

For Immediate Release
September 26, 2011

SHIPROCK MAN PLEADS GUILTY TO FEDERAL ASSAULT CHARGE

ALBUQUERQUE – On September 23, 2011, in federal court in Albuquerque, **Aero Nez**, 23, of Shiprock, New Mexico, pled guilty to a federal assault resulting in serious bodily injury charge under a plea agreement with the United States Attorney's Office. Under his plea agreement, Nez will be sentenced to 18 months imprisonment to be followed by up to three years of supervised release. Nez, an enrolled member of the Navajo Nation, has been in federal custody since his arrest on May 18, 2011 and remains detained pending his sentencing hearing, which has yet to be scheduled.

Nez was arrested on a criminal complaint filed on May 13, 2011 and subsequently was charged in a four-count indictment alleging (1) abuse of a child under the age of 18; (2) assault resulting in serious bodily injury; (3) robbery; and (4) theft. According to the criminal complaint, on March 27, 2011, the Navajo Nation Department of Public Safety contacted the Federal Bureau of Investigation after a 14 year old female child with a severe head injury was found in a canal near Indian Village, Shiprock, New Mexico. Several weeks later, after the child's medical condition improved, the child reported that Nez hit her and caused her to fall into the canal and then struck her with the leg of a metal chair because the child refused to give him money so that he could purchase alcohol. The child had \$30 in her possession at the time of the assault and did not know what happened to the money but assumed that Nez stole it following the assault.

During his plea hearing, Nez entered a guilty plea to Count 2 of the indictment charging him with assault resulting in serious bodily injury. Nez said that, on March 27, 2011, he spent the day drinking at his cousin's home and became intoxicated. At some point, while walking

from his cousin's home, Nez came across the child near a drainage canal. Nez admitted that he assaulted Jane Doe by striking her atop of the head with a weapon that he picked up off of the ground. Nez further admitted that, as a result of his attack, Jane Doe suffered injuries that resulted in serious bodily harm. Under the terms of the plea agreement, Counts 1, 3 and 4 of the indictment will be dismissed after Nez is sentenced.

United States Attorney Kenneth J. Gonzales said that the case was investigated by the Federal Bureau of Investigation and the Navajo Nation Department of Public Safety, Shiprock Division, and is being prosecuted by Assistant United States Attorney Jack E. Burkhead.

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