



U.S. Department of Justice

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NEWS RELEASE

TRIAL DATE SET FOR NAVAJO NATION MAN CHARGED WITH ASSAULT THAT SERIOUSLY INJURED 4-MONTH-OLD BABY

SALT LAKE CITY – An April 18, 2011, trial date has been set for Warren Joseph Montes, age 19, of Montezuma Creek, Utah, charged with assault resulting in serious bodily injury while within Indian Country in an indictment returned in January.

Montes pleaded not guilty to the charge during an initial appearance in federal court Wednesday before U.S. Magistrate Judge Samuel Alba. Federal prosecutors are seeking to keep Montes in custody pending trial. A detention hearing has been scheduled for Tuesday at 11:30 a.m. before Magistrate Judge Alba.

The indictment alleges Montes assaulted a 4-month-old child on Dec. 13, 2010. The alleged assault happened in Montezuma Creek. The child, an enrolled member of the Navajo Nation, was transported to Primary Children's Medical Center.

The potential maximum penalty for the assault charge is up to 10 years in prison and a fine of \$250,000. Indictments are not findings of guilt.

Individuals charged in indictments are presumed innocent unless or until proven guilty in court.

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