

For Immediate Release
April 1, 2011

NAVAJO MAN PLEADS GUILTY TO FEDERAL ASSAULT CHARGE

ALBUQUERQUE – United States Attorney Kenneth J. Gonzales announced that, this morning, **Sterling Silversmith**, 25, pleaded guilty to assault resulting in serious bodily injury before a U.S. Magistrate Judge under a plea agreement with the United States Attorney's Office. At sentencing, which has yet to be scheduled, Silversmith faces up to ten years imprisonment. Silversmith, an enrolled member of the Navajo Nation, has been in federal custody since his arrest on August 18, 2010 and remains detained pending his sentencing hearing.

On July 13, 2010, Silversmith was charged in a four-count indictment alleging two counts of assault with a dangerous weapon and two counts of assault resulting in serious bodily injury. The indictment alleged that Silversmith assaulted two men with a knife on June 20, 2010 in Indian Country in McKinley County. This morning, Silversmith pled guilty to count 4 of the indictment which charged him with assaulting Jay Bowers Levier and causing him serious bodily injury. Under the plea agreement, the remaining three counts of the indictment will be dismissed after Silversmith is sentenced.

According to the criminal complaint filed in the case, Silversmith assaulted Mr. Levier and Donovan Roe Bitsilly, both members of the Navajo Nation, in the vicinity of Whiskey Lake, New Mexico in early hours of June 20, 2010. Mr. Levier, Mr. Bitsilly and their family were camping out in near Whiskey Lake after attending a family reunion. Mr. Levier awoke shortly after midnight to find that Silversmith and Mr. Bitsilly were involved in a physical altercation. Based on his observations, Mr. Levier believed that Silversmith was slashing Mr. Bitsilly and

attempted to pull Silversmith away from Mr. Bitsilly. Silversmith responded by stabbing Mr. Levier in the arm. According to the complaint, neither Mr. Bitsilly nor Mr. Levier was armed with any weapon.

According to the complaint, as a result of Silversmith's assault, Mr. Bitsilly sustained four stab wound in the back, three on the left side and one on the right side. He also suffered a small hemothorax in the left chest and a two-inch laceration to the back of his neck. Mr. Levier suffered a major stab wound to the right arm which severed arteries and nerves.

The case was investigated by the Federal Bureau of Investigation and the Navajo Nation Department of Public Safety, and is being prosecuted by Assistant United States Attorney Kyle T. Nayback.

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