

**FOR IMMEDIATE RELEASE:**

December 13, 2021

Contact: Jerri Mares -- (505) 321-4372

**AG Balderas Announces First-Degree Depraved Mind Murder  
Conviction Upheld by NM Supreme Court for Drive-By Shooting of  
Young Victim**

ALBUQUERQUE, NM— Today, Attorney General Hector Balderas announced that the New Mexico Supreme Court affirmed the first-degree depraved mind murder conviction of Esias Frank Madrid.

On June 26, 2015, Madrid and several others drove to a house party in Albuquerque with firearms to exact revenge on a person who had beaten up a friend of Madrid's two weeks prior. Nick Gonzales, who testified for the State, fired two shots into the house and Madrid fired at least four shots, one of which killed the 17-year-old victim Jaydon Chavez-Silver.

"Jaydon Chavez-Silver was an innocent victim whose young and promising life was cut short by Madrid's complete disregard for human life," said Attorney General Balderas. "We are pleased the Supreme Court got it right."

The Supreme Court held that Madrid's trial attorney provided competent representation at both trial and sentencing and rejected Madrid's appellate argument that the attorney was constitutionally ineffective; that the jury was appropriately instructed on the lesser-included offense of second-degree murder and all the elements of depraved mind murder; and that the State presented sufficient evidence of Madrid's subjective knowledge that his acts were greatly dangerous to the lives of others.

This case was prosecuted by the Second Judicial District Attorney's Office. John Kloss of the Criminal Appeals Division of the New Mexico Office of the Attorney General represented the State on appeal.

###