

THIRD JUDICIAL DISTRICT
COUNTY OF DONA ANA
STATE OF NEW MEXICO

FILED
OCT 20 PM 1:51
No. D-307-CR-201700437
JUDGE FERNANDO MACIAS
THIRD JUDICIAL DISTRICT COUNTY, NM
DONA ANA COUNTY, NM

STATE OF NEW MEXICO,
Plaintiff,

vs.

JOEL ARCINIENGA-SAENZ,
Defendant.

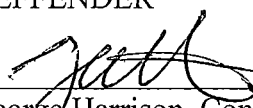
MOTION TO REVIEW CONDITIONS OF RELEASE

Defendant, through counsel and pursuant to Rule 7-401, NMRA, and Article II, Section 13, of the New Mexico Constitution, respectfully requests this Court to review the conditions of release in the above-captioned matter and as grounds, states:

1. Defendant is in custody;
2. The defendant's current bond is \$500,000 secured.
3. The defendant is requesting an unsecured bond of \$10,000.
4. The primary witness against the defendant has recanted her story.
5. The defendant has been in custody since April 22, 2017 and the state has not provided any forensic evidence.
6. Evidence collected during the investigation corroborate the defendant's statement to the police.
7. ADA Rebecca Duffin. Takes no position.

Wherefore the defendant prays the Court to modify his conditions of release to an unsecured bond.

Respectfully Submitted,
NEW MEXICO CONTRACT
DEFENDER



George Harrison, Contract Counsel
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Las Cruces, NM 88011
Phone: 575-522-8000

KCA

This will certify that a copy of the foregoing
was mailed to the District Attorney's office on
October 20, 2017.

Judge: Fernando Macias

Time: 30 minutes



Attorney for Defendant