

For Immediate Release  
August 12, 2011

**ALCALDE MAN ARRESTED FOR ASSAULTING AND  
ROBBING SANTA CLARA PUEBLO MAN**

ALBUQUERQUE – **David R. Martinez**, 26, a resident of Alcalde, New Mexico, made his initial appearance in Albuquerque federal court this morning on a criminal complaint charging him with assault with a dangerous weapon and armed robbery in Indian Country. If convicted of the offenses charged in the criminal complaint, Martinez faces a maximum penalty of fifteen years' imprisonment. During this morning's proceedings, Martinez waived his right to a preliminary hearing and entered a not guilty plea. Martinez was ordered detained pending trial.

United States Attorney Kenneth J. Gonzales said that Martinez, a non-Indian, is charged with robbing a 70-year old member of the Pueblo of Santa Clara (Victim) at an ATM located within the Pueblo of Santa Clara and threatening to kill the Victim with a knife.

According to the criminal complaint, the assault and armed robbery occurred at approximately 11:00 a.m. on August 10, 2011 at an ATM of the Zia Credit Union in Espanola, New Mexico. Martinez allegedly approached the Victim after the Victim drove up to the ATM and was attempting to withdraw money. Martinez allegedly demanded that the Victim give him money and threatened to kill him with a knife. The complaint alleges that Martinez fled from the area after obtaining cash from the Victim. Video footage from the Credit Union's surveillance camera revealed that Martinez ran to a black pickup truck and jumped onto the truck's bumper, and that the truck then drove away.

The complaint alleges that, thereafter, a witness contacted the New Mexico State Police (NMSP) office in Espanola and reported that she may have been involved in a robbery. During an interview with a special agent of the Bureau of Indian Affairs and a NMSP officer, the

witness reported that, earlier on August 10, 2011, Martinez asked her to pick him up at his Alcalde residence. Once in the witness's truck, Martinez allegedly demanded money and, when the witness claimed to have none, Martinez rifled through her purse looking for her ATM card. When Martinez could not locate the witness's ATM card, he allegedly slapped her and demanded that she drive him to an ATM. The witness further reported that Martinez slapped her and threatened her while she drove about looking for an operational ATM until they finally arrived in the vicinity of the ATM at the Zia Credit Union where she observed him walk to the ATM. The witness said that she was unable to see what Martinez did at the ATM but that he suddenly ran back to the truck, jumped into the back, and demanded that she drive away. The witness complied with his demand by driving away but threatened to go to the police. At that point, Martinez allegedly jumped out of the truck and fled, and the witness drove directly to the NMSP office.

The complaint alleges that Martinez turned himself into the Rio Arriba County Sheriff's Office at approximately 4:00 p.m. on August 10, 2011.

The case was investigated by the Bureau of Indian Affairs, Office of Law Enforcement Services, Northern Pueblos Agency, the New Mexico State Police, the Espanola Police Department, the Rio Arriba County Sheriff's Office, and the Santa Clara Tribal Police Department, and is being prosecuted by Assistant United States Attorney Niki Tapia-Brito.

Charges in criminal complaints are only accusations. All criminal defendants are presumed innocent unless proven guilty beyond a reasonable doubt.

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