

For Immediate Release
September 1, 2011

**NAVAJO MAN PLEADS GUILTY TO FEDERAL
VOLUNTARY MANSLAUGHTER CHARGE**

ALBUQUERQUE – This morning in federal court in Albuquerque, **Derrick Frank**, 22, pleaded guilty to an information charging him with voluntary manslaughter under a plea agreement with the United States Attorney’s Office. Under the terms of the plea agreement, Frank will serve a prison term of not less than 108 months and not more than 135 months to be followed by not more than three years of supervised release. Frank, an enrolled member of the Navajo Nation who resides in Navajo, New Mexico, has been in federal custody since his arrest on January 17, 2011. He remains detained pending his sentencing hearing, which has yet to be scheduled.

United States Attorney Kenneth J. Gonzales said that Frank admitted killing Ty Smith, a 23-year-old Navajo man, on December 31, 2010, in the heat of passion and during a sudden quarrel and fight. In entering his guilty plea, Frank admitted killing Mr. Smith by stabbing him three times with a knife. According to Frank’s plea agreement, Mr. Smith engaged in an argument that was fueled by alcohol. The verbal confrontation escalated to a physical fight that culminated in the stabbing. Mr. Smith was the brother of Frank’s girlfriend.

Under the terms of the plea agreement, an indictment charging Frank with second degree murder will be dismissed after Frank is sentenced.

The case was investigated by the Federal Bureau of Investigation with assistance from the Navajo Nation Department of Public Safety, Window Rock Division, and is being prosecuted by Jack E. Burkhead.

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