

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

FILED IN MY OFFICE THIS

MAR 15 2016

D 0202 CR 2016 000789

DA#: 2016-01172-1
STN: 001160256802

J. Cal
CLERK DISTRICT COURT

STATE OF NEW MEXICO,
Plaintiff,
vs.

BRETT R. LOVELESS

DARRIUS DAVON VALLES,
AKA: DARIUS DA-VON VALLES; DARRIUS D. VALLES; DARRIUS CHAVEZ; DARRIUS
BALLES; DARIAS VALLES; DARRIUS DA-VON VALLES; DARRIUS DA VON VALLES
Defendant.

CRIMES CHARGED

FIRST DEGREE MURDER (WILLFUL AND DELIBERATE), SECOND DEGREE MURDER
(FIREARM ENHANCEMENT) AND MANSLAUGHTER (FIREARM ENHANCEMENT)
(0001); AGGRAVATED BATTERY (DEADLY WEAPON) (FIREARM ENHANCEMENT)
(0070); OR IN THE ALTERNATIVE: AGGRAVATED BATTERY (GREAT BODILY HARM)
(FIREARM ENHANCEMENT) (0071); TAMPERING WITH EVIDENCE (4230) (2
COUNTS); ESCAPE FROM A COMMUNITY CUSTODY RELEASE PROGRAM (FELONY)
(2569)

GRAND JURY INDICTMENT

THE GRAND JURY CHARGES:

✓ COUNT 1: FIRST DEGREE MURDER (WILLFUL AND DELIBERATE), SECOND
DEGREE MURDER (FIREARM ENHANCEMENT) AND MANSLAUGHTER (FIREARM
ENHANCEMENT) (0001)

That on or about the 15th day of January, 2016, in Bernalillo County, New Mexico, the
above-named defendant did murder Jerry Wayne Jennings, with the deliberate intention to take
away the life of Jerry Wayne Jennings, or any other human being, contrary to §30-2-1(A)(1),
NMSA 1978; AND FURTHERMORE, the defendant is hereby notified that upon trial of this
cause the finder of fact may be instructed to consider Murder in the Second Degree (Firearm
Enhancement), contrary to §30-2-1(B) and §31-18-16, NMSA 1978, or Manslaughter (Firearm
Enhancement), contrary to §30-2-3 and §31-18-16, NMSA 1978.

✓ COUNT 2: AGGRAVATED BATTERY (DEADLY WEAPON) (FIREARM
ENHANCEMENT) (0070)

That on or about the 15th day of January, 2016, in Bernalillo County, New Mexico, the
above-named defendant did touch or apply force to Jerry Wayne Jennings with a firearm, a
deadly weapon, intending to injure Jerry Wayne Jennings, or another, and used a firearm,
contrary to §30-3-5(A)&(C) and §31-18-16, NMSA 1978.

^ OR IN THE ALTERNATIVE TO COUNT 2: AGGRAVATED BATTERY (GREAT BODILY HARM) (FIREARM ENHANCEMENT) (0071)

That on or about the 15th day of January, 2016, in Bernalillo County, New Mexico, the above-named defendant did touch or apply force to Jerry Wayne Jennings, intending to injure that person or another, and caused great bodily harm to Jerry Wayne Jennings or acted in a manner whereby death or great bodily harm could be inflicted upon Jerry Wayne Jennings, and used a firearm, contrary to §30-3-5(A)&(C) and §31-18-16, NMSA 1978.

^ COUNT 3: TAMPERING WITH EVIDENCE (4230)

That on or about the 15th day of January, 2016, in Bernalillo County, New Mexico, the above-named defendant destroyed, changed, placed and/ or removed a GPS ankle monitor with intent to prevent the apprehension, prosecution or conviction of himself, contrary to §30-22-5, NMSA 1978.

^ COUNT 4: TAMPERING WITH EVIDENCE (4230)

That on or about the 15th day of January, 2016, in Bernalillo County, New Mexico, the above-named defendant placed and/ or gave a gun to another with intent to prevent the apprehension, prosecution or conviction of himself, contrary to §30-22-5, NMSA 1978.

^ COUNT 5: ESCAPE FROM A COMMUNITY CUSTODY RELEASE PROGRAM (FELONY) (2569)

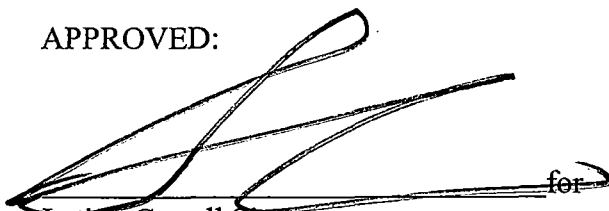
That on or about the 15th day of January, 2016, in Bernalillo County, New Mexico, the above-named defendant, who was lawfully committed to a judicially approved community custody release program for a felony, did escape or attempt to escape from the community custody release program, contrary to §30-22-08.1(C), NMSA 1978.

The names of the witnesses upon whose testimony this Indictment is based are as follows:

J. Brown APD

I hereby certify that the foregoing Indictment is a True Bill

APPROVED:


for

Letitia Carroll Simms
Deputy District Attorney

Date

3/14/16