

THE DISTRICT COURT
COUNTY OF **SAN MIGUEL**
STATE OF NEW MEXICO

NO D-412-CR-0201100225
(Judge Aragon)

4TH JUDICIAL DISTRICT COURT
SAN MIGUEL, MONTE & GUADALUPE
FILED IN NY OFFICE

2012 JUL 31 PM 3 14

~~FRED ARAGON~~
DISTRICT COURT CLERK

STATE OF NEW MEXICO,

PLAINTIFF,

VS.

RYAN GARCIA,



DEFENDANT.

JUDGMENT, SENTENCE AND COMMITMENT

THIS MATTER having come before the Court on this 9th day of July, 2012, for a Sentencing Hearing; the State of New Mexico being represented by its Chief Deputy District Attorney, Thomas Clayton, the defendant being present and represented by his attorney Anna Aragon; the Court having reviewed the proposed Plea and Disposition Agreement and having accepted the defendant's plea of guilty to the following offenses:

COUNT I (AS AMENDED) - VOLUNTARY MANSLAUGHTER, A THIRD DEGREE FELONY CONTRARY TO §30-2-03(A), NMSA 1978 AS AMENDED SAID OFFENSE OCCURRING ON OR ABOUT THE 16TH DAY OF FEBRUARY, 2010

COUNT III AGGRAVATED BATTERY AGAINST A HOUSEHOLD MEMBER, A THIRD DEGREE FELONY, CONTRARY TO §30-03-16 (C) NMSA 1978 AS AMENDED SAID OFFENSE OCCURRING ON OR ABOUT THE 16TH DAY OF FEBRUARY, 2010

The Court being fully advised in the premises, **FINDS:**

1. The Defendant has knowingly, intelligently and voluntarily entered into a plea and disposition agreement which is reasonable and accepted by the Court.
2. A basis in fact for the Defendant's plea of guilty was established to base a conviction herein.

IT IS, THEREFORE, ORDERED AND ADJUDGED that:

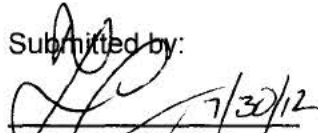
1. The Defendant is hereby adjudged guilty and convicted of the offenses as cited above.
2. For the offense of voluntary man slaughter, a third degree felony, the defendant is hereby sentenced to the New Mexico Department of Corrections for a period of six (6) years.
3. For the offense of aggravated battery on a household member, a third degree felony, the defendant is hereby sentenced to the New Mexico Department of Corrections for a period of three (3) years, with (2) years suspended.
4. Above said sentences shall run consecutive to each other for a period of seven (7) years to be served with the New Mexico Department of Corrections.
5. Counts I and III are deemed serious violent offenses pursuant to NMSA 1978, §33-2-34.
6. Defendant shall receive pre-sentence confinement credit from February 16, 2010 to July 9, 2012 for credit of eight hundred and forty- four (844) days, and any time while awaiting transport to the New Mexico Department of Corrections.
7. The Defendant shall serve the suspended sentence of two (2) years on probation to be served concurrent to his two (2) year mandatory parole period upon his release from the New Mexico Department Corrections.
8. The Defendant shall pay a one hundred dollar (\$100) DNA fee and a five (\$5.00) dollar domestic violence fee, to be paid during his parole period.
9. Count II of the Criminal Information is dismissed with prejudice.
10. Any pending bench warrants in this case are hereby quashed.
11. Any bonds posted in this matter shall be returned to the person who posted the bond upon the filing of this judgment.

IT IS IT IS FURTHER ORDERED that the San Miguel County Sheriff's Department is directed to transport the Defendant to the Intake and Classification Center of the Central New Mexico Correctional Facility, in Los Lunas, New Mexico, where said facility is directed to accept her and hold him pursuant to the provisions of this Judgment, Sentence and Commitment.

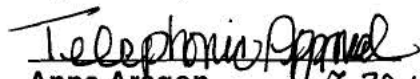
IT IS SO ORDERED


Abigail Aragon
District Judge

Submitted by:


7/30/12
Thomas Clayton
Chief Deputy District Attorney

Approved by:


7/30/12
Anna Aragon
Attorney for the Defendant