



New Mexico District Attorneys' Association

September 26, 2017

HAND DELIVERED

Chief Justice Judith K. Nakamura
Supreme Court of New Mexico
P. O. Box 848
Santa Fe, New Mexico 87504-0848

Dear Justice Nakamura:

We, the undersigned District Attorneys from New Mexico's thirteen judicial districts, are writing to express our collective concern regarding the implementation of the recently-adopted pretrial detention rule, 5-409 NMRA. In addition, we are asking the Court to amend Rule 5-409 to better protect the public, comport with established federal precedent, and align with the intent of the recently adopted amendment to Article II, Section 13 of the New Mexico Constitution.

Rule 5-409 sets forth a procedure for prosecutors to initiate pretrial detention proceedings by motion and for district courts to hear and decide those motions. It was implemented at the Court's direction on July 1, 2017, following the November 2016 adoption of an amendment to Article II, Section 13 of the New Mexico Constitution. Among other things, the stated purpose of that amendment was to create a new, constitutionally-sound basis to detain dangerous defendants prior to trial, given that the historical and constitutionally-questionable practice of detention-by-bond was being reformed. Whether or not the voting public understood the constitutional reasons for the change, they undoubtedly understood one thing about the proposed amendment—that dangerous defendants would be kept in jail under the new process. Taking this message to heart the public voted overwhelmingly in favor of the amendment.

The Court intended Rule 5-409 to be an efficient procedure to protect the public from dangerous defendants. As implemented, however, the rule has given rise to lengthy, cumbersome hearings and discovery litigation in district court, the results of which all-too-frequently are that defendants who pose significant risks to the public are released. For example, despite the fact that the Second Judicial District Attorney is exercising extreme discretion by filing on less than 15% of eligible felony cases, his office is able to secure detention only one-third of the time. Consequently, while violent crime is rising by significant amounts across Bernalillo County, *the effective rate of pre-trial detention in that jurisdiction is less than 5%*. In contrast, the national

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average for similar state jurisdictions is significantly higher, and the effective rate of detention in U.S. District Court for the District of New Mexico, is approximately 74%. Given that the Court has repeatedly referenced the federal Bail Reform Act as a model for our state to follow, it is abundantly clear that the process set forth under the current Rule is not working as intended.

In contrast to Justice Daniels' remarks during the extraordinary writ filed in *Torrez v. Whitaker*, No. S-1-SC-36379, that "it doesn't take longer than 15 minutes to hold one of these hearings; judges have been doing it for decades," prosecutors from across the state are routinely engaged in mini-trials that take hours to resolve, thereby wasting precious judicial, prosecutorial and police resources. Continued disputes regarding the form of evidence are a common occurrence, despite the fact that the Rule states that the rules of evidence shall not apply to these proceedings. In addition, these hearings often turn into protracted discovery disputes, borne principally by the ambiguity in the rule's discovery scope language: "evidence relating to the motion for pretrial detention." Courts are routinely, and incorrectly, interpreting this language to require production of all case-related discovery prior to the detention hearing, and even going so far as to sanction the State when that production is not made or not available.

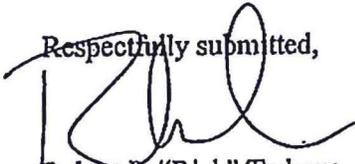
More surprisingly, Rule 5-409 as currently constructed has also led to the absurd result that district courts are either unwilling or believe themselves unable to consider the nature of the current charges when determining defendant dangerousness. For years under the express terms of Rule 5-401 NMRA courts have considered current charges in gauging the impact that a defendant's release might have on public safety. Inexplicably, however, even when they are making essentially the same determination as under Rule 5-401, courts are either neglecting or outright refusing to consider current charges in deciding Rule 5-409 motions. Demonstrably violent offenders—accused murderers, serial rapists, armed robbers and child pornographers—are being released because of this refusal.

The attached proposed amendments to Rule 5-409 are, we believe, even-handed and conservative. They clarify that pretrial detention do not trigger case discovery requirements, that evidence of dangerousness can be by proffer and received in any form, and that judges can and should consider *all available relevant information in assessing defendant dangerousness*. The changes will encourage efficient use of judicial and party resources and discourage devolution of detention proceedings into discovery disputes and hours-long mini-trials.

We believe that these changes are consistent with how pretrial detention is handled in the federal system—the ancestor of New Mexico's procedure—and will help faithfully fulfill the promise of the constitutional amendment that dangerous defendants will be detained pending trial. While we recognize that the development of precedential case law would clarify some of these issues over time, New Mexicans should not have to wait for that process to unfold over the next several years when most of these issues can be directly addressed with a common sense modification of Rule 5-409.

We are available as a group or individually to meet with you or the Court as a whole to discuss our concerns and the requested amendments. We look forward to working with the Court to resolve this important issue and better protect the people of New Mexico.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'RT', is written over the text 'Respectfully submitted,'.

Robert P. "Rick" Tedrow
NMDAA President and
11th Judicial District Attorney

5-409. Pretrial detention.

A. Scope. Notwithstanding the right to pretrial release under Article II, Section 13 of the New Mexico Constitution and Rule 5-401 NMRA, under Article II, Section 13 and this rule, the district court may order the detention pending trial of a defendant charged with a felony offense if the prosecutor files a written motion titled “Expedited Motion for Pretrial Detention” and proves by clear and convincing evidence that no release conditions will reasonably protect the safety of any other person or the community. Pretrial detention proceedings are to be limited to determining whether release of the defendant would present a danger to any person or the community. They are not intended to require any party to obtain or produce discovery except as set forth in this rule.

B. Motion for pretrial detention. The prosecutor may file a written expedited motion for pretrial detention at any time in both the court where the case is pending and in the district court. The motion shall include the specific facts that warrant pretrial detention.

(1) The prosecutor shall immediately deliver a copy of the motion to

(a) the detention center holding the defendant, if any;

(b) the defendant and defense counsel of record, or, if defense counsel has not entered an appearance, the local law office of the public defender or, if no local office exists, the director of the contract counsel office of the public defender.

(2) The defendant may file a response to the motion for pretrial detention in the district court, but the filing of a response shall not delay the hearing under Paragraph F of this rule. If a response is filed, the defendant shall promptly provide a copy to the assigned district court judge and the prosecutor.

C. Case pending in magistrate or metropolitan court. If a motion for pretrial detention is filed in the magistrate or metropolitan court and a probable cause determination has not been made, the magistrate or metropolitan court shall determine probable cause under Rule 6-203 NMRA or Rule 7-203 NMRA. If the court finds no probable cause, the court shall order the immediate personal recognizance release of the defendant under Rule 6-203 NMRA or Rule 7-203 NMRA and shall deny the motion for pretrial detention without prejudice. If probable cause has been found, the magistrate or metropolitan court clerk shall promptly transmit to the district court clerk a copy of the motion for pretrial detention, the criminal complaint, and all other papers filed in the case. The magistrate or metropolitan court’s jurisdiction to set or amend conditions of release shall then be terminated, and the district court shall acquire exclusive jurisdiction over issues of pretrial release until the case is remanded by the district court following disposition of the detention motion under Paragraph I of this rule.

D. Case pending in district court. If a motion for pretrial detention is filed in the district court and probable cause has not been found under Article II, Section 14 of the New Mexico Constitution or Rule 5-208(D) NMRA, Rule 5-301 NMRA, Rule 6-203 NMRA, Rule 6-204(B) NMRA, Rule 7-203 NMRA, or Rule 7-204(B) NMRA, the district court shall determine probable cause in accordance with Rule 5-301 NMRA. If the district court finds no probable cause, the district court shall order the immediate personal recognizance release of the defendant under Rule 5-301 NMRA and shall deny the motion for pretrial detention without prejudice.

E. Detention pending hearing; warrant.

(1) *Defendant in custody when motion is filed.* If a detention center receives a copy of a motion for pretrial detention, the detention center shall distribute the motion to any person designated by the district, magistrate, or metropolitan court to release defendants from custody under Rule 5-401(N) NMRA, Rule 5-408 NMRA, Rule 6-401(M) NMRA, Rule 6-408

NMRA, Rule 7-401(M) NMRA, or Rule 7-408 NMRA. All authority of any person to release a defendant pursuant to such designation is terminated upon receipt of a detention motion until

(a) the district, metropolitan, or magistrate court finds no probable cause pursuant to Rules 5-301(C), 6-203(C), or 7-203(C) NMRA;

(b) the district, metropolitan, or magistrate court dismisses the current charges; or

(c) the district court orders that conditions of release can reasonably protect the safety of any person and the community and imposes such conditions of release further court order.

(2) **Defendant not in custody when motion is filed.** If the defendant is not in custody when the motion for pretrial detention is filed, the district court may issue a warrant for the defendant's arrest if the motion establishes probable cause to believe the defendant has committed a felony offense and alleges sufficient facts that, if true, would justify pretrial detention under Article II, Section 13 of the New Mexico Constitution. If the motion does not allege sufficient facts, the court shall issue a summons and notice of hearing.

F. Pretrial detention hearing. The district court shall hold a hearing on the motion for pretrial detention to determine whether any release condition or combination of conditions set forth in Rule 5-401 NMRA will reasonably protect the safety of any other person or the community. Upon the request of the prosecutor, the district court shall set the matter for a preliminary hearing to be held concurrently with the motion for pretrial detention and, for cases pending in the magistrate or metropolitan court, shall provide notice to the magistrate or metropolitan court that the preliminary hearing is to be held in the district court.

(1) **Time.**

(a) **Time limit.** The hearing shall be held promptly. Unless the court has issued a summons and notice of hearing under Subparagraph (E)(2) of this rule, the hearing shall commence no later than seven (7) ~~five (5)~~ days after the later of the following events:

(i) the filing of the motion for pretrial detention; or

(ii) the date the defendant is arrested as a result of the motion

for pretrial detention.

(b) **Extensions.** The time enlargement provisions in Rule 5-104 NMRA do not apply to a pretrial detention hearing. The court may extend the time limit for ~~holding~~ commencing the hearing as follows:

(i) for up to three (3) days upon a showing that extraordinary circumstances exist and justice requires the delay;

(ii) upon the defendant filing a written waiver of the time limit; or

(iii) upon stipulation of the parties.

(c) **Notice.** The court shall promptly notify the parties of the date of the hearing and shall comply with the notice requirement in NMSA 1978, § 31-26-10 of the Victims of Crime Act, where applicable.

(2) **Discovery.** Pretrial detention is not intended to be a discovery tool for either party. Both parties, however, shall disclose or make available in advance of the hearing any evidence intended to be introduced at the hearing. All exculpatory evidence known to the prosecutor must be disclosed.

(3) **Defendant's rights.** The defendant has the right to be present and to be represented by counsel and, if financially unable to obtain counsel, to have counsel appointed. The defendant shall be afforded an opportunity to testify, to present witnesses, to compel the

attendance of witnesses, to cross-examine witnesses who appear at the hearing, and to present information by proffer or otherwise. If the defendant testifies at the hearing, the defendant's testimony shall not be used against the defendant at trial except for impeachment purposes or in a subsequent prosecution for perjury.

(4) ***Prosecutor's burden.*** The prosecutor must prove by clear and convincing evidence that no release conditions will reasonably protect the safety of any other person or the community.

(5) ***Evidence.*** The New Mexico Rules of Evidence shall not apply to the presentation and consideration of information at the hearing. The parties may proceed by proffer, documentary submission, or witness testimony, or any combination thereof. The court shall not require any party to submit evidence or information in any particular form. At the request of a party or on the court's own motion, the court may take judicial notice of information contained in official New Mexico court records.

(6) ***Factors to be considered.*** The court shall consider any fact relevant to the nature and seriousness of the danger to any person or the community that would be posed by the defendant's release and any fact relevant to the likelihood that conditions of release will reasonably protect the safety of any person or the community, including but not limited to the following:

(a) the nature and circumstances of the offense charged, including whether the offense is a crime of violence;

(b) the weight of the evidence against the defendant;

(c) the history and characteristics of the defendant, including

(i) the defendant's character, physical and mental condition, past conduct, history relating to drug or alcohol abuse, and criminal history;

(ii) whether, at the time of the current offense or arrest, the defendant was on probation, parole, or on other release pending trial, sentencing, or appeal for any offense under federal, state, or local law; and

(iii) whether the defendant has a history of violations of probation, parole, or conditions of release in the ten (10) years preceding the current charges;

(d) the nature and seriousness of the danger to any person or the community that would be posed by the defendant's release;

(e) any facts tending to indicate the defendant may or may not commit new crimes if released;

(f) whether the defendant has been ordered detained under Article II, Section 13 based on a finding of dangerousness in another pending case or was ordered detained based on a finding of dangerousness in any prior case; and

(g) any available results of a pretrial risk assessment instrument approved by the Supreme Court for use in the jurisdiction, provided that the court shall not defer to the recommendation in the instrument but shall make an independent determination of dangerousness and community safety based on all information available at the hearing.

(7) ***Crimes or offenders flagged as dangerous by law.*** The court shall consider the Legislature's determination that certain felony offenses or offenders pose a greater danger to the community as indicated by such measures as mandatory sentencing, sentencing enhancements, registration requirements, and good time restrictions. These include the following categories of offenses or offenders:

(a) *Serious violent felonies.* The defendant is charged with a serious

violent felony as set out in NMSA 1978, § 33-2-34(L)(4).

(b) *Habitual offenders.* The defendant's criminal history makes the defendant eligible for mandatory sentencing under NMSA 1978, § 31-18-17;

(c) *Use of a firearm to commit a felony or possession of a firearm by a convicted felon.* The defendant is charged with a crime eligible for sentence enhancement under NMSA 1978, § 31-18-16 or is charged with violating NMSA 1978, § 30-7-16;

(d) *Sex offenders.* The defendant is required to register as a sex offender under NMSA 1978, § 29-11A-4;

(e) *Habitual driving while under the influence.* The defendant is charged with a felony violation of NMSA 1978, § 66-8-102 and court records indicate that the defendant has three or more eligible prior convictions of driving while under the influence of intoxicating liquor or drugs;

(f) *Habitual domestic abusers.* The defendant is charged with a violation of NMSA 1978, § 30-3-17; and

(g) *Crimes committed while incarcerated or on probation or parole.* The defendant is eligible for mandatory or presumptive consecutive sentencing under NMSA 1978, § 31-18-21.

(8) *Decision on motion required; continuance on request.* The court shall decide the motion based on the evidence and information in the motion or presented at the hearing and shall not delay consideration of or deny the motion pending further discovery or submission of additional or different evidence, except that either party may move the court to continue the hearing for up to three (3) days for good cause shown. During any continuation of the hearing the defendant shall remain in custody.

G. Order for pretrial detention. The court shall issue a written order for pretrial detention at the conclusion of the pretrial detention hearing if the court determines by clear and convincing evidence that no release conditions will reasonably protect the safety of any other person or the community. The court shall file written findings of the individualized facts justifying the detention as soon as possible, but no later than two (2) days after the conclusion of the hearing.

H. Order setting conditions of release. The court shall deny the motion for pretrial detention if, on completion of the pretrial detention hearing, the court determines that the prosecutor has failed to prove the grounds for pretrial detention by clear and convincing evidence. At the conclusion of the pretrial detention hearing, the court shall issue an order setting conditions of release under Rule 5-401 NMRA. The court shall file written findings of the individualized facts justifying the denial of the detention motion as soon as possible, but no later than two (2) days after the conclusion of the hearing. If Subparagraph (F)(7) applies, the court's findings must explain why release is appropriate in spite of the heightened danger identified by the Legislature.

I. Further proceedings in magistrate or metropolitan court. Upon completion of the hearing, if the case is pending in the magistrate or metropolitan court, the district court shall promptly transmit to the magistrate or metropolitan court a copy of either the order for pretrial detention or the order setting conditions of release. The magistrate or metropolitan court may modify the order setting conditions of release upon a showing of good cause, but as long as the case remains pending, the magistrate or metropolitan court may not release a defendant who has been ordered detained by the district court.

J. Expedited trial scheduling for defendant in custody. The district court shall provide

expedited priority scheduling in a case in which the defendant is detained pending trial.

K. Successive motions for pretrial detention and motions to reconsider. On written motion of the prosecutor or the defendant, the court may reopen the detention hearing at any time before trial if the court finds that information exists that was not known to the movant at the time of the hearing and that has a material bearing on whether the previous ruling should be reconsidered.

L. Appeal. Either party may appeal the district court order disposing of the motion for pretrial detention in accordance with Rule 5-405 NMRA and Rule 12-204 NMRA. The district court order shall remain in effect pending disposition of the appeal.

M. Judicial discretion; disqualification and excusal. Action by any court on any matter relating to pretrial detention shall not preclude the subsequent statutory disqualification of a judge. A judge may not be excused from presiding over a detention hearing unless the judge is required to recuse under the provisions of the New Mexico Constitution or the Code of Judicial Conduct.



SUPREME COURT OF NEW MEXICO
FILED

OCT - 2 2017

A handwritten signature in black ink, appearing to be "J. Nakamura".

State of New Mexico

Eleventh Judicial District Court
103 South Oliver Drive • Aztec, New Mexico 87410

KAREN L. TOWNSEND
DISTRICT JUDGE, DIVISION VIII

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September 27, 2017

New Mexico Supreme Court
P.O. Box 848
Santa Fe, NM 87504-0848

RE: Pretrial release and detention rules

Dear Chief Justice Nakamura and the Honorable Supreme Court:

In response to your invitation for comments on the pretrial release and detention rules that became effective on July 1, 2017, the Eleventh Judicial District Court District Judges would bring to your attention the following concerns.

6-401 (B) and bail decisions within the context of probable cause determinations

When an arrest occurs on a Friday, Saturday or holiday and the arrestee is not otherwise released, and a first appearance will not take place within 48 hours, magistrate judges review the arrests for probable cause on an ex parte basis. In the past, magistrate judges have also made initial bail determinations at that time. Current Form 9-207A NMRA (2013), "Probable Cause Determination," also suggests the setting of conditions of release during this review.

However, we understand the first sentence of Rule 6-401 (B) (July 1, 2017) to mean that when a magistrate judge considers bail within 48 hours of an arrest, the magistrate judge's only option is to order the arrestee released under one of two options: 1) on the defendant's personal recognizance or, 2) on an unsecured appearance bond. Additionally, that in making the decision between these two release options, the judge may only consider flight risk. If our understanding of Rule 6-401 (B) is correct, there is great concern that the magistrate judge has no other option besides ordering release of the arrestee and is not allowed to consider the safety of the community. Public perception of the judiciary is diminished when a person who is arrested for a violent crime (supported by probable cause) is released simply because there is no evidence of flight risk. We suggest that a magistrate judge should have the authority to consider the dangerousness

of the arrestee, if patent, and the authority to order detention, at least until the hearing contemplated under subsection (A) of Rule 6-401 takes place.

Our request is that Rule 6-401 (B) be clarified as to how it should be applied in the context of ex parte evaluations of arrests that take place prior to a hearing on conditions of release.

5-401

(B); Unsecured appearance bonds. We point out that these types of bonds carry no weight when there is no collection on them. Our district court has never attempted collection, does not have the manpower or apparatus for collection and the “word is out;” nothing will happen when a person fails to appear except that a bench warrant will be issued. “Everyone knows” that the defendant will not be able to pay the bond amount and that there will be no consequences for the failure to pay. We can report that anecdotally, failure to appear in district court has increased noticeably, if not markedly, since July 1, 2017 when more individuals have been released on their own recognizance or on appearance bonds. Reliance on unsecured appearance bonds may be misplaced. Reports of their effectiveness in other jurisdictions should be examined for whether it is the collection or enforcement efforts that make them effective.

Our request is that the court be provided with the resources to collect on unsecured appearance bonds that have been violated. If not, thought should be given to whether the unsecured appearance bond option should be eliminated and reform efforts move forward without their inclusion.

(D); Non-monetary conditions of release. We have two major requests for clarification:

One: In imposing various non-monetary conditions of release on a detained defendant, may the defendant continue to be detained while making arrangements to meet the conditions imposed, such as obtaining stable housing or getting back on medication that has previously been prescribed? This is especially crucial for defendants whose competency to stand trial is under review.

Two: Should the condition that a defendant be monitored for location and/or alcohol consumption through GPS and/or alcohol monitoring “bracelet” technology be considered a non-monetary condition since it does require a financial outlay on the defendant’s part?

In particular, we also ask the Court to look at:

(D)(1). We would like the Court and its Commission to consider what kind of recourse there is when the appointed designated person fails in his/her responsibilities. In our District, a designated person recently failed miserably. The defendant having, while in the designated person's "custody," shot at a police officer, he was then himself killed by the police.

(D)(13) and Form 9-303. Form 9-303 includes a specific condition that the defendant "maintains contact with the defendant's attorney." Rule 5-401 (D) does not suggest this as a condition, at least not explicitly. It is unclear whether the defendant's attorney has the concomitant obligation to voluntarily tell the Court whether the defendant is actually maintaining contact as ordered. If so, our Court is concerned that this condition places the defendant's attorney in the position of violating Rule 16-106 of the Rules of Professional Conduct requiring the defense attorney to maintain all information concerning the client as confidential. On the other hand, if the defense attorney is actually ordered by the Court to report (as opposed to a voluntary report) the defendant's compliance with the condition, Rule 16-106 probably would not be violated.

We request an evaluation of whether the defendant's maintaining contact with the defendant's attorney is an appropriate condition of release in Form 9-303 and if so, how enforcement of that condition should be executed consonant with the Rules of Professional Conduct.

5-401 (A) and (H)(2); 5-403 (D); 5-409 (F)(1)(a); time requirements for hearings

Try as it might, the district court often cannot meet the three and/or five day deadlines in which to hold hearings. It is a simple fact of which the Supreme Court needs to be aware. If the court is able to set the hearing within that time frame, there is inadequate time to subpoena witnesses, if required, and counsel are (understandably) often not prepared. Unfortunately, and through no one's fault, these provisions will be routinely, but necessarily, violated.

Our request is that the time requirements be reevaluated. We suggest 10 calendar days and believe we can meet that requirement.

5-403

Often, the issue of a defendant's pretrial release will not be raised by motion. Rather, it will arise when a defendant fails to appear for pretrial proceedings at which time the state will request a bench warrant for the defendant's arrest. We believe that under these circumstances, a bench warrant for failure to appear in court on stated date comports with new Rule 5-403 (C). As we understand it, the bench warrant may no longer state "no bond hold." We have been inserting in the "bond provisions" area of the bench warrant, Form 9-212 NMRA (1999), instructions to the effect that: "the defendant shall be detained until further order of this court." However, it must be recognized that the bench warrant may be served in another state and this proposed language may be seen as contradictory to language in the warrant authorizing extradition. On the other hand, "no bond hold" language in a warrant conveys what is meant, and is generally understood by other jurisdictions; that the arrestee must be held pending extradition proceedings without further order of the originating court.

We request clarification about the appropriate "bond provisions" language on a bench warrant for failure to appear.

5-408 (B)(1)

We would like the rule to make it clear that, "if known," a designee should not release an arrestee who has an outstanding arrest or bench warrant unless the outstanding arrest or bench warrant itself specifically provides for release. It happened in our district once in the past that a person arrested for misdemeanor shoplifting had an outstanding, extraditable, "no bond" arrest warrant for murder out of California. Rule 5-408 (B)(1) is not entirely clear that the designee would have the authority to hold the misdemeanor shoplifting arrestee in this situation.

Although Rule 5-408 (A) states that "a judge may issue a pretrial order imposing a type of release and conditions of release that differ from those set forth in this rule," and in (E) it says that "a person who is not eligible for pretrial release by a designee under [rule 5-408] shall have the type of release and conditions of release set by a judge . . .;" we request a short and concise directive in the rule that detention instructions on arrest and bench warrants take precedence over any other provisions of Rule 5-408.

Supreme Court
September 27, 2017

Thank you for the invitation to continue the conversation about the new pretrial release and detention rules and for the opportunity to submit comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karen', written over a diagonal line that extends from the top left towards the bottom right.

Karen L. Townsend
Chief District Judge



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October 18, 2017

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Chief Justice Judith K. Nakamura
New Mexico Supreme Court
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Dear Chief Justice Nakamura,

Secretary
Jennifer Burrill
Santa Fe

Thank you for seeking the New Mexico Criminal Defense Lawyers Association's input on the new bail rules. We hope to help reform New Mexico's criminal justice system to effectively reduce crime and costs to taxpayers. Reforming bail is essential to that end.

Treasurer
Richard Pugh
Albuquerque

The New Mexico Criminal Defense Lawyers Association (NMCDLA) represents over 500 New Mexico criminal defense lawyers, including lawyers in private practice and public defenders. We have members who live and practice in every jurisdiction in New Mexico. Speaking with those members, we have gathered state-wide information about the new bail rules. We will address our main concerns first, which is that almost everyone is now held for short periods of time without bail, and then we will discuss other parts of the new bail rules that need to be addressed.

Executive Director
Cathy Ansheles

Legislative Coordinator
Rikki-Lee Chavez

Everyone is now held

The new bail rules have fallen short of their intended purpose of ensuring pretrial detention is used only for dangerous defendants who pose a threat to the community. Loopholes in the rules have created a system where almost everyone accused of a crime is jailed anywhere from a few days to a week plus, until their case can be heard. New Mexico jails are full of non-dangerous defendants languishing while waiting for their day in court. This is not only jeopardizing defendant's jobs but also costing the counties and the courts time and money.

This mass jailing is happening for two main reasons: prosecutors are filing motions to detain as dangerous on far too many cases and there is no procedure for immediate release of those who are not charged with violent offenses.

NMCDLA believes the solution is: designating a class of dangerous crimes on which motions to detain can be filed; creating an immediate release

provision for crimes that are not dangerous; and shortening timeframes in which motions to detain must be filed and heard.

A recent case¹ in Las Cruces illustrates how these loopholes affect New Mexicans. On Saturday August 5, 2017 a New Mexico State University student was arrested for opening an unlocked NMSU utility truck and taking a bottle of water. He was charged with burglary of a vehicle. Because there is no mechanism for release before seeing a judge, this young man was detained in jail until Monday August 7, 2017 just to be seen.

At his first appearance on August 7, 2017 the prosecution filed a motion to detain him as dangerous. Although this student had no priors and this crime was not dangerous this filing immediately deprived the magistrate court of jurisdiction to release.

On August 8, 2017, the prosecution apparently realized it was unlikely to be successful in its motion to detain and withdrew the motion.

The student then had to wait another day for the matter to be remanded back before a magistrate who finally released him on his own recognizance on August 9, 2017.

This student spent four days in jail because there was no way for him to be immediately released and the prosecution used their unfettered power under these rules improperly.

In other cases, prosecutors have used a motion to detain as dangerous to pressure a plea. In a recent Santa Fe case² a prosecutor offered the defendant an eighteen-month probation sentence during a recess in the dangerousness hearing.

Designating which dangerous crimes allow the prosecution to file a motion to detain will create a system by which the courts' limited resources are not wasted by these improper motions. New Mexico statute has defined dangerous and serious crimes under its competency laws and its sentencing laws. NMSA 31-9-1.4 (A); NMSA 31-9-1.5(A); (if the defendant is charged with a felony that involves the infliction of great bodily harm on another person; a felony that involves the use of a firearm; aggravated arson; criminal sexual penetration; or criminal sexual contact of a minor) and NMSA 33-2-34(L)(4) (defining "serious violent offense").

NMCDLA suggests using one of those two definitions to define a set of charges on which a prosecutor can file a motion to detain.

For people who are charged with crimes other than that defined group, NMCDLA suggests creating a process for immediate release. Following release the parties

¹ M-14-FR-201700630 and D-307-LR-201700074

² D-101-CR-201700731, D-101-LR-201700054, M-49-FR-201701024

could, if needed, file a motion to be heard on any special conditions of release. These hearings could be given priority.

Fixing the bottle neck at the beginning of the case process will free up New Mexico jails to hold just those who are dangerous to our communities. It will also free up New Mexico courts to handle dangerous cases that need immediate attention.

Additional Areas to Address

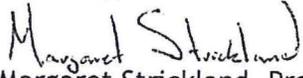
In addition to the above overarching problem, here are additional issues that defense lawyers have seen since these rules were put into practice:

- 1) There is no remedy in the rule for violations. Remedies are necessary. If a person does not get a hearing in the specified time, they should be released pending the hearing to detain.
- 2) Danger to the community should be more clearly defined. Again, NMCDLA suggests the Court look to dangerousness as defined by New Mexico law under NMSA 31-9-1.4(A).
- 3) While evidence can be given by affidavit in these hearings, some prosecutors have attempted to rely on bare bones criminal complaints to show dangerousness. Specific information on dangerousness outside the affidavit should be required.
- 4) The court should shorten the time allowed for a dangerousness hearing to three calendar days. At the very least the court should clarify that the ten-day rule does not apply to dangerousness hearings. NMRA 5-104(1)(when a period stated is less than 10 days, holidays and weekends are excluded).
- 5) Prosecutors in some jurisdictions have repeatedly filed, withdrawn, and then refiled motions to detain on the same case and defendant, thereby increasing the defendant's wait time to be heard. The prosecution should only be able to refile a motion to detain after one week or a denial from district court.
- 6) Eliminate the practice of allowing courts to hold people who have not been found to be dangerous by requiring expensive services like electronic monitoring³ or drug testing. In some districts, courts have ordered people not found dangerous to remain in jail until they can pay for these expensive services. (*Also, a finding of dangerousness should be required for a defendant to be placed on EM since it counts as jail time.*)

With these fixes, the new bail rules should work as intended. New Mexico will be able to join other states in reforming our justice system to focus the use of our jail resources on dangerous defendants.

³ Electronic monitoring should be eliminated from use. It is expensive, and studies have found it has no effect on rearrest or nonappearance in court. "Does GPS supervision of intimate partner violence defendants reduce pretrial misconduct? Evidence from a quasi-experimental study," Eric Grommon, *Journal of Experimental Criminology* (September 2017) (<https://link.springer.com/article/10.1007/s11292-017-9304-4?no-access=true>)

Sincerely,



Margaret Strickland, President
New Mexico Criminal Defense Lawyers Association

cc: New Mexico District Attorneys' Association
c/o Robert Tedrow
335 S Miller Ave
Farmington, NM 87401-6463
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Administrative Office of the Courts
c/o Arthur Pepin
237 Don Gaspar Ave Rm 25
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aocawp@nmcourts.gov

From: Matthew Reynolds

Date: Wed, Oct 18, 2017 at 11:08 AM

Subject: Re: [cjc] Pre-trial Release and Detention Rules-input solicited

To: Judith Nakamura

Cc: Dungan, Deborah, Mercedes Murphy, Shannon Murdock

Chief Justice Nakamura, We district judges in the Seventh would like to see legislation passed making the magistrate courts of record for detention hearings. Also, we do not want pretrial detention hearings to expand to preliminary hearings that are generally held in magistrate court. Finally, we would appreciate the language of the detention hearing/revocation of conditions of release timelines change to "the next criminal docket" from the current short-term deadlines.

Thank you.

Matt Reynolds

On Thu, Oct 5, 2017 at 11:10 AM, Judith Nakamura wrote:

Good Morning Chief Judges:

As you may be aware the Supreme Court has been requesting input on the pretrial release and detention rules. In response to this request, the New Mexico District Attorney's Association has suggested some changes. The Law Offices of the Public Defender anticipate providing input as well. We are inviting all Courts to do the same. We have already received a letter expressing the collective comments of one judicial district and to the extent that you are able to collectively provide comments for your District please do so. Obviously such a procedure will not work for all Courts and should not limit the individual input of your judges.

We are requesting that input be sent to me by the close of business October 20. Please ensure that you cc emails you send to me to Deborah Dungan as well.

Dean Leo Romero has graciously agreed to reconvene the AdHoc Bail Reform Committee to review all received comments and make recommendations to the Court.

As we all continue to work together to implement the constitutional amendment we must be open to new ways of doing business and to the necessity of revising processes and rules as appropriate. Your willingness to share your experiences and to suggest changes are critical to this process. Thank you for your assistance.

Judy Nakamura



HOBBS MUNICIPAL COURT
CITY OF HOBBS

BEN HARRISON
Municipal Judge
SHANNON CARTER
Court Clerk

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Hobbs, New Mexico 88240
Phone (575) 397-9272
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10-18-17

Judge Ben Harrison
Hobbs Municipal Court
Hobbs, NM

Chief Justice Judith K. Nakamura
New Mexico Supreme Court
Santa Fe, NM

RE: Bond Issue

Madam Chief Justice;

I am writing this letter in response to a request from you concerning the current "No Bond" issues in NM.

Since the inception of the new program, most person(s) arrested are released on their "Own Recognizance". They are ordered to return to court on the next day or the first day after a weekend for arraignment.

I have found that approximately 50% of those ordered to return, **do not return**. This causes the court to issue a bench warrant for Failure to Appear. They are eventually arrested on that bench warrant and appear for initial arraignment. On a "not guilty" plea, the court sets a Pre-Trial conference where the Defendant meets with the City Attorney. Again, approximately 50% again, **do not return**.

When I do set a bond on those who the Court feels will not return, (or are charged with one of those crimes outlined by the Supreme Court) we have a Conditional Release hearing. This involves having the City Attorney and usually a court appointed attorney respond within the 72 hour time frame.

It appears many of the Defendants have come to understand the "system" and is using the system to prolong any court appear. They have learned that not much will happen to them if they do not appear. It shows the courts have little authority to impose any sanction for not appearing.

These requirements are having an impact on this court as it apparently with other courts, as outlined above. I cannot speak for other courts, but in Hobbs, there were not many times that a Defendant could not make bond. And those who could not make bond, the greatest number of those were denied bond by the Bonding companies because of previous FTA's. There were a very small number who could not financially make bond. And those, I made arrangements for a quicker Pre Trial Conference.

Madam Chief Justice, I appreciate your interest in hearing from the Courts in NM concerning this matter.

Respectfully Submitted,



Ben Harrison
Municipal Judge
Hobbs, NM

VILLAGE OF QUESTA

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Mark Gallegos, Mayor

Lawrence A. Ortega, **Councilor**
Brent P. Jaramillo, **Councilor**
Julian Cisneros, **Councilor**
John Anthony Ortega, **Councilor**

Michael G. Rael, **Judge**
Nicholas Maestas, **Administrator**

October 20, 2017

Honorable Judith Nakamura, Chief Justice
New Mexico Supreme Court
237 Don Gaspar
Santa Fe, New Mexico 87501

Dear Chief Justice Nakamura:

In response to the Supreme Court's request for input concerning the issue of pre-trial detention and bail, below are some responses from municipal judges addressing their concerns about the issue.

With respect to the designee release rule, I have a few concerns.

The rule seems to possibly give the impression that being arrested is "no big deal", simply because there will be an immediate release. Almost as if the consequence of jail is minimized since the time in custody is shortened drastically.

Another concern is regarding individuals who have prior multiple cases, arrested on new charges, then immediately released based on this rule. Justice may be better served by these individuals remaining in custody. Designees don't have the full history on inmates they are releasing so individuals with 10+ pending matters pick up new violations and are released within a matter of hours. This is not to the fault of the designee, it simply is due to the fact they do not have access to the necessary information and are releasing individuals based solely on the charges in front of them, and rather than making a release decision based on collecting relevant, collateral information.

As Judges we are required to set conditions of release based on history of behaviors, history of FTA's, assessing risk to person and/or others. A designee is not able to make these assessments; therefore, individuals are released OR time and time again.

I understand the purpose of implementing this designee release and removing the bond schedule; however, I have seen concerning repercussions that should be considered and weighed as we move forward.

Thank you for reaching out and asking for our opinion as fellow Judges. Serving has been an honor.

Let me know what I can do to help!

Respectfully,

Honorable Elise A. Larsen
Grants Municipal Judge

Judge Rael

My apology for not responding sooner, I was doing my caseload as well as my other judges all last week.

I have three primary areas of concern with the implementation of Rule 8-401 which was effective July 1, 2017. Money, manpower and access to information.

It took our street inebriate population (200 to 300 people) less than a week to realize that all they had to do was plead not guilty and the judge had to turn them loose. This has led to a tremendous increase in cases being set for pretrial conference which then leads to more and more judge time, clerk time, prosecutor time and contract public defender time. Because of this, I am forced to request extra fiscal funding from the city, probably fifteen to twenty thousand dollars. Keep in mind that our court budget was reduced this fiscal year by ten percent due to the current downturn to our local economy. In other words, the court isn't likely to see the needed fiscal increase.

The second major impact is the municipal court's not having access to pretrial release services. In order to track and monitor those at high risk to reoffend, DWI offenders and other drug related offenders we have diverted probation time and resources to help accomplish this task. To continue this process will mean additional funding for manpower and supplies from our city. Again, not likely to happen.

The third is information. The municipal court is not authorized to access triple I information, NCIC information or any other government based information systems. At best our Administrative Office of the Courts is looking into the possibility of a statewide data source which the municipal courts might have access to sometime in the future. Lack of information leads to reduced conditions of release which could and often does put our community at risk.

I am out of space on my page so I have to close by saying we need HELP!

Honorable Bill Liese
Farmington Municipal Court

In reviewing the bond release rules and there implementation here are some areas of concern.

1. In reviewing release of individuals there is a lack of systems providing information for the Judge during off hours concerning mainly risks of Failure to Appear and previous history.
2. As a lack of information time an individual spends in jail after initial arrest is increasing.
3. An increase in hearings to be scheduled is increasing.
4. If an individual is determined a flight risk and held in jail, scheduling an additional hearing with the defendant in three days and there representation may be an issue as to the availability of representation involving public defender or private attorney.
5. Resources for conditions of release are limited.
6. Increase in Failure to Appear warrants may be experienced

Thanks.

Honorable Alan Kirk
Los Alamos Municipal Judge

As we discussed, I believe we have a handle on the bond issue. However, issuing "no bond" warrants for persons who, for whatever reason, do not respond to a citation or a summons seems counterproductive. This seems to me to be different from an arrest without warrant, and can be subject to a secured bond.

Honorable G. Robert Cook
Rio Rancho Municipal Judge

NOTE: This is where you can add your comments from Questa Municipal Court.

As President of the New Mexico Municipal Judges Association, I want to express our thanks to the Supreme Court in its efforts to help define the pretrial detention and bail issues. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "MR SR", with a long horizontal flourish extending to the right.

Honorable Michael Rael, Sr.
Questa Municipal Judge
President, New Mexico Municipal Judges Association



Chambers of
Judge Edward L. Benavidez
Chief Judge
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October 26, 2017

Chief Justice Judith K. Nakamura
New Mexico Supreme Court
P.O. Box 848
Santa Fe, NM 87504-0848

Re: Metropolitan Court's Proposed Changes to the
Current Rules Governing Pretrial Release and Detention
Proceedings, and Appeals

Dear Chief Justice Nakamura:

On behalf of the Metropolitan Court, we are writing to state our position on the new Rules governing pretrial release and detention proceedings and appeals. We respectfully request parameters to provide us with guidance on how we can better navigate pretrial release and detention under the Constitutional Amendment and the new rules. As we have been operating under the rules for the past few months, we have identified areas of concern where we would like for you to consider changes to some of the rules.

1. **Prior Concerns Raised in April 20, 2017 Letter.** Previously, when the Rules were proposed for amendment, we submitted our comments and concerns in a letter dated April 20, 2017, a copy of which is enclosed. We continue to have many of these same concerns as advanced in our letter.

2. **Community Safety Concerns and the Use of Secured Bonds.** We believe that the rules should be amended to allow cash or surety secured bonds in response to community safety concerns. This also would be consistent with the practice in Federal Court. Specifically, 18 U.S.C. § 3142(c)(1) allows the Federal Court to set additional conditions of release if the Judge determines that release on personal recognizance or an unsecured appearance bond will "not reasonably assure the appearance of the person as required or will endanger the safety of any other person or the community." Among the conditions that the Judge can set is the defendant can be required to execute a bail bond and agree to forfeit such property. 18 U.S.C. § 3142(c)(1)(B)(xii). As part of the Court's time-honored duty to take into consideration

community safety when setting conditions of release, we believe that it is critical that Judges be afforded the full panoply of available conditions including secured bonds.

3. **Pretrial Release under the Constitutional Amendment.** The ballot summary for the Constitutional Amendment stated: "In addition to the provision to deny bail to dangerous defendants, the amendment would also allow courts to release defendants without bail if there is no evidence that the defendant is dangerous or a flight risk, preventing detention that hinges on income." However, the actual language of the amendment provides:

"Bail may be denied by a court of record pending trial for a defendant charged with a felony if the prosecuting authority requests a hearing and proves by clear and convincing evidence that no release conditions will reasonably protect the safety of any other person or the community. ...A person who is not a danger detainable on grounds of *dangerousness nor a flight risk in the absence of bond* and is otherwise eligible for bail shall not be detained solely because of financial inability to post a money or property bond. A defendant who is neither a danger nor a flight risk and who has a financial inability to post a money or property bond may file a motion with the court requesting relief from the requirement to post bond. The court shall rule on the motion in an expedited manner." (*Emphasis added*)

Under the language of the constitutional amendment, it appears that a secured bond can be used to address dangerousness as well as flight risk. We should revise the rules to be in conformity with the language of the amendment and release defendants without bail when they are neither dangerous nor a flight risk.

4. **Requirements for Financial Bond.** One of the requirements in the new rules is that the Judges are to assess a defendant's financial ability to post a bond. The Constitutional amendment also provides that a defendant "shall not be detained solely because of financial inability to post a money or property bond." However, some guidance is requested on the practical application of this assessment.

Placing some burden on the defendant to show that he/she has no resources of any kind available to post a monetary bond would make this analysis more practical. The current framework encourages a defendant merely to claim no ability to post any kind of bond without providing any meaningful evidence or specificity in support of that claim. Therefore, we recommend that Rule 7-401 be revised so that Judges can set reasonable bonds to the best of their ability and based on the information provided at the first appearance. Then, if a defendant is unable to post the bond set by the Court and a Rule 7-401(H) hearing to review the conditions of release is set, the defendant be required to proffer evidence with some specificity as to the defendant's alleged financial inability to pay. While the Supreme Court created a form of "Pretrial Release Financial Affidavit," according to the use note, this form was optional. Rule 9-301A. Instead, as part of the Rule 7-401(H) hearing process, the defendant should be required in Rule 7-401(H)(1) to submit this form or otherwise plead with specificity in the defendant's Motion for Review.

5. Jurisdiction over Felony Cases Where Matters Heard by the District Court. The legislature has not created a right to interlocutory appeals from the Metropolitan Court like it did in NMSA 1978, § 39-3-3, which allows interlocutory appeals from certain district court orders. However, with the provisions in the rules for the District Court's review of certain Metropolitan Court orders, the practical effect has been to essentially allow interlocutory appeals of these issues. Specifically, Rule 7-401(J) (petitions to review conditions of release are sent to the District Court) and Rule 7-403(J) (petitions to review orders revoking conditions of release are sent to the District Court). Then, per the Constitutional Amendment, under Rule 7-409(D) (motions for pretrial detention are required to be transferred to the district court).

While the Rules have attempted to delineate what is being heard in the District Court from what is still pending in the Metropolitan Court, the practical result is that there is often confusion among the litigants and the Courts. For example, the defense will file discovery requests related to a preventative detention motions in our Court and the prosecution will file withdrawals of preventative detention motions only in the District Court without also alerting our Court. While we have worked closely with the District Court to develop methods by which pleadings are transmitted between our Courts, the reality is that, even with our best efforts, pleadings are filed in the District Court without our knowledge. When this happens, there is the risk of piecemeal litigation and inconsistent results in these felony cases as between the District Court and this Court.

One way to mitigate this would be for the case to remain with the District Court upon the filing of a Petition for Review or Preventive Detention Motion, respectively. It especially seems prudent for the case to remain with the District Court when a Motion for Pretrial Detention is filed. When such a Motion is filed whether or not the felony case continues in the District Court is fully within the power and knowledge of that Court as preliminary hearings have never been held in the Metropolitan Court. If only the Motion is with the District Court, it is unclear exactly what portion of the felony proceeding is remaining with this Court when a defendant is being preventatively detained by the District Court. Similarly, even when the Motion for Preventative Detention is denied, then, as the District Court is setting the Conditions of Release, it is fitting for any violations of those conditions to go before the District Court Judge, who is in the first best position to know the rationale behind the conditions set by that Judge and an appropriate consequence for that violation.

Alternatively, if cases are to remain with the Metropolitan Court, then there need to be more robust procedures in the Rules (or in the commentary, as appropriate) whereby both litigants and the Courts communicate with one another.

a. The Parties should be Required to file Pleadings in both Courts. When a case is pending in the Metropolitan Court, but a matter has been initiated in the District Court, if a pleading is filed in one Court, a courtesy copy of that filed pleading should then be filed in the other Court. While Rule 7-409(B) requires the prosecution to file the Motion for Pretrial Detention in both Courts, there is no similar such requirement for when these motions are withdrawn. Similarly, while Rule 7-401(J)(3)(a) and Rule 7-403(J)(1)(a) require the defense to file a copy of the District Court Petition in the Metropolitan Court, there is no similar requirement for when these petitions are withdrawn. Also, none of the

Rules contain provisions for the dual filing of other pleadings that may be filed in either Court during this window of time when cases are open in both Courts. This can lead to piecemeal litigation and delays in justice. For example, if the District Attorney's Office files a withdrawal of a preventative detention motion in the District Court, the Metropolitan Court needs to be apprized that the motion is no longer pending in the District Court. Depending on the timing of the withdrawal, either the district court or the metropolitan court will then hold the FFA and set conditions of release for the defendant. However, if this Court is unaware that the motion has been withdrawn, an FFA may not be timely set.

b. The Cases in the District Court and Metropolitan Court should be Related in Odyssey. Some of the mechanisms that this Court has established with the District Court include when LR cases are created in the District Court in Odyssey, the District Court relates the case to the Metropolitan Court FR case. Also, when Orders are entered in the District Court, they are attempting to be uniform in including both the LR and FR case numbers and in transmitting those orders back to the Metropolitan Court. However, there have been times where this does not happen. It is critical that the cases be related in Odyssey and if an Order is entered in the District Court on a Metropolitan Court case that it include both Court case numbers.

c. Orders should be Transmitted from the District Court to the Metropolitan Court within 24 Hours. Currently, Rule 7-403(J)(6) provides, "The district court shall *promptly* transmit to the metropolitan court a copy of the district court order disposing of the petition, and jurisdiction over the conditions of release shall revert to the metropolitan court." (*Emphasis added*) However, we recommend that instead of "promptly," the District Court should be required to transmit the Order to the Metropolitan Court within 24 hours. We recommend that a similar change be made to the language in Rule 7-409(J)(4) and in Rule 7-409(E). With regard to Motions for Pretrial Detention, it is important that not only for the Order either granting or denying the Motion to be sent within 24 hours to the Metropolitan Court but that when the Motions are denied that the Order setting conditions of release be sent both to the Court and the jail.

d. Pleadings Filed in the District Court on Cases Pending in the Metropolitan Court Should Be Visible in Odyssey. Except for pleadings that have been sealed, all pleadings filed and Orders entered in the District Court on cases that are pending in the Metropolitan Court should be visible in Odyssey. Currently, when the District Court receives a Petition to Review of Conditions of Release, a Petition to Review a Revocation of Conditions of Release, or a Motion for Pretrial Detention, the Court opens either an LR case type, which is visible in Odyssey, or a CS case type which is not visible in Odyssey either to the public or the Metropolitan Court. When there can be delays in the Metropolitan Court's receipt of Orders entered in cases, if both this Court and the attorneys of record cannot then quickly view the outcome in Odyssey, this can severely impact the proceedings in this Court. There also can be a detrimental impact on defendants who are in custody as the jail is also unable to see those orders, and there can be delays in a defendant's timely release from custody.

6. Change to Weight Placed on Rule 7-401(C) Factors. Currently, Rule 7-401(C) requires the Court to consider the results of a pretrial risk assessment instrument but it is optional for the Court to consider the six factors. We believe that weight should be given both to the tool and the factors as follows:

C. Factors to be considered in determining conditions of release. In determining the least restrictive conditions of release that will reasonably ensure the appearance of the defendant as required and the safety of any other person and the community, the court ~~may~~shall consider any ~~available results of a pretrial risk assessment instrument approved by the Supreme Court for use in the jurisdiction, if any, and the financial resources of the defendant. In addition, the court may take into account the available~~ information concerning:

(1) the nature and circumstances of the offense charged, including whether the offense is a crime of violence or involves alcohol or drugs;

(2) the weight of the evidence against the defendant;

(3) the history and characteristics of the defendant, including

(a) the defendant's character, physical and mental condition, family ties, employment, past and present residences, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, and record concerning appearance at court proceedings; and

(b) whether, at the time of the current offense or arrest, the defendant was on probation, on parole, or on other release pending trial, sentencing, or appeal for any offense under federal, state, or local law;

(4) the nature and seriousness of the danger to any person or the community that would be posed by the defendant's release;

(5) the available results of a pretrial risk assessment instrument approved by the Supreme Court for use in the jurisdiction, if any;

(6) the financial resources of the defendant;

(7) any other facts tending to indicate the defendant may or may not be likely to appear as required; and

(8)(6) any other facts tending to indicate the defendant may or may not commit new crimes if released.

7. Clarification is Needed on Revocation or Modifications of Conditions of Release. Rule 7-403 needs to be clarified with regard to revocation of conditions of release. While under 7-401(C), the Court is required to set the "least restrictive conditions of release that will reasonably ensure the appearance of the defendant as required and the safety of any other person and the community." However, under Rule 7-403, the Court may revoke conditions of release if a defendant has violated conditions of release.

a. Revocation of Conditions of Release in Felonies. Rule 7-403 needs to be clarified with respect to revocations of conditions of release in felonies. For example, if a felony defendant is initially released on conditions at FFAs but then later violates those conditions such that the Judge decides to revoke conditions of release, the Rules need to

be amended so that it is clear whether the defendant can be detained only for ten days or if the defendant can be detained for the balance of time remaining on the sixty day rule date set by Rule 7-202(A).

b. Revocation or Modification of Conditions and Contempt. Rule 7-403 needs to be revised to reference contempt proceedings as another option under 7-403(D)(2). *See* revised, redlined draft of Rule 7-403, which is enclosed.

c. Scheduling the Evidentiary Hearing. We recommend that the period of time by which the evidentiary hearing be scheduled be extended by seven to ten days as this allows three days for mailing and further enables the District Attorney's Office to be able to comply with the notice provisions under the Victims of Crime Act, NMS 1978, § 31-26-1 et seq. *See* revised, redlined draft of Rule 7-403, which is enclosed. Per Section 31-26-9, The District Attorney's Office is required to provide victims of crimes enumerated in the Act with "oral or written notice, in a timely fashion, of a scheduled court proceeding attendant to the criminal offense." By increasing the period from seven to ten, a victim receives a week's notice – after allowing time for mailing.

d. Differentiation Between the Evidentiary Standard on a Revocation Proceeding. If the basis of the revocation under Rule 7-403(F)(3) is because the defendant has been charged with committing another crime, then the evidentiary standard should be whether there is probable cause to believe the defendant has committed the newly charged crime. All other violations should be the clear and convincing evidence standard. This is consistent with the approach in Federal Court. *See* 18 U.S.C. § 3148. *See also* revised, redlined draft of Rule 7-403, which is enclosed.

We appreciate the opportunity to share these concerns and our suggestions for changes to these rules. Please feel free to contact us if you wish to discuss these matters further or if we can provide additional information.

Sincerely,


Edward L. Benavidez
Chief Judge


Vidalia Chavez
Presiding Criminal Judge

Enclosures

cc: Judges of the Metropolitan Court

Robert L. Padilla, Court Executive Officer

Jonathan Ash, Deputy Court Executive Officer

Terese Hauge, Deputy Court Executive Officer

Dana L. Cox, General Counsel

Deborah Dungan, Supreme Court Attorney to Chief Justice



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April 20, 2017

Joey D. Moya
Chief Clerk
New Mexico Supreme Court
P.O. Box 848
Santa Fe, NM 87504-0848

Re: Proposed Rule Amendments to Govern Pretrial Detention Proceedings and Appeals (Proposals 2017-042 and 2017-043)

Dear Mr. Moya:

On behalf of the Metropolitan Court (the "Court"), we appreciate the extended opportunity to provide input on the proposed amendments to Supreme Court Rules of Practice and Procedure governing pretrial detention proceedings and appeals. As New Mexico's busiest court, conducting first appearances for both misdemeanor and felony charges, the Court is gravely concerned about the consequences of these potential amendments, particularly Proposals 2017-042 and 2017-043. The result of these proposals, in practice, will be to limit in some cases judges' discretion so substantially as to disallow them to even consider the dangerousness of the defendant or the safety of any other person or the community.

The amendments to Rule 7-401 NMRA (Proposal 2017-042), as summarized by the new committee commentary (quoted below), make it clear judges shall not consider the safety of any other person or the community when setting a secured bond:

Secured bond cannot be used for the purpose of detaining a defendant who may pose a danger to the safety of any other person or the community. See *Brown*, 2014-NMSC-038, ¶ 53 ("Neither the New Mexico Constitution nor our rules of criminal procedure permit a judge to set high bail for the purpose of preventing a defendant's pretrial release."); see also *Stack*, 342 U.S. at 5 (stating that secured bond set higher than the amount reasonably calculated to ensure the defendant's appearance in court "is 'excessive' under the Eighth Amendment").

But, by disallowing a judge to take into account community safety, the amended Rule 7-401, in practice, regularly will lead to absurd results. When a judge follows the new rule of criminal procedure to determine conditions of release, the judge must first, under Paragraph B, make

written findings of particularized reasons why personal recognizance or unsecured appearance bonds¹ will not reasonably ensure the appearance of the defendant. Then, the judge must proceed to Paragraph C, where the judge must consider the least restrictive conditions of release “that will reasonably ensure the appearance of the defendant as required and the safety of any other person and the community” and Paragraph D, where the judge contemplates those non-monetary conditions of release “that the court finds will reasonably ensure the appearance of the defendant as required, the safety of any other person and the community, and the orderly administration of justice[.]” But if the judge makes his or her way through all of those conditions and factors, and applies them to each defendant as an individual, and comes to the conclusion that no combination of all of those tools can both ensure the defendant’s appearance and the safety of the community, then the judge must move on to Paragraph E, secured bond. And here, in setting that bond, the judge may no longer take into account the safety of any other person and the community. This leads to an absurd result: The judge has found that this defendant poses too much of a danger to the person or community for non-monetary conditions of release to be effective, and yet, in considering a secured bond, the judge must no longer consider the safety issues. Instead, if that defendant who could not be monitored does not pose a flight risk, the judge must release that defendant.

Our judges are committed to the constitutional principles that prevent detaining defendants solely for an inability to pay a bond. However, our judges must also consider community safety. The proposed rules *recognize* how important the safety of the community is by emphasizing it as a consideration in Paragraphs C and D. And yet, for those dangerous defendants who are not flight risks, our judges will not be able to set bonds. Consider, for example, a person charged with violating an order of protection, a misdemeanor. The defendant may have a long history of cases with the same alleged victim, and may be a safety risk to that alleged victim, and non-monetary conditions of release may not be appropriate. But if the defendant comes to court and there is no risk of flight, the court cannot impose a secured bond.

Proposed Rule 7-401 also presents more specific concerns for the Court. Paragraph A, regarding hearings, does not reflect the current Court practice for weekend arraignment and felony first appearance settings. Our Court conducts arraignments and first appearances every day of the week, which has been successful in reducing the jail population in our county. Paragraph A, in practice, would force us to consider ceasing weekend arraignments, as it specifies a right to counsel at these first hearings, where a judge sets conditions of release. The Law Office of the Public Defender does not staff these weekend dockets, and so the Court is concerned about how we would comply with this new rule amendment.

Paragraph H(2) of proposed Rule 7-401 provides for a review hearing on conditions of release, but the Court anticipates questions in putting the rule into practice.

¹ The Court recommends striking the term “unsecured appearance bond” throughout the proposed rule amendments. The phrase implies a false sense of security to the public, as it sounds like a bond in the style of a surety bond. At this time, there are no practical consequences for failing to appear on an unsecured appearance bond. The Court would welcome a mechanism for enforcement of such bonds, but there is not one in place currently.

The court shall consider the defendant's financial ability to secure a bond. No defendant eligible for pretrial release under Article II, Section 13 of the New Mexico Constitution shall be detained solely because of financial inability to post a secured bond unless the court determines by clear and convincing evidence and makes written findings of the reasons why the amount of secured bond required by the court is reasonably necessary to ensure the appearance of the particular defendant as required.

At this hearing, what party will have the burden of proof to present information to a judge to meet the clear and convincing standard? It might be interpreted that the prosecutor would have the burden to show the defendant should have a bond; or perhaps the defendant is tasked with showing that he or she does not need a secured bond to assure his or her appearance? Will the information the court's background investigators may supply be sufficient for this hearing?

The Court would also like to address the practicalities of some of the non-monetary conditions of release available as part of the Court's tool box. Paragraph 5 of the committee commentary to Rule 7-401 says:

Some conditions of release may have a cost associated with the condition. The court should make a determination as to whether the defendant can afford to pay all or a portion of the cost, or whether the court has the authority to waive the cost, because detaining a defendant due to inability to pay the cost associated with a condition of release is comparable to detaining a defendant due to financial inability to post a secured bond.

Again, the Court is committed to the constitutional principles that prevent detaining defendants solely for an inability to pay a bond. Many of our non-monetary conditions of release, do, unfortunately, place a financial cost on the defendant. Because our Court contracts with outside agencies to provide these services, those costs are not waivable. For example, our pretrial GPS tracking programs, SCRAM bracelets, Soberlink devices, and some counseling providers require that a defendant pay for services. Of course, the Court provides defendants with information on as many cost-deferring measures as possible—indigency programs, state funds, or Medicaid, for example. Should a defendant be unable to meet these costs though, it seems that the proposed rule may require a judge to release the defendant without that condition, even if it was intended to address a safety risk to the community.

Also in Proposal 2017-042, proposed new Rule 7-408 NMRA, pretrial release by designee, will have substantial consequences for our Court. In the past years, our pretrial release by designee program has decreased the jail population significantly. This proposed rule will change our program appreciably. Paragraph B(1) will require our designee to release every Defendant in custody on a misdemeanor, petty misdemeanor, or ordinance violation who "is not presently on probation, on parole, or on other release pending trial, sentencing, or appeal for any offense under federal, state, or local law." Our judges very regularly see people with extremely long criminal histories, but perhaps just misdemeanor charges. Currently, our judges take into

Joey D. Moya, Chief Clerk
New Mexico Supreme Court
April 20, 2017
Page 4

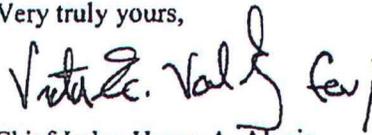
account that history at the defendant's arraignment. For example, one judge saw a defendant at an arraignment this week charged with twelve cases in 2016 and approximately seven cases in 2017, with multiple failures to appear. However, the designee now may be required to release those defendants immediately upon arrest. The Court asks that the caveat recommended by the Ad Hoc Pretrial Release Committee be reintroduced to the rule, requiring that misdemeanor defendants also have no criminal history in the past twenty-four months before the designee may release them. This will give the judge an opportunity to examine the case before determining conditions of release.

With regards to Proposal 2017-043, the Court has some concerns about the proposed amendment to Rule 7-403(E) NMRA, regarding evidentiary hearings. Here is a typical example of a review of conditions of release that our Court sees on a daily basis: Defendant is out on conditions of release and is non-compliant. Defendant is arrested on a new charge. Defendant's conditions of release on the original case are reviewed. What would an evidentiary hearing look like here? Would it be acceptable to have a background investigator present evidence to the Court about the new charge? Would the charging police officer need to come to Court? Who would have the burden of showing that the defendant had violated a condition of release?

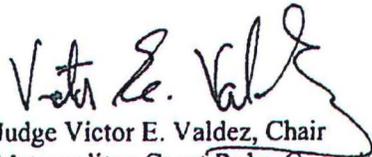
If the Supreme Court does adopt these rules, the Court asks for all the support the Supreme Court can provide in implementing them. The Court suggests that a public education campaign will be necessary, to explain to the community these new rules, and how these rules relate to the constitutional amendment passed by the public. We also request any support and resources the Supreme Court can provide regarding determining a defendant's financial ability to secure a bond, pursuant to these rules, including Proposed Rule 7-401(E). Is there anything a judge may rely on outside of a defendant's assertions as to his or her financial situation?

The foregoing are the initial concerns that the Metropolitan Court has regarding Proposals 2017-042 and 2017-043. We appreciate the opportunity to share these concerns and our suggestions on these proposed amendments. As always, please feel free to contact us if you wish to discuss these matters further.

Very truly yours,



Chief Judge Henry A. Alaniz
Bernalillo County Metropolitan Court



Judge Victor E. Valdez, Chair
Metropolitan Court Rules Committee

Joey D. Moya, Chief Clerk
New Mexico Supreme Court
April 20, 2017
Page 5

cc: Judges of the Metropolitan Court
Robert Padilla, Court Executive Officer
Arthur W. Pepin, Director, Administrative Office of the Courts
Sally Paez, Senior Counsel, New Mexico Supreme Court

7-403. Revocation or modification of release orders.

A. **Scope.** In accordance with this rule, the court may consider revocation of the defendant's pretrial release or modification of the defendant's conditions of release

- (1) if the defendant is alleged to have violated a condition of release; or
- (2) to prevent interference with witnesses or the proper administration of justice.

B. **Motion for revocation or modification of conditions of release.**

(1) The court may consider revocation of the defendant's pretrial release or modification of the defendant's conditions of release on motion of the prosecutor or on the court's own motion.

(2) The defendant may file a response to the motion, but the filing of a response shall not delay any hearing under Paragraph D or E of this rule.

C. **Issuance of summons or bench warrant.** If the court does not deny the motion on the pleadings, the court shall issue a summons and notice of hearing, unless the court finds that the interests of justice may be better served by the issuance of a bench warrant. The summons or bench warrant shall include notice of the reasons for the review of the pretrial release decision.

D. **Initial hearing.**

(1) The court shall hold an initial hearing as soon as practicable, but no later than three (3) days after the defendant is detained.

(2) At the initial hearing, the court may continue the existing conditions of release, set different conditions of release, ~~or~~ propose revocation of release, or commence a prosecution for contempt, or contempt sanctions, under Rule 7-111(D)(4).

(3) If the court proposes revocation of release, the court shall schedule an evidentiary hearing under Paragraph E of this rule, unless waived by the defendant.

E. **Evidentiary hearing.**

(1) **Time.** The evidentiary hearing shall be held as soon as practicable. If the defendant is in custody, the evidentiary hearing shall be held no later than ~~seven (7)~~ten (10) days after the initial hearing.

(2) **Defendant's rights.** The defendant has the right to be present and to be represented by counsel and, if financially unable to obtain counsel, to have counsel appointed. The defendant shall be afforded an opportunity to testify, to present witnesses, to compel the attendance of witnesses, to cross-examine witnesses who appear at the hearing, ~~and~~ to present information by proffer or otherwise, and to present any information in mitigation. If the defendant testifies at the hearing, the defendant's testimony shall not be used against the defendant at trial except for impeachment purposes or in a subsequent prosecution for perjury.

F. **Order at completion of evidentiary hearing.** At the completion of an evidentiary hearing, the court shall determine whether the defendant has violated a condition of release or whether revocation of the defendant's release is necessary to prevent interference with witnesses or the proper administration of justice. The court may

- (1) continue the existing conditions of release;
- (2) set new or additional conditions of release in accordance with Rule 7-401 NMRA; or
- (3) revoke the defendant's release, if the court finds ~~by clear and convincing evidence~~

~~that~~that there is:

(a) probable cause to believe that the defendant has committed a federal, state, or local crime while on release; or

(b) clear and convincing evidence that the person has violated any other condition of release; and

(ca) the defendant has ~~willfully~~ violated a condition of release and that no condition or combination of conditions will reasonably ensure the defendant's compliance with the release conditions ordered by the court; or

(db) revocation of the defendant's release is necessary to prevent interference with witnesses or the proper administration of justice.

An order revoking release shall include written findings of the individualized facts justifying revocation.

(4) impose sanctions.

G. **Evidence.** The New Mexico Rules of Evidence shall not apply to the presentation and consideration of information at any hearing under this rule.

H. **Review of conditions.** If the metropolitan court enters an order setting new or additional conditions of release and the defendant is detained or continues to be detained because of a failure to meet a condition imposed, or is subject to a requirement to return to custody after specified hours, the defendant may petition the district court for review in accordance with Rule 7-401(J) NMRA. The defendant may petition the district court immediately upon the issuance of the metropolitan court order and shall not be required to first seek review or reconsideration by the metropolitan court. If, upon disposition of the petition by the district court, the defendant is detained or continues to be detained because of a failure to meet a condition imposed, or is subject to a requirement to return to custody after specified hours, the defendant may appeal in accordance with Rule 5-405 NMRA and Rule 12-204 NMRA.

I. **Expedited trial scheduling for defendant in custody.** The metropolitan court shall provide expedited priority scheduling in a case in which the defendant is detained pending trial.

J. **Petition to district court for review of revocation order.** If the metropolitan court issues an order revoking the defendant's release, the defendant may petition the district court for review under this paragraph and Rule 5-403(K) NMRA.

(1) **Petition; requirements.** The petition shall include the specific facts that warrant review by the district court and may include a request for a hearing. The petitioner shall promptly

- (a) file a copy of the district court petition in the metropolitan court;
- (b) serve a copy on the district attorney; and
- (c) provide a copy to the assigned district court judge.

(2) **Metropolitan court's jurisdiction pending determination of the petition.** Upon the filing of the petition, the metropolitan court's jurisdiction to set or amend conditions of release shall be suspended pending determination of the petition by the district court. The metropolitan court shall retain jurisdiction over all other aspects of the case, and the case shall proceed in the metropolitan court while the petition is pending.

(3) **District court review.** The district court shall rule on the petition in an expedited manner.

(a) Within three (3) days after the petition is filed, the district court shall take one of the following actions:

- (i) issue an order affirming the revocation order; or
- (ii) set a hearing to be held within ten (10) days after the filing of the petition

and promptly transmit a copy of the notice to the metropolitan court.

(b) If the district court holds a hearing on the petition, at the conclusion of the hearing the court shall issue either an order affirming the revocation order or an order setting conditions of release under Rule 5-401 NMRA.

(4) **District court order; transmission to metropolitan court.** The district court shall promptly transmit the order to the metropolitan court, and jurisdiction over the conditions of release shall revert to the metropolitan court.

(5) **Appeal.** If the district court affirms the revocation order, the defendant may appeal in accordance with Rule [5-405](#) NMRA and Rule [12-204](#) NMRA.

History
[As amended, effective September 1, 1990; as amended by Supreme Court Order No. 17-8300-005, effective for all cases pending or filed on or after July 1, 2017.]

Annotations
Committee commentary. — The 2017 amendments to this rule clarify the procedure for the court to follow when considering revocation of the defendant's pretrial release or modification of the defendant's conditions of release for violating the conditions of release. In *State v. Segura*, [2014-NMCA-037](#), [321 P.3d 140](#), the Court of Appeals held that due process requires courts to afford the defendant notice and an opportunity to be heard before the court may revoke the defendant's bail and remand the defendant into custody. See also *Tijerina v. Baker*, [1968-NMSC-009](#), ¶ 9, [78 N.M. 770](#), [438 P.2d 514](#) (explaining that the right to bail is not absolute); *id.* ¶ 10 ("If the court has inherent power to revoke bail of a defendant during trial and pending final disposition of the criminal case in order to prevent interference with witnesses or the proper administration of justice, the right to do so before trial seems to be equally apparent under a proper set of facts."); *State v. Rivera*, [2003-NMCA-059](#), ¶ 20, [133 N.M. 571](#), [66 P.3d 344](#) ("Conditions of release are separate, coercive powers of a court, apart from the bond itself. They are enforceable by immediate arrest, revocation, or modification if violated. Such conditions of release are intended to protect the public and keep the defendant in line."), *rev'd on other grounds*, [2004-NMSC-001](#), [134 N.M. 768](#), [82 P.3d 939](#).

Paragraph G provides that the New Mexico Rules of Evidence do not apply at a revocation hearing, consistent with Rule [11-1101\(D\)\(3\)\(e\)](#) NMRA. Like other types of proceedings where the Rules of Evidence do not apply, at a pretrial detention hearing the court is responsible "for assessing the reliability and accuracy" of the information presented. See *United States v. Martir*, 782 F.2d 1141, 1145 (2d Cir. 1986) (explaining that in a pretrial detention hearing the judge "retains the responsibility for assessing the reliability and accuracy of the government's information, whether presented by proffer or by direct proof"); *State v. Ingram*, 155 A.3d 597 (N.J. Super. Ct. App. Div. 2017) (holding that it is within the discretion of the detention hearing court to determine whether a pretrial detention order may be supported in an individual case by documentary evidence, proffer, one or more live witnesses, or other forms of information the court deems sufficient); see also *United States v. Marshall*, 519 F. Supp. 751, 754 (E.D. Wis. 1981) ("So long as the information which the sentencing judge considers has sufficient indicia of reliability to support its probable accuracy, the information may properly be taken into account in passing sentence."), *aff'd* 719 F.2d 887 (7th Cir.1983); *State v. Guthrie*, [2011-NMSC-014](#), ¶¶ 36-39, 43, [150 N.M. 84](#), [257 P.3d 904](#) (explaining that in a probation revocation hearing, the court should focus on the reliability of the evidence); *State v. Vigil*, [1982-NMCA-058](#), ¶ 24, [97 N.M. 749](#), [643 P.2d 618](#) (holding in a probation revocation hearing that hearsay untested for accuracy or reliability lacked probative value). [Adopted by Supreme Court Order No. 17-8300-005, effective for all cases pending or filed on or after July 1, 2017.]

COMPILER'S AMENDMENT NOTES

The 2017 amendment, approved by Supreme Court Order No. 17-8300-005, effective July 1, 2017, clarified the procedures for the court to follow when considering revocation of the defendant's pretrial release or modification of the defendant's conditions of release for violating the conditions of release, and added the committee commentary; in the heading, after "Revocation", added "or modification", and after "release", added "orders"; and deleted former Paragraphs A and B and added new Paragraphs A through J.

The 1990 amendment, effective for cases filed in the metropolitan courts on or after September 1, 1990, in Paragraph A, deleted "Paragraph A of" preceding "Rule [7-401](#)" in Subparagraph (1), deleted former Subparagraph (2), relating to imposing conditions under Paragraph C of Rule [7-401](#), and redesignated former Subparagraph (3) as present Subparagraph (2); rewrote Paragraph B; and deleted former Paragraph C, relating to record on review.



State of New Mexico
Third Judicial District Court

HONORABLE JAMES T. MARTIN
CHIEF JUDGE, DIVISION VI

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KIMBERLY D. BARRAZA
TRIAL COURT ADMINISTRATIVE ASSISTANT

October 26, 2017

Chief Justice Judith K. Nakamura
New Mexico Supreme Court
Supreme Court Building
P.O. Box 848
Santa Fé, New Mexico 87504-0848

Re: Pretrial Release and Detention Rules

Dear Chief Justice,

On behalf of the Judges of the Third Judicial District Court, I would ask that the Ad Hoc Bail Reform Committee review and consider changes to NMRA, Rule 5-409(I)¹ and NMRA, Rule 6-409(E)². Specifically, our Court is concerned that the language used in these Rules allow a Magistrate or Metropolitan Court to modify conditions of release set by the District Court after a hearing. For example, if the District Attorney files a motion for pretrial detention and after conducting a hearing, the District Court may determine that reasonable conditions of release can be set which allow the defendant to be released from custody. The District Court then enters a

¹ I. **Further proceedings in magistrate or metropolitan court.** Upon completion of hearing, if the case is pending in the magistrate or metropolitan court, the district court shall promptly transmit to the magistrate or metropolitan court a copy of either the order for pretrial detention or the order setting conditions of release. The magistrate or metropolitan court may modify the order setting conditions of release upon a showing of good cause, but as long as the case remains pending, the magistrate or metropolitan court may not release a defendant who has been ordered detained by the district court.

² E. **Further proceedings in magistrate court.** Upon completion of hearing, if the case is pending in the magistrate court, the district court shall promptly transmit to the magistrate court a copy of either the order for pretrial detention or the order setting conditions of release. The magistrate court may modify the order setting conditions of release upon a showing of good cause, but as long as the case remains pending, the magistrate court may not release a defendant who has been ordered detained by the district court.

specific order containing those conditions it determined to be appropriate and the case is remanded to the Magistrate or Metropolitan Court for further proceeding. Under the current version of the Rules, after remand, the District Attorney or the defense attorney can move the Magistrate or Metropolitan Court to modify the District Courts' conditions, such as scope of travel, contact with victim and witnesses or even modifications to the amount of cash bond ordered to be posted. In addition, procedurally there exists the real probability that the defendant would be subject to uncertainty because the District Court Judge would very likely reimpose any conditions modified by the Magistrate after remand when the case returns to District Court after preliminary hearing or grand jury indictment. In our considered opinion, these Rules permit or even encourage judge shopping or forum shopping. We do not believe that it was the Supreme Court's intent to allow a lower court to substitute its judgment for that of a higher court. Therefore, we would ask that these parts of the Rules be eliminated or scaled back to prohibit the Magistrate or Metropolitan Court from changing an order of the District Court.

We would also ask that the Ad Hoc Committee provide some clarifying language in NMRA, Rule 5-409(K)³ regarding successive motions and motions to reconsider. Under the current scheme, once the District Court has entered an order for detention or release, the matter is remanded to the Magistrate or Metropolitan Court for further proceedings. There is confusion amongst the judiciary and the Bar concerning where a successive motion or motion to reconsider should be filed. Should it be filed in the District Court before whom the matter was decided or should it be filed with the Magistrate Court, resulting in another transfer from Magistrate Court to District Court? Our proposed solution is to include language directing that the District Court retains jurisdiction to consider successive motions or motions to reconsider.

I have been keeping up with other comments from the other district courts and believe they adequately represent our other concerns regarding the rules.

Thank you for the opportunity to provide input regarding the revision of these new rules.

Sincerely,

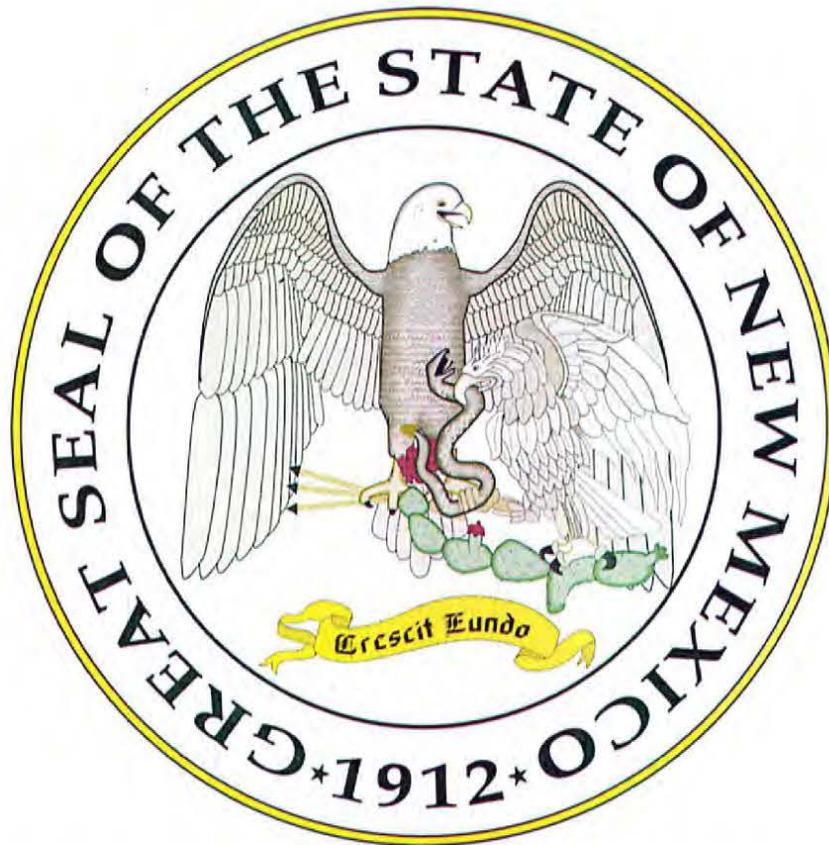


James T. Martin, Chief Judge
Third Judicial District Court

JTM/kdb

³ **Successive motions for pretrial detention and motions to reconsider.** On written motion of the prosecutor or the defendant, the court may reopen the detention hearing at any time before trial if the court finds that information exists that was not known to the movant at the time of the hearing and that has a material bearing on whether the previous ruling should be reconsidered.

OFFICIAL STATEMENT OF
THE LAW OFFICES OF THE PUBLIC
DEFENDER



REGARDING THE DISTRICT ATTORNEYS'
ASSOCIATION'S PROPOSED AMENDMENTS
TO RULE 5-409

INTRODUCTION

SUPREME COURT OF NEW MEXICO
RECEIVED

OCT 27 2017

A handwritten signature in black ink, appearing to be "J. P. ...", is located at the bottom right of the page.

To combat the statewide issue of pretrial release being unconstitutionally based on wealth distinctions and also to establish the Courts' power to detain some dangerous arrestees before they are convicted, the people of New Mexico approved an amendment to Article II, Section 13 of their Constitution ("the constitutional amendment") which explicitly removed considerations of wealth from the pretrial release process and established a requirement for an adversarial evidence-based determination of whether the criminally accused were too dangerous to be released pending trial. The Court has moved forward to craft rules and procedures to ensure that both public safety and a defendant's due process rights are adequately protected. The New Mexico District Attorneys' Association has proposed changes in the rules, claiming they are ambiguous. The Law Offices of the Public Defender ("LOPD") replies that Rule 5-409 is unambiguous in the duties it imposes upon the criminal justice system. While Rule 5-409 is not perfect and lacks some of the due process protections established in New Mexico's sister jurisdictions, enactment of the District Attorneys' proposals would subject innocents to pretrial detention. The prosecutors' proposals would deprive defendants of all knowledge as to the evidence to be used against them, their ability to test that evidence, their rights to review of an initial dangerousness determination and their rights to a decision by an informed judge.

LOPD hopes that this Official Statement will aid the Supreme Court in its consideration of the issues raised by the District Attorneys. The diminished protections guaranteed under New Mexico's constitutional amendment and Rule 5-409 ought not be further eroded based on misunderstandings of the law. Rather, the rules should be strengthened to ensure that dangerous people are detained but pretrial detention does not return us to a system of mass pretrial incarceration of persons who will never be convicted of any crime, a step which would reduce recidivism and improve public safety.

EXECUTIVE SUMMARY

On September 28, 2017, the District Attorneys' Association claimed that Rule 5-409 has been misinterpreted by district court judges due to glaring ambiguities in the rule. This claim neither indicates how Rule 5-409 differs from similar rules in other jurisdictions, nor cites to judicial decisions in which these misinterpretations supposedly occurred. While the DAs' claim cites as desirable the incredibly-high detention rate which exists in federal court, such analogy ignores the fundamental differences between the federal and state criminal court systems.

New Mexico's criminal justice system and the rules crafted to enable its recent amendment of Article II, Section 13 of its Constitution are similar to those of other state courts which allow for the denial of bail to criminal defendants

pending trial. Accordingly, the rate of judicially-imposed detention in New Mexico is roughly identical to that in other states surveyed by LOPD, with the only deviation arising from the fact that numerous New Mexico district attorneys have rarely moved for detention.

The District Attorneys' Association expresses concern with district court judges' conclusions in the areas of discovery rights, evidentiary burdens at hearing, the length of hearings and evidence to be considered by said judges in reaching a decision. The primary reason prosecutors do not succeed in pretrial detention efforts, however, is attributable to other reasons: motions are filed without sufficient basis, prosecutors come to court unprepared to conduct an adversarial evidentiary hearing, and district attorneys continue this lack of preparedness when they fail to indict detained individuals in a timely manner.

And there is a wide disparity in detention filings from one judicial district to another, with individual District Attorneys moving for detention on anywhere from 1% to 34% of felony arrestees. These issues have led to unequal and unjust detentions being imposed. To address these problems, the Law Offices of the Public Defender have compiled a series of proposals based on American Bar Association Standards as well as law from other jurisdictions.

- Initial Review: Create a procedure for initial review of the propriety of pretrial detention, which allows for judicial approval of case-specific discovery requirements.
- Motions to Reconsider: Clarify ambiguities regarding the proper bases upon which a motion to reconsider an initial decision on a detention motion can be reviewed by district court.
- Define Expedited Trial Setting: Create specific time limits for expedited trial times, as they pertain to persons on whom detention has been approved.
- Expansion of Case Management Order: As the CMO works in tandem with bail reform to ensure a more just criminal justice system, expand the CMO to the entire state.
- Full Transfer of Case to District Court: Allow for easier review of conditions of release for individuals who have not been detained.
- Discovery Issues: Amend defendants' discovery rights to be in greater conformity with other jurisdictions.
- Clarification in Committee Commentary: Clarify discovery and evidentiary issues in committee commentary.
- *De Novo* Appellate Standard: In keeping with other jurisdictions, change appellate standard to reflect lessened evidentiary standards for pretrial proceeding.

- **Constitutionality of Evidence Considered:** Empower district courts to rule unconstitutionally-obtained evidence do not provide a basis for detention.

Enacting the above protections would ensure more fair and uniform hearings throughout individual judicial districts and the state as a whole. This would also ensure criminal justice stakeholders raise their standard of preparedness and practice, giving district court judges sufficient information upon which to make informed decisions. In so doing, it would protect the rights of New Mexicans utilizing procedures already approved by the American Bar Association, and employed in jurisdictions with significant experience in pretrial detention matters.

I. Pretrial Detention – A Politicized Issue

The letter submitted by the District Attorneys perpetuates a questionable narrative that predates the constitutional amendment: prosecutors are trying their best to protect the community, but the court rules have tilted the playing field such that their task is made impossible.

In June 2017, the Second Judicial District Attorney argued that crime was increasing because of the Bernalillo County case management order (“CMO”) – designed to alleviate widespread injustices and inefficiencies in the Second Judicial District. This argument was disputed by the Second Judicial District Judges – who examined the 40 cases of which the District Attorney complained and discovered that each of those cases was dismissed because of prosecutorial

inction, and by the LOPD – which pulled statistics from county, state and federal sources to counter crime increased throughout the state, and increases in Bernalillo County were most likely attributable to a critically-understaffed Albuquerque Police Department. These responses took significant time and resources from the courts and defense community, and were submitted to the Supreme Court for review in late September 2017. However, before the LOPD, the New Mexico Criminal Defense Lawyers’ Association (“NMCDLA”) or Second Judicial District Court had even submitted their responses on this issue, the District Attorneys submitted the instant letter which accused district court judges statewide of misinterpreting rules and coming to “absurd result[s].” Without reference to the numerous other states with pretrial detention systems, the DAs’ letter argued the solutions it proposed were “even-handed and conservative” and would allow the prosecution to detain more defendants more easily.

The rule changes espoused by the District Attorneys would result in a significant increase in the number of detained defendants, as the mere filing of a motion would virtually guarantee that an individual prosecutor could detain a defendant for months or even years without hope of release pending trial. This is not a desirable result in a country where arrestees are innocent until proven guilty.

New Mexico requirements for prosecutors seeking pretrial detention are already similar or more lax than the rules in a majority of other states with

detention procedures. Prosecutors throughout the state succeed on detention motions at approximately the same rate as prosecutors in other states. The two emotional thrusts of the District Attorneys' argument (that procedural protections are unfairly slanted towards defendants, and that prosecutors cannot win detention motions because of this) are revealed to be unfounded upon even a cursory examination of other jurisdictions. However, the District Attorneys' does not examine trends in other states. It relies upon a single misleading statistic from the federal court system – an apples to oranges comparison between two parallel, yet very dissimilar jurisdictions – to support its argument. The letter does not cite appeals of incorrect decisions nor to ABA standards on how pretrial detention hearings should work.

II. The District Attorneys' Letter

The District Attorneys argue they are appropriately exercising prosecutorial discretion on dangerousness determinations and engaging in good-faith application of the adversarial process at the time hearings are conducted. Their argument is built on some inapt analogies and statistics. The District Attorneys propose changes they claim are “even-handed and conservative” but which would actually

limit both judicial discretion and defendants' rights to an extent found nowhere else in the United States.

The letter declares that district court judges are (1) placing an unjustifiably high discovery-production burden on the prosecution at the inception of a case which is impossible to meet; (2) enforcing an unfairly high evidentiary standard against the prosecution; (3) refusing to consider the nature of the charged offenses in adjudicating pretrial release decisions; and (4) holding "mini-trials" which have ground the criminal dockets to a halt. As shall be seen, these claims overstate any problems.

A. New Mexico's current pretrial detention procedures result in similar rates of detention as other states.

The District Attorneys refer to the Second Judicial District Attorney, whom they claim is "exercising extreme discretion by filing on less than 15% of eligible¹ felony cases...." Despite this, "his office is able to secure detention only one third of the time." While the District Attorneys paint this as a miscarriage of justice, these numbers are actually completely in keeping with national averages within the states for which LOPD could obtain statistics in two weeks' time.

The rate of pretrial detention in New Mexico is similar to the rates in both New Jersey and the District of Columbia. This holds true despite each district

¹ Per the constitutional amendment, being a "felony case" is both a necessary and sufficient condition to permit filing a motion for detention.

having slightly different rules of criminal procedure. For instance, New Jersey has a process whereby issuance of a summons is mandated for non-violent felony defendants, whereas New Mexico typically requires an arrest of all persons charged with a felony, regardless of seriousness or level of felony offense. Persons thus charged with low-risk, non-violent offenses are not included in the New Jersey arrest statistics obtained by LOPD. As a result, New Jersey may give the appearance that it is ordering detention on a higher-percentage of its population than it would if New Jersey arrested all felony defendants (as New Mexico does).

Similarly, Washington D.C. has a much higher violent crime rate per capita (1,205 per 100,000) than does New Mexico (702 per 100,000).² This increased violent crime rate would likely result in a greater percentage of the District of Columbia's criminally accused being determined by judges to be dangerous to the community than is present in New Mexico. In the District of Columbia, following initial appearance, 84% of defendants were released from custody. Of the remaining 16% held initially and set for a detention hearing, 64% were released following the detention hearing. The percentage of individuals thus held until trial under the District of Columbia's pretrial detention mechanism was thus 5.5%.³

² <https://ucr.fbi.gov/crime-in-the-u.s./2016/crime-in-the-u.s.-2016/tables/table-3> (last visited October 19, 2017).

³ <https://www.psa.gov/sites/default/files/Initial%20Detention%20and%20Subsequent%20Release%20FY%202013-14%20FINAL%20Nov%202015.pdf> (last visited, October 19, 2017).

In New Jersey 83% of charged defendants were released from custody following their first appearance. Of the remaining 17% initially held and set for a pretrial detention hearing, 58% were released. The percentage of individuals held until trial under New Jersey's pretrial detention mechanism was thus 7.2%.⁴

In New Mexico, LOPD has evaluated the data generated since July 1, 2017, the effective date for Rule 5-409¹. (LOPD has been able to gather data from all judicial districts except the Ninth and Twelfth, as their clerks of court could not provide data on such short notice. From speaking with our local public defender offices in those districts it is likely that although the raw numbers would increase were those districts factored into our statistics, it is unlikely the percentages would be substantially affected, largely due to the overwhelming statistical weight assigned to the heavily-populated Second Judicial District.) The table on the next page summarizes New Mexico's detention rates since July 1st.⁵

⁴ <http://www.judiciary.state.nj.us/courts/assets/criminal/cjrreportaug.pdf> (last visited, October 19, 2017).

⁵ An important statistical caveat is that the data gathered represents *only* filings arising out of metropolitan or magistrate courts and docketed as "LR" case numbers. This is because LOPD and the district courts reached out to do not have the resources to investigate filings originating in district court and docketed in "CR" case numbers. Neither LOPD nor district court clerks with whom we have spoken have yet identified a method to track such "CR" filings other than a manual review of every criminal case filed throughout the state of New Mexico: an undertaking which our resources do not allow. LOPD hopes that the included table of filings in "LR" case numbers helps this Court and its Committee in its decision-making process.

Judicial District	Felony Arrests	Motions Filed	Motion Rate	Motions Granted - Number	Motions Granted - Percentage	Arrestees Detained - Percentage
First	505	43	7%	20	47%	3%
Second	2,200	305	14%	106	35%	5%
Third	370	124	34%	26	21%	7%
Fourth	170	4	2%	1	25%	1%
Fifth	507	70	14%	24	34%	5%
Sixth	215	12	6%	4	33%	2%
Seventh	148	12	8%	5	42%	3%
Eighth	198	10	5%	4	40%	2%
Tenth	77	14	18%	7	50%	9%
Eleventh (Division 1)	575	13	2%	3	23%	1%
Eleventh (Division 2)	170	0	0%	0	0%	0%
Thirteenth	740	11	1%	3	27%	1%
Statewide Totals	5, 875	618	10%	203	33%	3%

Thus, prosecutors in New Jersey and Washington D.C. initially sought detention against 17% and 16% of felony arrestees respectively; whereas prosecutors throughout New Mexico have, on average, only sought detention against 10% of felony arrestees.⁶ Prosecutors in New Jersey and the District of Columbia were successful in obtaining detention for 42% and 36% of arrestees, where sought. Prosecutors in New Mexico, meanwhile, were able to obtain detention on 33% of individuals on whom detention was sought.

It is especially worthwhile to note that in New Jersey detention is not limited to “dangerousness” considerations as it is under New Mexico’s constitutional amendment: detention may be sought, irrespective of dangerousness, should the prosecution prove that the defendant is a flight risk. *N.J. Const*, Art. I, Sec. 11. This factor likely significantly increases the number of individuals for whom detention may be constitutionally granted. Likewise, prosecutors in the District of Columbia may avail themselves of the option to detain, irrespective of dangerousness, a defendant who is determined to be a flight risk, again likely increasing the number of defendants who are eligible for, and subjected to, detention. *D.C. ST*, § 23-1322.

⁶ As seen from LOPD’s table, this number varies wildly based on judicial district, with the Third Judicial District filing on 34% of felony arrestees, while the Fourth, Eleventh and Thirteenth Judicial Districts file on less than 2% of felony arrestees. Specific district breakdowns are unknown for New Jersey or the District of Columbia.

Thus, despite moving for detention on a lower percentage of felony defendants than New Jersey and the District of Columbia, New Mexico prosecutors are securing detention at a roughly similar percentage of cases filed. Although New Mexico has an overall lower percentage of persons being detained than New Jersey and the District of Columbia, this appears to be a function of the decisions of individual district attorneys not to pursue detention as an option. These decisions could well reflect determinations that only a small number of defendants actually are considered dangerous in these Districts.

B. The comparison to federal detention statistics is unpersuasive.

The District Attorneys argue that “the effective rate of detention in the U.S. District Court for the District of New Mexico is approximately 74%.” It is unclear for what purpose the District Attorneys cite this supposed statistic. Are they arguing that 74% of criminal defendants charged with felonies in New Mexico should be detained, despite the fact that they request detention in a significantly lower proportion of cases.

Regardless, the applicability of this statistic to New Mexico state court is questionable. First, over 50% of criminal cases filed in the District of New Mexico are illegal re-entry cases. Because these defendants do not have lawful status, they are statutorily barred from being released. Second, a significant percentage of

remaining federal defendants are being simultaneously prosecuted in state court for unrelated state offenses on a writ of *habeas corpus ad prosequendum* and are thus also ineligible for release. Third, many persons prosecuted federally for being a felon in possession of a firearm, or charged with violent offenses, are prosecuted federally solely due to their status as falling under the federal Armed Career Criminal Act and its mandatory 15-year-to-life sentencing structure. Persons so charged are also not released. Finally, federal criminal jurisdiction of defendants is often sought in order to subject those charged with especially heinous violations of law to more punishment for a crime than they would receive in state court. Such persons are presumably subjected to federal jurisdiction for a reason: because those individuals are especially dangerous. Such individuals would likely be detained under any criminal justice system.

It is evident that the District Attorneys' analogy is based on irreconcilable data sets and cannot support a conclusion that the constitutional amendment or Rule 5-409 are defective or that judicial discretion in interpreting these rules is "absurd."

C. If District Attorneys believe that they are losing detention motions they should win, they should look to their own failings before asking the Supreme Court to change Rules.

Prosecution requests to detain before trial carry discovery obligations and requirements regarding the method of presentation of evidence and quantum of

proof needed to prevail at an evidentiary hearing requiring clear and convincing evidence. However, it is not uncommon for a prosecutor to be handed a file by their supervisors and expected to secure detention on fifteen minutes or less notice with no idea where required discovery is. Such practices result in hearings where courts are often functionally forced to choose between the lesser of two evils: dismissing a potentially appropriate motion due to the lack of evidence provided by the prosecutor's office, or moving forward to hearing with incomplete information.

For example, in *State v. Valentina Trujillo*, D-202-LR-2017-201, the Court denied the State's motion for preventative detention on substantive grounds due to the prosecution's complete failure to present anything more than the criminal complaint in support of its motion for detention. However, the Court also took the time to note that:

“Initially the State failed to appear for the pretrial detention hearing. After being called by the Court, the State appeared thirty-five minutes after the hearing commenced. A.D.A. Murphy indicated that she was handed the file after the Court called the State. A.D.A. Murphy did not file the Motion for Preventative Detention and was not prepared for the hearing, through no fault of her own. The State violated Rule 5-206 NMRA in the filing of its Motion as the signature of the movant was not legible and the Motion provided no address, phone number, or other identifying information.”

Order Denying State's Motion for Pretrial Detention, D-202-LR-2017-201, ¶ 6.

Although the motion for pretrial detention was denied, it is important to note that at the time that a prosecutor appeared, over half an hour late, to the hearing, Ms. Trujillo was still placed in jeopardy. The Court decided that it would be appropriate to go forward on a hearing where the prosecutor affirmatively represented in open court that she was unfamiliar with the case and had only just been handed the file. Yet, moments later, that same prosecutor asked the court to detain Ms. Trujillo for the life of her case (which could have, pursuant to the CMO, been up to a year and a half), and the court nevertheless considered the State's position. The present system of safeguards did nothing to prevent this jeopardy from arising, and it is these safeguards the District Attorneys are now proposing to further erode.

Similarly, the State often doesn't bother to make even an attempt to present evidence for a court's consideration, instead relying upon proffers, the absolute floor of currently-accepted reliability. In *State v. Joshua Chavez*, D-202-LR-2017-491, the Court noted in its *Order Denying the State's Expedited Motion for Pretrial Detention*, that "[t]he State did not present a single exhibit in support of its motion. The State did not admit the criminal complaint or arrest warrant affidavit in support of its position." *Id.*, ¶ 1. "Based solely on a proffer, the State claims that it presented clear and convincing evidence to prove that 'no release conditions will reasonably protect the safety of any other person or the community.' The

State's claim is without merit...the State chose not to present a single exhibit in support of its motion." *Id.*, p. 3.

Such failings, where district attorneys are unprepared to litigate an issue that is monumentally important issue to both the public and the accused, are merely one aspect of the scattershot and cavalier approach to detention taken by some district attorneys. Equally troubling are the numerous cases in which district attorneys argue that a defendant is so dangerous to the community that he needs to be detained indefinitely pending trial, and yet only a few short days later decide that the case is not important enough to pursue immediate prosecution. Such cases happen with alarming frequency.

The chronologically first such occurrence was the case of Christy Vasquez. Ms. Vasquez was accused of first-degree murder in the death of her husband, who had been shot nine times. Ms. Vasquez allegedly admitted to her mother that she paid someone \$20,000 to murder her husband. Based upon this information, the State, on March 28, 2017 moved for preventative detention against Ms. Vasquez. Although the motion was granted on April 3, 2017, the State failed to pursue indictment or presentation at preliminary hearing on this matter and Ms. Vasquez was released on her own recognizance on April 14, 2017. As of the filing of this Statement, the State has still not moved to indict Ms. Vasquez, despite at one point

claiming that she was such a danger to the community that she should be detained indefinitely pending trial.

Like Ms. Vasquez, numerous individuals have had detention motions sought against them by the State, only for the State to then fail to follow through on indicting them, resulting in those persons being released on their own recognizance. LOPD is aware of fifteen such cases in the Second Judicial District alone. While this may seem like a matter of small concern, it demonstrates that numerous district attorneys are not treating numerous detention motions with the gravity they deserve.

D. Prosecutors frequently fail to comply with discovery obligations.

The District Attorneys claim that:

“these hearings often turn into protracted discovery disputes, borne principally by the ambiguity in the rule’s discovery scope language: ‘evidence relating to the motion for pretrial detention.’ Courts are routinely, and incorrectly, interpreting this language to require production of all case-related discovery prior to the detention hearing, and even going so far as to sanction the State when that production is not made or not available.”

In making this claim, the District Attorneys do not point to a single case, anywhere in the state of New Mexico, in which they have appealed a District Court’s discovery order. They do not reference a decision they see as unjust, or cite to a judicial decision wherein they claim a judge made an improper finding. And there is no evidence to support this claim.

LOPD responds that necessary discovery is rarely provided, and where it is provided it is often done on the morning of the hearing, in violation of the requirements of Rule 5-409(F)(2). Such delays give defendants no time to prepare an adequate response and leave them with the devil's bargain of going forward to hearing unprepared or acquiescing to further detention in order to adequately prepare for a hearing that could determine their freedom. LOPD would argue that judges are, if anything, overly lenient in holding prosecutors to their discovery production burdens. As a result, judges often make decisions with incomplete information, which can have disastrous results for a defendant's rights - and for the public.

Such discovery violations routinely harm defendants. Under pressure to decide an important issue, judges frequently ignore defense arguments to disregard undisclosed evidence and instead assume – in clear violation of the presumption of innocence – that any evidence is likely to be inculpatory. And further refuse to sanction the State for failing to provide it. Oftentimes the only way that a defendant will receive justice is when a prosecutor upholds her ethical duties and admits that she has been negligent in failing to turn over required disclosures.

Defendant Tyler Serrano had a pretrial detention motion filed against him on June 30, 2017, in D-202-LR-2017-202. On March 26, 2017, Mr. Serrano allegedly shoplifted and pulled a knife on a loss prevention officer who confronted him. In

its initial filing, the State argued that “there is surveillance video of the incident, as well as cooperative victims who are willing to testify against the Defendant. There is strong evidence suggesting the guilt of the Defendant in this case. *See* Rule 5-401(C)(2).”

Following the motion-filing on June 30th, 2017 the Court ordered the State to provide all evidence relating to the motion for preventative detention at least 24 hours prior to the July 6th, 2017, hearing. Despite basing its motion on surveillance video and “cooperative witnesses”, the State did not disclose the surveillance video to defense counsel and did not present any witness testimony at the hearing. *Order Granting State’s Motion for Pretrial Detention*, D-202-LR-2017-202, ¶ 6.

Despite the State’s violation of the court order through failing to provide this information which it explicitly relied upon in its written motion for detention, the Court conducted the hearing without this relevant evidence and detained Defendant. Following the decision to detain Mr. Serrano, the surveillance video was eventually disclosed, and it **did not** show the face of the perpetrator of the alleged aggravated assault. *Defendant’s Motion to Dismiss for Prosecutorial Misconduct*, D-202-LR-2017-202, ¶ 27. Finally, on October 12, 2017 –over three months following Mr. Serrano’s detention on the basis that he was too dangerous to be released into the community - the State offered a plea agreement to a

misdemeanor shoplifting offense and a probated sentence. *Plea & Disposition Agreement*, D-202-CR-2017-2425.

Similarly, in *State v. Anthony Kapinski*, D-202-LR-2017-133, the State moved for pretrial detention of Mr. Kapinski in connection with a charged double murder where Mr. Kapinski claimed self-defense. The State, prior to the hearing, did not provide Mr. Kapinski with any discovery related to the case whatsoever – no police reports, no surveillance footage which showed the physical confrontation and subsequent shooting, and no meaningful witness statements.

This detention hearing occurred on the afternoon of June 16, 2017. Earlier on the day of the detention hearing Detective Terra Juarez told the grand jury that she had this surveillance footage and had reviewed it prior to testifying. However the prosecutor handling the detention hearing did not provide this footage to defense counsel, or offer Detective Juarez as a witness. Instead, the prosecutor argued that there had been a verbal confrontation, then a fight, and then the shooting . . . failing to mention that both the verbal confrontation and physical fight were instigated by the decedent, and that Defendant was being beaten by three men larger than him at the time of the shooting. The withheld surveillance footage clearly shows this crucial information, but despite having been reviewed by the lead detective earlier that day, it was not made available for defense counsel review.

In *State v. David Trujillo*, D-202-LR-2017-216, Defendant was accused of committing aggravated assault with a deadly weapon on May 24, 2017. Specifically, the State alleged that Mr. Trujillo showed the victim the handle of a gun sticking out of his waistband in the course of a theft. The victim had no prior contact with Mr. Trujillo, and the criminal complaint referenced both photographs and a photo array that were used to identify the aggressor. Despite not filing for pretrial detention until July 6th and despite the Court's entry of a discovery order on that date, at the July 14th detention hearing the State had neither disclosed to defense counsel the photographs allegedly in police possession nor the photo arrays that led to the defendant's alleged identification by the victim. At the hearing, the assigned prosecutor informed the court that, both the photographs and photo array should be available and should have been provided to Defendant since nearly two months had passed; he had no explanation as to why this wasn't done. The detention motion against Mr. Trujillo was dismissed at that time, though he had unfortunately been forced to spend eight days in jail.

The heart of the problem with a system based on proffers, like the one the District Attorneys propose is that there is no way to test the information proffered. Judges are routinely called on to make difficult decisions in situations where a prosecutor's actions have severely limited the information available to them to make an informed decision. This creates a breeding ground in which not only

might a prosecutor engage in *Brady* violations, but also use misleading language and half-truths to give the appearance of a defendant being more dangerous than she actually is. Judges who demand greater information from prosecutors in such circumstances may find themselves excoriated in the media or with their positions misrepresented in writ filings as requiring live witnesses for all hearings.

We have a responsibility to ensure that those with power do not trample upon the rights of the powerless in order to advance their own agenda. Greater procedural protections lead to more just outcomes, and less danger a rogue prosecutor will violate the trust placed in her office.

E. Disputes about the form of evidence happen because often proceed based solely on proffer and submission of criminal complaints.

The District Attorneys claim that “[c]ontinued disputes regarding the form of evidence are a common occurrence, despite the fact that the Rule states that the rules of evidence shall not apply to these proceedings.” The District Attorneys do not indicate what disputes are occurring, but appear to inflate the principle that the rules of evidence do not apply to pretrial detention hearings to argue that any fact they aver must be considered as of sufficient weight to require a detention. This is simply not true. As long ago as 1215, the foundations of Anglo-American jurisprudence recognized that “No bailiff is in future to put anyone to law by his accusation alone, without trustworthy witnesses being brought in for this.” *Magna Carta*, Clause 38. This spirit is implicit in even the most basic understandings of

the American criminal justice system: it is the sole province of the fact-finder to determine what weight to give each item of evidence.

The District Attorneys' proposals would give them a basis in law to argue that proffer is equal to live witness testimony in a court's considerations of weight of evidence. That this is their goal is borne out by the arguments they continually make in live court hearings today. A detention hearing does not go by without a prosecutor claiming that, although evidence is being withheld from the court's direct consideration and, especially, the defendant's cross-examination, courts are bound to consider these proffers. Sadly, district court judges frequently give a prosecutor's averments more weight than actual evidence presented by a defendant.

In *State v. Donovan Yazzie*, T-4-FR-2017-4741, Defendant was accused of stabbing his brother during an argument on August 21, 2017. The criminal complaint indicates that a responding officer spoke to brother, who indicated he was stabbed by an unknown assailant. An eyewitness to the incident stated that brother was attacked by an unknown male, and gave a description matching that previously provided by brother.

Several hours later, officers discovered Defendant passed out in a car. He indicated he had been with his brother shortly before he was stabbed. Conversations at the hospital with brother following treatment revealed that

Defendant had, in fact, been with him. However, his brother indicated Defendant was not his attacker.

Despite this, the State charged Aggravated Battery and moved for pre-trial detention. Defendant was detained from the time of his arrest on August 21st through his August 25th detention hearing.

At the detention hearing the State presented no evidence save for the criminal complaint. They proceeded solely on “proffer” – denying Defendant the ability to cross-examine or otherwise contest the evidence put on. The defense had sent an investigator to the hospital to speak with brother who reiterated that he had been “jumped” and stabbed by an unknown male with whom he and his brother had been drinking, and not by his brother as police mistakenly believed. The brother was unable to come to the hearing as he was still in the hospital.

Defendant presented the live testimony of the investigator who heard these statements. The Court, in its written order, found that the statements of the alleged victim to the LOPD investigator contradicted the contents of of the complaint.⁷ However, the Court found both probable cause to believe a crime had been committed, and found that no conditions of release could protect the community, and ordered Defendant detained until trial.⁸

⁷ See, *Order of Preventative Detention*, ¶ 4, 9-1-17; D-202-LR-2017-437.

⁸ *Id.*, ¶ 6.

Despite believing that Defendant was so dangerous to the community that he needed to be detained without a finding of guilt until trial, the Second Judicial District Attorney did not bother to schedule a preliminary hearing or grand jury session. Consequently, Defendant was released on his own recognizance. Later, when a grand jury was eventually convened, they found no probable cause and “no billed” the indictment.

F. District court judges consider a wide array of evidence against an accused, including the seriousness of the charges.

The District Attorneys claim judges are being “absurd” in failing to consider the nature of a defendant’s current charges when determining dangerousness. However, judges routinely consider the nature of the charges against a defendant.

In one particularly illustrative case, a defendant was charged with criminal sexual penetration of a minor and sexual exploitation of a child. The only evidence provided to the court by the State was the hearsay testimony of a single officer about the nature of the allegations and Defendant’s address, which was on the same street as the alleged victim’s address. No evidence was presented to the court to substantiate Defendant’s history, which was mentioned in the district attorney’s written motion.

Defense counsel presented the live testimony of both of Defendant’s parents, with whom Defendant lived, who promised they would closely supervise the defendant and would notify court or police immediately if he violated his

conditions of release. Nevertheless, the court granted the State's motion for pretrial detention based solely on the nature of the charges and the fact of Defendant's address upon release would be close to the alleged victim's.

Far more troubling than courts considering an appropriate factor and giving it an inappropriate amount of weight, however, is the District Attorneys' continual habit of asking courts to consider irrelevant evidence in support of detention. Specifically, prosecutors routinely ask courts to detain defendants who are not a danger to the community where they are a "flight risk."

New Mexico's constitutional amendment differs significantly from parallel provisions of its sister jurisdictions in that the danger of a defendant's non-appearance is not a proper ground for the denial of bail.⁹ Regardless, prosecutors frequently move and strenuously argue for detention based on factors related to risk of flight. For example, in T-4-FR-2017-5810, the State moved for detention and indicated that Defendant presented a "negligible danger, but has active warrants." Despite repeated defense objections, courts consider these arguments and frequently make the decision to deny bond based, in part, on the risk that a defendant will not appear in court.

⁹ Compare Article II, Section 13 of the New Mexico Constitution ("Bail may be denied ... [if] no release conditions will reasonably protect the safety of any other person or the community.") with Article I, Paragraph 11 of the New Jersey Constitution ("Pretrial release may be denied to a person if the court finds that no [conditions] would reasonably assure the person's appearance in court when required...") and the Federal Bail Reform Act ("If ... the judicial officer finds that no condition or combination of conditions will reasonably assure the appearance of the person as required ... such judicial officer shall order the detention of the person before trial.").

G. *Most detention hearings resolve within 30 minutes, but longer detention hearings may be appropriate to ensure the rights of the accused.*

The District Attorneys claim that “prosecutors from across the state are routinely engaged in mini-trials that take hours to resolve, thereby wasting precious judicial, prosecutorial and police resources.”

It is the experience of LOPD attorneys that 90% of detention hearings conducted are concluded within thirty minutes. Rarely, detention hearings may last up to an hour, but typically this only occurs in situations in which the prosecution is relying upon evidence that has not been disclosed to defense counsel and litigation results, or the defendant is affirmatively presenting witness testimony or other evidence. Despite the fact that lengthy hearings are the rare exception rather than the norm, the position of LOPD is that such mini-trials would still be a legitimate protection of defendants’ rights. Persons charged with a felony and accused of being too dangerous to remain in the community can easily wait in excess of one year in jail while still supposedly cloaked in the presumption of innocence. Are we to begrudge defendants a right to a comprehensive hearing where necessary?

There have been cases where, the district court has found problems with the case which directly led to the release of the defendant after testimony of the alleged victim,. One such case is *State v. Jereb Bevel*, D-202-LR-616. In that case, , and the Complaint contained probable cause to support an Aggravated

Battery with a Deadly Weapon charge. However, after the alleged victim testified at the detention hearing, the court “found the testimony . . . highly unpersuasive and not credible.” Order Denying State’s Motion to Detain Defendant Pending Trial, ¶ 4. Due to the nature of the charges, and the defendant’s PSA score (5 NCA, 5 FTA, future violence flag), it is highly likely that, without the alleged victim testifying, Mr. Bevel would have been detained. Then the State would likely have indicted the case (as they generally do on detention cases, rather than have the witness testify at a preliminary hearing), and Mr. Bevel would have likely been held in custody for months. Instead, after seeing the live testimony of the complainant, Mr. Bevel was released on his own recognizance. Justice and judicial economy were accomplished solely because the State called the witness . . . yet the District Attorneys argue they don’t want to cause “devolution of detention hearings into discovery disputes and hours-long mini-trials.

Thirty minutes is a grossly-insufficient threshold for adjudication of important constitutional issues. On hotly-disputed questions of probable cause, or cases involving significant mental health or substance abuse treatment options, thirty minutes can hardly be held to suffice. It is not uncommon for preliminary hearings on capital and first-degree felonies to stretch several hours, and no one claims that these hearings are “wasting precious judicial, prosecutorial and police resources” as the District Attorneys do. Recently the Second Judicial District

Attorney utilized a nine hour grand jury setting to obtain a probable cause determination as to a sixteen co-defendant racketeering indictment, and no one claimed that this was a waste of resources.

Despite these lengthy hearings occurring on a nearly daily basis in the state, neither preliminary information hearings nor grand jury sessions concern themselves with the complicated question of whether a defendant is so dangerous that none of the myriad release options can adequately protect another person or the community. Rather, these types of hearings are necessary aspects of due process which our system is built upon. While efficiency is an important goal, it must be secondary to the requirements of due process.

III. The District Attorneys' Proposals

While the District Attorneys raise numerous specific rule changes, every proposal would undermine protections regarding either the presentation of evidence or the presumption of innocence. LOPD offers the following examples to show the problems with the District Attorneys' proposals.

A. The Presentation of Evidence.

At paragraph F(2), the District Attorneys propose adding "Pretrial detention is not intended to be a discovery tool for either party. Both parties, however, shall disclose or make available in advance of the hearing any evidence intended to be introduced at the hearing."

At paragraph F(5), the District Attorneys propose adding “The parties may proceed by proffer, documentary submission, or witness testimony, or any combination thereof. The court shall not require any party to submit evidence or information in any particular form. At the request of a party or on the court’s own motion, the court may take judicial notice of information contained in official New Mexico court records.”

At paragraph F(8), the District Attorneys propose adding an entirely new provision, reading “The court shall decide the motion based on the evidence and information in the motion or presented at the hearing and shall not delay consideration of or deny the motion pending further discovery or submission of additional or different evidence, except that either party may move the court to continue the hearing for up to three (3) days for good cause shown. During any continuation of the hearing the defendant shall remain in custody.”

These proposals would have disastrous consequences for a defendant’s right to know the evidence against him, have the ability to fairly contest it, and receive an informed decision from a judge.

While proposed paragraph F(2) provides that both parties shall disclose all evidence intended to be introduced at the detention hearing, this is immediately undercut by multiple provision of proposed paragraph F(5). Proposed paragraph F(5) specifically gives parties permission to proceed by proffer, and strips the court

of its discretionary authority to require presentation of stronger forms of evidence where the prosecution's proffers are insufficient to convince the court by clear and convincing evidence that a defendant is a danger.

Courts would have their ability to render a decision based on insufficient evidence undermined by proposed paragraph F(5)'s requirement that "[t]he court shall not require any party to submit evidence or information in any particular form." Prosecutors would argue a proffer of testimony is, pursuant to rule, of equal evidentiary weight as the witness's live testimony itself – a position unsupported by the detention rules or case law of any American jurisdiction.

Further, proposed paragraph F(5), coupled with proposed paragraph F(8), would imply that an evidentiary hearing – despite being explicitly required by the constitutional amendment – is not even required. Proposed paragraph F(8) orders courts to decide the motion based on "the information in the motion." This requirement, coupled again with proposed paragraph F(5)'s stipulation that courts cannot require evidence to be presented in "any particular form" would require courts to weigh an untested written averment equally to live witness testimony. The proposals are thus unconstitutional.

B. The Presumption of Innocence.

At paragraph F(7), the District Attorneys propose adding a host of classes of crimes which would make someone *per se* eligible for detention. In so doing, the

District Attorneys' proposed F(7) models itself after 18 U.S.C. § 3142(e)(3) (as a series, "the Bail Reform Act"). However, the District Attorneys depart from the federal model by expanding the classes for which a statutory presumption exists, and simultaneously expanding the scope of the presumption to unconstitutional dimensions.

Whereas the Bail Reform Act limits itself to five offense categories roughly analogous to New Mexico state offenses¹⁰, the District Attorneys' Proposals would expand on the federal presumptive categories to add a presumption of detention for persons accused of crimes encompassing nearly all of New Mexico's criminal code. They include such categories as "serious violent offenses", which includes 29 separate criminal statutes; and "eligible for habitual offender enhancement" – meaning that someone convicted of one, and accused of a separate, nonviolent drug possession offense would be subject to a constitutional presumption that she is a danger to the community which no conditions of release could cure.

Further constraining judicial discretion, the District Attorneys seek to upend the presumption of innocence by adding a burdensome requirement – found in no other state or the Bail Reform Act – that the judge must justify any decision not to detain an individual when one of the F(7) categories are met. *See Proposed*

¹⁰ The federal categories with New Mexico state analogues are: (1) Trafficking Controlled Substances (subject to a 10 year incarceration term); (2) Use of a Firearm in the commission of a felony; (3) Murder; (4) Human Trafficking; and (5) Sexual Crimes against Minors.

Paragraph, (H). Notably, this presumption would operate completely irrespective of the weight of the evidence against the accused. A defendant released on probation and accused of being found in possession of a stolen car in which probable cause is barely met would have the same presumption of pretrial detention attached as someone accused of murder whose guilt is highly certain.

The F(7) factors fail to pass constitutional muster for a second, but related reason. The Bail Reform Act is constitutional because, while it shifts the burden of production of evidence of non-dangerousness and/or non-flight risk¹¹ to the defendant in cases falling under a §3142(e)(3)-delineated category, it does nothing to alter the burden of persuasion placed on the Government once a defendant satisfies their initial burden of production. In this way, the Bail Reform Act operates similarly to an affirmative defense: if the Government charges an individual with a delineated crime, the defendant is burdened with the duty to put forth evidence of their non-dangerousness/non-flight risk. Provided that the defendant produces evidence establishing this, the burden of persuading the court that a defendant is so dangerous that no conditions of release will assure the safety

¹¹ It is important to note that New Mexico's constitutional amendment does not allow for pretrial detention based on flight risk, no matter how strong the evidence thereof might be. As such, much of the federal jurisprudence, or state jurisprudence, which relies on the Bail Reform Act may be factually distinguishable to the point where its holdings would not apply to the more narrow New Mexico constitutional provision. As a comprehensive analysis of the differences created by this more narrow provision is beyond the scope of this Statement, LOPD notes that it is making every attempt to rely only on opinions which, at this time, it believes would be valid interpretations of the rights emanating from New Mexico's constitution.

of the community remains with the Government. *United States v. Cook*, 880 F.2d 1158, 1162 (10th Cir. 1989). Indeed, despite the Bail Reform Act's establishment of these categories, some courts have held that even where a defendant fails to meet their burden of production, the burden of persuasion remains with the Government. *United States v. Dominguez*, 783 F.2d 702, 706-07(7th Cir. 1986).

IV. LOPD Proposals

The LOPD believes that pretrial release problems identified can and should be rectified. The proposed rule changes below are designed to bring Rule 5-409 more in line with American Bar Association (“ABA”) standards on pretrial release, established law in other jurisdictions who have similar pretrial detention options, and to clarify some provisions of the rule where appropriate.

A. Initial Review

LOPD is concerned that, due to the changes in the rules, any Assistant District Attorney can make a decision to hold a charged individual without bond for up to five (5) days after the first appearance, which itself can happen up to two (2) days after arrest. Including an intervening weekend, a person could be held without possibility of release for up to nine (9) days without any judge passing on the propriety of such detention.

Research has consistently found that every single day that a person remains in custody makes them more likely to reoffend; to lose their job, home or benefits;

or to have their children removed from their custody. The Constitutions of both New Mexico and the United States abhor extended detentions without judicial supervision.

“Under this practical compromise, a policeman’s on-the-scene assessment of probable cause provides legal justification for arresting a person suspected of crime, and for a brief period of detention to take the administrative steps incident to arrest. Once the suspect is in custody, however, the reasons that justify dispensing with the magistrate’s neutral judgment evaporate. There no longer is any danger that the suspect will escape or commit further crimes while the police submit their evidence to a magistrate. And, while the State’s reasons for taking summary action subside, the suspect’s need for a neutral determination of probable cause increases significantly. The consequences of prolong detention may be more serious than the interference occasioned by arrest. Pretrial confinement may imperil the suspect’s job, interrupt his source of income, and impair his family relationships. Even pretrial release may be accompanied by burdensome conditions that effect a significant restraint of liberty. When the stakes are this high, the detached judgment of a neutral magistrate is essential if the Fourth Amendment is to furnish meaningful protection from unfounded interference with liberty. Accordingly, we hold that the Fourth Amendment requires a judicial determination of probable cause as a prerequisite to extended restraint of liberty following arrest.”

Gerstein v. Pugh, 420 U.S. 103, 113-14 (1975).

The prosecutor’s decision that there was probable cause was insufficient:

“Although a conscientious decision that the evidence warrants prosecution affords a measure of protection against unfounded detention, we do not think that

prosecutorial judgment standing alone meets the requirements of the Fourth Amendment.” *Id.* at 117. Any requirement that a judge be unable to do anything but find probable cause once a prosecutor has filed a motion, no matter the content of such motion, is simply unconstitutional. Indeed, it would permit a prosecutor to overrule a judge, as the prosecutor could simply file a motion to detain the defendant and ensure a week of detention on the basis of the motion alone - regardless of the judge’s findings.

The Court should also remember that numerous motions to detain have been filed and later withdrawn by district attorneys or dismissed by the district court for lack of probable cause. In each of those situations, defendants have been held without any opportunity for bond even though it was ultimately considered that the detention was imposed without justification. Even when the motion is withdrawn by the State, there is no provision in Rule 5-409 to obtain a quicker hearing for setting of conditions of release and, ultimately, defendants are typically held until the previously-scheduled hearing on the now-withdrawn detention motion.

As an example of such injustice, the Court should look to the case of James Lucero, D-202-LR-2017-87. A warrant was issued for Mr. Lucero’s arrest, but soon thereafter, the alleged victim sent an exculpatory letter of to the court, which forwarded it to the Second Judicial District Attorney. The district attorney then extended an early plea offer to a misdemeanor with probation to the Albuquerque

LOPD office. The original warrant stayed active and Mr. Lucero was arrested. Despite having the exculpatory letter, the prosecutor filed a motion to detain Mr. Lucero until trial. The prosecutor did investigation before filing the motion and did not know a misdemeanor offer had been extended. Upon being informed the next day by defense counsel, the assigned district attorney agreed to withdraw the detention motion, but there was no mechanism for review of conditions of release until the detention hearing. Mr. Lucero spent a week in jail on a motion that should never have been filed because a detention motion, once filed, has no mechanism for early review.

Nearly 30 motions for detention have been withdrawn in the Second Judicial District. Statewide, 6% of detention motions are withdrawn by the prosecution. (These numbers do not include the numerous hearings where the assistant district attorney appearing for the hearing makes a minimal, *pro forma* argument for detention because their supervisors will not allow them to withdraw a motion they deem unjust or unjustified.) 6% of a sample may not seem like a huge number, but to the defendants who lose their freedom for over a week because a prosecutor's decision, once made, is unreviewable by a judge, it is a colossal curtailment of liberty.

Other jurisdictions which provide for pretrial detention have significantly faster detention-related hearings than New Mexico presently does. New Jersey

requires that the detention hearing take place no later than the first appearance if such has not happened yet; if the first appearance has happened then the hearing must take place within three days. N.J. Stat. Ann. § 2A:162-19d(1) (West, 2017). Washington D.C. also requires that detention hearings happen at the first appearance. D.C. Code § 23-1322(d)(1).

LOPD has previously proposed that a judge should have to pass on the propriety of a motion seeking pretrial detention *before* the State is allowed to file it – similar to the procedure employed for an arrest warrant. Ultimately, the Court did not adopt this suggestion. Although there are several ways to accomplish the necessary review, LOPD believes that the best way is the most efficient way.

Thus, LOPD proposes the following:

F.¹² Initial Hearing: Within twenty-four (24) hours of the filing of a motion seeking pretrial detention in the district, magistrate, or metropolitan court, the case shall be reviewed by the district court. To facilitate that review, immediately upon filing a motion seeking pretrial detention, the prosecutors shall provide a copy of the motion, the criminal complaint, and any available criminal history and risk assessment instrument to the district court. As part of that review, the district court shall (1) determine whether probable cause exists based upon review of the criminal complaint; (2) set discovery obligations upon demand of the parties; (3)

¹² This would replace the instant F paragraph, which would be renumbered as G; G as H; etc.

determine whether detention pending evidentiary hearing is warranted and, if not, order conditions of release; and (4) schedule the case for hearing on the detention motion. Defendant is permitted, but not required, to provide information to the court for this initial review.

The commentary for this section should clarify that the 24 hours is subject to the time computation of Rule 5-104, NMRA.

B. Motions to Reconsider

The language of Rule 5-409 limits a defendant's opportunity to seek district court reconsideration of a detention order in ways LOPD believes were likely not anticipated at the time the rule was drafted. On occasion, circumstances will change in ways unexpected by either party: the current Rule's language can be read to preclude such circumstances from being considered by a court reviewing a motion to reconsider detention. LOPD has frequently seen judges, in their rulings on pretrial detention, order specific treatment programs while stating that if a defendant satisfactorily completes said program, this would alleviate their dangerousness such that detention is no longer appropriate. However, when the assigned judge (often different than the detaining judge), is asked to review conditions of release in light of the defendant's achievement of the detaining judge's original condition, the assigned judge will frequently hold that completion of these conditions is not grounds for reconsideration of detention.

ABA Standard 10-5.12(a) states that “[u]pon motion by the defense, prosecution, or by request of the pretrial services agency supervising released defendants alleging changed or additional circumstances, the court should promptly reexamine its release decision including any conditions placed upon release or its decision authorizing pretrial detention....” ABA Standard 10-1.6 also states that “[t]he status of detained defendants should be monitored and their eligibility for release should be reviewed throughout the adjudication period.” New Jersey specifically allows courts to release a defendant if he is not currently a danger or if there is unreasonable delay by the prosecutor. N.J. Stat. Ann. § 2A:162-22a(2)(a) (West, 2017).

LOPD requests that Rule 5-409(K) be amended as follows: “On written motion of the prosecutor or the defendant, the court may reopen the detention hearing at any time before trial if the court finds that information exists which was not known to the movant at the time of the hearing or if circumstances have changed subsequent to the hearing, and if such information or circumstance ~~and~~ ~~that~~ has a material bearing on whether the previous ruling should be reconsidered.”

C. Define Expedited Trial Setting

Rule 5-409(J) currently requires that a detained defendant be given expedited scheduling of trial. However, there is nothing in the rule that explains exactly what that should mean, and judges across the state have often given that

language no consideration in actually setting trial. LOPD understands that there are people who are considered such a danger they should not be released pending trial. However, these people are having their liberty constrained while they are presumed to be innocent. If seeking to detain them despite this presumption of innocence, the State should be prepared to move quickly to determine if proof beyond a reasonable doubt can actually be presented.

LOPD notes that ABA standard 10-5.11 states that jurisdictions should establish accelerated time limitations under which detained defendants should be tried, and that these limitations should be shorter than current speedy trial limitations. It should be clear under this standard that if the person is not tried within such limitation, he should be released from custody immediately.

Washington, D.C. requires all cases be tried within 100 days of detention. D.C. Code § 23-1322(h). New Jersey requires an individual may not be held more than 180 days after indictment. N.J. Stat. Ann. § 2A:162-22a(2)(a) (West, 2017). In Vermont, except in cases punishable by death or life imprisonment, if a person held without bail must be tried within 60 days. Vt. Stat. Ann. Tit. 13, §7553b (West, 2017). While the District Attorneys are encouraging this Court to adopt parts of the federal system, they ignore one crucial difference: in federal court, where a defendant is detained, the Government is required to bring him to trial within 70 days.

LOPD believes that if any other aspects of the federal Bail Reform Act are adopted in New Mexico, this protection provided by the Act must be adopted as well. However, LOPD understands that there are certain structural differences between state and federal practice that may necessitate altered state timeframes. Given this, our proposal does not, at present, strictly track the federal paradigm. If, however, the District Attorneys' proposals are enacted and defendants' rights are undone, LOPD would move for the strict 70-day time limit.

At present, LOPD proposes that Rule 5-409 (J) be amended as follows:
“The district court shall provide expedited priority scheduling in a case in which the defendant is detained pending trial. Such expedited scheduling shall be as follows: on any case considered to be simple by the district court, trial must take place within 90 days of the order of detention; on intermediate cases, within 180 days of the order of detention; on complex cases, within 300 days of the order of detention. A defendant may waive this right to expedited scheduling by either a specific number of days or entirely. If such trial does not take place within the deadline, the defendant must be immediately released from custody, and the State is foreclosed from seeking detention under this rule a second time.”

LOPD notes that other rules specifically reference expedited trial schedules. These rules should also be changed to give clarification as to what expedited trial means. Rule 5-401 (L) and 5-403 (I) should be changed to give the following

timelines: for misdemeanors, either 60 days from arraignment or 45 days from the order setting conditions of release, whichever is later; for simple felony cases, within 90 days of arraignment or 60 days from the order setting conditions of release, whichever is later; for intermediate felony cases, within 180 days of arraignment or 90 days of the order setting conditions of release, whichever is later; for complex felony cases, within 300 days of arraignment or 150 days of the order setting conditions of release, whichever is later. Further, Rules 6-401 (K), 6-403 (L), 7-401 (K), 7-403 (I), 8-401 (J), and 8-403 (I) should all reflect expedited timelines of 60 days from arraignment or 45 days from the order setting conditions of release.

D. Expand Bernalillo County's Case Management Pilot Program

LOPD notes that, without a system in place to move cases quickly through the criminal justice system in each district, expedited trial deadlines would be entirely ineffective. Thus, LOPD suggests implementing the CMO, which is currently in place in the Second Judicial District, statewide. This will help ensure that all accused in New Mexico are given the same rights and protections as those in Bernalillo County.

E. Full Transfer of Case to District Court

This Court reasonably determined initially that, once a detention motion was adjudicated, the case should be transferred back to the magistrate or metropolitan

court for further proceedings, including review of conditions of release and preliminary hearing, pending jurisdiction properly vesting in district court. The commentary to Rule 5-409 specifically clarifies that the lower court can dismiss the case if it is not indicted or bound over in a timely manner.

However, this rule does not take into account some practical considerations. First is the understandable reluctance of some lower court judges to reconsider conditions of release set by a district court judge. Second, and more importantly, although the lower court is able to change the conditions of release or dismiss the FR case number, it does not have jurisdiction to change conditions of release or dismiss an LR case number as established by the district court. Thus, any efficiency is lost, as the decision of a metropolitan or magistrate court judge would have to “ratified” by a district court judge in order to take effect.

LOPD also notes that the District Attorneys’ Proposals advocate conducting preliminary hearings before the district court. Although the District Attorneys’ proposal in this area needs alteration, LOPD generally agrees conducting preliminary hearings in the same setting as detention hearings would promote more efficient use of criminal justice resources without any loss of a defendant’s rights. Specifically, LOPD believes that if a defendant is considered such a danger to the community that his detention pending trial is warranted, the matter deserves expedited adjudication at all stages, not merely the trial stage, and a decision to

bind over a Criminal Information should be made within otherwise-applicable time limits.

Due to these considerations, LOPD proposes that, once a detention motion is filed, all further proceedings be transferred to the district court. This could be enacted by changing Rule 5-409 as follows.

C. Case pending in magistrate or metropolitan court. If a motion for pretrial detention is filed in the magistrate or metropolitan court and a probable cause determination has not been made, the magistrate or metropolitan court shall determine probable cause under Rule 6-203 NMRA or Rule 7-203 NMRA. If the court finds no probable cause, the court shall order the immediate personal recognizance release of the defendant under Rule 6-203 NMRA or Rule 7-203 NMRA and shall deny the motion for pretrial detention without prejudice. If probable cause has been found, the magistrate or metropolitan court clerk shall promptly transmit to the district court clerk a copy of the motion for pretrial detention, the criminal complaint, and all other papers filed in the case. The magistrate or metropolitan court's jurisdiction ~~to set or amend conditions of release~~ shall then be terminated, and the district court shall acquire exclusive jurisdiction over the case ~~issues of pretrial release until the case is remanded by the district court following disposition of the detention motion under Paragraph I of this rule.~~

I. Further proceedings in magistrate or metropolitan court. Upon completion of the hearing, if the case ~~is~~ was pending in the magistrate or metropolitan court, the district court shall promptly transmit to the magistrate or metropolitan court an order closing the magistrate or metropolitan court case a ~~copy of either the order for pretrial detention or the order setting conditions of release. The magistrate or metropolitan court may modify the order setting conditions of release upon a showing of good cause, but as long as the case remains pending, the magistrate or metropolitan court may not release a defendant who has been ordered detained by the district court.~~

In order to effect these changes, Rule 6-409 (and, in turn, Rule 7-409) should be amended as follows:

D. Determination of motion by district court. If probable cause has been found, the magistrate court clerk shall promptly transmit to the district court clerk a copy of the motion for pretrial detention, the criminal complaint, and all other papers filed in the case. The magistrate court's jurisdiction ~~to set or amend conditions of release~~ shall then be terminated, and the district court shall acquire exclusive jurisdiction over the case ~~issues of pretrial release until the case is remanded by the district court following disposition of the detention motion under Paragraph E of this rule.~~

E. **Further proceedings in magistrate court.** Upon completion of the hearing, if the case is pending in the magistrate court, the district court shall promptly transmit to the magistrate court an order closing the magistrate court case ~~a copy of either the order for pretrial detention or the order setting conditions of release. The magistrate court may modify the order setting conditions of release upon a showing of good cause, but as long as the case remains pending, the magistrate court may not release a defendant who has been ordered detained by the district court.~~

F. *Discovery Issues*

Despite the District Attorneys' attempts to minimize their discovery obligations, Rule 5-409 is clear about what discovery is necessary, especially when one reviews the committee commentary and cases cited therein. The commentary, among other sources, cites to an important case previously referenced by this Court in guiding parties' discovery obligations pending detailed Supreme Court precedent: *State v. Ingram*, 155 A.3d 597 (N.J. Super. Ct. App. Div. 2017). Looking at this case, and the cases it cites, makes clear just how expansive is the discovery obligation of the State, and the sound practical and constitutional reasons underlying these obligations. The District Attorneys rely on *Ingram* for the proposition that live testimony is not required, but that proffers may be used instead. *Ingram* does not say that proffers will always be sufficient in a particular

case, but LOPD understands that there are cases in which live testimony is neither required constitutionally, nor would it be required for a reasonable fact-finder to come to a well-supported determination. However, *Ingram* is not just about what must be presented to the court, but also (among other things), about what must be provided to the *defendant*. In *Ingram*, the Appellate Division of the New Jersey Superior Court (equivalent to our Court of Appeals) acknowledged the defendant's need to know what evidence was actually against him for purposes of establishing probable cause. The Court examined another Superior Court decision, *State v. Robinson*, 154 A.3d 187 (N.J. Super. Ct. App. Div. 2017), and its expansive discovery obligations, stating, “[a]s a result, defendants will have a significant amount of information by which to test the probable cause determination, first made at issuance of the complaint-warrant, and again put to the test at the pretrial detention hearing.” *Ingram* at 611-612.

In *Robinson*, the Court interpreted the meaning of New Jersey's discovery rule, which requires the prosecution must provide “all statements or reports in its possession relating to the pretrial detention application.” *Id.* at 196, citing Rule 3:4-2(c)(1)(B). Ultimately, the Court founds that all discovery relating to the motion must be provided, not just the complaint and reports prepared for indictment. A few quotations from *Robinson* are instructive:

“Contrary to the State’s argument on this appeal, the required discovery is not limited to the documents on which the State claims to rely. Rather, it extends to those materials that “relate” to the State’s application. Therefore, the State cannot avoid turning over discovery by claiming that it is only “relying” on the probable cause affidavit and the PLEIR.¹³ That argument is unpersuasive.” *Id.* at 197. “However, we do consider that the very limited discovery for which the State advocates could deny a defendant a fair opportunity to defend against the State’s application, and could hamper the trial court’s ability to fairly assess the nature and circumstances of the offense and the weight of the evidence.” *Id.* “Moreover, although it may not be an issue in this case, discovery relating to the State’s application may reveal to the court that charges, while nominally supported by probable cause, appear exaggerated or a product of over-charging.” *Id.* “Further, there is nothing unusual about providing a defendant with additional discovery rights where the State seeks to impose an additional burden on defendant’s freedom or seeks to deprive a defendant of a traditional legal protection.” *Id.* at 198. Ultimately the Court decided that the rules required disclosure of essentially all relevant evidence.

¹³ PLEIR stands for “Preliminary Law Enforcement Incident Report” and is “an electronic document that succinctly describes the relevant factual circumstances relating to a defendant’s arrest. *Robinson*, 160 A.3d at 10.

Soon after the Superior Court's decision, the New Jersey Supreme Court issued a decision in the same case – *State v. Robinson*, 160 A.3d 1 (N.J. 2017). The Supreme Court agreed with the Superior Court generally about the importance of the discovery to be provided, but noted that the rules required specifically “statements or reports” to be provided, not all discovery. Thus, in that case, all reports and statements of witnesses referenced in the complaint were required to be provided, but a surveillance video at issue was not a statement or report as contemplated by rule. The Court made it a point to remind everyone of the issues. “[T]he scope of the discovery rule in detention cases must reflect what is at stake. Balanced against important concerns for public safety are the defendants’ liberty interests. As Chief Justice Rehnquist observed in a related context, [i]n our society liberty is the norm, and detention prior to trial or without trial is the carefully limited exception.” *Id.* at 14, *citing United States v. Salerno*, 481 U.S. 739, 755 (1987).

Of course, in New Mexico, Rule 5-409 does not simply require that “statements or reports” be provided. Instead, it requires that “all evidence relating to the motion” be provided. Thus, the required limitations under the rule in New Jersey would not apply in New Mexico. LOPD advocates that New Mexico should retain its broader discovery requirement than that present for the reasons soundly adopted by the dissent in *Robinson*'s Supreme Court iteration:

“Clearly, in many cases, relevant video footage and statements and reports referenced in the PLEIR will bear on the “nature and circumstances of the offense” and on the “weight of the evidence against” the defendant. For example, video footage may show that the defendant was not the aggressor or even the assailant in a physical altercation. Neither the defense nor the court should have to rely on the prosecutor’s interpretation of the footage in a written summary. The limitations set forth in the amended discovery rule will choke off information that the court should consider in making the pretrial detention determination. *Robinson*, 160 A.3d at 23 (*Dissent*).

LOPD also notes that a right without a remedy is merely a suggestion. To require that discovery be provided, but not require a penalty when such discovery is not provided is to essentially tell prosecutors that such discovery is not truly required. Thus, LOPD proposes the following addition as the new, last sentence of subsection (F)(2): Failure to provide such discovery to defendant shall result in either a dismissal of the motion, or immediate release of the defendant pending a later reset of the hearing at such time as the discovery is provided.

To help guide all parties in understanding their discovery obligations, LOPD proposes the commentary for Paragraph F be amended to add after the first sentence:

Subparagraph (F)(2) requires that “all evidence relating to the motion” be provided by the prosecutor to the defendant. Such evidence means any evidence referenced in any documentary or testimonial evidence used to establish probable cause that a crime has been committed. See *State v. Robinson*, 160 A.3d 1 (N.J., 2017)(explaining that under rule requiring reports and statements be turned over, that meant any report or statement mentioned in the complaint or reports used for the detention hearing).

G. Further Define Defendant’s Rights in Committee Commentary

The Committee Commentary to Rule 5-409(F) lists a number of cases to help the district courts and the parties understand exactly what types of information and levels of proof are needed in order to hold a defendant until trial. The New Mexico cases cited in the commentary are *State v. Guthrie*, 2011-NMSC-014, and *State v. Vigil*, 1982-NMCA-058. Both of these cases are probation violation cases.

Of course, in the probation violation context, there is one fundamental difference compared to pretrial detention hearings: the defendant has already been convicted of a crime, and has only a conditional liberty interest. In pretrial detention hearings, the defendant has typically not even been indicted, much less convicted of anything. Even in motions to revoke conditions of release on indicted cases under Rule 5-403, defendants appear to have more rights to confront the evidence than what the District Attorneys are advocating in their instant Proposals,

and what the commentary to the Rule appears to support. For instance, in *State v. Segura*, 2014-NMCA-037, the defendant was alleged to have violated his conditions of release by testing positive for drugs. The Court of Appeals found that the district court did not give adequate process to the defendant. The Court made it clear that a revocation was not the same as a probation violation. “[A] person on pretrial release has a greater liberty interest than a probationer or parolee because he has not yet been convicted and the presumption of innocence is still attached.” *Id.* at ¶ 23, citing *State v. Tijerina*, 1968-NMSC-009. The Court found that the inability to examine the witnesses against the defendant (in this case, the pretrial services officer) was a violation of his right to due process.

Even though in a hearing to revoke conditions of release a witness is needed, the District Attorneys continue to pursue pretrial detention without any ability for the defendant to test the evidence they rely upon. There are no witnesses to cross-examine, and the State even seeks to not be required to provide discovery which would give the defendant an opportunity to be informed of the bases upon which the prosecution will be moving for detention. It is illogical that a person previously indicted and presently on conditions of release would have an opportunity to genuinely test the evidence against him, while a person who has typically not even been indicted has to defend himself solely against the untested allegations, typically containing a great deal of hearsay, of a criminal complaint.

Thus LOPD proposes that the commentary to (F) include a citation to *State v. Segura*, with a parenthetical saying: “(noting that an accused has a higher liberty interest than a probationer or parolee, and that a defendant has a due process right to examine witnesses and evidence presented by the State).”

H. *Change Appeal Standard to De Novo*

A serious issue observed by LOPD is the high degree of variation in decisions on pretrial detention matters depending on the judge assigned to the hearing. In Bernalillo County, although approximately 41% of motions to detain have been granted, individual judges’ rates of granting such motions range from 65% to 7%.

Due to the important nature of the issues in detaining a person who has not even been convicted of a crime (and, often, not even indicted or bound over), where the district court judge has no opportunity pursuant to the rules to even mull the evidence (subsections G and H require a decision at the end of the hearing), it makes no sense for the appellate court to give any deference to the findings of the district court, especially if there is no testimony presented where credibility is better assessed by a person seeing and hearing live testimony. Thus, a *de novo* standard of review on appeal is a more logical standard.

Per Rule 12-204(D)(2)(b), the “abuse of discretion” standard is presently used to adjudicate appeals of detention motions. However, the use of such a standard goes against the unique factual circumstances presented by pretrial detainees.

As noted earlier, Rule 5-403 motions to revoke conditions of release currently require a higher standard of proof than that which is required for a pretrial detention motion, as testimony is essentially required under *State v. Segura, supra*. Further, in a 403 motion, the Defendant has already been placed on conditions of release and thus has at least some additional procedural protections given to him during the setting of conditions. Typically on a felony case, the defendant will have had a conditions of release hearing in both magistrate or metropolitan court and in district court, at his arraignment. He might also have had other hearings before the district court judge. He will also have had an initial hearing, and then an evidentiary hearing in district court on the 403 motion. Thus, that defendant should have had adequate notice of the requirements upon him, and the district court is much more likely to be familiar with the defendant. In a pretrial detention case, typically the defendant will not have any hearing on conditions of release in the lower court, and this will be the first hearing on the case in the district court. Thus, there is less history and familiarity with the case on

the part of the district court and, it follows, less of a reason for the appellate court to defer to the district court's findings.

Such provision would not be a procedure novel to New Mexico. Vermont's Constitution, Chapter II, Section 40, provides for a *de novo* appeal. "A person accused of a felony, an element of which involves an act of violence against another person, may be held without bail when the evidence of guilt is great and the court finds, based upon clear and convincing evidence, that the person's release poses a substantial threat of physical violence to any person and that no condition or combination of conditions of release will reasonably prevent the physical violence. A person held without bail prior to trial under this paragraph shall be entitled to review *de novo* by a single justice of the Supreme Court forthwith." This was further explored in *State v. Madison*, 659 A.2d 124, 126 (Vt., 1995). "In conducting a review *de novo* of a challenged finding or conclusion, a justice must come to an independent decision based on the record. The justice need not pay any deference to decisions of the lower court when reviewing the challenged findings and conclusions."

Thus, LOPD proposes that Rule 5-409 (L) be amended to include the following sentence: "The appellate court will review the findings and conclusions of the district court *de novo*." If such a rule change is enacted, Rule 12-204 would also need to be amended to reflect the new standard.

I. Unconstitutionally-Obtained Evidence

Rule 5-409, as presently written, neither specifically allows nor disallows a court from considering the strength or weakness of the prosecution's case in determining whether detention is appropriate. However, prosecutors routinely cite to Rule 5-401 factors, including the strength of the case, in arguing to courts that release is inappropriate. Given the fact that prosecutors also frequently proceed based on proffer, this argument that "their case is strong" is often unchallengeable. Significant amounts of evidence which may make a case "strong" for proof of guilt purposes, can be obtained in violation of constitutional protections afforded a defendant. The commentary, presently, only addresses the strength of evidence in regard to "indicia of reliability to support its probable accuracy... ." Rule 5-409, Committee Commentary, Paragraph H. Again, something may be accurate, but obtained in violation of law and thus unusable in determining legal guilt.

It is fundamentally unfair to allow inquiry into the strength and reliability of certain items of evidence gathered, without also allowing inquiry into the inadmissibility at trial of other items of evidence. This is a unique issue for issues of constitutional, as opposed to evidentiary dimension: where evidence is obtained in violation of either the federal or state constitutions, subsequent actions of the prosecution or law enforcement can rarely cure such illegality so as to allow admission of the evidence at trial. This is in contrast to evidence which may, at the

outset of a case, have a weak basis for admission under the Rules of Evidence: such weaknesses can often be cured by sufficient legal investigation and foundation-building so as to allow the evidence to be admitted at trial.

This distinction is already recognized in Florida's pretrial detention scheme. "The court may admit relevant evidence and testimony under oath without complying with the rules of evidence, but evidence secured in violation of the United States Constitution or the Constitution of the State of Florida shall not be admissible." Fla. R. Crim. P., § 3.132(c)(1).

No person should be detained, pending trial, on a case where an illegality of constitutional dimension makes it apparent to a judge that evidence of guilt cannot be admitted at trial. Thus, LOPD proposes that Rule 5-409(F)(5) be changed as follows:

(F)(5) **Evidence.** The New Mexico Rules of Evidence shall not apply to the presentation and consideration of information at the hearing, but evidence secured in violation of the United States Constitution or the Constitution of the State of New Mexico shall not be admissible or considered by the court.

CONCLUSION

Production of discovery is a strain on resources. Rules of Evidence are a strain on resources. The most serious strain on resources is a jury trial, with all the procedural protections that entails. The District Attorneys' proposals in sum ask

this Court to defer almost all authority over decisions regarding pretrial freedoms to the State. The laws upon which New Mexico's constitutional amendment and enabling rules are built are well-understood and comprehensively examined. The facts are that District Attorneys have been pursuing pretrial detention at a rate significantly lower than other jurisdictions, and yet succeeding at a rate roughly commensurate with those jurisdictions. This is occurring despite the fact that those other jurisdictions allow for detention on grounds of either dangerousness, flight risk, or a combination of the two. LOPD is confident that if jurisdictions such as New Jersey and the District of Columbia did not allow for detention based on flight risk, their prosecutors would actually have secured detention at a lower rate than the prosecutors of New Mexico have already been achieving.

Stripping defendants, presumed innocent, of their right to know what evidence will be used against them does not promote community safety: it undermines community trust in a fair process. Allowing prosecutors to proffer untested and unexamined statements on the same basis as testable evidence does not ensure that the guilty are rightfully detained; it increases the likelihood that the innocent are wrongfully detained and goes against the foundations of American jurisprudence.

There is one right that is both the guiding principle upon which America was founded and its most cherished value: freedom. LOPD asks this Court to treat the

freedom of the accused, clothed in the presumption of innocence, with the respect it deserves.

Respectfully submitted,

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October 25, 2017

Chief Justice Judith K. Nakamura
New Mexico Supreme Court
P.O. Box 848
Santa Fe, NM 87504-0848

Delivered via email

Re: Comments on Rule 5-409 NMRA

Dear Chief Justice Nakamura:

Please accept the Second Judicial District Court's (the "Second" or "District Court" or "District") comments on Rule 5-409, offered in response to the New Mexico Supreme Court's (the "Court") invitation to submit feedback on potential changes to that Rule. As the State's largest judicial district, the Second has conducted approximately more than 500 preventive detention hearings thus far, the overwhelming majority of which were filed after June 2017. We are hopeful that our experience with conducting these hearings will provide valuable input.

As the Court is aware, the Second also uses the Arnold Pretrial Risk Assessment Tool (the "PSA") and operates a Pretrial Services Program, both of which are important to our discussion on how the current Rule 5-409 is operating.

I. How Rule 5-409 Hearings are Held in the Second Judicial District Court

To begin with, the Second offers a brief overview of how Rule 5-409 hearings proceed in the Second.

A. Initiation of the 5-409 Hearing

Rule 5-409(B) allows the prosecutor to file an Expedited Motion for Pretrial Detention (“Motion”) in the court where the case is pending or in district court. In more than 90% of cases in the Second, these Motions are filed in Metropolitan Court (“Metro”), prior to indictment or preliminary examination. This memorandum focuses on those cases filed in Metro.

Metro conducts the probable cause determination, sets the 10-day rule date, and once the Motion is filed, transfers the case to District. As per direction from the Administrative Office of the Courts, District then assigns the Motion a “LR” case number. The Motion is set for hearing and, if in custody at the time of the filing of the Motion, the defendant remains in custody until the hearing.

B. Scheduling of the 5-409 Hearing

LR detention Motions are primarily managed by two volunteer TCAAs. The Notice of Hearing, together with a Discovery Order, are sent via email to the parties, as well as various group emails established to help ensure that none of the Motions are missed. Hearings are set within five (5) days of the Motion’s filing.

Because the Second receives so many of these Motions¹ the Second has instituted a pretrial detention hearing rotation. While all the LR case numbers are technically originally assigned to Presiding Criminal Judge Charles Brown at initiation, the cases are heard by judges assigned to the weekly rotation. Detention motions are heard on Monday afternoons, all day Tuesday, Wednesday, and Thursday, and Friday afternoons. A copy of an Odyssey printout for the Pretrial Detention dockets and the LR Pretrial Detention Schedule is attached as Exhibit A.

Hearings are scheduled in 45-minute intervals on the rotation days. Generally, the hearings take around 30 minutes. Approximately 15, of more

¹ Since July the number of Pretrial Detention Motions has generally ranged between 30 and 40 a week. District Court anticipates between 120 and 140 Motions on pretrial detention will continue to be filed monthly.

than 500 hearings, have taken a couple to several hours. Usually the prosecutors only present Odyssey documents and often they only present the Metro Complaint and the Pretrial Report (which includes the PSA scoring).² Thus, the Second disputes the suggestion in the New Mexico District Attorneys' Association's (NMDAA's) letter, dated September 26, 2017, that pretrial detention hearings have turned into "mini-trials, that take hours to resolve." At least in the Second—which conducts the greatest number of pretrial detention hearings—the hearings rarely take longer than 30-minutes.

The standard Discovery Order used in the Second tracks the language of the Rule, except that it also explains that documents in the possession of law enforcement will generally be considered in the possession of the State. It also explains that the failure to provide discovery may result in sanctions. More specific Discovery Orders are sometimes entered by the judge scheduled to hear the motion, depending on the specific circumstances in the case.

If the Motion is denied, conditions of release and the 60-day date are set (if not already set). Most of the denials result in the defendant being placed on Pretrial Services.

C. Evidence and Argument at the 5-409 Hearing

The general position of the District Attorney's Office (DA's Office) is that prosecutors are permitted to proceed entirely on proffer and the Criminal Complaint. Thus, the only "evidence" presented by the prosecutor is the Complaint and Pretrial Report, which includes the PSA score. Sometimes the prosecutor also offers Odyssey documents such as prior convictions, Pretrial Services violation notices, or criminal histories showing prior arrest. In a very few cases, the prosecutor or defendant will call a witness or the Court will re-set the hearing and request a witness be brought in to testify.

² Due to the time constraints in drafting this memorandum, we were unable to collect information from all the judges, but based on a sampling from a few of the criminal judges, approximately four (4) out of every sixty (60)—or less than 10%—of the hearings on detention motions involve a witness. In about half of that 10%, the defendant calls a witness. In the other half of that 10%, the prosecutor calls a witness or the District Court judge requests that a witness be brought in to testify.

Approximately 40% of Pretrial Detention Motions are granted in the Second.³ A copy of the cases scheduled for hearing, with outcome, through October 19, 2017, is attached as Exhibit B.

D. *Nolles*, Withdrawals, ROR, Failure to Indict or Go to Preliminary Examination within 10 Days or 60 Days

Many LR filings do not become District Court cases.⁴ While the Second does not have complete hard data on those numbers because of the short timeline in producing this memorandum, the Second's conservative estimate is that around 15-20% of the Pretrial Detention Motions filed are filed in cases where the State will fail to indict within the 10- or 60-day period, later agrees to an ROR, *nolles* the case, or withdraws the motion. *See* Exhibits B and C. Still other cases are pled to misdemeanors immediately after the detention hearing, sometimes with time served.

E. Types of Cases in Which the State Seeks Pretrial Detention

The prosecutor chooses to file Pretrial Detention Motions in diverse types of cases. In many cases, the underlying charges involve violence and/or the defendant scores high on the PSA. Pretrial Detention Motions are also filed in more minor cases such as check fraud, worthless check, embezzlement, shoplifting, and possession. Many cases involve defendants who have low scores on the PSA. Exhibit C is a sampling of LR cases, through July, with outcomes (i.e., *nolle*, indictment, dismissal), underlying charges, and risk scores.⁵ Exhibit D is a similar list, still being updated, from Pretrial Services.⁶

F. How Does the Second View the Rule as Working?

³ The Second notes that the NMDAA states that the effective rate of pretrial detention is 5% in Bernalillo County, but does not provide any data to back up that statistic. Similarly, it claims that the rate of detention in other state jurisdictions is "significantly higher" and that the effective rate of detention in U.S. District Court is "74%." Again, no data is provided to support these claims; nor does NMDAA provide a functional definition of "effective rate" or "eligible cases." In addition, as discussed in the federal vs. state chart in this memorandum, the federal statute allows for detention based on *flight risk* as well as dangerousness. It appears that many of the federal detentions are a result of this provision, or flight risk coupled with some level of dangerousness.

⁴ Some Motions are withdrawn on the day before or the day of the hearing.

⁵ As with the other data contained in this memorandum, it only covers LR cases rather than Motions on CR cases. The list is incomplete given the time constraints in offering this memorandum. It is included to demonstrate the percentages of cases that will not become CR cases within the 10- or 60-day time periods found in other Rules.

⁶ This list is also incomplete given the time constraints for drafting the memorandum. This list has clearer indication of Risk Score for each case, though the outcome data is less complete. We continue to work on procedures for data collection.

In short, Rule 5-409 is very new and the Second believes that giving everyone more time to adjust to its requirements would be beneficial. However, should the Supreme Court choose to revise Rule 5-409 at this early stage, it should be revised in six aspects.

Basis for Detention

First, Rule 5-409 should specify the types of evidence that should be presented at the Motion hearing. The Second has several concerns about these Motions proceeding on Complaints and proffers alone. While the Complaint usually provides probable cause that the defendant committed the crime, the second part of Article II, Section 13 of the New Mexico Constitution requires the prosecutor to “prove[] by clear and convincing evidence that no release conditions will reasonably protect the safety of any other person or the community.” The Complaint, alone, does little to address this second prong of the detention analysis. When the DA’s Office takes the position that prosecutors are not “required” to provide the District Court judge with any additional information aside from the Complaint, even when requested by the judge, the judge is then left with the question of how to get from probable cause to the much higher standard of clear and convincing evidence that *no* conditions will reasonably protect the safety of the community with no additional evidence.⁷ Often the DA’s Office even refuses to weigh in on conditions—stating that it will not discuss various conditions and whether they would be effective because its position is that the person should be detained. This is true both during the discussion about whether to grant the Motion and once the Motion has been denied and the judge gives both parties a chance to weigh in on appropriate conditions.

NMDAA asserts that judges have been unwilling to consider the current charge in determining whether a defendant is dangerous.⁸ Judges in the Second often consider the underlying charge in the detention analysis, but must also consider whether the underlying charge—coupled with what is often a low risk score and little criminal history—overcomes the high burden

⁷ The availability in the Second of a comprehensive Pretrial Services Program, which can include frequent Pretrial Services visits, drug testing, and the use of GPS monitoring, offers numerous conditions for a judge to impose to protect the safety of the community.

⁸ Notably the term “dangerousness” is not used in either the Constitutional Amendment test for detention or Rule 5-409. Instead, the focus is on conditions of release and the safety of the community or any individual. The DA’s Office in the Second has used this lack of language to their benefit—arguing that “safety of the community” does not necessarily mean physical safety, thus permitting them to file Pretrial Detention Motions on cases not involving physical danger (such as embezzlement or shoplifting).

of the clear and convincing standard without additional information from the prosecutor.⁹ The long history of over-charging in Bernalillo County, the DA's Office's very low conviction rate, and the high rate of *nolle prosequis* all factor into this analysis.

These are issues that can be addressed via the normal appeals process over time. However, should the Supreme Court choose to revise Rule 5-409, the Second suggests more guidance on this topic.

Discovery

Second, Rule 5-409's discovery provision should include a specific remedy. The Criminal Judges in the Second have tried a variety of sanctions to get the DA's Office to comply with their discovery orders—monetary sanctions, dismissal of the motion, continuances, and oral reprimands. Basic discovery continues to be a problem. Even police reports that are referenced in the Complaint may not be disclosed. Without basic discovery, defendants do not truly enjoy due process at these hearings. Complaints may be based on hearsay, double-hearsay, confidential informants, or unnamed witness statements. How are defendants to defend against a detention motion if they are unable to view any of the basic discovery underlying the allegations? Importantly, the detention hearing determines whether a pretrial defendant—presumed to be innocent—remains in jail for the next seven (7) to fifteen (15) months.¹⁰ The Court of Appeals has also lamented the lack of remedy in its orders on appeals of discovery matters.

Preliminary Examination and Detention Hearing

One way to deal with issues surrounding the lack of information presented by the prosecutor and discovery, would be to hold a preliminary examination immediately prior to the detention hearing. This is also suggested in the letter from the NMDAA and is discussed more fully below.

Time for Written Orders

It appears that everyone—the courts, prosecutors, and public defenders—are struggling with the stringent two-day requirement for written orders with specific facts. Given the volume of the detention motions requiring numerous hearings, the cursory nature of the written Motions, and that

⁹ As outlined in *State v. Brown*, a judge is not permitted to base a release decision solely on the seriousness of the charges. 2014-NMSC-038, ¶ 52, 338 P.3d 1276.

¹⁰ These timeframes are based on the Tracks found in the Second's Case Management Order, LR2-308, which arguably are shorter than in many jurisdictions.

“check-the-box” findings have been discouraged, the District Court would ask for additional time in drafting these orders.¹¹

Certification That the Case Will Be Ready to Indict or Proceed to Preliminary Hearing

The Second also suggests that Rule 5-409 require the DA’s Office to certify, when filing the Motion, that it will indict the case within the 10-day period required under other Rules. This would ensure that defendants are not held in jail for ten (10) days in cases where the prosecutor has not done the necessary investigation such that the case will be timely indicted. In addition, this requirement would conserve court resources by ensuring these hearings are not held twice—once during the first filing of the case and again once the case is indicted at a much later date. The fact that 15-20% of cases will not go forward is high considering the automatic detention provision for persons in custody at the time of filing the Motion and that pretrial defendants will continue to sit in jail if the Motion is granted.

Defining Expedited Trial

The Second suggests that depending on what other changes the Supreme Court adopts, that “expedited” trial should be defined.

If the Supreme Court chooses to go with changes substantially similar to the federal rules, then the Second suggests the federal time limits on trial should also apply. While the federal system provides for less due process for defendants than the current Rule 5-409, this fact is somewhat mitigated by the fact that trial proceeds extremely quickly in the federal system.

The Speedy Trial Act, 18 U.S.C.A. § 3164 (1979), applies in federal detention cases and provides that the trial involving “a detained person who is being held solely because he is awaiting trial...shall be accorded priority” and states that trial “shall commence no later than ninety days following the beginning of such continuous detention[.]” *See also United States v. Berrios-Berrios*, 791 F.2d 246, 252 (2d Cir. 1986) (noting that “the Senate Judiciary Committee feared that lengthy incarceration pursuant to § 3142(e) of the Bail Reform Act might violate a defendant's due process rights; the Committee expected, however, that the Speedy Trial Act's requirement of

¹¹ This is especially acute in light of the fact that none of the justice partners have received additional staff or other resources to implement the new process.

expeditious trials of detainees, would alleviate any constitutional infirmity by ensuring a 90-day “upper bound” on the wait for trial” (citation omitted)).

II. Differences in Federal Rules Governing Pretrial Detention and 5-409

A. The NMDAA’s letter argues that Rule 5-409 should more closely track its federal counterpart. It makes specific suggestions for change based on the federal rules. Therefore, the Second offers a brief overview of the federal rules effecting pretrial detention to inform its response to those suggestions. The information is presented in chart form for the sake of brevity.

FEDERAL CRIMINAL CASE	NEW MEXICO STATE CRIMINAL CASE
<p>Initial Appearance <i>Fed. R. Crim. P. Rule 5</i></p> <ul style="list-style-type: none"> - Must be held “without unnecessary delay” after arrest - Purpose is to advise defendant of his rights, determine probable cause if defendant is already represented by counsel, and setting conditions of release -If defendant is not yet represented by counsel, the counsel is appointed and preliminary hearing is scheduled 	<p>Arrest without Warrant; Probable Cause; First Appearance <i>Rules 7-203 and 5-301 NMRA</i></p> <ul style="list-style-type: none"> - Made within 48 hours after custody commences - Explanation of rights, determination of probable cause, setting conditions of release - 5-301 applicable when magistrate or metropolitan court judges are unavailable for probable cause determinations or for first appearance proceedings. <i>See</i> Rule 5-301 comm. cmt.

Preliminary Hearing *Fed. R. Crim. P. Rule 5.1*

- Held no later than 14 days after initial appearance if defendant is in custody and no later than 21 days if defendant is out of custody

- Purpose is to establish whether there is probable cause to hold the defendant. *United States v. Kysar*, 459 F.2d 422, 424 (10th Cir. 1972).

- Discovery rule cited in Rule 5.1 is Fed . R. Crim. P. 26.2 dealing with producing witnesses statements

- While the defense may subpoena witnesses and evidence from the government, such discovery is limited to the issue of probable cause. *See Coleman v. Burnett*, 477 F.2d 1187, 1199-1207 (D.C.Cir. 1973) (“[T]he degree of discovery obtained in a preliminary hearing will vary depending upon how much evidence the presiding judicial officer thinks is necessary to establish probable cause in a particular case. This may be quite a bit, or it may be very little, but in either event it need not be all the evidence within the possession of the Government that should be subject to discovery.”); *see also United States v. Begaye*, 236 F.R.D. 448, 454 (D.Ariz. July 3, 2006) (“the Court notes the rules of discovery found in Rule 16, Federal Rules of Criminal Procedure, are not applicable to preliminary hearings[.]”).

- The preliminary hearing is a complement to the grand jury indictment and while an indictment may make a preliminary hearing

Preliminary Examination *Rule 5-302 NMRA*

- No later than 10 days after first appearance if defendant in custody and no later than 60 days after first appearance if defendant is not in custody.

- “The prosecution shall promptly make available to the defendant any tangible evidence in the prosecution’s possession, custody, and control, including records, papers, documents, and recorded witness statements that are material to the preparation of the defense or that are intended for use by the prosecution at the preliminary examination. The prosecution is under a continuing duty to disclose additional evidence to the defendant as such evidence becomes available to the prosecution.”

- “If the court finds that there is probable cause to believe that the defendant committed an offense, it shall bind the defendant over for trial.”

- Can be used in lieu of grand jury indictment. *See N.M. Const. art. II, § 14; see also State v. Lopez*, 2013-NMSC-047, ¶ 2, 314 P.3d 236 (“Under Article II, Section 14 of the New Mexico Constitution, a defendant may not be brought to trial for a serious criminal offense unless there first has been a determination of probable cause, either by a grand jury or by a judge at a preliminary examination.”).

<p>unnecessary, the preliminary hearing does not make the grand jury indictment unnecessary. <i>See United States v. Werbrouck</i>, 589 F.2d 273, 275 (7th Cir. 1978); Rule 5.1(e) (“If the magistrate judge finds probable cause to believe an offense has been committed and the defendant committed it, the magistrate judge must promptly require the defendant to appear for further proceedings.”); <i>see also</i> U.S. Const. amend. V.</p>	
<p>- “The grand jury indictment is a conclusive determination of the issue of probable cause.” <i>See United States v. Kysar</i>, 459 F.2d 422, 424 (10th Cir. 1972) (discussing the more expansive investigative powers of the grand jury compared to the magistrate at the preliminary hearing).</p>	
<p>Grand Jury Indictment <i>Fed. R. Crim. P. Rule 6</i></p>	<p>Grand Jury Rule 5-302A NMRA; <i>NMSA 1978, § 31-6-11</i></p>
<p>“A grand jury proceeding is not an adversary proceeding in which the guilt or the innocence of an accused is adjudicated. Thus, an accused has “. . . no right of cross-examination, or of introducing evidence to rebut (a) prosecutor's presentation.” Likewise, an accused has no right to be called as a witness before the grand jury that is</p>	<p>Notice to target must include: (a) the nature of the alleged crime being investigated; (b) the date of the alleged crime; (c) any applicable statutory citations; (d) the target's right to testify; (e) the target's right not to testify; (f) the target's right to submit exculpatory evidence to the district</p>

<p>considering his indictment[.]” <i>United States v. Salsedo</i>, 607 F.2d 318, 319 (9th Cir. 1979) (citations omitted).</p>	<p>attorney for presentation to the grand jury; and (g) the target's right to the assistance of counsel during the grand jury investigation. Target notices shall be substantially in the form approved by the Supreme Court.</p>
	<p>Notice must be given to target no later than 4 business days prior to proceeding if target is incarcerated and no later than 10 business days prior to proceeding if target is not incarcerated.</p>
	<p>Rules of evidence do not apply.</p>
<p>“We reject appellants’ contentions that the prosecution must present the grand jury with evidence it may have which would tend to negate guilt. Although some states have imposed a duty on the prosecution to disclose such evidence, the federal system continues to give wide discretion to the prosecution.” <i>United States v. y. Hata & Co., Ltd.</i>, 535 F.2d 508, 512 (9th Cir. 1976) (citation omitted).</p>	<p>The prosecuting attorney must alert the grand jury to “all lawful, competent, and relevant evidence that disproves or reduces a charge or accusation or that makes an indictment unjustified and which is within the knowledge, possession, or control of the prosecuting attorney.”</p>
	<p>Target may submit exculpatory evidence to the prosecuting attorney.</p>
<p>The following persons may be present while the grand jury is in session: attorneys for the government, the witness being questioned, interpreters when needed, and a court reporter or an operator of a recording device.</p>	<p>Persons required or entitled to be present at the taking of testimony before the grand jury include the district attorney and the attorney general and their staffs, interpreters, court reporters, security officers, the witness and an attorney for the target. NMSA 1978, § 31-6-4</p>
<p>“The grand jury may compel the production of evidence or the testimony of witnesses as it considers appropriate, and its operation generally is unrestrained by the technical</p>	<p>“The grand jury has power to order the attendance of witnesses before it, to cause the production of all public and private records or other evidence relevant to its inquiry and to enforce</p>

procedural and evidentiary rules governing the conduct of criminal trials.” <i>U.S. v. Caladra</i> , 414 U.S. 338, 343 (1974).	such power by subpoena issued on its own authority through the district court convening the grand jury and executed by any public officer charged with the execution of legal process of the district court; provided that all subpoenaed witnesses shall be given a minimum of thirty-six hours' notice unless a shorter period is specifically approved for each witness by a judge of the district court.” NMSA 1978, § 31-6-12
Detention <i>18 U.S.C.A. § 3142 (e)</i>	Pretrial Detention <i>Rule 5-409 NMRA</i>
Hearing held immediately upon first appearance. In practice it appears this is done immediately following preliminary hearing (or waiver of preliminary hearing) since counsel has not generally been assigned; at the first appearance counsel is assigned and a temporary detention determination is made.	Shall be held promptly, but no later than 5 days after (1) the filing of the motion; or (2) defendant’s arrest
Address both flight risk and safety of community/persons	Addresses only safety of community/persons
Employs rebuttable presumptions for flight risk and dangerousness	No presumptions employed
Applies to certain offenses or classes of crimes	Applies to any felony
Right to counsel	Right to counsel
Opportunity of the defendant to testify, to present witnesses, to cross-examine witnesses who appear at the hearing, and to present information by proffer or otherwise.	Opportunity of defendant to testify, to present witnesses, to compel the attendance of witnesses, to cross-examine witnesses who appear at the hearing, and to present information by proffer or otherwise
No stated duty to provide discovery; however preliminary hearing occurs prior and 26.2 (relating to witness statements) applies in preliminary hearings. Court is also provided copy	Burden on prosecutor to provide defendant with all evidence relating to the motion for pretrial detention that is in the possession of the prosecutor or is reasonably available to the prosecutor.

of a detailed Pretrial Report.	All exculpatory evidence known to the prosecutor must be disclosed. The prosecutor may introduce evidence at the hearing beyond that referenced in the motion, but the prosecutor must provide prompt disclosure to the defendant prior to the hearing.
Rules of evidence do not apply	Rules of evidence do not apply
Burden on prosecution to prove by clear and convincing evidence	Burden on prosecution to prove by clear and convincing evidence
Expedited trial called for under the Speedy Trial Act (90 days)	“The district court shall provide expedited priority scheduling in a case in which the defendant is detained prior to trial.”

III. NMDAA’s Proposed Changes to Rule 5-409¹²

The Second provides the following commentary on NMDAA’s proposed changes to 5-409.¹³

A. Additions to 5-409(A)

The Second does not oppose the first additional sentence, “Pretrial detention proceedings are to be limited to determining whether release of the defendant would present a danger to any person or the community.” The Second submits that this sentence helps clarify that the pretrial detention analysis should be focused on dangerousness.

The Second finds the second sentence, “They are not intended to require any party to obtain or produce discovery except as set forth in this rule[,]” to be unnecessary.

¹² The Second’s memorandum also references New Jersey’s Constitutional Amendment on pretrial detention as the Supreme Court has indicated it finds *State v. Ingram*, 230 N.J. 190, 165 A.3d 797 (N.J. 2017), and *State v. Robinson*, 299 N.J. 44, 160 A.3d 1 (N.J. 2017), persuasive.

¹³ For brevity the Second has not included the NMDAA’s suggested language but instead has referred to the numbered sections.

B. Additions to 5-409(E)

The Second asserts (E)(1)(c) constrains the District Court from imposing the sanction of dismissal of the motion. Sanctions may result because (all the following have been seen in the Second): (1) failure of the DA's Office to show up to the detention hearing; (2) failure by the DA's Office to timely indict the case; or (3) failure to repeatedly provide court-ordered discovery. It also would seem to prohibit the Court from issuing an ROR should the DA's Office fail to act (either to attend the hearing or to indict the case) within the 10-day time limit.

This is particularly concerning in the Second as the DA's Office frequently fails to file a *nolle* when a defendant is held and fails to indict or go to preliminary examination within 10 days.¹⁴ NMDAA's proposed changes to 5-409 seems to require that a defendant be held by the District Court until the hearing on the defendant's motion to dismiss, even though the District Court has no jurisdiction to detain the person. The District Court must have discretion to release a defendant when it appears from the record that the DA's Office has failed to move the case forward.

C. Additions to 5-409(F)

1. **5-409(F)**: The Second does not oppose the idea of holding a preliminary examination, consistent with the New Mexico Rules of Criminal Procedure, with the detention hearing.¹⁵ It does not, however, believe this decision should be left up to the DA's Office. Instead, the Second suggests that this be a requirement in all cases. This would promote the effective use of judicial resources and would also help solve discovery issues, since certain types of discovery are required to be turned over at

¹⁴ This practice—of failing to dismiss a case once the time limits have run—is so prolific in the Second that a special procedure was instituted three years ago, which continues, that provides an expedited review of those cases. That procedure is that the Presiding Criminal Judge in District Court immediately sets the Metro case for an expedited hearing on the dismissal motion, generally releasing the defendant on his or her own recognizance pending the hearing on the dismissal motion. The DA's Office then usually finally files its *nolle* immediately before the case is set for hearing.

¹⁵ The Second has already been working on setting up a pilot program to hold preliminary examinations immediately prior to detention hearings. A criminal judge and a staff attorney from the District Court attended hearings at Federal District Court in Albuquerque earlier this month to observe the federal process in person. The use of a preliminary hearing, immediately followed by the pretrial detention hearing, appeared to conserve judicial resources in that the judge could consider the testimony and evidence from the preliminary hearing when making the pretrial detention decision.

the preliminary examination. It would also provide the District Court with more information when making the pretrial detention decision.

The Second notes that it supports holding a New Mexico preliminary examination in conjunction with the detention hearing; however, as outlined above, the federal preliminary hearing is a different procedure and is more akin to a lengthier initial appearance in New Mexico. (See chart above.) The Second strongly opposes moving initial appearances to District Court. The judges in the Second are already stretched to capacity under the new Rules with holding the 5-409 hearings, drafting orders within two days, holding preliminary examinations (held in District rather than Metro in the Second), and ruling on 5-401 appeals. District Courts, absent an increase in funding, lack the resources to absorb initial appearances from magistrate and Metro. Moreover, because District is not open on weekends, it would take longer for a defendant to get before a judge for a determination of probable cause at the initial appearance; defendants would therefore be held in custody for a longer period of time even where probable cause was absent.

2. **5-409(F)(1)(a):** The Second opposes the extension of the time for hearing to seven (7) days due to the failure to move forward on many cases.
3. **5-409(F)(1)(b):** The Second opposes changing “holding” to “commencing” because that injects the possibility of additional delay into the process. Commencement of a hearing only requires that the hearing start and appears to allow for more continuances.
4. **5-409(F)(1)(c):** The Second asserts that it already promptly notifies the parties of the date of the hearing (via email immediately) and notes that the Victims of Crime Act, Section 31-26-10, requires seven-day notice of court proceedings, but also allows for shorter notice when reasonable under the circumstances. The Second would assert that a defendant’s right to a speedy determination of whether he or she should be held in jail pretrial provides a reasonable circumstance for a shorter period of notice.
5. **5-409(F)(2):** The Second opposes the changes to discovery language. NMDAA is essentially asking the Supreme Court to require district courts to hold defendants for an indeterminate amount of time simply on the filing of a criminal complaint. It does not want to be required to provide even the most basic discovery—for example police reports—to

the defendant prior to the hearing. Moreover, while it includes a requirement to turn over exculpatory evidence, it is only that evidence “known” to the prosecutor. This appears to be a denial of due process.

Since the DA’s Office’s position in the Second has often been that police reports are not in its possession and that it cannot know what is in the police reports, then this provision is essentially meaningless. This is not a theoretical problem; judges in the Second have required certain types of discovery when a complaint is based on little more than hearsay. That discovery—once produced—has sometimes resulted in the exposure of significantly exculpatory evidence. For example, in one case, the judge required the production of certain police reports and witness statements and those reports and statements, once turned over, were extremely contradictory. In another example, the District Court required the production of a video. That video demonstrated the defendant was obviously acting in self-defense.

Both types of discovery, in addition to being exculpatory, are illuminating when determining whether there are *no conditions* that would ensure the safety of the community or any person because they go to whether that defendant is truly a danger.¹⁶

The Second notes that because the preliminary hearing is generally held in federal district court prior to the detention hearing, the defense has a limited amount of discovery and may be able to cross examine witnesses since witnesses are often present during the preliminary hearing (unless waived by the defendant). Further, the Second observed that the judge and parties in federal court are provided an extremely detailed Pretrial Services Report prior to the hearing, covering the defendant’s past convictions, arrests, family situation, economic situation, and support structure; this report is similar to a Presentencing Report provided by Probation and Parole.¹⁷

¹⁶ Importantly, many types of evidence are uploaded to evidence.com by the Albuquerque Police Department. Thus, they are available to view if the prosecutor simply asks the police department for the link that makes that evidence accessible. Judges have asked prosecutors why they do not simply ask for the link to the evidence.com file so that it can be passed on to defense counsel; judges have received no real answer to that inquiry.

¹⁷ The Second had an opportunity to discuss the report with federal Pretrial Services personnel. They explained that they often complete only one, and sometimes two, of these reports a day. In contrast, the Pretrial Report provided to judges in the Second is very limited in nature as officers often must complete ten or fifteen reports a day.

New Jersey also requires the prosecutor to provide some discovery, including police reports, photos, and witness statements. *State v. Robinson*, 299 N.J. 44, 69-72, 73, 160 A.3d 1 (N.J. 2017).

Should the Supreme Court accept NMDAA's revisions, which offer only limited due process, the Second urges the Supreme Court to also institute federal trial deadlines.

6. **5-409(F)(5)**: The District Court supports the inclusion of some sort of provision specifying the types of evidence to be considered at the detention hearing. However, it opposes any provision that limits the discretion of a judge to require specific types of evidence depending on the specific facts of the case. While it is true that there are instances where the criminal complaint, coupled with documentary evidence of things such as past criminal convictions or arrests, may be sufficient for the judge to find clear and convincing evidence the defendant poses a risk to the safety of the community or an individual, in other cases the judge may require additional information.¹⁸

This provision proposed by NMDAA runs afoul of federal case law, which NMDAA purports to rely on. Federal law allows the judge to require additional information be presented. “[U]nder the Act the judicial officer conducting the detention hearing is given considerable discretion regarding presentation of evidence[,]” including insisting on direct testimony when dissatisfied with the proffer. *United States v. Lewis*, 769 F.Supp. 1189, 1192 (D. Kan. 1991); *see also United States v. Acevedo-Ramos*, 755 F.2d 203, 207-08 (1st Cir. 1985) (noting that “the magistrate or judge possesses adequate power to reconcile the competing demands of speed and of reliability, by selectively insisting upon the production of the underlying evidence or evidentiary sources where their accuracy is in question. Through sensible exercise of this power of selection, the judicial officer can make meaningful defendant’s right to cross-examine without unnecessarily transforming the bail hearing into a full-fledged trial or defendant’s discovery expedition. In fact, even in an unusual case, where the government provides strong special reasons for keeping its evidentiary sources confidential (e.g., protecting witness safety), the magistrate or judge, upon defendant’s request, can still test the veracity of the government’s testimony and the quality of the underlying

¹⁸ The Second can provide specific examples at the Court’s request.

evidence, by, for example, listening to tapes or reading documents in camera”); *Id.* at 208-09 (“[B]ail hearings under the Bail Reform Act, which frequently result in detention of the accused, proceed primarily by way of proffers. They are not formal trials requiring strict adherence to technical rules of evidence. If the court is dissatisfied with the nature of the proffer, it can always, within its discretion, insist on direct testimony. But the discretion should be left to the court without imposing on it the burden of limiting admissibility to that it would permit a jury to hear.” (quoting H.R.Rep. No. 907, 91st Cong., 2d Sess. 182, 184 (1970))). The same is true in New Jersey, where the judge is specifically permitted to require additional evidence prior to making its decision. *State v. Ingram*, 230 N.J. 190, 213, 165 A.3d 797, 809-810 (N.J. 2017) (“We find that the State is not obligated to call a live witness at each detention hearing. To be clear, though, we repeat that the trial court has discretion to require direct testimony if it is dissatisfied with the State's proffer.”).

7. **5-409(F)(6)**: The Second opposes the inclusion of these factors as unnecessary. The District Court already considers most of the factors in this additional section. The Second also notes that as proposed, this section is mandatory in nature, requiring consideration of each of the factors. Should the Supreme Court adopt said revision, the prosecutor must be required to put on evidence as to each of the factors.
 8. **5-409(F)(7)**: The Second has concerns that the inclusion of this section is unconstitutional under the language passed in the Constitutional Amendment. It is also overbroad as some of the presumptions included in this section do not appear necessarily to relate to the dangerousness of the defendant and could apply in cases where the defendant poses negligible risk of safety to the community. For example, the habitual offender statute can apply in simple drug cases. The same is true about crimes committed while incarcerated or on probation or parole. If the Supreme Court chooses to include some sort of presumption language, the Second urges the Court to limit said language to those instances that truly indicate a risk to public safety.
 9. **5-409(F)(8)**: The Second opposes this provision as it again unacceptably limits judicial discretion.
- D. **5-409(H)**: The Second opposes the inclusion of this language because even if the Supreme Court accepts the inclusion of some presumptions in the

Rule, the presumption still requires the prosecutor to put forward sufficient evidence to support the detention. The presumption is merely one more factor to be considered at the detention hearing; it, alone, does not allow for detention.

Federal law is illustrative on this issue. The constitutionality of the rebuttable presumptions in 18 U.S. Code § 3142, was raised in *United States v. Jessup*, 757 F.2d 378 (1st Cir. 1985), *partially abrogated on other grounds by United States v. O'Brien*, 895 F.2d 810 (1st Cir. 1990). The circuit court determined that the burden imposed upon the defendant by the presumption is a burden of production and the burden of persuasion still rests with the government. As such the presumption is just another factor for the court to weigh in its consideration. *Id.* at 381-85. Regarding the constitutionality of the use of the rebuttable presumptions, the court utilized two questions “1) whether the presumption represents a reasonable congressional response to a problem of legitimate legislative concern, and 2) whether the presumption increases the risk of an erroneous deprivation of liberty—i.e., will it likely increase the risk that magistrates will release or detain the wrong people?” *Id.* at 385. The court examined the legislative history, detailing the hearings conducted and evidence received by Congress, to conclude that “the government’s interest in the presumption is a strong and legitimate one.” *Id.* at 385-86. The court also held that since the presumption shifted the burden of production rather than the burden of persuasion, “the presumption does not significantly increase the risk of an ‘erroneous deprivation’ of liberty.” *Id.* at 386 (citation omitted).

Thus, NMDAA’s proposed addition to subsection (H) essentially requires the court to explain why the prosecutor chose not to offer sufficient evidence to satisfy its burden of persuasion.

IV. Closing Remarks

In closing, current Rule 5-409 does appear to provide some additional due process safeguards than what is found under the federal system. This additional protection, however, is not unusual in New Mexico. New Mexico provides for additional constitutional protections in a variety of areas of the law.

The Second does not believe that the slightly elevated due process protections are unworkable or undesirable. Rather, if all parties perform their associated responsibilities under the Rule, the provisions result in a fair system that also

protects the public. While the Second understands that all justice partners operate with limited time and resources—including the District Court—it should not be the case that pretrial defendants, who are presumed innocent until proven guilty, are incarcerated without adequate due process under the law. Further, the District Court does not believe a 20-, 30-, or 45-minute hearing is excessive, given the stakes—a defendant’s liberty pending trial, which could be as much as a year or more of incarceration.

Finally, the Second requests that in the future NMDAA, and the Bernalillo County DA’s Office, be required to provide authority and data in memorandums or letters. This is the second time, in the last six months, that District has been requested to respond to allegations based on anecdotal claims unsupported by facts, data, or underlying authority. Responding to these claims has taken a significant amount of time and resources by District.

Thank you for your consideration and this opportunity to provide feedback. If you have any questions, please feel free to contact either of us or Joy Willis, the attorney supervisor in the Criminal Division.

Respectfully,



Nan G. Nash
Chief Judge
Second Judicial District Court



Charles W. Brown
Presiding Criminal Judge
Second Judicial District Court

cc: Second Judicial District Court Criminal Judges
James Noel, CEO
Joy Willis, Supervising Attorney

Exhibit A

**LR Case # Detention Hearing Schedule and Sample Criminal Judge Dockets for Pretrial
Detention Hearings**

Detention Hearing Schedule for 2017 for LR Case #S

Date	Judge	Arrgn/Admin	Courtroom
August 7 and August 11	Leos	Arraignment	
August 14 and August 18	Hart	Arraignment	416
August 15	Pro-Tem- Candelaria		520
August 16 and 17	Brown	Cover	602
August 21	Whitaker	Arraignment	402
August 25	Argyres (Switched)	Arraignment	406
August 22	Pro-Tem- Candelaria		520
August 24 and 25	Jaramillo	Admin	420 on 8/24; 402 on 8/25
August 28 and September 1	Jaramillo	Arraignment	338
August 29	Pro-Tem- Candelaria		420
August 30 and 31	Loveless	Admin	420 on 8/30; 716 on 8/31
September 5 and September 8	Loveless	Arraignment	606
September 5	Pro-Tem- Candelaria		620
September 6 and September 7	Brown (covering for Zamora)	Trial/Admin	602
September 11 and September 15	Zamora	Arraignment	616
September 12	Pro-Tem		602
September 13 and 14	Chavez	Admin	706
September 18 and September 22	Chavez	Arraignment	706
September 19	Pro-Tem		702
September 20 and 21	Brown	Admin	602
September 25 and September 29	Brown	Arraignment	602
September 26	Pro-Tem		520
September 27 and September 28	7/27/17 Brown 7/28/17 Loveless (covering for Argyres)	Admin	07/27/17 in 602 07/28/17 in 606
October 2 and October 6	Argyres	Arraignment	406
October 3	Pro-Tem		402
October 4 and October 5	Flores	Admin	402
October 10 and October 13	Flores	Arraignment	420
October 10	Pro-Tem		402
October 11 and October 12	Leos	Admin	10/11/17 in 416 10/12/17 in 506
October 16 and October 20	10/16/17 Leos 10/20/2017 Leos	Arraignment	416
October 17	Pro-Tem		420
October 18 and October 19	Hart	Admin	420
October 23 and October 27	Hart	Arraignment	416
October 24	Pro-Tem		720
October 25 and October 26	10/25/2017 Candelaria 10/26/17 Argyres (covering for Whitaker)	Admin	10/25/17 in 720 10/26/17 in 406
October 30 and November 3	Whitaker	Arraignment	402
October 31	Pro-Tem		720
November 1 and November 2	Jaramillo	Admin	11/1/2017 in 606

			11/2/2017 in 720
November 6 and November 9	Brown and Argyres on 11/6 (covering for Jaramillo) Jaramillo on 11/9	Arraignment	11/6/17 in 602 and 406 11/9/17 in 606
November 7	Pro-Tem		602 (except from 1:00 to 2:00—no afternoon settings til 2:00)
November 8 and November 9	Leos/Nash November 8 Brown November 9 (covering for Loveless)	Admin	11/8/17 am in 338 am11/8/17 pm in 720 11/9/17 in 602
November 13 and November 17	Whitaker November 13 Argyres November 17 (covering for Loveless)	Arraignment	11/13/17 in 402 11/17/17 in 406
November 14	Pro-Tem		720
November 15 and November 16	Zamora	Admin	720
November 20 and November 22	Zamora	Arraignment	616
November 21 and November 22	Chavez	Admin	706
November 27 and December 1	Chavez	Arraignment	706
November 28	Pro-Tem		720
November 29 and November 30	Brown	Admin	720
December 4 and December 8	Brown	Arraignment	602
December 5	Pro-Tem		TBD
December 6 and December 7	Argyres	Admin	TBD
December 11 and December 15	Argyres	Arraignment	406
December 12	Pro-Tem		TBD
December 13 an December 14	Flores		TBD
December 18 and December 22	Flores	Arraignment	420
December 19	Pro-Tem		TBD
December 20 and December 21	Leos	Admin	TBD
December 26 and December 29	Leos	Arraignment	602
December 26	Pro-Tem		606
December 27 and December 28	Hart	Admin	416

Second Judicial District - Criminal Division Calendar
The Honorable Briana H. Zamora
Courtroom 616
07/03/2017

07/03/2017

12:00 PM

PREVENTATIVE DETENTION HEARINGS

1:30 PM
DETENTION HEARING

D-202-LR-2017-00189

State of New Mexico vs
DEHERRERA, MICHAEL

Pros Atty:
Def Atty: Gunning, Cherylinn

Comment: PREVENTATIVE DETENTION MOTION FILED 6/28/17 (T-4-FR-2017-2679)

2:00 PM
DETENTION HEARING

D-202-LR-2017-00190

State of New Mexico vs
Wiggins, Richard

Pros Atty:
Def Atty: Acorn, Craig S.

Comment: PREVENTATIVE DETENTION MOTION FILED 6/28/17 (T-4-FR-2017-3570)

2:30 PM
DETENTION HEARING

D-202-LR-2017-00191

State of New Mexico vs
LOPEZ, THOMAS

Pros Atty:
Def Atty: Dave, Julpa

Comment: PREVENTATIVE DETENTION MOTION FILED 6/28/17 (T-4-FR-2017-306)

3:00 PM
DETENTION HEARING

D-202-LR-2017-00192

State of New Mexico vs
MCFARLAND, LORENZO

Pros Atty:
Def Atty: Caruso, Judith Elizabeth

Comment: PREVENTATIVE DETENTION MOTION FILED 6/28/17 (T-4-FR-2017-3603)

Second Judicial District - Criminal Division Calendar
The Honorable Briana H. Zamora
Courtroom 616
07/07/2017

2:00 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MOTION FILED 6/29/17 (T-4-FR-2017-3595) **BOND POSTED 6/27/17; DEF OUT OF CUSTOD	D-202-LR-2017-00196	State of New Mexico vs BROWN, OTALEE	Pros Atty: Def Atty: See, Jonathan Joseph
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2:30 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MOTION FILED 7/1/17 (T-4-FR-2017-3664)	D-202-LR-2017-00208	State of New Mexico vs MASCARENAS, ISAAC	Pros Atty: Def Atty: O'gorman, Matthew J.
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3:00 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MOTION FILED 7/1/17 (T-4-FR-2017-3643)	D-202-LR-2017-00209	State of New Mexico vs MORALES, GEORGE	Pros Atty: Def Atty: Mitsunaga, Megan Kathleen
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3:30 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MOTION FILED 7/1/17 (T-4-FR-2017-1444)	D-202-LR-2017-00205	State of New Mexico vs JOHNSON, DAVONTEE	Pros Atty: Def Atty: Maestas, Raymond Benito
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3:30 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MOTION FILED 7/1/17 (T-4-FR-2017-3654)	D-202-LR-2017-00206	State of New Mexico vs JOHNSON, DAVONTEE	Pros Atty: Def Atty: Maestas, Raymond Benito
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Second Judicial District - Criminal Division Calendar
The Honorable Benjamin Chavez
Courtroom 706
07/10/2017

07/10/2017	12:00 PM	PREVENTATIVE DETENTION HEARINGS	
1:30 PM DETENTION HEARING Comment: 2ND SETTING; PREVENTATIVE DETENTION MOTION FILED 6/28/17 (RESET FROM 7/5/17) (T-4-FR-2017-3550)	D-202-LR-2017-00193	State of New Mexico vs GREEN, ALAN	Pros Atty: Def Atty: Swanson, Mark F.

2:15 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MOTION FILED 7/5/17 (T-4-FR-2017-3723)	D-202-LR-2017-00214	State of New Mexico vs SANDOVAL, SHANNON	Pros Atty: Def Atty: Bierz, Mark
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3:00 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MOTION FILED 7/5/17 (T-4-FR-2017-3716)	D-202-LR-2017-00215	State of New Mexico vs BARROS, EDUARDO	Pros Atty: Def Atty: Juarez, Martin A.
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3:45 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MOTION FILED 7/5/17 (T-4-FR-2017-3451)	D-202-LR-2017-00216	State of New Mexico vs TRUJILLO, DAVID	Pros Atty: Def Atty: Snyder, Daniel
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Second Judicial District - Criminal Division Calendar
The Honorable Benjamin Chavez
Courtroom 706
07/14/2017

07/14/2017	12:00 PM	PREVENTATIVE DETENTION HEARINGS	
1:30 PM DETENTION HEARING	D-202-LR-2017-00221	State of New Mexico vs DINALLO, MATTHEW	Pros Atty: Def Atty: Public Defender - Albuquerque; A Ibarra, Jonathan L.
Comment: PREVENTATIVE DETENTION MTN FILED 7-10-17 (T-4-FR-2017-3748)			
2:15 PM DETENTION HEARING	D-202-LR-2017-00220	State of New Mexico vs HOWLINGCRANE, RITA	Pros Atty: Def Atty: Public Defender - Albuquerque; C Elizabeth
Comment: PREVENTATIVE DETENTION MTN FILED 7-10-17 (T-4-FR-2017-3800)			
3:00 PM DETENTION HEARING	D-202-LR-2017-00225	State of New Mexico vs Daugherty, Douglas	Pros Atty: Def Atty: Public Defender - Albuquerque; J
Comment: PREVENTATIVE DETENTION MTN FILED 7-10-17 (T-4-FR-2017-3796 AND T-4-FR-2017-3632)			
3:45 PM DETENTION HEARING	D-202-LR-2017-00216	State of New Mexico vs TRUJILLO, DAVID	Pros Atty: Def Atty: Snyder, Daniel
Comment: PREVENTATIVE DETENTION MOTION FILED 7/5/17/(T-4-FR-2017-3451)/RST FROM 7/10/17			

Second Judicial District - Criminal Division Calendar
The Honorable Charles W. Brown
Courtroom 602
07/17/2017

07/17/2017	12:00 PM	PREVENTATIVE DETENTION HEARINGS	
1:30 PM DETENTION HEARING Comment: 2ND SETTING (RESET FROM 7/7/17); PREVENTATIVE DETENTION MOTION FILED 7/1/17 (T-4-FR-2017-3633)	D-202-LR-2017-00207	State of New Mexico vs MARISCAL, GABRIEL	Pros Atty: Def Atty: Bustamante, Edward O.
2:00 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 7-11-17 (T-4-FR-2017-3877)	D-202-LR-2017-00228	State of New Mexico vs Santiesteban, Yoan Pena	Pros Atty: Def Atty: Rein, Jeff
2:15 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 7-11-17 (T-4-FR-2017-3869)	D-202-LR-2017-00227	State of New Mexico vs BECENTI, KYLE	Pros Atty: Def Atty: Bierdz, Mark
3:00 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 7-12-17 (T-4-FR-2017-3908)	D-202-LR-2017-00229	State of New Mexico vs MURILLO, EDWIN	Pros Atty: Def Atty: Longley, David D.

Second Judicial District - Criminal Division Calendar
The Honorable Charles W. Brown
Courtroom 602
07/21/2017

07/21/2017

12:00 PM

PREVENTATIVE DETENTION HEARINGS

1:30 PM

DETENTION HEARING

D-202-LR-2017-00213

State of New Mexico vs
REDDICK, ERIK

Pros Atty:

Def Atty: Public Defender - Albuquerque; C
Bierdz, Mark

Comment: 2ND SETTING; RESET FROM 7/7/17; PREVENTATIVE DETENTION MOTION FILED 7/3/17 (T-4-FR-2017-3678)

2:00 PM

DETENTION HEARING

D-202-LR-2017-00255

State of New Mexico vs
SANDOVAL VINCENT

Pros Atty:

Def Atty: Cooper, Sophie

Comment: PREVENTATIVE DETENTION MOTION FILED 7/17/17 (T-4-FR-2017-4011)

2:30 PM

DETENTION HEARING

D-202-LR-2017-00256

State of New Mexico vs
VIGIL, FELIPE

Pros Atty:

Def Atty: Fenderson, Keren H.

Comment: PREVENTATIVE DETENTION MOTION FILED 7/17/17 (T-4-FR-2017-3655)

3:00 PM

DETENTION HEARING

D-202-LR-2017-00257

State of New Mexico vs
ROUTZEN, RICHARD

Pros Atty:

Def Atty: Carnack-altwies, Mary V.

Comment: PREVENTATIVE DETENTION MOTION FILED 7/17/17 (T-4-FR-2017-4014)

3:00 PM

DETENTION HEARING

D-202-LR-2017-00266

State of New Mexico vs
ROUTZEN, RICHARD

Pros Atty:

Def Atty: Carnack-altwies, Mary V.

Comment: PREVENTATIVE DETENTION MOTION FILED 7/18/17 (T-4-FR-2017-4034)

Second Judicial District - Criminal Division Calendar
The Honorable Christina P. Argyres
Courtroom 406
07/24/2017

07/24/2017

11:00 AM

PREVENTATIVE DETENTION HEARINGS

2:00 PM

DETENTION HEARING

D-202-LR-2017-00269

State of New Mexico vs
CHAVEZ, RENEE

Pros Atty:

Def Atty:

Comment: PREVENTATIVE DETENTION MOTION FILED 7/18/17 (T-4-FR-2017-3937)

2:30 PM

DETENTION HEARING

D-202-LR-2017-00270

State of New Mexico vs
MAESTAS, ABEL

Pros Atty:

Def Atty: Longley, David D.

Comment: PREVENTATIVE DETENTION MOTION FILED 7/18/17 (T-4-FR-2017-4010)

2:30 PM

DETENTION HEARING

D-202-LR-2017-00271

State of New Mexico vs
MAESTAS, ABEL

Pros Atty:

Def Atty: Longley, David D.

Comment: MOTION FOR PREVENTATIVE DETENTION FILED 7/18/17 (T-4-FR-2017-2150)

3:00 PM

DETENTION HEARING

D-202-LR-2017-00272

State of New Mexico vs
Garcia, Alexander

Pros Atty:

Def Atty: Swanson, Karl J.

Comment: PREVENTATIVE DETENTION MOTION FILED 7/18/17 (T-4-FR-2017-4015)

Second Judicial District - Criminal Division Calendar
The Honorable Jacqueline Flores
Courtroom 420
07/31/2017

07/31/2017

12:00 PM

PREVENTATIVE DETENTION HEARINGS

1:30 PM

DETENTION HEARING

D-202-LR-2017-00307

State of New Mexico vs
MACIAS, DAVID

Pros Atty:

Def Atty: Lopez, Raul A.

Comment: PREVENTATIVE DETENTION MOTION FILED 7/25/17 (T-4-FR-2017-4173)

2:15 PM

DETENTION HEARING

D-202-LR-2017-00308

State of New Mexico vs
MADRID, VANESSA

Pros Atty:

Def Atty: Mitsunaga, Megan Kathleen

Comment: PREVENTATIVE DETENTION MOTION FILED 7/25/17 (T-4-FR-2017-3898)

3:00 PM

DETENTION HEARING

D-202-LR-2017-00310

State of New Mexico vs
BEGAY, BRUCE L

Pros Atty:

Def Atty: Plazola, Sarah

Comment: PREVENTATIVE DETENTION MOTION FILED 7/26/17 (T-4-FR-2017-4204)

3:30 PM

DETENTION HEARING

D-202-LR-2017-00250

State of New Mexico vs
Holliday, Roy

Pros Atty:

Def Atty: Ramsey, Mark A.

Comment: 3RD SETTING; PREVENTATIVE DETENTION MOTION FILED 7/15/17 (T-4-FR-2017-3966)

Second Judicial District - Criminal Division Calendar
The Honorable Stanley Whitaker
Courtroom 402
08/04/2017

08/04/2017	12:00 PM	PREVENTATIVE DETENTION HEARINGS	
1:30 PM STATUS CONFERENCE Comment: RE: MEDICAL STATUS	D-202-LR-2017-00296	State of New Mexico vs SINGLETARY, ROBERT	Pros Atty: Def Atty: Salazar, Daniel M.
1:30 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED (T-4-FR-2017-4173) RST FRM 7-31	D-202-LR-2017-00307	State of New Mexico vs MACIAS, DAVID	Pros Atty: Def Atty: Lopez, Raul A.
2:00 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-1-17 (T-4-FR-2017-4260)	D-202-LR-2017-00323	State of New Mexico vs sideler, christopher	Pros Atty: Def Atty: Ibarra, Jonathan L.
2:00 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-1-17 (T-4-FR-2017-4311)	D-202-LR-2017-00324	State of New Mexico vs SIDLER, CHRISTOPHER ALAN	Pros Atty: Def Atty: Ibarra, Jonathan L.
2:30 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-2-17 (T-4-FR-2017-4337)	D-202-LR-2017-00332	State of New Mexico vs LACY, RODNEY	Pros Atty: Def Atty: Salazar, Daniel M.
3:00 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-1-17 (T-4-FR-2017-4322)	D-202-LR-2017-00328	State of New Mexico vs HADDOX, STEVEN	Pros Atty: Def Atty: Bierdz, Mark

Second Judicial District - Criminal Division Calendar
The Honorable Cristina Jaramillo
Courtroom 338
08/08/2017

08/08/2017 **8:00 AM** **Judge Jaramillo Trials**

10:00 AM **D-202-LR-2017-00336** **State of New Mexico vs**
DETENTION HEARING **Wright, Lorenzo** **Pros Atty:**
Comment: PREVENTATIVE DETENTION MTN FILED 8-2-17 (T-4-FR-2017-4351) **Def Atty: Bierdz, Mark**

11:00 AM **D-202-LR-2017-00338** **State of New Mexico vs**
DETENTION HEARING **Baker, Shelby** **Pros Atty:**
Comment: PREVENTATIVE DETENTION MTN FILED 8-3-17 (T-4-FR-2017-3686) **Def Atty: Hamilton, Leanne**

1:00 PM **D-202-CR-2017-00985** **State of New Mexico vs**
DETENTION HEARING **Worthington, Charissa** **Pros Atty: Ebbers, Sarah**
Comment: SCHEDULING CONFERENCE; NTC GIVEN IN COURT 8/4/17 **Def Atty: Public Defender - Albuquerque; M**
Kathleen

1:30 PM **D-202-LR-2017-00296** **State of New Mexico vs**
DETENTION HEARING **SINGLETARY, ROBERT** **Pros Atty:**
Comment: PREVENTATIVE DETENTION MTN FILED 7-24-17 (T-4-FR-2017-4125); RST 7-28 **Def Atty: Salazar, Daniel M.**

2:30 PM **D-202-LR-2017-00340** **State of New Mexico vs**
DETENTION HEARING **BOYD, ERIK** **Pros Atty:**
Comment: PREVENTATIVE DETENTION MTN FILED 8-3-17 (T-4-FR-2017-4376) **Def Atty: Hedrick, Robert**

Second Judicial District - Criminal Division Calendar
The Honorable Cristina Jaramillo
Courtroom 338
08/09/2017

08/09/2017	8:00 AM	Judge Jaramillo Trials	
10:00 AM Conditions of Release Hearing Comment: notice emailed 8/2/17	D-202-CR-2017-01017	State of New Mexico vs Lozano, Michael	Pros Atty: Dillon, Caitlin L. Def Atty: Bustamante, Edward O.
10:00 AM Conditions of Release Hearing Comment: notice emailed 8/3/17	D-202-CR-2016-02866	State of New Mexico vs GONZALES, JAMES	Pros Atty: Waymire, David L.; Roberson, I Def Atty: Public Defender - Albuquerque; F
10:00 AM Conditions of Release Hearing Comment: notice emailed 8/2/17	D-202-CR-2017-01504	State of New Mexico vs Porras, Frank Joseph	Pros Atty: Eagle, Rachel; Ulibarri, Mia J. Def Atty: Longley, David D.
10:00 AM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 7-24-17 (T-4-FR-2017-3339)	D-202-LR-2017-00295	State of New Mexico vs GURULE, MARCOS	Pros Atty: Def Atty: Mccall, John A.
11:00 AM DETENTION HEARING Comment: NOTICE GIVEN IN COURT 8/2/17	D-202-CR-2016-01209	State of New Mexico vs RASCON, ALFRED MICHAEL	Pros Atty: Fricke, Michael P. Def Atty: Gunning, Cherylinn
1:00 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-3-17 (T-4-FR-2017-4374)	D-202-LR-2017-00342	State of New Mexico vs Portillo, Jose	Pros Atty: Def Atty: Martin, Robert C.
1:30 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-8-17 (T-4-FR-2017-4446)	D-202-LR-2017-00355	State of New Mexico vs LOPEZ, ARIELLE	Pros Atty: Def Atty: Mitsunaga, Megan Kathleen

Second Judicial District - Criminal Division Calendar
The Honorable Cristina Jaramillo
Courtroom 338
08/10/2017

08/10/2017

8:00 AM

Judge Jaramillo Trials

9:00 AM

EVIDENTIARY HEARING

D-202-CR-2016-01952

State of New Mexico vs
PEREZ, CARLOS
ALFREDO

Pros Atty: Waymire, David L.; Roberson, J
Def Atty: Miller, Marie Legrand; Ward, Staci

Comment:

10:00 AM

DETENTION HEARING

D-202-LR-2017-00358

State of New Mexico vs
WILKINS, SHAUN

Pros Atty:
Def Atty: Hoon, Twila A.

Comment: PREVENTATIVE DETENTION MTN FILED 8-9-17 (T-4-FR-2017-4368)

11:30 AM

DETENTION HEARING

D-202-LR-2017-00355

State of New Mexico vs
LOPEZ, ARIELLE

Pros Atty:
Def Atty: Mitsunaga, Megan Kathleen

Comment:

Second Judicial District - Criminal Division Calendar
The Honorable Cindy Leos
Courtroom 602
08/11/2017

08/11/2017

12:00 PM

PREVENTATIVE DETENTION HEARINGS

1:00 PM

DETENTION HEARING

D-202-LR-2017-00367

**State of New Mexico vs
TRUJILLO, CHRISTOPHER**

Pros Atty:

Def Atty: Tranberg, Erik Thorvald

Comment: PREVENTATIVE DETENTION MTN FILED 8-9-17 (T-4-FR-2017-4506)

1:30 PM

DETENTION HEARING

D-202-LR-2017-00368

**State of New Mexico vs
ARAGON, JUSTIN**

Pros Atty:

Def Atty: Acorn, Craig S.

Comment: PREVENTATIVE DETENTION MTN FILED 8-9-17 (T-4-FR-2017-4508)

2:00 PM

DETENTION HEARING

D-202-LR-2017-00369

**State of New Mexico vs
JENKINS, JA'KARL
AHMED**

Pros Atty:

Def Atty: Aronowsky, Courtney

Comment: PREVENTATIVE DETENTION MTN FILED 8-9-17 (T-4-FR-2017-4501)

Second Judicial District - Criminal Division Calendar
The Honorable Alisa Hart
Courtroom 416
08/14/2017

08/14/2017 12:00 PM PREVENTATIVE DETENTION HEARINGS

1:30 PM D-202-CR-2017-01999 State of New Mexico vs Pros Atty: Waymire, David L.; Roybal, Lisa
EVIDENTIARY HEARING ORTIZ, JERROD DAVID Def Atty: Tranberg, Erik Thorvald
Comment: 5-403 AND STATUS ON MOTION

2:00 PM D-202-LR-2017-00376 State of New Mexico vs Pros Atty:
DETENTION HEARING HAIDLE, JASON TERRY Def Atty: Bustamante, Edward O.; Gulley,
Comment: PREVENTATIVE DETENTION MTN FILED 8-10-17 (T-4-FR-2016-6263)

2:45 PM D-202-LR-2017-00377 State of New Mexico vs Pros Atty:
DETENTION HEARING Holliday, Roy Def Atty: Ramsey, Mark A.
Comment: PREVENTATIVE DETENTION MTN FILED 8-10-17 (T-4-FR-2017-4519)

3:15 PM D-202-LR-2017-00378 State of New Mexico vs Pros Atty:
DETENTION HEARING Robertson, Cody Ray Def Atty: Baca-miller, Britt Marie
Comment: PREVENTATIVE DETENTION MTN FILED 8-10-17 (T-4-FR-2017-4183)

Second Judicial District - Criminal Division Calendar
The Honorable Neil C. Candelaria
Courtroom 520
08/15/2017

08/15/2017 8:30 AM PRO-TEM DETENTION HEARINGS

8:30 AM
DETENTION HEARING **D-202-LR-2017-00379** **State of New Mexico vs PEREA, ABRAHAM** Pros Atty:
Comment: PREVENTATIVE DETENTION MTN FILED 8-10-17 (T-4-FR-2017-4520) Def Atty: Feilmeler, Laurel Carrier; Pepin, S

9:00 AM
DETENTION HEARING **D-202-LR-2017-00380** **State of New Mexico vs QUINONES, ADAN** Pros Atty:
Comment: PREVENTATIVE DETENTION MTN FILED 8-10-17 (T-4-FR-2017-4526) Def Atty: Gulley, Stefanie J.

9:30 AM
DETENTION HEARING **D-202-LR-2017-00381** **State of New Mexico vs OCHOA, DIEGO** Pros Atty:
Comment: PREVENTATIVE DETENTION MTN FILED 8-10-17 (T-4-FR-2017-4527) Def Atty: Hoon, Twila A.

10:00 AM
DETENTION HEARING **D-202-LR-2017-00382** **State of New Mexico vs Gonzales-Cruz, Carlos** Pros Atty:
Comment: PREVENTATIVE DETENTION MTN FILED 8-10-17 (T-4-FR-2017-4536) Def Atty: Pines, Maxwell Hatton

10:30 AM
DETENTION HEARING **D-202-LR-2017-00389** **State of New Mexico vs Rodriguez-Najera, Victor** Pros Atty:
Comment: PREVENTATIVE DETENTION MTN FILED 8-11-17 (T-4-FR-2017-4550) Def Atty: Juarez, Martin A.

Second Judicial District - Criminal Division Calendar
The Honorable Stanley Whitaker
Courtroom 402
08/21/2017

08/21/2017

12:00 PM

PREVENTATIVE DETENTION HEARINGS

2:00 PM

DETENTION HEARING

D-202-CR-2017-02588

**State of New Mexico vs
LOPEZ, MONICA**

**Pros Atty: Bigej, Brianne A.
Def Atty: Lopez, Raul A.**

Comment: State's Expedited Motion for Pretrial Detention (notice emailed 8/15/17)

2:30 PM

DETENTION HEARING

D-202-LR-2017-00376

**State of New Mexico vs
HAIDLE, JASON TERRY**

**Pros Atty:
Def Atty: Bustamante, Edward O.; Gulley,**

Comment: PREVENTATIVE DETENTION MTN FILED 8-10-17 (T-4-FR-2016-6263); RST 8-14

3:00 PM

DETENTION HEARING

D-202-LR-2017-00411

**State of New Mexico vs
KOCH, DALE**

**Pros Atty:
Def Atty: Rhinehart, Kathleen M.**

Comment: PREVENTATIVE DETENTION MTN FILED 8-16-17 (T-4-FR-2017-4606)

3:30 PM

DETENTION HEARING

D-202-LR-2017-00408

**State of New Mexico vs
LUJAN, JOE GILBERT**

**Pros Atty:
Def Atty:**

Comment: PREVENTATIVE DETENTION MTN FILED 8-16-17 (T-4-FR-2017-4594)

Second Judicial District - Criminal Division Calendar
The Honorable Neil C. Candelaria
Courtroom 520
08/22/2017

08/22/2017	8:30 AM	PRO-TEM DETENTION HEARINGS	
8:30 AM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-16-17 (T-4-FR-2017-4614)	D-202-LR-2017-00409	State of New Mexico vs ROBLEDO, JENNIFER	Pros Atty: Def Atty: Bierdz, Mark
9:00 AM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-16-17 (T-4-FR-2017-4611)	D-202-LR-2017-00410	State of New Mexico vs GRUBB, JOSEPH	Pros Atty: Def Atty: Work, Robert Ross
9:30 AM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-17-17 (T-4-FR-2016-957)	D-202-LR-2017-00415	State of New Mexico vs CHAVEZ, MATTHEW	Pros Atty: Def Atty: Juarez, Martin A.
9:30 AM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-16-17 (T-4-FR-2016-805)	D-202-LR-2017-00419	State of New Mexico vs CHAVEZ, MATTHEW	Pros Atty: Def Atty: Juarez, Martin A.
10:00 AM DETENTION HEARING Comment: PREVENATIVE DETENTION MTN FILED 8-17-17 (T-4-FR-2017-4631)	D-202-LR-2017-00416	State of New Mexico vs Loughborough, Jake	Pros Atty: Def Atty: Yu, George B.
10:30 AM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-17-17 (T-4-FR-2017-4644)	D-202-LR-2017-00417	State of New Mexico vs ACOSTA, JUAN	Pros Atty: Def Atty: Bierdz, Mark

Second Judicial District - Criminal Division Calendar
The Honorable Cristina Jaramillo
Courtroom 420
08/24/2017

08/24/2017	8:00 AM	Judge Jaramillo Admin	
10:00 AM Conditions of Release Hearing Comment: notice sent 8/11/17	D-202-CR-2017-01123	State of New Mexico vs OCHOA, CARLOS	Pros Atty: Robertson, Joseph H. Def Atty: Work, Robert Ross
10:00 AM SCHEDULING CONFERENCE Comment: NTC GIVEN IN COURT 8/16/17	D-202-CR-2017-02474	State of New Mexico vs LANCASTER, WILLIAM ROBERT	Pros Atty: Hoffman, Celina C Def Atty: Sturgess, Christopher
10:00 AM CHANGE OF PLEA HEARING Comment: NOTICE GIVEN IN COURT 8/14/17	D-202-CR-2017-02080	State of New Mexico vs Perales, Matthew Gilbert	Pros Atty: Robertson, Joseph H. Def Atty: Wernersbach, Jennifer J.
10:30 AM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-18-17 (T-4-FR-2017-4652)	D-202-LR-2017-00429	State of New Mexico vs Smotherman, Chase	Pros Atty: Def Atty: Maestas, Raymond Benito
11:15 AM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-18-17 (T-4-FR-2017-4659)	D-202-LR-2017-00430	State of New Mexico vs Cruea, Adriann	Pros Atty: Def Atty: Acom, Craig S.

Second Judicial District - Criminal Division Calendar
The Honorable Christina P. Argyres
Courtroom 406
08/25/2017

08/25/2017	12:00 PM	PREVENTATIVE DETENTION HEARINGS	
1:30 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-22-17 (T-4-FR-2017-4755)	D-202-LR-2017-00438	State of New Mexico vs ROBINSON, CHARLES J	Pros Atty: Def Atty: Baca-miller, Britt Marie
2:00 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-22-17 (T-4-FR-2017-4738)	D-202-LR-2017-00439	State of New Mexico vs SHORTMAN, MIA	Pros Atty: Def Atty: Blerdz, Mark
2:30 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-22-17 (T-4-FR-2017-4653)	D-202-LR-2017-00433	State of New Mexico vs OVERHAND, MITHCELL	Pros Atty: Def Atty: Harrison, George A.
3:00 PM DETENTION HEARING Comment: STATE'S MOTION FOR PRETRIAL DETENTION FILED 8/21/17	D-202-CR-2014-00932	State of New Mexico vs FERNANDEZ, ELIJAH	Pros Atty: Dimas, Elisa Christine; Litchford, Dillon, Caitlin L.; Cappon, Alesia N. Def Atty: Bustamante, Edward O.

Second Judicial District - Criminal Division Calendar
The Honorable Cristina Jaramillo
Courtroom 338
08/28/2017

08/28/2017	12:00 PM	PREVENTATIVE DETENTION HEARINGS	
1:00 PM DETENTION HEARING Comment: MTN FOR PRETRIAL DETENTION (R. REYES)	D-202-CR-2017-02760	State of New Mexico vs Zazueta, Carlos	Pros Atty: Reyes, Rebekah Def Atty: Public Defender - Albuquerque; S Jade
1:00 PM ARRAIGNMENT Comment: ***JARAMILLO*** GJI	D-202-CR-2017-02760	State of New Mexico vs Zazueta, Carlos	Pros Atty: Reyes, Rebekah Def Atty: Public Defender - Albuquerque; S Jade
1:45 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-24-17 (T-4-FR-2017-4068)	D-202-LR-2017-00443	State of New Mexico vs TRUJILLO, ROBERT	Pros Atty: Def Atty: Swanson, Karl J.
2:30 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-24-17 (T-4-FR-2017-4758)	D-202-LR-2017-00442	State of New Mexico vs HOBBS, VINCENT	Pros Atty: Def Atty: Bierdz, Mark
3:15 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-25-17 (T-4-FR-2017-4750)	D-202-LR-2017-00450	State of New Mexico vs CASTILLO, JOSEPH	Pros Atty: Def Atty: Ramsey, Mark A.

Second Judicial District - Criminal Division Calendar
The Honorable Neil C. Candelaria
Courtroom 420
08/29/2017

08/29/2017 **8:30 AM** **PRO-TEM DETENTION HEARINGS**

8:30 AM
DETENTION HEARING **D-202-LR-2017-00448** **State of New Mexico vs**
Leon, Harker Pros Atty:
Def Atty: Mitsunaga, Megan Kathleen
Comment: PREVENTATIVE DETENTION MTN FILED 8-25-17 (T-4-FR-2017-4769)

9:00 AM
DETENTION HEARING **D-202-LR-2017-00449** **State of New Mexico vs**
DIAZ, STEVEN Pros Atty:
Def Atty: Bierdz, Mark
Comment: PREVENTATIVE DETENTION MTN FILED 8-25-17 (T-4-FR-2017-4787)

9:30 AM
DETENTION HEARING **D-202-LR-2017-00451** **State of New Mexico vs**
SANCHEZ, CARLOS
ROBERT Pros Atty:
Def Atty: Juárez, Martin A.
Comment: PREVENTATIVE DETENTION MTN FILED 8-25-17 (T-4-FR-2017-1317)

10:00 AM
DETENTION HEARING **D-202-LR-2017-00442** **State of New Mexico vs**
HOBBS, VINCENT Pros Atty:
Def Atty: Bierdz, Mark
Comment: PREVENTATIVE DETENTION MTN FILED 8-24-17 (T-4-FR-2017-4758) 2ND STG

Second Judicial District - Criminal Division Calendar
The Honorable Brett R. Loveless
Courtroom 420
08/30/2017

08/30/2017	8:00 AM	JUDGE LOVELESS	
8:45 AM Conditions of Release Hearing Comment: 8/21/17 REMAND ORDER (WHITAKER)	D-202-CR-2016-04038	State of New Mexico vs Litsey, Paulinda	Pros Atty: Brister, Maggie Def Atty: Hamilton, Leanne
8:45 AM GUILTY PLEA HEARING Comment: STIPULATED.	D-202-CR-2017-02525	State of New Mexico vs OLIVAS, FRANK	Pros Atty: Coulson, Candace Def Atty: Hoon, Twila A.; Ramsey, Mark A.
9:30 AM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-25-17 (T-4-FR-2017-4750)	D-202-LR-2017-00450	State of New Mexico vs CASTILLO, JOSEPH	Pros Atty: Def Atty: Ramsey, Mark A.
10:30 AM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-28-17 (T-4-FR-2017-4819)	D-202-LR-2017-00452	State of New Mexico vs Kocsmar, Johnny	Pros Atty: Def Atty: Bierdz, Mark
1:30 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-28-17 (T-4-FR-2017-4806)	D-202-LR-2017-00453	State of New Mexico vs FERRY, MARIAH	Pros Atty: Def Atty: Chavez, Randy M.
2:30 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-28-17 (T-4-FR-2017-4809)	D-202-LR-2017-00454	State of New Mexico vs ALLEN, VINCENT	Pros Atty: Def Atty: Bierdz, Mark
3:30 PM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-28-17 (T-4-FR-2017-619)	D-202-LR-2017-00456	State of New Mexico vs Buse, Damien C	Pros Atty: Def Atty: Carmack-altwies, Mary V.

Second Judicial District - Criminal Division Calendar
The Honorable Brett R. Loveless
Courtroom 716
08/31/2017

08/31/2017	8:00 AM	JUDGE LOVELESS	
8:45 AM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-28-17 (T-4-FR-2017-4834)	D-202-LR-2017-00460	State of New Mexico vs Langston, Jesse	Pros Atty: Def Atty: Hamilton, Leanne
9:00 AM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-28-17 (T-4-FR-2017-4851)	D-202-LR-2017-00457	State of New Mexico vs SWANSON, DUSTIN	Pros Atty: Def Atty: McCormick, Tyler
10:00 AM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-28-17 (T-4-FR-2017-4863)	D-202-LR-2017-00458	State of New Mexico vs SETH, FRANK W, IV	Pros Atty: Def Atty: Bierdz, Mark
11:00 AM DETENTION HEARING Comment: PREVENTATIVE DETENTION MTN FILED 8-28-17 (T-4-FR-2017-4850)	D-202-LR-2017-00459	State of New Mexico vs MILIA, DOMINICK	Pros Atty: Def Atty:

Second Judicial District - Criminal Division Calendar
The Honorable Cristina Jaramillo
Courtroom 616
09/01/2017

09/01/2017

12:00 PM

PREVENTATIVE DETENTION HEARINGS

1:30 PM

DETENTION HEARING

D-202-LR-2017-00463

**State of New Mexico vs
DURAN, KENDALL**

Pros Atty:

Def Atty: Hedrick, Robert

Comment: PREVENTATIVE DETENTION MTN FILED 8-29-17 (T-4-FR-2017-4886)

2:15 PM

DETENTION HEARING

D-202-LR-2017-00465

**State of New Mexico vs
TWITTY, ALONZO**

Pros Atty:

Def Atty: Bierdz, Mark

Comment: PREVENTATIVE DETENTION MTN FILED 8-30-17 (T-4-FR-2017-4914)

3:00 PM

DETENTION HEARING

D-202-LR-2017-00466

**State of New Mexico vs
HINOJOS, BENJAMIN**

Pros Atty:

Def Atty: Swonger, Matthias

Comment: PREVENTATIVE DETENTION MTN FILED 8-30-17 (T-4-FR-2017-4901)

3:30 PM

DETENTION HEARING

D-202-LR-2017-00467

**State of New Mexico vs
Sudlow, Danielle**

Pros Atty:

Def Atty: Cooper, Sophie

Comment: PREVENTATIVE DETENTION MTN FILED 8-30-17 (T-4-FR-2017-4633)

Exhibit B
Pretrial Detention Hearing List

Defendant	Metro Case #	District Case #	Hearings	Disposition
Xavier N. Montoya	FR 2016-6637	LR 2016-54 CR 2016-4211	12-21 (Brown)	Continued Pending GJ
Reymundo T. Lucero	FR 2017-236	LR 2017-4 CR 2017	1-24-17 (Brown)	Denied/ \$100,000 CASH
Daryl Albert	FR 2017-327	LR 2017-5 CR 2017-398	2-1-17 (Leos)	Granted
Shawn Rowley	FR 2017-319	LR 2017-6 CR 2017-386	1-26-17 (Leos)	Denied/ \$15,000 USB/ PTS
Daryl Martinez	FR 2017-320	LR 2017-7 CR 2017-497	2-01-17 (Leos)	Granted
Genoveva Fazio	FR 2016-6786	LR 2017-8 CR 2017-441	1-24-17 (Whitaker)	Denied/ 3 rd Party PTS/ GPS
Christopher Heh	FR 2017-348	LR 2017-9 CR 2017-438	1-24-17 (Whitaker)	Denied/ \$15,000 C/S & PTS
Elexus Groves	FR 2017-399	LR 2017-010 CR 2017-407	1-26-17 (Brown)	Denied/ \$100,000 Cash/ PTS
Diego Yanez	FR 2017-543	LR 2017-014 CR 2017-543	2-14-17 (Chavez)	Granted
Dominic F. Moya	FR 2017-550	LR 2017-015 CR 2017-546	2-02-17 (Whiatker)	Denied/ 3 rd Party PTS
Jasper Reed	FR 2017-474	LR 2017-017 CR 2017-523	2-10-17 (Brown)	Granted
Ronald Ford	FR 2017-657	LR 2017-018	2-10-17 (Brown)	Denied/\$50,000 CASH
Joseph Barlow	FR 2017-728	LR 2017-019 CR 2017-643	2-08-17 (Brown)	Denied/ROR
Joseph F. Saccoccia	FR 2016-4642	LR 2017-020	2-09-17 (Brown)	Denied/ ROR
Aaron D. Evangel	FR 2017-726	LR 2017-021 CR 2017-644	2-09-17 (Brown)	Granted
Aaron D. Evangel	FR 2016-6911	LR 2017-022 CR 2017-624	2-09-17 (Brown)	Granted
Aaron Martinez	FR 2017-694	LR 2017-023. CR 20174-642	2-09-17 (Flores)	Denied/ \$1,000 Cash w/PTS
Shannon Patchell	FR 2016-6749	LR 2017-024	2-15-17 (Whitaker)	Granted
Deandre Smith	FR 2017-664	LR 2017-025 CR 2017-609	2-13-17 (Whitaker)	Granted
Lamar Watts	FR 2017-666	LR 2017-026 CR 2017-610	2-13-17 (Whitaker)	Granted
Nathaniel Martinez	FR 2017-765	LR 2017-027 CR 2017-672	2-20-17 (Jaramillo)	Granted
Raymond Ortiz	FR 2017-751	LR 2017-028 CR 2017-697	2-15-17 (Loveless)	Granted
Gregory Dozier	FR 2017-480	LR 2017-030 CR 2017-742	2-15-17 (Leos)	Denied/ ROR w/ PTS
Elaine Sandoval	FR 2017-868	LR 2017-031 CR 2017-1006	2-17-17 (Loveless)	Denied/ \$35,000 C/S
Carmen A. Salinas	FR 2017-858	LR 2017-032 CR 2017-747	2-21-17 (Jaramillo)	Denied/ \$25,000 CASH or 3PTS
Alfred Encinas	FR 2017-668	LR 2017-033 CR 2017-748	2-22-17 (Leos)	Denied/ \$1,000 Cash w/ PTS
Antonio C.	FR 2016-5298	LR 2017-034	2-17-17 (Jaramillo)	Granted

Dominguez		CR 2017-717		
Marvin C. Riley	FR 2017-794	LR 2017-035 CR 2017-749	2-16-17 (Brown)	Denied
Samson Jones	FR 2017-932	LR 2017-036 CR 2017-790	2-16-17 (Loveless)	Denied/\$30,000 C/S and 3PTS
Frankie Trujillo	FR 2017-933	LR 2017-037 CR 2017-792	2-16-17 (Leos)	Granted
Roberto O. Martinez	FR 2017-935	LR 2017-038 CR 2017-791	2-21-17 (Zamora)	Denied/ ROR
Jorge Correa-Reyes	FR 2017-714	LR 2017-040 CR 2017-844	2-23-17 (Zamora)	Denied/ \$100,000 C/S
Luis Garcia-Zarate	FR 2017-248	LR 2017-041 CR 2017-1983	2-22-17 (Brown)	Denied/ \$100,000 C/S W/PTS
Emilio J. Mirabal	FR 2016-6689	LR 2017-42 CR 2017-874	2-27-17 (Jaramillo)	Denied
Lee B. Brandenburg	FR 2017-970	LR 2017-043 CR 2017-820	2-24-17 (Leos)	Granted
Paul M. Martinez	FR 2017-931	LR 2017-45 CR 2017-797	3-24-17 (Leos) in CR	Detention Hearing held in Cr #
Luke Waruszewski	FR 2017-1248	LR 2017-047 CR 2017-1004	3-08-17 (Brown)	Denied
Elias Vigil	FR 2016-6286	LR 2017-048	3-10-17 (Zamora)	Denied/NOLLE'D
Marcos Cordova	FR 2017-1175	LR 2017-049 CR 2017-938	3-13-17 (Zamora)	Granted
Marcos Cordova	FR 2017-954	LR 2017-050 CR 2017-938	3-13-17 (Zamora)	Granted
Jose Cisneros-Legarda	FR 2017-975	LR 2017-052	3-08-17 (Zamora)	Denied
Edwin E. Ortiz Parra	FR 2017-1327	LR 2017-054 CR 2017-1057	3-08-17 (Brown)	Granted
Eder Ortiz-Parra	FR 2017-1323	LR 2017-055 CR 2017-1056	3-08-17 (Brown)	Granted
Rafael Gonzalez-Parra	FR 2017-1326	LR 2017-056 CR 2017-1055	3-08-17 (Brown)	Granted
Steven Haddox	FR 2017-1301	LR 2017-057	3-10-17 (Zamora)	Denied/ ROR
Marcus Chestnut	FR 2017-1393	LR 2017-058 CR 2017-984	3-10-17 (Leos)	Denied/\$500 10% W/PTS GPS
Morris Mora	FR 2017-1429	LR 2017-059 CR 2017-1083	3-15-17 (Flores)	Denied/\$1000 CASH & 3 RD PTS
Paul Martinez	FR 2017-1465	LR 2017-061 CR 2017-1985	3-16-17 (Zamora)	Motion <i>WITHDRAWN</i>
Johnson Thor	FR 2017-1482	LR 2017-062	3-16-17 (Argyres)	Denied/ ROR
Wesley Dawes	FR 2017-1476	LR 2017-063 CR 2017-1220	3-16-17 (Flores)	Denied/ ROR W/PTS
Emilio J. Mirabal	FR 2017-1548	LR 2017-066 CR 2017-1238	3-22-17 (Loveless)	Denied
Paul E. Salas	FR 2017-1597	LR 2017-067 CR 2017-1240	4-48-17 (Leos)	Granted
Mauralon Harper	FR 2017-1568	LR 2017-068 CR 2017-1259	3-23-17 (Whitaker) 6-15-17 (Brown)	Denied/ \$100,000 CASH
Kyle L. Matlock	FR 2017-1445	LR 2017-069	3-22-17 (Brown)	Denied/ \$1,000 CASH
Joshua Ortega	FR 2017-1552 FR 2017-1613	LR 2017-070 LR 2017-071	3-23-17 (Loveless)	Granted

Eder Thomas Parra-Ortiz	FR 2017-1577	LR 2017-072 CR 2017-1255	3-22-17 (Brown)	Denied/ \$1,000 CASH
Steve Martinez	FR 2017-1630	LR 2017-073 CR 2017-1282	3-24-17 (Jaramillo)	Denied/\$5,000 and 3 rd PTS
Muhammad Ameer	FR 2017-1669	LR 2017-075 CR 2017-1237	3-24-17 (Loveless)	Granted
Lamar Watts	FR 2017-1672	LR 2017-076 CR 2017-1244	3-24-17 (Loveless)	Denied/\$25,000 CASH & PTS
Ja'Karl A. Jenkins	FR 2017-1454	LR 2017-077 CR 2017-1285	3-24-17 (Loveless)	Denied/ 3 rd PTS
Dennis Romero	FR 2017-1674	LR 2017-078 CR 2017-1242	3-24-17 (Loveless)	Denied/ \$100,000 CASH
Justin A. Leverette	FR 2017-1755	LR 2017-081 CR 2017-1340	4-03-17 (Brown)	Denied
Christy Vasquez	FR 2017-1699	LR 2017-082	3-31-17 (Loveless)	GRANTED/DENIED- ROR
Leonora V. Lopez	FR 2016-6150	LR 2017-083 CR 2017-1366	3-31-17 (Loveless)	Denied/ \$25,000 C/S
David Camarena	FR 2016-6594	LR 2017-085 CR 2017-	3-31-17 (Loveless)	ROR and PTS
Robert Billie	FR 2017-1900	LR 2017-086 CR 2017-1420	4-07-17 (Flores)	Granted
James Lucero	FR 2016-5851	LR 2017-087 CR 2017-1342	4-07-17 (Flores)	Denied/ ROR
Isaiah Lucero	FR 2017-1994	LR 2017-089 CR 2017-1528	4-21-17 (Jaramillo)	Denied/3 rd Party P.L & PTS
Violet Andrews	FR 2017-1961	LR 2017-090	4-14-17 (Leos)	Denied/ ROR and PTS
Terry White	FR 2017-1885	LR 2017-092 CR 2017-1524	4-17-17 (Jaramillo)	Granted
Mack Overton	FR 2017-2167	LR 2017-093 CR 2017-1580	4-21-17 (Jaramillo)	Granted
Isaiah Gurule	FR 2017-1944	LR 2017-094 CR 2017-1621	4-21-17 (Jaramillo)	Granted
Michael Bustos	FR 2017-2140	LR 2017-095 CR 2017-1606	4-21-17 (Jaramillo)	Granted
Michael Bustos	FR 2017-2139	LR 2017-096 CR 2017-1624	4-21-17 (Jaramillo)	Granted
Scott Bachicha	FR 2017-2202	LR 2017-097 CR 2017-1625	4-24-17 (Zamora)	Granted in Part
Caley Volante	FR 2017-2227	LR 2017-098 CR 2017-1640	4-24-17 (Leos)	Granted
Caley Volante	FR 2017-2253	LR 2017-099	4-24-17 (Leos)	Granted
Anthony Serna	FR 2017-2297	LR 2017-101 CR 2017-1678	4-28-17 (Leos)	Denied/ 3 rd PTS
Paul Alderete	FR 2017-2288	LR 2017-102 CR 2017-1674	5-01-17 (Zamora)	Granted
Esteban Garcia	FR 2017-2327	LR 2017-104 CR 2017-1686	4-28-17 (Leos)	Granted
Reymundo T. Lucero	FR 2017-2354	LR 2017-105 CR 2017-1708	4-28-17 (Leos)	Denied/ \$25,000 CASH & PTS
Joaquin Garbiso	FR 2017-2396	LR 2017-106 CR 2017-1736	5-02-17 (Argyres)	Granted
Matthew Woods	FR 2017-2442	LR 2017-107 CR 2017-1786	5-05-17 (Argyres)	Granted

Adonus Encinias	FR 2017-2444	LR 2017-108 CR 2017-1777	5-12-17 (Chavez)	Granted
Miguel Armendariz	FR 2017-2445	LR 2017-109 CR 2017-1778	5-05-17 (Argyres)	Denied/ ROR and PTS
David Heard	FR 2017-2493	LR 2017-110 CR 2017-1793	5-05-17 (Argyres)	Denied/ \$25,000 Cash PTS/GPS
Luis Chavez	FR 2017-2523	LR 2017-111 CR 2017-1832	5-08-17 (Chavez)	Denied/\$50,000 PTS
Humberto Coronado- Mendoza	FR 2017-2509	LR 2017-112 CR 2017-1834	5-08-17 (Chavez)	Denied/ \$20,000 C/S
Kshawn T. Cornwell	FR 2017-2547	LR 2017-113 CR 2017-1850	5-12-17 (Chavez)	Granted
Christopher Pino	FR 2017-2578	LR 2017-114 CR 2017-1879	5-12-17 (Brown)	Denied/ \$25,000 C/S & PTS
Jacob A. Chavez	FR 2017-1797	LR 2017-115 CR 2017-1891	5-16-17 (Chavez)	Denied/\$50,000 CASH
Jacob A. Chavez	FR 2017-1678	LR 2017-116	5-16-17 (Chavez)	Denied/\$50,000 CASH
John G. McArthur	FR 2017-2648	LR 2017-117 CR 2017-1934	5-19-17 (Brown)	STAY/COMP
Anthony Romero	FR 2017-2674	LR 2017-118 CR 2017-1952	6-06-17 (Whitaker) 5-15; 5-22; 5-30	Granted; NO BOND HOLD
Stephen R. Stinger	FR 2017-2721	LR 2017-120 CR 2017-1967	5-19-17 (Brown)	Denied/ ROR and PTS
Desi Cordova	FR 2017-2789	LR 2017-122 CR 2017-1997	5-22-17 (Whitaker)	Denied
Shawn Torrez	FR 2017-2781	LR 2017-123 CR 2017-2000	5-22-17 (Whitaker)	Denied
Adrian D. Causey	FR 2017-2803	LR 2017-124	5-30-17 (Flores)	Denied/ 3 rd to PTS
Marcos Herrera	FR 2017-2857	LR 2017-125	5-26-17	Nolle Prosequi
Anthony Lujan	FR 2017-2893	LR 2017-126 CR 2017-2091	5-25-17 (Flores)	Granted
Robert A. Sanchez	FR 2017-2565	LR 2017-127 CR 2017-2078	6-05-17 (Zamora)	Granted
Christopher Romero	FR 2017-2975	LR 2017-128 CR 2017-2092	6-01-17 (Flores)	Granted
Marcos Herrera	FR 2017-2967	LR 2017-129 CR 2017-2095	6-12-17 I(Hadfield)	Granted
Marcio Lujan	FR 2017-3001	LR 2017-130	6-05-17 (Zamora)	Denied/ \$2,500 CASH
Cory Chandler	FR 2017-2557	LR 2017-131 CR 2017-2094	6-02-17 (Flores)	Denied/3 rd to PTS
Yunielki Cadet- Ramont	FR 2017-3153	LR 2017-132 CR 2017-2172	6-15-17 (Hadfield)	Granted
Anthony Kapinski	FR 2017-3147	LR 2017-133 CR 2017-2165	6-16-17 (Hadfield)	Granted
Charles R. Willis	FR 2017-3133	LR 2017-134	6-16-17 (Hadfield)	Granted
Archie Richardson	FR 2017-3158	LR 2017-135 CR	6-14-17 (Zamora)	Granted 6-21-17 NOLLE (ROR)
Charles R. Willis	FR 2017-3134	LR 2017-136 CR 2017-2166	6-16-17 (Hadfield)	Granted
Samson Jones	FR 2017-3132	LR 2017-137 CR 2017-790	6-12-17 (Leos)	Granted
Christopher Montoya	FR 2017-2861	LR 2017-138	6-13-17 (Hadfield)	Denied

		CR 2017-2218		
Yoan Santiesteban	FR 2017-3087	LR 2017-139 CR 2017-2189	6-14-17 (Brown)	Granted
Yoan Santiesteban	FR 2017-3105	LR 2017-140 CR 2017-2189	6-14-17 (Brown)	Granted
Yoan Santiesteban	FR 2017-3114	LR 2017-141 CR 2017-2189	6-14-17 (Brown)	Granted
Gloria Chavez	FR 2017-3104	LR 2017-142 CR 2017-2188	6-14-17 (Brown)	Denied/3 rd to PTS
Martin Garcia	FR 2017-3089	LR 2017-143 CR 2017-2153	6-19-17 (Whitaker)	Denied/ 3 rd to PTS w/ GPS
Charles R. Willis	FR 2017-3213	LR 2017-144	6-16-17 (Hadfield)	Granted
Sean Montoya	FR 2017-3164	LR 2017-145 CR 2017-2167	6-14-17 (Zamora)	Denied
Frank Frometa	FR 2017-2809	LR 2017-146 CR 2017-2225	6-19-17 (Jaramillo)	Denied/\$10,000 C/S OR 3PTS GRANTED 7-12-17
James Parmentier	FR 2017-3079	LR 2017-147 CR 2017-2255	6-21-17 (Leos)	Denied/ 3 rd to PTS w/ GPS
Richard Hernandez	FR 2017-3187	LR 2017-148	6-19-17 (Jaramillo)	Denied
Dennis Barela	FR 2017-3354	LR 2017-149 CR 2017-2265	6-19-17 (Jaramillo)	Granted
Steven Talamante	FR 2017-3420	LR 2017-150 CR 2017-2304	6-23-17 (Brown)	<i>WITHDRAWN//MTRCR SET</i>
Charles F. LaCour	FR 2017-3326	LR 2017-151	6-23-17 (Brown)	Denied/ ROR
Benjamin Chavez	FR 2017-3421	LR 2017-152	6-23-17 (Jaramillo)	Denied/ ROR w/ PTS
David Robles	FR 2017-3405	LR 2017-153 CR 2017-2288	6-30-17 (Loveless)	Granted
Scotty R. Drennan	FR 2017-3409	LR 2017-154 CR 2017-2289	6-23-17 (Jaramillo)	Granted
Robert Singleton	FR 2017-3408	LR 2017-155	6-23-17 (Jaramillo)	WITHDRAWN//MTRCR SET
Gerald Hernandez	FR 2017-2266	LR 2017-156 CR 2017-2285	6-26-17 (Whitaker) 6-21-17 (Whitaker)	Granted
Jabrille Hodges	FR 2017-3377	LR 2017-157 CR 2017-2286	6-22-17 (Chavez) 6-21-17 (Loveless)	Granted
Anthony Stevenson	FR 2017-3364	LR 2017-158 CR 2017-2298	6-20-17 (Whitaker)	Granted
Christine White	FR 2017-3402	LR 2017-159	6-26-17 (Nash)	Denied / No Order
Troy Shaw	FR 2017-3059	LR 2017-160 CR 2017-2290	6-21-17 (Loveless)	Granted
Christopher Moya	FR 2017-3400	LR 2017-161 CR 2017-2302	6-22-17 (Argyres)	Denied/3 rd to PTS w/ GPS
Mark Thomson	FR 2017-3437	LR 2017-162 CR 2017-2300	6-30-17 (Loveless) 6-23-17 (Jaramillo)	Granted
Antonio R. Lucero	FR 2017-3442	LR 2017-163 CR 2017-2337	6-26-17 (Leos)	Denied/ ROR w/PTS and GPS
Ernesto Lucero	FR 2017-3441	LR 2017-164 CR 2017-2338	6-30-17 (Loveless) 6-23-17 (Brown)	Granted
Michael A. Guse	FR 2017-3295	LR 2017-165 CR 2017-2317	6-29-17 (Loveless) 6-26-17 (Loveless)	Denied/ROR and PTS
Melissa L. Willis	FR 2017-3469	LR 2017-166 CR 2017-2340	6-29-17 (Jaramillo) 6-28-17 (Jaramillo)	Denied/ROR- No Order

Ben Aguilar	FR 2017-3322	LR 2017-167 CR 2017-2315	6-26-17 (Loveless)	Denied/ROR w/ PTS
David Barber	FR 2017-3123	LR 2017-168 CR 20147- 2339	6-26-17 (Loveless)	Granted
Adrian Johnson	FR2017-3481	LR2017-169 CR 2017-2378	6-26-17 (Loveless)	Granted
Caleb Engstrum	FR2017-3461	LR2017-170 CR 2017-2377	6-28-17 (Argyres)	Granted
Daniel Maestas	FR2017-3541	LR2017-171	6-30-17 (Loveless)	WITHDRAWN//COR signed
Max Overson	FR2016-5926	LR2017-172	6-27-17 (Zamora)	Denied/ ROR/ NOLLE 7-6-17
Jimmie Riddle	FR2017-3548	LR2017-173	6-27-17 (Zamora)	Denied/\$50,000 CASH and PTS – No Order
Lathan Lallo	FR2017-3513	LR 2017-174	6-28-17 (Zamora)	Denied/ROR and PTS
JamesEdward Rivera	FR2017-3498	LR 2017-175 CR 2017-2382	6-28-17 (Zamora)	Granted
Lorenzo Chavez	FR2017-3338	LR 2017-176	6-28-17 (Leos)	Denied/ROR and PTS
Craig Smith	FR2017-3522	LR2017-177 CR 2017-2384	7-12-17 (Leos) 6-29-17 (Leos)	Granted
Jonathan Brown	FR2017-3537	LR 2017-178	6-29-17 (Whitaker)	Denied/3PTS W/GPS
Christopher Whiteface	FR2017-3549	LR 2017-179 CR 2017-2380	6-29-17 (Brown)	Denied; 3PTS
Adam Isler	FR2017-3518	LR 2017-180	6-29-17 (Whitaker)	Denied; 3PTS w/ ISP
William Shakespeare	FR2017-3519	LR 2017-181	6-29-17 (Loveless)	Denied; ROR w/GPS
Mario Maestas	FR2017-3523	LR 2017-182	6-29-17 (Loveless)	WITHDRAWN/ROR
Theo Martinez	FR2017-3516	LR 2017-183 CR 2017-2751	8-01-17 (Chavez) 6-28-17 (Chavez)	Granted/No Bond Hold/RST TO 8-1-17
Mark Thompson	FR2017-3418	LR 2017-184 CR 2017-2316	6-30-17 (Loveless)	Granted/ No Bond No CCP
Alex Ailcea	FR2017-3583	LR2017-185 CR 2017-2391	6-29-17 (Zamora)	Granted
Diego Rascon	FR2017-3565	LR2017-186	7-03-17 (Leos) 6-30-17 (Leos)	Denied/ ROR WITHDRAWN
Jacob Gallegos	FR2017-3579	LR2017-187 CR 2017-2390	6-30-17 (Jaramillo)	Granted
Jessie Carlson	FR2017-3568	LR2017-188	6-30-17 (Nash)	Denied/ ROR w/PTS
Michael DeHererra	FR-2017-2679	LR 2017-189 CR 2017-2398	7-03-17 (Zamora)	Granted
Richard Wiggins	FR-2017-3570	LR-2017-190	7-03-17 (Zamora)	Denied/ROR w/PTS
Thomas Lopez	FR-2017-0306	LR-2017-191	7-03-17 (Zamora)	Denied/ ROR w/PTS
Lorenzo McFarland	FR-2017-3603	LR-2017-192 CR 2017-2400	7-03-17 (Zamora)	Granted
Alan Green	FR-2017-3550	LR-2017-193 CR 2017-2396	7-10-17 (Chavez) 7-05-17 (Jaramillo)	Granted
Jacob Gallegos	FR-2017-3040	LR-2017-194	7-05-17 (Whitaker)	Denied/ COR same as Metro
Marcelo Hernandez	FR-2017-3613	LR-2017-195 CR 2017-2413	7-05-17 (Whitaker)	Granted
Otalee Brown	FR-2017-3595	LR-2017-196	7-10-17 (Zamora) 7-07-17 (Zamora)	Denied/\$2500 C/S- POSTED

Alexander Garcia	FR-2017-3572	LR-2017-197 CR 2017-2482	7-13-17 (Brown) 7-05-17 (Brown)	NOLLE 7-12-17
Edward Tenorio	FR-2017-3605	LR-2017-198 CR 2017-2438	7-05-17 (Brown)	Granted
Jacob Gallegos	FR 2017-3387	LR 2017-199	7-05-17 (Whitaker)	Denied/ COR same as METRO
Steven Gomez	FR-2017-6944	LR-2017-200	7-05-17 (Brown)	NOLLE 7-12-17
Valentina Trujillo	FR-2017-3642	LR-2017-201 CR 2017-2439	7-06-17 (Nash)	Denied/ ROR w/PTS CR DISMISSED- 7-31-17
Tyler Serrano	FR-2017-3496	LR-2017-202 CR 2017-2425	7-06-17 (Nash)	Granted
Nicholas Tanner	FR-2017-2558	LR-2017-203 CR 2017-2437	7-06-17 (Leos)	Granted
Davontee Johnson	FR-2017-4907	LR-2017-204	7-07-17 (Zamora)	LR- 2017-204- Nolle'd 7-7-17
Davontee Johnson	FR-2017-1444	LR 2017-205	7-07-17 (Zamora)	Denied/ ROR w/ PTS
Davontee Johnson	FR-2017-3654	LR-2017-206	7-07-17 (Zamora)	Denied/ ROR w/PTS
Gabriel Mariscal	FR-2017-3633	LR-2017-207 CR 2017-2467	7-17-17 (Brown) 7-07-17 (Whitaker)	Granted
Isaac Mascarenes	FR-2017-3664	LR-2017-208 CR 2017-2440	7-07-17 (Zamora)	Denied/ ROR
George Morales	FR-2017-3643	LR-2017-209	7-07-17 (Zamora)	Granted No Indictment
Brian Brown	FR-2017-3703	LR-2017-210 CR 2017-2471	7-10-17 (Flores)	Denied/ \$3,000 CASH & ATP
Eric Hernandez	FR-2017-2377	LR-2017-211 CR 2017-2478	7-10-17 (Brown)	Denied/ 3 rd PTS
Cory Neal	FR-2017-3697	LR-2017-212 CR 2017-2479	7-10-17 (Leos) 7-07-17 (Leos)	Denied- CCP Ordered
Erik Reddick	FR-2017-3678	LR-2017-213	7-21-17 (Brown) 7-07-17 (Brown)	Denied
Shannon Sandoval	FR-2017-3723	LR-2017-214 CR 2017-2481	7-10-17 (Chavez)	Denied/ 3 rd PTS
Eduardo E. Barros	FR-2017-3716	LR-2017-215 CR 2017-2484	7-10-17 (Chavez)	Granted
David C. Trujillo	FR-2017-3451	LR-2017-216 CR 2017-2486	7-14-17 (Chavez) 7-10-17 (Chavez)	Denied/\$20,000 C/S 3PTS w/GPS
Justin A. Hansen	FR 2017-3762	LR 2017-217 CR 2010-6268	7-11-17 (Brown)	Denied/ 3 rd PTS w/GPS
Travese Spragg	FR 2017-3761	LR 2017-218 CR 2017-2490	7-12-17 (Flores)	Denied/\$10,000 C/S ; ATP or 3PTS w/ISP
Nolan Cody	FR-2017-3772	LR-2017-219 CR 2017-2491	7-13-17 (Loveless)	Granted / ATP
Rita Howlingcrane	FR-2017-3800	LR-2017-220 CR 2017-2499	7-14-17 (Chavez)	Granted
Matthew Dinallo	FR-2017-3748	LR-2017-221 CR 2017-2505	7-14-17 (Chavez)	Granted
Jose L. Silva	FR-2017-3765	LR-2017-222	7-11-17 (Brown)	Denied
Luis Talamantes-Acosta	FR-2017-3790	LR-2017-223	7-13-17 (Loveless)	Denied/ ROR w/PTS
Stephon Jaramillo	FR-2017-3636	LR-2017-224 CR 2017-2741	7-13-17 (Hadfield)	Denied/ ROR w/PTS
Douglas Daughtery	FR-2017-3632 FR-2017-3796	LR-2017-225 CR 2017-2504	7-14-17 (Chavez)	Denied/ \$25,000 C/S

Joseph S. Williamson	FR-2017-3856	LR-2017-226 CR 2017-2510	7-13-17 (Flores)	Denied/3 rd PTS
Kyle Becenti	FR-2017-3869	LR-2017-227 CR 2017-2527	7-17-17 (Brown)	Granted
Yoan Pena Santiesteban	FR-2017-3877	LR-2017-228 CR 2017-2659	7-17-17 (Brown)	Denied (Granted in LR17-139)
Edwin Murillo	FR-2017-3908	LR-2017-229 CR 2017-2541	7-17-17 (Brown)	Granted PLED 8-31-17- CHAVEZ
Felisha Pravencio	FR-2017-3879	LR-2017-230 CR 2017-2523	7-17-17 (Leos)	Denied/3 rd PTS
Miguel Marquez-Enriquez	FR-2017-3904	LR-2017-231	7-31-17 (Brown)	Denied/ ROR w/PTS
John Lister	FR-2017-3907	LR-2017-233 CR 2017-2874	7-19-17 (Hadfield)	Denied/ROR
Matthew Chavez	FR-2017-3922	LR-2017-234 CR 2017-2540	7-18-17 (Argyres)	Denied/3 rd PTS
Jesus Lopez	FR-2017-3924	LR-2017-235 CR 2017-2542	7-18-17 (Nash)	Denied/\$7,500 Cash 10% to Court w/ PTS or 3 rd PTS
Jeremy Trujillo	FR-2017-2828	LR-2017-236 CR 2017-2477	7-24-17 (Argyres) (Rst from 7/18/17)	Motion Withdrawn / ROR PLED 7-20-17- ZAMORA
Jeremy Trujillo	FR-2017-1532	LR-2017-237 CR 2017-2476	7-24-17 (Argyres) (Rst from 7/18/17)	Motion Withdrawn / ROR PLED 7-20-17- ZAMORA
Robert Lucero	FR 2017-3942	LR 2017-244 CR 2017-2551	7-20-17 (Jaramillo)	Granted
Kenneth Adame	FR 2017-3920	LR 2017-245 CR 2017-2549	7-24-17 (Jaramillo)	Granted
Samorio Feleer	FR 2017-3934	LR 2017-246 CR 2017-2559	7-19-17 (Zamora)	Denied/\$1,500 Cash 10% to Court or 3 rd to PTS
Nicholas J. Smith	FR 2017-3945	LR 2017-247 CR 2017-2552	7-19-17 (Argyres)	Granted
Maximiliano Villegas	FR 2017-3930	LR 2017-248 CR 2017-2550	7-19-17 (Loveless)	Granted
Edwin Murillo	FR 2017-3962	LR 2017-249 CR 2017-2541	7-21-17 (Brown)	Granted PLED 8-31-17- CHAVEZ
Roy Holiday	FR 2017-3966	LR 2017-250	7-31-17 (Flores)	Past 10 Days- ROR
Sir Joseph Cotton	FR 2017-3959	LR 2017-252	7-19-17 (Leos)	Denied/ROR
Vincent Sandoval	FR 2017-4011	LR 2017-255 CR 2017-2558	7-21-17 (Brown)	Denied/ROR w/ PTS
Felipe Vigil	FR 2017-3655	LR 2017-256	7-21-17 (Brown)	Denied/ROR
Richard Routzen	FR 2017-4014	LR 2017-257 CR 2017-2562	7-28-17 (Brown)	Granted
Eric Jim	FR 2017-4002	LR 2017-258 CR 2017-2564	7-21-17 (Argyres)	Granted (pending completion of ATP)
Dominic Pack	FR 2017-4005	LR 2017-259 CR 2017-2574	7-21-17 (Argyres)	Granted
Isaac Avila	FR 2017-3982	LR 2017-260	7-21-17 (Argyres)	Motion Withdrawn/ROR
Kaycee Langston	FR 2017-4006	LR 2017-261 CR 2017-2573	7-21-17 (Argyres)	Granted
Manuel Gonzales	FR 2017-3987	LR 2017-262	7-21-17 (Argyres)	Motion Withdrawn/3 rd PTS
Daniel Caruth	FR 2017-263	LR 2017-263 CR 2017-2572	7-21-17 (Nash)	Denied/ROR w/ PTS

John Lucero	FR 2017-264	LR 2017-264 CR 2017-2561	7-24-17 (Leos)	Denied/3 rd PTS
Richard Routzen	FR 2017-4034	LR 2017-266 CR 2017-2595	7-28-17 (Brown)	Granted
Larry Sanchez	FR 2017-4032	LR 2017-267 CR 2017-2569	7-24-17 (Whitaker)	Denied/3 rd PTS
Paul Higgins	FR 2017-3960	LR 2017-268 CR 2017-2571	7-24-17 (Whitaker)	Granted
Renee Chavez	FR 2017-3937	LR 2017-269	7-24-17 (Argyres)	Denied/3 rd to Casa de Suino
Abel Maestas	FR 2017-4010	LR 2017-270 CR 2017-2587	7-24-17 (Argyres)	Granted
Abel Maestas	FR 2017-2150	LR 2017-271 CR 2017-2563		
Alexander Garcia	FR 2017-4015	LR 2017-272 CR 2017-2585	7-24-17 (Argyres)	Granted (pending completion of ATP)
Ricky Pacheco	FR 2017-3972	LR 2017-273 CR 2017-2584	7-24-17 (Flores)	Denied/ROR w/ PTS
David Stevenson	FR-2017-4048	LR 2017-275 CR 2017-2560	7-24-17 (Loveless)	Denied/\$10,000 Cash w/ PTS
Raymond Aguilar	FR-2017-0617	LR 2017-276 CR 2017-2586	7-25-17 (Jaramillo)	Granted
Matthew Barraza	FR-2017-4039	LR 2017-277 CR 2017-2589	7-25-17 (Whitaker)	Denied/ 3 RD PTS
Calletano Villalva	FR-2017-4056	LR 2017-278	7-25-17 (Argyres)	Denied/ ROR after ATP
Shannon Steelman	FR 2017-4057	LR 2017-280 CR 2017-2623	7-25-17 (Jaramillo)	Denied/3 rd PTS or \$999 CASH w/PTS
Robert Baca	FR 2017-3685 FR 2017-4060	LR 2017-281 CR 2017-2616	7-25-17 (Jaramillo)	Order extending time filed 7-31-17 (Parties to request)
Gabriel Lucero	FR 2017-4077	LR 2017-282	7-24-17 (Leos)	Denied/ROR
Antonio Apodaca	FR 2017-4065	LR 2017-283 CR 2017-2608	7-26-17 (Flores)	Granted
Gerald Gurule	FR 2017-3227	LR 2017-284 CR 2017-2606	7-26-17 (Flores)	Denied/ 3 RD PTS
Jimmy Sanchez	FR 2017-4074	LR 2017-285 CR 2017-2611	7-27-17 (Hadfield)	Denied/ROR w/PTS
Avery Dollbrown	FR 2017-4076	LR 2017-286 CR 2017-2631	7-31-17 (Whitaker) 7-25-17 (Whitaker)	Granted
Kristopher Marquez	FR 2017-4064	LR 2017-287 CR 2017-2607	7-27-17 (Flores)	Granted
Michael Ramirez	FR 2017-4040	LR 2017-288 CR 2017-2624	7-27-17 (Hadfield)	Granted NOLLE 8-18-17
Luis Pena	FR 2017-4103	LR 2017-289 CR 2017-2645	7-26-17 (Jaramillo)	Denied/ 3 rd PTS
Lawrence Krause	FR 2017-3456	LR 2017-290 CR 2017-2640	7-26-17 (Nash)	Denied/ROR w/PTS
Rene Carbajal	FR 2017-4105	LR 2017-292 CR 2017-2644	7-28-17 (Nash)	Denied/ ROR
Vu Nguyen	FR 2017-4109	LR 2017-293 CR 2017-2625	7-28-17 (Flores)	Denied/ ROR w/PTS
Jesus Baray	FR 2017-4106	LR 2017-291	7-28-17 (Flores)	Dismissed/ Discovery Sanction
Christ Sathoud	FR 2017-4112	LR 2017-294 CR 2017-2626	7-28-17 (Flores)	Denied/ ROR w/PTS

Marcos Gurule	FR 2017-3339	LR 2017-295 CR 2017-2609	8-09-17 (Jaramillo) 7-26-17 (Nash)	CONSOLIDATED PLEA // 8-11-17 ARRAIGNMENT
Robert Singletary	FR 2017-4125	LR 2017-296	8-4-17 (Whitaker) 7-28-17 (Flores)	Denied/ ROR w/PTS WITHDRAWN
Matthew Granillo	FR 2017-4117	LR 2017-297 CR 2017-2641	7-27-17 (Leos)	Denied/ATP Ordered
Carlos Zuniga	FR 2017-4124	LR 2017-298 CR 2017-2643	7-28-17 (Brown)	Granted
Victor Ortiz	FR 2017-4119 FR 2017-4171	LR 2017-300 CR2017-2642 LR 2017-299 CR2017-2653	7-27-17 (Argyres)	Granted
Rhiannon Davis	FR 2017-4170	LR 2017-301	7-27-17 (Argyres)	Denied/ ROR/Not Indicted
Brian Archuleta	FR-2017-4200	LR 2017-306 CR 2017-2713	7-27-17 (Leos)	Denied/ ATP Ordered
David Macias	FR-2017-4173	LR-2017-307 CR 2017-2661	8-4-17 (Whitaker) 7-31-17 (Flores)	Granted
Vanessa Madrid	FR-2017-3898	LR-2017-308 CR 2017-2662	7-31-17 (Flores)	Granted
Stephanie Montano	FR-2017-4197	LR-2017-309 CR 2017-2940	7-27-17 (Argyres)	Denied/ ROR w/PTS
Bruce Begay	FR-2017-4204	LR-2017-310 CR 2017-2822	7-31-17 (Flores)	Denied/ ROR w/ PTS
Ricardo Carrillo	FR-2017-4234	LR-2017-313 CR 2017-2716	8-1-17 (Whitaker)	Granted
Devin Lovato	FR-2017-4248	LR-2017-316 CR 2017-2728	8-1-17 (Leos)	Denied/ROR w/PTS
Tyler Shumake	FR-2017-4224	LR-2017-317 CR 2017-2707	8-7-17 (Leos) 8-1-17 (Leos)	Denied/ 3 rd PTS
Gene Grayson	FR-2017-4252	LR-2017-318	8-1-17 (Whitaker)	Denied/ ROR w/PTS/Not Indicted/In BW 8/29/17
Jared Barnhill	FR-2017-4275	LR-2017-319 CR 2017-2720	8-2-17 (Hadfield)	Granted
Chelsea Pedro	FR-2017-4268	LR-2017-320	8-2-17 (Brown)	Denied/ ROR/Not Indicted
Louise Brewer	FR-2017-4264	LR-2017-321 CR 2017-2845	8-2-17 (Brown)	Denied/ROR
Jordan Pedro	FR-2017-4276	LR-2017-322	8-2-17 (Brown)	Denied/ ROR/Not Indicted
Christopher Sideler	FR-2017-4260	LR-2017-323 CR 2017-2743	8-4-17 (Whitaker)	Denied/ 3 rd PTS w/ GPS
Christopher Sideler	FR-2017-4311	LR-2017-324 CR 2017-2731	8-4-17 (Whitaker)	Denied/ 3 rd PTS w/ GPS
Jeyden Barnhill	FR-2017-4283	LR-2017-325 CR 2017-2719	8-3-17 (Argyres)	Granted
Shenik Segura	FR-2017-4332	LR-2017-327	8-2-17 (Argyres)	Denied/ROR/Not Indicted
Steven Hoddox	FR-2017-4322	LR-2017-328 CR 2017-2745	8-4-17 (Whitaker)	Denied/ 3 rd PTS w/ GPS Relate LR Case in CR Case
Shamar Cunningham	FR-2017-4324	LR-2017-329	8-4-17 (Brown)	Denied/ ROR w/PTS/Not Indicted
Sophia Olguin	FR-2017-4333	LR-2017-330 CR 2017-2752	8-3-17 (Argyres)	Denied/3 rd PTS
Ruben Yanez	FR-2017-4331	LR-2017331	8-3-17 (Brown)	Denied/ ROR/Not Indicted
Lacy Rodney	FR-2017-4337	LR-2017332	8-4-17 (Whitaker)	Granted

		CR 2017-2742		
Jerrold Ortiz	FR-2017-4361	LR-2017-333 CR 2017-2781	8-7-17 (Leos)	Granted
Omar Michael Reed	FR-2017-4349	LR-2017-334 CR 2017-2782	8-7-17 (Leos)	Denied/ 3 RD to CCP w/GPS
Jonas Sanchez	FR-2017-4362	LR-2017-335 CR 2017-2753	8-7-17 (Leos)	Granted
Lorenzo Wright	FR-2017-4351	LR-2017-336	8-8-17 (Jaramillo)	Denied/ ROR w/ PTS/Not Indicted
Novick Nicholas	FR-2017-4360	LR-2017-337 CR 2017-2851	8-4-17 (Brown)	Denied/ ROR w/PTS
Shelby Baker	FR-2017-3686	LR-2017-338 CR 2017-2780	8-8-17 (Jaramillo)	Dented/3 rd PTS
Erik Boyd	FR-2017-4376	LR-2017-340 CR 2017-2793	8-8-17 (Jaramillo)	Granted
Richard Clemente	FR-2017-4372	LR-2017-341 CR 2017-2784	8-9-17 (Loveless)	Granted
Jose Portillo	FR-2017-4374	LR-2017-342 CR 2017-2787	8-9-17 (Jaramillo)	Granted
Charlene Martinez	FR-2017-4379	LR-2017-343 CR 2017-2794	8-8-17 (Chavez)	Granted
Jaime Rodriguez	FR-2017-4377	LR-2017-344	8-9-17 (Argyres)	Denied/ ROR w/PTS PML 3/Not Indicted
Cedrych Young	FR-2017-4371	LR-2017-345 CR 2017-2785	8-9-17 (Chavez) 8-8-17 (Chavez)	Denied/3 rd PTS Nolle Filed in CR *LR open*
Jake Loughborough	FR-2017-4383	LR-2017-347 CR 2017-2727	8-8-17 (Loveless)	Denied /Cont'd to 8-11-17 (Pled/Sentenced)
Brandon Vigil	FR-2017-4397	LR-2017-348 CR 2017-2792	8-9-17 (Whitaker)	Granted
Charles Chavez	FR-2017-4391	LR-2017-349	8-9-17 (Argyres)	Denied/ ROR w/PTS and GPS
Jonathan Gallegos	FR-2017-4411	LR-2017-350 CR 2017-2796	8-9-17 (Zamora)	Granted
Robert Delayo	FR-2017-4410	LR-2017-351 CR 2017-2795	8-9-17 (Zamora)	<i>Continued 8-10-17</i>
Pamela Chavez	FR-2017-4427	LR-2017-354 CR 2017-2799	8-10-17 (Argyres)	Denied/ PLED 8-29-17- LOVELESS
Arielle Lopez	FR-2017-4446	LR-2017-355 CR 2017-2810	8-10-17 (Jaramillo) 8-9-17 (Jaramillo)	Granted
Lawrence Yazzie	FR-2017-4460	LR-2017-356	8-8-17 (Whitaker)	Denied/3 rd PTS w/GPS
Shaun Wilkens	FR-2017-4368	LR-2017-358 CR 2017-2816	8-10-17 (Jaramillo)	Granted
David Caruth	FR-2017-4490	LR-2017-359	8-10-17 (Flores)	Denied/ 3 RD PTS CAPS ordered
Christopher Trujillo	FR-2017-4506	LR-2017-367	8-11-17 (Leos)	Denied/3 rd PTS (Restricted Internet)
Justin Aragon	FR-2017-4508	LR-2017-368 CR 2017-2856	8-11-17 (Leos)	Granted
Ja'Karl Jenkins	FR-2017-4501	LR-2017-369 CR 2017-2878	8-11-17 (Leos)	Granted
Andre Robinson	FR-2017-4438	LR-2017-370	8-11-17 (Leos)	Granted
Andre Robinson	FR-2017-4499	LR-2017-371 CR 2017-2879	8-11-17 (Leos)	Granted

Jason Haidle	FR-2016-6263	LR-2017-376 CR 2017-2910	8-14-17 (Hart)	Granted
Roy Holliday	FR-2017-4519	LR-2017-377 CR 2017-2915	8-14-17 (Hart)	Granted
Cody Ray Robertson	FR-2017-4183	LR-2017-378 CR 2017-2917	8-14-17 (Hart)	Granted
Abraham Perea	FR-2017-4520	LR-2017-379 CR 2017-2918	8-15-17 (Candelaria)	Denied/3 RD PTS
Adan Quinones	FR-2017-4526	LR-2017-380	8-15-17 (Candelaria)	Denied/ROR w/ PTS
Diego Ochoa	FR-2017-4527	LR-2017-381	8-15-17 (Candelaria)	WITHDRAWN-ROR w/PTS
Carlos Gonzales-Cruz	FR-2017-4536	LR-2017-382 CR 2017-2880	8-15-17 (Candelaria)	Denied/ ROR w/ PTS
Gerald Maestas	FR-2017-4098	LR-2017-383 CR 2017-2860	8-15-17 (Hart)	Granted
Gerald Maestas	FR-2017-4355	LR-2017-384 CR 2017-2892	8-15-17 (Hart)	Granted
Victor Rodriguez-Najera	FR-2017-4550	LR-2017-389 CR 2017-2906	8-15-17 (Candelaria)	Denied/ ROR w/PTS
Vanessa Terrazas	FR-2017-4544	LR-2017-390	8-16-17 (Hart)	Denied/3 rd to family w/ PTS
Crystal Montoya	FR-2017-4551	LR-2017-391 CR 2017-2921	8-16-17 (Brown)	Granted
Christopher Martinez	FR-2017-4545	LR-2017-392 CR 2017-2905	8-16-17 (Flores)	Cont'd-Time Waived 60 days- 3RD PTS after ATP
Johnathan Brownell	FR-2017-4559	LR 2017-393 CR 2017-2924	8-16-17 (Nash)	Denied/ ROR w/PTS
Angelo Martinez	FR 2017-4571	LR 2017-394	8-16-17 (Nash)	Denied/3 rd Prty to family w/PTS
Christopher Gallegos	FR 2017-4577	LR 2017-395 CR 2017-2923	8-17-17 (Flores)	Denied/ ROR
Matthew Castillo	FR 2017-4565	LR 2017-396 CR 2017-2908	8-17-17 (Hart)	Granted
Michael Lozano	FR 2017-4555	LR 2017-397 CR 2017-2920	8-17-17 (Brown)	Granted
Sarah Cadena	FR 2017-4596	LR 2017-400 CR 2017-2937	8-18-17 (Brown)	Denied/ROR w/PTS
Angelina Weaver	FR 2017-4601	LR 2017-401	8-18-17 (Brown)	Granted
Jared D. Petersen	FR 2017-4569	LR 2017-402 CR 2017-2922	8-18-17 (Brown)	Denied/ROR
Corey Mann	FR 2017-4600	LR 2017-405 CR 2017-2928	8-18-17 (Brown)	Denied/ROR w/PTS & GPS
Joe Lujan	FR 2017-4594	LR 2017-408	8-21-17 (Whitaker)	ROR/ NOLLE
Milo Bitsuie	FR 2017-4613	LR 2017-407 CR 2017-2925	8-21-17 (Brown)	Denied/3 rd PTS
Amanda Moya	FR 2017-4605	LR 2017-406 CR 2017-2931	8-21-17 (Brown)	Granted/
Jennifer Robledo	FR 2017-4614	LR 2017-409 CR 2017-2944	8-22-17 (Candelaria)	Granted
Joseph Grubb	FR 2017-4611	LR 2017-410 CR 2017-2932	8-22-17 (Candelaria)	Denied/3 RD PTS w/Max Cond
Dale Koch	FR 2017-4606	LR 2017-411	8-21-17 (Whitaker)	Denied/3 rd PTS W/GPS
Matthew Chavez	FR 2016-957	LR 2017-415	8-22-17 (Candelaria)	Granted

Christopher Gallegos	FR 2017-4630	LR 2017-414 CR 2017-2951	8-17-17 (Flores)	Denied/3 RD PTS
Jake Loughborough	FR 2017-4631	LR 2017-416	8-22-17 (Candelaria)	WITHDRAWN/ ROR
Juan Acosta	FR 2017-4644	LR 2017-417 CR 2017-2954	8-22-17 (Candelaria)	Denied/ ROR w/PTS and GPS
Richard Turrietta	FR 2017-4634	LR 2017-418	8-21-17 (Leos)	Denied/ROR
Matthew Chavez	FR 2016-805	LR 2017-419 CR 2017-2949	8-22-17 (Candelaria)	Granted
Jacob Jacobucci	FR 2017-4511	LR 2017-420 CR 2017-2815	Mtn to Dismiss 8-21 @ 10:30 AM (Brown)-Granted	
Robert Spackeen	FR 2017-4646	LR 2017-423 CR 2017-3003	8-22-17 (Flores)	WITHDRAWN ON RECORD/ 3RD PTS
Kayleen Medina	FR 2017-4656	LR 2017-424 CR 2017-2968	8-22-17 (Brown)	Denied/ ROR w/PTS
Isaac Candelaria	FR 2017-4662	LR 2017-425	8-22-17 (Brown)	Denied/ ROR w/ PTS
Juan Gutierrez Barreras	FR 2017-4648	LR 2017-426 CR 2017-3001	8-23-17 (Flores)	Denied/ROR
Cassandra Lopez	FR 2017-4658	LR 2017-427 CR 2017-2953	8-23-17 (Brown)	Stipulation-NO BOND HOLD
Jose Lucero	FR 2017-4665	LR 2017-428 CR 2017-3002	8-23-17 (Brown)	Granted
Chase Smotherman	FR 2017-4652	LR 2017-429 CR 2017-3007	8-24 (Jaramillo)	Granted
Adriann Cruca	FR 2017-4659	LR 2017-430	8-24 (Jaramillo)	Denied; 3 RD PTS or CCP
Robert Gurule	FR 2017-4703	LR 2017-431	8-24 (Argyres)	Denied; ROR w/ PTS
Shane Sandoval	FR 2017-4700	LR 2017-432 CR 2017-3024	8-24 (Argyres)	Granted
Mitchell Overhand	FR 2017-4653	LR 2017-433 CR 2017-3008	8-24 (Argyres)	Granted
Steven Beck	FR 2017-4694	LR 2017-436	8-25-17 (Jaramillo)	Denied/ ROR w/PTS WITHDRAWN
Donovan Yazzie	FR 2017-4741	LR 2017-437	8-25-17 (Jaramillo)	Granted NOLLE FILED 9-8-17
Charles Robinson	FR 2017-4755	LR 2017-438 CR 2017-3029	8-25-17 (Jaramillo)	Granted
Mia Shortman	FR 2017-4738	LR 2017-439	8-25-17 (Argyres)	WITHDRAWN/ ROR
Arlan Charley	FR 2017-4677	LR 2017-440	8-25-17 (Argyres)	Denied/ROR w/ PTS
Vincent Hobbs	FR 2017-4758	LR 2017-442 CR 2017-3039	8-28-17 (Jaramillo)	Granted
Robert Trujillo	FR 2017-4068	LR 2017-443 CR 2017-3038	8-28-17 (Jaramillo)	Granted
Leon Harker	FR 2017-4769	LR 2017-448	8-29-17 (Candelaria)	Denied/3 rd PTS
Steven Diaz	FR 2017-4787	LR 2017-449 CR 2017-3046	8-29-17 (Candelaria)	Denied/ 3 rd PTS
Joseph Castillo	FR 2017-4750	LR 2017-450 CR 2017-3030	8-30-17 (Loveless) 8-28-17 (Jaramillo)	Denied/\$2,500 CASH ONLY
Carlos Robert Sanchez	FR 2017-1317	LR 2017-451 CR 2017-3055	8-29-17 (Candelaria)	Granted
Johnny Kocsmar	FR 2017-4819	LR 2017-452	8-30-17 (Loveless) 9-7-17 (Loveless)	Denied/ROR w/ PTS FTC & FTA/BW ISSUED-NO BOND
Vincent Allen	FR 2017-4806	LR 2017-454	8-30-17 (Loveless)	Denied/3 rd PTS w/GPS

		CR 2017-3048		
Mariah Ferry	FR 2017-4809	LR 2017-453 CR 2017-3047	8-30-17 (Loveless)	Denied/3 rd PTS w/GPS
Damien Buse	FR 2017-619	LR 2017-456	8-30-17 (Loveless)	Denied/ROR w/PTS
Dustin Swanson	FR 2017-4851	LR 2017-457	8-31-17 (Loveless)	WITHDRAWN; ROR W/ PTS
Frank Seth	FR 2017-4863	LR 2017-458 CR 2017-3066	8-31-17 (Loveless)	Granted
Dominick Milia	FR 2017-4850	LR 2017-459 CR 2017-3054	8-31-17 (Loveless)	Granted
Jesse Langston	FR 2017-4834	LR 2017-460 CR 2017-3049	8-31-17 (Loveless)	Granted
Kendall Duran	FR 2017-4886	LR 2017-463	9-01-17 (Jaramillo)	Continued; ATP Ordered (<i>not indicted/dismissed</i>)
Alonzo Twitty	FR 2017-4914	LR 2017-465 CR 2017-3183	9-01-17 (Jaramillo)	Denied/3 rd PTS w/GPS
Benjamin Hinojos	FR 2017-4901	LR 2017-466	9-01-17 (Jaramillo)	Denied/ATP ordered- then 3 rd PTS w/GPS (Soberlink)
Danielle Sudlow	FR 2017-4633	LR 2017-467 CR 2017-3067	9-6-17 (Brown) 9-01-17 (Jaramillo)	Granted
Deiver Ramirez-Cobos	FR 2017-4937	LR 2017-470 CR 2017-3105	9-7-17 (Loveless) 9-5-17 (Loveless)	Granted
Deiver Ramirez-Cobos	FR 2017-4939	LR 2017-471 CR 2017-3094	9-7-17 (Loveless) 9-5-17 (Loveless)	Granted
Martin Garcia	FR 2017-4917	LR 2017-472	9-5-17 (Loveless)	Granted
Christopher Gallegos	FR 2017-4930	LR 2017-473 CR 2017-3109	9-5-17 (Loveless)	Denied/ ROR w/PTS
Adam Lowther	FR 2017-4951	LR 2017-474	9-05-17 (Loveless)	Denied/ROR w/ PTS and GPS
Ruben Pinon	FR 2017-4959	LR 2017-475	9-06-17 (Brown)	Granted- NO BOND HOLD CONSOLIDATED PLEA
Justin S. Hill	FR 2017-4842	LR 2017-476 CR 2017-3108	9-6-17 (Brown)	Granted
Guillermo J. Riojas	FR 2017-4992	LR 2017-477 CR 2017-3152	9-6-17 (Brown)	Granted
Lacy Rodney	FR 2017-4986	LR 2017-478	9-6-17 (Brown)	WITHDRAWN 9-6-17 /COR FILED 9-25-17
Allen J. Crosby	FR 2017-4969	LR 2017-479 CR 2017-3149	9-7-17 (Brown)	Granted – NO BOND HOLD
John Cordova	FR 2017-4976	LR 2017-480	9-7-17 (Brown)	Granted 9-8-17/ NOLLE 9-12-17
John Arellanes	FR 2017-4968	LR 2017-481 CR 2017-3150	9-7-17 (Brown)	Granted
Eli Kronenanker	FR 2017-4966	LR 2017-482 CR 2017-3174	9-7-17 (Brown)	Denied – Third Party to PTS
Nathananuth Mason	FR 2017-5009	LR 2017-483 CR 2017-3161	9-8-17 (Loveless)	Granted
Ryan Gauvin	FR 2017-5010	LR 2017-484	9-8-17 (Loveless)	Denied – Third Party to PTS
Zhenxing Li	FR 2017-5024	LR 2017-485	9-8-17 (Loveless)	Denied – ROR w/ PTS
Zhuxuan Dong	FR 2017-5025	LR 2017-486	9-7-17 (Brown)	Denied – ROR
Xinquan Zhou	FR 2017-5026	LR 2017-487	9-8-17 (Loveless)	Denied – ROR w/ PTS
Justin Harwood	FR 2017-5044	LR 2017-489 CR 2017-3169	9-11-17 (Zamora)	Granted

Crystal Mascarenas	FR 2017-5056	LR 2017-490	9-11-17 (Zamora)	Denied – ROR w/ PTS
Joshua Chavez	FR 2017-5059	LR 2017-491 CR 2017-3170	9-11-17 (Zamora)	Denied – ROR w/ PTS
Morris Mora	FR 2017-5078	LR 2017-492 CR 2017-3042	9-12-17 (Brown)	<i>WITHDRAWN; CONSOLIDATED PLEA</i>
Raymond Ledon	FR 2017-5063	LR 2017-493 CR 2017-3160	9-11-17 (Zamora)	Granted – NO BOND HOLD
Calletano Villalava	FR 2017-5075	LR 2017-494	9-12-17 (Brown)	Granted
Angel Alderette	FR 2017-5062	LR 2017-495 CR 2017-3167	9-12-17 (Brown)	Granted
Michael Jones	FR 2017-5084	LR 2017-501	9-12-17 (R. Brown)	Dismissed
Richard Tafoya	FR 2017-5097	LR 2017-502 CR 2017-3178	9-13-17 (Chavez)	Granted
Adrian Lovato	FR 2017-5087	LR 2017-503 CR 2017-3168	9-12-17 (Brown)	Granted
Joseph Jeantete	FR 2017-5093	LR 2017-504 CR 2017-3184	9-13-17 (Chavez)	Denied- 3PTS w/GPS // \$250 CASH
Adrian Alvear	FR 2017-5086	LR 2017-505	9-13-17 (Chavez)	Denied-\$500 CASH w/PTS OR 3 RD PTS
Ryan Rodriguez	FR 2017-5131	LR 2017-506 CR 2017-3182	9-13-17 (Chavez)	Granted
Albert Pulido	FR 2017-5110	LR 2017-507	9-14-17 (Chavez)	Denied-3 rd PTS
Johnny Ray Barela	FR 2017-5128	LR 2017-508 CR 2017-3180	9-14-17 (Chavez)	Granted
Lorenzo Hernandez	FR 2017-5136	LR 2017-509 CR 2017-3176	9-14-17 (Chavez)	Granted
Christopher Vallecillo	FR 2017-4800	LR 2017-510 CR 2017-3189	9-14-17 (Chavez)	Granted
Nichole Pohl	FR 2017-5152	LR 2017-511 CR 2017-3245	9-13-17 (Chavez)	Denied- 3 rd PTS
William Martinez	FR 2017-5147	LR 2017-512 CR 2017-3253	9-13-17 (Chavez)	Denied- 3 rd PTS
Joe Lujan	FR 2017-5148	LR 2017-513 CR 2017-3190	9-14-17 (Chavez)	Granted
James Marc Beverly	FR 2017-5182	LR 2017-517	9-15-17 (Zamora)	Denied- ROR
Jeremy Solis	FR 2017-5181	LR 2017-518 CR 2017-3310	9-15-17 (Zamora)	Granted
Jeremy Solis	FR 2017-5208	LR 2017-520 CR 2017-3205	9-15-17 (Zamora)	Granted
Jordan Ratliffe	FR-2017-5124	LR 2017-521	9-15-17 (Zamora)	Denied- ROR w/PTS
Brandon Williams	FR 2017-5090	LR 2017-522 CR 2017-3198	9-15-17 (Zamora)	Granted
Raul Garcia	FR 2017-5263	LR 2017-525	9-20-17 (Brown)	Denied- ROR w/ PTS
Justin Muniz	FR 2017-5258	LR 2017-526 CR 2017-3238	9-20-17 (Brown)	Granted
Justin Muniz	FR 2017-1846	LR 2017-527	9-20-17 (Brown)	Denied-ROR / No Order
Ryan Shook	FR 2017-5256	LR 2017-528	9-20-17 (Brown)	Granted 10-4-17- ROR
Miranda Gilbert	FR 2017-4759	LR 2017-529	9-20-17 (Brown)	Granted- NO BOND HOLD
John Brumett	FR 2017-5257	LR 2017-530	9-20-17 (Brown)	Granted 10-4-17- ROR

Jacob Barela	FR 2017-5295	LR 2017-533 CR 2017-3266	9-22-17 (Chavez)	Granted
Superman Amir	FR 2017-5302	LR 2017-534 CR 2017-3267	9-22-17 (Brown)	Granted
Lawrence Bustos	FR 2017-5301	LR 2017-535 CR 2017-3241	9-22-17 (Chavez)	Granted
Chris Yazzie	FR 2017-5293	LR 2017-536 CR 2017-536	9-22-17 (Chavez)	Granted
Salvador Perez	FR 2017-5330	LR 2017-537	9-25-17 (Brown)	Granted
David Spitz	FR 2017-5343	LR 2017-538	9-25-17 (Brown)	Granted
Kent McKnight	FR 2017-5331	LR 2017-539	9-25-17 (Brown)	Granted
Steven Salazar	FR 2017-4883	LR 2017-540	9-25-17 (Brown)	Granted
Valente Acosta-Bustillos	FR 2017-5352	LR 2017-541	9-26-17 (R. Brown)	Denied- ROR w/PTS
Lorenzo Garcia	FR 2017-5355	LR 2017-542	9-26-17 (R. Brown)	Denied- ROR w/PTS
Antonio R. Lobato	FR 2017-4487	LR 2017-543	9-26-17 (R. Brown)	Denied- ROR w/PTS
James Tennent	FR 2017-5363	LR 2017-544	9-28-17 (Loveless)	Granted
Richard Rodriguez-Aguirre	FR 2017-5409	LR 2017-546	9-28-17 (Loveless)	Granted
Steven Padilla	FR 2017-5384	LR 2017-547	9-28-17 (Loveless)	Granted
Vincent Martinez	FR 2017-5391	LR 2017-548	9-28-17 (Loveless)	Granted
Vincent Martinez	FR 2017-5348	LR 2017-549	9-28-17 (Loveless)	Granted
Ferron Mendez	FR 2017-5429	LR 2017-550	9-29-17 (Leos)	<i>WITHDRAWN</i> - ROR w/PTS
Rafael Gutierrez-Hernandez	FR 2017-5454	LR 2017-552	9-29-17 (Leos)	Denied- ROR w/PTS
Diego Ochoa	FR 2017-5435	LR 2017-553	9-29-17 (Leos)	Granted
Daniel White	FR 2017-0457	LR 2017-554	10-3-17 (Candelaria)	Granted
Myles Harger	FR 2017-5413 FR 2017-5452 FR 2017-5394	LR 2017-555 LR 2017-556 LR 2017-562	10-3-17 (Candelaria)	Denied – Third Party to PTS
Jose Perez	FR 2017-5395	LR 2017-557	10-4-17 (Flores) 10-6-17 (Argyres)	Granted
Marcus Troy	FR 2017-5423	LR 2017-558	10-4-17 (Flores)	Denied – Third Party to PTS
Miguel Cerrillo	FR 2017-5527	LR 2017-559	10-4-17 (Flores)	Denied/ROR w/ PTS
Victor Rodriguez-Najera	FR 2017-5521 FR 2017-5445	LR 2017-560 LR 2017-561	10-4-17 (Flores)	Continued; Held w/ ATP
Freddy Meese	FR 2017-5504	LR 2017-564	10-4-17 (Flores)	Withdrawn/No OSCOR
Angelo Martinez	FR 2017-5559	LR 2017-565	10-5-17 (Flores)	Denied – Third Party to PTS
Dina Diaz	FR 2017-5549	LR 2017-566	10-5-17 (Flores)	Nolle
Jonathan Johnson	FR 2017-5550	LR 2017-567	10-5-17 (Flores)	Withdrawn/Third Party to PTS
Thomas Lloyd	FR 2017-5496	LR 2017-568	10-5-17 (Flores)	Granted
Jon Wesley Walker	FR 2017-5554	LR 2017-569	10-5-17 (Flores)	Granted
Jose Mantell	FR 2017-5544	LR 2017-570	10-5-17 (Loveless)	Granted
Lawrence Krause	FR 2017-5556	LR 2017-571	10-5-17 (Leos)	Granted
Juan Olivas	FR 2017-5568	LR 2017-572	10-6-17 (Argyres)	Pled
Milton Stanley	FR 2017-5409	LR 2017-575	10-6-17 (Argyres)	Continued; Held w/ ATP

Briana Naranjo	FR 2017-5593	LR 2017-576	10-6-17 (Argyres)	Withdrawn/ROR w/ PTS
Noah Gonzales	FR 2017-5617	LR 2017-578	10-10-17 (R.Brown)	Denied/ROR w/ PTS
Leonard Martinez	FR 2017-5611	LR 2017-579	10-10-17 (R.Brown)	Denied/ROR w/ PTS
Daniel Saavedra	FR 2017-5643 FR 2017-5631 FR 2017-5630	LR 2017-580 LR 2017-581 LR 2017-582	10-10-17 (R.Brown)	Denied/ROR w/ PTS
Ryan Salazar	FR 2017-5634 FR 2017-5635	LR 2017-583 LR 2017-584	10-10-10 (R.Brown)	Granted
Albert Pulido	FR 2017-5642	LR 2017-585	10-10-17 (R.Brown)	Denied/ROR w/ PTS
Robert Alequin	FR 2017-5826	LR 2017-586	10-10-17 (Flores)	Denied/ROR w/ PTS
Luis Yong-Juarez	FR 2017-5627	LR 2017-587	10-11-17 (Leos)	Denied/3 rd to PTS
Frankie Encinias	FR 2017-5671	LR 2017-588	10-11-17 (Leos)	Granted
Purvis O'Quinn	FR 2017-5656	LR 2017-589	10-11-17 (Leos)	Denied/ROR w PTS
Michael Garcia	FR 2017-5669	LR 2017-590	10-11-17 (Leos)	Pled/Sentenced *No Plea/J&S*
Juan Garcia	FR 2017-5658	LR 2017-591	10-11-17 (Leos)	Denied/3 rd to PTS
Manuel Dobbs	FR 2017-5668	LR 2017-592	10-11-17 (Leos)	Denied/3 rd to PTS
Thomas Gruber	FR 2017-5678	LR 2017-594	10-12-17 (Leos)	Denied/3 rd to PTS after ATP
Ruben Ruiz	FR 2017-5689	LR 2017-595	10-13-17 (Flores)	Granted
Eric Reddick	FR 2017-5689	LR 2017-596	10-12-17 (Leos)	Nolle filed
Samuel Montes	FR 2017-5709	LR 2017-597	10-12-17 (Leos)	Granted
Michael Nicasio	FR 2017-5722	LR 2017-598	10-12-17 (Leos)	Granted
Enrique Chavez	FR 2017-5702	LR 2017-599	10-12-17 (Leos)	Granted
Steven Lucero	FR 2017-5793 FR 2017-4841	LR 2017-601 LR 2017-602	10-13-17 (Flores)	Granted
Karrar Alhameedi	FR 2017-5755	LR 2017-603	10-13-17 (Flores)	Denied/ROR w/ PTS/No Order
James Hawley	FR 2017-5757	LR 2017-604	10-16-17 (Leos)	Denicd/3 rd to PTS
Christopher Cordova	FR 2017-5779	LR 2017-606	10-18-17 at 8:30 (Hart)	Granted
Francisco Rodriguez	FR 2017-5808	LR 2017-608	10-18-17 @ 9:30 (Hart)	Denied/ROR/No Order
Juan Davila-Vasquez	FR 2017-5811	LR 2017-609	10-18-17 @ 10:30 (Hart)	Granted/No Order
Dominic Gutierrez	FR 2017-5809 FR 2016-2918	LR 2017-607 LR 2017-610	10-18-17 @ 1:30 (Hart)	Granted/No Order
Manuel Gonzales	FR 2017-5833	LR 2017-612	10-18-17 @ 2:30 (Hart)	Denied/ROR w/ PTS/No Order
Abdias Flores	FR 2017-5830	LR 2017-613	10-23-17 @ 8:30 (Hart) 10-19-17 @ 3:30 (Hart)	
Frank Cordova	FR 2017-5810	LR 2017-614	10-19-17 @ 10 (Hart)	WITHDRAWN/ROR w/ PTS
Jereb Bevel	FR 2017-5866	LR 2017-616	10-20-17 @ 11 (Leos)	
Ryan Griffin	FR 2017-4226	LR 2017-617	Withdrawn	ROR in Metro Case #
Dashawn Robertson	FR 2017-5225	LR 2017-618	10-20-17@ 11:45 (Leos)	
Kyler Jones	FR 2017-5857	LR 2017-619	10-20-17 @ 12:30 (Leos)	
Bobby Castillo	FR 2017-5871	LR 2017-620	10-23-17 @ 1:30 (Hart)	
Bernard Baca	FR 2017-5874	LR 2017-621	10-23-17 @ 2:15 (Hart)	
Arthur Pueda	FR 2017-5875	LR 2017-622	10-23-17 @ 3 (Hart)	

Michael Baca	FR 2017-5888	LR 2017-623	10-24-17@8:30 (Brown)	
Gregory Weightman	FR 2017-5878	LR 2017-624	10-24-17 @ 9 (Brown)	

Exhibit C

Sampling of Pretrial Detention Hearings with Detailed Outcome Information

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Xavier N. Montoya	LR 2016-54 CR 2016-4211 FR 2016-6637	Kidnapping Robbery Conspiracy Car theft Fleeing Tampering Contributing to delinquency of minor	12/16/16 Mt PD Continuing pending GJ 12/28/17 Mt PD (in Cr 16-4211) Mt PD denied ordered to CCP 3/4/17 Mt PD granted b/c not eligible for CCP	Denied		
Reymundo T. Lucero	LR 2017-00004 CR 2017 FR 2017-344	Agg burg Crim Dam prop Larceny	1/13/17 Mt PD 1/24/17 Denied \$100K cash 1/30/17 Indictment	Denied		
Daryl Albert	LR 2017-00005 CR 2017-398 FR 2017-327	Murder	1/19/17 Mt PD 2/2/17 Granted/NBH 2/2/17 Indictment	Granted		
Shawn Rowley	LR 2017-00006 CR 2017-386 FR 2017-319	Child abuse Agg assault	1/19/17 Mt PD 1/26/17 Denied \$15K USB/PTS 2/1/17 Indictment	Denied		Nolle
Daryl Martinez	LR 2017-00007 CR 2017-497 FR 2017-320	Agg assault HHM Child abuse Tampering Shooting at MV Possession Resisting	1/19/17 Mt PD 2/1/17 Denied 2/13/17 Indictment 5/2/17 Remand to custody for ATP 8/9/17 Consolidated plea	Denied		Remanded to custody
Genoveva Fazio	LR 2017-00008 CR 2017-441 FR 2016-6786	Child abuse CSCM Kidnapping	12/18/16 Mt PD 1/25/17 Denied 3rd party PTS GPS 2/3/17 Indictment	Denied		

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Christopher Heh	LR 2017-00009 CR 2017-438 FR 2017-348	Auto burglary	1/19/17 Mt PD 1/25/17 Denied 15K C/S & PTS 2/3/17 Indictment	Denied		
Elexus Groves	LR 2017-00010 CR 2017-407 FR 2017-399	Felony murder Unlawful taking MV Tampering Agg fleeing Agg batt	1/26/17 Denied 100K Cash/PTS (didn't post bond, stayed MDC) 2/2/17 Indictment 2/3/17 Mt PD 2/2/17 interim NBH 3/7/17 Conditions denied (based on old constituional provision) 3/21/17 D: NOA	Denied		Appeal
Diego Yanez	LR 2017-00014 CR 2017-543 FR 2017-543	Aggravated fleeing Burglary Burglary tools	1/30/17 Mt PD 2/14/17 Granted NBH 2/24/17 NOA 6/2/17 Withdrawl of appeal	Granted		
Dominic F. Moya	LR 2017-00015 CR 2017-546 FR 2017-0550	Receiving/Tran MV Agg fleeing Resisting arrest	1/30/17Mt PD 2/6/17 Denied/ 3rd Party PTS 2/13/17 Indictment 5/16/17 BW for failure to comply 7/18/17 Arrest7/25/17 Release w/ conditions 7/27/17 BW for failure to comply 8/1/17 BW quashed 8/23/17 Nolle: believes D dead	Denied		BW Nolle

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Jasper Reed	LR 2017-00017 CR 2017-523 FR 2017-474	Armed Robbery Agg batt Child abuse Conspiracy Bribery	2/2/17 Mt PD2/10/17 Indictment 2/17/17 Mt PD 2/28/17 Granted 3/28/17 Granted in LR/ NO BOND HOLD	Granted		
Ronald Ford	LR 2017-00018 FR 2017-657 CR 2017-3155	Agg stalking	2/3/17 Mt PD 2/13/17 Denied/\$50,000 CASH 9/19/17 Indictment	Denied		D
Joseph Barlow	LR 2017-00019 CR 2017-643 FR 2017-728	Shooting at/frm MV Agg assault Felon in possession Child abuse	2/6/17 Mt PD 2/9/17 Denied 2/20/17 Indictment	Denied		D
Joseph F. Saccoccia	LR 2017-00020 FR 2016-4642 CR 17-2969	Agg assault w/ DW	2/6/17 Mt PD 2/9/17 Denied/ ROR 8/31/17 Criminal information	Denied		D
Aaron D. Evangel	LR 2017-00021 CR 2017-644 FR 2017-726	Agg assault HHM Possesion by felon Battery HHM	2/6/17 Mt PD 2/9/17 Granted/ NO BOND HOLD 2/20/17 Indictment 6/15/17 Nolle, plea in 17-551	Granted		Nolle
Aaron D. Evangel	LR 2017-00022 CR 2017-624 FR 2016-6911	Agg assault HHm False imprisonment Battery HHM	2/6/17 Mt PD 2/9/17 Granted/NO BOND HOLD 6/15/17 Nolle, plea in CR 17-551	Granted		Nolle
Aaron Martinez	LR 2017-00023 CR 20174-642 FR 2017-694	Agg batt GBH Child abuse B&E Interference w/ communications	2/7/17 Mt PD 2/9/17 Denied/ \$1,000 Cash w/PTS 2/20/17 Indictment	Denied		

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Shannon Patchell	LR 2017-00024 FR 2016-6749 CR 2017-625	Murder (Mt PD) Vol. Manslaughter (Indict)	2/7/17 Mt PD 2/15/17 Granted/ NO BOND HOLD 2/17/17 Indictment	Granted		
Deandre Smith	LR 2017-00025 CR 2017-609 FR 2017-664	Residential burglary Agg fleeing Trafficking	2/7/17 Mt PD 2/13/17 Granted/ NO BOND HOLD 2/16/17 Indictment 2/24/17 Conditions 3/7/17 State motion to reconsider 3/23/17 Mt Reconsider denied	Granted		
Lamar Watts	LR 2017-00026 CR 2017-610 FR 2017-666	Residential burglary Agg fleeing Trafficking	2/7/17 Mt PD 2/13/17 Granted/ NO BOND HOLD 2/16/17 Indictment 2/24/17 Conditions of release 3/7/17 State's mt to reconsider 3/23/17 Mt reconsider denied 8/4/17 Plea agreement	Granted		G
Nathaniel Martinez	LR 2017-00027 CR 2017-672 FR 2017-765	Shooting at occupied dwelling Agg assault HHM Agg assault DW	2/7/17 Mt PD 2/20/17 Granted/ NO BOND HOLD 2/21/17 Indictment 5/8/17 D Mt to reconsider PD 5/24/17 Mt Recon Denied 8/21-8/24 Jury trial 8/24/17 Released ROR	Granted		Jury Trial (ROR)

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Raymond Ortiz	LR 2017-00028 CR 2017-697 FR 2017-751	Murder Shooting at/frm MV Possesion by felon	2/8/17 Mt PD 2/15/17 Granted/ NO BOND HOLD 2/23/17 Indictment 3/17/17 D raises conditions in court 5/25/17 Deny motion for release	Granted		
Gregory Dozier	LR 2017-00030 CR 2017-742 FR 2017-480	Robbery Agg batt GBH DW	2/10/17 Mt PD 2/15/17 Denied/ ROR w/ PTS 2/24/17 Indictment (add attempt murder) 2/24/17 presentment: held w/o Bond 3/3/17 NBH continued	Denied		Later, NBH
Elaine Sandoval	LR 2017-00031 CR 2017-1006 FR 207-868	Homicide b/ vehicle DWI	2/13/17 Mt PD 2/17/17 Denied/ \$35,000 C/S 3/16/17 Indictment	Denied		
Carmen A. Salinas	LR 2017-00032 CR 2017-747 FR 2017-858	Attempted robbery DW Agg assault DW Shooting at/frm MV Contributing to delinquency of minor Conspiracy	2/13/17 Mt PD 2/22/17 Denied/ \$25,000 CASH or 3PTS 2/27/17 Indictment 8/16/17 BW for FTC 8/22/17 BW quashed 8/22/17 BW for FTA compliance hearing 9/19/17 Booked into custody 9/25/17 Mt PD denied 10/5/17 Competency raised	Denied		BW

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Alfred Encinas	LR 2017-00033 CR 2017-748 FR 2017-668	Agg batt HHM GBH Child abuse	2/13/17 Mt PD 2/22/17 Denied/ \$1,000 Cash w/ PTS 2/27/17 Indictment 7/12/17 Nolle: uncooperative victim	Denied		Nolle
Antonio C. Dominguez	LR 2017-00034 CR 2017-717 FR 2016-5298	CSP Agg batt	2/13/17 Mt PD 2/16/17 Granted/ NO BOND HOLD 2/24/17 Indictment (more charges)	Granted		
Marvin C. Riley	LR 2017-00035 CR 2017-749 FR 2017-794	Agg batt DW Extreme cruelty to animals	2/13/17 Mt PD 2/16/17 Denied 2/27/17 Indictment 9/5/17 Report re: FTC 9/7/17 Plea	Denied		
Samson Jones	LR 2017-00036 CR 2017-790 FR 2017-932	Robbery Kidnapping CSC Unlawful MV taking Conspiracy Intimidation Rec/Tran MV	2/15/17 Mt PD 2/16/17 Denied/\$30,000 C/S and 3PTS 3/1/17 Indictment 3/13/17 D Mt Recon, can't post bond 4/6/17 D Mt granted 5/8/17 BW FTC 5/15/17 BW quashed 5/15/17 BW for FTA 5/31/17 BW quashed, arrested	Denied		Later NBH

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Frankie Trujillo	LR 2017-00037 CR 2017-792 FR 2017-933	Robbery Agg batt Agg burg Kidnapping Possession by felon CSC Unlawful MV taking Tampering Conspiracy Intimidation Rec/Tran MV	2/15/17 Mt PD 2/16/17 Granted/ NO BOND HOLD 3/1/17 Indictment	Granted		
Roberto O. Martinez	LR 2017-00038 CR 2017-791 FR 2017-935	Robbery Agg burg Agg batt Agg assault CSC Unlawful taking MV Conspiracy Intimidation Rec/Tran MV	2/15/17 Mt PD 2/22/17 Denied/ ROR 3/1/17 Indictment 7/3/17 Report of FTC 7/24/17 Remand to custody to complete ATP 10/5/17 report of noncompliance 10/10/17 FTA compliance hearing/BW	Denied		
Jorge Correa-Reyes	LR 2017-00040 CR 2017-844 FR 2017-714	Murder Tampering Child abuse no GBH Kidnapping	2/17/17 Mt PD 2/27/17 Denied/ \$100,000 C/S 3/3/17 Indictment 5/24/17 D Mt reduce bond 7/11/17 Renewed Mt PD 8/1/17 Mt reduce bond granted in part 9/21/17 Noncompliance report 9/28/17 Noncompliance report 10/2/17 Compliance hearing	Denied		

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Luis Garcia-Zarate	LR 2017-00041 CR 2017-1983 FR 2017-248	Agg burg Armed robbery Child abuse no GBH Kidnapping	2/17/17 Mt PD 2/22/17 Denied/ \$100,000 C/S W/PTS 5/31/17 Indictment 8/25/17 Report of "minor" violation, not requesting court action	Denied	7/11/17 PSA: flag, 5 scores, detain	
Emilio J. Mirabal	LR 2017-42 CR 2017-874 FR 2016-6689	Second degree murder Robbery Conspiracy	2/20/17 Mt PD 2/27/17 denied (at this time) D not transported 3/7/17 Indictment 3/13/17 3 rd party release recommendation by PTS 3/27/17 Mt PD 4/3/17 Mt PD denied 7/26/17 mt PD denied 8/16/17 Mt PD denied	Denied		
Lee B. Brandenburg	LR 2017-00043 CR 2017-820 FR 2017-970	Agg assault Agg batt Attempted armed robbery	2/21/17 Mt PD 2/24/17 Granted 3/20/17 NOA 6/23/17 Appeal dismissed as untimely	Granted		
Paul M. Martinez	LR 2017-45 CR 2017-797 FR 2017-931		2/22/17 Mt PD 3/16/17 Indictment Detention hrg held in Cr # 3/24/17 NBH	Granted		

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Luke Waruszewski	LR 2017-00047 CR 2017-1004 FR 2017-1248	Murder Armed robbery Tampering Criminal damage to property	3/1/17 Mt PD 3/8/17 Denied (b/c not filed as an appeal of the MC decision to grant bond in capital case) 3/16/17 Indictment 3/16/17 Presentment order NBH	Denied		Later NBH
Elias Vigil	LR 2017-00048 FR 2016-6286 (no CR)	Agg assault (DW) Possession by felon	3/1/17 Mt PD 3/15/17 Denied 5/23/17 Nolle (Uncooperative victim)	Denied		Nolle
Marcos Cordova	LR 2017-00049 CR 2017-938 FR 2017-1175	Armed robbery Agg assault Robbery Attempted armed robbery Rec/tran MV Resisting	3/2/17 Mt PD (LR) 3/10/17 Indictment 3/13/17 Granted NBH 9/5/17 Plea	Granted		
Marcos Cordova	LR 2017-00050 CR 2017-938FR 2017-954	Armed robbery Agg assault Robbery Attempted armed robbery Rec/tran MV Resisting	3/2/17 Mt PD (LR) 3/10/17 Indictment 3/13/17 Granted NBH 9/5/17 Plea	Granted		
Jose Cisneros-Legarda	LR 2017-00052 FR 2017-975 CF 2017-2320	Conspiracy Armed robbery (I) Agg assault (I)	3/6/17 Mt PD 3/8/17 Denied 7/5/17 Indictment 10/4/17 Plea	Denied		

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Edwin E. Ortiz Parra	LR 2017-00054 CR 2017-1057 FR 2017-1327	Murder Conspiracy Kidnapping Attemp Agg batt Armed robbery	3/7/17 Mt PD 3/8/17 First Appearance 3/8/17 Granted NBH 3/22/17 Indictment 6/14/17 D Mt Reconsider NBH 7/14/17 Mt PD 7/24/17 Order continuing NBH	Granted		
Eder Ortiz-Parra	LR 2017-00055 CR 2017-1056 FR 2017-1323	Murder Conspiracy Kidnapping Attemp Agg batt Armed robbery	3/7/17 Mt PD 3/8/17 Grant NBH 3/22/17 Indictment	Granted		
Rafael Gonzalez-Parra	LR 2017-00056 CR 2017-1055 FR 2017-1326	Murder Conspiracy Kidnapping Attemp Agg batt Armed robbery	3/7/17 Mt PD 3/8/17 Granted NBH couldn't access DC case	Granted		
Steven Haddox	LR 2017-00057 FR 2017-1301	Agg batt DW Shooting at /fr MV Possession by felon Conspiracy	3/7/17 Mt PD 3/13/17 Denied/ROR 3/17/17 Nolle	Denied		Nolle
Marcus Chestnut	LR 2017-0005 CR 2017-984 FR 2017-1393	Agg stalking DW Child abuse Shooting at/fr dwelling Tampering	3/8/17 Mt PD 3/10/17 Denied/\$500 10% W/PTS GPS 3/14/17 Indictment 3/20/17 noncompliance reportNBH in 2016-0027 6/22/17 plea hearing	Denied	3/20/17 Report: recommend 3 rd party or PD	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Morris Mora	LR 2017-00059 CR 2017-1083 FR 2017-1429	Unlawful taking MV Felon in possession Conspiracy Possession CS	3/10/17 Mt PD 3/15/17 Denied 3/23/17 Indicted 5/25/17 D mt reduce bond 8/16/17 report of noncompliance 8/16/17 arrested 8/24/17 motion to revoke bond 9/8/17 nolle: feds took jurisdiction	Denied	3/31/17 PTS report: 3rd party custody 6/15/17 PSA, no flag, 4 scores, ROR	Nolle (feds taking over prosecution)
Paul Martinez	LR 2017-00061 CR 2017-1985 FR 2017-1465	Unlawful taking MV Conspiracy Agg fleeing Possession of burg tools Reckless driving	3/13/17 Mt PD 3/24/17 Motion withdrawn 5/31/17 Indictment 6/5/17 Bond set 8/20/17 plea	Withdrawn	6/5/17 PTS report, 3 rd party release to PDS	
Johnson Thor	LR 2017-00062 FR 2017-1482 (no CR) (can't acces FR)		3/13/17 MT PD 3/16/17 Mt Denied (ROR w/PTS)	Denied	3/13/17 Mt PD 3/16/17 Denied/ROR	Not indicted

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Wesley Dawes	LR 2017-00063 CR 2017-1220 FR 2017-1476	CSP	3/13/17 Mt PD 3/16/17 Mt denied (ROR w/PTS) 3/30/17 Criminal information (criminal trespass same date as CSP charge) 4/10/17 warrant FTA arraignment 7/2/17 arrested 7/10/17 ROR 7/11/17 plea	Denied	7/3/17 PSA, no flag, 5 NCA & 6 FTA; detain or release max conditions	
Emilio J. Mirabal	LR 2017-00066 CR 2017-1238 FR 2017-1548	Agg batt DW GBH Agg bat w/o GBH Conspiracy	3/17/17 Mt PD 3/22/17 Denied 3/31/17 Indictment, 4/7/17 bond	Denied	4/7/17 PTS report; 3 rd party supervision	
Paul E. Salas	LR 2017-00067 CR 2017-1240 FR 2017-1597	Armed robbery	3/17/17 Mt PD 3/22/17 Denied 3/31/17 Indictment 4/6/17 notice of federal custody 4/10/17 bond set 4/28/17 Detention hearing 5/2/17 Motion granted NBH 7/24/17 Nolle: feds taking jurisdiction	Denied		Later NBH Nolle (fed prosec.)

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Mauralon Harper	LR 2017-00068 CR 2017-1259 FR 2017-1568	Attempted murder Shooting at/fr MV Possession by felon Crim Dam Prop Tampering	3/20/17 Mt PD 3/24/17 Mt Denied (denied several times) 4/3/17 Indictment 4/3/17 Arrested 6/15/17 Mt PD denied again	Denied		
Kyle L. Matlock	LR 2017-00069 FR 2017-1445 (no CR) (can't access FR)	CSP Agg Batt HHM	3/20/17 Mt PD 3/22/17 Order denying Does appear to be indicted	Denied		
Joshua Ortega	LR 2017-00070 LR 2017-00071 FR 2017-1552 FR 2017-1613 CR 17-1254	Unlawful taking MV (070) Agg fleeing (070) Child abuse (070) Robbery (070)	3/20/17 Mt PD 3/23/17 Granted 4/3/17 Indictment 6/23/17 Mt Reconsider 7/12/17 Order denying Mt Reconsider 9/8/17 Plea	Granted		
Eder Thomas Parra-Ortiz	LR 2017-00072 CR 2017-1255 FR 2017-1577	Murder Conspiracy	3/20/17 Mt PD 3/23/17 Mt Denied 4/3/17 Indictment 4/3/17 NBH-Presentment 4/7/17 Bond set	Denied	4/7/17 PTS Report: deposit to court, 3rd party services	
Steve Martinez	LR 2017-00073 CR 2017-1282 FR 2017-1630	Agg DWI Agg fleeing	3/20/17 Mt PD 3/24/17 Mt Denied 4/4/17 Criminal complaint 9/11/17 Notice of "minor" violation	Denied		

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Muhammad Ameer	LR 2017-00075 CR 2017-1237 FR 2017-1669	Murder Robbery DW	3/22/17 Mt PD 3/24/17 Order granting Mt PD 3/31/17 Indictment 4/4/17 D appeals PD	Granted	4/7/17 PTS Report: 3rd party services & intensive supervision	
Lamar Watts	LR 2017-00076 CR 2017-1244 FR 2017-1672	Armed robbery	3/22/17 Mt PD 3/24/17 Order denying Mt PD 3/31/17 Indictment 4/7/17 Bond set 8/17/17 Nolle: plea in 2 other cases	Denied	4/7/17 PTS Report: 3rd party to PTS & USB	Nolle
Ja'Karl A. Jenkins	LR 2017-00077 CR 2017-1285 FR 2017-1454	Agg batt HHM Child abuse Batt HHM	3/22/17 Mt PD 3/24/17 Conditions of release 4/5/17 Indictment 4/17/17 FTA arraignment, Warrant--NBH 7/20/17 Arrested, warrant quashed 7/28/17 3rd party release to PTS 8/8/17 PTS request for remand 8/8/17 Remand order b/c new charges (rec/tran MV) 8/31/17 New conditions: bond 10/10/17 Competency	Denied	7/21/17 PSA: No flag, 3 on both scales, recommends ROR PML2	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Dennis Romero	LR 2017-00078 CR 2017-1242 FR 2017-1674	Armed robbery	3/23/17 Mt PD 3/28/17 Mt PD Denied 3/31/17 Indictment 4/7/17 Conditions set 4/11/17 D Mt reconsider conditions 5/19/17 D Mt reconsider conditions 6/5/17 Order reducing bond	Denied	4/7/17 PTS Report: 3rd party to PTS & USB	
Justin A. Leverette	LR 2017-00081 CR 2017-1340 FR 2017-1755	Shooting at/fr MV Firearms/dest. device Rec/tran by felon	3/24/17 Mt PD 4/3/17 Mt Denied 4/7/17 Indictment 4/21/17 Dismissed: failed to transport twice 8/22/17 Re-indicted (2826) 8/28/17 Release third party	Denied	8/24/17 PSA (2nd Indictment) flag, 5 scores, recommends detain	
Christy Vasquez	LR 2017-00082 FR 2017-1699	Murder	3/28/17 Mt PD 3/31/17 Mt PD granted 4/14/17 Emerg. Mt to vacate detention order (No GJ held) 4/14/17 Vacating prior orders and ordering release	Granted		
Leonora V. Lopez	LR 2017-00083 CR 2017-1366 FR 2016-6150	Attempted murder Agg batt DW	3/28/17 Mt PD 3/31/17 Mt PD denied couldn't access	Denied		
David Camarena	LR 2017-00085 CR 2017- FR 2016-6594	Agg batt HHM Kidnapping	3/29/17 Mt PD 3/31/17 Mt PD Denied No indictment shown on search	Denied		

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Robert Billie	LR 2017-00086 CR 2017-1420 FR 2017-1900	Robbery DW Conspiracy	4/3/17 Mt PD 4/19/18 Mt PD Granted 4/14/17 Criminal information	Granted	4/21/17 PTS Report: Deposit to court, 3rd party release & intense supervision	
James Lucero	LR 2017-00087 CR 2017-1342 FR 2016-5851	Agg batt HHM Child Abuse Batt HHM	4/3/17 Mt PD 4/7/17 Mt PD Denied 4/7/17 Criminal Information 4/14/17 Plea 6/7/17 Notice probation violation	Denied		
Isaiah Lucero	LR 2017-00089 CR 2017-1528 FR 2017-1994	Agg assault intent to commit violent felony Shooting at/fr MV	4/11/17 Mt PD 4/21/17 Mt PD Denied 4/25/17 Indictment 5/8/17 Conditions set 9/27/17 Plea	Denied		
Violet Andrews	LR 2017-00090 FR 2017-1961 CR 2017-2210	Attempted murder Agg batt HHM Tampering	4/11/17 Mt PD 4/14/17 Mt PD denied 6/21/17 Criminal information 7/5/17 Amended criminal information 7/13/17 Nolle: uncooperative victim & best interests of justice	Denied		Nolle

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Terry White	LR 2017-00092 CR 2017-1524 FR 2017-1885	Murder Tampering	4/14/17 Mt PD 4/17/17 MT PD granted 4/25/17 Indictment 7/27/17 D Mt review conditions 9/29/17 Granting State's 2nd MtPD	Granted		
Mack Overton	LR 2017-00093 CR 2017-1580 FR 2017-2167	Agg batt DW	4/17/17 Mt PD 4/21/17 Mt PD granted 4/28/17 Indictment	Granted		
Isaiah Gurule	LR 2017-00094 CR 2017-1621 FR 2017-1944	Kidnapping Agg assault DW Battery HHM	4/17/17 Mt PD 4/21/17 Mt PD granted Can't access	Granted		
Michael Bustos	LR 2017-00095 CR 2017-1606 FR 2017-2140	CSP - minor	4/18/17 Mt PD 4/21/17 Granted 5/2/17 Indictment	Granted	5/8/17 PTS Report 3rd party to PTS and USB w/ intense supervision	
Michael Bustos	LR 2017-00096 CR 2017-1624 FR 2017-2139	CSP - minor	4/18/17 Mt PD 4/21/17 Granted 5/2/17 Indictment	Granted	5/8/17 PTS Report 3rd party to PTS and USB w/ intense supervision	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Scott Bachicha	LR 2017-00097 CR 2017-1625 FR 2017-2202	Murder	4/18/17 Mt PD 4/25/17 Mt GRANTED 5/2/17 Mt reconsider (D) 5/3/17 Indictment 5/10/17 Mt reconsider denied (LR) 6/1/17 Mt to reconsider 6/30/17 Order to reopen detention hearing 7/19/17 Order vacating detention order 7/27/17 Conditions set 9/26/17 Notice of minor violation	Granted	7/20/17 PSA: flag, 3 on NCA, 4 on FTA, ROR PML 2	vacated
Caley Volante	LR 2017-00098 CR 2017-1640 FR 2017-2227	Possession of explosive or incendiary device	4/19/17 Mt PD 4/24/17 Mt PD GRANTED 5/4/17 Indictment	Granted	5/12/17 PTS Report: deposit to court, 3rd party to PTS	
Caley Volante	LR 2017-00099 FR 2017-2253	Possession of explosive device	4/20/17 Mt PD 4/24/17 Mt PD GRANTED 8/1/17 petition for dismissal and discharge 8/3/17 granted	Granted		Dismissed

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Anthony Serna	LR 2017-00101 CR 2017-1678 FR 2017-2297	Child abuse GBH or RD	4/24/17 Mt PD 4/28/17 Mt PD Denied 5/8/17 Indictment 5/15/17 Conditions of release 7/26/17 State motion to reconsider conditions (new evidence) 8/10/17 Order denying motion to reconsider	Denied		
Paul Alderete	LR 2017-00102 CR 2017-1674 FR 2017-2288	Shooting at/frm dwelling Assault w/ intent to commit violent felony Tampering	4/24/17 Mt PD 5/3/17 Mt PD Granted 5/8/17 Indictment	Granted	5/12/17 PTS Report: 3rd party to PTS and USB	
Esteban Garcia	LR 2017-00104 CR 2017-1686 FR 2017-2327	Rec/Tran stolen MV	4/24/17 Mt PD 4/28/17 Mt PD Granted 5/9/17 Indictment	Granted		
Reymundo T. Lucero	LR 2017-00105 CR 2017-1708 FR 2017-2354	Possession of DW by prisoner Tampering	4/25/17 Mt PD 4/28/17 Mt PD DENIED 5/10/17 Indictment 5/19/17 Conditions set	Denied	5/19/17 PTS Report: 3rd party to PTS and USB	
Joaquin Garbiso	LR 2017-00106 CR 2017-1736 FR 2017-2396	Abandonment/abuse of child CSP minor CSCM Kidnapping	4/28/17 Mt PD 5/2/17 Granted 5/11/17 Indictment	Granted		
Matthew Woods	LR 2017-00107 CR 2017-1786 FR 2017-2442	Agg assault on HHM	5/1/17 Mt PD 5/9/17 Mt PD Granted Can't access	Granted		

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Adonus Encinias	LR 2017-00108 CR 2017-1777 FR 2017-2444	Armed robbery	5/1/17 Mt PD 5/15/17 Mt PD Granted 5/15/17 Indictment 6/23/17 D Mt reconsider 7/10/17 Order denying mt recon	Granted	5/19/17 PTS Report: Deposit to court, 3rd party and intensive supervision or preventive detention	
Miguel Armendariz	LR 2017-109 CR 2017-1778 FR 2017-2445	Agg batt DW/GBH	5/1/17 Mt PD 5/5/17 Mt Denied 5/15/17 Indictment 5/30/17 Order setting conditions 7/14/17 stipulated mt for PD denied 8/25/17 Report of minor violation 8/29/17 Notice of non compliance 9/5/17 BW quashed 9/20/17 Nolle (uncooperative witness)	Denied	5/22/17 PTS Report: Deposit to court, 3rd party to PTS and intensive supervision	Nolle

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
David Heard	LR 2017-00110 CR 2017-1793 FR 2017-2493	False imprisonment	5/3/17 Mt PD 5/10/17 MT PD DENIED 5/16/17 Indictment 6/30/17 Noncompliance report 7/15/17 Arrest 7/27/17 Conditions: ROR w/ conditions (No PTD mt filed by state); permitted to contact victim at her request 8/24/17 State emerg. Mt review conditions, arrested for new acts of violence on victim 9/6/17 Emerg Mt withdrawn 9/22/17 Nolle	Denied	5/22/17 PTS Report: Deposit to court, 3rd party to PTS and intensive supervision	Nolle
Luis Chavez	LR 2017-00111 CR 2017-1832 FR 2017-2523	CSPM CSCM Child abuse/abandon Contributing to delinquency of minor	5/3/17 Mt D 5/8/17 Order denying motion 5/16/17 bond posted 5/17/17 Indictment 5/30/17 Conditions set (bond) 6/14/17 D Mt. review conditions 6/29/17 Order on conditions 9/22/17 D Mt modify conditions 10/11/17 Order modifying conditions	Denied		

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Humberto Coronado-Mendoza	LR 2017-00112 CR 2017-1834 FR 2017-2509	Agg batt DW Attempt to commit felony	5/3/17 Mt PD 5/9/17 Order denying Mt PD 5/17/17 Indictment (only attempted murder) 6/2/17 Conditions set (bond)	Denied		
Kshawn T. Cornwell	LR 2017-00113 CR 2017-1850 FR 2017-2547	Robbery w DW Conspiracy Agg assault DW Shooting at/fr MV Agg bat DW Agg fleeing	5/4/17 Mt PD 5/17/17 Order granting PD 5/18/17 Indictment (many more charges) 10/6/2017 Plea	Granted	5/26/17 ROR and PTS supervision	
Christopher Pino	LR 2017-00114 CR 2017-1879 FR 2017-2578	Murder Agg assault DW	5/8/17 Mt PD 5/12/17 Order denying PD 5/15/17 bond posted 5/22/17 Indictment (2nd degree murder, homicide by vehicle, leaving scene, agg assault DW) 6/28/17 Conditions set (bond) 8/31/17 D Mt to modify conditions (wants to swim for his health) 9/26/17 Notice of minor violation	Denied		
Jacob A. Chavez	LR 2017-00115 CR 2017-1891 FR 2017-1797	Residential burglary	5/9/17 Mt. PD 5/16/17 Mt PD Denied 5/23/17 Indictment (residential burglary, larceny) 5/30/17 Conditions set (bond) 6/23/17 Plea agreement	Denied	5/30/17 PTS Report: deposit to court, 3rd party to PTS	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Jacob A. Chavez	LR 2017-00116 FR 2017-1678	Residential burglary	5/9/17 Mt. PD 5/24/17 Mt PD Denied 5/30/17 Conditions set (bond) 6/23/17 Plea agreement 6/6/17 Nolle	Denied		Nolle
John G. McArthur	LR 2017-00117 CR 2017-1934 FR 2017-2648	Murder Tampering	5/10/17 Mt PD 5/23/17 Proceedings stayed (compentency) 5/25/17 Indictment (murder, agg batt, tampering) 6/1/17 NBH 6/1/17 Competency eval order	Granted		
Anthony Romero	LR 2017-00118 CR 2017-1952 FR 2017-2674	Robbery DW Shooting into occupied dwelling Shooting at/fr MV Kidnapping Agg assault	5/11/17 Mt PD (LR) 5/26/17 Indictment (armed robbery, crim damage to prop, agg assault DW, rec/tran MV) 6/6/17 Mt PD Granted (LR)	Granted	6/2/17 PTS Report: deposit to court, 3rd party and intensive supervision OR preventive detention	
Stephen R. Stinger	LR 2017-00120 CR 2017-1967 FR 2017-2721	Agg batt DW Agg assault DW	5/15/17 Mt PD 5/19/17 Order denying PD 5/20/17 Inditment (same) 6/12/17 Conditions (ROR & PTS)	Denied		

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Desi Cordova	LR 2017-00122 CR 2017-1997 FR 2017-2789	Agg burg Agg assaul Agg batt GBH Rec/Tran MV Unlawful taking MV Agg fleeing	5/17/17 Mt PD 5/22/17 Mt PD Denied 5/31/17 Indictment (more charges) 6/9/17 Conditions set (bond) 7/18/17 Booking notice (transported from LCCF---not out of custody)	Denied	6/9/17 PTS Report: deposit to court, 3rd party to PTS and intensive supervision	
Shawn Torrez	LR 2017-00123 CR 2017-2000 FR 2017-2781	Agg assault peace officer Child abuse Criminal damage to property Felon in possession of DW	5/17/17 Mt PD 5/22/17 Mt PD Denied 6/1/17 Indictment (Agg assault PO, Possession firearm by felon, crim damage to property) 6/9/17 Order setting conditions 6/14/17 Bond posted	Denied	6/9/17 PTS Report: deposit to court, 3rd party to PTS and intensive supervision	
Adrian D. Causey	LR 2017-00124 FR 2017-2803	Murder	5/22/17 Mt PD 5/30/17 Mt PD Denied 8/31/17 Nolle: pending further investigation searched name: no later case yet	Denied		Nolle
Marcos Herrera	LR 2017-00125 FR 2017-2857	Murder	5/22/17 MT PD 5/26/17 Nolle: further investigation 5/26/17 Conditions of release: ROR searched name & BD: this case not refiled	Denied		Nolle

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Anthony Lujan	LR 2017-00126 CR 2017-2091 FR 2017-2893	Shooting at/fr MV Agg fleeing Agg assault DW Tampering Conspiracy Child abuse Attempt to committ violent felony Agg batt peace officer	5/22/17 Mt PD 5/25/17 Mt PD 6/13/17 Criminal information 6/14/17 Plea	Granted		
Robert A. Sanchez	LR 2017-00127 CR 2017-2078 FR 2017-2565	Murder	5/25/17 Mt PD 6/6/17 Order granting motion 6/9/17 Indictment (murder, possession of firearm by felon)	Granted	6/14/17 PSA: flag, 6 scores, recommend preventive detention	
Christopher Romero	LR 2017-00128 CR 2017-2092 FR 2017-2975	Robbery (20 counts) Kidnapping Conspiracy	5/26/17 Mt PD 6/1/17 Order granting PD 6/13/17 Indictment (Robbery (6 counts), Tampering (6), Conspiracy(6)) 7/13/17 D Mt reconsider PD 8/18/17 Order denying Mt PD	Granted	6/15/17 PSA: no flag, 3 scores, ROR PML 2	
Marcos Herrera	LR 2017-00129 CR 2017-2095 FR 2017-2967	Trafficking Felon in possession of firearm	5/26/17 Mt PD 6/14/17 Order granting PD 6/13/17 Idictment	Granted	6/9/17 PSA: no flag, NCA - 5, FTA - 3; ROR PML 4 6/14/17 PSA: same	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Marcio Lujan	LR 2017-00130 FR 2017-3001 CR 2017-2392	Unlawful taking MV Agg assault DW Burglary Arson Crim damage to prop Escape from custody Tampering Possession of burg tools	5/30/17 Mt PD 6/6/17 Mt PD denied 6/29/17 Notice of violation of conditions 7/3/17 Compliance hearing, bond set 7/12/17 Indictment 7/24/17 Conditions set 8/17/17 Notice of conditions violation 8/17/17 Conditions reset	Denied		
Cory Chandler	LR 2017-00131 CR 2017-2094 FR 2017-2557	Murder	5/30/17 Mt PD 6/2/17 Order denying PD 6/13/17 Indictment (murder, tampering) 6/19/17 Conditions set 8/22/17 Notice of minor violation 9/7/17 Notice of violation 9/12/17 Conditions re-set 9/28/17 Notice of violation 10/3/17 NBH	Denied		Late NBH
Yunielki Cadet-Ramont	LR 2017-00132 CR 2017-2172 FR 2017-3153	Agg batt HHM Tampering	6/5/17 Mt PD 6/15/17 Mt PD granted can't access	Granted		

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Anthony Kapinski	LR 2017-00133 CR 2017-2165 FR 2017-314	Murder	6/5/17 MT PD 6/19/17 Order granting 6/19/17 Indictment 7/11/17 Mt Reconsider (info existed at time of hearing that was not disclosed) (LR/CR) 8/14/17 Order denying mt to reconsider (LR/CR)	Granted	6/14/17 PSA, no flag; NCA-2, FTA- 3; ROR PML 1 6/20/17 PSA: same	
Charles R. Willis	LR 2017-00134 FR 2017-3133	Trafficking Tampering	6/5/17 Mt PD 6/7/17 Notice of subsequent charges 6/16/17 Mt granted 6/23/17 Nolle-further investigation (new LR on 6/6/17--see below)	Granted		Nolle
Archie Richardson	LR 2017-00135 FR 2017-3158	CSP Kidnapping	6/5/17 Mt PD 6/15/17 Order granting PD 6/21/17 Released ROR Can't access	Granted	6/9/17 PSA: flag, NCA - 4, FTA-2; ROR PML 3	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Charles R. Willis	LR 2017-00136 CR 2017-2166 FR 2017-3134	Agg fleeing Agg assault on peace officer identity theft Electronic identity fraud Fraudulent act to obtain rented or leased vehicle Conspiracy Possession w/ intent to distribute Possession of controlled substance Possession of burglary tools	6/6/17 Mt PD 6/16/17 Mt PD granted 6/19/17 Indictment 10/2/17 Mt reconsider PTD 10/10/17 State's response	Granted	6/14/17 PSA: flag, NCA-5, FTA-4, ROR, PML 4 6/21/17 PSA: No flag, NCA-5, FTA 4, ROR PML 4	
Samson Jones	LR 2017-00137 CR 2017-00790 FR 2017-3132	Armed robbery Agg assault DW	6/6/17 Mt PD 6/12/17 Mt PD granted consolidated w/ earlier CR: 3/1/17 Indicted 3/13/17 D Mt reconsider conditions 4/6/17 D motion granted 5/8/17 Notice of noncompliance 5/15/17 FTA at compliance hearing 5/29/17 arrested 6/2/17 renewed Mt PD (don't see original motion)	Granted	3/10/17 PTS Report: 3rd party to PTS with intensive supervision	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Christopher Montoya	LR 2017-00138 CR 2017-2218 FR 2017-2861	Agg assault	6/7/17 Mt PD 6/13/17 Mt PD Denied 6/22/17 Indictment 7/3/17 Conditions set 7/17/17 Notice of minor violation	Denied	6/9/17 PSA: flag, NCA-3, FTA-2, ROR PML 1	
Yoan Santiesteban	LR 2017-00139 CR 2017-2189 FR 2017-3087	Murder Robbery w/ DW Tampering	6/9/17 Mt PD 6/13/17 Order consolidating 3 LRs	Granted	6/12/17 PSA: no flag, NCA-3, FTA-3; ROR PML 2	
Yoan Santiesteban	LR 2017-00140 CR 2017-2189 FR 2017-3105	Murder	6/20/17 Order granting PD 6/21/17 Indictment (all three cases)		6/23/17 PSA: no flag, NCA-3, FTA-3, ROR PML 2	
Yoan Santiesteban	LR 2017-00141 CR 2017-2189 FR 2017-3114	Murder				
Gloria Chavez	LR 2017-00142 CR 2017-2188 FR 2017-3104	Conspiracy to commit homicide	6/9/17 Mt PD 6/14/17 Mt PD denied 6/21/17 Indictment (many more charges) 6/26/17 Conditions set 8/9/17 PTS report of noncompliance 8/17/17 NBH/granting PTD	Denied	6/13/17 PSA : no flag, NCA-2, FTA-4, ROR PML 1	Late NBH

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Martin Garcia	LR 2017-00143 CR 2017-2153 FR 2017-3089	Armed robbery (10 counts) Conspiracy to commit 2nd degree felony	6/9/17 Mt PD 6/19/17 Mt PD Denied 6/15/17 Indictment 6/20/17 Conditions 7/5/17 D Mt to review conditions: D never released 7/13/17 Report of noncompliance 8/31/17 Arrested 8/31/17 Mt PD/Revocation 9/5/17 NBH	Denied	6/13/17 PSA: flag, NCA-6, FTA-6, Detain or release w/ max conditions 6/21/17 PSA - flag, 6 scores, detain	Late NBH
Charles R. Willis	LR 2017-00144 FR 2017-3213	Identity theft Theft of credit card Fraudulent use of credit card	6/9/17 Mt PD 6/16/17 Mt PD granted 6/27/17 Nolle (complete case not received)	Granted	6/14/17 PSA: no flag, NCA-5, FTA-4, ROR PML 4	Nolle
Sean Montoya	LR 2017-00145 CR 2017-2167 FR 2017-3164	Kidnapping	6/12/17 Mt PD 6/14/17 Mt PD Denied 6/19/17 Indictment (many more charges) 7/3/17 Conditions set 9/26/17 Nolle (uncooperative victim)	Denied	6/13/17 PSA: flag, 3 scores, ROR PML 2	Nolle

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Frank Frometa	LR 2017-00146 CR 2017-2225 FR 2017-2809	Murder	6/12/17 Mt PD 6/19/17 Denied, state delayed hearing 6/22/17 Indictment (murder, tampering, larceny) 6/30/17 Conditions set (bond) 7/5/17 State Mt PD 7/12/17 Consolidation with other LRs (LR/CR) 7/12/17 Order granting PD (LR/CR)	Denied	6/15/17 PSA: flag, 5 scores, Detain if constitutional 6/27/17 PSA: flag, 5 scores, detain if constitutional	Later NBH
James Parmentier	LR 2017-00147 CR 2017-2255 FR 2017-3079	Armed robbery Agg assault DW	6/13/17 Mt PD 6/15/17 Amended motion 6/22/17 Mt PD Denied 6/27/17 Indictment 7/10/17 Conditions set	Denied	6/13/17 PSA: flag, NCA-5, FTA-4, ROR PML 4 7/6/17 PSA: same	
Richard Hernandez	LR 2017-00148 FR 2017-3187 CR 2017-2725	Agg batt DW (3)	6/14/17 Mt PD 6/19/17 Mt PD Denied 8/11/17 Indictment 8/25/17 Conditions set (bond) 10/10/17 Notice of non compliance & BW NBH	Denied	6/16/17 PSA: no flag, 2 scores, ROR	Later NBH
Dennis Barela	LR 2017-00149 CR 2017-2265 FR 2017-3354	Agg bat DW	6/15/17 Mt PD 5/19/17 PD Granted 6/29/17 Indictment	Granted	6/16/17 PSA: flag, NCA-6, FTA-4, Detain 7/5/17 PSA: same 9/15/17 Plea	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Steven Talamante	LR 2017-00150 CR 2017-2304 FR 2017-3420	Possession (Meth) Possession (controlled sub)	6/18/17 Mt PD 6/23/17 Order Denying PD 7/3/17 Indictment 7/14/17 Conditions set (bond)	Denied	6/22/17 PSA: flag, NCA-6, FTA-5, detain (wrong D name on PSA)	
Charles F. LaCour	LR 2017-00151 FR 2017-3326 CF 2017-2442	Failure to register as sex offender	6/19/17 Mt PD 6/23/17 Oder denying 7/17/17 Indictment 8/14/17 Conditions set	Denied	6/22/17 PSA: no flag, NCA-6, FTA- 5, Detain or release w/ max conditions	
Benjamin Chavez	LR 2017-00152 FR 2017-3421	Agg assault DW Agg asault HHM Child abuse	6/19/17 Mt PD 6/22/17 PD Denied no access	Denied	6/21/17 PSA: Flag, NCA-4, FTA-5, ROR PML 3	
David Robles	LR 2017-00153 CR 2017-2288 FR 2017-3405	CSP	6/19/17 Mt PD 6/30/17 Order Granting 6/30/17 Indictment	Granted	6/18/17 PSA: flag, NCA-4, FTA-3, ROR PML 3 7/5/17 PSA: same	
Scotty R. Drennan	LR 2017-00154 CR 2017-2289 FR 2017-3409	Agg fleeing Rec/Tran MV Batt on peace officer Falst title/registration Conspiracy	6/19/17 Mt PD 6/23/17 Mt PD Granted 6/30/17 Indictment	Granted	6/17/17PSA: flag, 6 scores, detain or release w/ max conditions 6/23/17 PSA: same 7/5/17 PSA: same	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Robert Singleton	LR 2017-00155 FR 2017-3408 (no CR)	Possession of controlled substance	6/19/17 Mt PD 6/23/17 Order denying PD no action in DC or Metro, criminal information filed re: different possession incident 4/26/17	Denied	6/18/17 PSA: no flag, NCA-5, FTA-6, Detain or release w/ max conditions 6/22/17 PSA: no flag, 6 scores, detain/max conditions	Not indicted
Gerald Hernandez	LR 2017-00156 CR 2017-2285 FR 2017-2266	Agg batt HHM False imprisonment	6/19/17 Mt PD 6/26/17 Order granting PD no access	Granted	6/16/17 PSA: flag, NCA-6, FTA-5, detain or release with max conditions 6/20/17 PSA: same	
Jabrille Hodges	LR 2017-00157 CR 2017-2286 FR 2017-3377	Robbery w/ DW Agg bat w/ GBH	6/19/17 Mt PD 6/23/17 Order granting PD 6/30/17 Indictment	Granted	6/16/17 PSA: flag, NCA-3, FTA-2, ROR PML 1 6/20/17 PSA: same 7/5/17 PSA: Flag, NCA-3, FTA-3, ROR PML 2	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Anthony Stevenson	LR 2017-00158 CR 2017-2298 FR 2017-3364	Possession of controlled substance (meth) Distribution of controlled substance (marijuana) Possession of dangerous drugs	6/19/17 Mt PD 6/22/17 PD granted 7/3/17 Indictment 9/6/17 Plea	Granted	6/16/17 PSA: no flag, 6 scores, detain or release w/ max conditions 6/20/17 PSA: same 7/6/17 PSA: same	
Chrstine White	LR 2017-00159 FR 2017-3402 (no CR)	Conspiracy to commit murder	6/19/17 Mt PD 6/26/17 Order denying PD 8/11/17 Nolle (metro) further investigation	Denied	6/17/17 PSA: no flag, 1 scores, ROR 6/26/17 PSA: same	Not indicted Nolle
Troy Shaw	LR 2017-00160 CR 2017-2290 FR 2017-3059	Agg assault HHM false imprisonment	6/19/17 Mt PD 6/21/17 Order granting Mt PD no access	Granted	6/17/17 PSA: flag, 5 scores, detain or release w/ max conditions 6/21/17 PSA: same	
Christopher Moya	LR 2017-00161 CR 2017-2302 FR 2017-3400	Receiving/Tran MV	6/19/17 Mt PD 6/26/17 Order denying PD 7/3/17 Indictment 7/14/17 Conditions set 7/21/17 Minor violation 7/27/17 Notice of violation 7/31/17 Re-set of conditions 8/9/17 Notice of non-compliance 9/6/17 NBH	Denied	6/17/17 PSA: No flag, NCA-4, FTA-6, detain or release w/ max conditions 6/21/17 PSA: same	Later NBH

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Mark Thomson	LR 2017-00162 CR 2017-2300 FR 2017-3437	Residential burglary	6/19/17 Mt PD 6/30/17 Order granting 7/3/17 Indictment 8/3/17 Competency evaluation	Granted	6/19/17 PSA: no flag, NCA-5, FTA-5, Detain, release w/ max conditions 6/23/17 PSA: no flag, NCA-5, FTA-4, ROR PML 4 7/6/17 PSA: no flag, NCA-5, FTA-5, Detain or release w/ max conditions	
Antonio R. Lucero	LR 2017-00163 CR 2017-2337 FR 2017-3442	Child abuse Burglary Tampering Conspiracy Criminal damage to property	6/20/17 Mt PD 6/26/17 Order denying Mt PD 7/6/17 Indictment 7/17/17 FTA arraignment, BW 7/20/17 Warrant quashed 7/28/17 Conditions set	Denied	6/26/17 PSA: flag, NCA-5, FTA-4, ROR PML 4	
Ernesto Lucero	LR 2017-00164 CR 2017-2338 FR 2017-3441	Agg assault w/ DW (12) Child abuse (2) Felon in possession Shooting at/firm MV Tampering Conspiracy Crim damage property	6/20/17 Mt PD 6/30/17 Order granting PD 7/6/17 Indictment	Granted	6/22/17 PSA: flag, 3 scores, ROR PML 2 7/10/17 PSA: same	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Michael A. Guse	LR 2017-00165 CR 2017-2317 FR 2017-3295	Agg batt HHM	6/20/17 Mt PD 6/29/17 Order denying PD 7/5/17 Indictment 7/17/17 Conditions set 8/7/17 Order remanding to custody 8/7/17 PTS report, new battery HHm charge 8/9/17 COR hearing set 8/17/17 COR hearing continued 8/22/17 COR hearing continued	Denied	6/26/17 PSA: flag, 4 scores, ROR PML 3	Later NBH
Melissa L. Willis	LR 2017-00166 CR 2017-2340 FR 2017-3469	Breaking & entering Child abuse	6/20/17 Mt PD 6/29/18 PD denied 7/6/17 Indictment 7/28/17 conditions set 8/9/17 BW FTA at plea hearing 9/28/17 NBH	Denied	6/23/17 PSA: flag, NCA-4, FTA-6, Detain or release w/ max conditions	Later NBH
Ben Aguilar	LR 2017-00167 CR 2017-2315 FR 2017-3322	CSCM (2) Contributing to delinquency of minor False imprisonment	6/20/17 Mt PD 6/26/17 Order denying Mt PD 7/5/17 Indictment 7/14/17 Conditions set	Denied	6/26/17 PSA: no flag, 1 scores, ROR	
David Barber	LR 2017-00168 CR 2017-2339 FR 2017-3123	Agg burg Commerical burg Tampering Conspiracy Larceny of a firearm Possession of burg tools Battery on peace officer	6/21/17 Mt PD 6/26/17 Order granting PD 7/6/17 Indictment 9/14/17 Mt Reconsider PTD 9/21/17 Mt Reconsider denied	Granted	6/26/17 PSA: flag, 5 scores, detain or max conditions 7/11/17 PSA: same	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Adrian Johnson	LR2017-00169 CR 2017-2378 FR 2017-3481	CSP Kidnapping	6/22/17 Mt PD 6/27/17 PD granted 7/10/17 Indictment 9/8/17 Mt vacate PTD order	Granted	6/22/17 PSA: flag, NCA-4, FTA-3, ROR PML 3 6/26/17 PSA: Same	
Caleb Engstrum	LR2017-00170 CR 2017-2377 FR 2017-3461	CSP Kidnapping Child abuse Agg bag HHM	6/22/17 Mt PD 6/30/17 Mt PD granted 7/10/17 Indictment 7/11/17 NOA	Granted	6/22/17 PSA: no flag, 1 scores, ROR 7/11/17 same	
Daniel Maestas	LR2017-00171 FR 2017-3541	Residential burglary Possession of controlled substance Conspiracy	8/26/17 Mt PD 6/30/17 Mt withdrawn 6/30/17 conditions of release 8/28/17 Nolle (D died)	Withdra wn	6/25/17 PSA: no flag, NCA-4, FTA- 6, detain or release w/ max conditions	Nolle
Max Overson	LR2017-00172 FR 2016-5926	Embezzlement of motor vehicle	6/26/17 Mt PD 6/28/17 Mt PD denied 6/30/17 Nolle (needs more investigation)	Denied	6/26/17 PSA: no flag, 6 scores, detain or release w/ max conditions (another case pending in DC)	Nolle
Jimmie Riddle	LR2017-00173 FR 2017-3548	Battery on a peace officer	6/26/17 Mt PD 6/27/17 Order denying 6/27 /17 Mt withdrawn 7/19/17 Mt for release (LR) case not indicted, no prelim, DA does not oppose) 7/19/17 Order ROR 7/20/17 Nolle (no reason)	Denied	6/26/17 PSA: flag, NCA-6, FTA-5, detain or release w/ max conditions	Nolle

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Lathan Lallo	LR 2017-00174 FR 2017-3513	Abuse/endanger child life	6/26/17 Mt PD 6/28/17 Oder PD denied no access	Denied	6/27/17 PSA: flag, 4 scores, ROR PML 3	
JamesEdward Rivera	LR 2017-00175 CR 2017-2382 FR 2017-3498	CSP	6/26/17 Mt PD 6/28/17 Order granting PD 7/10/17 Indictment 10/5/17 Mt Reconsider PTD	Granted	6/27/17 PSA: flag, NCA-4, FTA-2, ROR PML 3 7/11/17 PSA same	
Lorenzo Chavez	LR 2017-00176 FR 2017-3338 CR 2017-3125	Shoplifting Conspiracy to commit shoplifting	6/26/17 Mt PD 6/28/17 Order denying Motion 7/19/17 Failed to report to interview (LR) 7/19/18 BW for FTA (LR) 7/24/217 Noncompliance (LR) 7/26/17 warrant quashed (LR) 8/3/17 Order setting conditions (ROR/PTS) (LR) 9/18/17 Criminal information 10/5/17 Plea	Denied	6/27/17 PSA: no flag, NCA-4, FTA- 5, ROR PML 3	
Craig Smith	LR2017-00177 CR 2017-2384 FR 2017-3522	Murder Conspiracy Kidnapping Unlawful taking of MV Tampering Burglary Receigin stolen property	6/26/17 Mt PD 7/12/17 Mt PD granted 7/26/17 Notice of appeal (sup ct) 7/11/12 Indictment	Granted	6/27/17 PSA: flag, NCA-4, FTA-2, ROR PML 3 7/13/17 PSA: Same	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Jonathan Brown	LR 2017-00178 FR 2017-3537 CR 2017-2387	Agg burg DW	6/26/17 Mt PD 6/29/18 Mt PD Denied 7/11/17 Notice of noncompliance 7/19/17 FTA compliance hearing 8/31/17 Order setting conditions (ROR/PTS)	Denied	6/28/17 PSA: no flag, 4 scores, ROR PML 3	
Christopher Whiteface	LR 2017-00179 CR 2017-2380 FR 2017-3549	Agg assault DW Tampering	6/26/17 Mt PD 6/29/17 Mt PD Denied 7/10/17 Indictment 7/14/17 Conditions set 7/24/17 Noncompliance report/BW 8/2/17 BW quashed 8/2/17 BW for FTA 8/4/17 Arrested	Denied	6/28/17 PSA: no flag, 4 scores, ROR PML 3	Later NBH
Adam Isler	LR 2017-00180 FR 2017-3518	Agg batt HHM Tampering	6/26/17 Mt PD 7/3/17 Order denying PTD 7/7/17 Mt for ROR 7/11/17 Order for ROR 7/20/17 Order for COR (ROR) No access	Denied	6/28/17 PSA: flag, 4 scores, ROR PML3	
William Shakespeare	LR 2017-00181 FR 2017-3519 CR 2017-3193	Agg assault	6/26/17 Mt PD 6/29/17 Order granting PD 9/26/17 Indictment	Denied	6/28/17 PSA: flag, NCA-4, FTA-2, ROR PML 3	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Mario Maestas	LR 2017-00182 FR 2017-3523	Rec/tran stolen property Possession (heroin) Child abuse Conspiracy	6/26/17 Mt PD 7/7/ Mt withdrawn 7/10/17 conditions of release 10/2/17 Nolle (further investigation)	Withdrawn	6/28/17 PSA: flag, 5 scores, detain or release with max conditions	Nolle
Theo Martinez	LR 2017-00183 FR 2017-3516 CR 2017-2751	Agg assault HHM Abandonment/abuse of child	6/26/17 Mt PD 8/15/17 Indictment 8/17/17 Order granting preventive detention	Granted	6/27/17 PSA: flag, 5 scores, Detain or release with max conditions	
Mark Thompson	LR 2017-00184 CR 2017-2316 FR 2017-3418	Residential burglary	6/26/17 Mt PD 6/30/17 Order granting PD 7/5/17 Indictment 8/3/17 Order for competency eval	Granted	6/18/17 PSA: no flag, 4 scores, ROR PML3 7/11/17 PSA: same	
Alex Ailcea	LR2017-00185 FR 2017-3583 CR 2017-2391	CSP	6/27/17 Mt PD 6/29/17 Order granting PD 7/12/17 Indictment	Granted	6/27/17 PSA: flag, NCA-4, FTA-3, ROR PML3 6/29/17 PSA: same 7/17/17 PSA: same	
Diego Rascon	LR2017-00186 FR 2017-3565 (no CR)	Stalking	6/28/17 Mt PD 7/3/17 Conditions ROR 7/3/17 Mt Withdrawn no access	Withdrawn		

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Jacob Gallegos	LR2017-00187 FR 2017-3579 CR 2017-2390	Agg batt DW	6/28/17 Mt PD 6/30/17 Mt granted 7/12/17 Indictment 7/28/17 Order for competency eval	Granted	6/27/17 PSA: Flag, NCA-6, FTA-4, Detain or release with max conditions	
Jessie Carlson	LR2017-00188 FR 2017-3568 CR 2017-3301	Rec/tran MV Agg assault on peace officer Agg fleeing Possession burglary tools	6/28/17 Mt PD 6/30/17 Denied/ ROR w/PTS 7/7/17 Noncomplimance report 7/20/17 Compliance hearing - FTA 10/6/17 Indictment	Denied	6/27/17 PSA: no flag, NCA-3, FTA- 5, ROR PML 2	
Michael DeHererra	LR-2017-00189 FR 2017-2679 CR 2017-2399	Agg assault w/ DW Robbery Neg use of DW Conspiracy	6/28/17 Mt PD 7/3/17 Granted/No Bond/No CCP 7/13/17 Indictment 9/11/17 D Mt Reconsider	Granted	6/28/17 PSA: flag, NCA-3, FTA-2, ROR PML 1	
Richard Wiggins	LR-2017-00190 FR 2017-3570	False imprisonment Battery on a HHM	6/28/17 Mt PD 7/3/17 Denied/ROR w/PTS 7/7/17 Noncompliance report 7/21/17 Conditions set 7/26/17 Nolle (no reason) all on the LR docket, no access	Denied	6/27/17 PSA: flag, 4 scores, ROR PML 3	Nolle
Thomas Lopez	LR-2017-00191 FR 2017-0306	Agg assault w/ DW Domestic violence	6/28/17 Mt PD 7/3/17 Denied/ ROR w/PTS 7/6/17 Bond posted 7/6/17 Nolle (interests of justice) aall on the LR docket, no access	Denied	6/28/17 PSA: flag, NCA-4, FTA-3, ROR PML 3	Nolle
Lorenzo McFarland	LR-2017-00192 FR 2017-3603 CR 2017-2400	Residential burglary Conspiracy	6/28/17 Mt PD 7/3/17 Granted/No Bond Hold 7/13/17 Indictment 9/12/17 Mt for Emergency release 9/22/17 Release Denied	Granted	6/28/17 PSA: no flag, 5 scores, detain or release w/ max conditions	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Alan Green	LR-2017-00193 FR 2017-3550 CR 2017-2396	Agg assault	6/28/17 Mt PD 7/10/17 Granted/ No Bond Hold 7/13/17 Indictment 8/10/17 Mt vacate detention order 9/12/17 Order granting motion to vacate	Granted (reconsider red)	6/26/17 PSA: flag, 4 scores, ROR PML 3	
Jacob Gallegos	LR-2017-00194 FR 2017-3040	Possession of drug Possession of stolen property Felon in possession firearm Tampering Contributing to delinquency of minor	6/29/17 Mt PD 7/5/17 Denied/ COR SAME AS METRO 7/6/17 Nolle in metro case (insufficient evidence)	Denied		Nolle
Marcelo Hernandez	LR-2017-00195 FR 2017-3613 CR 2017-2413	Agg batt HHM Kindapping Domestic violence	6/29/17 Mt PD 7/7/17 Granted/ No Bond Hold 7/14/17 Indictment	Granted	6/29/17 PSA: flag, NCA-4, FTA-3, ROR PML 3	
Otalee Brown	LR-2017-00196 FR 2017-3595	Child solicitation by electronic device	6/29/17 Mt PD 7/10/17 Denied/\$2500 C/S-POSTED 9/20/17 Nolle: will be presented at grand jury	Denied		Nolle
Alexander Garcia	LR-2017-00197 FR 2017-3572 CR 2017-2482	Robbery Criminal damage to property	6/29/17 Mt PD NOLLE 7-12-17 7/20/17 Indictment 9/7/17 order of consolidation (17-2482)		6/29/17 PSA: flag, 6 scores, Detain or max conditions 7/25/17 PSA: flag, 5 scores, detain or max conditions	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Edward Tenorio	LR-2017-00198 FR 2017-3605 CR 2017-2438	Agg batt GBH Agg batt DW	6/30/17 Mt PD 7/5/17 Granted/ No Bond Hold 7/17/17 Indictment	Granted	6/29/17 PSA: flag, 5 scores, detain or release with max conditions 7/18/17 PSA: same	
Jacob Gallegos	LR 2017-00199 FR 2017-3387 CR 2017-3166	Possession of drug Possession of stolen property Felon in possession firearm Tampering Contributing to delinquency of minor	6/30/17 Mt PD 7/5/17 Denied/ COR same as METRO 9/20/17 Indictment 9/29/17 Arraignment set	Denied	6/17/17 PSA: no flag, NCA-5, FTA- 4, ROR PML 4	
Steven Gomez	LR-2017-00200 FR 2017-6944	Breaking & entering Identity theft Conspiracy	6/30/17 Mt PD 7/5/17 Hearing continued 7/12/17 NOLLE (interests of justice) 7/20/17 released from custody		6/30/17 PSA: no flag, 6 scores, detain or release w/ max conditions Nolle	
Valentina Trujillo	LR-2017-00201 FR 2017-3642 CR 2017-2439	Receiving/Tran MV Tampering Agg fleeing Possession of burglary tools Agg assault on peace officer	6/30/17 Mt PD 7/6/17 Denied/ ROR w/PTS 7/17/17 Indictment 7/31/17 Dismissal w/ prejudice for failure to transport w/in time limits	Denied	6/30/17 PSA: flag, NCA-4, FTA-6 Detain or release w/ max conditions 7/26/17 PSA: flag, NCA-5, FTA-6, detain or release w/ max conditions	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Tyler Serrano	LR-2017-00202 FR 2017-3496 CR 2017-2425	Agg assault DW	6/30/17 Mt PD 7/10/17 Granted/ No Bond Hold 7/17/17 Indictment 8/9/17 Mt Reconsider Sanctions (LR) 9/5/17 Mt Dismiss for prosecutorial misconduct 10/6/17 Denied 10/10/17 Plea	Granted	6/30/17 PSA: no flag, 4 scores, ROR PML 3 7/26/17 PSA: flag, NCA-5, FTA-6, detain or release w/ max conditions	
Nicholas Tanner	LR-2017-00203 FR 2017-2558 CR 2017-2437	Larceny	7/3/17 Mt PD 7/7/17 Granted/ No Bond No CCP 7/17/17 Indictment 9/26/17 Plea	Granted	7/1/17 PSA: no flag, 6 scores, detain or release w/ max conditions 7/18/17 PSA: same	
Davontee Johnson	LR-2017-00204 FR 2016-4907	Agg assault HHM	7/3/17 Mt PD 7/7/17 Nolle'd 7-7-17 7/28/17 D's emergency Mt terminate conditions 8/4/17 Order permitting work travel (no indictment)		7/1/17 PSA: no flag, NCA-4, FTA-2, ROR PML 3	Nolle not indicted
Davontee Johnson	LR 2017-00205 FR 2017-1444	Agg batt GBH Shooting at dwelling Conspiracy	7/3/17 Mt PD 7/7/17 Mt Denied Denied/ ROR w/ PTS 7/28/17 D's emergency Mt terminate conditions 8/4/17 Order permitting work travel (no indictment) 10/12/17 Nolle	Denied	7/1/17 PSA: no flag, NCA-4, FTA-2, ROR PML 3	Not indicted

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Davontee Johnson	LR-2017-00206 FR 2017-3654	Possession of controlled substance	7/3/17 Mt PD 7/7/17 Denied/ ROR w/PTS 7/28/17 D's emergency Mt terminate conditions 8/4/17 Order permitting work travel (no indictment)	Denied	7/1/17 PSA: no flag, NCA-4, FTA-2, ROR PML 3	Not indicted
Gabriel Mariscal	LR-2017-00207 FR 2017-3633 CR 2017-2467	Agg batt (GBG DW) Agg batt	7/3/17 Mt PD 7/17/17 Granted/ No Bond 7/18/17 Indictment	Granted	7/1/17 PSA: no flag, NCA-4, FTA-5, ROR PML 3 7/19/17: same	
Isaac Mascarenes	LR-2017-00208 FR 2017-3664 CR 2017-2440	Agg burg	7/3/17 Mt PD 7/7/17 Denied/ ROR 7/17/17 Indictment 7/28/17 Conditions set 10/12/17 FTA compliance hearing	Denied	7/1/17 PSA: flag, NCA-4, FTA-3, ROR PML 3	
George Morales	LR-2017-00209 FR 2017-3643	Bribery	7/3/17 Mt PD 7/7/17 Granted/ No Bond Hold no indictment	G	6/30/17 PSA: flag, NCA-6, FTA-4, detain or release w/ max conditions	Not indicted
Brian Brown	LR-2017-00210 FR 2017-3703 CR 2017-2471	Agg batt DW	7/5/17 Mt PD 7/10/17 Denied/ \$3,000 CASH & ATP 7/18/17 Indictment 7/24/17 Conditions set 8/21/17 Mt reconsider conditions (D) 8/28/17 Mt reconsider granted	Denied	7/3/17 PSA: flag, 5, scores, detain or release with max conditions	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Eric Hernandez	LR-2017-00211 FR 2017-2377 CR 2017-2478	Agg assault DW Shoplifting	7/5/17 Mt PD 7/10/17 Denied/ 3rd PTS 7/19/17 Indictment 7/31/17 FTA arraignment, BW 9/17/17 Arrested, BW cancelled 9/22/17 Conditions set	Denied	7/3/17 PSA: flag, 6 scores, detain or release w/ max conditions 9/20/17 PSA: same	
Cory Neal	LR-2017-00212 FR 2017-3697 CR 2017-2479	Receiving/trans MV	7/5/17 Mt PD 7/10/17 Denied- CCP Ordered 7/19/17 Indictment 7/28/17 Conditions set	Denied	7/2/17 PSA: no flag, 5 scores, detain or release w/ max conditions	
Erik Reddick	LR-2017-00213 FR 2017-3678	Receiving/trans MV Agg fleeing Agg assault (DW) Crim damage to property Possession controlled substance Possession drug parapher. Reckless driving Leaving scene of accident	7/5/17 Mt PD 7/21/17 Granted 7/26/17 Petition for dismissal (D) PD motion heard after expiration of 10-day rule 7/26/17 Petition granted, metro & LR case dismissed, D released (not indicted)	Granted	7/3/17 PSA: no flag, 5 scores, detain or release w/ max conditions	Not indicted Dismissed later

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Shannon Sandoval	LR-2017-00214 FR 2017-3723 CR 2017-2481	Agg batt	7/6/17 Mt PD 7/10/17 Denied/ 3rd PTS 7/20/17 Indictment 7/28/17 Report of noncompliance (LR) FTA arraignment 8/15/17 Compliance hearing, waived (LR) 8/28/17 arrested (LR) 9/1/17 Conditions denied, NBH b/c of FTA, hearing set for 9/7/17 9/15/17 Violation under 5-403, NBH	Denied	7/5/17 PSA: flag, NCA-5, FTA-4, ROR PML 4	Later NBH
Eduardo E. Barros	LR-2017-00215 FR 2017-3716 CR 2017-2484	Felon in possession agg bat DW and HHM agg assault DW and HHM False imprisonment	7/6/17 Mt PD 7/10/17 Granted/No Bond Hold 7/20/17 Indictment	Granted	7/5/17 PSA: flag, NCA-4, FTA-2, ROR PML 3	G
David C. Trujillo	LR-2017-00216 FR 2017-3451 CR 2017-2486	Agg assault	7/6/17 Mt PD 7/14/17 Denied/\$20,000 C/S 3PTS w/GPS 7/20/17 Indictment 7/28/17 Conditions set 8/2/17 Bond posted 9/5/17 Report of noncompliance 9/22/17 Noncompliance hearing 9/22/17 Conditions set 10/12/17 Notice of noncompliance 10/16/17 Noncompliance hearing	Denied	7/5/17 PSA: flag, 6 scores, detain or release w/ max conditions	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Justin A. Hansen	LR 2017-00217 FR 2017-3762 CR 2010-6268	Kidnapping Attempted murder Murder Agg burg Agg batt (DW) Agg assault (DW) Child abuse (GBH)	12/28/10 Indictment (CR) 7/6/17 Mt PD (Metro) 7/11/17 Denied/ 3rd PTS w/GPS (LR) 7/13/17 Conditions set (CR) 8/22/17 D Mt reconsider conditions (CR) 9/8/17 Conditions re-set	Denied	7/6/17 PSA: no flag, 2 scores, ROR	
Travese Spragg	LR 2017-00218 FR 2017-3761 CR 2017-2490	Arson	7/7/17 Mt PD 7/14/17 Denied/\$10,000 C/S ; ATP or 3PTS w/ISP 7/21/17 Indictment 9/15/17 report of non-compliance 9/22/17 FTA hearing, BW issued	Denied	7/6/17 PSA: flag, NCA-4, FTA-3, ROR PML 3 7/24/17 PSA: same	Later NBH
Nolan Cody	LR-2017-00219 FR 2017-3772 CR 2017-2491	Agg batt DW Child abuse/abandonment Conspiracy	7/10/17 Mt PD 7/13/17 Granted/ No Bond / ATP 7/21/17 Indictment 8/17/17 D Mt reconsider PTD order 9/1/17 Order denying reconsideration	Granted	7/7/17 PSA: flag, 4 scores, ROR PML 3 7/24/17 PSA: no flag, NCA-3, FTA-4, ROR PML 2	
Rita Howlingcrane	LR-2017-00220 FR 2017-3800 CR 2017-2499	Agg assault DW Possession firearm by felon Receiving stolen property	7/10/17 Mt PD 7/14/17 Granted/ No Bond Hold 7/24/17 Indictment	Granted	7/25/17 PSA: flag, NCA-4, FTA-2, ROR PML 3	
Matthew Dinallo	LR-2017-00221 FR 2017-3748 CR 2017-2505	Armed robbery Possession of firearm by felon Agg fleeing Conspiracy	7/10/17 Mt PD 7/14/17 Granted/ No Bond Hold 7/18/17 Order for competency eval 7/24/17 Indictment 8/16/17 Order competency eval	Granted	7/8/17 PSA: flag, 4 scores, ROR PML 3 7/25/17 PSA: 3 scores, ROR PML 2	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Jose L. Silva	LR-2017-00222 FR 2017-3765 CR 2017-2956	CSP	7/10/17 Mt PD 7/11/17 Denied 8/31/17 Indictment 9/11/17 Conditions set	Denied	7/7/17 PSA: no flag, 1 scores, ROR	More than 10 days
Luis Talamantes-Acosta	LR-2017-00223 FR 2017-3790	Agg batt DW	7/10/17 Mt PD 7/13/17 Denied/ ROR w/PTS 7/20/17 State's motion dismissed and D ROR (no indictment)	Denied	7/7/17 PSA: flag, NCA-4, FTA-3, ROR PML 3	Not Indicted
Stephon Jaramillo	LR-2017-00224 FR 2017-3636 CR 2017-2741	CSP & contributing to delinquency of minor	7/10/17 Mt PD 7/13/17 Denied 8/14/17 Indictment 8/31/17 order for consolidation 10/2/17 correspondence re: minor PTS violation, no action requested	Denied	7/7/17 PSA: flag, 3 scores	
Douglas Daughtery	LR-2017-00225 FR 2017-3632 FR 2017-3796 CR 2017-2504	Possession (meth) Shoplifting (indicted)	7/10/17 Mt PD 7/14/17 Mt Denied 7/24/17 Indictment 9/5/17 Report of noncompliance & BW 9/18/17 compliance hearing, FTA, BW issued and NBH	Denied	7/8/17 PSA: no flag, NCA-5, FTA-6 7/25/17 PSA: no flag, NCA-5, FTA-6; Detain or release max conditions	Later NBH
Joseph S. Willamson	LR-2017-00226 CR 2017-2510 FR 2017-3856	Breaking and entering Aggravated Stalking w/ intent to commit a felony	7/11/17 Mt PD 7/13/17 Mt Denied 7/25/17 Indictment 8/2/17 D Mt reconsider COR, can't afford GPS monitor 8/14/17 order allowing release from GPS 8/31/17 Order for consolidation	Denied	7/10/17 PSA: flag, NCA-4, FTA-3, ROR PML 3	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Kyle Becenti	LR-2017-00227 FR 2017-3869 CR 2017-2527	Aggravated battery (GBH) Child abuse Assault w/ intent to commit a felony	7/11/17 Mt PD 7/17/17 Mt Granted 7/26/17 Indictment 9/7/17 Order consolidating	Granted	7/27/17 PSA: flag, NCA-5, FTA-3; ROR PML4	
Yoan Pena Santiesteban	LR-2017-00228 FR 2017-3877 CR 2017-2659	Possession of deadly weapon by inmate Tampering w/ evidence	7/11/17 Mt PD 7/17/17 Mt PD denied (Granted in LR 17-139 in June 2017) 8/8/17 Indictment	Denied	7/11/17 PSA: no flag, NCA-5, FTA-4	
Edwin Murillo	LR-2017-00229 FR 2017-3908 CR 2017-2541	Aggravated fleeing Unlawful taking of a MV Possession (controlled substance) Criminal damage to property	7/12/17 Mt PD 7/17/17 Mt granted 7/27/17 Indictment 8/31/17 Plea agreement 9/7/17 Order for consolidation	Granted	7/12/17 PSA: no flag, 5 scores, recommend detain	
Felisha Pravencio	LR-2017-00230 FR 2017-3879 CR 2017-2523	Breaking & entering	7/12/17 Mt PD 7/17/17 Mt PD Denied 7/26/17 Indictment 8/21/17 Order consolidating 8/21/17 Notice of noncompliance, request for BW 8/29/17 BW FTA at scheduling conference 9/25/17 warrant served 9/28/17 COR hearing (think is held NB)	Denied	7/12/17 PSA: no flag, NCA-6, FTA- 5; detain 7/28/17 PSA: same	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Miguel Marquez-Enriquez	LR-2017-00231 FR 2017-3904	Kidnapping Agg batt HHM Child abuse	7/12/17 Mt PD 7/18/17 Mt Denied 7/21/17 Notice of Noncompliance & BW 8/1/17 FTA compliance hearing, NBH (doesn't seem to be indicted)	Denied	7/12/17 PSA: flag, NCA-4, FTA-4, ROR PML 3	Not indicted
John Lister	LR-2017-00233 FR 2017-3907 CR 2017-2874	Felon in possession of a firearm	7/13/17 Mt PD 7/26/17 Mt denied 8/23/17 Indictment 9/7/17 Order consolidating	Denied	7/13/17 PSA: no flag, NCA-4, FTA-3, ROR PML 3	
Matthew Chavez	LR-2017-00234 FR 2017-3922 CR 2017-2540	Trafficking a controlled substance Receiving/stolen property (firearm)	7/13/17 Mt PD 7/19/17 Mt denied 9/7/17 Order of consolidation 7/27/17 Indictment 9/11/17 correspondence re: minor violation, no request for action	Denied	7/13/17 PSA: no flag, 6 scores, rec: detain	
Jesus Lopez	LR-2017-00235 FR 2017-3924 CR 2017-2542	Receiving/Transferring stolen vehicle possession of burglary tools	7/13/17 Mt PD 7/19/17 Mt Denied 7/27/17 Indictment 9/8/17 Order for consolidation	Denied	7/13/17 PSA: no flag, NCA-5, FTA-6, rec: detain	
Jeremy Trujillo	LR-2017-00236 FR 2017-2828	Agg assault Larceny	7/14/17 Mt PD 7/21/17 Withdrawal of motion 7/21/17 Order releasing D	Withdrawn	7/13/17 PSA: flag, NCA-4, FTA-6, rec detain	Not indicted

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Jeremy Trujillo	LR-2017-00237 FR 2017-1532	Larceny Receiving/transferring stolen property Conspiracy Agg fleeing	7/14/17 Mt PD 7/21/17 Withdrawal of motion 7/21/17 Order releasing D	Withdrawn	7/13/17 PSA: no flag, NCA-3, FTA-5; ROR PML 2	
Robert Lucero	LR 2017-00244 FR 2017-3942 CR 2017-2551	Burglary, agg fleeing, breaking and entering	7/14/17 Mt PD 7/20/17 Mt Granted 7/28/17 Indictment 9/7/17 Consolidation	Granted	7/14/17 PSA: no flag, NCA-6, FTA-5; recommend detain	
Kenneth Adame	LR 2017-00245 FR 2017-3920 CR 2017-2549	Kidnapping Assault w/ intent to commit felony CSP Agg battery Misdemeanor battery	7/14/17 Mt PD 7/24/17 Mt PD granted 7/28/17 Indictment 9/7/17 Consolidation	Granted	7/14/17 PSA: flag, NCA-4, FTA-3, ROR PML 3	
Samorio Feleer	LR 2017-00246 FR 2017-3934 CR 2017-2559	Agg fleeing Rec/Tran MV Alter/Change Reg numbers Possession (meth)	7/14/17 Mt PD 7/21/17 Mt Denied 7/31/17 Indictment (arrested) 8/4/17 Order setting COR 9/7/17 Consolidation	Denied	7/14/17 PSA: no flag, 5 scores, detain	
Nicholas J. Smith	LR 2017-00247 FR 2017-39455 CR 2017-2552	Commercial burglary Criminal damage to property Larceny	7/14/17 Mt PD 7/19/17 Mt Granted 7/28/17 Indictment 9/18/17 Consolidation	Granted	7/14/17 PSA: no flag, 3 scores, ROR PML 2	
Maximiliano Villegas	LR 2017-00248 FR 2017-3930 CR 2017-2550	"Agg battery on peace officer False imprisonment Child abuse w/o GBH"	7/14/17 Mt PD 7/20/17 Mt Granted 7/28/17 Indictment 9/7/17 Consolidation	Granted	7/31/17 PSA: no flag, 2 scores, ROR	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Edwin Murillo	LR 2017-00249 FR 2017-3962 CR 2017-2541	Agg fleeing Possession (heroin)	7/17/17 Mt PD 7/27/17 Indictment 8/4/17 Granted in other cases 8/31/17 plea	Granted	7/15/17 PSA: no flag, 5 scores, detain 7/28/17 PSA: no flag, 5 scores, detain	
Roy Holiday	LR 2017-00250 FR 2017-3966	Agg assault w/ DW Possession of firearm by felon	7/17/17 Mt PD 7/31/17 Mt vacated: passed 10-day, released ROR	Vacated	7/15/17 PSA: flag, NCA-6, FTA-5; detain	Not indicted
Sir Joseph Cotton	LR 2017-00252 FR 2017-3959	Agg batt DW Tampering Receiving/Tran stolen firearm	7/17/17 Mt PD 7/19/17 Mt Denied	Denied	7/15/17 PSA: no flag, NCA-2, FTA-1; ROR	Not indicted
Vincent Sandoval	LR 2017-00255 FR 2017-4011 CR 2017-2558	Agg assault DW	7/18/17 Mt PD 7/21/17 Mt Denied 7/31/17 Indictment 9/1/17 Cosolidation	Denied	7/17/17 PSA: no flag, NCA-2, FTA-3; ROR PML 1	
Felipe Vigil	LR 2017-00256 FR 2017-3655	Agg Bat DW	7/18/17 Mt PD 7/21/17 Mt Denied 9/11/17 Nolle in metro: victim does not want to proceed	Denied	7/17/17 PSA: flag, NCA-4, FTA-3, ROR PML 3	Not indicted
Richard Routzen	LR 2017-00257 FR 2017-4014 CR 2017-2562	Agg assault DW	7/18/17 Mt PD 7/28/17 Mt granted 7/31/17 Indictment 9/18/17 consolidation	Granted	7/17/17 PSA: flag, NCA-4, FTA-3, ROR PML 3 8/1/17 (same)	
Eric Jim	LR 2017-00258 FR 2017-4002 CR 2017-2564	DWI	7/17/17 Mt PD 7/24/17 Mt granting pending completion of ATP 7/31/17 Indictment 9/7/17 Consolidation	Granted	7/17/17 PSA: no flag, NCA-4, FTA-3; ROR PML 3 8/1/17 PSA (same)	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Dominic Pack	LR 2017-00259 FR 2017-4005 CR 2017-2574	Unlawful taking MV Conspiracy	7/18/17 Mt PD 7/21/17 Mt Denied 8/1/17 Indictment 9/7/17 Cosolidation 10/10/17 plea	Granted	7/17/17 PSA: no flag, 5 scores, detain 8/2/17 PSA no flag, 4 scores, ROR PML 3	
Isaac Avila	LR 2017-00260 FR 2017-3982	Unlawful taking MV	7/18/17 Mt PD 7/20/17 Mt Withdrawn 7/21/17 COR - ROR (still open in metro)	Withdrawn	7/17/17 PSA: no flag, NCA-3, FTA-4, ROR PML 3	Not indicted
Kaycee Langston	LR 2017-00261 FR 2017-4006 CR 2017-2573	Unlawful taking MV Conspiracy	7/18/17 Mt PD 7/24/17 Mt granted 8/1/17 Indictment 9/7/17 Consolidation	Granted	7/17/17 PSA: no flag, NCA-5, FTA-3, ROR PML 4 8/2/17 PSA: no flag, NCA-2, FTA-1, ROR	
Manuel Gonzales	LR 2017-00262 FR 2017-3987	Possession (meth)	7/18/17 Mt PD 7/29/17 Mt Withdrawn 7/21/17 Order 3rd party release 7/21/17 Nolle (metro) 8/16/17 ROR	Withdrawn	7/16/17 PSA: no flag, 4 scores, ROR PML 3	Not indicted
Daniel Caruth	LR 2017-00263 FR 2017-3999	Agg assault HHM	7/18/17 Mt PD 7/21/17 Mt Denied 9/7/17 Consolidation (doesn't appear to be indicted, can't access Metro case)	Denied	7/16/17 PSA: flag, NCA-4, FTA-3, ROR PML 3	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
John Lucero	LR 2017-00264 FR 2017-264 CR 2017-2561	Agg battery DW Agg assault DW	7/18/17 Mt PD 7/24/17 Mt Denied 7/31/17 Indictment 8/22/17 notice of non-compliance 8/23/17 FTA scheduling conference 8/23/17 BW for FTA, NBH 9/6/17 Consolidation	Denied	7/17/17 PSA: flag, NCA-5, FTA-6, detain 8/3/17 PSA: flag, NCA-4, FTA-6, detain	BW, later NBH
Richard Routzen	LR 2017-00266 FR 2017-4034 CR 2017-2595	Agg bat peace officer	7/19/17 Mt PD 7/28/17 Mt Granted 8/2/17 Indictment 9/7/17 Consolidation	Granted	7/18/17 PSA: flag, NCA-5, FTA-4, ROR PML 4	
Larry Sanchez	LR 2017-00267 FR 2017-4032 CR 2017-2569	Abandonment/abuse of a child	7/19/17 Mt PD 7/24/17 Mt Denied 8/1/17 Indictment 9/7/17 Consolidation	Denied	7/18/17 PSA: no flag, 1 scores, ROR	
Paul Higgins	LR 2017-00268 FR 2017-3960 CR 2017-2571	Robbery w/ DW	7/19/17 Mt PD 7/24/17 Mt Granted 8/1/17 Indictment 9/7/17 Consolidation	Granted	7/15/17 PSA: flag, 4 scores, ROR PML 3 8/2/17 PSA: no flag, 3 scores, ROR PML 2	
Renee Chavez	LR 2017-00269 FR 2017-3937 CR 2017-3194	Agg batt police officer	7/19/17 Mt Pd 7/24/17 Mt Denied 8/4/17 Mt amend COR 8/9/17 ROR; Order dismissing w/o prejudice 9/26/17 Indictment	Denied	7/16/17 PSA: flag, 5 scores, detain	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Abel Maestas	LR 2017-00270 FR 2017-4010 CR 2017-2587	Receiving/Tran MV Agg fleeing	7/19/17 Mt PD 7/24/17 Mt granted 8/2/17 Indictment 9/7/17 Consolidation	Granted	7/17/17 PSA: no flag, 4 scores, ROR PML 3	
Abel Maestas	LR 2017-00271 FR 2017-2150 CR 2017-2563	Agg battery DW Agg stalking	7/19/17 Mt PD 7/24/17 Mt Granted 7/31/17 Indictment 9/7/17 Consolidaiton	Granted	7/17/17 PSA: flag, 4 scores, ROR PML 3 8/1/17 PSA: ROR PML 3 but notes another MPD granted and NBH in 3 other cases	
Alexander Garcia	LR 2017-00272 FR 2017-4015 CR 2017-2585	False imprisonment	7/19/17 Mt PD 7/24/17 Mt granted pending completion of ATP 9/7/17 Consolidation	Granted	7/18/17 PSA: flag, 6 scores, detain	
Ricky Pacheco	LR 2017-00273 FR 2017-3972 CR 2017-2584	Child abuse GBH	7/19/17 Mt Pd 7/24/17 Mt denied 8/2/17 Indictment 9/7/17 consolidation	Denied	7/16/17 PSA: no flag, 2 scores, ROR	
David Stevenson	LR 2017-00275 FR 2017-4048 CR 2017-2560	Breaking & entering	7/19/17 Mt PD 7/24/17 Mt Denied 7/31/17 Indictment 9/7/17 Consolidation	Denied	7/19/17 PSA: no flag, 6 scores, detain	
Raymond Aguilar	LR 2017-00276 FR 2017-0617 CR 2017-2586	Agg battery HHM	7/19/17 Mt PD 7/25/17 Mt Granted can't access CR case 9/7/17 Consolidation	Granted	7/19/17 PSA: flag, 6 scores, detain	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Matthew Barraza	LR 2017-00277 FR 2017-4039 CR 2017-2589	CSCM Abandonment/abuse of child Conspiracy	7/19/17 Mt PD 7/26/17 Mt denied 8/2/17 Indictment 8/10/17 Bond posted 9/7/17 Consolidation	Denied		
Calletano Villalva	LR 2017-00278 FR 2017-4056 CR 2017-2610	Possession of controlled substance Possession of firearm by felon	7/19/17 Mt PD 7/26/17 Mt denied, ROR after ATP 8/3/17 Indictment 8/10/17 Nolle (received no reports from BCSO) 9/22/17 Order of consolidation & dismissal based on nolle	Denied	7/19/17 PSA: no flag, NCA-6, FTA-5, detain	
Shannon Steelman	LR 2017-00280 FR 2017-4057 CR 2017-2623	Possession (meth) intent to distribute	7/21/17 Mt PD 7/25/17 Mt Denied 8/4/17 Indictment 9/7/17 Consolidation	Denied	7/20/17 PSA: no flag, NCA-4, FTA-6; detain 8/9/2017 PSA, NCA-5, FTA-6, detain	
Robert Baca	LR 2017-00281 FR 2017-3685 FR 2017-4060 CR 2017-2616	Agg batt DW Agg assault DW Rec/Tran MV Kidnapping Aggravated burglar Conspiracy	7/21/17 Mt pD 7/31/17 Order extending time 8/3/17 Criminal information 8/3/17 Plea	Plea anticipated	7/20/17 PSA: flag, NCA-4, FTA-2, ROR PML 3	
Gabriel Lucero	LR 2017-00282 FR 2017-4077	Aggravated battery HHM False Imprisonment	7/21/17 Mt PD 7/24/17 Mt Denied	Denied	7/20/17 PSA: no flag, NCA-1, FTA-2, ROR	looks like not indicted, can't access metro

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Antonio Apodaca	LR 2017-00283 FR 2017-4065 CR 2017-2608	rec/tran stolen MV possession burglary tools	7/21/17 Mt PD 7/26/17 Mt Granted 8/3/17 Indictment 9/7/17 Consolidation	Granted	7/20/17 PSA: flag, 6 scores, detain 8/4/17 PSA: same	
Gerald Gurule	LR 2017-00284 FR 2017-3227 CR 2017-2606	Armed robbery Felon in possession of firearm Conspiracy	7/21/17 Mt PD 7/26/17 Mt Denied 8/3/17 Indictment 8/14/17 FTA arraignment & BW NBH 9/7/17 Consolidation	Denied	7/20/17 PSA: flag, NCA-4, FTA-3, ROR PML 3	BW, later NBH
Jimmy Sanchez	LR 2017-00285 FR 2017-4074 CR 2017-2611	Possession (meth) escape from custody resisting arrest concealing identity	7/21/17 Mt PD 7/27/17 Mt Denied 8/3/17 Indictment 8/10/17 Report of non compliance (LR case number) 8/28/17 FTA arraignment, BW NBH 9/7/17 order for consolidation	Denied	7/20/17 PSA: no flag, NCA-4, FTA- 5, ROR PML 3	
Avery Dollbrown	LR 2017-00286 FR 2017-4076 CR 2017-2631	Robbery DW Unlawful taking MV	7/21/17 Mt PD 7/31/17 Mt granted (stipulated) 8/4/17 Indictment	Granted	7/20/17 PSA: flag, 5 scores, detain	
Kristopher Marquez	LR 2017-00287 FR 2017-4064 CR 2017-2607	Murder Aggravated battery	7/21/17 Mt PD 7/27/17 Mt Granted 8/3/17 Indictment 9/7/17 Consolidation	Granted	7/20/17 PSA: flag, 3 scores, ROR PML 2 8/4/17 PSA: flag, NCA-4, FTA-3; ROR PML 3	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Michael Ramirez	LR 2017-00288 FR 2017-4040 CR 2017-2624	Agg battery DW Agg Aassault DW Rec/Tran Stolen MV Tampering	7/21/17 Mt PD 7/28/17 Mt Granted 8/4/17 Indictment 8/18/18 Nolle 8/21/17 Nolle (witness can't be interviewed) (LR docket)	Granted	7/19/17 PSA: flag, NCA-4, FTA-3, ROR PML 3 8/7/17 PSA: same	
Luis Pena	LR 2017-00289 FR 2017-4103 CR 2017-2645	Shooting at/from MV Agg assault DW	7/21/17 Mt PD 7/26/17 Mt Denied 8/7/17 Indictment 9/7/17 Consolidation	Denied	7/21/17 PSA: no flag, 1 scores, ROR	
Lawrence Krause	LR 2017-00290 FR 2017-3456 CR 2017-2640	Aggravated Assault w/ DW	7/21/17 Mt PD 7/26/17 Mt Denied 8/7/17 Indictment 8/10/17 Report of noncompliance BW 8/14/17 FTA compliance hearing 9/30/17 Arrested 10/2/17 State's Mt to review COR 10/6/17 NBH	Denied	7/21/17 PSA: flag, NCA-4, FTA-3; ROR PML 3 10/3/17 PSA: flag, 5 scores, detain	Later NBH
Rene Carbajal	LR 2017-00292 FR 2017-4105 CR 2017-2644	Shooting at from MV Agg assault w/ DW	7/21/17 Mt PD 7/28/17 Mt Denied 8/7/17 Indictment 9/7/17 Consolidation	Denied	7/21/17 PSA, no flag, 1 scores, ROR	
Vu Nguyen	LR 2017-00293 FR 2017-4109 CR 2017-2625	Human trafficking (attempted) Child solicitation by electronic device	7/21/17 Mt PD 7/28/17 Mt Denied 8/4/17 Indictment 9/7/17 Consolidation	Denied	7/21/17 PSA: no flag, 1 scores, ROR	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Jesus Baray	LR 2017-00291 FR 2017-4106 (no CR)	Rec/tran MV Criminal damage to property	7/21/17 Mt PD 7/28/17 Mt Denied 7/31/17 Order for sanctions 8/14/17 Nolle (metro case)	Denied	7/21/17 PSA: no flag, 4 scores, ROR PML 3	Not indicted
Christ Sathoud	LR 2017-00294 FR 2017-4112 CR 2017-2626	Human trafficking (attempted) Child solicitation by electronic device	7/21/17 Mt PD 7/28/17 Mt denied 8/4/17 Indictment 9/7/17 Consolidation	Denied	7/21/17 PSA: no flag, 1 scores, ROR	
Marcos Gurule	LR 2017-00295 CR 2017-2609 FR 2017-3339	Shoplifting	7/21/17 Mt PD 8/3/17 Indictment 8/14/17 ROR (CR) 8/15/17 Plea (CR) 8/16/17 Motion withdrawn (LR) 8/18/17 ROR (LR)	Withdrawn	7/21/17 PSA: flag, 6 scores, detain	
Robert Singletary	LR 2017-00296 FR 2017-4125 (no CR)	Aggravated assault DW	7/24/17 Mt PD 7/28/17 continued (LR) 8/8/17 motion withdrawn 8/8/17 ROR (LR) nothing else	Withdrawn	7/22/17 PSA: flag, 6 scores, detain	
Matthew Granillo	LR 2017-00297 FR 2017-4117 CR 2017-2641	Injury to pregnant woman Agg batt HHM Agg assault HHM Abandonment/abuse of child Kidnapping	7/24/17 Mt PD 7/27/17 Mt Denied 8/7/17 Indictment (CR) 9/7/17 Consolidation (LR) 9/13/17 Mt Reconsider 9/19/17 ROR & PTS	Denied	7/22/17 PSA: flag, NCA-4, FTA-5, ROR PML 3	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Carlos Zuniga	LR 2017-00298 FR 2017-4124 CR 2017-2643	Robbery Tampering	7/24/17 Mt PD 7/28/17 Mt Granted 8/7/17 Indictment 9/7/17 Consolidation	Granted	7/22/17 PSA: no flag, NCA-6, FTA-5, Detain 8/8/17 PSA: flag, NCA-6, FTA-6, detain	
Victor Ortiz	LR 2017-00300 LR 2017-00299 FR 2017-4119 FR 2017-4171 CR 2017-2642 CR 2017-2653	Murder Robbery w/ DW Aggravated assault	7/24/17 Mt PD 7/27/17 Mt Granted 8/7/17 Indictment 9/7/17 Consolidation	Granted	7/22/17 PSA: flag, NCA-6, FTA-4, Detain 7/24/17 PSA: same	
Rhiannon Davis	LR 2017-00301 FR 2017-4170 (no CR, can't access FR)	Agg batt HHM Leaving scene	7/24/17 Mt PD 7/27/17 Mt denied	Denied	7/24/17 PSA: no flags, 1 scores, ROR	
Brian Archuleta	LR-2017-00306 FR 2017-4200 CR 2017-2713	Unlawful taking of a MV	7/26/17 Mt PD 7/28/17 Mt denied 8/10/17 Indictment 8/31/17 No contest/guilty plea 9/6/17 Plea	Denied	7/25/17 PSA: no flag, 6 scores, detain	
David Macias	LR-2017-00307 FR 2017-4173	Agg batt DW Agg fleeing Rec/Tran stolen MV Possession firearm felon	7/26/17 Mt PD 8/4/17 Mt granted 9/7/17 Consolidation	Denied	7/25/17 PSA: flag, NCA-6, FTA-5, detain	
Vanessa Madrid	LR-2017-00308 FR 2017-3898 CR 2017-2662	Aggravated battery HHM DW	7/26/17 Mt PD 7/31/17 Mt Granted 8/9/17 Indictment 9/18/17 Consolidation	Granted	7/25/17 PSA: flag, 6 scores, detain	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Stephanie Montano	LR-2017-00309 FR 2017-4197 CR 2017-2940	Felon in possession of firearm	7/26/17 Mt PD 7/27/17 Mt Denied 8/29/17 Indictment 9/7/17 Consolidation 9/8/17 ROR & PTS 10/5/17 Report of noncompliance, BW for NBH	Denied	7/25/17 PSA: no flags, 3 scores, ROR PML 2	Later NBH
Bruce Begay	LR-2017-00310 FR 2017-4204 CR 2017-2822	Armed robbery Agg batt dW Possession controlled substance (heroin)	7/26/17 Mt PD 7/31/17 Mt Denied 8/10/17 Report of non compliance 8/17/17 FTA compliance hearing BW 8/22/17 Indictment 9/1/17 FTA arraignment BW NBH 9/7/17 Consolidation	Denied	7/26/17 PSA: flag, NCA-4, FTA-3, ROR PML 3	Later NBH
Ricardo Carrillo	LR-2017-00313 FR 2017-4234 CR 2017-2716	Kidnapping Agg assault HHM Shooting at/from MV Agg fleeing Burglary Child abuse Tampering Unlawful taking MV Agg assault peace officer False imprisonment	7/27/17 Mt PD 8/1/17 Mt Granted 8/11/17 Indictment 9/7/17 Consolidation	Granted	7/27/17 PSA: flag, NCA-4, FTA-2, ROR PML 3	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Devin Lovato	LR-2017-00316 FR 2017-4248 CR 2017-2728	Aggravated battery HHM False imprisonment	7/28/17 Mt PD 8/1/17 Mt Denied 8/9/17 PTS Report (new offense) 8/14/17 Indictment 8/30/17 New conditions 9/7/17 Notice of minor violation 10/5/17 State's mt reconsider COR, contacting victim 10/10/17 Noncompliance report 10/11/17 BW for NBH	Denied	7/28/17 PSA: flag, NCA-4, FTA-5, ROR PML 3	Later NBH
Tyler Shumake	LR-2017-00317 FR 2017-4224 CR 2017-2707	Rec/Tran of a stolen vehicle	7/28/17 Mt PD 8/7/17 Mt Denied 8/10/17 Indictment 9/18/17 Consolidation	Denied	7/27/17 PSA: no flag, NCA-3, FTA-4, ROR PML3	
Gene Grayson	LR-2017-00318 FR 2017-4252 (no CR)	Rec/Tran stolen MV	7/28/17 Mt PD 8/1/17 Mt Denied 8/24/17 Report of Non compliance/BW 9/29/17 Metro court: dismissal petition 9/29/17 Metro court dismissal	Denied	7/28/17 PSA: no flag, 3 scores, ROR PML 3	
Jared Barnhill	LR-2017-00319 FR 2017-4275 CR 2017-2720	Agg assault DW Agg batt DW Conspiracy Auto burglary Tampering	7/31/17 Mt PD 8/3/17 Mt granted 8/11/17 Indictment	Granted	7/29/17 PSA: no flag, NCA-1, FTA-2, ROR 8/16/17 PSA: no flag, NCA-2, FTA-6, ROR PML 2	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Chelsea Pedro	LR-2017-00320 FR 2017-4268 (no CR) (can't access FR)	Abandonment/abuse of a child	7/31/17 Mt PD 8/2/17 Mt Denied	Denied	7/29/17 PSA: no flag, NCA-2, FTA-1, ROR	
Louise Brewer	LR-2017-00321 FR 2017-4264 (no CR) (can't access FR)	Agg batt GBH False imprisonment	7/31/17 Mt PD 8/2/17 Mt denied 9/7/17 Consolidation	Denied	7/29/17 PSA: no flag, NCA-2, FTA-1, ROR	
Jordan Pedro	LR-2017-00322 FR 2017-4276 (no CR)	Abandonment/abuse of a child	7/31/17 Mt PD 8/2/17 Mt Denied	Denied	7/29/17 PSA: no flag, 2 scores, ROR	
Christopher Sideler	LR-2017-00323 FR 2017-4260 CR 2017-2743	Agg assault DW Breaking & entering	8/1/17 Mt PD 8/4/18 Mt Denied 8/15/17 Indictment 9/7/17 Consolidation 10/3/17 Report of noncompliance 10/5/17 COR hearing FTA & BW NBH 10/6/17 Arrested	Denied	7/31/17 PSA: flag, NCA-5, FTA-6, detain	Later NBH
Christopher Sideler	LR-2017-00324 FR 2017-4311 CR 2017-2731	Possession of controlled substance	8/1/17 MT 8/4/17 Mt Denied 8/11/17 Indictment 8/21/17 Consolidation 10/3/17 Notice of noncompliance 10/11/17 hearing, arrested on new charges	Denied	7/31/17 PSA: no flag, NCA-5, FTA-6, detain 8/16/17 PSA: no flag, 5 scores, detain	

Name	Case Number	Charges	Events	Decision	PSA/PTS Report	Later disposition
Jeyden Barnhill	LR-2017-00325 FR 2017-4283 CR 2017-2719	Aggravated battery attempted auto theft auto burglary conspiracy tampering	8/1/17 Mt PD 8/3/17 Mt granted 8/11/17 Indictment 9/7/17 Consolidation	Granted	7/29/17 PSA: no flag, 5 scores, detain 8/16/17 PSA: flag, 5, scores, detain	
Shenik Segura	LR-2017-00327 FR 2017-4332 CR 2017-3092	Rec/Trans stolen firearm	8/1/17 Mt PD 8/2/17 Mt denied 9/14/17 Indictment	Denied	8/1/17 PSA: no flag, 1 scores, ROR	
Steven Hoddox	LR-2017-00328 FR 2017-4322 CR 2017-2745	Rec/Tran stolen firearm	8/1/17 Mt PD 8/7/17 Mt Denied 8/15/17 Indictment 9/15/17 Mt Reconsider COR 9/27/17 Consolidation 9/27/17 COR amended	Denied	8/1/17 PSA: no flag, NCA-5, FTA-4, ROR PML 4	
Shamar Cunnigham	LR-2017-00329 FR 2017-4324 (no CR) (can't access FR)	Agg batt HHM Agg assault HHM Tampering Abandonment/abuse child	8/2/17 Mt PD 8/4/17 Mt Denied	Denied	8/1/17 PSA: flag, 3 scores, ROR PML 2	
Sophia Olguin	LR-2017-00330 FR 2017-4333 CR 2017-2752	Aggravated battery Child abuse False imprisonment Criminal damage	8/2/17 Mt PD 8/3/17 Mt denied 8/15/17 Indictment 9/7/17 Consolidation	Denied	8/1/17 PSA: flag, 3 scores, ROR PML 2	

Exhibit D

Pretrial Services Pretrial Detention Case List

Name	Age	Top Charge	Temporary Case #	Once Included Misd Court Case #	Date Motion Filed	Date By Received	Date of Hearing	Outcome
Arlinoz, Dominic	0	First Degree Murder	D-202-CS-2016-00027	D-202-CR-2016-04209	12/19/16	12/21/16	12/19/16	NO BOND HOLD
Sandoval, Daniel	7	First Degree Murder	D-202-CS-2016-00076	D-202-CR-2016-04210	12/19/16	12/21/16	12/19/16	NO BOND HOLD
Montoya, Xavier	1	First Degree Murder	D-202-LR-2016-00954	D-202-CR-2016-04211	12/17	None	1/13/17	NO BOND HOLD
Pachia, Lenise	MA	First Degree Murder	None	D-202-CR-2016-04212	12/17	NA	1/13/17	NO BOND HOLD
McCaffin, Cornelius	NA	First Degree Murder	None	D-202-CR-2016-04213	12/17	NA	1/13/17	NO BOND HOLD
Mora, Donald	3	Receiving or Transferring Stolen Motor Vehicle	D-202-LR-2017-00015	D-202-CR-2017-00548	4/26/17	5/17/17	5/23/17	MOTION DENIED/TPC-PTS WGPS
Yanez, Diego	12	Aggravated Hazing & Law Enforcement Officer	D-202-LR-2017-00014	D-202-CR-2017-00543	4/26/17	5/17/17	5/23/17	NO BOND HOLD
Balcer, Joseph	3	Shooting at or From a Motor Vehicle GBH	D-202-LR-2017-00019	D-202-CR-2017-00545	4/26/17	5/17/17	5/23/17	MOTION DENIED/NO COR GIVEN
Saracola, Joseph	5	Aggravated Assault DW X2	D-202-LR-2017-00020	D-202-CR-2017-00546	4/26/17	5/17/17	5/23/17	MOTION DENIED/ROR
Erchiga, Aaron	13	Aggravated Assault HHM	D-202-LR-2017-00021	D-202-CR-2017-00544	4/26/17	5/17/17	5/23/17	NO BOND HOLD
Evangel, Aaron	13	Aggravated Battery Against HHM GBH	D-202-LR-2017-00022	D-202-CR-2017-00524	4/26/17	5/17/17	5/23/17	NO BOND HOLD
Martinez, Aaron	7	Aggravated Battery GBH	D-202-LR-2017-00023	D-202-CR-2017-00542	4/26/17	5/17/17	5/23/17	MOTION DENIED/100 CASH ONLY & PTS WGPS
Road, Joseph	0	Armed Robbery	D-202-LR-2017-00017	D-202-CR-2017-00525	4/26/17	5/17/17	5/23/17	HEARING CANCELLED DUE TO INDICTMENT
Ford, Ronal	13	Aggravated Battery Against HHM GBH	D-202-LR-2017-00018	D-202-CR-2017-01155	4/26/17	5/17/17	5/23/17	MOTION DENIED/ROR REVERTED TO MFFA COR
Smith, Deandre	6	Aggravated Hazing & Law Enforcement Officer	D-202-LR-2017-00025	D-202-CR-2017-00609	4/26/17	5/17/17	5/23/17	NO BOND HOLD
Wells, Lamar	6	Aggravated Hazing & Law Enforcement Officer	D-202-LR-2017-00026	D-202-CR-2017-00610	4/26/17	5/17/17	5/23/17	NO BOND HOLD
Raichel, Shannon	7	First Degree Murder	D-202-LR-2017-00024	D-202-CR-2017-00625	4/26/17	5/17/17	5/23/17	NO BOND HOLD
Oniz, Raymond	7	First Degree Murder	D-202-LR-2017-00028	D-202-CR-2017-00609	4/26/17	5/17/17	5/23/17	NO BOND HOLD
Dozier, Gregory	3	Armed Robbery	D-202-LR-2017-00030	D-202-CR-2017-00742	4/26/17	5/17/17	5/23/17	MOTION DENIED/COR: 10,000 US\$ & TPC-PTS WGPS & GPS
Riley, Marlin	2	Aggravated Battery DW	D-202-LR-2017-00036	D-202-CR-2017-00749	4/26/17	5/17/17	5/23/17	MOTION DENIED/ROR REVERTED TO MFFA COR
Jones, Garret	8	Kidnapping	D-202-LR-2017-00038	D-202-CR-2017-00750	4/26/17	5/17/17	5/23/17	MOTION DENIED/100 CASH ONLY & TPC-PTS WGPS
Trifilo, Frankie	12	Kidnapping	D-202-LR-2017-00033	D-202-CR-2017-00752	4/26/17	5/17/17	5/23/17	NO BOND HOLD
Sandoval, Elinor	6	Homicide by Vehicle (Reckless Driving)	D-202-LR-2017-00031	D-202-CR-2017-01005	4/26/17	5/17/17	5/23/17	MOTION DENIED/COR: 35,000 CIB & PTS WGPS/ROR
Dominguez, Antonio	10	Criminal Sexual Penetration, Aggravated Battery	D-202-LR-2017-00034	D-202-CR-2017-00717	4/26/17	5/17/17	5/23/17	NO BOND HOLD
Martinez, Nathaniel	13	Shooting at Dwelling or Occupied Building	D-202-LR-2017-00027	D-202-CR-2017-00672	4/26/17	5/17/17	5/23/17	NO BOND HOLD
Balfanz, Carmen	12	Shooting at or From a Motor Vehicle	D-202-LR-2017-00032	D-202-CR-2017-00747	4/26/17	5/17/17	5/23/17	MOTION DENIED/25,000 CASH ONLY OR TPC-PTS WGPS
Oliver-Martinez, Roberto	7	Kidnapping	D-202-LR-2017-00039	D-202-CR-2017-00791	4/26/17	5/17/17	5/23/17	MOTION DENIED/NO COR GIVEN
Enches, Alfred	6	Aggravated Battery Against HHM GBH	D-202-LR-2017-00043	D-202-CR-2017-00748	4/26/17	5/17/17	5/23/17	MOTION DENIED/100 CASH ONLY & TPC-PTS WGPS
Carla-Zarate, Luis	0	Armed Robbery	D-202-LR-2017-00041	D-202-CR-2017-01063	4/26/17	5/20/17	5/23/17	MOTION DENIED/100 CIB & PTS WGPS
Brandenburg, Lee	10	Armed Robbery X2	D-202-LR-2017-00043	D-202-CR-2017-00820	4/26/17	5/21/17	5/24/17	NO BOND HOLD
Correa-Reyes, Jorge	13	First Degree Murder	D-202-LR-2017-00040	D-202-CR-2017-00844	4/26/17	5/17/17	5/23/17	MOTION DENIED/NO COR GIVEN
Muehl, Emilio	7	First Degree Murder	D-202-LR-2017-00042	D-202-CR-2017-00874	4/26/17	5/23/17	5/23/17	MOTION DENIED/NO COR GIVEN
Ortiz-Perez, Edwin	3	First Degree Murder X2	D-202-LR-2017-00064	D-202-CR-2017-01057	4/26/17	5/23/17	5/23/17	MFFA: NO BOND HOLD
Ortiz-Perez, Edwin	7	First Degree Murder X2	D-202-LR-2017-00068	D-202-CR-2017-01056	4/26/17	5/23/17	5/23/17	MFFA: NO BOND HOLD
Marino, Emilio	1	First Degree Murder X2	D-202-LR-2017-00098	D-202-CR-2017-01055	4/26/17	5/23/17	5/23/17	MFFA: NO BOND HOLD
Hernandez, Luis	0	First Degree Murder X2	D-202-LR-2017-00097	D-202-CR-2017-01054	4/26/17	5/23/17	5/23/17	MOTION DENIED/NO COR GIVEN
Chavez-Espinoza, Jorge	0	Conspiracy to Commit Armed Robbery	D-202-LR-2017-00092	D-202-CR-2017-02209	4/26/17	5/23/17	5/23/17	MOTION DENIED/NO COR GIVEN
Vigil, Elias	7	Aggravated Assault DW X4	D-202-LR-2017-00048	D-202-CR-2017-00752	4/26/17	5/17/17	5/23/17	MOTION DENIED/NO COR GIVEN
Hedillo, Steven	14	Shooting at or From a Motor Vehicle	D-202-LR-2017-00067	D-202-CR-2017-00752	4/26/17	5/17/17	5/23/17	MOTION DENIED/NO COR GIVEN
Chavez, Marcus	11	Shooting at Dwelling or Occupied Building	D-202-LR-2017-00058	D-202-CR-2017-00684	4/26/17	5/17/17	5/23/17	MOTION DENIED/250 CASH (10% COURT) & PTS WGPS
Dorland, Marcos	11	Aggravated Assault	D-202-LR-2017-00046	D-202-CR-2017-00938	4/26/17	5/17/17	5/23/17	NO BOND HOLD
Cardona, Marcos	4	Robbery X12	D-202-LR-2017-00050	D-202-CR-2017-00938	4/26/17	5/17/17	5/23/17	NO BOND HOLD
Mora, Moises	7	Unlawful Taking of a Motor Vehicle	D-202-LR-2017-00056	D-202-CR-2017-01063	4/26/17	5/17/17	5/23/17	MOTION DENIED/100 CASH & PTS
Martinez, Paul	10	Unlawful Taking of a Motor Vehicle	D-202-LR-2017-00051	D-202-CR-2017-01065	4/26/17	5/17/17	5/23/17	MOTION WITHDRAWN BY D.A.
Johnson, Thor	1	Kidnapping	D-202-LR-2017-00032	D-202-CR-2017-01122	4/26/17	5/17/17	5/23/17	MOTION DENIED/ROR
Davis, Wesley	11	Criminal Sexual Penetration	D-202-LR-2017-00033	D-202-CR-2017-01122	4/26/17	5/17/17	5/23/17	MOTION DENIED/ROR & PTS
Gonzalez, Fabian	1	Shooting at or From a Motor Vehicle	D-202-LR-2017-00038	D-202-CR-2017-01128	4/26/17	5/17/17	5/23/17	MOTION DENIED/500 CASH (10% COURT) & TPC-PTS WGPS
Marino, Emilio	7	Aggravated Battery DW	D-202-LR-2017-00036	D-202-CR-2017-01128	4/26/17	5/17/17	5/23/17	MOTION DENIED/ROR REVERTED TO MFFA COR
Salas, Paul	0	Armed Robbery X2	D-202-LR-2017-00037	D-202-CR-2017-01124	4/26/17	5/17/17	5/23/17	MOTION DENIED/100 CASH ONLY & TPC-PTS WGPS
Marquez, Kyle	6	Criminal Sexual Penetration	D-202-LR-2017-00038	D-202-CR-2017-01124	4/26/17	5/17/17	5/23/17	MOTION DENIED/100 CASH ONLY & TPC-PTS WGPS
Perez-Ortiz, Eder	7	First Degree Murder	D-202-LR-2017-00072	D-202-CR-2017-01056	4/26/17	5/23/17	5/23/17	MOTION DENIED/100 CASH ONLY
Hoppe, Mounir	14	Shooting at or From a Motor Vehicle	D-202-LR-2017-00058	D-202-CR-2017-01293	4/26/17	5/17/17	5/23/17	MOTION DENIED/100 CIB & TPC-PTS
Ortiz, Joshua	10	Robbery	D-202-LR-2017-00070	D-202-CR-2017-01294	4/26/17	5/17/17	5/23/17	NO BOND HOLD
Martinez, Steven	7	Aggravated DWI	D-202-LR-2017-00073	D-202-CR-2017-01292	4/26/17	5/17/17	5/23/17	NO BOND HOLD
Ameer, Muhammad	3	First Degree Murder	D-202-LR-2017-00075	D-202-CR-2017-01257	4/26/17	5/21/17	5/24/17	NO BOND HOLD
Wells, Lamar	6	Armed Robbery X2	D-202-LR-2017-00076	D-202-CR-2017-01244	4/26/17	5/21/17	5/24/17	MOTION DENIED/25,000 CASH ONLY & PTS WGPS
Jenkins, Ja'Kari	0	Kidnapping	D-202-LR-2017-00077	D-202-CR-2017-01263	4/26/17	5/21/17	5/24/17	MOTION DENIED/TPC-PTS WGPS
Romero, Dennis	3	Armed Robbery X6	D-202-LR-2017-00078	D-202-CR-2017-01243	4/26/17	5/23/17	5/24/17	MOTION DENIED/100 CASH ONLY
Sandoval, Daniel	7	Aggravated Assault DW	D-202-LR-2017-00060	D-202-CR-2017-02228	4/26/17	5/24/17	5/28/17	METRO CASE DISMISS/HEARING VACATED
Vasquez, Orsley	1	First Degree Murder	D-202-LR-2017-00062	D-202-CR-2017-02228	4/26/17	5/23/17	5/31/17	NO BOND HOLD
Lopez, Leonora	14	Attempted First Degree Murder	D-202-LR-2017-00063	D-202-CR-2017-01365	4/26/17	5/23/17	5/31/17	MOTION DENIED/25,000 CIB (OR 10% TO COURT) & TPC-PTS
Chiriac, David	12	Kidnapping	D-202-LR-2017-00068	D-202-CR-2017-02828	4/26/17	5/23/17	5/31/17	MOTION DENIED/ROR & PTS
Loweley, Justin	7	Shooting at or From a Motor Vehicle	D-202-LR-2017-00081	D-202-CR-2017-02828	4/26/17	5/24/17	4/28/17	MOTION DENIED/ROR COR GIVEN
Martinez, Leida	18	Armed Robbery X2	D-202-LR-2017-00079	D-202-CR-2017-01421	4/26/17	5/24/17	4/27/17	NO HEARING HELD/DEFENDANT INDICTED
Morales, Leonora	12	Armed Robbery X2	D-202-LR-2017-00074	D-202-CR-2017-01421	4/26/17	5/23/17	4/27/17	NO HEARING HELD/DEFENDANT INDICTED
Bello, Robert	6	Armed Robbery X2	D-202-LR-2017-00078	D-202-CR-2017-01420	4/26/17	4/23/17	4/27/17	NO HEARING HELD/DEFENDANT INDICTED
Lucas, James	6	Aggravated Battery Against a HHM	D-202-LR-2017-00087	D-202-CR-2017-01342	4/26/17	4/23/17	4/27/17	MOTION DENIED/ROR
Andrews, Vicki	0	Attempted First Degree Murder	D-202-LR-2017-00090	D-202-CR-2017-02216	4/26/17	4/17/17	4/18/17	MOTION DENIED/ROR & PTS
Wells, Terry	0	First Degree Murder	D-202-LR-2017-00092	D-202-CR-2017-01524	4/26/17	4/13/17	4/17/17	NO BOND HOLD
Lucero, Isabela	6	Shooting at or From a Motor Vehicle	D-202-LR-2017-00089	D-202-CR-2017-01524	4/26/17	4/13/17	4/21/17	MOTION DENIED/TPC-PATRICIA LUGERO & PTS WGPS
Overton, Mack	6	Aggravated Battery DW	D-202-LR-2017-00093	D-202-CR-2017-01524	4/26/17	4/17/17	4/21/17	NO BOND HOLD
Gunk, Isalah	5	Kidnapping	D-202-LR-2017-00094	D-202-CR-2017-01621	4/26/17	4/17/17	4/21/17	NO BOND HOLD
Basso, Michael	5	Criminal Sexual Penetration	D-202-LR-2017-00095	D-202-CR-2017-01606	4/26/17	4/18/17	4/21/17	NO BOND HOLD
Basso, Michael	5	Criminal Sexual Penetration	D-202-LR-2017-00096	D-202-CR-2017-01624	4/26/17	4/18/17	4/21/17	NO BOND HOLD
Bocikha, Becci	7	First Degree Murder	D-202-LR-2017-00097	D-202-CR-2017-01625	4/26/17	4/18/17	4/21/17	NO BOND HOLD
Valiano, Galay	12	Possession of Explosive or Incendiary Device	D-202-LR-2017-00098	D-202-CR-2017-01640	4/26/17	4/19/17	4/24/17	NO BOND HOLD
Valiano, Galay	12	Possession of Explosive or Incendiary Device	D-202-LR-2017-00099	D-202-CR-2017-01640	4/26/17	4/20/17	4/24/17	NO BOND HOLD
Serna Anthony	2	Child Abuse	D-202-LR-2017-00101	D-202-CR-2017-00670	4/26/17	4/24/17	4/28/17	MOTION DENIED/TPC-PTS WGPS & GPS
Anderson, Paul	6	Shooting at Dwelling or Occupied Building	D-202-LR-2017-00102	D-202-CR-2017-01674	4/26/17	4/24/17	4/28/17	NO BOND HOLD
Geraci, Estaban	7	Receiving or Transferring Stolen Motor Vehicle	D-202-LR-2017-00104	D-202-CR-2017-01680	4/26/17	4/24/17	4/28/17	NO BOND HOLD
Lucero, Raymond	8	Possession of DW or Explosive by Poisoner	D-202-LR-2017-00106	D-202-CR-2017-01708	4/26/17	4/25/17	4/28/17	MOTION DENIED/2,000 CASH ONLY (10% TO COURT) & PTS WGPS & GPS
Gerbico, Joseph	7	Criminal Sexual Penetration (Child 13-18) X2	D-202-LR-2017-00108	D-202-CR-2017-01798	4/26/17	4/27/17	5/1/17	NO BOND HOLD
Woods, Matthew	13	Aggravated Assault Against HHM	D-202-LR-2017-00109	D-202-CR-2017-01778	4/26/17	4/26/17	4/28/17	NO BOND HOLD
Amarante, Miguel	0	Aggravated Battery GBH	D-202-LR-2017-00109	D-202-CR-2017-01778	4/26/17	4/26/17	4/28/17	MOTION DENIED/ROR & PTS
Harad, David	9	Felon Implication	D-202-LR-2017-00110	D-202-CR-2017-01793	4/26/17	5/21/17	5/6/17	MOTION DENIED/25,000 CIB (OR 10% TO COURT) & PTS WGPS & GPS
Chavez, Luis	2	Criminal Sexual Penetration (Child Under 13)	D-202-LR-2017-00111	D-202-CR-2017-01832	4/26/17	5/21/17	5/6/17	MOTION DENIED/50,000 CIB & PTS
Coronado-Mendoza, Humberto	0	Aggravated Battery DW	D-202-LR-2017-00112	D-202-CR-2017-01834	4/26/17	5/21/17	5/6/17	MOTION DENIED/25,000 CIB & PTS WGPS & GPS
Finolles, Adrien	12	Armed Robbery	D-202-LR-2017-00106	D-202-CR-2017-01777	4/26/17	4/28/17	5/12/17	NO BOND HOLD
Cornwell, Robert	0	Shooting at or From a Motor Vehicle	D-202-LR-2017-00113	D-202-CR-2017-01830	4/26/17	5/17/17	5/12/17	NO BOND HOLD
Rhio, Christopher	2	First Degree Murder	D-202-LR-2017-00114	D-202-CR-2017-01874	4/26/17	5/8/17		

Paisanolo, James	(Y) 43	Armed Robbery X2	D-202-LR-2017-00147	D-202-CR-2017-02255	6/13/17	6/13/17	6/16/17	MOTION DENIED/PC-PTS
Paisanolo, Anthony	(N) 23	First Degree Murder X4	D-202-LR-2017-00133	D-202-CR-2017-02185	6/6/17	6/6/17	6/16/17	NO BOND HOLD
Willa, Charles	(N) 64	Trafficking Controlled Substances	D-202-LR-2017-00134		6/6/17	6/6/17	6/16/17	NO BOND HOLD
Willa, Charles	(Y) 84	Aggravated Assault Upon a Peace Officer	D-202-LR-2017-00136	D-202-CR-2017-02188	6/6/17	6/6/17	6/16/17	NO BOND HOLD
Willa, Charles	(M) 84	Identity Theft	D-202-LR-2017-00144		6/6/17	6/6/17	6/16/17	NO BOND HOLD
Fronette, Frank	(Y) 55	First Degree Murder	D-202-LR-2017-00146	D-202-CR-2017-02225	6/12/17	6/12/17	6/19/17	MOTION DENIED/500 C/S & P/S OR TPC-PTS
Garcia, Martin	(Y) 60	Armed Robbery X10	D-202-LR-2017-00143	D-202-CR-2017-02153	6/6/17	6/6/17	6/19/17	MOTION DENIED/NO COR GIVEN
Hernandez, Edward	(N) 27	Shooting at Dwelling or Occupied Building	D-202-LR-2017-00145	D-202-CR-2017-02175	6/14/17	6/14/17	6/19/17	MOTION DENIED/NO COR GIVEN
Barclay, Dennis	(Y) 52	Aggravated Battery GBH	D-202-LR-2017-00149	D-202-CR-2017-02265	6/15/17	6/15/17	6/19/17	NO BOND HOLD
Silvestro, Anthony	(N) 70	Distribution of Marijuana	D-202-LR-2017-00136	D-202-CR-2017-02298	6/14/17	6/14/17	6/20/17	NO BOND HOLD
Hernandez, Genaid	(Y) 65	Aggravated Battery H/M	D-202-LR-2017-00156	D-202-CR-2017-02285	6/15/17	6/15/17	6/21/17	NO BOND HOLD
Hodge, Jabille	(Y) 37	Armed Robbery	D-202-LR-2017-00157	D-202-CR-2017-02280	6/15/17	6/15/17	6/21/17	NO BOND HOLD
Shaw, Troy	(Y) 56	Aggravated Assault H/M	D-202-LR-2017-00160	D-202-CR-2017-02300	6/15/17	6/15/17	6/21/17	NO BOND HOLD
Chavez, Benjamin	(Y) 45	Aggravated Assault DW	D-202-LR-2017-00152		6/15/17	6/15/17	6/22/17	MOTION DENIED/ROR & P/S
Moya, Christopher	(N) 46	Receiving or Transferring Stolen Motor Vehicle	D-202-LR-2017-00161	D-202-CR-2017-02302	6/16/17	6/16/17	6/22/17	MOTION DENIED/PC-PTS
Talamante, Steven	(Y) 65	Possession of Controlled Substance X2	D-202-LR-2017-00160	D-202-CR-2017-02304	6/16/17	6/16/17	6/23/17	MOTION DENIED/600 C/S (10% TO COURT)
Lacour, Charles	(N) 55	Failure to Register as Sex Offender	D-202-LR-2017-00161	D-202-CR-2017-02442	6/16/17	6/16/17	6/23/17	MOTION DENIED/ROR
Dreanin, Scotty	(Y) 63	Battery Upon a Peace Officer X2	D-202-LR-2017-00164	D-202-CR-2017-02289	6/16/17	6/16/17	6/23/17	NO BOND HOLD
Singhler, Robert	(N) 58	Possession of Controlled Substance	D-202-LR-2017-00155		6/16/17	6/16/17	6/23/17	MOTION WITHDRAWN BY D.A.
Willa, Melissa	(Y) 43	Child Abuse	D-202-LR-2017-00156	D-202-CR-2017-02346	6/20/17	6/20/17	6/23/17	MOTION DENIED/ROR
White, Christina	(N) 11	First Degree Murder	D-202-LR-2017-00159		6/19/17	6/19/17	6/23/17	MOTION DENIED/PC-FAMILY
Aguiar, Ben	(N) 11	Criminal Sexual Contact of a Minor X2	D-202-LR-2017-00167	D-202-CR-2017-02315	6/20/17	6/20/17	6/23/17	MOTION DENIED/ROR & P/S
Barber, David	(Y) 58	Aggravated Battery (Minor)	D-202-LR-2017-00168	D-202-CR-2017-02330	6/21/17	6/21/17	6/23/17	NO BOND HOLD
Schmitt, Adrian	(Y) 45	Criminal Sexual Penetration	D-202-LR-2017-00169	D-202-CR-2017-02378	6/21/17	6/21/17	6/23/17	NO BOND HOLD
Overson, Max	(N) 80	Embodiment of Motor Vehicle	D-202-LR-2017-00172		6/21/17	6/21/17	6/23/17	MOTION DENIED/ROR
Ridella, Jimmie	(Y) 65	Battery Upon a Peace Officer	D-202-LR-2017-00173		6/21/17	6/21/17	6/23/17	MOTION DENIED/500 CASH & P/S
Engstrom, Caleb	(N) 11	Criminal Sexual Penetration	D-202-LR-2017-00176	D-202-CR-2017-02377	6/22/17	6/22/17	6/28/17	NO BOND HOLD
Lallo, Lathan	(Y) 44	Child Abuse	D-202-LR-2017-00174		6/22/17	6/22/17	6/28/17	MOTION DENIED/ROR & P/S
Rivera, James	(Y) 42	Criminal Sexual Penetration	D-202-LR-2017-00175	D-202-CR-2017-02382	6/22/17	6/22/17	6/28/17	NO BOND HOLD
Chavez, Lorenzo	(N) 45	Shoplifting	D-202-LR-2017-00176	D-202-CR-2017-03126	6/22/17	6/22/17	6/28/17	MOTION DENIED/ROR & P/S
Quire, Michael	(Y) 44	Aggravated Battery H/M GBH	D-202-LR-2017-00185	D-202-CR-2017-02317	6/22/17	6/22/17	6/29/17	MOTION DENIED/ROR & P/S
Brown, Jonathan	(N) 44	Aggravated Battery DW	D-202-LR-2017-00178	D-202-CR-2017-02387	6/22/17	6/22/17	6/29/17	MOTION DENIED/PC-PTS & W/GPS
Whitface, Christopher	(Y) 60	Aggravated Assault DW	D-202-LR-2017-00179	D-202-CR-2017-02330	6/22/17	6/22/17	6/29/17	MOTION DENIED/PC-PTS
Isler, Adam	(Y) 44	Aggravated Battery H/M DW	D-202-LR-2017-00180		6/22/17	6/22/17	6/29/17	MOTION DENIED/PC-PTS
Shakespeare, William	(Y) 42	Aggravated Assault	D-202-LR-2017-00181		6/22/17	6/22/17	6/29/17	MOTION DENIED/ROR & P/S
Alfano, Alex	(Y) 43	Criminal Sexual Penetration	D-202-LR-2017-00185	D-202-CR-2017-02391	6/22/17	6/22/17	6/29/17	NO BOND HOLD
Robles, David	(Y) 43	Criminal Sexual Penetration	D-202-LR-2017-00183	D-202-CR-2017-02388	6/19/17	6/19/17	6/30/17	NO BOND HOLD
Thomson, Mark	(N) 64	Residential Burglary	D-202-LR-2017-00182	D-202-CR-2017-02350	6/19/17	6/19/17	6/30/17	NO BOND HOLD
Lucero, Antonio	(Y) 84	Child Abuse X2	D-202-LR-2017-00183	D-202-CR-2017-02307	6/22/17	6/22/17	6/30/17	MOTION DENIED/ROR & P/S
Lucero, Emanuel	(Y) 30	Aggravated Assault DW X12	D-202-LR-2017-00184	D-202-CR-2017-02338	6/22/17	6/22/17	6/30/17	NO BOND HOLD
Marcus, Daniel	(N) 46	Residential Burglary	D-202-LR-2017-00171		6/22/17	6/22/17	6/30/17	MOTION DENIED/ROR & P/S
Thomson, Mark	(N) 44	Residential Burglary	D-202-LR-2017-00184	D-202-CR-2017-02316	6/22/17	6/22/17	6/30/17	NO BOND HOLD
Galegos, Jacob	(Y) 54	Aggravated Battery DW	D-202-LR-2017-00187	D-202-CR-2017-02390	6/22/17	6/22/17	6/30/17	NO BOND HOLD
Owston, Jessie	(N) 35	Aggravated Assault Upon a Peace Officer	D-202-LR-2017-00188		6/22/17	6/22/17	6/30/17	MOTION DENIED/ROR & P/S
Roscoe, Diego	(Y) 44	Stalking	D-202-LR-2017-00188		6/22/17	6/22/17	7/3/17	MOTION DENIED/ROR
Dellmann, Michael	(Y) 32	Armed Robbery	D-202-LR-2017-00189	D-202-CR-2017-02389	6/22/17	6/22/17	7/3/17	NO BOND HOLD
Waggon, Richard	(Y) 44	False Imprisonment	D-202-LR-2017-00189		6/22/17	6/22/17	7/3/17	MOTION DENIED/ROR & P/S
Lopez, Thomas	(Y) 40	Aggravated Assault DW X2	D-202-LR-2017-00191		6/22/17	6/22/17	7/3/17	NOLLE PROSEQUI
McFarland, Lorenzo	(N) 53	Residential Burglary	D-202-LR-2017-00192	D-202-CR-2017-02400	6/22/17	6/22/17	7/3/17	NO BOND HOLD
Galegos, Jacob	(N) 54	Aggravated Assault DW	D-202-LR-2017-00194		6/22/17	6/22/17	7/3/17	MOTION DENIED/ROR & P/S
Tanorio, Edward	(Y) 55	Aggravated Battery DW	D-202-LR-2017-00195	D-202-CR-2017-02430	6/22/17	6/22/17	7/3/17	NO BOND HOLD
Galegos, Jacob	(N) 54	Receiving Stolen Property	D-202-LR-2017-00196	D-202-CR-2017-02468	6/22/17	6/22/17	7/3/17	MOTION DENIED/ROR & P/S
Garcia, Steven	(N) 55	Identity Theft	D-202-LR-2017-00200		6/22/17	6/22/17	7/3/17	NO BOND HOLD
Trujillo, Yvelina	(Y) 43	Aggravated Assault Upon a Peace Officer	D-202-LR-2017-00201	D-202-CR-2017-02430	6/22/17	6/22/17	7/3/17	MOTION DENIED/ROR & P/S
Serrano, Tyler	(N) 42	Aggravated Assault DW	D-202-LR-2017-00202	D-202-CR-2017-02425	6/22/17	6/22/17	7/3/17	NO BOND HOLD
Hernandez, Marcela	(Y) 43	Kidnapping	D-202-LR-2017-00195	D-202-CR-2017-02413	6/22/17	6/22/17	7/3/17	NO BOND HOLD
Yarow, Nicholas	(N) 60	Larceny	D-202-LR-2017-00203	D-202-CR-2017-02437	7/3/17	7/3/17	7/3/17	NO BOND HOLD
Johnson, Damaris	(N) 42	Aggravated Assault Against H/M	D-202-LR-2017-00204		7/11/17	7/11/17	7/3/17	NOLLE PROSEQUI
Johnson, Damaris	(N) 42	Aggravated Battery	D-202-LR-2017-00205		7/11/17	7/11/17	7/3/17	MOTION DENIED/ROR & P/S
Johnson, Damaris	(N) 42	Possession of Controlled Substance	D-202-LR-2017-00206		7/11/17	7/11/17	7/3/17	MOTION DENIED/ROR & P/S
Mascareñas, Isaac	(Y) 43	Aggravated Battery	D-202-LR-2017-00208	D-202-CR-2017-02440	7/11/17	7/11/17	7/3/17	CASE DISMISSED
Morales, George	(Y) 64	Harboring a Witness	D-202-LR-2017-00209		6/30/17	7/3/17	7/3/17	NO BOND HOLD
Meesters, Mario	(Y) 55	Child Abandonment	D-202-LR-2017-00182		6/22/17	6/22/17	7/3/17	MOTION WITHDRAWN BY D.A.
Olsen, Alan	(Y) 44	Aggravated Assault DW	D-202-LR-2017-00193	D-202-CR-2017-02396	6/22/17	6/22/17	7/3/17	NO BOND HOLD
Brown, Orlene	(N) 32	Child Solicitation by Electronic Device	D-202-LR-2017-00198	D-202-CR-2017-02339	6/22/17	6/22/17	7/3/17	MOTION DENIED/2,000 C/S & P/S W/GPS
Brown, Brian	(Y) 56	Aggravated Battery DW	D-202-LR-2017-00210	D-202-CR-2017-02471	7/3/17	7/3/17	7/3/17	MOTION DENIED/3,000 CASH DW/Y & P/S
Hernandez, Erik	(Y) 60	Aggravated Assault DW	D-202-LR-2017-00211	D-202-CR-2017-02478	7/3/17	7/3/17	7/3/17	MOTION DENIED/PC-FR W/GPS
Neft, Cory	(N) 55	Receiving or Transferring Stolen Motor Vehicle	D-202-LR-2017-00212	D-202-CR-2017-02479	7/3/17	7/3/17	7/3/17	MOTION DENIED/PC-FR W/GPS
Sandoval, Shannon	(Y) 54	Aggravated Battery GBH	D-202-LR-2017-00214	D-202-CR-2017-02481	7/3/17	7/3/17	7/3/17	MOTION DENIED/PC-PTS W/GPS
Barros, Edwards	(Y) 42	Aggravated Battery H/M DW	D-202-LR-2017-00215	D-202-CR-2017-02484	7/3/17	7/3/17	7/3/17	NO BOND HOLD
Hansen, Austin	(N) 22	Attempted First Degree Murder	D-202-LR-2017-00216	D-202-CR-2017-02628	7/3/17	7/3/17	7/3/17	MOTION DENIED/PC-PTS W/GPS
Silva, Jesse	(N) 11	Criminal Sexual Penetration	D-202-LR-2017-00222	D-202-CR-2017-02564	7/10/17	7/10/17	7/10/17	MOTION DENIED/ROR
Smith, Craig	(Y) 42	First Degree Murder	D-202-LR-2017-00217	D-202-CR-2017-02384	6/22/17	6/22/17	7/12/17	NO BOND HOLD
Spagna, Traveese	(Y) 43	Arson	D-202-LR-2017-00218	D-202-CR-2017-02480	7/3/17	7/3/17	7/12/17	MOTION DENIED/1,000 C/S & P/S W/GPS OR TPC-PTS W/GPS
Garcia, Alexander	(Y) 66	Robbery	D-202-LR-2017-00197	D-202-CR-2017-02462	6/22/17	6/22/17	7/13/17	NOLLE PROSEQUI
Cody, Nolan	(Y) 44	Aggravated Battery DW	D-202-LR-2017-00219	D-202-CR-2017-02501	7/10/17	7/10/17	7/13/17	NO BOND HOLD
Talamante-Accosta, Luis	(Y) 43	Aggravated Battery DW	D-202-LR-2017-00223		7/10/17	7/10/17	7/13/17	MOTION DENIED/ROR & P/S
Jaramila, Stephen	(Y) 33	Criminal Sexual Penetration	D-202-LR-2017-00224	D-202-CR-2017-02741	7/10/17	7/10/17	7/13/17	MOTION DENIED/ROR & P/S
Wilkinson, Joseph	(Y) 43	Aggravated Stalking	D-202-LR-2017-00226	D-202-CR-2017-02510	7/10/17	7/10/17	7/13/17	MOTION DENIED/PC-PTS W/GPS
Trujillo, David	(Y) 65	Aggravated Assault	D-202-LR-2017-00216	D-202-CR-2017-02486	7/3/17	7/3/17	7/13/17	MOTION DENIED/200 C/S & P/S W/GPS
Hernandez, Rita	(Y) 43	Aggravated Assault DW	D-202-LR-2017-00220	D-202-CR-2017-02499	7/10/17	7/10/17	7/13/17	NO BOND HOLD
Duhalde, Matthew	(Y) 45	Armed Robbery	D-202-LR-2017-00221	D-202-CR-2017-02495	7/10/17	7/10/17	7/13/17	NO BOND HOLD
Dougherty, Douglas	(Y) 45	Possession of Controlled Substance, Shoplifting (2 Cases)	D-202-LR-2017-00225	D-202-CR-2017-02520	7/10/17	7/10/17	7/14/17	MOTION DENIED/200 C/S & TPC-PTS W/GPS
Madison, Gabriel	(Y) 45	Aggravated Battery	D-202-LR-2017-00227	D-202-CR-2017-02467	7/11/17	7/11/17	7/14/17	NO BOND HOLD
Reyes, Kyle	(Y) 40	Aggravated Battery GBH X3	D-202-LR-2017-00227	D-202-CR-2017-02527	7/11/17	7/11/17	7/14/17	NO BOND HOLD
Sonikshian, Yann	(N) 64	Possession of DW or Explosive by Felon (NOC)	D-202-LR-2017-00228	D-202-CR-2017-02550	7/11/17	7/11/17	7/14/17	MOTION DENIED/NO COR GIVEN
Merilo, Edwin	(N) 55	Aggravated Fleeing a Law Enforcement Officer	D-202-LR-2017-00229	D-202-CR-2017-02541	7/12/17	7/12/17	7/14/17	NO BOND HOLD
Pescorola, Rafaela	(N) 56	Breaching & Entering	D-202-LR-2017-00230	D-202-CR-2017-02552	7/12/17	7/12/17	7/14/17	MOTION DENIED/PC-PTS
Montez-Enriquez, Miguel	(Y) 44	Kidnapping	D-202-LR-2017-00231		7/12/17	7/12/17	7/14/17	MOTION DENIED/ROR & P/S
Chavez, Matthew	(N) 60	Trafficking Controlled Substances	D-202-LR-2017-00234	D-202-CR-2017-02540	7/13/17	7/13/17	7/14/17	MOTION DENIED/PC-PTS W/GPS
Lopez, Jesus	(N) 56	Unlawful Taking of a Motor Vehicle	D-202-LR-2017-00235	D-202-CR-2017-02542	7/13/17	7/13/17	7/14/17	MOTION DENIED/500 CASH (10% COURT) & TPC-PTS
Trujillo, Jeremy	(Y) 48	Aggravated Assault	D-202-LR-2017-00235		7/13/17	7/13/17	7/14/17	MOTION WITHDRAWN BY D.A.
Trujillo, Jeremy	(N) 35	Larceny X3	D-202-LR-2017-00237	D-202-CR-2017-02477	7/13/17	7/13/17	7/14/17	MOTION WITHDRAWN BY D.A.

Stevenson, David	(N) 68	Breaking & Entering	D-202-LR-2017-00275	D-202-CR-2017-02560	7/18/17	7/18/17	7/24/17	MOTION DENIED/10,000 CASH & PTS
Aguiar, Raymond	(Y) 55	Aggravated Battery H/M GBH	D-202-LR-2017-00276	D-202-CR-2017-02598	7/18/17	7/18/17	7/24/17	NO BOND HOLD
Lucero, Gabriel	(N) 12	Aggravated Battery H/M GBH	D-202-LR-2017-00282		7/20/17	7/20/17	7/24/17	MOTION DENIED/RCR
Epraza, Mathew	(Y) 32	General Sexual Contact of a Minor	D-202-LR-2017-00271	D-202-CR-2017-02530	7/18/17	7/18/17	7/25/17	MOTION DENIED/PPC-PTS
Viloria, Calisto	(N) 05	Felon in Possession of Firearm	D-202-LR-2017-00278	D-202-CR-2017-02610	7/18/17	7/18/17	7/25/17	MOTION DENIED/RCR & PTS
Stebbins, Sherman	(N) 4E	Trafficking Controlled Substances	D-202-LR-2017-00280	D-202-CR-2017-02623	7/20/17	7/20/17	7/25/17	MOTION DENIED/RCR
Dollen, Avery	(N) 55	Armed Robbery	D-202-LR-2017-00285	D-202-CR-2017-02631	7/20/17	7/20/17	7/25/17	NO BOND HOLD
Apodaca, Anabela	(Y) 6E	Receiving or Transferring Stolen Motor Vehicle	D-202-LR-2017-00283	D-202-CR-2017-02628	7/20/17	7/20/17	7/25/17	NO BOND HOLD
Guro, Gerald	(Y) 42	Armed Robbery	D-202-LR-2017-00284	D-202-CR-2017-02608	7/20/17	7/20/17	7/25/17	MOTION DENIED/PPC-PTS
Pavel, Luis	(N) 31	Shooting actor from a Motor Vehicle	D-202-LR-2017-00289	D-202-CR-2017-02646	7/21/17	7/21/17	7/25/17	MOTION DENIED/PPC-PTS
Krause Lawrence	(Y) 42	Aggravated Assault	D-202-LR-2017-00290	D-202-CR-2017-02649	7/21/17	7/21/17	7/25/17	MOTION DENIED/RCR & PTS
Hagen, VJ	(N) 31	Human Trafficking	D-202-LR-2017-00293	D-202-CR-2017-02625	7/21/17	7/21/17	7/25/17	MOTION DENIED/RCR & PTS
Baca, Robert	(Y) 42	Kidnapping	D-202-LR-2017-00291	D-202-CR-2017-02616	7/20/17	7/20/17	7/27/17	NO HEARING HELD
Saunders, Jimmy	(N) 4E	Possession of Controlled Substance	D-202-LR-2017-00286	D-202-CR-2017-02611	7/20/17	7/20/17	7/27/17	MOTION DENIED/RCR & PTS
Martinez, Adelgardo	(Y) 33	First Degree Murder	D-202-LR-2017-00287	D-202-CR-2017-02607	7/20/17	7/20/17	7/27/17	NO BOND HOLD
Ruiz, Michael	(Y) 43	Aggravated Battery DW	D-202-LR-2017-00298	D-202-CR-2017-02624	7/20/17	7/20/17	7/27/17	NO BOND HOLD
Gravitt, Matthew	(Y) 65	Aggravated Battery Against H/M GBH	D-202-LR-2017-00297	D-202-CR-2017-02641	7/20/17	7/20/17	7/27/17	MOTION DENIED/CCP ORDERED
Ortiz, Victor	(Y) 04	Armed Robbery	D-202-LR-2017-00299	D-202-CR-2017-02653	7/24/17	7/24/17	7/27/17	NO BOND HOLD
Ortiz, Victor	(Y) 84	First Degree Murder	D-202-LR-2017-00300	D-202-CR-2017-02642	7/24/17	7/24/17	7/27/17	NO BOND HOLD
Davis, Rhannon	(N) 11	Aggravated Battery H/M GBH	D-202-LR-2017-00301		7/24/17	7/24/17	7/27/17	MOTION DENIED/RCR
Martinez, Stephanie	(N) 39	Felon in Possession of Firearm	D-202-LR-2017-00309	D-202-CR-2017-02640	7/25/17	7/25/17	7/27/17	MOTION DENIED/RCR & PTS
Holtzman, Richard	(Y) 43	Aggravated Assault DW	D-202-LR-2017-00287	D-202-CR-2017-02662	7/17/17	7/17/17	7/28/17	NO BOND HOLD
Routzen, Richard	(Y) 34	Aggravated Battery Peace Officer X1 (MDC)	D-202-LR-2017-00286	D-202-CR-2017-02635	7/18/17	7/18/17	7/28/17	NO BOND HOLD
Bandy, Jesus	(N) 44	Receiving or Transferring Stolen Motor Vehicle	D-202-LR-2017-00291		7/21/17	7/21/17	7/28/17	DISMISSED BY JUDGE
Caraball, Rene	(N) 11	Shooting at or from a Motor Vehicle	D-202-LR-2017-00292	D-202-CR-2017-02644	7/21/17	7/21/17	7/28/17	MOTION DENIED/RCR
Stanton, Christ	(N) 11	Human Trafficking	D-202-LR-2017-00294	D-202-CR-2017-02628	7/21/17	7/21/17	7/28/17	MOTION DENIED/RCR & PTS
Zuñiga Carlos	(Y) 95	Armed Robbery	D-202-LR-2017-00298	D-202-CR-2017-00913	8/21/17	8/21/17	7/28/17	NO BOND HOLD
Arriola, Brian	(N) 88	Unlawful Taking of a Motor Vehicle	D-202-LR-2017-00290	D-202-CR-2017-02713	7/25/17	7/25/17	7/28/17	MOTION DENIED/CCP ORDERED
Hodkins, Roy	(Y) 55	Aggravated Assault DW	D-202-LR-2017-00290		7/17/17	7/17/17	7/21/17	MOTION DENIED/RCR
Maldonado, Yessica	(Y) 35	Aggravated Battery H/M GBH	D-202-LR-2017-00298	D-202-CR-2017-02669	7/25/17	7/25/17	7/21/17	NO BOND HOLD
Begay, Bruce	(Y) 43	Armed Robbery	D-202-LR-2017-00318	D-202-CR-2017-02823	7/28/17	7/28/17	7/21/17	MOTION DENIED/RCR & PTS
Carroll, Ricardo	(Y) 42	Kidnapping	D-202-LR-2017-00313	D-202-CR-2017-02716	7/27/17	7/27/17	8/1/17	NO BOND HOLD
Loreto, David	(Y) 45	Aggravated Battery Against a H/M	D-202-LR-2017-00310	D-202-CR-2017-02729	7/28/17	7/28/17	8/1/17	MOTION DENIED/RCR & PTS
Grayson, Denis	(N) 33	Receiving or Transferring Stolen Motor Vehicle	D-202-LR-2017-00318		7/28/17	7/28/17	8/1/17	MOTION DENIED/RCR & PTS W/GRS
Bernal, Jesus	(Y) 22	Aggravated Battery DW	D-202-LR-2017-00319	D-202-CR-2017-02726	7/31/17	7/31/17	8/2/17	NO BOND HOLD
Peña, Gabriel	(N) 21	Child Abuse	D-202-LR-2017-00320		7/31/17	7/31/17	8/2/17	MOTION DENIED/RCR
Brewer, Louis	(N) 21	Aggravated Battery GBH	D-202-LR-2017-00321	D-202-CR-2017-02845	7/31/17	7/31/17	8/2/17	MOTION DENIED/RCR
Padra, Jordan	(N) 22	Child Abuse	D-202-LR-2017-00322		7/31/17	7/31/17	8/2/17	MOTION DENIED/RCR
Jegire, Sheraz	(N) 11	Shooting actor from a Motor Vehicle	D-202-LR-2017-00327	D-202-CR-2017-03062	8/21/17	8/21/17	8/2/17	MOTION DENIED/RCR
Barrick, Jyrdon	(N) 65	Aggravated Battery DW	D-202-LR-2017-00326	D-202-CR-2017-02719	8/21/17	8/21/17	8/2/17	NO BOND HOLD
Chen, Sophia	(N) 33	Child Abuse	D-202-LR-2017-00329	D-202-CR-2017-02753	8/21/17	8/21/17	8/2/17	MOTION DENIED/PPC-PTS
Yanac-Morales, Ruben	(N) 31	Shooting actor from a Motor Vehicle	D-202-LR-2017-00331	D-202-CR-2017-03081	8/21/17	8/21/17	8/2/17	MOTION DENIED/RCR
Macias, David	(Y) 28	Aggravated Battery DW X2	D-202-LR-2017-00327	D-202-CR-2017-00661	7/25/17	7/25/17	8/4/17	NO BOND HOLD
Silber, Christopher	(Y) 55	Aggravated Assault DW	D-202-LR-2017-00323	D-202-CR-2017-02743	8/1/17	8/1/17	8/4/17	MOTION DENIED/PPC-PTS W/GRS
Sidor, Christopher	(N) 55	Possession of Controlled Substance	D-202-LR-2017-00324	D-202-CR-2017-02731	8/1/17	8/1/17	8/4/17	MOTION DENIED/PPC-PTS W/GRS
Haddock, Steven	(N) 54	RSP (FIA)	D-202-LR-2017-00328	D-202-CR-2017-02745	8/2/17	8/2/17	8/4/17	MOTION DENIED/PPC-PTS W/GRS
Davies/Jam, Shamar	(Y) 33	Aggravated Battery H/M DW	D-202-LR-2017-00329		8/2/17	8/2/17	8/4/17	MOTION DENIED/RCR & PTS
Lacy, Rodney	(Y) 30	Armed Robbery	D-202-LR-2017-00335	D-202-CR-2017-02742	8/2/17	8/2/17	8/4/17	NO BOND HOLD
Novick, Nicholas	(N) 11	Aggravated Battery H/M GBH	D-202-LR-2017-00337	D-202-CR-2017-02951	8/3/17	8/3/17	8/4/17	MOTION DENIED/RCR & PTS W/GRS
Shunika, Tyler	(N) 34	Receiving or Transferring Stolen Motor Vehicle	D-202-LR-2017-00317	D-202-CR-2017-02707	7/28/17	7/28/17	8/7/17	MOTION DENIED/PPC-PTS
Ortiz, Jerrad	(N) 50	Breaking & Entering	D-202-LR-2017-00333	D-202-CR-2017-02781	8/3/17	8/3/17	8/7/17	NO BOND HOLD
Reed, Omar	(N) 34	Felon in Possession of Firearm	D-202-LR-2017-00334	D-202-CR-2017-02782	8/3/17	8/3/17	8/7/17	MOTION DENIED/CCP ORDERED
Sanchez, Anas	(N) 33	Armed Robbery	D-202-LR-2017-00335	D-202-CR-2017-02753	8/3/17	8/3/17	8/7/17	NO BOND HOLD
Stinglery, Robert	(Y) 65	Aggravated Assault DW	D-202-LR-2017-00296		7/21/17	7/21/17	8/8/17	MOTION WITHDRAWN BY D.A.
Wright, Lovetta	(N) 11	Trafficking Controlled Substances	D-202-LR-2017-00336		8/3/17	8/3/17	8/8/17	MOTION DENIED/RCR & PTS
Baker, Sheryl	(N) 33	Kidnapping	D-202-LR-2017-00338	D-202-CR-2017-02780	8/3/17	8/3/17	8/8/17	MOTION DENIED/PPC-PTS
Boyd, GR	(Y) 34	Curfew to Show at Dwelling or Building	D-202-LR-2017-00340	D-202-CR-2017-02723	8/3/17	8/3/17	8/8/17	NO BOND HOLD
Martinez, Christine	(N) 11	Aggravated Assault DW	D-202-LR-2017-00342	D-202-CR-2017-02794	8/4/17	8/4/17	8/8/17	NO BOND HOLD
Young, Cindy	(N) 44	Felon in Possession of Firearm	D-202-LR-2017-00345	D-202-CR-2017-02765	8/4/17	8/4/17	8/8/17	MOTION DENIED/PPC-PTS
Loughborough, Jake	(N) 89	Receiving or Transferring Stolen Motor Vehicle	D-202-LR-2017-00347	D-202-CR-2017-02727	8/7/17	8/7/17	8/8/17	MOTION DENIED/RCR
Yasak, Lawrence	(Y) 55	Aggravated Assault DW	D-202-LR-2017-00356	D-202-CR-2017-03052	8/3/17	8/3/17	8/8/17	MOTION DENIED/PPC-PTS W/GRS
Garza, Marco	(Y) 55	Shedding	D-202-LR-2017-00355	D-202-CR-2017-02669	7/21/17	7/21/17	8/9/17	MOTION DENIED/RCR
Olmos, Barry	(N) 54	Aggravated Fleeing a Law Enforcement Officer	D-202-LR-2017-00342	D-202-CR-2017-02787	8/4/17	8/4/17	8/9/17	NO BOND HOLD
Rodriguez, Jaime	(N) 43	Felon in Possession of Firearm	D-202-LR-2017-00344		8/4/17	8/4/17	8/9/17	MOTION DENIED/RCR & PTS
Vill, Brandon	(N) 21	First Degree Murder X2	D-202-LR-2017-00348	D-202-CR-2017-02732	8/7/17	8/7/17	8/9/17	NO BOND HOLD
Chavez, Charles	(Y) 22	Battery Upon a Peace Officer	D-202-LR-2017-00349		8/7/17	8/7/17	8/9/17	MOTION DENIED/RCR & PTS W/GRS
Gallagos, Jonathan	(Y) 43	Armed Robbery	D-202-LR-2017-00350	D-202-CR-2017-02738	8/7/17	8/7/17	8/9/17	NO BOND HOLD
Delayo, Robert	(Y) 43	Armed Robbery	D-202-LR-2017-00351	D-202-CR-2017-02795	8/7/17	8/7/17	8/9/17	NO BOND HOLD
Chavez, Pamela	(Y) 08	Battery Upon a Peace Officer X2	D-202-LR-2017-00354	D-202-CR-2017-02799	8/8/17	8/8/17	8/9/17	MOTION DENIED/PPC-PTS
Lopez, Arlene	(N) 65	Receiving or Transferring Stolen Motor Vehicle	D-202-LR-2017-00355	D-202-CR-2017-02810	8/9/17	8/9/17	8/10/17	NO BOND HOLD
Wilder, Steven	(Y) 32	Aggravated Battery H/M DW	D-202-LR-2017-00356	D-202-CR-2017-02816	8/9/17	8/9/17	8/10/17	NO BOND HOLD
Corral, Daniel	(Y) 84	Fraud	D-202-LR-2017-00355		8/9/17	8/9/17	8/10/17	MOTION DENIED/PPC-PTS
Tegler, Christopher	(N) 32	Distribution of Visual Media of Sexual Exploitation	D-202-LR-2017-00367		8/10/17	8/10/17	8/11/17	MOTION DENIED/PPC-PTS
Argona, Justin	(Y) 42	Kidnapping	D-202-LR-2017-00368	D-202-CR-2017-02956	8/10/17	8/10/17	8/11/17	NO BOND HOLD
Jarilla, JaYan	(Y) 44	Shooting actor from a Motor Vehicle	D-202-LR-2017-00369	D-202-CR-2017-02978	8/10/17	8/10/17	8/11/17	NO BOND HOLD
Clemente, Richard	(Y) 65	Felon Impediment	D-202-LR-2017-00341	D-202-CR-2017-02794	8/4/17	8/4/17	8/14/17	NO BOND HOLD
Hoddy, Roy	(Y) 65	Kidnapping	D-202-LR-2017-00377	D-202-CR-2017-02916	8/11/17	8/11/17	8/14/17	NO BOND HOLD
Robinson, Cody	(N) 42	Shooting actor from a Motor Vehicle	D-202-LR-2017-00378	D-202-CR-2017-02917	8/11/17	8/11/17	8/14/17	NO BOND HOLD
Martinez, Theo	(N) 45	Aggravated Assault H/M	D-202-LR-2017-00183	D-202-CR-2017-02751	8/28/17	8/28/17	8/15/17	NO BOND HOLD
Robinson, Austin	(Y) 42	Shooting at Dwelling or Occupied Building	D-202-LR-2017-00370	D-202-CR-2017-02912	8/10/17	8/10/17	8/15/17	NO BOND HOLD
Robinson, Andrea	(Y) 42	Shooting actor from a Motor Vehicle	D-202-LR-2017-00371	D-202-CR-2017-02875	8/10/17	8/10/17	8/15/17	NO BOND HOLD
Perpet, Abraham	(Y) 55	Texas Impediment	D-202-LR-2017-00372	D-202-CR-2017-02919	8/11/17	8/11/17	8/15/17	MOTION DENIED/PPC-PTS
Quinones, Adas	(N) 45	Receiving or Transferring Stolen Motor Vehicle	D-202-LR-2017-00380		8/11/17	8/11/17	8/15/17	MOTION DENIED/RCR & PTS
Selva, Diego	(Y) 42	Attempted First Degree Murder	D-202-LR-2017-00381		8/11/17	8/11/17	8/15/17	MOTION WITHDRAWN BY D.A.
Divs, Dany	(Y) 53	Aggravated Assault Upon a Peace Officer X3	D-202-LR-2017-00382	D-202-CR-2017-02980	8/11/17	8/11/17	8/15/17	MOTION DENIED/RCR & PTS
Morales, Gerald	(Y) 42	Benefit of a Vehicle	D-202-LR-2017-00382	D-202-CR-2017-02980	8/11/17	8/11/17	8/15/17	NO BOND HOLD
Morales, Gerald	(Y) 42	Aggravated Assault DW	D-202-LR-2017-00384	D-202-CR-2017-02982	8/11/17	8/11/17	8/15/17	NO BOND HOLD
Rodriguez-Molina, Victor	(N) 34	Receiving or Transferring Stolen Motor Vehicle	D-202-LR-2017-00389	D-202-CR-2017-02990	8/14/17	8/14/17	8/16/17	MOTION DENIED/RCR & PTS
Terrazo, Vanessa	(N) 35	Unlawful Taking of a Motor Vehicle	D-202-LR-2017-00390		8/14/17	8/14/17	8/16/17	MOTION DENIED/PPC-PTS
Martinez, Crystal	(Y) 60	Aggravated Battery H/M GBH	D-202-LR-2017-00391	D-202-CR-2017-02922	8/14/17	8/14/17	8/16/17	NO BOND HOLD
Marquez, Christopher	(N) 65	Receiving or Transferring Stolen Motor Vehicle	D-202-LR-2017-00392	D-202-CR-2017-02905	8/14/17	8/14/17	8/16/17	CONTINUED PENDING COMPLETION OF ATP
Brown, Jamalathan	(N) 34	Receiving or Transferring Stolen Motor Vehicle	D-202-LR-2017-00393	D-202-CR-2017-02904	8/14/17	8/14/17	8/16/17	MOTION DENIED/RCR & PTS
Martinez, Angelo	(Y) 3							

Lopez, Cassandra	(N) 66	Receiving or Transferring Stolen Motor Vehicle	D-2024-LR-2017-00427	D-202-CR-2017-00493	8/16/17	8/16/17	8/23/17	NO BOND HOLD
Lucero, Jose	(Y) 65	Aggravated Assault DW	D-2024-LR-2017-00418	D-202-CR-2017-00302	8/16/17	8/16/17	8/23/17	NO BOND HOLD
Santhomas, Chase	(N) 33	Kidnaping	D-2024-LR-2017-00429	D-202-CR-2017-03007	8/21/17	8/21/17	8/24/17	NO BOND HOLD
Cruce, Adeline	(N) 33	Aggravated Arson	D-2024-LR-2017-00430		8/21/17	8/21/17	8/24/17	MOTION DENIED/TPC-PTS W/SPS
Gurule, Robert	(Y) 56	Aggravated Assault DW	D-2024-LR-2017-00431		8/22/17	8/22/17	8/24/17	MOTION WITHDRAWN BY D.A./ROR & PTS
Sandoval, Shane	(Y) 42	Aggravated Criminal Sexual Penetration X2	D-2024-LR-2017-00432	D-202-CR-2017-03024	8/22/17	8/22/17	8/24/17	NO BOND HOLD
Overland, Mitchell	(Y) 32	Kidnaping	D-2024-LR-2017-00433	D-202-CR-2017-03008	8/22/17	8/22/17	8/24/17	NO BOND HOLD
Charley, Ariaz	(N) 11	Aggravated Battery HRM	D-2024-LR-2017-00434		8/23/17	8/23/17	8/24/17	MOTION DENIED/ROR & PTS W/SPS
Beck, Steven	(N) 11	Aggravated Battery DW	D-2024-LR-2017-00435		8/23/17	8/23/17	8/25/17	MOTION WITHDRAWN BY D.A./ROR & PTS
Yazze, Donovan	(Y) 54	Aggravated Battery HRM DW	D-2024-LR-2017-00436		8/23/17	8/23/17	8/25/17	NO BOND HOLD
Roberson, Charla	(Y) 56	Aggravated Battery DW X2	D-2024-LR-2017-00438	D-202-CR-2017-03029	8/23/17	8/23/17	8/25/17	NO BOND HOLD
Shelton, Mike	(N) 33	Aggravated Battery GBH X3	D-2024-LR-2017-00439		8/23/17	8/23/17	8/25/17	MOTION DENIED/ROR
Hooper, Vincent	(Y) 64	Aggravated Assault DW	D-2024-LR-2017-00442	D-202-CR-2017-03039	8/24/17	8/24/17	8/26/17	NO BOND HOLD
Tujilla, Robert	(N) 08	Embodiment of Motor Vehicle	D-2024-LR-2017-00443	D-202-CR-2017-03038	8/24/17	8/24/17	8/26/17	NO BOND HOLD
Leon, Harlan	(N) 21	Criminal Sexual Penetration X2	D-2024-LR-2017-00448		8/25/17	8/25/17	8/26/17	MOTION DENIED/TPC-PTS
Diaz, Steven	(N) 32	Shooting at or from a Motor Vehicle	D-2024-LR-2017-00449	D-202-CR-2017-03040	8/25/17	8/25/17	8/26/17	MOTION DENIED/TPC-PTS
Sanchez, Carlos	(N) 06	ID Theft X4	D-2024-LR-2017-00451	D-202-CR-2017-03055	8/25/17	8/25/17	8/26/17	MOTION DENIED/TPC-PTS
Cassidy, Joseph	(Y) 54	Aggravated Assault DW	D-2024-LR-2017-00450	D-202-CR-2017-03050	8/25/17	8/25/17	8/26/17	NO BOND HOLD
Ferry, Michael	(N) 21	Kidnaping	D-2024-LR-2017-00453	D-202-CR-2017-03047	8/26/17	8/26/17	8/26/17	MOTION DENIED/200 CASH ONLY & PTS
Allen, Vincent	(Y) 42	Aggravated Battery GBH	D-2024-LR-2017-00454	D-202-CR-2017-03048	8/26/17	8/26/17	8/26/17	MOTION DENIED/TPC-PTS W/SPS
Bus, Damien	(N) 21	Aggravated Battery GBH	D-2024-LR-2017-00456		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS
Swenson, Duane	(N) 45	Felon in Possession of Firearm	D-2024-LR-2017-00462		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS
Seib, Frank	(N) 11	Aggravated Battery HRM DW	D-2024-LR-2017-00459	D-202-CR-2017-03068	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Miles, Darrin	(N) 32	Felon in Possession of Firearm	D-2024-LR-2017-00459	D-202-CR-2017-03054	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Langston, Jesse	(N) 42	Aggravated Flight & Law Enforcement Officer	D-2024-LR-2017-00460	D-202-CR-2017-03049	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Duon, Kendall	(Y) 44	Aggravated Assault HRM	D-2024-LR-2017-00465		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR
Twigg, Brian	(N) 45	Kidnaping	D-2024-LR-2017-00465		8/26/17	8/26/17	8/26/17	MOTION DENIED/TPC-PTS W/SPS
Hedges, Brentford	(N) 33	Aggravated Assault Against HRM DW	D-2024-LR-2017-00469		8/26/17	8/26/17	8/26/17	MOTION DENIED/TPC-PTS W/SPS
Stedon, Charles	(N) 21	Aggravated Assault Upon a Peace Officer X5	D-2024-LR-2017-00472	D-202-CR-2017-03067	8/26/17	8/26/17	8/26/17	MOTION DENIED/TPC-PTS W/SPS
Gardis, Heriberto	(Y) 66	Shooting at or from a Motor Vehicle	D-2024-LR-2017-00474		8/26/17	8/26/17	8/26/17	NO BOND HOLD
Lowder, Adam	(N) 11	Criminal Sexual Penetration	D-2024-LR-2017-00474		8/26/17	8/26/17	8/26/17	NO BOND HOLD
Wilson, Ruben	(N) 09	Receiving or Transferring Stolen Motor Vehicle	D-2024-LR-2017-00475		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS W/SPS
Hill, Justin	(Y) 65	Aggravated Assault DW	D-2024-LR-2017-00476	D-202-CR-2017-03108	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Rojas, Guillermo	(N) 66	Felon in Possession of Firearm	D-2024-LR-2017-00477	D-202-CR-2017-03152	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Lacy, Rodney	(Y) 33	Aggravated Battery Upon a Peace Officer GBH	D-2024-LR-2017-00478		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS
Kocman, Johnny	(N) 40	Loitering the Scene of an Accident GBH/Dual	D-2024-LR-2017-00482		8/26/17	8/26/17	8/26/17	8/26/17: ROR & PTS 8/26/17: FTA/TC B/W/S ISSUED
Crosby, Alan	(N) 66	Burglary of a Vehicle	D-2024-LR-2017-00479	D-202-CR-2017-03149	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Cordova, John	(N) 40	Trafficking Controlled Substances	D-2024-LR-2017-00480		8/26/17	8/26/17	8/26/17	NO BOND HOLD
Arnesen, John	(N) 40	Branding & Molestation	D-2024-LR-2017-00481	D-202-CR-2017-03150	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Kowalik, Earl	(N) 39	Criminal Sexual Penetration X4	D-2024-LR-2017-00482	D-202-CR-2017-03174	8/26/17	8/26/17	8/26/17	MOTION DENIED/TPC-PTS W/SPS
Deep, Zuzanna	(N) 11	Criminal Sexual Penetration	D-2024-LR-2017-00486		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR
Mason, Nathaniel	(N) 66	Aggravated Assault Upon a Peace Officer X5	D-2024-LR-2017-00483	D-202-CR-2017-03181	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Gonzalez, Ryan	(N) 43	Aggravated Assault DW	D-2024-LR-2017-00484		8/26/17	8/26/17	8/26/17	MOTION DENIED/TPC-PTS W/SPS/BLINK
Li, Zhenping	(N) 21	Criminal Sexual Penetration	D-2024-LR-2017-00485		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS
Zhou, Xueshan	(N) 11	Criminal Sexual Penetration	D-2024-LR-2017-00487		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS
Hawwood, Justin	(N) 66	Aggravated Battery GBH	D-2024-LR-2017-00488	D-202-CR-2017-03189	8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS
Chevez, Joshua	(Y) 42	Great Bodily Harm by Vehicle DW	D-2024-LR-2017-00491	D-202-CR-2017-03179	8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS W/SPS
Ledon, Raymond	(N) 42	Breaking & Entering	D-2024-LR-2017-00493	D-202-CR-2017-03189	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Adreles, Angel	(Y) 46	Aggravated Battery Upon a Peace Officer	D-2024-LR-2017-00495	D-202-CR-2017-03187	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Mascarenes, Crystal	(N) 42	Felon in Possession of Firearm	D-2024-LR-2017-00490		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS
Mora, Maria	(N) 65	Receiving or Transferring Stolen Motor Vehicle	D-2024-LR-2017-00492	D-202-CR-2017-03042	8/26/17	8/26/17	8/26/17	HEARING CANCELLED DUE TO CONSOLIDATED PLEA
Vilquez, Dorelinda	(N) 44	Felon in Possession of Firearm	D-2024-LR-2017-00494		8/26/17	8/26/17	8/26/17	NO BOND HOLD
Jones, Michael	(Y) 32	Aggravated Battery DW	D-2024-LR-2017-00501		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS
Lovato, Zlatan	(Y) 56	Aggravated Battery Upon a Peace Officer DW	D-2024-LR-2017-00503	D-202-CR-2017-03168	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Tatay, Richard	(Y) 43	Armed Robbery	D-2024-LR-2017-00502	D-202-CR-2017-03176	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Jacobsen, Joseph	(N) 44	Aggravated Flight & Law Enforcement Officer	D-2024-LR-2017-00504		8/26/17	8/26/17	8/26/17	MOTION DENIED/200 CASH & TPC-PTS W/SPS
Alston, Adam	(N) 54	Receiving or Transferring Stolen Motor Vehicle	D-2024-LR-2017-00505		8/26/17	8/26/17	8/26/17	MOTION DENIED/500 CASH & TPC-PTS W/SPS
Redinger, Ryan	(N) 11	Kidnaping	D-2024-LR-2017-00506	D-202-CR-2017-03182	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Pohl, Meike	(N) 21	Shooting at or from a Building	D-2024-LR-2017-00511		8/26/17	8/26/17	8/26/17	MOTION DENIED/TPC-PTS W/SPS
Arizaga, William	(N) 11	Aggravated Assault DW	D-2024-LR-2017-00512		8/26/17	8/26/17	8/26/17	MOTION DENIED/TPC-PTS W/SPS
Falicki, Albert	(N) 54	Felon in Possession of Firearm	D-2024-LR-2017-00507		8/26/17	8/26/17	8/26/17	MOTION DENIED/TPC-PTS W/SPS
Barela, Johnny	(N) 33	Aggravated Battery Against HRM	D-2024-LR-2017-00508	D-202-CR-2017-03180	8/26/17	8/26/17	8/26/17	MOTION DENIED/1000 CASH & TPC-PTS W/SPS
Hernandez, Levanzo	(Y) 65	Aggravated Assault Upon a Peace Officer	D-2024-LR-2017-00509	D-202-CR-2017-03178	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Villalobos, Christopher	(Y) 65	Aggravated Battery DW	D-2024-LR-2017-00510	D-202-CR-2017-03188	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Lujan, Joe	(Y) 42	Battery Upon a Peace Officer	D-2024-LR-2017-00513	D-202-CR-2017-03180	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Rapkin-Zobos, Delver	(N) 45	Aggravated Assault DW	D-2024-LR-2017-00510	D-202-CR-2017-03105	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Rapkin-Zobos, Delver	(N) 45	Child Abuse	D-2024-LR-2017-00511	D-202-CR-2017-03094	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Oellegier, Christopher	(N) 33	Unlawful Taking of a Motor Vehicle	D-2024-LR-2017-00513	D-202-CR-2017-03109	8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS
Bovelli, James	(Y) 22	Criminal Sexual Contact of a Minor	D-2024-LR-2017-00517		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR
Willsie, Jordan	(N) 11	Aggravated Battery GBH	D-2024-LR-2017-00521		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS W/SPS
Willsie, Brandon	(Y) 66	Aggravated Battery DW	D-2024-LR-2017-00522	D-202-CR-2017-03198	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Gierke, Fred	(N) 42	Felon in Possession of Firearm	D-2024-LR-2017-00526		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS
Humb, Justin	(N) 43	Aggravated Battery Against HRM DW X2	D-2024-LR-2017-00527		8/26/17	8/26/17	8/26/17	NO BOND HOLD
Amis, Justin	(N) 32	Aggravated Assault Upon Peace Officer	D-2024-LR-2017-00528		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR
Shook, Ryan	(Y) 54	Attempted Second Degree Murder	D-2024-LR-2017-00529		8/26/17	8/26/17	8/26/17	NO BOND HOLD
Gilbert, Brandon	(N) 32	Aggravated Assault Upon a Peace Officer	D-2024-LR-2017-00530		8/26/17	8/26/17	8/26/17	NO BOND HOLD
Scott, Jeremy	(N) 22	Aggravated Assault Upon a Peace Officer	D-2024-LR-2017-00519		8/26/17	8/26/17	8/26/17	NO BOND HOLD
Sosa, Jeremy	(N) 33	Unlawful Taking of a Motor Vehicle X2	D-2024-LR-2017-00520	D-202-CR-2017-03205	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Birba, Jacob	(Y) 65	Aggravated Battery HRM GBH	D-2024-LR-2017-00533	D-202-CR-2017-03266	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Grube, Joseph	(Y) 65	Molestation	D-2024-LR-2017-00534	D-202-CR-2017-03267	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Breche, Francisco	(Y) 32	Aggravated Battery DW	D-2024-LR-2017-00535	D-202-CR-2017-03264	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Yazze, Chris	(Y) 54	Aggravated Assault Upon Peace Officer	D-2024-LR-2017-00536	D-202-CR-2017-03266	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Penz, Salvador	(Y) 66	Aggravated Assault DW	D-2024-LR-2017-00537	D-202-CR-2017-03265	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Shih, Daniel	(N) 64	Trafficking Controlled Substances	D-2024-LR-2017-00538	D-202-CR-2017-03278	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Alknight, Kent	(N) 55	Aggravated Battery HRM GBH	D-2024-LR-2017-00539	D-202-CR-2017-03280	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Acosta-Bautista, Volney	(N) 33	Aggravated Battery Against HRM DW	D-2024-LR-2017-00541		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS
Garcia, Kenneth	(Y) 32	Shooting at or from a Motor Vehicle	D-2024-LR-2017-00542		8/26/17	8/26/17	8/26/17	MOTION DENIED/TPC-PTS W/SPS
Lobato, Antonio	(Y) 42	Aggravated Assault Upon Peace Officer X2	D-2024-LR-2017-00543		8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS
Selbert, Steve	(N) 09	Aggravated Battery (Armed)	D-2024-LR-2017-00540	D-202-CR-2017-03289	8/26/17	8/26/17	8/26/17	MOTION DENIED/ROR & PTS
Tancon, James	(N) 56	Possession of Controlled Substance	D-2024-LR-2017-00544	D-202-CR-2017-03291	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Rodriguez-Aguilar, Richard	(Y) 42	Child Abuse	D-2024-LR-2017-00546	D-202-CR-2017-03322	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Martinez, Vincent	(Y) 66	Aggravated Stalking	D-2024-LR-2017-00548	D-202-CR-2017-03329	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Martinez, Vincent	(Y) 66	Aggravated Stalking X3	D-2024-LR-2017-00548	D-202-CR-2017-03329	8/26/17	8/26/17	8/26/17	NO BOND HOLD
Martinez, Fernan	(N) 11	Aggravated Assault X2						

Gonzales, Noah	(N) 22	False Imprisonment	D-202-LR-2017-00576		10/5/17	10/5/17	10/10/17	MOTION DENIED/ROR & PTS WGPS
Mariner, Leonard	(N) 23	Shooting at One's/By or Occupied Building X3	D-202-LR-2017-00575		10/5/17	10/5/17	10/10/17	MOTION DENIED/ROR & PTS WGPS
Sawyers, Daniel	(Y) 53	Attemp Disarm P.O.	D-202-LR-2017-00580		10/5/17	10/5/17	10/10/17	MOTION DENIED/ROR & PTS
Sawyers, Daniel	(Y) 53	Child Abuse	D-202-LR-2017-00581		10/5/17	10/5/17	10/10/17	MOTION DENIED/NO COR GIVEN
Sawyers, Daniel	(Y) 53	Armed Robbery	D-202-LR-2017-00582		10/5/17	10/5/17	10/10/17	MOTION DENIED/NO COR GIVEN
Salazar, Ryan	(Y) 55	Aggravated Battery Upon Peace Officer GBH	D-202-LR-2017-00583		10/5/17	10/5/17	10/10/17	NO BOND HOLD
Salazar, Ryan	(Y) 55	Aggravated Battery Upon Peace Officer DW X3	D-202-LR-2017-00584		10/5/17	10/5/17	10/10/17	NO BOND HOLD
Pulido, Albert	(N) 54	Receiving or Transmitting Stolen Motor Vehicle	D-202-LR-2017-00585		10/5/17	10/5/17	10/10/17	MOTION DENIED/ROR & PTS
Alcala, Robert	(N) 1/1	Shooting at or from Motor Vehicle	D-202-LR-2017-00586		10/5/17	10/5/17	10/10/17	MOTION DENIED/ROR & PTS WGPS
Yong-Jarroz, Luis	(Y) 42	Aggravated Battery DW X3	D-202-LR-2017-00587		10/5/17	10/5/17	10/11/17	MOTION DENIED/TPO-PTS
Enckins, Frankie	(Y) 66	Battery Upon Peace Officer	D-202-LR-2017-00588		10/10/17	10/10/17	10/11/17	NO BOND HOLD
OCUJA, PRINCE	(Y) 43	Aggravated Battery GBH	D-202-LR-2017-00589		10/10/17	10/10/17	10/11/17	MOTION DENIED/ROR & PTS
Garcia, Michael	(N) 65	Felon in Possession of Firearm	D-202-LR-2017-00590		10/10/17	10/10/17	10/11/17	CASE CONSOLIDATED WITH GRAND JURY INDICTMENT
Davis, Marisol	(N) 42	Felon in Possession of Firearm	D-202-LR-2017-00592		10/10/17	10/10/17	10/11/17	MOTION DENIED/TPO-PTS
Garcia, Anaz	(N) 59	Felon in Possession of Firearm	D-202-LR-2017-00591		10/10/17	10/10/17	10/12/17	MOTION DENIED/ROR & PTS
Garcia, Thomas	(N) 42	Felon in Possession of Firearm	D-202-LR-2017-00594		10/10/17	10/10/17	10/12/17	MOTION DENIED/TPO-PTS
Monter, Samuel	(Y) 45	Aggravated Battery H&H DW	D-202-LR-2017-00597		10/11/17	10/11/17	10/12/17	NO BOND HOLD
Nicasa, Michael	(N) 60	Unlawful Taking of a Motor Vehicle	D-202-LR-2017-00598		10/11/17	10/11/17	10/12/17	NO BOND HOLD
Chavez, Enrique	(N) 55	Unlawful Taking of a Motor Vehicle	D-202-LR-2017-00599		10/11/17	10/11/17	10/12/17	NO BOND HOLD
Rita, Ruben	(Y) 43	Aggravated Battery H&H DW	D-202-LR-2017-00595		10/11/17	10/11/17	10/13/17	NO BOND HOLD
Lucero, Steven	(Y) 59	Aggravated Assault H&H	D-202-LR-2017-00601		10/12/17	10/12/17	10/13/17	NO BOND HOLD
Lucero, Steven	(Y) 59	Aggravated Battery H&H GBH	D-202-LR-2017-00602		10/12/17	10/12/17	10/13/17	NO BOND HOLD
Al-Hamed, Karar	(N) 21	Child Abuse X3	D-202-LR-2017-00603		10/12/17	10/12/17	10/13/17	MOTION DENIED/ROR & PTS
Hawley, James	(N) 55	Unlawful Taking of a Motor Vehicle	D-202-LR-2017-00604		10/12/17	10/12/17	10/18/17	JUDGE LECS @ 1:30 PM
Cordova, Christopher	(N) 42	Aggravated Battery DW	D-202-LR-2017-00606		10/16/17	10/16/17	10/18/17	JUDGE HART @ 8:30 AM
Gullerms, Dominick	(N) 66	Felon in Possession of Firearm	D-202-LR-2017-00607		10/16/17	10/16/17	10/18/17	JUDGE HART @ 1:30 PM
Rodriguez, Francisco	(N) 21	Aggravated Assault DW	D-202-LR-2017-00608		10/16/17	10/16/17	10/18/17	JUDGE HART @ 9:30 AM
Zambrano, Alan	(Y) 40	Aggravated Assault H&H	D-202-LR-2017-00609		10/16/17	10/16/17	10/18/17	JUDGE HART @ 10:30 AM
Gullerms, Dominick	(Y) 66	Child Abuse	D-202-LR-2017-00610		10/16/17	10/16/17	10/18/17	JUDGE HART @ 1:30 PM
Morales, Paul	N/A	Unlawful Taking of a Motor Vehicle	D-202-LR-2017-00646	D-202-CR-2017-00797	2/22/17	2/22/17	N/A	NO HEARING HELD.
Reidick, Eric	(N) 56	Armed Robbery	D-202-LR-2017-00600		10/10/17	10/10/17	N/A	NOLLE PROSEQUI