

1 Security Account Number XXX-XX-5941, an enrolled member of the
2 Cochiti Indian Tribe. The alleged homicide occurred on the
3 Cochiti Indian Reservation, in the residence shared by both
4 Brian Chavez and Jane Chavez, located at 028 Cochiti Street,
5 Cochiti Pueblo, New Mexico, 87072.

6
7 3. During the afternoon of July 19, 2009, agents
8 interviewed Francisco L. Chavez (Francisco). Francisco is Brian
9 Chavez's father and Jane Chavez's son. He typically visits with
10 his mother at her home everyday at approximately 11:30 AM and
11 did so on the morning of June 19, 2009. Francisco recently lost
12 his hearing and therefore Brian Chavez communicates with his
13 father via written notes. Francisco is, however, able to speak
14 his responses. When Francisco arrived at the house Brian Chavez
15 displayed a note to him that stated: "She kept asking me to end
16 it. I knew she was suffering. I told her go to grandpa. When
17 I shot her I saw a bright light shoot up. I seen her leave. It
18 was beautiful. I hope my soul will shine as bright. She was
19 asleep. Dad please forgive me. It was peaceful." Brian Chavez
20 wrote several more notes to Francisco explaining that he had
21 shot Jane Chavez and asking for his father's forgiveness.
22 Francisco left the residence, returning to his own home down the
23 street, located at 007 Broken Arrow Street, Cochiti Pueblo.

24
25 4. Bonnie or Bonita Cordero was interviewed by agents
26 that same afternoon. She is Francisco's daughter and Brian
27 Chavez's sister, and she lives with her father at 007 Broken
28 Arrow Street, Cochiti Pueblo. Cordero stated that when

1 Francisco got home, at approximately 12:00 PM, on June 19, 2009,
2 she saw that he was very upset. When she asked him what was
3 wrong Francisco told her "she's gone," referring to Jane Chavez.
4 Cordero left her house quickly and attempted to contact 911 as
5 she drove to her grandmother's residence. When she entered the
6 house she saw Jane Chavez lying on the couch and thought that
7 Jane was sleeping. She asked Brian Chavez what was going on.
8 He explained that he shot Jane Chavez in order to relieve her
9 suffering. Cordero finally got ahold of 911 and requested an
10 ambulance.

11
12 5. Emergency Medical Services (EMS) personnel arrived at
13 the scene soon thereafter, but were unable to enter the
14 residence until law enforcement personnel cleared it. After the
15 residence was rendered safe at approximately 1:20 PM, they
16 entered the residence and determined that Jane Chavez had no
17 heart beat, was cold to touch, that lividity was apparent and
18 that her limbs were stiff. While EMS responder Phillip Trujillo
19 was relaying information to the 911 operator, Brian Chavez told
20 him that Jane Chavez had been dead since 6:30 AM that morning,
21 June 19, 2009.

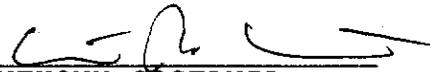
22
23 6. On the evening of June 19, 2009, agents interviewed
24 Brian Joseph Chavez. Chavez stated that at approximately 6:00
25 AM that morning, he exited the residence he shared with his
26 grandmother, and retrieved his rifle from a truck parked in the
27 gravel lot in the back of the residence. He reentered the
28 residence, went to his bedroom and loaded the rifle with .22

1 caliber long rifle bullets. At this time, Jane Chavez was
2 asleep on the couch in the living room. He checked on her twice
3 to confirm she was sleeping, and once, even called out to her,
4 "grandma," to see if she would awaken. She remained asleep. He
5 approached the couch quietly and aimed the rifle at her chest.
6 He placed the barrel just above her chest, making sure not to
7 touch her with it so as not to awaken her. Chavez stated that
8 he then shot Jane Chavez four or five times in the chest in
9 quick succession. He stated that he wanted it to be over
10 quickly.

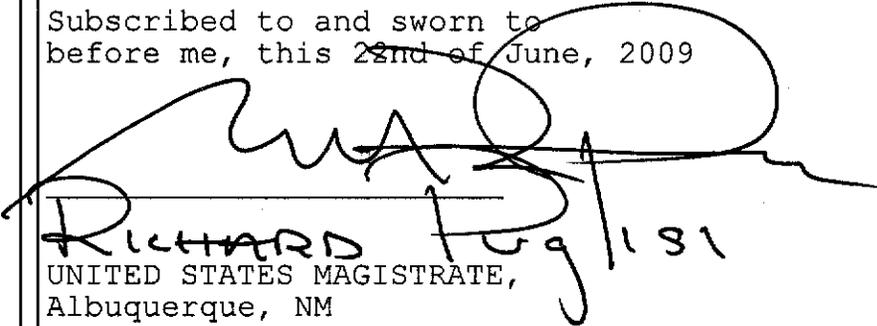
11
12 7. Based on the information set forth in this affidavit,
13 your affiant submits that there is probable cause to believe
14 that on June 19, 2009, Brian Joseph Chavez, year of birth 1972,
15 Social Security Account Number XXX-XX-5941, an enrolled member
16 of the Cochiti Indian Tribe, did murder Jane Louise Chavez nee
17 Kinyahne, year of birth 1915, by shooting her five times in the
18 chest, and that the homicide occurred in the state and district
19 of New Mexico and within exterior boundaries of the Cochiti
20 Indian Reservation, in violation of Title 18, United States
21 Code, Sections 1153 and 1111(a).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I swear that this information is true and correct to
be best of my knowledge.


ANTHONY COSTANZA
Special Agent,
Federal Bureau of Investigation

Subscribed to and sworn to
before me, this 22nd of June, 2009


RICHARD FUGLER
UNITED STATES MAGISTRATE,
Albuquerque, NM

Reviewed and approved by SAUSA Charles Barth