

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
IN THE METROPOLITAN COURT

Name: Finch, James  
Address: [REDACTED]  
Albuquerque NM 87110  
D.O.B. [REDACTED] 1990  
[REDACTED]  
Charge: Murder (open count), Aggravated Battery w/Deadly Weapon,  
Aggravated Burglary

Arrest Date: [REDACTED]  
Citation #: [REDACTED]  
Arrest #: [REDACTED]  
Docket #: T-4-CR2015-11995  
Date Filed: 9-5-15

Complainant or Officer: L. Acata Man #: 5168

**CRIMINAL COMPLAINT**

The undersigned, under penalty of perjury, complains and says that on or about the 24 day of August 20 15, in the County of Bernalillo, State of New Mexico, the above-named defendant(s) did commit the above Offense(s) (here state the essential facts):

**0408 hours**

I was contacted By Albuquerque Police Department Dispatch who advised me of a violent crimes call out located at 1201 Grove St. NE.

**0500 hours**

I arrived on scene at [REDACTED] Grove St. NE where I contacted Sgt. E. Thomson near the [REDACTED] block of Grove St. NE.

**0522 hours**

I was present during the briefing of Officer F. Duran #5469 in the mobile crime van located at [REDACTED] Grove St. NE. Officer Duran stated he was dispatched to disturbance call at [REDACTED] Grove St. NE. Officer Duran stated while on his way to the call APD dispatch told him a female caller was on an open telephone line asking for help.

Officer Duran arrived at [REDACTED] Grove St. NE with Officer R. Bumphrey #5505. Officer Duran and Officer Bumphrey approached the front door of [REDACTED] Grove St. NE where Officer Duran observed a locked glass security door. Behind the security door was a wood frame door with a glass center. Officer Duran looked through the door's window where he observed what appeared to be a nude male inside of the residence. The nude male ran from the south side of the residence to the north side of the residence. Officer Duran stated he observed a large amount of blood inside of the residence. Officer Duran observed a female lying face up in a pool of blood. The female was calling out to the officers for help. Officer Duran requested medical personnel to come to [REDACTED] Grove St. NE. Officers could not gain entry to the front of the residence so Officer Duran and Officer Bumphrey went to the rear of the residence. Officer Duran and Officer Bumphrey jumped the north wall into the back yard of 1201 Grove St. NE. Officer Duran stated he observed bloody foot prints on the back porch of [REDACTED] Grove St. NE. Officer Duran stated he followed the foot prints where he observed a nude male, wearing only socks, hiding under a white table with a glass top. The table was located on the back porch of the residence. Officer Duran and Officer Bumphrey gave verbal commands to the nude male to show his hands. Officer Duran stated the nude male was covered in blood and had a laceration to his hand. The nude male was compliant and was taken into custody. The

nude male was later identified as James Finch, date of birth [REDACTED]. James stated to police, "They are trying to kill us" "They are trying to kill my parents" "Please don't leave me" "Please help me" and "I don't want to die."

Officer Duran stated he observed a window at the back of the house to be broken out. Officer Duran stated it appeared as if someone through a chair from the outside of the back window to the inside of the back window. Officer Duran entered into the residence through the open back door due to hearing the continued cries for help from a female in the residence located at [REDACTED] Grove St. NE. Officer Duran observed a large amount of blood throughout the residence. Officer Duran located a female in the front entry way of the residence with multiple stab wounds to her body. The female identified herself as Kathy Finch. Kathy stated to Officer Duran "My son did this." Kathy identified her son as "James." Officer Duran stated he observed another male with multiple stab wounds, lying face down on the floor next to Kathy. Officer Duran stated the male appeared to be deceased. Kathy identified the male as her husband, David Finch. Officer Duran observed David to be lying face down on a piece of a cinder block. Officer Duran observed another piece of cinder block lying next to Kathy which appeared to have blood and hair attached to the cinder block.

Officer Duran stated he located what appeared to be Kathy and David's master bedroom. Officer Duran stated the bedroom was covered in blood. Officer Duran stated he observed the shower to be on in the hall bathroom. Officer Duran located bloody clothing and black tennis shoes on the floor of the bathroom by the shower and blood in the bathroom. Officer Duran stated he then went to the door that joins the garage to the house and could not open it due to the door having a deadbolt on both the inside and outside of the door. Officer Duran kicked the entry door open and opened the electric garage door to allow medical personnel into the residence. Albuquerque Fire Department engine #5 and Albuquerque Ambulance #60 and #22 arrived at [REDACTED] Grove St. NE. Kathy was transported to University of New Mexico Hospital in critical condition. James was transported to University of New Mexico Hospital for the laceration to his hand. David Finch was pronounced deceased at the scene and he was not removed by Medical Personnel. Officer Duran stated he observed a knife laying next David Finch. The knife had a black handle and approximately a 7 inch blade. The blade of the knife was bent about three inches up from the tip of the knife. The knife was lying in a pool of blood on the floor and the knife blade was covered in blood. Officer Duran stated both David and Kathy were nude when he located them.

Officer Duran learned James was previously released from the Metropolitan Detention Center and both Kathy and David had active Restraining Orders against James. Officer Duran obtained information from a neighbor, Tony Martinez, who resides at [REDACTED] Grove St. NE. Tony stated on Thursday officers went to [REDACTED] Grove St. NE. Tony stated after James was released an unknown subject dug a grave in the back yard of [REDACTED] Grove St. NE what appeared to be 3 foot by 9 foot in size. Tony stated the empty room in the house was previously James's room. Tony stated David and Kathy placed a note on the window of this bedroom to James which stated his personal belongings were in the shed in the back yard and that he was not allowed in the residence. Officer Duran advised David and Kathy had an active restraining order against their son, James Finch

Detective J. Rogers located a witness, Lynn Russo, who resides at [REDACTED] Grove St. NE. Lynn stated to Detective Rogers that she knows James and his family well and advised James uses methamphetamines. Lynn stated on Friday David and Kathy had a security company at their residence placing a solid door on their bedroom and a dead bolt because they were afraid of James. Lynn stated David Finch went around the neighborhood telling the neighbor to watch out for James due to James being released from Jail. Lynn stated she heard screaming from [REDACTED] Grove SE around 0300 hours on this date.

#### **0800 hours**

I was contacted by Officer Bumphrey who stated he was with James Finch at the hospital when James made a statement to him. James stated to Officer Bumphrey that he was picked up at a homeless shelter, by three unknown males in masks, wearing all black. James stated the males drove him to his parent's house, placed a gun in his mouth and told him he had to stab his parents or they would kill his parents. James stated he did not want to kill

his parents but he was forced to do it. No officer observed any subjects matching the description of the three unknown males in the area of [redacted] Grove St. NE.

contrary to Section(s) 30-2-1, 30-3-5c, 30-16-4 NMSA 1978.  
I SWEAR OR 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.

Approved *Elizabeth Thomson*  
ELIZABETH THOMSON #2702  
DISTRICT ATTORNEY OR LAW  
ENFORCEMENT OFFICER

Complainant *Sean [unclear]*  
Title (if any) Detective/Homicide  
Man # #5168  
Agency APD  
APD CAD Incident # 15-0077312/152360106

This complaint may not be filed without the prior payment of a filing fee, unless approved by the District Attorney or a law enforcement officer authorized to serve an Arrest or Search Warrant. Approval of the District Attorney or a law enforcement officer is not other wise required.

CF001 METROPOLITAN COURT RULE 7-201  - Court  - Defendant  - Attorney  - District Attorney  
Approved: Supreme Court, October 1, 1974; amended effective September 1, 1990; April 1, 1991; November 1, 1991.