

For Immediate Release
October 20, 2011

**NAVAJO MAN TO SERVE 27 MONTHS IN PRISON FOR
FEDERAL DUI-RELATED ASSAULT CONVICTION**

ALBUQUERQUE – This morning in federal court in Albuquerque, **Diono H. Pete**, 48, was sentenced to a 27-month term of imprisonment for his assault resulting in serious bodily injury conviction. Pete will be on supervised release for two years after he completes his prison sentence. The court will enter an order regarding restitution to the victim of his assault within 90 days.

Pete, an enrolled member of the Navajo Nation who resides in Fruitland, N.M., had been on conditions of release since his arrest on October 13, 2010. He was remanded into the custody of the U.S. Marshal's Service at the conclusion of his sentencing hearing.

U.S. Attorney Kenneth J. Gonzales said that the charge against Pete arose out of a collision that occurred on the Navajo Reservation on the evening of October 10, 2010 when a motorcyclist was struck from behind by Pete's vehicle. According to court records, when Pete's vehicle collided with the motorcycle, the motorcyclist was thrown into the window of Pete's vehicle and then rolled off the vehicle. The motorcyclist sustained multiple lacerations to the head and a spinal fracture. Investigation by the Navajo Nation Department of Public Safety (NNDPS) revealed no skid marks or other evidence of braking by Pete's vehicle at the scene of the collision. The investigation also revealed that there was beer in Pete's vehicle and that Pete had a blood alcohol content of .12 approximately two hours after the collision.

Pete entered a guilty plea to a one-count indictment on March 28, 2011. At his plea hearing, Pete admitted assaulting the motorcyclist by driving his vehicle while intoxicated and causing a collision between his vehicle and the motorcycle. The motorcyclist sustained serious

bodily injury as a result of the collision.

The case was investigated by the NNDPS, Shiprock Division, and the Federal Bureau of Investigation, and is being prosecuted by Assistant U.S. Attorney Kyle T. Nayback.

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