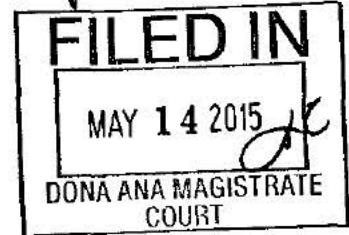


[5-201, 6-201, 7-201, 8-202]

STATE OF NEW MEXICO

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

No. M-14-FR-2015-00352  
Date Filed: Judge Osborne



v.

NAME: DANIEL THOMAS HOOD  
ADDRESS: 1983 JOE R. SILVA BLVD  
CITY, STATE, ZIP: LAS CRUCES, NM 88007  
D.O.B.: [REDACTED]  
S.S.N.: [REDACTED]



CRIMINAL COMPLAINT

CRIME:

**Count 1:** 1<sup>ST</sup> DEGREE MURDER 30-2-1

**Count 2:** POSSESSION OF DEADLY WEAPON OR EXPLOSIVE BY PRISONER 30-22-16  
(2<sup>ND</sup> DEGREE).

The undersigned, being duly sworn, on his oath, states that he has reason to believe that on or about or around or between the dates of APRIL 27, 2015 in the County of DONA ANA, State of New Mexico, the above-named defendant(s) did commit the crime(s) of:

**COUNT 1:** 1<sup>ST</sup> DEGREE MURDER: Murder in the first degree is the killing of one human being by another without lawful justification or excuse, by any of the means with which death may be caused. Whoever commits murder in the first degree is guilty of a capital felony.

**COUNT 2:** POSSESSION OF DEADLY WEAPON OR EXPLOSIVE BY PRISONER: Possession of deadly weapon or explosive by prisoner in lawful custody consists of any inmate of a penal institution, reformatory, jail or prison farm or ranch possessing any deadly weapon or explosive substance. Whoever commits possession of deadly weapon or explosive by prisoner is guilty of a second degree felony.

*Essential Facts*

On April 27, 2015 I was contacted by New Mexico State Police Sergeant Patrick Bucksath and requested to respond to Southern New Mexico Correctional Facility to investigate a death.

I arrived at the facility at approximately 5:00 P.M. Upon arrival I received an incident briefing from Sgt. Bucksath. Sgt. Bucksath advised me that an inmate was deceased in the recreational yard. At this time we made our way to the recreational yard to process the crime scene.

Upon arrival of the crime scene, I noticed an inmate laying on the dirt face up. There was a pool of blood to his right side near his head and shoulder area. The deceased was identified as Frank

Pauline. In close proximity to the body was an object wrapped in a green shirt issued by the prison. The object in the shirt was later determined to be a rock.

At this time, New Mexico State Police Crime Scene Team Agent Norman Rhoades commenced to process the crime scene.

My self, Agent Donn Herrera, Agent Frieda Hall and Agent Antonio Palomares conducted interviews of responding Correctional Officers and medical personnel.

Agent Donn Herrera and I interviewed Correctional Officers Francisco Ambriz, Ruben Zavala, Luis Urquidi, Santos Olivas, and Fabian Silvas. We also interviewed responding medical staff Doctor Andrade and Nurse Nancy Smith. For a complete synopsis of the interviews refer to Agent Herrera's supplemental report.

At this time I conducted an interview on inmate Eric Burt Godlewski. Agent Donni Herrera was present during the interview. Mr. Godlewski had been identified by prison staff as having blood on his right ear. Prison staff noticed the blood while checking all the inmates returning to their cells from the recreational yard.

I asked Mr. Godlewski to explain to me what he knew about the incident with Mr. Pauline. Mr. Godlewski stated that he went out to rec that day and that he saw Mr. Pauline walking around the yard. Mr. Godlewski advised me he was walking around with another inmate by the name of Mario Lee Aguilera. Mr. Godlewski stated he saw Mr. Pauline on the floor at one point, and walked the other way because he did not want to be seen near him if any guards looked that way.

Mr. Godlewski stated he thought Mr. Pauline had gotten in a fight and was just knocked out. Mr. Godlewski stated he did not see any blood at that time.

Mr. Godlewski stated he did not see what happened to Mr. Pauline.

I asked Mr. Godlewski how he got the nick in his right ear, which he said he cut himself shaving a hair he had in his ear.

End of interview.

Next I interviewed inmate Dennis Cannon. Agent Donni Herrera was present for the interview. Dennis Cannon was seen in close proximity to the area where Mr. Pauline laying.

I asked Mr. Cannon to explain to me his involvement in the incident that occurred in the recreational yard involving Mr. Pauline.

Mr. Cannon stated that he did not see any fights or commotion during rec time. Mr. Cannon advised me he was in the cage playing handball throughout rec time. Mr. Cannon stated he did see someone laying on the floor on the main yard, but he did not know who it was or what happened to them. Mr. Cannon denied having any involvement in this incident.

End of interview.

I also interviewed inmate Mario Lee Aguilera. Agent Donni Herrera was present during the interview. Mr. Aguilera was seen speaking with Mr. Pauline at one point during the recreational time.

I asked Mr. Aguilera to tell me about his encounter with Mr. Pauline.

Mr. Aguilera stated he was walking laps when he encountered Mr. Pauline near the far cage. Mr. Aguilera recalled that he talked to Mr. Pauline for a short time then walked with him to the cage where they were playing handball. Mr. Aguilera stated at that time they went separate directions. Mr. Aguilera stated he did not see who might have had an altercation with Mr. Pauline.

End of interview.

The last interview I conducted was on inmate Ruben Jose Trujillo. Agent Herrera was present during the interview. Mr. Trujillo was seen in the vicinity of where Mr. Pauline was laying. I asked Mr. Trujillo to tell me about his involvement with Mr. Pauline.

Mr. Trujillo stated he did not see anything. I asked Mr. Trujillo if he heard anything, he said "No." Mr. Trujillo stated he was near the handball court most of the time while on rec.  
End of interview.

This concluded the interview process for the day.

On April 29, 2015 I received a call from Southern New Mexico Correctional Facility Security Threat Intelligence Unit Captain Blanco who advised me they had information that two inmates by the name of Daniel Hood and William Gentry Mater were possibly involved in the incident with Mr. Pauline. At this time I travelled to the prison.

Upon arrival at the prison I made contact with Captain Blanco. Captain Blanco advised me that while monitoring phone calls made by inmate William Gentry Mater, they discovered a call made to an unidentified female. In this two part phone call. Mr. Mater requests the female look Frank Pauline up on google. Mr. Mater advises the female to look Mr. Pauline up on google and that he was going to call back in a few hours to see what she was able to find out.

On the second phone call, Mr. Mater asks the female what she was able to find out. The unidentified female tells him that Mr. Pauline had several criminal charges when he was a minor. She proceeds to tell Mr. Mater that Mr. Pauline also had charges for murdering and raping a 23 year old female. At this time Mr. Mater tell the female that those charges are bad.

Captain Blanco advised me that while they were searching cells. Mr. Hood was handcuffed and his cell was searched. While searching Mr. Hood's cell Captain Blanco observed what appeared to be blood on Mr. Hoods shoes and an his sweat top.

At this time we walked to Mr. Hood's assigned cell and took several clothing items and shoes as evidence. The items were packaged in paper bags and transported to the New Mexico State Police office located in Las Cruces, New Mexico. The evidence has been stored in the secured evidence vault.

End of report.

On Thursday, May 7<sup>th</sup> 2015, I travelled to Southern New Mexico Correctional Facility to interview Mr. Hood. Present during the interview was New Mexico State Police Agent Antonio Palomares. This interview was audio recorded.

The interview took place in a unit managers' office in the Unit 1 phone yard. Mr. Hood was wearing a state issued uniform and was handcuffed.

I commenced by introducing myself and explaining the reason for my visit.

At first, Mr. Hood denied any involvement in the incident with Mr. Pauline.

Later in the interview Mr. Hood stated he was going to tell me what happened.

Mr. Hood stated that he already knew what he was going to do, and that he had the intention of doing it. Mr. Hood advised that tension with Mr. Pauline had been building up for a few months. Mr. Hood said there had been an altercation with Mr. Pauline in the past, but he did not go into details. Mr. Hood stated that he felt Mr. Pauline knew information and things that were going on, and he thought he might give information.

Mr. Hood said that he went out there with a plan. As soon as he went out to the yard, he got a rock and placed it by the cement slab. Mr. Hood said that he waited. Mr. Hood stated that after shift change, there was only two correctional officers. Mr. Hood stated after he saw the correctional officers conduct their perimeter check, he looked for Mr. Pauline.

Mr. Hood advised me Mr. Pauline was walking laps around the rec yard at this time. Mr. Hood said there was a lot of people around Mr. Pauline. Mr. Hood stated he expected to be caught, but he did not want to make a scene and he did not want this to become a fight. Mr. Hood stated he waited until Mr. Pauline was talking to other people that way he was not paying attention as he would be distracted.

Mr. Hood advised me it took him about a half a lap to catch up to Mr. Pauline, because Mr. Pauline was walking fast. Mr. Hood said his intention was to come up behind him and hit him in the side of the head. Mr. Hood stated Mr. Pauline was walking right around the light post when he hit him. Mr. Hood said Mr. Pauline dropped straight forward. Mr. Hood recalls that he stood over him and hit him two more times in the back of the head then threw the rock and kept walking.

I asked Mr. Pauline where he grabbed the rock from, which he said it was on the north west side of the rec yard. Mr. Pauline said he took his green shirt off and wrapped the rock in it. Mr. Hood

stated the first hit made contact in the back of Mr. Pauline's head. Mr. Hood stated he thinks Mr. Pauline was dead when he hit the ground. He then hit him twice more.

I asked Mr. Hood if his intention was to go out there and kill Mr. Pauline, which he responded that he knew that was a possibility. Mr. Hood knew that what he was going to do was going to seriously injure him or kill him. Mr. Hood added that he did not want Mr. Pauline to walk the line again.

Mr. Hood was asked how many rocks he wrapped in the shirt, he said "One." Mr. Hood stated after he hit Mr. Pauline he kept walking, he said he walked another lap past Mr. Pauline. Mr. Hood said the whole purpose of this attack was to prevent Mr. Pauline from defending himself or fighting.

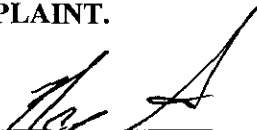
Mr. Hood stated that when he hit him, no blood splattered. Mr. Hood recalled that he did not hit Mr. Pauline as hard as he could because he did not want blood to splatter. Mr. Hood recalls that when he hit Mr. Pauline, he saw Mr. Pauline's head crack.

End of interview.

APPROVED AS TO LEGAL SUFFICIENCY BY: SENIOR ASSISTANT DISTRICT ATTORNEY DAVIS R. RUARK

**I SWEAR AND AFFIRM UNDER PENALTY OF PERJURY THAT THE FACTS SET FORTH ABOVE ARE TRUE TO THE BEST OF MY INFORMATION AND BELIEF. I UNDERSTAND THAT IT IS A CRIMINAL OFFENSE SUBJECT TO THE PENALTY OF IMPRISONMENT TO MAKE A FALSE STATEMENT IN A CRIMINAL COMPLAINT.**

Date  
05/13/2015

  
\_\_\_\_\_  
N. ALVARADO, Agent  
Investigations Bureau, NMSP

Approved: \_\_\_\_\_  
Title