.

Defense attorney Tye Harmon requested permission to play a song called "Made Up," which was written, composed and recorded by Meier on July 15.

The Meier family openly cried as they listened to the recording.

Harmon closed by asking the judge to consider options other than prison.

"He has been the only one to show remorse for this crime," Harmon said.

Meier will be required to serve 85 percent of his sentence under New Mexico law.

"I'm happy for the maximum exposure," Chandler said. "Six years doesn't seem like justice."

Harmon requested Meier be given until at 5 p.m. Wednesday so he could spend 48 hours with his family before being booked into the Department of Corrections.

Hartley denied the request and the defendant was led away in handcuffs as his family members fell to their knees and sobbed.

IN THE NINTH JUDICIAL DISTRICT COURT  
STATE OF NEW MEXICO, COUNTY OF CURRY

CLERK OF DISTRICT COURT  
COUNTY OF CURRY  
NEW MEXICO

2005 AUG 26 PM 3:39

CLERK OF DISTRICT COURT

STATE OF NEW MEXICO,

Plaintiff,

vs.

CHRISTOPHER MEIER,  
DOB: 12/10/1983  
SSN: 525-49-8441  
STN: 050100040237

No. D-0905-CR-0200400184

Defendant.

**JUDGMENT, SENTENCE AND COMMITMENT**

THIS MATTER coming on for hearing on August 15, 2005, before the Honorable Teddy L. Hartley, District Judge, Plaintiff appearing by Matthew E. Chandler, District Attorney, and Defendant appearing personally and by his attorney, Tye C. Harmon, Attorney at Law, the Defendant having been convicted on June 3, 2005, pursuant to a plea of guilty and a guilty plea agreement accepted and recorded by the Court of the following crime(s): Voluntary Manslaughter, a third degree felony, reduced from Murder in the First Degree (Willfull and Deliberate).

Defendant is hereby found and adjudged guilty and convicted of said crime(s), and is sentenced to be imprisoned by the Department of Corrections for a term of six (6) years.

That upon completion of service of the sentence provided herein, the Defendant shall be released under parole supervision for a period of two (2) years, subject to the statutory provisions relating to condition, supervision and return of parolees.

The Defendant shall pay \$5.00 for the "Domestic Violence Offender Treatment Fee",

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pursuant to §34-15-1, NMSA, 1978.

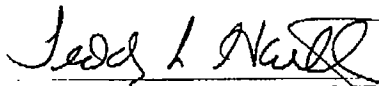
The Defendant shall provide a sample of biological material sufficient for DNA testing and pay a \$100.00 DNA testing fee to the New Mexico Department of Corrections for the combined DNA Index System (CODIS) pursuant to the DNA Identification Act §29-16-1, NMSA 1978 Compilation, as amended.

The crime of "Voluntary Manslaughter" is a serious violent offense pursuant to §33-2-34 I. (4).


Therefore, You, the Sheriff of Curry County, are hereby commanded to take Defendant in custody and deliver Christopher Meier, together with this commitment, to the Department of Corrections, which is hereby commanded to receive him and confine Christopher Meier for the above term.

Defendant shall receive credit for eighty-three (83) days pre-sentence confinement (from February 23, 2004 to April 11, 2004, and from June 10, 2005 to July 15, 2005), and for post-sentence confinement until delivery to the Department of Corrections.

IT IS FURTHER ORDERED that any bond posted in this matter shall be released to the party who posted said bond.

  
Teddy L. Hartley, DISTRICT JUDGE  
DIVISION III

HAVE SEEN:



Matthew E. Chandler  
District Attorney



Tye C. Harmon  
Attorney for Defense

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**ADAM CRESPIN**





## Clovis teenager sentenced

By David Irvin: CNJ staff writer  
2005-04-07 00:01:46

A Clovis teenager pleaded guilty to second-degree murder Wednesday and was sentenced to 15 years in prison in connection with the shooting death last year of an acquaintance.

Adam Crespin, 19, killed Lavon Harris with a shotgun in the early morning hours of March 3, 2004, at the Clovis Apartments, according to court documents. Harris had recently moved to Clovis from Fort Worth, Texas.

After reviewing letters from the victim's family and the plea agreement signed by the defendant, District Judge Joe Parker accepted the agreement and handed down the maximum sentence for second-degree murder under New Mexico law.

"They had become mere acquaintances over the few days to weeks prior to the shooting," District Attorney Matthew Chandler said of the relationship between Crespin and Harris. "From interviewing the witnesses and from reports, we had the indication they had a small verbal altercation days prior, but that was it."

The defense offered no witnesses during Wednesday's hearing.

According to a press release from the district attorney's office, Harris was seen knocking on several doors at the Clovis Apartments looking for Crespin. When Crespin opened his door, the two began arguing and Crespin shot Harris in the lower abdomen, an incident report showed.

A day later, Clovis police arrested Crespin.

Prior to this incident, Crespin no violent criminal history, Chandler said.

A grand jury indicted Crespin on first-degree murder and retaliation against a witness. The murder charge was reduced through the plea agreement and the retaliation charge was dropped.

Chandler said the prosecution team reviewed the reports from law enforcement, interviewed several of the witnesses, spoke with the detective and with the victim's family in reviewing the charges.

"We all came to the agreement that the premeditation element was not present in this case, however that the defendant should have known that his act would create the strong possibility of death," which was the key element for a second-degree murder charge, Chandler said.

According to court documents, Crespin would have faced a maximum of 39 years in jail and a \$25,000 fine if he had gone to trial on the original charge of first-degree murder.

Prosecutors received several letters from Harris' family, Chandler said, which were given to Parker to consider during the sentencing phase. None of Harris' family members were present at Wednesday's hearing, Chandler said.

Crespin's attorney could not be reached Wednesday for comment.

**JACOB ROBERTS**



## Shooting suspect pleads

By Eric Butler: CNJ correspondent  
2005-09-07 23:39:23



While memories of a state football championship will forever surround a group of Clovis High athletes, so will a tragedy.

Jacob Roberts, 20, was sentenced Wednesday to a year in jail after agreeing to a plea of involuntary manslaughter in connection with the shooting death of former CHS classmate J.T. Mitchell, who was 19 when he died on March 20, 2004.

Mitchell and Roberts were in the 2003 graduating class from Clovis High School. As juniors, they were teammates on the Wildcats' 2001 undefeated state championship football team.

The maximum penalty 9th Judicial District Judge Ted Hartley could have given Roberts under the terms of the plea agreement was 2 1/2 years in prison.

Hartley suspended a year-and-a-half plus one day of the maximum penalty and ordered the defendant to begin his sentence in two weeks.

"What really happened will be debated between the families from now on," Hartley said. "My decision will not please either side, I don't think, but this is what I believe is appropriate."

District Attorney Matt Chandler said he and the Mitchell family were disappointed with the sentence.

"We were pushing for the maximum sentence, and although the Mitchell family doesn't fully understand the rationale behind the decision, we respect the ruling."

Chandler said the state-mandated maximum penalty for involuntary manslaughter is too lenient. "The punishment doesn't fit the crime."

According to court records, Roberts confessed to New Mexico State Police he pulled the trigger. He told police he did not believe the gun was loaded and did not intend to shoot Mitchell.

Chandler said evidence and eyewitness testimony indicated alcohol played a role in the incident.

Addressing the court, Roberts characterized his relationship with the deceased as being like brothers.

"He's still my best friend and no one can take that away from me," said Roberts reading from a letter he wrote to the Mitchell family. "I know it is hard for you to understand the pain in my heart, because I know yours will always be worse."

"Football brought us together as only football players can understand," he added. "I would go to war with J.T. and I would die for J.T."

Roberts then turned to address the family directly.

"I am truly sorry to each one of you all," Roberts said.

Earlier, the victim's mother, Karen Mitchell, said: "I just can't understand why a so-called friend would shoot him point-blank in the head."

"I've heard it said that this was an unfortunate accident," said the victim's father, Ricky Mitchell. "To me, an accident is unavoidable. This was certainly avoidable and there was ample time to do so."

Several supporters from both sides, some vowing support for both sides, addressed the court. For Roberts, family members and friends urged a sentence of probation for the defendant.

"There is no evil in his heart. This man is a danger to no one — he does not belong in jail," said David Briseno, a football teammate of Mitchell and Roberts in high school. "I ask this court to honor a life by saving a life."

Danny Mitchell, grandfather of the deceased, portrayed Roberts as a "bully."

"The maximum sentence is certainly not too much for taking the life of another individual," he said.

Roberts was among a group of people visiting J.T. Mitchell's trailer on the night of the incident.

District attorney Matt Chandler said that, had the case gone to trial, he would have called witnesses who would have testified that Roberts left a room where Mitchell was shot, saying, "I killed him, I killed him. I can't believe that I killed him."

Chandler also contended several at the party said Roberts mimicked the shape of a gun with his hand only minutes before, holding his hand to Mitchell's head and saying that he would shoot him right between the eyes.

"Unfortunately, he (Mitchell) called the bluff and said, 'You don't have the guts,' " Chandler said.

Roberts' attorney, Randall Harris, described the incident differently. He said Roberts was trying to get a gun away from Mitchell when the fatal shot took place.

"It was a very tough case," Harris said, "but I think it was clear this was a terrible accident."

NINTH JUDICIAL DISTRICT  
CURRY COUNTY, NM  
FILED IN MY OFFICE

STATE OF NEW MEXICO

COUNTY OF CURRY

IN THE NINTH JUDICIAL DISTRICT COURT

2005 SEP 21 AM 11: 24

*L. Hartley*  
CLERK, DISTRICT COURT

STATE OF NEW MEXICO,

Plaintiff,

v.

JACOB ROBERTS,

Defendant.

Cause No D-0905-CR-200400493 and  
D-0905-CR-200500197

Judge Teddy L. Hartley

**JUDGMENT AND SENTENCE, COMMITMENT  
AND ORDER PARTIALY SUSPENDING SENTENCE**

THIS MATTER coming on for hearing this 7<sup>th</sup> day of September, 2005, before the Honorable Teddy L. Hartley, District Judge, the Plaintiff, appearing by Matthew Chandler, District Attorney, and the Defendant appearing personally and by Randall M. Harris, Attorney at Law, the Defendant having been convicted on September 7, 2005, pursuant to a plea of guilty, pursuant to Alford v. North Carolina, accepted and recorded by the Court of the following crime: Involuntary Manslaughter, Contrary to Section 30-2-3(B), N.M.S.A., 1978, Compilation.

Defendant is hereby found and adjudged guilty and convicted of said crime, and is sentenced to be imprisoned by the Department of Corrections for a term of two and one half (2 ½) years.

Execution of the last eighteen (18) months of sentence is hereby suspended, and the Defendant is ordered to serve one (1) year in the New Mexico Department of Corrections. Thereafter, Defendant will be placed on eighteen (18) months supervised probation to run concurrent with the mandatory one (1) year parole period.

Defendant shall provide a sample of biological material sufficient for DNA testing and pay a one hundred dollar (\$100.00) DNA testing fee to the New Mexico Department of Corrections for

the combined DNA Index System (CODIS) pursuant to the DNA Identification Act §29-19-1, N.M.S.A 1978 Compilation, as amended.

The Defendant, if ever imprisoned, shall be subject to release under parole supervision for a period of one (1) year, subject to statutory provisions relating to condition, supervision, and return of parolees to run concurrent with the above-mentioned eighteen (18) months supervised probation period.

Therefore, You, the Administrator of the Curry County Adult Detention Center, are hereby commanded to take Defendant in custody, together with this commitment, and transport to the New Mexico Department of Corrections.

The Court recommends that the Defendant be transported to a minimum security facility.

The cash bond, in the amount of fifteen thousand dollars (\$15,000.00) posted in this matter shall be released to Jay Roberts, the person who posted the bond on April 6, 2004 (See Attachment "A").

Defendant shall receive credit for sixteen (16) days pre-sentence confinement.

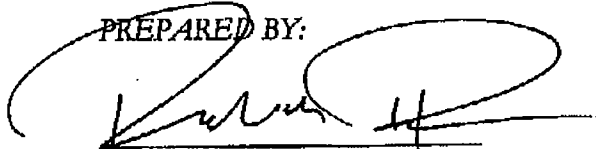
**IT IS FURTHER ORDERED** that the Defendant shall report to the Curry County Adult Detention Center on September 21, 2005, at 10:00 a.m., to serve this sentence.

  
Judge Teddy L. Hartley

HAVE SEEN:

TELE. APPROVED 9/21/05 @ 10:15  
MATTHEW CHANDLER  
9<sup>TH</sup> JUDICIAL DISTRICT ATTORNEY AM

PREPARED BY:

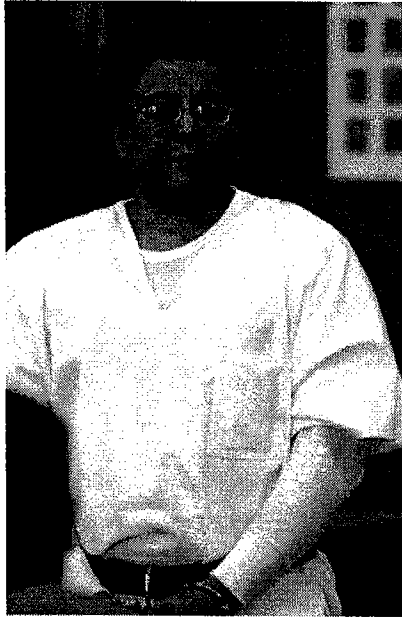
  
RANDALL M. HARRIS  
ATTORNEY FOR DEFENDANT

**JOEL CORDOVA**



## Man sentenced in 2004 killing

By Andy Jackson: CNJ staff writer  
2005-10-05 23:17:42



They were good friends. As boys they played sports together, had sleepovers and ate at each other's homes. But after an argument, one of them died, the other was taken to jail.

Joel Cordova stood before the court Wednesday in a white jail uniform, wrists and ankles chained, weeping as he spoke.

"Victor was my friend. He used to wear my pants and shirts and sleep in my bed. I'm sorry, God forgive me," he said as he looked at Victor Estrada's family.

District Judge Teddy Hartley sentenced Cordova, 25, to 13 years in prison with five years of probation for the July 2004 murder of Estrada, who was 19.

A jury found Cordova guilty of second-degree murder and tampering with evidence on May 14, after the state charged that he stabbed Estrada in the chest with a steak knife.

The state argued at the trial Cordova was angry because he thought Estrada disrespected his girlfriend.

Cordova said it was self-defense.

"Disputes should not be settled with violence," Hartley told the court. "I believe that it's important for those that wish to apologize to do so; it may not make a difference in sentencing, but it should make a difference somehow."

Cordova along with his mother and brother addressed the judge, after Estrada's mother, aunt, brother and sister spoke.

Estrada's sister and mother wore large, round buttons with a picture of Estrada holding his daughter in the hospital the day she was born.

"A child will grow up without her father," the victim's aunt, Mary Estrada told the court. "I'm a firm believer that you call the police. That's what they're there for. Clovis has got to stop the violence."

Estrada's mother cried as she spoke.

"Joel could have chosen to close the door and ask for help — we mourn for his mother, too — but she can see her son, I cannot see mine," Victoria Estrada said.

"The violence has got to stop. Joel is a father, they have the blessing of another boy. Victor won't see his daughter — we want Joel to get the maximum."

Cordova's young son and namesake, Joel, wiggled in his mom's arms as his grandmother spoke.

Cordova's mother stood facing Estrada's mother.



"I apologize to Mrs. Estrada. We were friends at one time."

District Attorney Matt Chandler asked Hartley to sentence Cordova to the maximum penalties of 15 years.

Cordova will have to serve 85% of the 13 years he was sentenced to before he'll be eligible for parole, Chandler said Wednesday night.

Chandler said Cordova's pre-sentencing medical assessment showed he's prone to outbursts of anger in response to stress and that he shows little remorse for his actions.

Outside of the courtroom, Estrada's sister, eyes glassy with tears, said she will go to her brother's grave today. "I go three to four times a week," she said.

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IN THE NINTH JUDICIAL DISTRICT COURT  
STATE OF NEW MEXICO, COUNTY OF CURRY  
STATE OF NEW MEXICO,

Plaintiff,

vs.

**JOEL A. CORDOVA**  
DOB: 04/17/1980  
SOC: 462-49-2170  
STN: 050100040746

Defendant.

NINTH JUDICIAL DISTRICT  
CURRY COUNTY, NM  
FILED IN MY OFFICE

2005 OCT 28 PM 3:40

*Debra Hart*  
CLERK DISTRICT COURT

No. D-0905-CR-0200400667

**JUDGMENT, SENTENCE, COMMITMENT**  
**AND ORDER PARTIALLY SUSPENDING SENTENCE**

THIS MATTER coming on for hearing on October 5, 2005, before the Honorable Teddy L. Hartley, District Judge, Plaintiff appearing by Matthew E. Chandler, District Attorney, and Defendant appearing personally and by his attorney, James W. Klipstine, Attorney at Law, the Defendant having been convicted on October 5, 2005 pursuant to guilty verdicts accepted and recorded by the Court of the following crime(s): Murder in the Second Degree and Tampering with Evidence.

Defendant is hereby found and adjudged guilty and convicted of said crime(s), and is sentenced to be imprisoned by the Department of Corrections for the following terms:

COUNT 1: Murder in the Second Degree a second degree felony, Defendant shall be sentenced to a term of fifteen (15) years.

COUNT 2: Tampering with Evidence, a third degree felony, Defendant shall be sentenced to a term of three (3) years.

The offenses are classified as serious violent offenses pursuant to §33-02-34, NMSA 1978, and therefore, the Defendant's meritorious deductions shall not exceed a maximum of four (4) days per month of time served.

Counts 1 and 2 shall run consecutive to each other for a total of an eighteen (18) year sentence in the Department of Corrections.

Execution of five (5) years of sentence is hereby suspended, and Defendant is ordered placed on supervised probation for a period of five (5) years under the terms and conditions of the Standard Probation Order in effect in this District, and is ordered to obey all rules, regulations and orders of the Probation Authorities, and observe all federal, state and city laws or ordinances,

a. Defendant will pay probation costs as determined by the Adult Probation Office;

b. Defendant will pay \$5.00 for the "Domestic Violence Offender Treatment Fee", pursuant to §34-15-1, NMSA, 1978.

c. Defendant shall provide a sample of biological material sufficient for DNA testing and pay a \$100 DNA testing fee to the New Mexico Department of Corrections for the combined DNA Index System (CODIS) pursuant to the DNA Identification Act §29-16-1, N.M.S.A. 1978 Compilation, as amended.

The Court recommends that the Defendant complete the following conditions while in prison:

1. anger management counseling;
2. receive psychotherapy for maladaptive behavior;
3. receive mental health services; and

4. be assessed for placement in a substance abuse therapeutic community.

The terms and conditions of probation are made terms and conditions of the partially suspended sentence.

That upon completion of service of the sentence provided herein, the Defendant shall be subject to release under parole supervision for a period of two (2) years, as to Count 1, and two (2) years as to Count 2, subject to the statutory provisions relating to condition, supervision and return of parolees.


Therefore, You, the Sheriff of Curry County, are hereby commanded to take Defendant in custody and deliver Joel A. Cordova, together with this commitment, to the Department of Corrections, which is hereby commanded to receive and confine him for the above term.

Defendant shall receive credit for 435 days pre-sentence confinement (from July 27, 2004 to October 5, 2005), and for post-sentence confinement until delivery to the Department of Corrections.



TEDDY L. HARTLEY  
DISTRICT JUDGE

HAVE SEEN:

  
MATTHEW E. CHANDLER  
DISTRICT ATTORNEY  
JAMES W. KLIPSTINE  
ATTORNEY FOR THE DEFENDANT

D.A. No. 04-716 MEC/jkw

**MARK MADRID**

**VOTE "FOR" OUR CHILDREN'S FUTURE**

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# NM man convicted of second-degree murder in shooting death

Published: Tuesday, October 25, 2005

CLOVIS, N.M. - Mark Madrid, 36, was convicted Monday on charges of second-degree murder, aggravated battery with a deadly weapon and tampering with evidence in the March 22, 2004, shooting of Profirio Gonzales at a residence in Clovis, N.M.

"Witnesses to the shooting alleged that the defendant and the victim got into a verbal argument over a cigarette lighter, and the victim threatened to hit the defendant with a stick," said Ninth Judicial District Attorney Matthew Chandler in a written announcement Monday.

Madrid then pulled a handgun, shooting Gonzales several times in the chest and head area. Chandler said Madrid then shot a witness, Ernie Perez, in the back of the leg.

Madrid faces up to 27 1/2 years in prison for the convictions.

Judge Joe Parker set a 60-day evaluation for Madrid before the sentencing, which is scheduled for January.

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**JOE PARKER**

**WILLIAM RILEY**



## Clovis man found guilty

By Sharna Johnson: CNJ staff writer  
2006-05-25 22:43:52



Her jaw clenched, eyes shielded behind glasses, the mother of shooting victim Roshawn Pitts sat with arms and legs crossed, nodding her head emphatically Thursday as each guilty verdict was read.

William Riley, 33, showed no emotion as his family members shook their heads in disbelief and anger after a Curry County jury found him guilty of first-degree murder and three related charges. The jury returned the verdict after less than an hour-and-a-half of deliberations to end the four-day trial.

Pitts was shot three times in the driveway of an apartment at 916 Axtell on June 25, 2004.

Judge Joe Parker agreed to impose the mandatory life sentence for first-degree murder immediately for the benefit of the victim's mother, Rochelle Russell, who had traveled from Riverside, Calif.

Riley will not be eligible for parole for at least 30 years.

"He was my only son, he was my baby," Russell told the court. "He was gunned down like a dog."

Her voice filled with anger, she said "to me a life is a life — no daylight ... give him life-plus so he will never see the light of day."

Riley's family members declined to comment as they were leaving the courthouse.

During Thursday morning's closing arguments, District Attorney Matt Chandler walked the jurors through the testimony and evidence step-by-step. As he neared the end, he pointed to the clock, saying it was six minutes from the moment Pitts died exactly 23 months ago.

Riley, he said, killed Pitts after his former girlfriend began seeing him and refused to reconcile with Riley.

"You are my oxygen. I want you back, without you I can't breath ... Where did we go wrong?" said Chandler, quoting a letter he said Riley wrote her shortly before the shooting.

"The evidence in this case is overwhelming — a 20-year-old did not need to die," Chandler said.

Defense attorney Luis Juarez said the evidence did not show the bullets fired by Riley resulted in the death of Pitts.

Juarez asked the jurors to measure the credibility of police detective Keith Farkas, who during testimony admitted to mistakes in evidence labeling, and of witness Chris Aultman, the driver of the car in which Pitts was shot. Juarez suggested the bullets that killed Pitts could have come from the driver's seat.

Since none of the hollow point bullets, designed to stay inside a body, were found by the medical examiner during an autopsy, responsibility for the death of Pitts could not be Riley's, according to Juarez.

"He may have had no business coming out there shooting and running but they have not proven that those are the missiles that shot Mr. Pitts," Juarez said.



Juarez said he intends to file an appeal.

A hearing will be scheduled next month to determine sentencing on counts of aggravated assault, tampering with evidence and shooting at a motor vehicle.

The additional charges could increase Riley's sentence by 25 years, according to Chandler.

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IN THE NINTH JUDICIAL DISTRICT COURT  
STATE OF NEW MEXICO, COUNTY OF CURRY  
STATE OF NEW MEXICO,

NINTH JUDICIAL DISTRICT  
CURRY COUNTY, NM  
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2006 JUL 21 AM 8:09

*Deanna R. Ruff*  
CLERK DISTRICT COURT

Plaintiff,

vs.

WILLIAM RILEY,  
DOB: 08/17/1972  
SSN: 355-74-8965  
STN: 050100040649

No. D-0905-CR-0200400562

Defendant.

**JUDGMENT, SENTENCE AND COMMITMENT**

THIS MATTER coming on for hearing on July 3, 2006, before the Honorable Joe Parker, District Judge, Plaintiff appearing by Matthew Chandler, District Attorney, and Andrea R. Reeb, Chief Deputy District Attorney, and Defendant appearing personally and by his attorney, Luis B. Juarez, Attorney at Law, the Defendant having been convicted on May 26, 2006 pursuant to verdicts of guilty and accepted and recorded by the Court of the following crime(s):

Count 1: Murder in the First Degree;

Count 2: Aggravated Assault with a Deadly Weapon (a fourth degree felony);

Count 3: Tampering with Evidence (a fourth degree felony);

Count 4: Shooting at or from a Motor Vehicle (a second degree felony).

The Court finds that aggravating circumstances exist to allow the Court to enhance Defendant's sentence on Count 2 by six (6) months and on Count 3 by six (6) months.

Defendant is hereby found and adjudged guilty and convicted of said crimes, and is sentenced to be imprisoned by the Department of Corrections for the following terms:

Count 1, First Degree Murder – life;

Count 2, Aggravated Assault with a Deadly Weapon – eighteen (18) months basic sentence with six (6) months enhancement as addressed above, plus one (1) year firearm enhancement, for a total of three (3) years;

Count 3: Tampering With Evidence – eighteen (18) months basic sentence with six (6) months enhancement as addressed above, for a total of two (2) years;

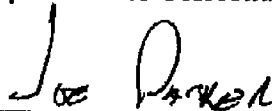
Count 4: Shooting at or from a Motor Vehicle – nine (9) years basic sentence plus one (1) year firearm enhancement for a total of ten (10) years;

Sentencing on Count 2 shall run consecutive to Count 1. Sentencing on Count 3 shall run consecutive to Count 1 and concurrent to Count 2. Sentencing on Count 4 shall run consecutive to Counts 1, 2, and 3 for a total of life plus thirteen (13) years in the Department of Corrections;

That upon completion of service of the sentence provided herein, the Defendant shall be released under parole supervision as to Count 1: for a period of two (2) years; as to Count 2: for a period of one (1) year; as to Count 3: for a period of one (1) year; as to Count 4: for a period of two (2) years; subject to the statutory provisions relating to condition, supervision and return of parolees.

Therefore, You, the Sheriff of Curry County, are hereby commanded to take Defendant in custody and deliver William Riley, together with this commitment, to the Department of Corrections, which is hereby commanded to receive and confine William Riley for the above term.

Defendant shall receive credit for six hundred and twenty-two (622) days pre-sentence confinement (from June 26, 2004 to June 14, 2005 and from October 7, 2005 to July 3, 2006), and for post-sentence confinement until delivery to the Department of Corrections.



---

Joe Parker, DISTRICT JUDGE  
DIVISION II

HAVE SEEN:



Matthew Chandler  
District Attorney



Luis B. Juarez  
Attorney for Defense

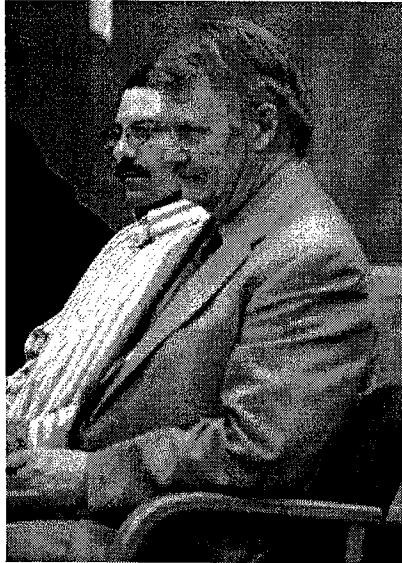
D.A. No. 04-594 MEC/jkw

**STEVE DURAN**



## Testimony shows blood found in suspect's vehicle

By Andy Jackson: CNJ staff writer  
2005-09-27 23:45:20



Police found blood in the vehicle of a man accused of killing Ricardo Gallegos early last year, according to court testimony heard Tuesday.

Steven Robert Duran, 36, is accused of killing Gallegos on Jan. 13, 2004. He faces up to 45 years in prison if convicted of murder. Tuesday was the second day of his trial, which is expected to wrap up today.

A Clovis police officer testified blood was found inside and outside Duran's vehicle, on the steering wheel, on the gear shift, on the side of the driver's seat, behind the driver's seat, on the floor of the front passenger door, on the door handle, on the bottom door frame of the vehicle and on the chrome trim of the driver's side door.

Blood from inside Duran's vehicle was swabbed and collected as evidence for DNA sequencing, but testimony Tuesday did not reveal if tests matched the blood inside Duran's car to that of Gallegos.

In Monday's testimony, the victim's girlfriend said she heard Duran in the trailer where Gallegos was shot and a neighbor said he saw Duran's vehicle outside Gallegos' residence that night, but witnesses thus far have

not testified that they saw Duran with Gallegos the night he was killed.

Prosecutors are expected to call one more witness today, then the defense will present its case.

Here's a summary of each witness who testified on Tuesday:

- Sean Gore, a Clovis police officer who was the first to respond to the scene of the shooting: He said Mary Finnell, Gallegos' girlfriend, told him that Duran shot Gallegos. He said she provided that information when he arrived at the scene. Under cross-examination, Gore was asked if Finnell told him she witnessed Duran shoot Gallegos. Gore said no.
- Christine Miroso, assistant manager at an Allsup's convenience store where Gallegos and Finnell purchased drinks, food and cigarettes hours before the shooting: She testified that Gallegos came into the store repeatedly almost every day. She said she saw Gallegos had a large wad of bills in his pocket on the day he was killed. Previous testimony has shown that Gallegos did not have any money on him when his body was found.
- Paul Pacheco, the officer who arrested Duran in Albuquerque about two weeks after the slaying: He said he located Duran at a house which was under surveillance at 1512 Quiet Desert in Albuquerque. He said he was among a team of officers who entered the home where Duran was found. He said he found Duran in the living room crouched in a corner, and that his physical description was different from that on his arrest warrant. Pacheco said Duran had orange hair from a "bad dye job" and his facial hair had been shaved off.
- Kirk Roberts, a Clovis police officer who photographed the scene where Gallegos was killed: District Attorney Matt Chandler provided a map of the victim's trailer home for Roberts to mark evidence locations. Roberts provided locations for blood-soaked carpets, bullet holes, scuff marks, footprints, eight shell casings and the victim's body.

Roberts said the New Mexico crime lab analyzed all eight shell casings found inside and around the trailer where the shooting occurred. Roberts said he received the crime lab's report on Jan. 24, 2004. It said: "All casings were extracted from the same weapon."

Roberts told Duran's attorney, Gary Mitchell, that none of the blood in Gallegos' trailer was examined by the crime lab; that he had assumed during his investigation that all the blood in the trailer had come from the victim.

Roberts said he could not say conclusively what weapon or weapons the bullets and shell casings came from. He agreed with Mitchell's statement that the bullets and shells found at the scene could have been fired from any of several types of guns.

Roberts said he did not know of any gun recovered in connection with Gallegos' slaying. He also said police never attempted to lift fingerprints from the shell casings found at the scene.

After Chandler showed the court some photographs of blood found in Duran's silver two-door Toyota pickup, Roberts explained how some of the blood marks and drops may have gotten in the pickup.

Roberts agreed with Mitchell that it's possible many of the blood marks could have been splattered. He said "yes" when Mitchell asked if a cut on the hand could result in a lot of blood.

- Dr. Ross Zumwala, the state's chief medical examiner who oversaw Gallegos' autopsy: He said heroin metabolites (indicative of heroin ingestion) were found in Gallegos' blood. He said he couldn't tell exactly how far the gun was held from Gallegos, but that he was shot six times and that three wounds indicated the shots were from close range. He said he did not note any injuries to the body that were indicative of a physical struggle.

IN THE NINTH JUDICIAL DISTRICT COURT  
STATE OF NEW MEXICO, COUNTY OF CURRY

STATE OF NEW MEXICO,

Plaintiff,

vs.

STEVE ROBERT DURAN,  
DOB: 10/22/1969  
SOC: 525-17-0215  
STN: 050100040126

No. D-0905-CR-0200400126

Defendant.

**SECOND AMENDED\***  
**JUDGMENT, SENTENCE, AND ORDER**  
**DETERMINING HABITUAL OFFENDER STATUS**

THIS MATTER coming on for hearing this 28th day of February, 2006, before the Honorable Joe Parker, District Judge, Plaintiff appearing by Matthew Chandler, District Attorney, and Defendant appearing personally and by Gary C. Mitchell, the Defendant having been convicted on September 29, 2005, pursuant to verdicts of guilty and accepted and recorded by the Court of the following crime(s): Count 1: Murder in the First Degree, Count 2: Possession of Methamphetamine (a fourth degree felony), Count 3: Possession of Heroine (a fourth degree felony), Count 4: Possession of Drug Paraphernalia (a misdemeanor), and Count 5: Felon in Possession of a Firearm (a fourth degree felony), and further, the defendant having admitted the allegations contained in the Supplemental Criminal Information, to wit: that he is one and the same person as alleged in Counts 1, 2, and 3.

Defendant is hereby found and adjudged guilty and convicted of such crime(s) and is adjudged to be a habitual criminal offender.

NINTH JUDICIAL DISTRICT  
CURRY COUNTY, NM  
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2006 JUN 19 AM 11:41

*D. J. ...*  
CLERK DISTRICT COURT



IT IS THEREFORE ORDERED that the defendant be committed to the Department of Corrections for a term of life on Count 1.

The Defendant is sentenced to a one (1) year enhancement due to a firearm having been used in the commission of a crime as to Count 1.

For Count 2, the Defendant is sentenced to the Department of Corrections for a term of eighteen (18) months plus four (4) years enhancement pursuant to the Habitual Offender Act for a total of five and one-half (5 1/2) years for Count 2.

For Count 3, the Defendant is sentenced to the Department of Corrections for a term of eighteen (18) months plus four (4) years enhancement pursuant to the Habitual Offender Act for a total of five and one-half (5 1/2) years for Count 3.

For Count 4, the Defendant is sentenced to the Department of Corrections for a term of three hundred and sixty-four (364) days for Count 4.

For Count 5, the Defendant is sentenced to the Department of Corrections for a term of eighteen (18) months plus four (4) years enhancement pursuant to the Habitual Offender Act for a total of five and one-half (5 1/2) years for Count 5.

All sentences shall run consecutive for a total of life plus eighteen and one-half (18 1/2) years in the Department of Corrections.

The Defendant shall provide a sample of biological material sufficient for DNA testing and pay a \$100 DNA testing fee to the New Mexico Department of Corrections for the combined DNA Index System (CODIS) pursuant to the DNA Identification Act §29-16-1, N.M.S.A. 1978 Compilation, as amended.

The Defendant shall pay \$5.00 for the "Domestic Violence Offender Treatment Fee", pursuant to §34-15-1, NMSA, 1978.


Upon expiration of the term of imprisonment provided herein the defendant shall

be released under parole supervision for a term of five (5) years for Count 1, two (2) years for Count 2, two (2) years for Count 3, and two (2) year for Count 5, subject to the statutory provisions related to condition, supervision and return of parolees.

IT IS FURTHER ORDERED that pursuant to a verdict of not guilty, the charge of Armed Robbery is dismissed;


THEREFORE, YOU, the Sheriff of Curry County, are hereby commanded to take the Defendant in custody and deliver him, together with this commitment, to the Department of Corrections, which is hereby commanded to receive him and confine him for the above term.

The defendant shall receive credit for seven hundred and sixty-one (761) days pre-sentence confinement (from January 29, 2004 through February 28, 2006).

  
\_\_\_\_\_  
JOE PARKER  
DISTRICT JUDGE

HAVE SEEN:

  
\_\_\_\_\_  
MATTHEW CHANDLER  
DISTRICT ATTORNEY

  
\_\_\_\_\_  
GARY C. MITCHELL  
ATTORNEY FOR DEFENDANT

DA No. 04-123/04-115

\*Second Amendment pertains to including the firearm enhancement to total eighteen and one half (18 ½) years.

NINTH JUDICIAL DISTRICT ATTORNEY'S OFFICE

**BYRON LOGAN**



## Clovis man pleads guilty in slaying

By Sharna Johnson: CNJ staff writer

2006-04-17 23:21:09

A Clovis man on Monday pleaded guilty to a second-degree murder charge and was sentenced to 16 years in prison.

Byron Logan, 25, was accused in the 2004 slaying of Tony Parker, a 31-year-old father of two. Logan's guilty plea came just minutes before his jury trial was to start.

Second-degree murder carries a maximum penalty of 15 years in prison. The additional charge of a felon in possession of a firearm added one year to Logan's sentence.

"We were somewhat surprised that the defendant changed his plea minutes before the jury was selected, but any time a defendant is convicted for what (he or she) is charged with and sentenced to the maximum, it's a good situation for our community," said District Attorney Matt Chandler.

Mary Parker, the victim's sister, said she did not agree with the sentence, even though she recognized the court gave the maximum allowed by New Mexico law for second-degree murder.

"I feel like they should have stronger laws — (16) years is not enough for him to take an innocent person's life," she said. "Some people get 20 to 30 years for dope.

"(Byron Logan) changed my life — Tony was a father raising two kids. (Logan) didn't show any remorse. ... You could tell he didn't care," she said.

Chandler termed the day "bittersweet" for Parker's family.

"Lawmakers have to do something soon to strengthen the penalties for murder (in New Mexico) — 15 years is not going to bring justice to any loved one of a murder victim," he said.

Police said Parker was shot four times following a verbal altercation with Logan at the Clovis Apartments in the early-morning hours of Aug. 21, 2004. Parker died at the scene, prosecutors said, and Logan was arrested on Sept. 10, 2004.

Logan will be transported to the New Mexico Department of Corrections within the week to begin serving his sentence, prosecutors said.

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NINTH JUDICIAL DISTRICT  
CURRY COUNTY, NM  
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IN THE NINTH JUDICIAL DISTRICT COURT  
STATE OF NEW MEXICO, COUNTY OF CURRY  
STATE OF NEW MEXICO,

07 APR 24 AM 11:01

*Marianne Hunt*  
CLERK, DISTRICT COURT

Plaintiff,

vs.

**BYRON L. LOGAN**  
DOB: November 06, 1981  
SOC: 456-57-6934  
STN: 050100040755  
Address: 925 Cypress , Clovis, NM 88101

No. **D-0905-CR-0200400785**  
**D-0905-CR-0200600184**

Defendant.

**AMENDED JUDGMENT, SENTENCE AND COMMITMENT**

THIS MATTER coming on for hearing on April 17, 2006, before the Honorable Joe Parker, District Judge, Plaintiff appearing by Matt Chandler, District Attorney, and Defendant appearing personally and by his attorney, Gerald E. Baca, Attorney at Law, the Defendant having been convicted on April 17, 2006, pursuant to a plea of guilty and a Plea and Disposition Agreement accepted and recorded by the Court of the following crime(s): in cause number D-0905-CR-0200400785, Count 1: Murder in the second degree; in cause number D-0905-CR-0200600184, Count 1: Felon In Possession Of a Firearm, a fourth (4th) degree felony, Count 2: Tampering With Evidence, a third (3rd) degree felony.

Defendant is hereby found and adjudged guilty and convicted of said crime(s), and is sentenced to be imprisoned by the Department of Corrections for the following terms: in cause

number D-0905-CR-0200400785, Count 1, Second Degree Murder, for fifteen (15) years. In addition, a one (1) year enhancement pursuant to the Habitual Offenders Act shall be imposed. The sentence imposed in Count 1 shall be enhanced by an additional one (1) year term of incarceration pursuant to a firearm enhancement. The one (1) year fire arm enhancement shall run CONCURRENT with the sixteen (16) year sentence imposed. As to cause number D-0905-CR-0200600184, Count 1, Felon in Possession of a Firearm, for eighteen (18) months, to run concurrent to Count 1 in cause number D-0905-CR-0200400785. As to Count 2 in cause number D-0905-CR-0200600184, Tampering with Evidence, for three (3) years, to run concurrent to Count 1 in cause number D-0905-CR-0200400785.

The offense of Second Degree Murder is classified as serious violent offense pursuant to §33-02-34, NMSA 1978, and therefore, the Defendant's meritorious deductions shall not exceed a maximum of four (4) days per month of time served.

Defendant shall provide a sample of biological material sufficient for DNA testing and pay a \$100 DNA testing fee to the New Mexico Department of Corrections for the combined DNA Index System (CODIS) pursuant to the DNA Identification Act §29-16-1, N.M.S.A. 1978 Compilation, as amended; Defendant shall pay \$5.00 for the "Domestic Violence Offender Treatment Fee", pursuant to §34-15-1, NMSA, 1978.

Defendant shall pay restitution as determined fair and equitable by Adult Probation and Parole Authorities.

That upon completion of service of the sentence provided herein, the Defendant shall be subject to release under parole supervision for a period of two (2) years, as to Count 1, in cause

number D-090CR-0200400785, Second Degree Murder, and for a period of one (1) year, as to Count 1 in cause number D-0905-CR-0200600184,, Possession of a firearm and for a period of two (2) years as to Count 2 in cause number D-0905-CR-0200600184, Tampering with Evidence, subject to the provisions relating to condition, supervision and return of parolees.


Therefore, You, the Sheriff of Curry County, are hereby commanded to take Defendant in custody and deliver Byron L. Logan, together with this commitment, to the Department of Corrections, which is hereby commanded to receive and confine him for the above term.

Defendant shall receive credit for 584 days pre-sentence confinement from September 10, 2004 through April 17, 2006, and for post-sentence confinement until delivery to the Department of Corrections.

  
\_\_\_\_\_  
JOE PARKER  
DISTRICT JUDGE

\*\*\*\* Added second cause number to reflect the added charges\*\*\*\*

HAVE SEEN:

  
\_\_\_\_\_  
MATT CHANDLER  
DISTRICT ATTORNEY

*Telephonically Approved 04-18-07*  
GERALD E. BACA  
ATTORNEY FOR THE DEFENDANT

D.A. No. 04-857mdf

**CLIFFORD BACA**





## Baca given max sentence

By Karl Terry: Freedom Newspapers  
2007-05-11 22:54:24



District Judge Steven Quinn sentenced 20-year-old Richard Baca to 21 years in prison Friday on charges connected with the 2004 death of Amber Robinson of Portales.

Baca was convicted March 7 by a jury in a Portales courtroom of second-degree murder and two counts of third-degree evidence tampering. Quinn had the option of sentencing Baca as a juvenile, which could have resulted in his immediate release, or up to a maximum of 21 years as an adult. The judge also stipulated Baca must serve at least 85 percent of his sentence.

After lengthy statements from Robinson's family as well as pleas from Baca's family for leniency, the defendant, with eyes reddened, made a

statement just prior to sentencing.

"My greatest condolences and apologies to the Amber Robinson family," Baca said. "I know there's nothing I can do to change things. If I could I would take her place.

"I know I've hurt my family," he continued. "I'm sorry."

During statements from the victim's family, Robinson's mother, Joann Martinez, expressed her grief over the loss of her daughter and vented her family's frustration with the criminal justice process.

"Amber trusted you like no one else ever will again," Martinez told Baca in her statement. "On April 27, 2004, you really messed up. You took away the only daughter I will ever have, you took away the only sister Amber's brothers will ever have," she sobbed. "You took away the only granddaughter my mother will ever have."

Martinez said her daughter never judged people the way most of society automatically does.

"When Amber realized that there were people less fortunate than herself, she thought she could help them out," Martinez said. "Amber didn't separate people into good or bad."

Martinez said her daughter felt like she could help Richard and his older brother Clifford with their problems.

Martinez said when she last talked to her daughter, Robinson told her, "Don't worry, Mom, Richard and Bubba (Clifford) have my back." Martinez told Baca he didn't have Robinson's back — he killed her.

Clifford Baca pleaded guilty in 2006 to second-degree murder and two counts of evidence tampering and was sentenced to 18 years in prison.

Martinez also expressed frustration with the police in not being able to conduct a search for Robinson soon enough, with being told by District Attorney Matt Chandler to leave her emotions at home and of receiving hollow promises from his office.

Martinez was also upset that the lead investigator and Baca's brother were not called to testify in the trial, even though Clifford Baca's plea agreement in the case stipulated he would.

Martinez also took the juvenile probation system to task because, she said, Baca had been on probation at the

time of the murder and had been in trouble just previous to Robinson's death, but the system hadn't acted.

Martinez said Baca manipulated the system to extend the case, including several changes of attorney.

"We beg of you to put your foot down and show Richard Baca he's no longer running the show," Martinez told Quinn.

Baca's attorney, Anna Aragon of Las Vegas, N.M., expressed disbelief with Martinez' statement but said there was plenty of blame to go around in the case.

"I never anticipated coming to the defense of the DA's office in this case," Aragon said. "But I believe they did a good job in this case.

The system has failed everyone in this case."

Aragon conceded that juvenile sanctions were not appropriate but urged the judge to apply the three years Baca has spent in Roosevelt County Detention Center to his sentence.

Chandler reminded the judge that before returning a verdict in March, the jury had sent a note asking the judge to consider the toughest penalty possible under second-degree murder.

"The fact of the matter is the jury said he (Baca) deliberately chose to take away the life of another individual," Chandler said.

The judge agreed with Chandler on sentencing and granted Aragon's plea for time served.

During the trial, testimony revealed that Robinson, 19, and another female were at a drinking party at the Baca house with Richard and Clifford Baca on the night before and morning of the murder. The prosecution charged that after the other two had left the house, Richard Baca, then 17, beat Robinson unconscious and later buried her alive in the back yard of the home.

Baca later cleaned up the blood in the kitchen of the home and destroyed blood-soaked rags and carpet to cover up the crime.

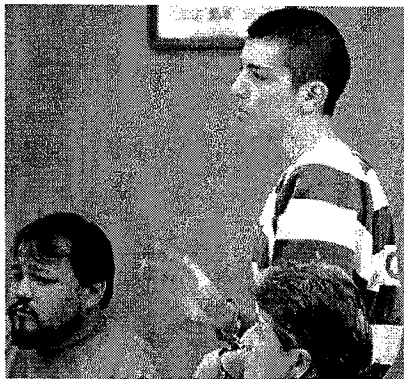
**ORLANDO SALAS**



## Plea OK'd in child slaying

By Sharna Johnson: CNJ staff writer

2006-05-12 00:10:07



A 16-year-old murder defendant has told prosecutors his brother killed a 10-year-old boy, according to statements made in court on Thursday. As a result, officials said Orlando Salas will be charged as a juvenile in the slaying of Carlos Perez; he'll be placed in a boys' school under the custody of the Children Youth and Families Department until he is 21, when he will be paroled, officials said.

Andrea Reeb, 9th Judicial District Court deputy chief prosecutor, said Orlando Salas identified his brother, Demetrio Salas, as the person who shot Carlos Perez in September. She said Orlando Salas has recounted for investigators statements his brother allegedly made about shooting nine bullets into the window of Perez' bedroom.

No one spoke on behalf of Demetrio Salas at Thursday's hearing.

Reeb said Orlando Salas' confession combined with other witness interviews made it clear he was involved in planning the shooting but was not at the Perez home when it occurred, resulting in the lesser charges.

Prior to the plea agreement, Salas and two older brothers — Demetrio and Edward Salas — were charged with first-degree murder. All have been held in custody since Sept. 16. Noe Torres also is charged with first-degree murder in connection with the case. Torres has not been apprehended; law-enforcement officers believe he is hiding in Mexico.

Under the plea agreement, Orlando Salas has agreed to testify against his brothers and others in the case, District Attorney Matt Chandler said.

Carlos Perez, 10, was shot while sleeping in his bed early on Sept. 15. He died about 16 hours later.

Officials have said the boy's older brother was the target of the shooter, having been in an argument with Orlando Salas at school.

Orlando Salas' statements have led to the arrests of four people on charges of tampering with evidence.

One other suspect has not yet been identified pending arrest, Chandler said.

Reeb told the judge Orlando Salas' brother became upset when he told him about an argument he had earlier in the day at school with Ruben Perez, the victim's older brother. Orlando Salas told investigators his brother Demetrio told him to get a gun from the garage, saying they were going on a mission.

Investigators believe Demetrio Salas met up with Edward Salas and Noe Torres outside the Perez apartment, where the shooting occurred.

After the shooting, Orlando Salas told investigators he and the others burned the clothing they were wearing and hid the gun.

Chandler said Edward Salas, 21, and Demetrio Salas, 20, will be tried together by a joint jury in August.

"There is no such thing as justice when a 10-year-old has been murdered," Chandler said. "There's nothing that

NINTH JUDICIAL DISTRICT  
CURRY COUNTY,  
FILED IN MY OFFICE

2005 OCT -7 PM 3

*Dianna [Signature]*  
CLERK DISTRICT COURT

IN THE NINTH JUDICIAL DISTRICT  
STATE OF NEW MEXICO, COUNTY OF CURRY

STATE OF NEW MEXICO,

Plaintiff,

vs.

No. D-0905-*CR* 0200 *S* 00 *822*

**ORLANDO SALAS**

TEDDY L. HARTLEY

DOB: December 27, 1989  
SOC: 525-85-4121  
STN: Not Available

Defendant.

- Crime(s): **Count 1: First Degree Murder**
- Count 2: First Degree Murder-attempt**
- Count 3: Shooting at a Dwelling or Occupied Building (Death or Great Bodily Harm)**
- Count 4: Tampering with Evidence**
- Count 5: Conspiracy to Commit First Degree Murder**

**GRAND JURY INDICTMENT**

**THE GRAND JURY CHARGES:**

Count 1: **First Degree Murder**, in that on or about September 15, 2005, in Curry County, New Mexico, the above-named defendant did kill Carlos Perez, with the deliberate intention to take away the life of Carlos Perez or any other human being; or did kill Carlos Perez in the commission of, or attempt to commit any felony, contrary to NMSA 1978, Section 30-2-1(A)(1) or (2), a capital offense.

**Count 2: First Degree Murder-attempt**, in that on or about September 15, 2005, in Curry County, New Mexico, the above-named defendant did attempt to murder Ruben Perez, in that the defendant intended to commit a murder, and began to do an act which constituted a substantial part of murder, but failed to commit the offense, a second degree felony, contrary to NMSA 1978, Section 30-02-01(A)(1) and Section 30-28-01.

**Count 3: Shooting at a Dwelling or Occupied Building (Death or Great Bodily Harm)**, in that on or about September 15, 2005, in Curry County, New Mexico, the above-named defendant did willfully, unlawfully and knowingly discharge a firearm at a dwelling or occupied building and caused death or great bodily harm to Carlos Perez, a second degree felony, contrary to NMSA 1978, Section 30-3-8(A).

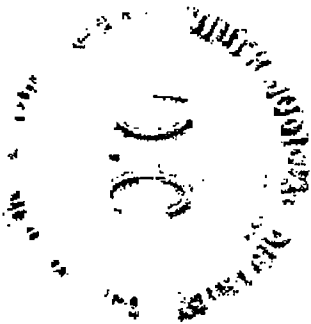
**Count 4: Tampering with Evidence**, in that on or about, September 15, 2005, in Curry County, New Mexico, the above-named defendant did destroy, change, hide, fabricate, or place physical evidence with the intent to prevent the apprehension, prosecution or conviction of himself or another OR to create the false impression that another person had committed a crime and the highest crime was a first degree felony, contrary to NMSA 1978 Section 30-22-5.

**Count 5: Conspiracy to Commit First Degree Murder**, in that on or about September 15, 2005, in Curry County, New Mexico, the above-named defendant did by words or acts agree together with another person(s) to commit First Degree Murder and they intended to commit First Degree Murder, contrary to NMSA 1978, Section 30-28-2 and Section 30-2-1(A)(1).

The names of the witnesses upon whose testimony this Indictment is based are as follows:

1. Ruben Perez, 1315 W 15th, Apt B, , Clovis, NM 88101;
2. Dan Aguilar, Clovis Police Department
3. ~~Ashley Garcia, address to be announced~~
4. ~~Kristal Anson, address to be announced~~
5. ~~Melissa Sanchez, address to be announced~~
6. ~~Angela Lovato, address to be announced~~
7. Nina Sanchez, address to be announced
8. ~~Lynn Montoya, address to be announced~~
9. Jaime Lopez, Detention Officer, CCADC
10. Veronica Navarro, address to be announced
11. Detective Keith Farkas, Clovis Police Department
12. Deputy Sandy Loomis, CCSO
13. ~~Agent David Loera, District Attorney Investigator~~

I hereby certify that the foregoing Indictment is a True Bill.



ATTEST:  
 CERTIFIED AS A TRUE  
 AND CORRECT COPY OF  
 THE ORIGINAL ON FILE  
 IN HIS OFFICE  
**SHELLY BURGER**  
 CLERK OF THE DISTRICT COURT  
 BY Etha Arce  
 Deputy Clerk

Ely J. R.  
 FOREMAN

DATED: 10-7-05

Defendant's Address: 3104 Smith  
 Defendant's S.S.N.: 525-85-4121  
 D.A. Case Number: J05-144

APPROVED:

Matthew Churchill

**JERRY FULLER**





## Fuller sentenced

By Karl Terry: Freedom Newspapers

2007-01-17 22:57:17



PORTALES — As Jerry Wayne Fuller was escorted by deputies from the Roosevelt County district courtroom Wednesday to begin a 127-year double murder sentence, he left with a new Bible clutched in his shackled hands and with the forgiveness of at least some of the victims' family.

After hearing victim's impact statements from family and friends of Odis and Doris Newman, and giving Fuller, 34, the chance to address the court, Judge Stephen Quinn approved a plea agreement signed in October by Fuller that spared him from facing the death penalty.

Fuller would have to live well past the age of 100 to be eligible for parole.

Fuller, the Newmans' nephew, kidnapped, beat and burned the elderly Portales couple in the trunk of their car in March 2005. Their bodies were found in the car on a rural road east of Portales.

Co-defendant Stanley Bedford, 43, faces the death penalty in a trial this spring.

In her victim's impact statement, Vickie Dixon, daughter of Odis and Doris Newman, said her life will never be the same.

Showing a newspaper clipping, Vickie Dixon said she found Fuller's wedding photo in her parents' Bible after they were killed.

"Do you think they prayed for you?" she asked Fuller.

Vickie Dixon asked if her parents had questioned why he was doing what he was doing on the night of the murder.

"You robbed me of the chance to take care of them like they took care of me when I was little," she said.

"Jerry Wayne Fuller, I forgive you, but I will never forget what you did," she said.

In ending her statement, she gave Jerry Fuller a Bible, saying she hoped it would help him find peace with what he had done.

Fuller's eyes filled with tears and he turned to face her as Vickie Dixon spoke. But later during other victim's statements he kept his eyes down on the table in front of him.

When Jerry Fuller addressed the court, his statement was brief but remorseful.

"There are no right words, nothing I can do to fix the pain," Jerry Fuller said. "I am sorry to the Dixon family and to mine for the pain I've caused. There won't be a day goes by that I won't wish that I was the person in that burnt car."

Fuller's family blamed the tragedy on drugs.

Through sobs, Fuller's mother, Donna Switzer, told the Newman family she was sorry and said that it wasn't her

son who had committed the crime but the drugs.

"I don't understand why he did what he did," Switzer said. "I'll never understand, but I do love my son."

Fuller's sister, Diana Fuller, also blamed drugs and a rough upbringing for her brother's problems.

"There are many people who will say drugs can't be to blame," Diana Fuller said. "Anyone who doubts it should look at his appearance now (compared to when he was arrested).

She said she was shocked at her brother's appearance after he was arrested and says he has gained over 100 pounds since that time.

Diana Fuller suggested that her brother's remorse, along with his drug problem and lack of criminal record, should have been taken into account in his sentencing.

Ninth Judicial District Attorney Matt Chandler said Fuller's sentence was fair.

"Methamphetamine is apparent all over this case," Chandler said. "I can tell the court we're aware of the problem. ... Meth is not an excuse for what happened. Odis and Doris Newman didn't have a criminal record and their sentence wasn't fair."

The district attorney did say the crime may have been precipitated by a methamphetamine high and may have been related to a \$150 debt for drugs that Fuller owed Bedford.

Other family members and friends of the couple offered statements during the sentencing hearing. None was more emotional than one offered by the Newman's only granddaughter, Dana Dixon.

"Jerry, I've waited almost two years to tell you how much I hate you," Dana Dixon said. "How much I wish someone would tie you up with duct tape and beat the hell out of you."

The adult granddaughter said she thinks of all the good times fishing and learning to dance on Odis' feet when she was little.

"We would dance all night," she reflected. "Just as I get them in mind that way, I get an image of their burnt bodies."

NINTH JUDICIAL DISTRICT  
ROOSEVELT COUNTY, NM  
FILED IN MY OFFICE

2005 MAR 18 PM 3: 13

*Margie James*  
CLERK, DISTRICT COURT

IN THE NINTH JUDICIAL DISTRICT COURT  
STATE OF NEW MEXICO, COUNTY OF ROOSEVELT

STATE OF NEW MEXICO,

Plaintiff,

vs.

JERRY WAYNE FULLER,

Defendant.

No. D-0911-CR-2005 *2005*

TEDDY L. HARTLEY

**Crimes: COUNT I and II: Murder in the First Degree (Willful & Deliberate); COUNT III and IV: Kidnapping (First Degree); COUNT V: Tampering with Evidence; COUNT VI through VIII: Assault on a Peace Officer**

D.O.B. 07/24/1972  
SS#: 455-43-2913  
STN:

GRAND JURY INDICTMENT

THE GRAND JURY CHARGES:

Count I: **First Degree Murder (Willful and Deliberate)**, on or about March 03, 2005, in Roosevelt County, New Mexico, the above-named defendant did kill Odis Newman with the deliberate intention to take away the life of Odis Newman, contrary to NMSA 1978, §30-2-1(A)(1), a capital offense;

Count II: **First Degree Murder (Willful and Deliberate)**, on or about March 03, 2005, in Roosevelt County, New Mexico, the above-named defendant did kill Doris Newman, with the deliberate intention to take away the life of Doris Newman, contrary to NMSA 1978, §30-2-1(A)(1), a capital offense;

Count III: **Kidnapping (In the First Degree)**, on or about March 02, 2005, in Roosevelt County, New Mexico, the above-named defendant did take, restrain, transport or confine Odis Newman by force, intimidation or deception, intending to inflict death, physical injury or a sexual offense on Odis Newman and Odis Newman was not voluntarily freed in a safe place, contrary to NMSA 1978, §30-4-1, a first degree felony;

Count IV: **Kidnapping (In the First Degree)**, on or about March 02, 2005, in Roosevelt County, New Mexico, the above-named defendant did take, restrain, transport or confine Doris Newman by force, intimidation or deception, intending to inflict death, physical injury or a sexual offense on Doris Newman and Doris Newman was not voluntarily freed in a safe place, contrary to NMSA 1978, §30-4-1, a first degree felony;

Count V: **Tampering with Evidence**, on or about March 03, 2005, in Roosevelt County, New Mexico, the above-named defendant did destroy, hide, change, place or fabricate physical evidence, to wit: a 1997 Lincoln, to prevent the apprehension, prosecution or conviction of Jerry Fuller, contrary to NMSA 1978, §30-22-5 (1963), a third degree felony;

Count VI: **Assault Upon a Peace Officer**, on or about March 8, 2005, in Roosevelt County, New Mexico, the above-named defendant, by threatening or menacing conduct, did cause Robbie Telles to reasonably believe he was in danger of receiving an immediate battery, knowing or having reason to know that Robbie Telles was a peace officer with the Clovis Police Department in the lawful performance of his duties, contrary to NMSA 1978, §30-22-21, a misdemeanor;

Count VII: **Assault Upon a Peace Officer**, on or about March 8, 2005, in Roosevelt County, New Mexico, the above-named defendant, by threatening or menacing conduct, did cause Mike Harmer to reasonably believe he was in danger of receiving an immediate battery, knowing or having reason to

know that Mike Harmer was a peace officer with the Clovis Police Department in the lawful performance of his duties, contrary to NMSA 1978, §30-22-21, a misdemeanor;

Count VIII: Assault Upon a Peace Officer, on or about March 8, 2005, in Roosevelt County, New Mexico, the above-named defendant, by threatening or menacing conduct, did cause Roger Dial to reasonably believe he was in danger of receiving an immediate battery, knowing or having reason to know that Roger Dial was a peace officer with the Clovis Police Department in the lawful performance of his duties, contrary to NMSA 1978, §30-22-21, a misdemeanor.

The names of the witnesses upon whose testimony this Indictment is based are as follows:

Tom Gossett  
Roger Dial

Joshua Armijo  
David Loera

Robbie Telles  
Gary Smith

Mike Harmer

I hereby certify that the foregoing is a true Bill.

Thru Thatcher  
FOREMAN

DATED: 3-18-05

Defendant's Address: c/o Roosevelt County Detention Center

Defendant's S.S.N. : 455-43-2913

D.A. Case Number : 05F-047

Magistrate Court Number: /tym

APPROVED:

Donna J Mowrer  
DONNA J MOWRER  
DEPUTY DISTRICT ATTORNEY

Matthew E. Chandler  
MATTHEW E. CHANDLER  
DISTRICT ATTORNEY

**JIM BENTLEY**



## Bentley guilty of second-degree murder

By Sharna Johnson: CNJ staff writer

2006-08-31 22:50:47



A Clovis jury on Thursday found Jimmy Bentley guilty of second-degree murder for the Christmas Eve shooting death of an Oklahoma photo salesman.

The announcement capped a four-day trial in the 9th Judicial District Court in which prosecutors argued Bentley's shooting of Joseph Phillips, 48, outside a Clovis hotel was racially motivated. Phillips is black. Bentley is white.

Bentley faces a maximum of 22 years in prison, according to 9th Judicial District Attorney Matt Chandler.

Judge Joe Parker ordered Bentley undergo a 60-day evaluation before sentencing.

In closing arguments, Chandler told jurors, "Today is a day of holding a man accountable for his actions. He was 72 years old, but he was a time bomb waiting to go off."

The defense argued Bentley, of Farmington, was suffering from chronic psychotic conditions causing him to perceive a threat when Phillips approached him outside the Econo Lodge on Mabry Drive.

"This is a great tragedy, but Mr. Bentley did not murder him because Mr. Bentley did not intend to murder him — that's the flaw in the state's case," defense attorney Randy Knudson said in his closing argument.

"Jim Bentley is a 72-year-old taxpayer with a life of no problems who was in fear for his life."

Chandler implored jurors to question Bentley's self-defense argument.

"I do understand he's a 72-year-old man and he's a taxpayer, but that doesn't give you a license to kill," Chandler said.

Phillips was an unarmed man and showed no signs of aggression as he approached Bentley, Chandler said.

Parker told the jury before it went into deliberation that it had three options:

- Find Bentley guilty of second-degree murder;
- Find him guilty of voluntary manslaughter;
- Or find he was acting in self-defense and therefore not guilty.

Comprised of six men and six women, the jury took three hours to reach a verdict.

Bentley was acquitted on two counts of aggravated assault with a deadly weapon.

The assault charges stemmed from allegations he pointed a gun at Phillips' cab driver, Richard Barry, telling him to leave the scene.

IN THE DISTRICT COURT, NINTH JUDICIAL DISTRICT  
STATE OF NEW MEXICO, COUNTY OF CURRY  
STATE OF NEW MEXICO,  
Plaintiff,

NINTH JUDICIAL DISTRICT  
CURRY COUNTY, NM  
FILED IN MY OFFICE

2006 JUL 20 PM 3:39

*Deanna Hunt*  
CLERK DISTRICT COURT

vs.

JIM BENTLEY,

Defendant.

No.D-0905-CR-0200600015

ORDER TO RELEASE MEDICAL RECORDS

THIS MATTER HAVING come before the Court upon stipulation by the parties to the release of the Defendant's records currently in possession of Clinical Psychologist Sam Roll, and the Court being sufficiently advised in the premises;

IT IS HEREBY ORDERED that Sam Roll shall release any and all records, including but not limited to the psychological examination records, medical records, prescription drug records, and counseling records for Jim Bentley, DOB: 02/09/1934, SOC: 452-57-5817.

*Joe Parker*  
Honorable Joe Parker  
District Judge, Division II

HAVE SEEN:

*Matthew Chandler*  
MATTHEW CHANDLER  
DISTRICT ATTORNEY

*Randy Knudson*  
RANDY KNUDSON  
ATTORNEY FOR DEFENDANT

D.A. 05-1071/jkw

0002

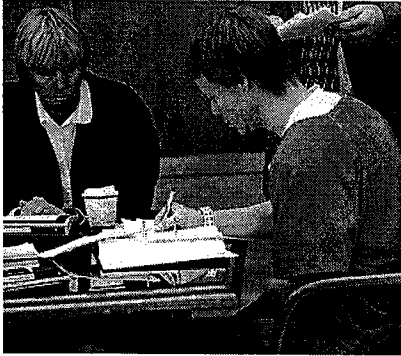


**JAMES SMITH**



## Dentist headed to prison

By Sharna Johnson: CNJ Staff  
2006-12-12 11:33:31



**Editor's note:** Content in this report may be offensive to some readers.

Laura McNaughton's family had strong words for the Clovis woman's convicted killer during a sentencing hearing Tuesday at the Curry County Courthouse.

Maria Beardmore, the victim's mother, asked defense counsel to move so she could see James Smith as she addressed him.

"You took a beautiful life," she said. "I don't know what made you commit such a violent crime — I don't know what happened to you. When did you change — 21, 22? You don't have the opportunity to be called a doctor any more — you are just a killer and a rapist and a predator."

Smith, who will spend at least 57 years in prison as part of a plea agreement, stared ahead, avoiding eye contact with her as she hurled angry statements his direction.

"I don't understand you. You know, a man is supposed to be given an upper strength and the strength in his body to protect a woman. And did you protect Laura that night? You used it for your advantage. You beat her to death. A man is supposed to protect his wife. Did you protect your wife that night and your children? Look where you left your own children — where you left my grandchildren," she said. "Why don't you step up to the plate and admit what you did?"

Smith, 37, was married with three children at the time of McNaughton's death in December 2005.

McNaughton's father, David Beardmore, called Smith a "psychopath" and said "to all those that knew Laura, she will be sorely missed. Today will be the first chapter on your way to hell. We will never forgive you or at least I won't. You crossed the line and now you have to pay the price."

When family members continued to direct emotional and angry statements at Smith, 9th Judicial District Judge Joe Parker instructed them to direct their statements to the court, not Smith.

Family described McNaughton, 30, as a beautiful woman and mother who was attempting to better her life and that of her daughters.

David Beardmore read an excerpt from a college essay McNaughton had written about a month before her death as she was looking toward receiving an associate's degree.

"There were many times I wanted to give up the fight, but surprisingly there was always one more fight left in me," she wrote, describing her life as a working student and single mother.

Jeff McNaughton, Laura's former husband, said the worst night of his life was when he had to tell his children their mother was dead. "I watched them cry so hard their faces swelled up," he said.

Maddie McNaughton, 12, told Smith in a videotape played for the court that her 6-year-old sister was not going to remember their mom.

District Attorney Matt Chandler addressed Parker prior to sentencing.

"The last thing (Laura) saw before she met her maker was this man's face. I believe it is quite possible she blocked out James Smith's eyes as he looked into her face and she pictured her family — her children."

The sentencing followed Smith's agreement to enter an Alford plea in which a defendant does not admit guilt but acknowledges sufficient evidence exists to convince a judge or jury of guilt.

Under the terms of the agreement, Judge Parker said Smith will be sentenced to life in prison plus 27 years.

At a minimum he will serve 57 years in the New Mexico Department of Corrections before he is eligible for parole, Parker told onlookers as he read the agreement.

Smith will also be required to pay restitution to provide counseling for the children of the victim, Parker said.

A single mother of two, McNaughton's body was found in a rural ditch by hunters on Dec. 10, 2005.

She died of strangulation, records show.

The Alford agreement was reached just after 10 a.m. Tuesday. A full day of motion arguments had been scheduled in the case in preparation for a June jury trial.

Smith entered the Alford plea to charges of first-degree murder, kidnapping in the first degree, attempted sexual penetration and tampering with evidence, Parker said.

He was indicted on charges of first-degree murder, kidnapping, sexual penetration and three counts of tampering with evidence last year following his arrest.

Looking to show probable cause a kidnapping and sexual assault occurred, two of the aggravated factors required to seek the death penalty, prosecutors presented testimony in a hearing Monday, seeking the judge's consent to pursue the death penalty.

After hearing evidence of blood found in Smith's vehicle and forensic testimony that McNaughton was brutally beaten, Parker found there was probable cause to proceed with a death penalty case.

Summarizing his case to satisfy court protocol, Chandler told Parker Tuesday, "It is the state's position that we could provide evidence and testimony that this was a planned, willful, premeditated murder of Laura McNaughton."

Defense attorney Mark Earnest addressed Parker, confirming on behalf of his client, that he agreed to the terms of the plea agreement.

"We believe that there is enough of a factual basis to find (Smith) guilty," he said.

Attempts to reach Smith's family were unsuccessful.

NINTH JUDICIAL DISTRICT  
CURRY COUNTY, NM  
FILED IN MY OFFICE

IN THE NINTH JUDICIAL DISTRICT COURT  
STATE OF NEW MEXICO, COUNTY OF CURRY

2006 DEC 12 PM 2: 56

STATE OF NEW MEXICO,

*Diana Schubert*  
CLERK DISTRICT COURT

Plaintiff,

vs.

JAMES SMITH,  
DOB: 03/05/1969  
SSN: 525-08-6705  
STN: 050000050410

No. D-0905-CR-0200500967

Defendant.

**JUDGMENT, SENTENCE AND COMMITMENT**

THIS MATTER coming on for hearing on December 12, 2006, before the Honorable Joe Parker, District Judge, Plaintiff appearing by Matthew Chandler, District Attorney, and Donna J. Mowrer, Deputy District Attorney, and Defendant appearing personally and by his attorney, Mark A. Earnest, Public Defender, the Defendant having been convicted on December 12, 2006 pursuant to a guilty plea agreement pursuant to Alford vs. North Carolina accepted and recorded by the Court of the following crime(s):

Count 1: Murder in the first degree (willful & deliberate), contrary to NMSA 1978 § 30-2-1(A)(1), a capital offense;

Count 2: Kidnapping, contrary to NMSA 1978, § 30-4-1, a first degree felony;

Count 3: Criminal Sexual Penetration in the First Degree (Attempted), contrary to NMSA 1978, § 30-6-11(C)(2) and 30-28-1, a second degree felony;

Count 4: Tampering with evidence, contrary to NMSA 1978, § 30-22-5, a third degree felony.

Defendant is hereby found and adjudged guilty and convicted of said crime(s), and is sentenced to be imprisoned by the Department of Corrections for the following terms:

Count 1, First Degree Murder - life;

Count 2, Kidnapping - eighteen (18) years.

Count 3, Criminal Sexual Penetration - nine (9) years.

Count 4, Tampering with Evidence - three (3) years.

Sentencing on Count 2 shall run consecutive to sentencing in Count 1. Sentencing in Count 3 shall run consecutive to sentencing in Count 2. Sentencing in Count 4 shall run concurrent to sentencing in Count 3 for a total of life plus twenty-seven (27) years in the Department of Corrections.

Defendant shall register as a sex offender, pursuant to NMSA 1978 § 29-11A-1 et. seq.

Defendant shall provide a sample of biological material sufficient for DNA testing and pay a \$100 DNA testing fee to the New Mexico Department of Corrections for the combined DNA Index System (CODIS) pursuant to the DNA Identification Act §29-16-1, N.M.S.A. 1978 Compilation, as amended.

Defendant will pay restitution as directed by the Department of Corrections, restitution will include repayment for counseling for the victim's children.

That upon completion of service of the sentence provided herein, the Defendant shall be released under parole supervision for a period of two (2) years as to Count 1; for a period of two (2) as to Count 2; for a period of two (2) years as to Count 3; for a period of two (2) years as to Count 4; subject to the statutory provisions relating to condition, supervision and return of parolees.


The following charges shall be dismissed pursuant to the plea agreement: Count 5, Tampering with Evidence (a third degree felony), and Count 6, Tampering with Evidence (a third degree felony).

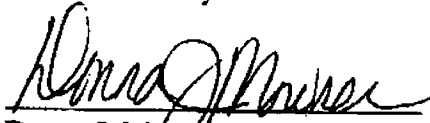
Therefore, You, the Sheriff of Curry County, are hereby commanded to take Defendant in custody and deliver James Smith, together with this commitment, to the Department of Corrections, which is hereby commanded to receive him and confine James Smith for the above term.

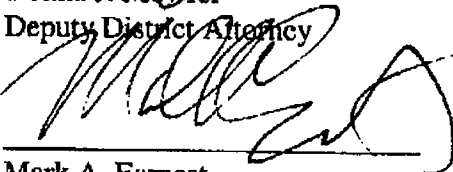
Defendant shall receive credit for three hundred fifty-seven (357) days pre-sentence confinement (from December 20, 2005 to December 12, 2006), and for post-sentence confinement until delivery to the Department of Corrections.

  
\_\_\_\_\_  
Joe Parker, DISTRICT JUDGE  
DIVISION II

HAVE SEEN:

  
\_\_\_\_\_  
Matthew Chandler  
District Attorney

  
\_\_\_\_\_  
Donna J. Mowrer  
Deputy District Attorney

  
\_\_\_\_\_  
Mark A. Earnest  
Attorney for Defense

D.A. No. 05-1049 MEC/jkw

**RICHARD BACA**



## Victim's friend details encounter with suspect

By Karl Terry: Freedom Newspapers  
2007-03-05 23:06:13



**Editor's note:** Content in this report may be offensive to some readers.

PORTALES — The trial of Richard Baca, 20, accused of the murder of a 19-year-old Portales woman, Amber Robinson, got under way Monday with the prosecution calling Robinson's best friend to the witness stand.

Shelaine Rodich testified she and Amber Robinson had been playing a beer drinking game called quarters with Richard Baca and his older brother, Clifford "Bubba" Baca on April 26, 2004, the night before her friend went missing. She said she left Robinson at the home with the Bacas about 11:30 p.m. that night and it was the last time she saw her friend.

Richard Baca is charged with first-degree murder and two counts of tampering with evidence in connection with Robinson's death.

Clifford "Bubba" Baca pleaded guilty to second-degree murder and tampering with evidence in March of 2006 and was sentenced to 18 years in prison.

In opening statements, Deputy District Attorney Donna Mowrer told the jury evidence would be presented in the case that would prove Richard Baca beat Robinson unconscious and buried her in the back yard of the family residence while she was still alive.

"You'll learn that this was a premeditated, vengeful attack, Mowrer said. "The blood evidence shows that Amber was not struck just one time. ... This wasn't just a one punch and she's down (situation) like he says. This was a brutal attack."

Mowrer offered two possible motives for the beating:

- an argument over damage to a pickup truck owned by the Baca family;
- remarks made about Richard Baca's lack of sexual prowess.

Rodich told the court she had been in a relationship with Richard Baca in April 2004 and Robinson had been in a relationship with Clifford "Bubba" Baca at that time.

Rodich said she and Robinson drank about a six-pack of beer apiece and Richard encouraged Robinson to drink more.

Rodich also testified she and another woman had vandalized the Baca's pickup truck and she had been wearing Robinson's shoes at the time.

She said Richard Baca had wanted to see Robinson's shoes because he felt a shoeprint on the truck would match her shoes.

Rodich said she tried to get Robinson to leave the house with her that night but Robinson said she was too drunk and didn't want to leave.



She said the next day when Robinson hadn't called her as she normally would have, she became worried, began to inquire about her, and called Robinson's family, who subsequently filed a missing persons report.

Other key testimony included the Baca brothers' father, Clifford Baca Jr., who lived in the house with his wife and two sons. He testified he and his wife were in Albuquerque at the time.

The elder Baca testified Richard Baca had told him by phone he needed to get out of town because he had beaten up another boy.

When questioned by District Attorney Matt Chandler about whether Richard Baca had told him he thought he had killed Robinson, he said he didn't recall him saying that. Chandler pointed out in statements made to detectives the elder Baca had told detectives Richard had admitted killing Robinson.

Also called to the witness stand were Robinson's mother, Richard Baca's juvenile probation officer at the time, a juvenile probation office volunteer, a detective sergeant with the Portales Police Department and a woman who said she saw the Bacas washing up with a hose.

The juvenile probation volunteer testified to noticing an area of disturbed soil in the Baca back yard while the police sergeant detailed how the body of Robinson was later discovered in the Baca back yard and how it was identified.

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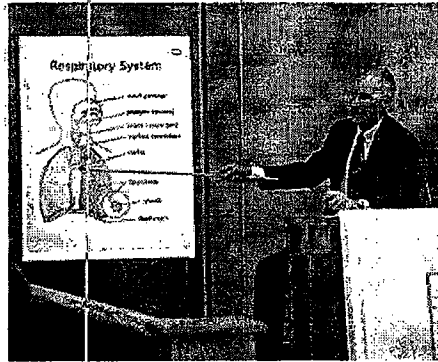
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## Baca found guilty

By Karl Terry: PNT Managing Editor  
 karl\_terry@link.freedom.com

Created on: March 7, 2007 - 10:28PM - 10089



Dr. Ross Zumwalt, a forensic investigator in the state's Office of Medical Investigations, shows jurors where the investigators in his office found dirt in the windpipe of Amber Robinson.

A Roosevelt County jury returned a verdict of guilty of second-degree murder Wednesday in the 2004 death of a 19-year-old Portales woman.

Richard Baca, 20, was accused of beating Amber Robinson of Portales unconscious in the kitchen of the Baca home and burying her alive in the back yard following a night of drinking.

The prosecution had argued for a first-degree murder conviction.

"We wanted to give Amber a day in court," District Attorney Matt Chandler said. "We exercise the criminal justice system the best we can and respect the jury's verdict."

Jury instructions given by Judge Stephen Quinn allowed for a verdict of second-degree murder.

Chandler said he plans to seek the maximum sentence of 28 years.

Family members of the victim and defendant declined comment.

Richard Baca's brother, Clifford "Bubba" Baca, pleaded guilty to second-degree murder in March of 2006 for his part in the crime.

In her closing arguments, defense attorney Anna Aragon of Las Vegas, N.M., pointed out Baca was only 17 at the time and had little education because of a learning disability.

"This is not, ladies and gentlemen, the action of first-degree murder. This is the action of a scared, intoxicated 17-year-old," Aragon said.

She also pointed out the defendant thought Robinson was dead when he buried her. She told the jury the worst verdict they should return was second-degree murder.

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2005 MAY 16 PM 2: 29

IN THE DISTRICT COURT  
NINTH JUDICIAL DISTRICT  
STATE OF NEW MEXICO  
COUNTY OF ROOSEVELT  
STATE OF NEW MEXICO,  
Plaintiff,

*Margie Jones*  
CLERK, DISTRICT COURT

vs.  
RICHARD CHRISTOPHER BACA,  
Defendant.

No. D-0911-CR-200400082

**ORDER ON MOTION TO SUPPRESS**

**THIS MATTER** having come before the Court this 29th day of April, 2005, for a Motion to Suppress, the State appearing by Donna J. Mowrer, Deputy District Attorney and Matthew E. Chandler, District Attorney, the defendant appearing in person and having appeared with Ray Florsheim, Attorney for Defendant and the Court being well and sufficiently advised;

**THE COURT FINDS** the defendant's address was a place where people went to the backyard to contact them. The State had a legitimate interest in checking on the defendant and that it was reasonable that someone from the Juvenile Probation Office was looking for the defendant. Any issues related to any alleged improper presence on the curtilage were solved by Clifford Baca, Sr.'s consent and that upon finding the body of Amber Robinson, a search warrant was obtained.

**THE COURT RULES** that the defendant's issues raised related to the search are not subject to suppression.

**FURTHER**, the Court finds that the two (2) interviews done by law enforcement with the defendant did not go beyond bounds.

**THEREFORE**, the Court denies both of the defendant's motions to suppress and also denies defendant's request for an interlocutory appeal pursuant to NMSA 1978, §39-3-A3.

**IT IS SO ORDERED.**

*[Signature]*  
STEPHEN K. QUINN  
DISTRICT JUDGE

HAVE SEEN:

*[Signature]*  
DONNA J. MOWRER  
DEPUTY DISTRICT ATTORNEY

*telephonic approval*  
MATTHEW E. CHANDLER  
DISTRICT ATTORNEY

*[Signature]*  
RAY FLORSHEIM  
ATTORNEY FOR THE DEFENDANT

**IN THE DISTRICT COURT  
COUNTY OF ROOSEVELT  
STATE OF NEW MEXICO**

**VIP**

NINTH JUDICIAL DISTRICT  
ROOSEVELT COUNTY, NM.  
FILED IN MY OFFICE

2006 SEP 14 PM 3:29

**NO. D-0911-CR-2004-00082**

*Margie James*  
CLERK DISTRICT COURT

**STATE OF NEW MEXICO,  
PLAINTIFF,**

**VS.**

**RICHARD C. BACA ,  
DEFENDANT.**

**STIPULATED ORDER FINDING DEFENDANT COMPETENT**

**THE PARTIES THROUGH THEIR COUNSEL OR RECORD, HEREBY STIPULATE AS FOLLOWS AND REQUEST APPROVAL OF THIS STIPULATION BY THE COURT:**

1. The Defendant has undergone a full forensic evaluation by the office of Dr. Richard Fink pursuant to the order of the Court entered on December 7, 2005. A report has been prepared and submitted to the court and counsel.
2. The parties are in agreement that the aforementioned forensic evaluation report is accurate and should be adopted in this case.
3. The parties base this stipulation on the findings of the aforementioned forensic evaluation report that the Defendant is competent to stand trial.
4. The Parties are in agreement that this case should be set for trial as quickly as possible deemed by the court.

**WHEREFORE ,The Court having considered the above stipulation of the parties.**

**Finds and Orders as follows:**

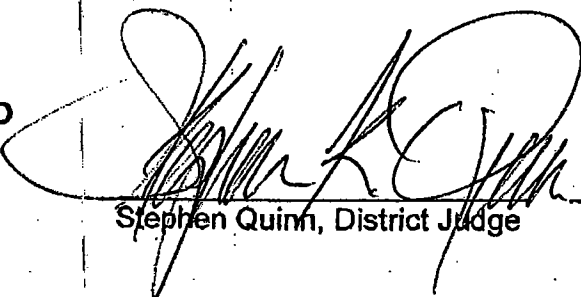
1. The stipulation of the parties is supported by the findings of the forensic Evaluation report and is a reasonable stipulation under the circumstances of this case and should be approved.
2. The stipulation of the parties is hereby approved and ratified by the Court and the parties are hereby ordered to comply with its terms.
3. The stipulation of the parties is supported and orders that the trial be set promptly.

THE ABOVE AND FOREGOING STIPULATED ORDER FINDING DEFENDANT  
COMPETENT IS SUBMITTED, STIBULATED AND APPROVED BY;

AND IS HEREBY ORDERED

Submitted by:

  
\_\_\_\_\_  
Anna M. Aragon, Attorney for Defendant

  
\_\_\_\_\_  
Stephen Quinn, District Judge

Date

9-14-06

Approved,

 FOR  
\_\_\_\_\_  
Donna Mowrer, Deputy District Attorney

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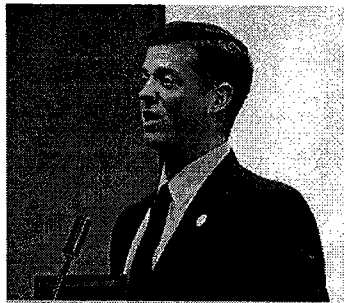
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### Bedford case goes to jury



Close

District Attorney Matt Chandler holds a portrait of Odis and Doris Newman during his closing argument Tuesday in the trial of Stanley Bedford at District Court in Albuquerque.  
Freedom Newspapers photo: Kevin Wilson

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## Bedford jury finds aggravating circumstance

By Kevin Wilson: CNJ staff writer

2007-06-21 21:25:20



ALBUQUERQUE — An Albuquerque jury on Thursday found murder in the course of kidnapping to be an aggravating circumstance, allowing the state to proceed in seeking the death penalty against Stanley Bedford.

If he is given the death penalty, Bedford, 43, would be the third person on New Mexico's death row.

The 12-person jury has the option of a 120-year sentence if it can't unanimously agree on the death penalty.

Bedford was convicted by the same jury last week on two counts of murder and two counts of kidnapping in connection with the March 3, 2005, deaths of Doris and Odis Newman of Portales, whose bodies were found in the trunk of their burned car.

The defense will begin presenting mitigating evidence today.

Based on the jury's previous judgments, District Attorney Matt Chandler chose not to present new evidence during Thursday's hearing.

"This could quite possibly be the quickest proceeding in this trial ... because you can rely on the evidence that's already been presented to

you," Chandler said in opening statements. "We're going to allow you to recall and reflect on your own memories."

Prosecutors didn't want to call it a formality to agree on the kidnapping charge for aggravation purposes, but felt confident they'd proven the facts during the criminal trial.

Defense attorney Gary Mitchell wanted jurors to reflect on their week-old decision, and consider Jerry Fuller was wholly responsible for the kidnapping and the murder. Fuller, a nephew of the Newmans, pleaded guilty to murder and kidnapping and testified against Bedford in the criminal trial. He said he poured gasoline on the Newman car and set it on fire by himself.

Fuller was sentenced to 127 years in prison.

Mitchell said in the aggravation stage, there is no concept of accomplices being just as guilty as the person who committed the crime.

His arguments were similar to his closing arguments in the criminal trial, including the notion of Fuller — who is white — being given full credibility while Bedford — who is black — and his relatives received none. He also pointed to a prosecution witness, Julie Caviness Parker, who lived next door to the Newmans, and testified to not seeing Bedford that evening.

"It troubles my soul ... to think we have the neighbor and we have two black men who say (Bedford) wasn't involved with this," Mitchell said, "and yet believe a man who admitted killing his aunt and uncle."

Chandler responded to Mitchell arguments during his closing statement while holding up a picture of the Newmans.



"You know what troubles my soul? There is absolutely, undeniably, no doubt what happened to these people," Chandler said.

Including the lunch break, jurors took three hours to make their unanimous decision — only a unanimous decision would have moved the penalty phase forward.

Highlights of Thursday's testimony in Stanley Bedford's death-penalty hearing:

Scott Albert

Relationship to case: Brother of Stanley Bedford

Testimony: He was brought into the Roosevelt County Law Enforcement Center in handcuffs in March of 2005. He said he was not arrested, but handcuffed, and officers

threatened to execute him and his brother if they didn't tell the truth. He allowed police to search his house, vehicle and storage facility.

Cross-examination: Albert incorrectly

identified District Attorney Matt Chandler as one of the officers who questioned him in Portales. He was handcuffed for his own safety when he went in the police car, and was allowed to drive to the station himself later.

Brandon Albert

Relationship to case: Nephew of Bedford

Testimony: Brandon said he went to the police station in June, and talked on the phone with somebody who said he was "on Stan's side." The person who questioned him wasn't a member of Gary Mitchell's defense team. Nothing about the trial or the verdict changed his mind about the fact his uncle was with him the night of March 2, 2005.

Cross-examination: An audio recording of his interview with Terry Mulligan of the District Attorney's office was replayed, and Mulligan was heard on the tape identifying himself and his office. He never raised an objection to whose side Mulligan was on during the interview.

David Luera

Relationship to case: Investigator with District Attorney's Office.

Testimony: Chandler was not present in his interview with Scott Albert, and the interview is videotaped. He said the tape shows Chandler was not present.

Cross-examination: He didn't know how many officers showed up to Scott Albert's home to bring him in for questioning, and he wasn't wearing handcuffs when the two met. When asked if any cursing or shouting was present or if any threats were made, he said he didn't recall.

IN THE DISTRICT COURT  
NINTH JUDICIAL DISTRICT  
STATE OF NEW MEXICO  
COUNTY OF ROOSEVELT

STATE OF NEW MEXICO,

VS.

STANLEY BEDFORD,

NINTH JUDICIAL DISTRICT  
ROOSEVELT COUNTY, NM  
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2007 JAN 19 PM 1:33

*Margie Jones*

CLERK, DISTRICT COURT

D-0911-CR-200500046

D-0911-CR-200500120

ORDER ON DEFENDANT'S MOTION FOR DAILY TRANSCRIPT OF TRIAL TESTIMONY

THIS MATTER having come before the Court this 18th day of September, 2006, for motion hearing, the State appearing by Matthew E. Chandler, District Attorney; Michael Cox, Assistant Attorney General and the defendant appearing in person and with Gary C. Mitchell and the Court having heard testimony and being well and sufficiently advised in the premises;

THE COURT announces that it will follow the New Mexico Supreme Court requirements for both a court reporter and a monitor and will withhold ruling on the real-time reporting until is determined whether it is available with the contracted court reporter.

IT IS SO ORDERED.

HAVE SEEN:

*Matthew Chandler*  
MATTHEW CHANDLER  
DISTRICT ATTORNEY

*Michael Cox*  
MICHAEL COX  
ASSISTANT ATTORNEY GENERAL

*Stephen K. Quinn*  
STEPHEN K. QUINN  
DISTRICT JUDGE

*Gary C. Mitchell*  
GARY C. MITCHELL  
ATTORNEY FOR DEFENDANT

F05-46 / F05-120 / jkw

121

**BENITO VALDEZ**



## Teen sentenced as adult for infant's death

CNJ Staff

2007-08-03 23:32:03

An 18-year-old Clovis man was sentenced as an adult late Friday to 25 years in prison in connection with the death of his infant son.

Benito Valdez pleaded guilty in April to the intentional child abuse that resulted in the death of his 4-month-old son, Christopher. Valdez was 16 at the time. The baby was found dead Jan. 14, 2006.

District Judge Stephen Quinn ruled he was sentencing Valdez as an adult because he did not believe Valdez was amenable to treatment, according to District Attorney Matt Chandler.

Valdez will not be eligible for parole until he serves 85 percent of his sentence, Chandler said.

Had he been sentenced as a juvenile, Valdez would have served his sentence with Children Youth and Families Department until he turned 21.

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IN THE NINTH JUDICIAL DISTRICT COURT  
STATE OF NEW MEXICO, COUNTY OF CURRY  
STATE OF NEW MEXICO,

NINTH JUDICIAL DISTRICT COURT  
CURRY COUNTY, NM  
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2007 AUG 23 AM 9:23

*Debra J. Hest*  
CLERK DISTRICT COURT

Plaintiff,

vs.

**BENITO VALDEZ**  
DOB: February 10, 1989  
SOC: 525-81-1514  
STN: Not Available  
Address: 901 E Brady , Clovis, NM 88101

No. D-0905-YR-0200600002

Defendant.

**JUDGMENT, SENTENCE AND COMMITMENT**

THIS MATTER coming on for hearing on August 3, 2007, before the Honorable Stephen K. Quinn, District Judge, Plaintiff appearing by Matthew E. Chandler, District Attorney, and Andrea R. Reeb, Chief Deputy District Attorney, and Defendant appearing personally and by his attorney, Frederick Reese, Public Defender, the Defendant having been convicted on August 3, 2007, pursuant to a guilty plea accepted and recorded by the Court of the following crime:

Count 1: Intentional Abuse of a child (Under the age of 12), Resulting in Death, contrary to NMSA 1978 § 30-6-1(D), a first degree felony.

Dismissed per plea agreement: Count 2: Obstruction of reporting child abuse or neglect; Count 3: Tampering with evidence (highest crime a capital, first or second degree felony); Count 4: Abuse of a child - intentional (resulting in great bodily harm).

Defendant is hereby found and adjudged guilty and convicted of said crime. The Court hereby finds the Defendant is not amenable to treatment pursuant to the Children's Code and orders the Defendant to be sentenced as an adult. Having the option to sentence the defendant up to life imprisonment, the Court hereby sentences the Defendant for the crime of Intentional Child Abuse (Under the age of 12) Resulting in Death and to be imprisoned by the Department of Corrections for a term of twenty-five (25) years.

Further, the offense is classified as a serious violent offense pursuant to §33-02-34, NMSA 1978, and therefore, the Defendant's meritorious deductions shall not exceed a maximum of four (4) days per month of time served.

Defendant shall provide a sample of biological material sufficient for DNA testing and pay a \$100 DNA testing fee to the New Mexico Department of Corrections for the combined DNA Index System (CODIS) pursuant to the DNA Identification Act §29-16-1, N.M.S.A. 1978 Compilation, as amended; Defendant shall pay \$5.00 for the "Domestic Violence Offender Treatment Fee", pursuant to §31-12-11, NMSA, 1978.

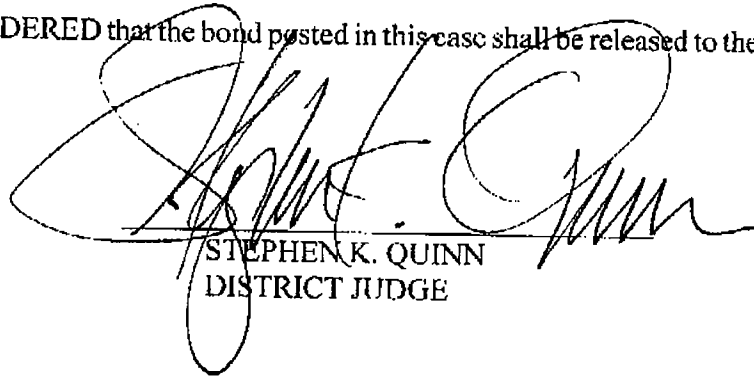
If the Defendant is ever granted parole on Count I, Defendant shall undergo a minimum period of two (2) years pursuant to §31-21-10C, NMSA 1978 Compilation, as amended. That is subject to the statutory provisions relating to condition, supervision and return of parolees.

Therefore, You, the Sheriff of Curry County, are hereby commanded to take Defendant in custody and deliver Benito Valdez, together with this commitment, to the Department of Corrections, which is hereby commanded to receive and confine him for the above term.

Defendant shall receive credit for a total of five hundred and sixty-six (566) days of pre-

sentence confinement. That is three hundred and ninety-one (391) days pre-sentence confinement at the Juvenile Detention Center, and one hundred and seventy-five (175) days at the Adult Detention Center. Defendant will also receive credit for post-sentence confinement until delivery to the Department of Corrections.

IT IS FURTHER ORDERED that the bond posted in this case shall be released to the posting parties.



STEPHEN K. QUINN  
DISTRICT JUDGE

HAVE SEEN:

TELEPHONIC APPROVAL 8-14-07  
MATTHEW E. CHANDLER  
DISTRICT ATTORNEY

Andrea Reeb  
ANDREA R. REEB  
CHIEF DEPUTY DISTRICT ATTORNEY

SEE ATTACHED PAGE  
FREDERICK REESE  
ATTORNEY FOR THE DEFENDANT

D.A. No. J06-007  
MEC/jrg

**TONY MARTINEZ**



IN THE NINTH JUDICIAL DISTRICT  
STATE OF NEW MEXICO, COUNTY OF CURRY  
STATE OF NEW MEXICO,

Plaintiff,

vs.

TONY F MARTINEZ,  
DOB: October 14, 1954  
SOC: 585-66-4205  
STN: 05015A060005

Defendant.

No. D-0905-CR-02006 00588

~~JOE PARKER~~  
Quinn

NINTH JUDICIAL DISTRICT  
CURRY COUNTY, NM  
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*W. Quinn*  
CLERK, DISTRICT COURT

Crime(s): **COUNT 1: Murder (Willful and Deliberate) or in the alternative, Felony Murder**  
**COUNT 2: Shooting At or From a Motor Vehicle (Great Bodily Harm)**  
**COUNT 3: Possession of a Firearm or Destructive Device by a Felon**

GRAND JURY INDICTMENT

THE GRAND JURY CHARGES:

Count 1: **Murder (Willful and Deliberate)**, in that on or about May 31, 2006, in Curry County, New Mexico, the above-named defendant did kill Hugo Medrano Ochoa, with the deliberate intention to take away the life of Hugo Medrano Ochoa, or any other human being, a capital offense, contrary to Section 30-2-1(A)(1), NMSA 1978.

or in the alternative,

**Felony Murder**, in that on or about May 31, 2006, in Curry County, New Mexico, the above-named defendant did intentionally cause the death of Hugo Medrano Ochoa, during the commission or attempted commission of a murder, a felony offense, under circumstances or in a manner dangerous to human life and the defendant intended to kill or knew that his acts created a

strong probability of death or great bodily harm, a capital offense, contrary to Section 30-02-01(A)(2), NMSA 1978.

Count 2: **Shooting At or From a Motor Vehicle (Great Bodily Harm)**, in that on or about May 31, 2006, in Curry County, New Mexico, the above-named defendant did willfully and unlawfully discharge a firearm at motor vehicle with reckless disregard for the safety of any other person and caused great bodily harm to Hugo Medrano Ochoa, a second degree felony, contrary to Section 30-3-8(B), NMSA 1978.

Count 3: **Possession of a Firearm or Destructive Device by a Felon**, in that on or about, May 31, 2006, in Curry County, New Mexico, the above-named defendant did receive, transport or possess a firearm, and the defendant had been convicted of a felony offense within the preceding ten years, a fourth degree felony, contrary to Section 30-7-16, NMSA 1978.

The names of the witnesses upon whose testimony this Indictment is based are as follows:

1. April Lucero, 2720 Wade Blvd., Clovis, NM 88101
2. Deputy Sandy Loomis, Curry County Sheriff's Department
3. Kirk Roberts, address to be announced

I hereby certify that the foregoing Indictment is a TRUE Bill.

  
FOREMAN

DATED: 07/21/06

Defendant's Address: 401 Rencher, Clovis, NM 88101  
Defendant's S.S.N.: 585-66-4205  
D.A. Case Number: 06-456 jkw  
Magistrate Number: M-12-FR-200600356

APPROVED:  


NINTH JUDICIAL DISTRICT  
CURRY COUNTY, NM  
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IN THE NINTH JUDICIAL DISTRICT COURT  
STATE OF NEW MEXICO, COUNTY OF CURRY

06 JUL 21 PM 12: 26

STATE OF NEW MEXICO,

*Dianna Hunt*  
CLERK, DISTRICT COURT

Plaintiff,

vs.

No. D-0905-CR-0200600 588

TONY F MARTINEZ,  
DOB: October 14, 1954  
SOC: 585-66-4205  
STN: 05015A060005  
Address: 401 Rencher, Clovis, NM 88101

Defendant.

**NOTICE OF APPLICABILITY OF VICTIMS OF CRIME ACT**

COMES NOW the State of New Mexico, by and through Matthew Chandler, District Attorney, and hereby gives notice to the Defendant and the Court that the crimes alleged in the Indictment/Information in this cause places this case within the applicability of the "Victims of Crime Act", Sections 31-26-1 through 31-26-14, NMSA 1978, and under the N.M. Constitution, Article II, 24.

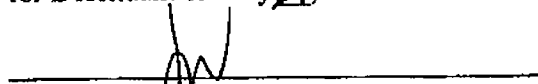
The State of New Mexico hereby gives notice that, pursuant to the provisions of Section 31-26-10 NMSA 1978, the State will require that its counsel be provided notice of all hearings not less than seven (7) days prior to the date scheduled for the hearings so as to allow for timely notice to the victim(s) in this cause.

RESPECTFULLY SUBMITTED:



Matthew Chandler  
District Attorney

I hereby certify that a copy of this Pleading was mailed/faxed/delivered to counsel for Defendant on July 21, 2006.



D.A. 06-456 jkw

**JOHN CAMERON**



## Guilty plea entered in case of 2006 death

CNJ staff

2007-09-19 21:21:44

A Clovis man pleaded guilty late Wednesday afternoon to second-degree murder, according to a release from the 9th Judicial District Attorney's office.

Tony Martinez, 54, pleaded guilty in connection with the 2006 death of Hugo Ochoa, 32. Judge Teddy Hartley sentenced Martinez to 10 years in prison.

According to the release, witness statements and the crime scene investigation indicated Martinez and the victim had an ongoing feud that ended with an exchange of gunfire on May 31, 2006.

Martinez was arrested a week later in Lamesa, Texas. According to the release, Martinez admitted the shooting but said he was acting in self-defense.

Following his prison term, Martinez will be placed on intense supervised parole for two years, the release said.

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NINTH JUDICIAL DISTRICT  
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IN THE NINTH JUDICIAL DISTRICT COURT  
STATE OF NEW MEXICO, COUNTY OF CURRY  
  
STATE OF NEW MEXICO,

2006 NOV -2 AM 10: 12

*Deanna Spunt*  
CLERK DISTRICT COURT

Plaintiff,

vs.

No. D-0905- CR 0200 600 815

STEPHEN K. QUINN

**JOHN CAMERON**  
DOB: 12/26/1981  
SOC: 462-55-2238  
STN: 050100060777

Defendant.

Crime(s): **Count 1: Murder in the second degree**  
**Count 2: Tampering with evidence (third degree felony)**  
**Count 3: Tampering with evidence (third degree felony)**  
**Count 4: Tampering with evidence (third degree felony)**

**CRIMINAL INFORMATION**

COMES NOW the District Attorney for the Ninth Judicial District, State of New Mexico,  
and states:

Count 1: **Second Degree Murder**, in that on or about October 16, 2006, in Curry County,  
New Mexico, the above-named defendant did kill Amos Soliz and the defendant knew that his acts  
created a strong probability of death or great bodily harm, a second degree felony resulting in the  
death of a human being, contrary to Section 30-2-1(B), NMSA 1978.

Count 2: **Tampering with Evidence (Third Degree Felony)**, in that on or about October  
16, 2006, in Curry County, New Mexico, the above-named defendant did  
destroy/change/hide/fabricate/place a firearm with the intent to prevent the apprehension, prosecution  
or conviction of himself and the highest crime was a capital crime, a first or second degree felony,

a third degree felony, contrary to Section 30-22-5, NMSA 1978.

Count 3: **Tampering with Evidence (Third Degree Felony)**, in that on or about October 16, 2006, in Curry County, New Mexico, the above-named defendant did destroy/change/hide/fabricate/place clothing with the intent to prevent the apprehension, prosecution or conviction of himself and the highest crime was a capital crime, a first or second degree felony, a third degree felony contrary to Section 30-22-5, NMSA 1978.

Count 4: **Tampering with Evidence (Third Degree Felony)**, in that on or about October 16, 2006, in Curry County, New Mexico, the above-named defendant did destroy/change/hide/fabricate/place his vehicle with the intent to prevent the apprehension, prosecution or conviction of himself and the highest crime was a capital crime, a first or second degree felony, a third degree felony contrary to Section 30-22-5, NMSA 1978.

The Defendant waived Preliminary Hearing and presentation of Grand Jury.

STATE OF NEW MEXICO

BY: Matthew Chandler  
MATTHEW CHANDLER  
DISTRICT ATTORNEY

Defendant's Address: 709 Conelley , Clovis, NM 88101  
Defendant's S.S.N. : 462-55-2238  
D.A. Case Number : 06-712  
Magistrate Court: M-12-FR-200600652

**DEMETRIO SALAS**

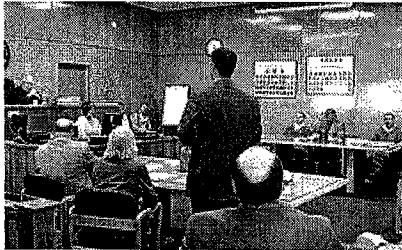
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## Convicted killers sentenced in child's death

By Kevin Wilson: Freedom New Mexico  
2008-01-14 12:28:31



PORTALES — An attorney for a convicted killer said his client was remorseful about the 2005 shooting death of a 10-year-old Clovis boy and deserved a suspended sentence to give him a chance at rehabilitation.

District Attorney Matt Chandler argued David Griego's remorse meant little since he took no responsibility actions a jury convicted him of, plus he had chances at rehabilitation after three separate felony convictions.

"Those would have been the times to change," Chandler said, "not on the day of sentencing for the murder of a child."

District Judge David Bonem sided with the district attorney at Monday's hearing, sentencing Griego, 31, to the maximum time allowed — 16 years — for second-degree accessory to murder. Chandler said his office also intends to seek to add an additional eight years to Griego's sentence in a separate hearing on repeat offender circumstances.

Co-defendant Demetrio Salas, 22, was sentenced to life in prison plus 10 years for his role in the murder of Carlos Perez and the attempted murder of his teenage brother, Ruben Perez. Salas must serve 30 years before he can apply for parole on the life sentence, and would then serve 10 years for attempted murder and other charges.

Salas' attorney, Gary Mitchell, and Griego's attorney, Roger Bargas, plan to appeal.

Three family members of the victim spoke during the victim impact portion of the hearing, telling the court "Carlitos" did nothing to deserve his fate at the hands of Salas and Griego.

"We'll never know," aunt Jessica Hernandez said. "We're all going to ask ourselves, 'What would Carlos look like now? What would he be now?'"

Hernandez called Salas and Griego "cowards" for waiting until the early-morning hours when the Perez family had no chance to defend itself.

"I miss the figure in the bed," said aunt Ninfa Navarro, speaking on behalf of Perez' mother, Lupe Perez, "where time after time he was reassured he would be safe there. Since Sept. 15 (2005), our home is not home without Carlitos being there."

Chandler called for the maximum sentences for Salas and Griego because neither had shown signs of remorse despite their convictions.

"They're cold-blooded killers," Chandler said, "and they don't deserve any leniency from this justice system."

Salas did not speak in the hearing, opting to reserve statements until his appeal. Griego said he wished he could have done more to stop the killing and would trade places with Carlos Perez if he could.

"I would never wish death on nobody — not a 10-year-old, not an adult," Griego said. "God bless you all."

Bonem said he had made some difficult rulings through his years, but this case stood as one of the most

difficult.

"Difficult because two families are shattered by the events which resulted in the death of a child," Bonem said. "Difficult because the obvious hostility that separates these families still remains. Difficult because what I do here has little to do with the future and deals more with the past."

According to trial evidence, Orlando Salas, then 15, wanted to fight Ruben Perez, then 17, at Clovis High School the day before the shooting. The fight never occurred, but Orlando Salas recruited Demetrio Salas and David Griego to search for Ruben Perez.

Demetrio Salas and Griego found where Perez lived and fired nine rounds into the bedroom window. Ruben Perez was not hurt, but one bullet hit Carlos Perez in the head while he was sleeping.

The trial was moved to Portales because of pre-trial publicity.

Orlando Salas earlier pleaded guilty to accessory to first-degree murder, attempted murder and tampering with evidence for his role and was sentenced in April 2006 to the custody of the state Children, Youth and Families Department until the age of 21.

Edward Salas, 23, and Noe Torres, 28, are scheduled for trial in connection with the case Feb. 4-15 in Portales, court records show.

Torres is still at-large.

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FILED IN OPEN COURT

IN THE NINTH JUDICIAL DISTRICT COURT  
STATE OF NEW MEXICO, COUNTY OF CURRY

1/14/08 AT 11:30 A.M.  
D. C. R.  
DISTRICT JUDGE

STATE OF NEW MEXICO,

Plaintiff,

vs.

**DEMETRIO SALAS**  
DOB: October 14, 1985  
SOC: 525-57-0165  
STN: 050100050941

No. D-0905-CR-0200500823

Defendant.

**JUDGMENT, SENTENCE AND COMMITMENT**

THIS MATTER coming on for sentencing on January 14, 2008, before the Honorable David W. Bonem, District Judge Pro Tem, Plaintiff appearing by Matthew E. Chandler, District Attorney, and Defendant appearing personally and by his attorney, Gary C. Mitchell, Attorney at Law, the Defendant having been convicted on October 4, 2007, pursuant to verdicts of guilty from the jury on said date accepted and recorded by the Court of the following crime(s):

**Count 1:** Felony Murder, a first degree felony, contrary to §30-2-1A(2), NMSA 1978;

**Count 2:** Attempted Murder in the first degree, a second degree felony, contrary to §30-2-1A(1) and 30-28-1, NMSA 1978;

**Count 3:** Shooting at dwelling or occupied building resulting in death, a second degree felony, contrary to §30-3-8, NMSA 1978;

**Count 4:** Tampering with evidence. a third degree felony, contrary to §30-22-5, NMSA 1978;

**Count 5:** Intimidation of a witness. a third degree felony, contrary to §30-24-3A(2), NMSA 1978.

Defendant is adjudged guilty and convicted of said crime(s). The Court, having received the diagnostic evaluation report from the Department of Corrections, orders that Defendant be sentenced to be imprisoned by the Department of Corrections for the following terms:

As to Count 1: Felony Murder, a capitol offense; Defendant shall be sentenced to the Department of Corrections for the term of his natural life;

As to Count 2: Attempted Murder in the first degree, a second degree felony; Defendant shall be sentenced to a term of ten (10) years, said term includes an additional one (1) year pursuant to the firearm enhancement statute, §31-18-16, NMSA 1978. Count 2 shall run consecutive to Count 1.

As to Count 3: Shooting at dwelling or occupied building resulting in death, a second degree felony. The Court rules that this Count shall merge with Count 1.

As to Count 4: Tampering with evidence. a third degree felony; Defendant shall be sentenced to a term of four (4) years, said term includes an additional one (1) year pursuant to the firearm enhancement statute, §31-18-16, NMSA 1978. Count 4 shall run concurrent with Count 2.

As to Count 5: Intimidation of a witness. a third degree felony; Defendant shall be sentenced to a term of three (3) years. Count 5 shall run concurrent with Count 2.


Total term of imprisonment shall be Defendant's natural life, plus ten (10) years.

Defendant shall provide a sample of biological material sufficient for DNA testing and pay a \$100 DNA testing fee to the New Mexico Department of Corrections for the combined DNA Index System (CODIS) pursuant to the DNA Identification Act §29-16-1, N.M.S.A. 1978 Compilation, as amended; Defendant shall pay \$5.00 for the "Domestic Violence Offender Treatment Fee", pursuant to §31-12-11, NMSA. 1978.

That upon completion of the entire sentence aforementioned, the defendant will be subject to release under parole supervision, for a period of five (5) years as to Count 1; and for a period two (2) years as to Count 2; and for a period two (2) years as to Count 4; and for a period two (2) years as to Count 5; subject to the statutory provisions relating to condition, supervision and return of parolees.

Therefore, You, the Sheriff of Curry County, are hereby commanded to take Defendant in custody and deliver Demetrio Salas, together with this commitment, to the Department of Corrections, which is hereby commanded to receive and confine him for the above term.

Defendant shall receive credit for 851 days pre-sentence confinement, from September 15, 2005, date of arrest; until January 14, 2008, date of sentencing; and for post-sentence confinement from January 15, 2008, until delivery to the Department of Corrections.



---

DAVID W. BONEM  
DISTRICT JUDGE

HAVE SEEN:



MATTHEW E. CHANDLER  
DISTRICT ATTORNEY



GARY C. MITCHELL  
ATTORNEY FOR THE DEFENDANT

D.A. No. 05-827 MEC/jwg

**LEROY JARAMILLO**



## Man convicted in Clovis baby death

Freedom New Mexico

2008-01-25 22:34:52

A Clovis jury deliberated for approximately two hours Friday before returning a guilty verdict against Leroy "Roy" Jaramillo for the 2004 death of a 9-month-old Clovis baby, according to a press release from the District Attorney's office.

The baby, Cristyan Ibarra, died on Oct. 15, 2004, in a Lubbock hospital from extensive hemorrhaging of the brain and other closed head injuries, the release said.

During the four-day trial, an expert for the prosecution testified that the baby died from injuries consistent with "Shaken Baby Syndrome."

Jaramillo, 44, faces a mandatory sentence of 18 years in prison for his conviction on a charge of child abuse resulting in death, the release said.

The mother left the baby with Jaramillo at a Clovis hotel for approximately 15 minutes, the release said. When she returned, the baby was unresponsive and convulsing.

Jaramillo taken into custody Dec. 21, 2004, after a two-hour standoff with the Clovis police.

The court ordered sentencing take place within the next 30 days.

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08 FEB 21 AM 9:53

IN THE NINTH JUDICIAL DISTRICT  
STATE OF NEW MEXICO  
COUNTY OF CURRY

STATE OF NEW MEXICO,

Plaintiff,

v.

LEROY JARAMILLO aka  
ROY JARAMILLO  
DOB: 09-26-1963  
SSN: 573-13-2263  
STN: 050100051213

Defendant.

NO. D-0905-CR-0200600016

**JUDGMENT, SENTENCE, AND ORDER  
DETERMINING HABITUAL OFFENDER STATUS**

THIS MATTER coming on for hearing this 20<sup>th</sup> day of February, 2008, before the Honorable Stephen Quinn, District Judge, Division I, Plaintiff appearing by Matthew E. Chandler, District Attorney, and Defendant appearing personally and by his attorney, Fred Reese, Public Defender, the Defendant having been convicted on January 25, 2008, pursuant to a guilty jury verdict accepted and recorded by the Court of the following crime:

**COUNT I:** Abuse of a Child (Resulting in Death), contrary to NMSA 1978, § 30-06-01(D), a first degree felony.

And further, the Defendant having admitted the allegations contained in the Supplemental Criminal Information, to wit: that he is the one and the same person as alleged in Count I and II. Defendant is hereby found and adjudged guilty and convicted of such crimes and is adjudged to be a habitual criminal offender.

IT IS THEREFORE, THE JUDGMENT AND SENTENCE OF THE COURT that the defendant shall be sentenced to the New Mexico Department of Corrections for the term of nineteen (19) years as to Count I, said term of incarceration includes one (1) year enhancement pursuant to the Habitual Offender Act. The offense is classified as a serious violent offense, pursuant to NMSA 1978, § 33-02-34 and therefore, the Defendant meritorious deductions shall not exceed a maximum of four (4) days per month of time served.

Defendant shall provide a sample of biological material sufficient for DNA testing and pay a \$100 DNA testing fee to the New Mexico Department of Corrections for the combined DNA Index System (CODIS) pursuant to the DNA Identification Act, NMSA 1978, § 29-16-01, as amended.

Defendant shall pay \$5.00 for the "Domestic Violence Offender Treatment Fee", pursuant to NMSA 1978, § 34-15-01.

If the Defendant is ever granted parole on Count I, the Defendant shall undergo a minimum period of two (2) years pursuant to NMSA 1978, §31-21-10(C), as amended. That is subject to the statutory provisions relating to conditions, supervision, and return of parolees.

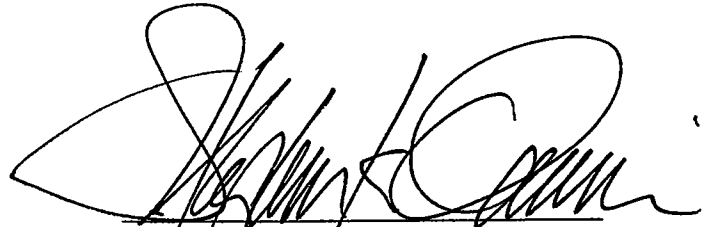
THEREFORE, YOU, the Sheriff of Curry County, are hereby commanded to take Leroy Jaramillo aka Roy Jaramillo in custody and deliver him, together with this commitment, to the Department of Corrections, which is hereby commanded to receive him and confine him for the above term.

Defendant shall receive credit for a total of five hundred and eight (508) days pre-sentence confinement [that is two hundred and five (205) days from December 21, 2005

through July 14, 2006 and three hundred and three (303) days from April 23, 2007 to February 20, 2008].


Defendant will also receive credit for post-sentence confinement from February 21, 2008 until delivery to the Department of Corrections.

**IT IS FURTHER ORDERED that the term of incarceration in this cause number runs consecutive to the term of incarceration in cause number D-905-CR-200400930.**

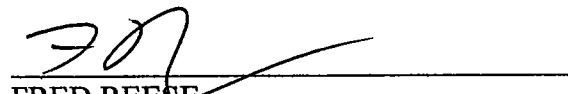


STEPHEN QUINN  
DISTRICT JUDGE, DIVISION I

HAVE SEEN:



MATTHEW E. CHANDLER  
DISTRICT ATTORNEY



FRED REESE  
ATTORNEY FOR DEFENSE

DA NO.06-018  
MEC/jrg

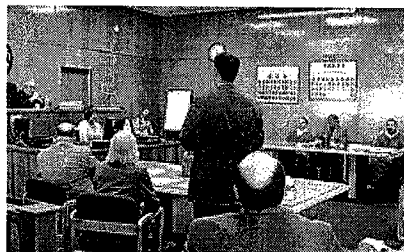
**DAVID GRIEGO**



## Convicted killers sentenced in child's death

By Kevin Wilson: Freedom New Mexico

2008-01-14 12:28:31



PORTALES — An attorney for a convicted killer said his client was remorseful about the 2005 shooting death of a 10-year-old Clovis boy and deserved a suspended sentence to give him a chance at rehabilitation.

District Attorney Matt Chandler argued David Griego's remorse meant little since he took no responsibility actions a jury convicted him of, plus he had chances at rehabilitation after three separate felony convictions.

"Those would have been the times to change," Chandler said, "not on the day of sentencing for the murder of a child."

District Judge David Bonem sided with the district attorney at Monday's hearing, sentencing Griego, 31, to the maximum time allowed — 16 years — for second-degree accessory to murder. Chandler said his office also intends to seek to add an additional eight years to Griego's sentence in a separate hearing on repeat offender circumstances.

Co-defendant Demetrio Salas, 22, was sentenced to life in prison plus 10 years for his role in the murder of Carlos Perez and the attempted murder of his teenage brother, Ruben Perez. Salas must serve 30 years before he can apply for parole on the life sentence, and would then serve 10 years for attempted murder and other charges.

Salas' attorney, Gary Mitchell, and Griego's attorney, Roger Bargas, plan to appeal.

Three family members of the victim spoke during the victim impact portion of the hearing, telling the court "Carlitos" did nothing to deserve his fate at the hands of Salas and Griego.

"We'll never know," aunt Jessica Hernandez said. "We're all going to ask ourselves, 'What would Carlos look like now? What would he be now?'"

Hernandez called Salas and Griego "cowards" for waiting until the early-morning hours when the Perez family had no chance to defend itself.

"I miss the figure in the bed," said aunt Ninfa Navarro, speaking on behalf of Perez' mother, Lupe Perez, "where time after time he was reassured he would be safe there. Since Sept. 15 (2005), our home is not home without Carlitos being there."

Chandler called for the maximum sentences for Salas and Griego because neither had shown signs of remorse despite their convictions.

"They're cold-blooded killers," Chandler said, "and they don't deserve any leniency from this justice system."

Salas did not speak in the hearing, opting to reserve statements until his appeal. Griego said he wished he could have done more to stop the killing and would trade places with Carlos Perez if he could.

"I would never wish death on nobody — not a 10-year-old, not an adult," Griego said. "God bless you all."

Bonem said he had made some difficult rulings through his years, but this case stood as one of the most

difficult.

"Difficult because two families are shattered by the events which resulted in the death of a child," Bonem said. "Difficult because the obvious hostility that separates these families still remains. Difficult because what I do here has little to do with the future and deals more with the past."

According to trial evidence, Orlando Salas, then 15, wanted to fight Ruben Perez, then 17, at Clovis High School the day before the shooting. The fight never occurred, but Orlando Salas recruited Demetrio Salas and David Griego to search for Ruben Perez.

Demetrio Salas and Griego found where Perez lived and fired nine rounds into the bedroom window. Ruben Perez was not hurt, but one bullet hit Carlos Perez in the head while he was sleeping.

The trial was moved to Portales because of pre-trial publicity.

Orlando Salas earlier pleaded guilty to accessory to first-degree murder, attempted murder and tampering with evidence for his role and was sentenced in April 2006 to the custody of the state Children, Youth and Families Department until the age of 21.

Edward Salas, 23, and Noe Torres, 28, are scheduled for trial in connection with the case Feb. 4-15 in Portales, court records show.

Torres is still at-large.

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FILED IN OPEN COURT

1/17/08 AT 11:30 A.M.

*David W. Bonem*  
DISTRICT JUDGE

STATE OF NEW MEXICO  
IN THE NINTH JUDICIAL DISTRICT  
COUNTY OF CURRY

STATE OF NEW MEXICO,

Plaintiff,

v.

**DAVID A. GRIEGO**  
DOB: April 03, 1976  
SSN: 525-23-3331

**NO. D-0905-CR-0200600505**

Defendant.

### JUDGMENT, SENTENCE AND COMMITMENT

THIS MATTER coming on for hearing on the 14th day of January, 2008, before the Honorable David W. Bonem, District Judge Pro Tem, Plaintiff appearing by Matthew Chandler, District Attorney, and Defendant appearing personally and by his attorney, Roger Bargas, the Defendant having been convicted on the 4th day of October, 2007, pursuant to a guilt jury verdict accepted and recorded by the Court of the following crime:

**COUNT I:** Second Degree Murder (accessory), a second degree felony resulting in death, contrary to § 30-2-1(B) and 30-1-13, NMSA 1978.

Defendant is hereby found and adjudged guilty and convicted of said crime, and is sentenced to be imprisoned by the Department of Corrections for a term of sixteen (16) years, which includes a one (1) year enhancement pursuant to the Firearm Enhancement.

The offense is classified as serious violent offenses pursuant to §33-02-34, NMSA 1978, and therefore, the Defendant's meritorious deductions shall not exceed a maximum of four (4) days per

month of time served.

The following crimes were dismissed pursuant to not guilty verdicts by the jury:

COUNT II: Tampering with evidence, a third degree felony, contrary to § 30-22-5, NMSA 1978;

COUNT III: Possession of firearm or destructive device by a felon, a fourth degree felony, contrary

to §30-7-16, NMSA 1978; COUNT IV: Shooting at dwelling or occupied building, a second degree

felony, contrary to §30-3-8; COUNT V: Attempted Murder in the second degree, a second degree

felony, contrary to § 30-2-1(B) and 30-28-1, NMSA 1978.

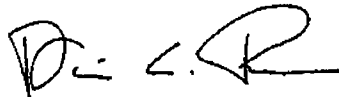
Defendant shall provide a sample of biological material sufficient for DNA testing and pay a \$100 DNA testing fee to the New Mexico Department of Corrections for the combined DNA Index System (CODIS) pursuant to the DNA Identification Act §29-16-1, NMSA 1978 Compilation, as amended; Defendant shall pay \$5.00 for the "Domestic Violence Offender Treatment Fee", pursuant to §31-12-11, NMSA 1978.

That upon completion of the entire sentence aforementioned, the defendant shall be subject to release under parole supervision for a period of two (2) years of parole supervision, as to Count I, subject to the statutory provisions relating to condition, supervision and return of parolees. Further, the Court recommends the Defendant undergo long-term treatment during his period of parole.

Therefore, You, the Sheriff of Curry County, are hereby commanded to take Defendant in custody and deliver David A. Griego, together with this commitment, to the Department of Corrections, which is hereby commanded to receive and confine him for the above term.



Defendant shall receive credit for five hundred and eighty-eight (588) days pre-sentence confinement (from June 9, 2006 to January 14, 2008), and for post-sentence confinement from January 15, 2008 until delivery to the Department of Corrections.



---

DAVID W. BONEM  
DISTRICT JUDGE PRO TEM

HAVE SEEN:



MATTHEW CHANDLER  
DISTRICT ATTORNEY



ROGER BARGAS  
ATTORNEY FOR THE DEFENDANT

DA NO. 06-383  
MEC/jrg

**EDWARD SALAS**

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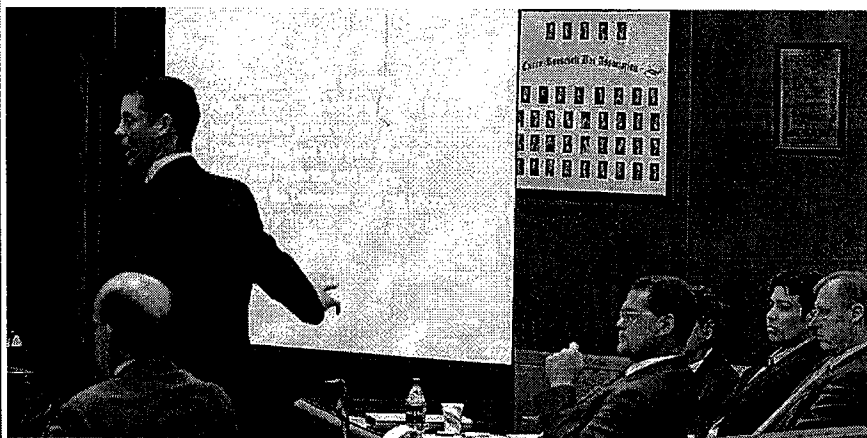
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**Jurors deliberating fate of Edward Salas**

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Prosecutor Matt Chandler presents his closing argument Friday in the first-degree murder trial of Edward Salas at the Curry County Courthouse, while Salas and his defense team looks on.

CNU staff photo: Tony Bullocks

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## Prosecution rests in Salas murder trial

By Kevin Wilson: CNJ staff writer

2008-04-10 13:45:57

The prosecution went through all of its planned witnesses in the trial of Edward Salas — including his mother — before Thursday's mid-day break and rested shortly after returning from lunch.

Salas, 23, faces charges in connection to the Sept. 15, 2005, shooting death of 10-year-old Carlos Perez.

The defense is expected to begin its case this afternoon.

In Lisa Salas' testimony, District Attorney Matt Chandler pointed out differences between her testimony Thursday and in the trial of another son, Demetrio Salas, who was convicted last year for first-degree murder in connection to Perez' death.

In Thursday's testimony, Lisa Salas said she didn't see Edward Salas the morning of the shooting between the time she came home for work at 12:30 a.m. and going to bed at 1:30 a.m.

Chandler pointed out testimony from the previous trial that she said she had seen Demetrio and Edward in their beds before she went sleep.

"I lied, I guess," she told Chandler.

Also, Chandler asked about the family's Suburban, which Isidoro "Lolo" Salas, Lisa's husband, said he reported stolen around 8 a.m. Sept. 15.

Chandler outlined prior statements from Edward Salas that his mother called him around 2 a.m., telling him he needed to come home because the Suburban had been stolen.

Lisa Salas said she was unaware the Suburban was missing until about the time her husband reported it stolen. Chandler added a report was never filed on the vehicle being stolen.

Other witnesses who testified Thursday morning included:

- Keith Farkas, a former Clovis Police Department detective. He did investigations of the Salas' Suburban and another vehicle believed to be involved in the shooting. Presumptive tests for gunpowder were positive on both. Fingerprint and DNA evidence collected were inconclusive.
- Clovis Capt. Patrick Whitney participated in a search of the Salas home. He said about a dozen firearms were found in the residence. Three of the firearms were stolen —two were in Lolo Salas' closet, the other in Demetrio Salas' room. Also, a lockbox with ammunition and guns were discovered in Edward Salas' room.

- David Loera, an investigator for the district attorney's office, told jurors on Sept. 14-15 Edward Salas received three calls on his cell phone from his girlfriend, Martha Carbajal. Loera said two of those calls came at a time Edward Salas said he was with Carbajal.

- Dan Aguilar was the main contact for the Clovis Police Department during the shooting investigation. He spoke with Ashley Garcia on Sept. 15 about the shooting and said she was "extremely distraught." He later spoke with Cassandra Flores in Muleshoe. Each has testified to being in the Toyota Camry with Noe Torres and Edward Salas on the night of the shooting. Both were able to identify Edward Salas in a photo lineup.

Torres is charged in the shooting but remains at large.

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STATE OF NEW MEXICO  
COUNTY OF CURRY  
IN THE NINTH JUDICIAL DISTRICT

NINTH JUDICIAL DISTRICT  
CURRY COUNTY, NM  
FILED IN CLERK'S OFFICE

2008 AUG 14 PM 1: 22

STATE OF NEW MEXICO,

Plaintiff,

v.

*Edward Salas*  
CLERK DISTRICT COURT

**EDWARD SALAS,**  
D.O.B.: 5-21-1984  
S.S.N.: 525-51-8320  
S.T.N.: 050100050943

No. D-0905-CR-0200500821

Defendant.

### JUDGMENT, SENTENCE AND COMMITMENT

THIS MATTER having come before the Court on the 15<sup>th</sup> day of July, 2008, before the Honorable Teddy L. Hartley, District Judge, Plaintiff appearing by Matthew Chandler, District Attorney, and Defendant appearing personally and by his attorney, Stephen McIlwain, and the Defendant having been convicted on April 11, 2008, pursuant to a verdict of guilty, accepted and recorded by the Court of the following crimes:

COUNT I: FIRST DEGREE MURDER (WILLFUL AND DELIBERATE), contrary to NMSA 1978, § 30-2-1(A)(1), a capital felony;

COUNT II: ATTEMPTED FIRST DEGREE MURDER (WILLFUL AND DELIBERATE), contrary to NMSA 1978, §§ 30-28-1 & 30-2-1(A)(1), a second degree felony resulting in death of a human being;

COUNT III: SHOOTING AT A DWELLING OR OCCUPIED BUILDING, contrary to NMSA 1978, § 30-3-8(A), a second degree felony resulting in death of a human being;

COUNT IV: INTIMIDATION OF A WITNESS, contrary to NMSA 1978, §30-24-3(A)(3), a third degree felony;

COUNT VI: CONSPIRACY TO COMMIT FIRST DEGREE MURDER, contrary to NMSA 1978, §§ 30-28-2 & 30-2-1(A)(1), a second degree felony resulting in death of a human being;

COUNT VII: CONSPIRACY TO COMMIT SHOOTING AT A DWELLING, contrary to NMSA 1978, §§ 30-28-2 & 30-3-8(A), a third degree felony resulting in death of a human being.

Defendant is sentenced to be imprisoned by the Department of Corrections for the following terms:

**COUNT I: First Degree Murder - Life Imprisonment;**

**COUNT II: Attempted First Degree Murder - sixteen (16) years [fifteen (15) years for the underlying charge and one (1) year as a firearm enhancement], COUNT II shall run consecutive to COUNT I;**

**COUNT III: Shooting at a Dwelling - sixteen (16) years [fifteen (15) years for the underlying charge and one (1) year as a firearm enhancement], COUNT III shall run consecutive to COUNT II,**

**COUNT IV: Intimidation of a Witness - three (3) years, COUNT IV shall run consecutive to COUNT III;**

**COUNT VI: Conspiracy to Commit First Degree Murder - fifteen (15) years, COUNT VI shall run consecutive to COUNT IV;**

**COUNT VII: Conspiracy to Commit Shooting at a Dwelling - six (6) years, COUNT VII shall run consecutive to COUNT VI.**

IT IS THEREFORE ORDERED that the defendant be committed to the Department of Corrections for a total term of **Life Imprisonment plus fifty-six (56) years.**

Pursuant to a jury verdict of not guilty, COUNT V is hereby dismissed with prejudice.

Counts II and III are classified as serious violent offenses pursuant to NMSA 1978, § 33-2-34.

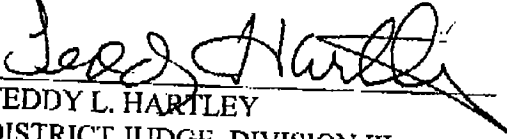
Defendant shall provide a sample of biological material sufficient for DNA testing and pay a one hundred dollar (\$100.00) DNA testing fee to the New Mexico Department of Corrections for the Combined DNA Index System (CODIS) pursuant to the DNA Identification Act pursuant to NMSA 1978, § 29-16-1; and shall pay five dollars (\$5.00) for the domestic violence offender treatment fee, pursuant to NMSA 1978, § 31-12-11.

If the defendant is ever granted parole, defendant shall undergo a minimum period of parole of five (5) years pursuant to NMSA 1978, § 31-21-10(B).


Defendant shall receive credit for one thousand and thirty-five (1035) days pre-sentence confinement (from September 15, 2005 to July 15, 2008), and for post-sentence confinement from July 16, 2008 until delivery to the Department of Corrections.

Therefore, You, the Sheriff of Curry County, are hereby commanded to take Defendant in custody and deliver Edward Salas, together with this commitment, to the Department of Corrections, which is hereby commanded to receive and confine him for the above term.



  
TEDDY L. HARTLEY  
DISTRICT JUDGE, DIVISION III

HAVE SEEN:

  
MATTHEW CHANDLER  
DISTRICT ATTORNEY  
ATTORNEY FOR PLAINTIFF

telephonic approval 8/11/08 (jeg)  
STEPHEN MCILWAIN  
ASSISTANT PUBLIC DEFENDER  
ATTORNEY FOR DEFENDANT

DA #05-811 MEC/jrg

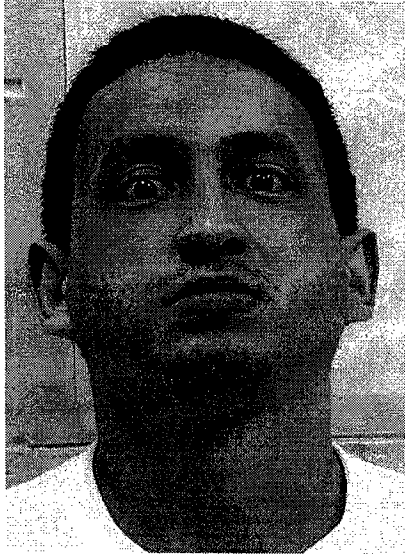
**ALBERT RAMIREZ**



## Clovis man pleads guilty to first-degree murder

CNJ staff writer: Sharna Johnson

2009-01-26 15:47:59



Just as the jury was about to be seated Monday and opening arguments were set to begin, Albert Ramirez decided to plead guilty and accepted the maximum sentence for the first-degree murder of his mother's boyfriend.

Ramirez, 20, will serve life in prison and forfeited his right to an appeal, District Attorney Matt Chandler said.

In New Mexico a person sentenced to life in prison can become eligible for parole after 30 years.

"We were quite shocked when the defense team walked in with a signed agreement that he would serve a life sentence," Chandler said.

Through his plea, Ramirez admitted to the July 2007 shooting of his mother's boyfriend Eladio Robledo outside the Sixth Street home the victim shared with Ramirez' mother.

Debra Ramirez had filed a no-trespass order against her son in the months before the shooting. She told police she was afraid of her son

because of his violent tendencies.

Chandler said his office was approached by the defense prior to jury selection to see if there was a plea offer from prosecutors. Chandler said the prosecution told them it was either, "plead guilty or go to trial."

The state's case against Ramirez was air-tight, Chandler said.

"We think it was the same outcome we would have gotten if we had gone to trial," he said.

The prosecution was prepared to bring eyewitnesses to the shooting. Others were ready to offer first-hand accounts of Ramirez shopping for a gun prior to the shooting.

The prosecution also was prepared to show video of Ramirez paying a stranger at WalMart to purchase ammunition for him.

Ramirez' pants with the leftover bullets from the shooting, his photo identification and a toothbrush with his DNA on it were found in a dumpster near the scene.

Another witness, a man who let Ramirez stay with him after the shooting, would have testified that Ramirez said he "smoked" Robledo and "emptied his gun in him," Chandler said.

The day of the shooting, Chandler said Ramirez was, "lying in wait, knowing that Eladio (Robledo) would go to work at around 1:45 (p.m.) like he'd always done."

Ramirez shot Robledo twice in the chest and as he ran for his life and collapsed a few feet away, Ramirez was seen by a witness standing over him and firing two more shots into his head, Chandler said.

Ramirez then fled the scene and was captured a few days later at a local apartment.

"The credit of this life sentence lies solely on those (who) conducted the investigation," Chandler said.

"He pled because the evidence collected and the investigation conducted was going to bury him."

In addition to the life sentence, Chandler said Ramirez will serve an additional 36 months and pleaded guilty to battery on a peace officer and assault on a peace officer for head-butting and spitting on detention officers who were transporting him from court after a hearing several months ago.

Defense attorney Brett Carter did not return a call seeking comment.

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STATE OF NEW MEXICO  
IN THE NINTH JUDICIAL DISTRICT COURT  
COUNTY OF CURRY

NINTH JUDICIAL DISTRICT  
CURRY COUNTY NM  
FILED IN MY OFFICE

2009 FEB -3 PM 3:34

*Shirley Brown*  
CLERK DISTRICT COURT

STATE OF NEW MEXICO,

Plaintiff,

v.

**ALBERT JOSE RAMIREZ**

DOB: September 15, 1988

SSN: 525-77-7793

STN: 050100070340

No. D-0905-CR-0200700434

D-0905-CR-0200800748

Defendant.

**JUDGMENT, SENTENCE AND COMMITMENT**

THIS MATTER having come before the Court on the 26<sup>th</sup> day of January, 2009, before the Honorable Teddy L. Hartley, District Judge, Plaintiff appearing by Matthew Chandler, District Attorney, and Defendant appearing personally and by his attorney, Brett Carter, and the Defendant having been convicted on the 26<sup>th</sup> day of January, 2009, pursuant to a guilty plea agreement accepted and recorded by the Court of the following crimes: :

**D-0905-CR-0200700434:** COUNT I: FIRST DEGREE MURDER;

**D-0905-CR-0200800748:** COUNT I: BATTERY ON A PEACE OFFICER; a 4<sup>th</sup> Felony.

COUNT II: ASSAULT ON A PEACE OFFICER, a misdemeanor.

Defendant is hereby found and adjudged guilty and convicted of said crimes, and is sentenced to be imprisoned by the Department of Corrections for the following terms:

**D-0905-CR-0200700434:** COUNT I: FIRST DEGREE MURDER- Life Imprisonment;

**D-0905-CR-0200800748:** COUNT I: BATTERY ON A PEACE OFFICER- eighteen (18) months;

COUNT II: ASSAULT ON A PEACE OFFICER- three hundred and sixty four (364) days.

IT IS FURTHER ORDERED that Count I and Count II in cause number D-0905-CR-0200800748 shall run concurrent with Count I in cause number D-0905-CR-0200700434.

In D-0905-CR-0200700434: Count II: Tampering with Evidence and Count III: Tampering with Evidence are hereby dismissed per the plea agreement.

IT IS THEREFORE ORDERED that the defendant be committed to the Department of Corrections for a total term of **Life Imprisonment**.


Defendant shall provide a sample of biological material sufficient for DNA testing and pay a one hundred dollar (\$100.00) DNA testing fee to the New Mexico Department of Corrections for the Combined DNA Index System (CODIS) pursuant to the DNA Identification Act pursuant to NMSA 1978, § 29-16-1; and shall pay five dollars (\$5.00) for the domestic violence offender treatment fee, pursuant to NMSA 1978, § 31-12-11.

If the defendant is ever granted parole, defendant shall undergo a minimum period of parole of five (5) years pursuant to NMSA 1978, § 31-21-10(B).


Defendant shall receive credit for five hundred and sixty-one (561) days pre-sentence confinement (from July 15, 2007 to January 26, 2009), and for post-sentence confinement from January 27, 2009 until delivery to the Department of Corrections.


Therefore, You, the Sheriff of Curry County, are hereby commanded to take Defendant in

custody and deliver Albert Ramirez, together with this commitment, to the Department of Corrections, which is hereby commanded to receive and confine him for the above term.

  
TEDDY L. HARTLEY  
DISTRICT JUDGE, DIVISION III

HAVE SEEN:

  
MATTHEW CHANDLER  
DISTRICT ATTORNEY  
ATTORNEY FOR PLAINTIFF

  
BRETT CARTER  
PUBLIC DEFENDER  
ATTORNEY FOR DEFENDANT

**TERESA GILMAN**





## Portales Woman sentenced to 30 years for child abuse resulting in death

2009-03-09 16:55:51

Ninth Judicial District Attorney Matthew Chandler announced that Teresa Gilman, age 26, pled guilty today to killing her 6 year old child and was sentenced to 30 years in the New Mexico Department of Corrections for child abuse resulting in death and four counts of child abuse.

Teresa Gilman was arrested on January 4, 2007 after an ambulance was called to her home for an unresponsive 6 year old child. The child, Lorenzo Cabral, Jr. was pronounced dead shortly thereafter at Roosevelt General Hospital. Portales Police executed a search warrant at Gilman's home and found the home to be in disarray, without heat or a functioning bathroom and littered with trash, spoiled food, feces, and rodents. Also present in the home were Gilman's other three children ranging from the age of 8 years old to infant. An autopsy revealed that the victim, Lorenzo, had died from blunt force trauma to the head.

Gilman plead guilty to the charge of Child Abuse Resulting in Death and four additional counts of child abuse as a result of the condition of the home and for forcing the oldest child to witness the abuse that led to the death of Lorenzo.

District Judge Drew Tatum presided over the sentencing and Deputy District Attorney Donna Mowrer prosecuted the case for the Ninth Judicial District Attorney's Office. The charge is deemed a serious violent offense, meaning that Gilman must serve 85 percent of her sentence before she is eligible for parole. For further information concerning this case, please contact the Ninth Judicial District Attorney's Office.

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## Books seized from Portales library via warrant

The Associated Press

2007-01-14 00:07:19

PORTALES — Police used a warrant at a Portales library to seize magic and witchcraft books that had been checked out by a woman who is charged in the Jan. 4 death of her 6-year-old son.

Teresa Gilman, 24, told police “the devil was in my son,” according to a copyright story in Saturday’s editions of the Albuquerque Journal.

Gilman’s 8-year-old daughter told police that on the morning her brother, Lorenzo Cabral, died, her mother poured salt in a circle around the boy’s body. Police found writing describing a “ritualistic type ceremony” in Gilman’s residence, an affidavit says.

The Office of the Medical Investigator determined the cause of death was blunt force trauma to the boy’s head, with drowning a possible contributing factor.

Gilman is being held without bail at the Roosevelt County Detention Center. She has been charged with first-degree murder or, in the alternative, child abuse resulting in death, and four counts of child abuse related to her three other children.

Gilman’s defense attorney obtained a court order this week directing the state Health Department to arrange a psychological evaluation to assess the woman’s competency to stand trial and her sanity at the time of her son’s death.

Results are expected in 60 to 90 days.

Before the order was obtained, the case had been scheduled to go before a Roosevelt County grand jury.

Gilman’s mother, Ramona Risinger, told police Gilman was pouring water into the boy’s mouth from a milk jug when she stopped by her daughter’s home.

Gilman said God and the devil had instructed her to give the boy water “to flush out the devil,” Risinger told police.

The books collected by police on Thursday were: “The Magic Power of White Witchcraft” by Gavin and Yvonne Frost; “Making the Gods Work for You: The Astrological Language of the Psyche,” by Caroline Casey; and “The Witch’s Book of Magical Ritual: Use the Forces of Wicca to Direct Your Psychic Powers,” by Gavin Frost.

Police also collected a book about Scientology that Gilman had checked out in the past.

“We believe the way some of the child abuse resulting in death happened can be related to stuff that’s in those books,” said District Attorney Matt Chandler, who declined to discuss how he believes the child received the trauma injuries.

If Gilman is found mentally competent, the case will proceed to trial.

If she is found incompetent to stand trial, a judge could commit her to state mental health authorities if there is a finding through clear and convincing evidence that she committed the alleged crime, Chandler said.

Gilman’s three other children — an 11-month-old boy, a 3-year-old boy and the 8-year-old girl — are in the custody of Child Protective Services, Chandler said.

Gilman also was charged with possession of drug paraphernalia.

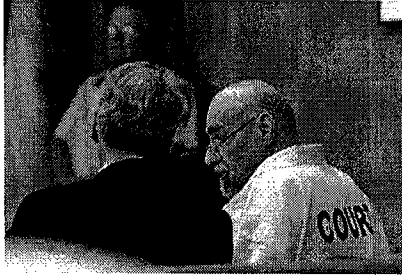
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**LORENZO CHAVEZ**



## Chavez to serve 13 year sentence for second-degree murder

By Sharna Johnson: CNJ staff writer  
2009-08-27 17:29:23



The last words her son said as he hugged her were, "Bye Mom, I love you."

The next day, Paula Rodriguez believes God turned her away and stopped her from entering her son's house when he didn't answer the door.

"I believe the Lord stopped me from going in and finding my son riddled with bullets," she said during a hearing Thursday for her son's killer.

Lorenzo Chavez, 58, pleaded guilty to second-degree murder. He will serve a 13-year sentence — 15-years with two suspended — for shooting and killing 47-year-old Daniel Jose Lopez some 11 years ago.

District Attorney Matt Chandler said the state was prepared to show that Chavez shot Lopez because he embarrassed him.

Police responded to a shots-fired call in the 1100 block of Ross Street around 2 a.m. on Sept. 15, 1998, but couldn't pinpoint the origin of the shots. Later that morning, a neighbor discovered Lopez' body inside his home at 1108 Ross Street.

Chandler told Judge Robert Orlik that prior to the shooting Chavez had passed out on Lopez' couch, high on heroin.

Lopez woke him and told him to leave, slapping him and causing him to urinate himself, "and for that he took Lopez' life," Chandler said.

Chavez, already serving a nine-year sentence for receiving a stolen vehicle, was arrested for the shooting in December 2007 after witnesses came forward.

Chandler said he was seen entering Lopez' house in the early morning hours and several shots were heard. Other witnesses also said he bragged later about getting away with murder.

Chavez is a twice-convicted killer. He returned to Clovis in the late 1990s after serving more than 20 years in prison for the 1972 stabbing death of a Cannon Air Force Base airman and the 1981 death of a fellow inmate during prison riots.

Describing her son as a loving father, grandfather and family man who had a special place in his heart for children, Rodriguez told the crowded courtroom the pain of his death lingers still.

"When I think of the fear that my son must have felt when Lorenzo Chavez pointed a gun at him, I feel the same fear," she said.

The day his body was discovered, Rodriguez said she had stopped by his house on her way to Lubbock but left when he didn't answer the door.

Later when she received the news of his death, she went to the scene, she said, describing the crime scene tape and police officers everywhere.

"I remember saying 'that is my son, I have to go in'," she said.

"I didn't even get to identify him."

Over the months and years that followed, Rodriguez said she would wander in a haze of grief, and "I would end up at the cemetery, sitting on the ground and trying to be close to my son."

She also frequently would find herself at the police department, looking for answers.

"(Police officer) David Loera, he promised me he would charge Lorenzo Chavez. Thank you David," she said.

"I'm sure he will get his turn. God has a place for those who do not keep his commandments."

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STATE OF NEW MEXICO  
IN THE NINTH JUDICIAL DISTRICT  
COUNTY OF CURRY

STATE OF NEW MEXICO,

Plaintiff,

v.

**LORENZO CHAVEZ,**  
D.O.B.: 08-21-1951  
S.S.N. : 585-13-0145

Defendant.

NINTH JUDICIAL DISTRICT  
COUNTY OF CURRY  
FILED IN COURT OFFICE

2009 AUG 27 PM 3:57

**NO. D-0905-CR-0200700724**

**JUDGMENT, SENTENCE AND COMMITMENT**

THIS MATTER coming on for hearing on the 27th day of August, 2009, before the Honorable Robert Orlik, District Judge, for the Honorable Teddy Hartley, Chief District Judge, Plaintiff appearing by Matthew Chandler, District Attorney, and Defendant appearing personally and by his attorney, Gary Mitchell, the Defendant having been convicted on the 27<sup>th</sup> day of August, 2009, pursuant to a guilty plea agreement accepted and recorded by the Court of the following crimes:

**COUNT I:** Second Degree Murder, a second degree felony resulting in death, contrary to § 30-2-1(B), NMSA 1978.

Defendant is hereby found and adjudged guilty and convicted of said crime, and is sentenced to be imprisoned by the Department of Corrections for a term of fifteen (15) years. Two (2) of the final fifteen (15) years of said sentence shall be suspended in favor of two (2) years of supervised probation.

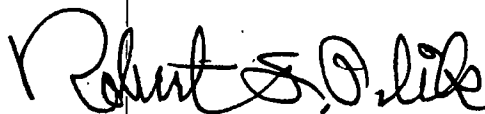
Defendant shall provide a sample of biological material sufficient for DNA testing and pay

a \$100 DNA testing fee to the New Mexico Department of Corrections for the combined DNA Index System (CODIS) pursuant to the DNA Identification Act §29-16-1, N.M.S.A. 1978 Compilation, as amended; Defendant shall pay \$5.00 for the "Domestic Violence Offender Treatment Fee", pursuant to §31-12-11 NMSA, 1978.

That upon completion of the entire sentence aforementioned, the defendant shall be subject to release under parole supervision for a period of two (2) years of parole supervision, as to Count I, subject to the statutory provisions relating to condition, supervision and return of parolees.

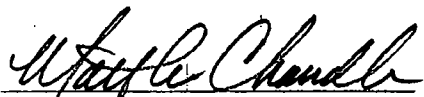
Therefore, You, the Sheriff of Curry County, are hereby commanded to take Defendant in custody and deliver Lorenzo Chavez, together with this commitment, to the Department of Corrections, which is hereby commanded to receive and confine him for the above term.

Defendant shall receive credit for six hundred and twenty-two (622) days pre-sentence confinement (from December 14, 2007 to August 27, 2009).

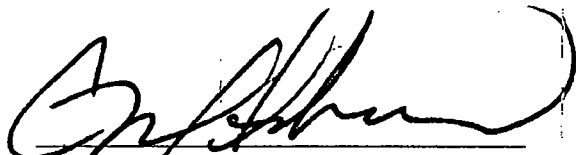


ROBERT ORLIK  
DISTRICT JUDGE, DIVISION IV

HAVE SEEN:



MATTHEW CHANDLER  
DISTRICT ATTORNEY



GARY MITCHELL  
ATTORNEY FOR THE DEFENDANT




**BRANDON BARELA**

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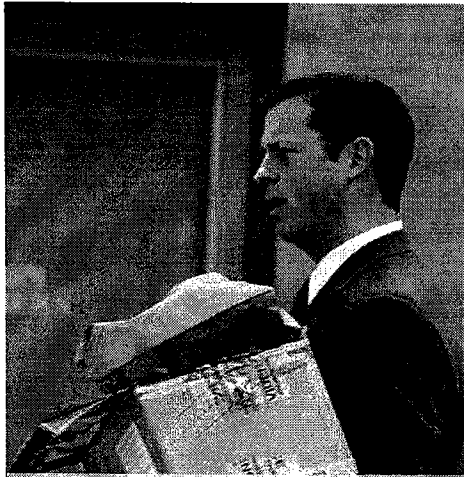
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### Jury finds Barela guilty

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District Attorney Matt Chandler passionately describes the premeditation he said went into the killing of Ron Hittson of Tucumcari as he shows jurors the concrete block used to beat Hittson to death during closing arguments in Brandon Barela's trial in the case Thursday afternoon.

Freedom New Mexico: Sharna Johnson

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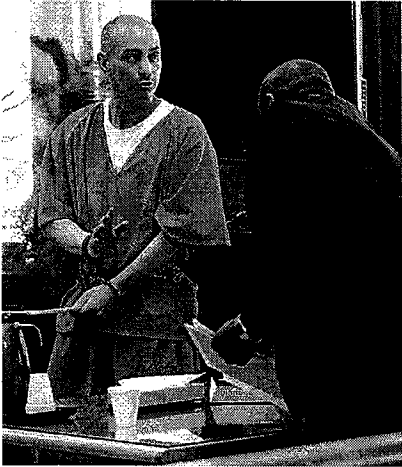
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## Roswell man sentenced to 48 years for murder

By Sharna Johnson: CNJ staff writer

2010-05-10 18:44:38



A 25-year-old Roswell man was sentenced Monday to a life sentence plus 18 years in prison for the 2009 robbery and murder of a Tucumcari truck driver.

Brandon Barela will be required to serve 30 years plus 85 percent of an additional 18 years before he is eligible for parole.

Ron Hittson's body was found April 2 near the intersection of Sugarbeet Road and State Road 523 in Curry County.

He had been beaten in the face with a concrete block, leaving his features unrecognizable.

Barela was convicted of first-degree murder, kidnapping, armed robbery and two counts of tampering with evidence in December.

The sentence was rendered by 9th Judicial District Judge Stephen Quinn following a near two-hour hearing in which family members of Barela and Hittson spoke.

"There's nothing that Mr. Hittson did that night that warranted what happened," Quinn told the crowded courtroom.

Quinn said based on Barela's background, the act seemed to be an "anomaly," but it, "shows an element of savagery."

Prosecutors had asked Quinn to give Barela the maximum sentence possible of life plus 36 years.

Prosecutor Chamille Chavez pointed out to the court that Barela had never apologized or admitted wrongdoing, but instead spoke only of himself and minimized the killing.

"This wasn't a fight, this wasn't a mistake, this wasn't a bad situation," Chavez said, arguing that Barela cannot be rehabilitated.

"I don't know how much more you can show somebody you are not a good candidate for parole or probation than to kill somebody while you're on probation ... He decided it was appropriate to kill somebody for a couple hundred dollars. There's absolutely no reason for what he did other than he's greedy and violent."

Hittson, 51, had stopped in Clovis the night of April 1 to relax on his way to Albuquerque. Chavez said previously, while at Webb's Watering Hole on Mabry Drive, he met up with Barela and two other Roswell men in town working for a dairy testing company.

Prosecutors have said Barela set Hittson at ease with friendly conversation and alcohol, then lured him into a vehicle under the guise of finding drugs with the intention of robbing him.

About half a dozen of Barela's family members spoke, describing him as a hard-working and caring father to two young daughters.

At the time of the murder, he was making \$50,000 a year and was supporting his daughters and living a good,

hard-working life.

"He made a terrible mistake and we're all paying for it," his mother, Gloria Barela, said. "When they say this stuff about my son, that's not my son. He had too much going for him. ... I don't know what went wrong. If I could take back that day, I would."

Barela told the court the murder changed him. He vowed to serve his life as a preacher, sharing the word of God.

"The day I lost everything, I gained everything. The day I came to jail, I found Jesus Christ," he said. "Someday I'll help save lives. I'll make an influence the rest of my life with my testimony. ... That Bible will not leave my side."

Barela turned to his family and told them he appreciated their love and support and that he would do good with his life.

"Mom, I won't let you down. I will preach the word of God no matter where I go," he said.

Hittson's family asked the judge for the maximum sentence.

"Brandon Barela took Ronnie away from his family for the amount of \$300," his brother, Gary Hittson, said. "He was taken away from us in such a savage way. ... I hope that while he sits in prison he thinks about what he did for the rest of his life."

In a letter read to the court by District Attorney Matt Chandler, Hittson's brother Jackie Hittson asked for, "No leniency, zero tolerance.

"All of our hope is gone. ... It is our belief that given the chance, he will do the same again."

Quinn said he opted for the possibility of parole because of Barela's age and lack of a criminal record.

STATE OF NEW MEXICO  
IN THE NINTH JUDICIAL DISTRICT  
COUNTY OF CURRY

NINTH JUDICIAL DISTRICT  
COUNTY OF CURRY, NM  
FILED IN CLERK'S OFFICE

2010 MAY 13 PM 4:12

STATE OF NEW MEXICO,

Plaintiff,

v.

BRANDON H. BARELA  
D.O.B. : 8-13-84  
S.S.N. : 585-51-9936

No. D-0905-CR-0200900230

*Shelly E. Brown*  
CLERK OF DISTRICT COURT

Defendant.

**JUDGMENT, SENTENCE AND COMMITMENT**

THIS MATTER coming on for hearing on May 10, 2010, before the Honorable Stephen K. Quinn, District Judge, Plaintiff appearing by Matthew Chandler, District Attorney, and Defendant appearing personally and by his attorney, Brett Carter, the Defendant having been convicted by jury trial on December 17, 2009, accepted and recorded by the Court of the following crimes:

COUNT I: First Degree Murder (Willful & Deliberate), contrary to §30-2-1, NMSA 1978, a capital offense;

COUNT II: Kidnapping, contrary to §30-4-1, NMSA 1978, a first degree felony;

COUNT III: Armed Robbery, contrary to §30-16-2, NMSA 1978, a second degree felony;

COUNT IV: Tampering with Evidence, contrary to §30-22-5, NMSA 1978, a third degree felony;

COUNT V: Tampering with Evidence; contrary to §30-22-5, NMSA 1978, a third degree felony.

The State opted not to present COUNT VI: Battery to the jury and dismissed the charge with

prejudice.

Defendant is hereby found and adjudged guilty and convicted of said crimes, and is sentenced to be imprisoned by the Department of Corrections for the following terms:

**For COUNT I: First Degree Murder** - for a term of Life Imprisonment;

**For COUNT II: Kidnapping** - for a term of eighteen (18) years;

**For COUNT III: Armed Robbery** - for a term of nine (9) years;

**For COUNT IV: Tampering with Evidence** - for a term of three (3) years;

**For COUNT V: Tampering with Evidence** - for a term of three (3) years.

FURTHER, IT IS ORDERED that Count I and Count II shall run consecutive. Count III, Count IV, and Count V shall run concurrent to Count II.

IT IS THEREFORE ORDERED that the defendant be committed to the Department of Corrections for a total term of **Life Imprisonment plus eighteen (18) years**.

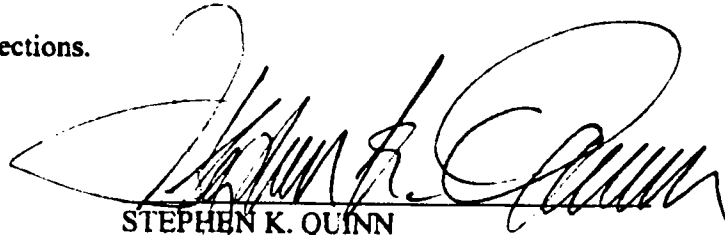
Counts II and III are classified as serious violent offenses pursuant to N.M.S.A. 1978, § 33-2-34 and defendant shall serve 85% of Count II and Count III imprisonment terms before being eligible for parole.

Defendant shall provide a sample of biological material sufficient for D.N.A. testing and pay a \$100 D.N.A. testing fee to the New Mexico Department of Corrections for the combined DNA Index System (CODIS) pursuant to the DNA Identification Act §29-16-1, N.M.S.A. 1978 Compilation, as amended. Defendant shall pay \$5.00 for the "Domestic Violence Offender Treatment Fee", pursuant to §31-12-11, N.M.S.A., 1978.

If the defendant is ever granted parole, defendant shall undergo a minimum period of parole of five (5) years pursuant to § 31-12-11, N.M.S.A. 1978.


Therefore, You, the Sheriff of Curry County, are hereby commanded to take Defendant Brandon Barela in custody and deliver Brandon Barela, together with this commitment, to the Department of Corrections, which is hereby commanded to receive and confine him for the above term.

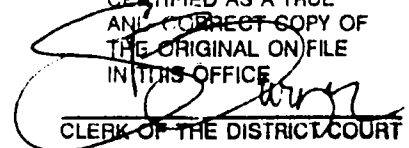
Defendant shall receive credit for four hundred and two (402) days pre-sentence confinement (from April 3, 2009 to May 10, 2010), and for post-sentence confinement from May 11, 2010 until delivery to the Department of Corrections.



STEPHEN K. QUINN  
DISTRICT JUDGE

HAVE SEEN:

 for:  
MATTHEW CHANDLER  
DISTRICT ATTORNEY

ATTEST:  
CERTIFIED AS A TRUE  
AND CORRECT COPY OF  
THE ORIGINAL ON FILE  
IN THIS OFFICE.  
  
CLERK OF THE DISTRICT COURT  
BY \_\_\_\_\_  
Deputy Clerk

telephonic approval 5/12/10 (jcg)  
BRETT CARTER  
ATTORNEY FOR THE DEFENDANT

D.A. No. 09-226      MEC/jrg

**ROBIN BANISTER**





## Press release: Convicted murderer receives maximum sentence

2010-08-11 15:07:37



Clovis, NM: Ninth Judicial District Attorney Matthew Chandler announced that Robbin Banister, age 43, was sentenced today for one-count of Second Degree Murder. Banister pled guilty to the crime earlier this year but sentencing was postponed until a diagnostic evaluation was completed. Today, the Court sentenced the defendant to serve the maximum penalty allowed by law for Second Degree Murder in New Mexico, fifteen (15) years.

The case stems from June 16, 2009, when Clovis Police officers received information that a stabbing had occurred, a person had been killed, and described the location where the body could be found. Upon responding to the call, officers found a badly decomposed body that was later identified by medical investigators as being Clifford Webber of Clovis. Through the investigation, authorities learned that Banister had stabbed Clifford Webber and then solicited a co-defendant to move Webber's body. Authorities were able to corroborate the facts of the murder after a search warrant on Bannister's home revealed blood in various areas in her residence. The criminal investigation ultimately showed that Bannister

had stabbed Webber once in the chest and tried to conceal her crimes by hiding evidence and attempting to lead authorities astray by accusing others of committing the murder.

District Attorney Matthew Chandler stated, "Although the penalty for this crime seems minimal, we are pleased to have received the maximum sentence allowed by law in New Mexico. The family of Clifford Webber was satisfied with today's ruling and the resolution of this case."

At the sentencing hearing today, the Court sentenced Banister to serve fifteen (15) years in prison. The Honorable Teddy Hartley presided over the proceedings and District Attorney Matthew Chandler and Chief Deputy District Attorney Andrea Reeb prosecuted the case for the State of New Mexico.

For additional information, please contact the Ninth Judicial District Attorney's Office or visit [www.9thda.com](http://www.9thda.com).

2010 AUG 16 AM 9:53

STATE OF NEW MEXICO  
IN THE NINTH JUDICIAL DISTRICT  
COUNTY OF CURRY

*Shelley Binger*  
CLERK DISTRICT COURT

STATE OF NEW MEXICO,

Plaintiff,

v.

ROBBIN BANISTER  
DOB: December 16, 1964  
SSN: 585-25-0118  
STN: 050100090341

No. D-0905-CR-0200900864

Defendant.

**JUDGMENT, SENTENCE AND COMMITMENT**

THIS MATTER coming on for hearing on the 11th day of August, 2010, before the Honorable Teddy L. Hartley, District Judge; the State appearing by Matthew Chandler, District Attorney and Andrea Reeb, Chief Deputy District Attorney; and Defendant appearing personally and by her attorney, Jesse Cosby, the Defendant having been convicted on March 25, 2010, by a guilty plea agreement accepted and recorded by the Court of the following crimes:

COUNT I: SECOND DEGREE MURDER, contrary to § 30-2-1(B), NMSA 1978.

Defendant is hereby found and adjudged guilty and convicted of said crime, and is sentenced to be imprisoned by the Department of Corrections for a term of fifteen (15) years.

Counts I is classified as serious violent offense pursuant to § 33-2-34, NMSA 1978, and defendant shall serve 85% of Count I imprisonment term before being eligible for parole.

Count II, Count III, and Count IV are hereby dismissed per the plea agreement.

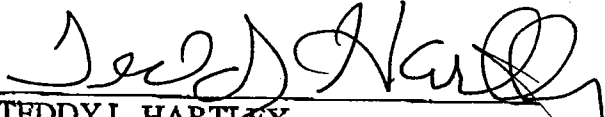
Defendant shall provide a sample of biological material sufficient for DNA testing and pay

a \$100 DNA testing fee to the New Mexico Department of Corrections for the combined DNA Index System (CODIS) pursuant to the DNA Identification Act § 29-16-1, NMSA 1978 Compilation, as amended. Defendant shall pay \$5.00 for the "Domestic Violence Offender Treatment Fee", pursuant to §31-12-11, NMSA, 1978. Further, the Defendant shall pay all fines and fees per the statute.

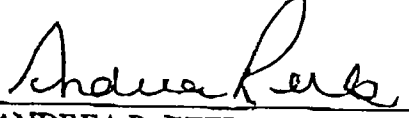
That upon completion of the entire sentence aforementioned, the defendant will be released under two (2) years of parole supervision as to Count I, subject to the statutory provisions relating to condition, supervision and return of parolees.


Therefore, You, the Sheriff of Curry County, are hereby commanded to take Defendant in custody and deliver Robbin Banister, together with this commitment, to the Department of Corrections, which is hereby commanded to receive and confine him for the above term.

Defendant shall receive credit for four hundred and nineteen (419) days pre-sentence confinement (from June 18, 2009 to August 11, 2010), and for post-sentence confinement until delivery to the Department of Corrections.

  
TEDDY L. HARTLEY  
DISTRICT JUDGE, DIVISION III

HAVE SEEN:

  
ANDREA R. REEB  
CHIEF DEPUTY DISTRICT ATTORNEY

  
JESSE COSBY  
ATTORNEY FOR THE DEFENDANT

STATE OF NEW MEXICO  
COUNTY OF CURRY  
NINTH JUDICIAL DISTRICT

In the Matter of the  
Curry County Grand Jury  
Convened on October 7, 2009

No. D-0905-GJ-0200900004

**TARGET NOTICE**

**GREETINGS:** Robbin Banister, c/o CCDC, Clovis, New Mexico.


Pursuant to the provisions of N.M. Stat. Ann. Sections 31-6-11 et.seq. NMSA, 1978, you are hereby notified that you are a target of a Grand Jury investigation concerning, but not limited to, the charges of:

- Murder in the First Degree (Willful & Deliberate), § 30-02-01(A)(1), NMSA 1978;**
- Tampering with Evidence (Highest crime a capital, first or second degree felony), § 30-22-05, NMSA 1978;**
- Tampering with Evidence (Highest crime a capital, first or second degree felony), § 30-22-05, NMSA 1978;**
- Tampering with Evidence (Highest crime a capital, first or second degree felony), § 30-22-05, NMSA 1978;**

As a target of this investigation, you have an opportunity to testify before the Grand Jury, if you desire to do so. Before you testify, you are hereby advised that you have a constitutional right to remain silent, and that anything you do say during testimony before the Grand Jury can and will be used against you in any future proceedings.

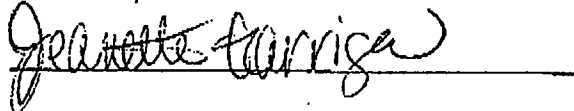
If you choose to testify before the Grand Jury, you have the right to be represented by an attorney. Your attorney may be present while you are testifying and may advise you. However, your attorney may not otherwise participate in the proceedings. If you and your attorney sign a document stating you will assert a Fifth Amendment privilege, you will be excused from testifying on those matters as to which the District Court determines you have a valid Fifth Amendment privilege.


Should you choose to testify, be present in the Curry County Courthouse, Clovis, New Mexico, on December 11, 2009 at 10:15 a.m.

  
 Matthew Chandler, District Attorney  
 417 Gidding, Suite 200, Clovis, NM 88101  
 (575) 769-2246 & (575) 769-3198  
 cc: Jess Cosby, Attorney at Law

**CERTIFICATE OF MAILING**

I hereby certify that I mailed/delivered a copy of the Target Notice to Robbin Banister, the target named herein, c/o CCDC on the 24th day of November, 2009.



<p>I hereby certify that I hand delivered a copy of this notice to the target on the 24 day of, 20.09</p> <p>          Detention Officer Signature</p>
--

**JOSHUA MARTINEZ**

STATE OF NEW MEXICO  
COUNTY OF CURRY  
NINTH JUDICIAL DISTRICT

In the Matter of the  
Curry County Grand Jury  
Convened on February 6, 2008

No. D-0905-GJ-0200800002

**TARGET NOTICE**

**GREETINGS:** Joshua Martinez, 1501 Edwards, Clovis, NM 88101.


Pursuant to the provisions of N.M. Stat. Ann. Sections 31-6-11 et.seq. NMSA, 1978, you are hereby notified that you are a target of a Grand Jury investigation concerning, but not limited to, the charges of:

- Murder in the first degree (willful & deliberate) or in the Alternative, (Felony Murder) (accessory) contrary to §30-02-01(A)(1), NMSA 1978;**
- Armed robbery - attempt (accessory), contrary to 30-16-02, NMSA 1978;**
- Armed robbery - conspiracy, contrary to 30-16-02, NMSA 1978;**
- Armed robbery (accessory), contrary to 30-16-02, NMSA 1978;**
- Armed robbery (accessory), contrary to 30-16-02, NMSA 1978;**
- Armed robbery (accessory), contrary to 30-16-02, NMSA 1978;**
- Bribery of a witness (threats - testimony), contrary to 30-24-03(A)(2), NMSA 1978.**

As a target of this investigation, you have an opportunity to testify before the Grand Jury, if you desire to do so. Before you testify, you are hereby advised that you have a constitutional right to remain silent, and that anything you do say during testimony before the Grand Jury can and will be used against you in any future proceedings.

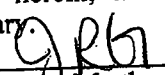
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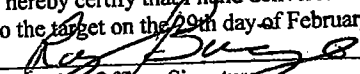
Should you choose to testify, be present in the Curry County Courthouse, Clovis, New Mexico, on:  
March 7, 2008 at 9:00 AM

  
Matthew Chandler, District Attorney  
417 Gidding, Suite 200, Clovis, NM 88101  
(575) 769-2246 & (575) 769-3198  
cc: Public Defender, Attorney at Law

**CERTIFICATE OF MAILING**

I hereby certify that I mailed/delivered a copy of the Target Notice to Joshua Martinez, the target named herein, c/o CCDC on the 29th day of February, 2008.

  
Secretary to Matthew Chandler  
D.A. No. 08-109 MEC/jrg

I hereby certify that I hand delivered a copy of this notice to the target on the 29th day of February, 2008.  
  
Detention Officer Signature

STATE OF NEW MEXICO  
NINTH JUDICIAL DISTRICT COURT  
COUNTY OF CURRY

NINTH JUDICIAL DISTRICT  
CURRY COUNTY, NM  
FILED IN MY OFFICE

2008 MAR 11 PM 2:36

STATE OF NEW MEXICO

Plaintiff,

*Shelly Banger*  
CLERK DISTRICT COURT

vs.

ANTHONY WALLACE, and  
LARRY McCLENDON, and  
JOSHUA MARTINEZ.

Cause No.: D-905-CR-02008-00130 ✓  
D-905-CR-02008-00132 ✓  
D-905-CR-02008-00133 ✓

Defendants.

**STATEMENT OF JOINDER BY THE STATE**

COMES NOW the State of New Mexico, through its District Attorney Matthew Chandler, and files this Statement of Joinder of said Defendants. According to Rule 5-203 NMRA, two or more defendants will be joined by the filing of a Statement of Joinder by the State. The Statement of Joinder is necessary in this case because (1) each of the defendants are charged with the accountability of the same offense, (2) the defendants are charged with conspiracies and some of the defendants are also charged with one or more offenses alleged to be in furtherance of the conspiracy, and (3) the charges consist of part of a common scheme or plan and are so closely connected in respect to time, place and occasion that it would be difficult to separate proof of one charge from proof of others.

**WHEREFORE**, the State moves this Court to accept and grant this Statement of Joinder of the Defendants.

Respectfully Submitted:

*Matthew Chandler*  
Matthew E. Chandler  
Ninth Judicial District Attorney


**CERTIFICATE OF SERVICE**

I hereby certify and swear that on March 11, 2008 a true and correct copy of this Statement of Joinder by the State was mailed to:

Jesse Cosby, Esq.  
PO Box 3330  
Roswell, NM 88202  
Attorney for Defendant McClendon

Chandler Blair, Esq.  
800 Pile, Suite A  
Clovis, NM 88101  
Attorney for Defendant Wallace

Roger Bargas, Esq.  
PO Box 1433  
Tucumcari, NM 88401  
Attorney for Defendant Martinez

  
Matthew E. Chandler, DA





## Salisbury homicide suspects enter plea to lesser charges

By Sharna Johnson: CNJ staff writer

2009-08-20 19:25:36



Three men charged with first-degree murder in the shooting and killing of Clovis second-hand store owner Emmett Salisbury were allowed to pleaded to lesser charges.

The decision was part of a July 31 plea agreement with District Attorney Matt Chandler.

Larry McClendon, 21, pleaded guilty to second-degree murder and will serve 16 years followed by five years probation.

Anthony Wallace, 20, also pleaded guilty to second-degree murder and conspiracy to commit robbery and was sentenced to 18 years, to run concurrent with a 36-year sentence for armed robberies outside Salisbury's store the night of the shooting.

Joshua Martinez, 31, was sentenced to 10 years imprisonment after pleading guilty to conspiracy to commit first-degree murder.

Chandler said the decision to reach plea agreements was motivated by consideration for Salisbury's family.

"The victim's family wanted to avoid the publicity of a trial and some of the issues that Mr. Salisbury was dealing with at the time of his death," Chandler said, "so the state took the victim's family's wishes into account when negotiating with defense attorneys.

"We believe," Chandler said, "that those involved were held responsible and held accountable; the triggerman ended up with a 36-year sentence and the victim's family was able to avoid the difficulty of sitting through a two week jury trial."

Salisbury's body was discovered in the Grand Avenue store Jan. 8 by his partner.

Police said the 36-year-old was shot once in the chest.

Several victims told police the three were robbing people at gunpoint outside the store the night Salisbury was shot.

Witnesses told police the trio had planned to win Salisbury's trust so they could find and steal his supply of illegal narcotics.

According to court records, Wallace told fellow inmates at the Curry County Adult Detention Center that Martinez waited in a vehicle while he and McClendon went in Salisbury's store.

Chandler said prosecutors were prepared to show Wallace was the triggerman.

Martinez, he said, waited in a car outside, acting as a "lookout".

The three men will be required to serve 85 percent of their sentences before they are eligible for parole, Chandler said.

Michael England, 30, plead guilty in June to tampering with evidence for helping to destroy the gun used in the shooting.

England and McClendon were among eight escapees who climbed through a hole they cut in the roof of the Curry County jail last August.

England is serving an additional four years for the escape and McClendon is serving an additional 18 months.

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**LARRY MCCLENDON**



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By Sharna Johnson: CNJ staff writer  
2009-08-20 19:25:36



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STATE OF NEW MEXICO, COUNTY OF CURRY  
NINTH JUDICIAL DISTRICT

In the Matter of the  
Curry County Grand Jury  
Convened on February 6, 2008

No. D-0905-GJ-0200800002

**TARGET NOTICE**

**GREETINGS:** Larry W. McClendon, c/o CCDC, Clovis, NM


Pursuant to the provisions of N.M. Stat. Ann. Sections 31-6-11 et. seq. NMSA, 1978, you are hereby notified that you are a target of a Grand Jury investigation concerning, but not limited to, the charges of:

**Murder in the first degree (willful & deliberate) or in the Alternative (Felony Murder) (accessory), contrary to §30-02-01(A)(1) NMSA 1978;**  
**Armed robbery - conspiracy, contrary to § 30-16-02 NMSA 1978;**  
**Armed robbery - attempt, contrary to § 30-16-02 NMSA 1978;**  
**Tampering with evidence (highest crime a capital, first or second degree felony)(accessory), contrary to § 30-22-05, NMSA 1978.**

As a target of this investigation, you have an opportunity to testify before the Grand Jury, if you desire to do so. Before you testify, you are hereby advised that you have a constitutional right to remain silent, and that anything you do say during testimony before the Grand Jury can and will be used against you in any future proceedings.

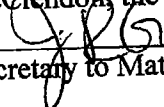
If you choose to testify before the Grand Jury, you have the right to be represented by an attorney. Your attorney may be present while you are testifying and may advise you. However, your attorney may not otherwise participate in the proceedings. If you and your attorney sign a document stating you will assert a Fifth Amendment privilege, you will be excused from testifying on those matters as to which the District Court determines you have a valid Fifth Amendment privilege.

Should you choose to testify, be present in the Curry County Courthouse, Clovis, New Mexico, on: **March 7, 2008 at 9:00 AM**

  
Matthew Chandler, District Attorney  
417 Gidding, Suite 200, Clovis, NM 88101  
(575) 769-2246 & (575) 769-3198  
cc: Public Defender, Attorney at Law

**CERTIFICATE OF MAILING**

I hereby certify that I mailed/delivered a copy of the Target Notice to Larry W. McClendon, the target named herein, c/o CCDC on the 29th day of February, 2008.

  
Secretary to Matthew Chandler

D.A. No. 08-114      MEC/jrg

I hereby certify that I hand delivered a copy of this notice to the target on the 29th day of February, 2008.

  
Detention Officer Signature

IN THE NINTH JUDICIAL MAGISTRATE COURT  
CURRY COUNTY  
STATE OF NEW MEXICO

FILED IN

2008 FEB 26 P 2:24

MAGISTRATE COURT LOWER  
CURRY CO. DIV. I&II

STATE OF NEW MEXICO,

Plaintiff,

vs.

No.: M-12-FR-200800107

LARRY McCLENDON,  
ANTHONY WALLACE, and  
JOSHUA MARTINEZ,

Defendant(s).

**MOTION TO SEAL ARREST AFFIDAVIT(S) AND  
MAGISTRATE COURT FILE**

COMES NOW the State of New Mexico through its District Attorney Matthew Chandler and requests the Court to temporarily seal the Magistrate Court file cause number M-12-FR-200200838.

The above referenced file may contain, among other documents, a criminal complaint against the Defendant, an Arrest Warrant for the Defendant and witness statements against the Defendant's interests.

At the time of this motion, Defendants have not been served with the arrest warrants and each Defendant is wanted on charge of, but not limited to, an open count of murder.

This Court has jurisdiction in this matter until the Defendant has been arrested, arraigned and/or afforded a Preliminary Examination under NMSA 6-202 (2002). Further, the Court has the right to seal this file in an attempt to prevent any other violation of the law prior to the suspected Defendant's arrest. (See *Bribery, Threatening*

or Retaliation against a Witness, Section 30-24-3, NMSA, 1978 Compilation, as amended).

Based upon the information in said Motion, the information provided by witnesses in this cause, and the nature of the charge(s) and the Court being otherwise well informed in the premises:

**THIS COURT FINDS AND CONCLUDES** that there is good cause to temporarily seal the file of the above referenced cause number because disclosure to the witnesses names and/or statements at this time could compromise any or all of the witness(es) safety.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:**

1. That Magistrate Court file and Affidavits for Arrest for the aforementioned Defendants shall be sealed and not disclosed to anyone [other than agents of this State Magistrate Court, the State District Court, the United States District Court or the United States Magistrate Judge, the law enforcement officers attempting to execute the arrest warrant, the District Attorney and his Assistants, United States Attorney and his Assistants, or members of the State or Federal Grand Jury investigating this case] until the first of the following occurs:
  - A. All Defendants are arrested and arraigned in the Magistrate Court on charge(s) resulting from the execution of the Arrest Warrant; or
  - B. The Defendant is arrested and arraigned in the New Mexico District Court on charge(s) resulting from the execution of the Arrest Warrant; or




C. Further Order of this Magistrate Judge or supervisor or superior Judge to this Judge, or the New Mexico District Court Judge, upon written Motion and good cause shown.

  
MAGISTRATE COURT JUDGE

2-26-08

Prepared and Submitted by:

  
Matthew E. Chandler  
District Attorney  
Clovis, New Mexico 88101

**ANTHONY WALLACE**



## Salisbury homicide suspects enter plea to lesser charges

By Sharna Johnson: CNJ staff writer  
2009-08-20 19:25:36



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STATE OF NEW MEXICO  
COUNTY OF CURRY  
NINTH JUDICIAL DISTRICT

In the Matter of the  
Curry County Grand Jury  
Convened on February 6, 2008

No. D-0905-GJ-0200800002

**TARGET NOTICE**

**GREETINGS:** Anthony Wallace, c/o CCDC, Clovis, NM 88101.

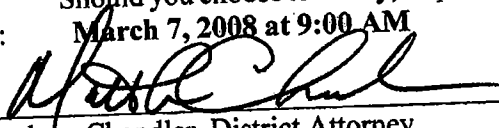
Pursuant to the provisions of N.M. Stat. Ann. Sections 31-6-11 et.seq. NMSA, 1978, you are hereby notified that you are a target of a Grand Jury investigation concerning, but not limited to, the charge(s) of:

**Murder in the first degree (willful & deliberate) or in the Alternative, (Felony Murder) (accessory), § 30-02-01(A)(1), NMSA 1978;**  
**Armed robbery - conspiracy, contrary to § 30-16-02, NMSA 1978;**  
**Armed robbery - attempt (accessory), contrary to § 30-16-02, NMSA 1978;**  
**Tampering with evidence (highest crime a capital, first or second degree felony), contrary to § 30-22-05, NMSA 1978.**

As a target of this investigation, you have an opportunity to testify before the Grand Jury, if you desire to do so. Before you testify, you are hereby advised that you have a constitutional right to remain silent, and that anything you do say during testimony before the Grand Jury can and will be used against you in any future proceedings.

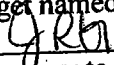
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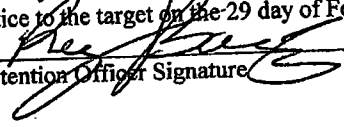
Should you choose to testify, be present in the Curry County Courthouse, Clovis, New Mexico, on: **March 7, 2008 at 9:00 AM**

  
Matthew Chandler, District Attorney  
417 Gidding, Suite 200, Clovis, NM 88101  
(575) 769-2246 & (575) 769-3198  
cc: Public Defender, Attorney at Law

**CERTIFICATE OF MAILING**

I hereby certify that I mailed/delivered a copy of the Target Notice to Anthony Wallace, the target named herein, c/o the CCDC on the 29th day of February, 2008.

  
Secretary to Matthew Chandler  
08-115 MEC/jrg

I hereby certify that I hand delivered a copy of this notice to the target on the 29 day of February, 2008.  
  
Detention Officer Signature

IN THE NINTH JUDICIAL DISTRICT  
STATE OF NEW MEXICO  
COUNTY OF CURRY

NINTH JUDICIAL DISTRICT  
CURRY COUNTY, NM  
FILED IN MY OFFICE

08 APR 14 AM 10:08

STATE OF NEW MEXICO,

Plaintiff,

v.

ANTHONY WALLACE and,  
LARRY MCCLENDON and,  
JOSHUA MARTINEZ,

No: D-0905-CR-0200800130  
D-0905-CR-0200800132  
D-0905-CR-0200800133

Defendants.

*Shelly B. Barger*  
CLERK DISTRICT COURT

**NOTICE OF INTENT TO SEEK AGGRAVATION OF SENTENCE**

COMES NOW the State of New Mexico, by and through its District Attorney, Matthew Chandler, and hereby gives notice of the State's intent to seek to aggravate any sentence imposed herein pursuant to § 31-18-15.1, NMSA 1978, on the charges filed in the Grand Jury Indictments filed on March 7, 2008.

This intent to seek aggravation applies to each crime charged individually, and the State may request that any sentences imposed shall run consecutively.

*Matthew Chandler*  
MATTHEW E. CHANDLER  
DISTRICT ATTORNEY

I hereby certify that a copy of the foregoing instrument was mailed to opposing counsel on the 14<sup>th</sup> day of April, 2008.

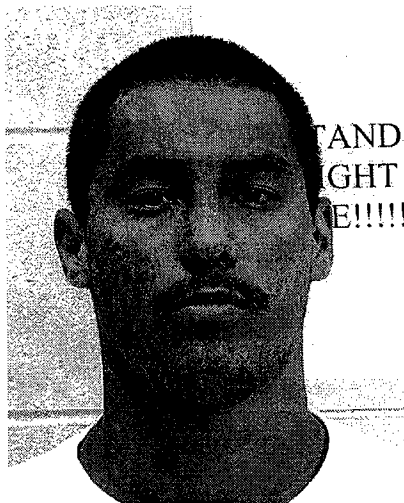
*JRB*

**ANTHONY CASILLAS**



## Casillas found guilty

Jared Tucker  
2010-08-09 14:35:08



A Roosevelt County jury on Monday convicted Anthony Casillas of two counts of first-degree murder in the Sept. 25, 2008, shooting deaths of two people on Clovis' west side.

Casillas, 23, shot and killed 52-year-old Gary Payne of Melrose and 36-year-old Melissa Ward of Lubbock while riding in a van on Martin Luther King Boulevard.

During closing arguments Monday, District Attorney Matt Chandler emphasized statements from Casillas allegedly claiming he wanted to know what it's like to kill someone, witness testimony from Casillas' roommate, and a trail of blood from the scene of the crash to Casillas' apartment.

Chandler argued Casillas stood above Payne, while Payne was driving, and shot him in the head, execution style. Then when Ward screamed and looked at him, Chandler said Casillas shot her one time just under the left eye. After the van crashed into a wall, Casillas ran to his residence at the

Clovis Apartments.

Casillas' attorney Jesse Cosby argued his client was not the only one who asked a relative about killing someone and going to prison. Cosby said a different relative "got a rush" when talking about killing people, going to prison, and the "respect" that comes with the act.

Cosby also alleged police officials cross-contaminated evidence when processing the crime scene, and that's how Casillas' blood was found mixed with Gary Payne's inside his apartment.

The jury deliberated for almost three hours before handing down their judgment.

Casillas did not testify.

"Today is a good day for the Payne family," Chandler said after the verdict was read.

Chandler said Casillas faces 65 years in prison for the murder charges, tampering with evidence, and felon in possession of a firearm.

Sentencing will be in 60 to 90 days, according to Chandler.

The trial was moved to Portales after a mistrial was declared on Jan. 11 in Clovis because of outbursts by Casillas' family members in the presence of jurors.



STATE OF NEW MEXICO  
IN THE NINTH JUDICIAL DISTRICT  
COUNTY OF CURRY

2008 OCT 10 AM 10:37

STATE OF NEW MEXICO,

*Robert S. Orlik*  
COUNTY CLERK

Plaintiff,

v.

ANTHONY R. CASILLAS,  
DOB : 12/10/1986  
SOC : 585-61-6120

No. D-0905-CR-0200800 *lelel*  
ROBERT S. ORLIK

Defendant.

- Crimes: **COUNT I: Murder in the first degree (willful & deliberate)**
- COUNT II: Murder in the first degree (willful & deliberate)**
- COUNT III: Tampering with evidence (highest crime a capital, first or second degree felony)**
- COUNT IV: Possession of firearm or destructive device by a felon**

**GRAND JURY INDICTMENT**

THE GRAND JURY CHARGES:

**COUNT I: First Degree Murder (Willful and Deliberate)** that on or about September 25, 2008, in Curry County, New Mexico, the above-named defendant did kill Melissa Ward, with the deliberate intention to take away the life of Melissa Ward or any other human being, contrary to §30-2-1(A)(1), NMSA 1978, a capital offense;

**COUNT II: First Degree Murder (Willful and Deliberate)** that on or about September 25, 2008, in Curry County, New Mexico, the above-named defendant did kill Gary Payne, with the deliberate intention to take away the life of Gary Payne or any other human being, contrary to §30-2-1(A)(1), NMSA 1978, a capital offense;

**COUNT III: Tampering with Evidence (Capital Crime or First or Second Degree Felony)** that on or about September 25, 2008, in Curry County, New Mexico, the above-named defendant did destroy, change, and/or hide blood evidence and clothing with the intent to prevent the apprehension, prosecution or conviction of himself and the highest crime was a capital crime, contrary to § 30-22-5, NMSA 1978, a third degree felony;


**COUNT IV: Possession of a Firearm or Destructive Device by a Felon** that on or about September 25, 2008, in Curry County, New Mexico, the above-named defendant did receive, transport or possess a firearm or a destructive device, and the defendant had been convicted of a felony offense within the preceding ten years, contrary to § 30-7-16, NMSA 1978, a fourth degree felony.

I hereby certify that the foregoing Indictment is a TRUE Bill.

  
FOREMAN

DATED: 10/10/08

APPROVED:

  
MATTHEW CHANDLER  
DISTRICT ATTORNEY

Defendant's Address : 320 W 5th Street, Clovis, NM 88101  
Defendant's S.S.N. : 585-61-6120  
D.A. Case Number : 08-644

STATE OF NEW MEXICO  
NINTH JUDICIAL DISTRICT  
COUNTY OF CURRY

NINTH JUDICIAL DISTRICT  
CURRY COUNTY, NM  
FILED IN MY OFFICE

2010 JAN 13 PM 1:10

STATE OF NEW MEXICO,

Plaintiff,

v.

ANTHONY CASILLAS

Defendant.

  
CLERK DISTRICT COURT  
No. CR-2008-661

**MOTION FOR DEPOSITION OF STATE'S WITNESSES**

**COMES NOW** the State of New Mexico through its District Attorney Matthew Chandler and files Motion for Depositions in accordance to Rule 5-503. In support of this Motion the prosecutor hereby states the following:

1. The double murder the Defendant is charged with happened on September 25, 2008, and the Defendant was arrested for the offenses on October 3, 2008.
2. Statements of the witnesses involved were preserved and made available to the defense. The Defendant, Anthony Casillas, has reviewed these statements and made several jail phone calls regarding his case.
3. Within a week of Defendant's arrest and as late as the second day of the jury trial, the Defendant is recorded on jail phone calls soliciting relatives to retaliate and prevent witnesses from testifying at trial and also informing witnesses to "stick together."
4. Prior to trial, State's witnesses advised the State that Defendant has sent relatives to their residence advising them not to testify and one State's witness has informed law enforcement that she was beaten by Defendant's cousin for giving a

statement to the District Attorney's Office in addition to being chased in a vehicle the weekend prior to trial with the perpetrators yelling threats about testifying.

5. On January 10, 2010, the day before the jury trial began, Defendant made a phone call to his mother and State's witness Rhonda Ramirez. In the recorded jail phone call, Defendant said (speaking of the jail staff) that he would "(explicative) one of these mother-(explicative) up and cause a mistrial, I don't give a (explicative)." Defendant further stated that "the worst they can do is give me a mistrial, that's what I want! I am going to raise hell."
6. A jury trial on this matter began on January 11, 2010. During the second day of the scheduled jury trial, State's witness Steven Casillas presented himself to court to testify and was under subpoena to do so. Steven Casillas advised law enforcement that he had been "jumped and beaten" by four (4) assailants prior to coming to court and during the beating the assailants advised him that if he testified his brother "would be killed." Steven Casillas was under severe stress and pain when he was scheduled to testify, but informed the prosecution that he wanted to testify and "get it out of the way." Steven Casillas began his testimony but within ten (10) minutes had to stop because he collapsed in the courtroom. Steven Casillas was sweating profusely and having difficulty breathing and was transported by ambulance to the hospital for treatment suffered by the attack.
7. The Court declared a mistrial, by manifest necessity, based upon the totality of the circumstances of the witness testimony and actions surrounding his testimony and determined that the proceedings were, by no fault of the parties, "inflammatory in nature" before the jury.

8. The parties were dismissed and Defendant was returned to jail. Upon returning to jail, Defendant made a phone call and said what a “joy and blessing” it was to get a mistrial. That “the importance of what just happened was great” and that Steven Casillas “was beat up and was acting all stupid” in court. Defendant further said that “I have all the statements made by everyone” and referred to himself as “Lord Chino”.
9. Then, Defendant called and spoke to State’s witness Pricilla Carrasco and advised her in a recorded jail phone call that “the DA is against us. They are (explicative) people trying to put me away for life and you don’t have to cooperate with them.”
10. The evidence of Defendant’s numerous attempts to create an injustice by tampering, directly and indirectly, with the State’s witnesses are blatant and obviously apparent. The Defendant wanted to cause a mistrial as evidenced by the recordings of his jail phone calls. The Defendant is doing his best to make witnesses unavailable to testify against him in the trial.
11. A deposition secures the statement of a witness and may be used at trial if a witness become unavailable for any reason under Rule 11-804, including but not limited to the “forfeiture by wrongdoing clause”.
12. Rules of Criminal Procedure, Rule 5-503 (B)(2) states that a deposition may be taken pursuant to this rule by order of the court at any time after the filing of the indictment or information or complaint in the district court, upon a showing that it is necessary to take the person’s depositions to prevent injustice.
13. The State requests that, in accordance with Rule 5-503, the two State’s witnesses that have been beaten and threatened allowed to be put under oath, be examined

and cross-examined, and all testimony and objections be recorded and preserved for trial in the event the witnesses become unavailable for any reason.

**WHEREFORE**, the state respectfully moves this Court to order depositions to be taken to prevent an injustice in this matter.

Respectfully Submitted:

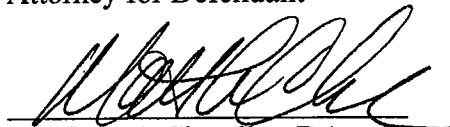


Matthew E. Chandler  
District Attorney  
417 Gidding, Suite 200  
Clovis, New Mexico 88101

**CERTIFICATE OF SERVICE**

I hereby certify and swear that on January 13, 2010, a true and correct copy of this Response was mailed to:

Jesse Cosby  
PO Box 3330  
Roswell, NM 88202-3330  
Attorney for Defendant



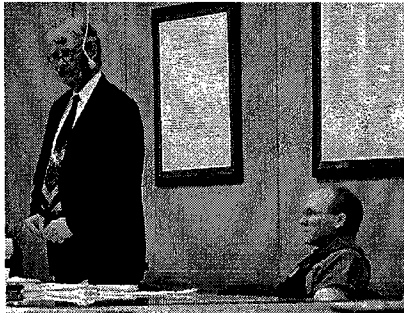
Matthew E. Chandler, DA

**DONALD TAYLOR**



## Death penalty case decision expected today

By Argen Duncan: Freedom New Mexico  
2009-04-06 16:52:21



PORTALES — A district court judge plans to review more evidence and listen to closing arguments before making a decision on whether there is sufficient evidence for prosecutors to seek the death penalty against a Roosevelt County farmer.

In a district court hearing Monday, Judge Drew Tatum listened to arguments from District Attorney Matt Chandler and defense attorney Gary Mitchell about accusations that William "Billy Joe" Watson, 44, hired a prospective member of the Aryan Brotherhood to kill Causey farmer Jimmy Bo Chunn in 2005. The hearing, originally set for Wednesday and Thursday, aimed to determine whether an aggravating factor allowing eligibility for the death penalty existed in the case.

FBI special agent Theodore Griego, who has investigated the Aryan Brotherhood in New Mexico and Texas as well as Chunn's death, was the sole witness in the hearing.

Watson entered the courtroom wearing a bulletproof vest.

Chunn, 71, was shot in the head in his home July 4, 2005, according to authorities.

Roosevelt County resident Donald Taylor is charged with pulling the trigger in exchange for anhydrous ammonia, used as agricultural fertilizer and in methamphetamine manufacturing. Taylor is also accused of returning to Chunn's house July 7, 2005, to steal money and guns.

Chunn's body wasn't discovered until July 8.

Chandler said Taylor was trying to become a full, or "made," member of the Aryan Brotherhood, which requires a significant act of violence. He had become involved with the organization while in prison for a failed armed robbery.

Also, a superior in the Aryan Brotherhood had asked Taylor to obtain anhydrous ammonia to manufacture meth, Chandler continued.

Chandler said Watson wanted Chunn killed because he was aggravating, nosy and always asking Watson for things. Watson and Taylor agreed to the exchange of anhydrous ammonia for Chunn's death, he said.

"Your honor, this is a classic case of contract, murder for hire," Chandler said in opening arguments.

Murder for hire was a qualifying factor for the death penalty. Despite the recent repeal of capital punishment in New Mexico, Watson could face execution because of a grandfather clause that allows it for crimes committed before July 1.

Defense attorney Gary Mitchell said Watson never had a contract or desire to harm Chunn. He added that locals knew Watson to be the only person who got along with Chunn, and Taylor had "no respect" for Chunn because of Chunn's treatment of his parents.

Mitchell said the government's case was based on a prison conversation between Taylor and a confidential source, later revealed to be an Aryan Brotherhood member working with the FBI.



"Mr. Taylor was the only one who said anything about Mr. Watson, or a conversation with Mr. Watson," Mitchell said in opening arguments.

As part of the investigation, Griego had an FBI informant who is a member of the Aryan Brotherhood placed in the cell next to Taylor's following his probation violation arrest. Griego said the informant had a recording device that captured a conversation in which Taylor described a deal with Watson.

"I kind of struck a deal with a friend of mine, Mr. Watson, which was kind of handy with some anhydrous ammonia," Griego said, reading a conversation transcript.

In the conversation, Griego said, Taylor said Watson wanted Chunn to go missing in return for the anhydrous ammonia and Watson said Chunn "didn't need to be around in this world any more."

In the investigation, Griego said, the informant and an ATF agent also posing as an Aryan Brotherhood member approached Watson with a letter from Taylor. The letter, Griego said, was a request for the anhydrous ammonia.

"Mr. Watson readily acknowledged he had a debt and readily agreed to fulfill that debt," Griego said.

Griego said the agent and informant never threatened Watson, who provided the anhydrous ammonia.

Mitchell said Watson did so because he feared for his safety and that of his family. Watson discussed the matter with several people, including a friend who was a former member of the Aryan Brotherhood and was later killed, Mitchell said.

Mitchell also said the conduct of authorities in questioning Watson was questionable if not reprehensible. He said Watson was confused by the questions at first, and gave many different answers as a result.

Griego said Watson provided information inconsistent with other witness statements when asked about if and when he met with Taylor before the murder and how he knew Chunn was shot in the head. Watson corrected statements when confronted with remarks from other witnesses, Griego said.

Tatum said he planned to make a decision Tuesday, after reviewing transcripts and videos of authorities interviewing Watson, and hearing closing arguments.

## **Prosecutor's Timeline**

**As told by FBI Special Agent Theodore Griego, unless otherwise noted.**

### **May 2005**

- Roosevelt County native Donald Taylor is released from prison after serving several years for an attempted armed robbery of an area Wal-Mart. He returns to the county and begins working for farmer William "Billy Joe" Watson.
- Taylor travels to northern New Mexico and steals firearms and personal items from a residence. He hides the guns in an abandoned farmhouse on property Watson controls and hides the other items in his parents' barn.

### **June 2005**

- Taylor meets Michael Brown, a higher-ranking member of the Aryan Brotherhood, in San Jon. Brown asks Taylor to get anhydrous ammonia for methamphetamine manufacture. The substance is also an agricultural fertilizer.
- Taylor and Watson discuss anhydrous ammonia.

### **Sometime before July 2005:**

- Taylor retrieves a disc of information from a woman who passed information among members of the Aryan Brotherhood, but fell out of favor. Taylor asks Brown if he should kill the woman, but Brown says no.

#### **July 4, 2005**

- Taylor shoots Roosevelt County resident Jimmie Bo Chunn in the head at Chunn's home.

#### **July 7, 2005**

- Taylor returns to Chunn's residence to steal guns and money. He hides the guns in the abandoned farmhouse.

#### **July 8, 2005:**

- Chunn's body is discovered. The criminal investigation begins.

#### **July 8 or 9, 2005**

- Taylor comes to his probation officer, who finds alcohol and guns in Taylor's vehicle. Taylor is jailed for parole violation.

#### **July 9, 10 and 13, 2005**

- Local law enforcement officers question Watson. (As per defense attorney Gary Mitchell.)

#### **September 2005**

- FBI informant and Aryan Brotherhood member Donald Wilson moves into the cell next to Taylor.

#### **October 2005**

- While in prison, Taylor gives Wilson a letter asking Watson to allow someone on his property to retrieve "tools," a code word for weapons, and a map to the abandoned farmhouse where he hid firearms stolen from Chunn's house and a Northern New Mexico residence.
- Authorities search the abandoned farmhouse by night and remove the firearms, one of which is later confirmed to be the rifle that killed Chunn.
- Undercover Alcohol, Tobacco and Firearms agent Pete McCarthy and FBI informant and Aryan Brotherhood member John Fairres pose as Brotherhood members and approach Watson, who allows them on his property. They pretend to recover the "tools" from the farmhouse. No one refers directly to guns.

#### **November 2005**

- Taylor explains to Wilson a contract with Watson to kill Chunn in exchange for anhydrous ammonia. Wilson passes the information to Griego.

#### **End of November or beginning of December 2005**

- Taylor gives Wilson a letter to Watson asking for the promised anhydrous ammonia, thinking Wilson will pass it on to a member of the Brotherhood.

#### **Dec. 6, 2005**

- McCarthy and Fairres again meet with Watson and deliver Taylor's letter. Watson said he would work on getting the anhydrous ammonia, but it would take time. Watson later calls McCarthy three to five times to discuss his progress.

#### **Dec. 14, 2005**

- Watson pays \$990 for 850 gallons of anhydrous ammonia in Muleshoe.

#### **Dec. 15, 2005**

- McCarthy and Fairres try to retrieve the tank of anhydrous ammonia but can't find it. Watson assists them,

asks about future paid work for the Aryan Brotherhood and invites the men over for beer.

#### **March 2006**

- The New Mexico state crime lab determines the bullet found at Chunn's house matches a rifle recovered from Taylor's stash at the abandoned house.
- Authorities question Watson, who refuses to answer.

#### **About August 2006**

- Still in prison, Taylor writes a coded letter describing his activities for the Aryan Brotherhood since his May 2005 release from prison. The letter mentions a deal for anhydrous ammonia with "Mr. X."

#### **June 2007**

- Watson is arrested and Taylor is indicted in connection with Chunn's murder. (As per Portales News-Tribune reports)

#### **June 2008**

- Watson is indicted in connection with the murder of Chunn. (As per Portales News-Tribune reports)

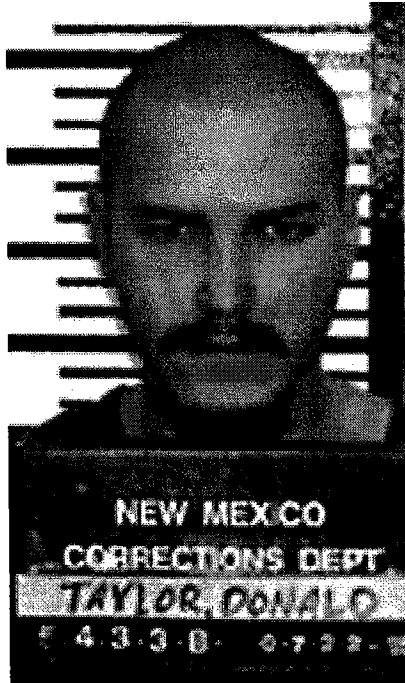
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## Two indicted in Bo Chunn homicide

By Gabriel Monte: Freedom Newspapers

2007-06-26 00:00:37



A Rogers man has been charged with the 2005 death of a Causey rancher, according to a press release from the District Attorney's office.

A federal grand jury indicted Donald Taylor, 27, Monday on racketeering and murder charges in connection with the July 2005 death of 71-year-old Jimmy "Bo" Chunn, according to District Attorney Matt Chandler.

Roosevelt County sheriff's deputies also arrested Billy Joe Watson, 42, of Roosevelt County on Monday on racketeering and drug charges, Chandler said in the same press release. Chandler said the arrests are connected but declined to comment on how.

Chandler said Taylor has been held at a federal penitentiary in Las Cruces on unrelated firearm charges since early in the investigation into Chunn's death.

Chunn was found July 8, 2005, shot to death at his Causey home.

Watson is facing charges of interstate racketeering and conspiracy to commit manufacturing methamphetamine over 50 grams, according to the release.

Watson is being held at a federal holding facility in Las Cruces without bond, Chandler said.

Chandler said the indictments were sealed at the federal level pending the final stages of the investigation.

Capt. Lonnie Berry of the Portales Police Department said he's known for a while that things were falling in place for the indictments but seeing those come down was a relief.

"We're just glad to finally get it behind us," Berry said.

Sue Inge, Chunn's sister, said she had been advised Monday that arrests had been made in the case but was unaware of the federal grand jury indictments.

"I don't really know a whole lot," Inge said late Monday night. "I just got a call this morning that said they were making arrests. I'm very glad they've done that."

PNT Managing Editor Karl Terry contributed to this report

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