



**PRESS RELEASE**

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**For Immediate Release**

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**JICARILLA APACHE MAN SENTENCED TO 262 MONTHS IN PRISON  
FOR MURDER INVOLVING DEATH OF THREE-YEAR-OLD**

ALBUQUERQUE – A federal judge in Santa Fe, N.M., sentenced Jay Rutherford Paiz, 31, a member of the Jicarilla Apache Nation who resides in Dulce, N.M., to 262 months in prison for his second degree murder conviction. Paiz will be on supervised release for three years after he completes his prison sentence. He also was ordered to make restitution in the amount of \$18,315.72 to the Dulce Health Center to cover costs of medical care provided to the decedent.

Paiz was arrested on July 22, 2008, on a criminal complaint charging him with attempting to kill or to commit manslaughter of his three-year-old son through a pattern of child abuse. He has been in federal custody since that time. After the child victim died on July 23, 2008, Paiz was indicted on a first degree murder charge.

According to court records, on July 20, 2008, the Jicarilla Apache Tribal Police Department and EMS responded to a call from Paiz's residence where they observed Paiz walking towards them with his unresponsive son in his arms. A medical examination revealed that the child victim had multiple bruises on his head, ears, back, legs, pelvis and genitals, which were in various stages of healing. The child victim required emergency surgery to release blood on the brain sustained from a head injury. The following day, the child victim's condition deteriorated and he had a "non-functioning brain" with a "grave prognosis." The child victim died of his head injuries on July 23, 2008.

U.S. Attorney Kenneth J. Gonzales said that Paiz pled guilty to an information charging him with second degree murder on Oct. 29, 2012. In the plea agreement, Paiz admitted spanking and whipping the child victim with a belt because he would not listen. He also admitted that, on July 20, 2008, while he was rough-housing with the child victim and his other son, the child victim hit his head on the wall when Paiz threw him on the bed. Paiz was intoxicated at the time he was rough-housing with his sons. The child victim had only been in Paiz's custody since July 9, 2008.

As required by the plea agreement, the first degree murder charge was dismissed after Paiz was sentenced.

The case was investigated by the Gallup Office of the FBI, with assistance from the Jicarilla Apache Tribal Police Department, and was prosecuted by Assistant U.S. Attorney Paul H. Spiers.

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