

For Immediate Release
April 22, 2011

**JURY FINDS NAVAJO MAN GUILTY OF FEDERAL ASSAULT
RESULTING IN SERIOUS BODILY INJURY CHARGE**

Defendant Fractured Victim's Skull with Sledge Hammer

SANTA FE – Shortly after 8:30 p.m. last night, a jury sitting in federal court in Santa Fe convicted **Tony Curtis Jr.**, 38, of assault resulting in serious bodily injury. The jury was unable to reach a verdict on a second count charging Curtis with assault with a dangerous weapon. Curtis, an enrolled member of the Navajo Nation, faces up to ten years of imprisonment at sentencing. Curtis was remanded to the custody of the United States Marshal's Service and will be detained pending his sentencing hearing, which has yet to be scheduled.

United States Attorney Kenneth J. Gonzales said that Curtis was arrested on August 3, 2010 based on a criminal complaint alleging that, on July 30, 2010, he assaulted Ryan John, a 22-year-old Navajo man, by hitting him in the head with a sledge hammer on property located within the boundaries of the Navajo Nation. On August 25, 2010, a grand jury indicted Curtis and charged him with assault resulting in serious bodily injury and assault with a dangerous weapon.

The evidence presented at trial established that, late in the evening of July 30, 2010, Curtis bludgeoned Mr. John in the head using a three-pound, hand-held sledge hammer. The blow hit Mr. John on the left temple area causing a depressed skull fracture – an injury that surgical repair. The assault occurred in Ya-Ta-Hey, New Mexico, a small community located about 10 miles north of Gallup on the Navajo Indian Reservation.

According to trial witnesses, around 9:00 p.m., Arliss John, the victim's brother, and his family were sharing a meal in their trailer home when they heard people threatening Arliss

John's life. One of the individual making the threats was Curtis's nephew, who apparently was intoxicated. Arliss John became alarmed and called his sister, who lived a couple of miles away. The sister arrived shortly thereafter and brought several others along, including her brother, Mr. John. Once there, Mr. John, Arliss John, their sister and several others venture outside Arliss John's home to find out who is yelling the threats so that they can make them stop. Eventually they come across two teenagers, Curtis's nephew and another of his relatives, who threw rocks at Mr. John and his sister before running off towards a trailer while continuing to yell out threats. As Mr. John and his sister approached the trailer, they saw a group of people, which included Curtis, they did not recognize. Mr. John and his sister attempted to hide from the group because they were brandishing pipes and poles that were later recovered by law enforcement officers.

Witnesses testified that, after a member of the group spotted Mr. John and his sister, the group approached them and one of the women started a fight with Mr. John's sister. Mr. John responded by stepping in between the women and trying to break up the fight. While Mr. John was trying to break up the fight between the two women, Curtis swung a sledge hammer and hit Mr. John on the head, opening up a laceration, and breaking his skull. Although the first blow felled Mr. John, Curtis pounced on Mr. John as he lay on the ground with blood spilling out of his wound, and others had to pull Curtis off Mr. John. At that point, the fight became a free for all until, shortly thereafter, officers of the Navajo Nation Department of Public Safety (NNDPS) arrived and put an end to the fight.

Although Curtis and other defense witnesses testified that Curtis acted in self defense, the jury returned with a verdict of guilty on the charge of assault resulting in serious bodily injury after deliberating approximately eight hours.

The case was investigated by the Federal Bureau of Investigation and the NNDPS, and is

being prosecuted by Assistant United States Attorneys Jack E. Burkhead and Jennifer M. Rozzoni.

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