



CRIMINAL COMPLAINT

NO. 17-005855

STATE OF NEW MEXICO

SANTA FE COUNTY

SANTA FE CITY

IN THE MAGISTRATE COURT

-- VS --

Name VEGA-MENDOZA PAULO

City/Zip SANTA FE NM 87507

STN #: 04
Arrest Date: 04/15/2017
Citation #: 010121577 0
Arrest #: 17-005855
Docket #: M-401 PR-20
Date Filed: 04/15/2017

FILED IN
APR 20 2017
SANTA FE COUNTY
MAGISTRATE COURT

CRIME: GREAT BODILY HARM BY VEHICLE

(Common name of Offense or Offenses)

The undersigned, under penalty of perjury, complains and says that on or about 04/15/2017, In the County/City of SANTA FE, State of New Mexico, the above named Defendant(s) did:

Contrary to Section 66-8-101C NMSA 1978.
Offense, Desc: HOMICIDE/GBI BY VEH WHILE DWI

Contrary to Section 66-7-201C NMSA 1978.
Offense, Desc: LEAVING SCENE GBH/DEATH 3 DEG

Contrary to Section 66-7-206 NMSA 1978.
Offense, Desc: IMMEDIATE NOTICE OF ACCIDENTS

Contrary to Section 30-15-1 NMSA 1978.
Offense, Desc: CRIM DAMAGE OVER 1000

CRIMINAL COMPLAINT

COUNT I

HOMICIDE/GREAT BODILY INJURY BY VEHICLE WHILE DWI, IN THAT ON OR ABOUT THE 15TH DAY OF APRIL, 2017, IN SANTA FE COUNTY, NEW MEXICO, THE ABOVE NAMED DEFENDANT DID CAUSE GREAT BODILY INJURY TO PAUL PADILLA, WHILE IN THE UNLAWFUL OPERATION OF A MOTOR VEHICLE, WHILE VIOLATING, NMSA 1978, SECTION 66-8-102 DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS SECTION, NMSA 1978, SECTION 66-8-113 RECKLESS DRIVING, CONTRARY TO NMSA 1978, SECTIONS 66-8-101C.

COUNT II

LEAVING THE SCENE OF GREAT BODILY HARM/DEATH, IN THAT ON OR ABOUT THE 15TH DAY OF APRIL, 2017, IN SANTA FE COUNTY, NEW MEXICO, THE ABOVE NAMED DEFENDANT DID DRIVE A VEHICLE TO WIT: DODGE NEON, INVOLVED IN AN ACCIDENT RESULTING IN GREAT BODILY HARM TO OR DEATH OF PAUL PADILLA AND DID NOT STOP HIS VEHICLE AT THE SCENE OF THE ACCIDENT OR REMAIN AT THE SCENE OF THE ACCIDENT UNTIL HE HAD FULFILLED THE REQUIREMENTS OF NMSA 1978, SECTION 66-7-203, CONTRARY TO NMSA 1978, SECTION 66-7-201B.

COUNT III

IMMEDIATE NOTICE OF ACCIDENT, IN THAT ON OR ABOUT THE 15TH DAY OF APRIL, 2017, IN SANTA FE COUNTY, NEW MEXICO, THE ABOVE NAMED DEFENDANT DID FAIL TO IMMEDIATELY, BY THE QUICKEST MEANS OF COMMUNICATION, GIVE NOTICE OF THE ACCIDENT TO THE POLICE DEPARTMENT IF THE ACCIDENT OCCURS WITHIN A MUNICIPALITY; OTHERWISE TO THE OFFICE OF THE COUNTY SHERIFF OR THE NEAREST OFFICE OF THE NEW MEXICO STATE POLICE. CONTRARY TO NMSA 1978, SECTION 66-7-206.

COUNT IV

CRIMINAL DAMAGE TO PROPERTY, IN THAT ON OR ABOUT THE 15TH DAY OF APRIL, 2017, IN SANTA FE COUNTY, NEW MEXICO, THE ABOVE NAMED DEFENDANT DID INTENTIONALLY DAMAGE THE REAL OR PERSONAL PROPERTY OF JANICE GARCIA, WITHOUT THE CONSENT OF THE OWNER THEREOF, SAID DAMAGE HAVING BEING \$1000 OR LESS, CONTRARY TO NMSA 1978, SECTION 30-15-1.

STATEMENT OF PROBABLE CAUSE

ON APRIL 15, 2017 AT APPROXIMATELY 1744 HOURS OFFICER ERASMO MONTIJO ADVISED HE APPROACHED A MOTOR VEHICLE CRASH INVOLVING A SEDAN AND A MOTORCYCLE. OFFICER MONTIJO STATED WITNESSES WERE CHASING THE DRIVER OF THE SEDAN NORTH BOUND ON CAMINO DE JACOBO.

I ARRIVED ON SCENE AND OFFICER MONTIJO ADVISED THE SUSPECT WAS RUNNING NORTHBOUND ON CAMINO DE JACOBO OR LOPEZ LANE. I OBSERVED SEVERAL INDIVIDUALS RUNNING WEST BOUND THROUGH THE SUNSET MOBILE HOME PARK.

OFFICER MONTIJO ADVISED THE MALE WAS WEARING A BLUE VEST, VIA THE RADIO.

OFFICER JARED ALIRE AND I JUMPED THE FENCE AND WERE IN THE BACKYARD OF A RESIDENCE ON ACEQUIA BORRADA. ON ACEQUIA BORRADA A MALE POINTED TO THE WEST AND STATED "HE RAN THAT WAY".

OFFICER ALIRE AND I SCALED ANOTHER FENCE. WE WERE LOCATED AT THE BACK PORTION OF A BACKYARD. AT THE OTHER END I OBSERVED A MALE WEARING A GREY VEST. THE MALE WAS ATTEMPTING TO SCALE THE FENCE THAT FACED THE FRONT OF THE RESIDENCE. THE MALE GRABBED THE TOP OF THE FENCE. AS I FINISHED NEGOTIATING THE FENCE I OBSERVED THE FENCE THE MALE WAS PULLING HIMSELF ONTO HAD BROKE AND THE MALE FELL BACKWARDS TO THE GROUND. OFFICER ALIRE THEN PLACED THE MALE INTO HANDCUFFS. THE OWNER OF THE FENCE THE MALE DAMAGED WAS LATER IDENTIFIED AS JANICE GARCIA.

THE MALE WAS IDENTIFIED AS PAULO VEGA-MENDOZA. WHILE SPEAKING WITH MR. VEGA-MENDOZA I DETECTED AN ODOR OF AN ALCOHOLIC BEVERAGE EMITTING FROM HIS BREATH. MR. VEGA-MENDOZA HAD BLOOD SHOT WATERY EYES AND SLURRED SPEECH.

MR. VEGA-MENDOZA WAS ESCORTED TO THE FRONT OF THE RESIDENCE, LOCATED AT [REDACTED] CORRIDA DE AGUA.

FIELD SOBRIETY TESTS WERE NOT CONDUCTED BECAUSE MR. VEGA-MENDOZA HAD EXHIBITED FLIGHT BEHAVIOR. MR. VEGA-MENDOZA WAS READ THE NEW MEXICO IMPLIED CONSENT ADVISORY VERBATIM FROM MY CARD. MR. VEGA ADVISED HE WOULD REFUSE TO BE TESTED. MR. VEGA-MENDOZA WAS THEN TRANSPORTED TO SAINT VINCENT'S HOSPITAL BY AMBULANCE.

A WITNESS, MARY PRONE, STATED SHE WAS DRIVING EAST BOUND ON AIRPORT RD IN THE RIGHT LANE. THE MOTORCYCLE WAS EAST BOUND AIRPORT IN FRONT OF HER. THE MOTORCYCLE SWITCHED FROM THE RIGHT LANE TO THE LEFT LANE. MS. PRONES OBSERVED ANOTHER VEHICLE, A DODGE NEON, PASS HER AND DID NOT BRAKE. THE DODGE NEON STRUCK THE MOTORCYCLE FROM BEHIND.

ANOTHER WITNESS, MARGARET JOHNSON, ADVISED SHE WAS IN THE LEFT LANE AND HEARD THE NEON REVING THE ENGINE AND WAS SPEEDING. THE NEON PASSED HER IN THE RIGHT LANE AND CUT IN FRONT OF HER TO THE LEFT LANE. THE VEHICLE WAS TRAVELING AT A HIGH RATE OF SPEED AND STRUCK THE MOTORCYCLE.

THE MOTORCYCLE ROLLED EVENTUALLY COMING TO A STOP ON TOP OF THE RIDER. THE OPERATOR OF THE MOTORCYCLE WAS LATER IDENTIFIED AS, PAUL PADILLA. MR. PADILLA SUSTAINED SEVERE INJURIES THROUGHOUT HIS BODY. HOSPITAL STAFF ADVISED MR. PADILLA'S BRAIN SUSTAINED SEVERE DAMAGE AS WELL. MR. PADILLA HAD TO BE AIR LIFTED TO UNIVERSITY OF NEW MEXICO HOSPITAL FOR FURTHER TREATMENT.

MR. VEGA-MENDOZA'S VEHICLE WAS THE DODGE NEON. THE NEON ROLLED FORWARD AND CAME TO REST ON IT'S HOOD. MR. VEGA-MENDOZA THEN EXITED THE VEHICLE AND FLED THE SCENE. MR. VEGA-MENDOZA DID NOT RENDER AID OR GIVE IMMEDIATE NOTICE OF AN ACCIDENT PRIOR TO LEAVING THE SCENE.

DUE TO THE SEVERITY OF THE INJURIES SUSTAINED BY MR. PADILLA A SEARCH WARRANT FOR BLOOD WAS COMPLETED. THE SEARCH WARRANT WAS SIGNED BY JUDGE DAVID SEGURA. THE LEGAL BLOOD DRAW WAS CONDUCTED AT 1925 HOURS.

MICHAEL A. FLORES  
SANTA FE POLICE DEPT  
D252

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 FALSE STATEMENT IN A CRIMINAL COMPLAINT.

Complainant



Title(if any)

6270

Agency(if any)

SANTA FE POLICE DEPARTMENT

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 otherwise required.

Approved

\_\_\_\_\_

DISTRICT ATTORNEY OR LAW ENFORCEMENT OFFICER

[As amended, approved by the Supreme Court of New Mexico, effective September 1, 1990; April 1, 1991; November 1, 1991.]