

IN THE DISTRICT COURT OF LINCOLN COUNTY
TWELFTH JUDICIAL DISTRICT, NEW MEXICO

CAUSE NO. CR-96- 142
JUDGE PARSONS

STATE OF NEW MEXICO,

Plaintiff,

vs.

VICENTE A. MONTES,

Defendant.

Crime: COUNT I: ARMED ROBBERY (FE), SECOND DEGREE FELONY PLUS
FIREARM ENHANCEMENT, §30-16-2 & §31-18-16, COUNT II:
CONSPIRACY, THIRD DEGREE FELONY, §30-28-2, NMSA 1978
COMPILATION.

CRIMINAL INFORMATION


The Assistant District Attorney for the Twelfth Judicial
District, State of New Mexico, states:

COUNT I: That on or about the 4th day of November, 1996, in
Lincoln County, New Mexico, the above-named defendant took and
carried away U.S. currency in the amount of \$2,144.26 which had
some value, from First Savings Bank, or from their immediate
control, intending to permanently deprive First Savings Bank of the
property, and was armed with a semi-automatic pistol, a deadly
weapon, and took the property by use or threatened use of force or
violence, to-wit: ARMED ROBBERY (FE), contrary to §30-16-2 and §31-
18-16, NMSA 1978.

COUNT II: That on or about the 4th day of November, 1996, in
Lincoln County, New Mexico, the above-named defendant and another
person, by words or acts agreed together to commit Armed Robber
(FE), and they intended to commit Armed Robbery (FE), to-wit
CONSPIRACY, contrary to §30-28-2 and §30-16-2, NMSA 1978.

PRELIMINARY HEARING WAS partially held on December 3, 1996.
Testimony was received from Jim Biggs, Inette Tercero, Eddie
Gibson, and Amber Herrera, and thereafter, the Defendant WAIVED
PRELIMINARY HEARING.

DATED this 30 day of December, 1996.


VIOLA RHODES
Assistant District Attorney

Defendant's Address: BERNALILLO AND/OR LINCOLN COUNTY DETENTION
CENTER, CARRIZO, NM

Social Security Number: 585-37-1305

Date of Birth: 01-14-78

Magistrate Case No.: 26-2-97-0786, Division II

Bond:

Penalties: COUNT I: ARMED ROBBERY (FE), SECOND DEGREE FELONY PLUS
FIREARM ENHANCEMENT, BASIC SENTENCE OF 9 YEARS BUT NOT LESS THAN 3
YEARS NOR MORE THAN 12 YEARS IMPRISONMENT AND NOT MORE THAN \$10,000
FINE PLUS FIREARM ENHANCEMENT OF BASIC SENTENCE OF IMPRISONMENT
INCREASED BY ONE YEAR FOR FIRST OFFENSE IN WHICH A FIREARM IS USED
AND 3 YEARS FOR SUBSEQUENT OFFENSES IN WHICH A FIREARM IS USED
COUNT II: CONSPIRACY, THIRD DEGREE FELONY, BASIC SENTENCE OF 3
YEARS BUT NOT LESS THAN 2 YEARS NOR MORE THAN 4 YEARS IMPRISONMENT
AND NOT MORE THAN \$5,000 FINE.

Attorney: Gary C. Mitchell, P.O. Box 2460, Ruidoso, NM 88345.

... ARRAIGNMENT REQUESTED PURSUANT TO RULE 5-604