

FOR IMMEDIATE RELEASE:

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December, 23 2016

(505) 660-2216

Attorney General Balderas Announces Murder Indictment against Davon Lymon

Albuquerque, NM – Today, Attorney Hector Balderas announced that a Bernalillo County grand jury returned an indictment against Davon Lymon for first degree murder and seven other charges involving the death of Albuquerque Police Officer Daniel Webster. Attorney General Balderas' Special Prosecutions Division will prosecute the state case against Lymon.

“The Office of the Attorney General Special Prosecutions Division prosecutes the most violent and complex criminal cases in New Mexico and also provides assistance and trial support to local prosecutors and law enforcement,” said Attorney General Balderas. “We must all work together to keep New Mexico families safe and I would like to thank the federal authorities for their assistance and cooperation regarding this complex jurisdictional matter.”

Please see attached for a copy of the indictment.

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ENDORSED
FILED IN MY OFFICE THIS

DEC 23 2016

J. C. [Signature]
CLERK DISTRICT COURT

SECOND JUDICIAL DISTRICT COURT
COUNTY OF BERNALILLO
STATE OF NEW MEXICO

STATE OF NEW MEXICO,

Plaintiff,

vs.

No. D 0202 CR 2016-04208
NMAGO# 201609-01453

DAVON LYMON aka DEVON LYMON
aka TIGGER aka TIGGA,
DOB: [REDACTED] 1980
SSN: [REDACTED]
ADDRESS: 332 Vermont NE
Albuquerque, NM 87108

CHRISTINA P. ARGYRES

Defendant.

CRIMES CHARGED

MURDER IN THE FIRST DEGREE (WILLFUL & DELIBERATE), MURDER IN THE SECOND DEGREE (FIREARM ENHANCEMENT), and VOLUNTARY MANSLAUGHTER (FIREARM ENHANCEMENT) (1 COUNT) (0001); TAMPERING WITH EVIDENCE (HIGHEST CRIME A CAPITAL, FIRST OR SECOND DEGREE FELONY) (2 COUNTS) (4230); SHOOTING AT OR FROM A MOTOR VEHICLE (GREAT BODILY HARM) (1 COUNT) (0085); POSSESSION OF FIREARM OR DESTRUCTIVE DEVICE BY A FELON (1 COUNT) (1512); FORGERY - MAKING OR ALTERING (\$2,500 OR LESS) (1 COUNT) (4556); RECEIVING/TRANSFERRING STOLEN MOTOR VEHICLES (1ST OFFENSE) (1 COUNT) (5176); RESISTING, EVADING OR OBSTRUCTING AN OFFICER (ARREST) (1 COUNT) (4173)

GRAND JURY INDICTMENT

THE GRAND JURY CHARGES:

13 COUNT 1: MURDER IN THE FIRST DEGREE (WILLFUL & DELIBERATE), MURDER IN THE SECOND DEGREE (FIREARM ENHANCEMENT), and VOLUNTARY MANSLAUGHTER (FIREARM ENHANCEMENT) (0001)

That on or between October 21, 2015, and October 29, 2015, in Bernalillo County, New Mexico, the above-named defendant did kill Officer Daniel Webster, a peace officer acting in the lawful discharge of an official duty, with the deliberate intention to take away the life of Officer Daniel Webster, or any other human being, contrary to §30-2-1(A)(1), NMSA 1978; AND FURTHERMORE, the defendant is hereby notified that upon trial of this case the finder of fact may be instructed to consider Murder in the Second Degree (firearm enhancement), contrary to §30-2-1(B), §31-20A-5(A), and §31-18-16, NMSA 1978, or Voluntary Manslaughter (firearm enhancement), contrary to §30-2-3(A) and §31-18-16, NMSA 1978.

TB COUNT 2: TAMPERING WITH EVIDENCE (HIGHEST CRIME A CAPITAL, FIRST OR SECOND DEGREE FELONY) (4230)

That on or about October 21, 2015, in Bernalillo County, New Mexico, the above-named defendant did destroy/change/hide/fabricate/place the jacket he was wearing when he murdered Officer Daniel Webster, with the intent to prevent the apprehension, prosecution or conviction of himself or create the false impression that another person had committed the crime of murdering Officer Daniel Webster, contrary to §30-22-5, NMSA 1978.

TB COUNT 3: TAMPERING WITH EVIDENCE (HIGHEST CRIME A CAPITAL, FIRST OR SECOND DEGREE FELONY) (4230)

That on or about October 21, 2015, in Bernalillo County, New Mexico, the above-named defendant did destroy/change/hide/fabricate/place a Taurus 40 caliber gun with the intent to prevent the apprehension, prosecution or conviction of himself or create the false impression that another person had committed a crime of murdering Officer Daniel Webster, contrary to §30-22-5, NMSA 1978.

TB COUNT 4: SHOOTING AT OR FROM A MOTOR VEHICLE (GREAT BODILY HARM) (0086)

That on or about October 21, 2015, in Bernalillo County, New Mexico, the above-named defendant did willfully and unlawfully discharge a firearm at/from a motor vehicle with reckless disregard for the safety of any other person and caused great bodily harm to, contrary to Section 30-3-8(B), NMSA 1978

TB COUNT 5: POSSESSION OF FIREARM OR DESTRUCTIVE DEVICE BY A FELON (1512)

That on or between October 3, 2015, and October 21, 2015, in Bernalillo County, New Mexico, the above-named defendant did receive, transport or possess Taurus 40 caliber gun, and the defendant had been convicted of a felony offense within the preceding ten years, contrary to §30-7-16, NMSA 1978.

TB COUNT 6: FORGERY - MAKING OR ALTERING (\$2,500 OR LESS) (4556)

That on or about October 3, 2015, in Bernalillo County, New Mexico, the above-named defendant did falsely make or alter a bill of sale purporting to have legal efficacy with intent to injure or defraud, contrary to §30-16-10(A)(1), NMSA 1978.

13 COUNT 7: RECEIVING/TRANSFERRING STOLEN MOTOR VEHICLES (1ST OFFENSE) (5176)

That on or about October 21, 2015, in Bernalillo County, New Mexico, the above-named defendant did have in his possession a Black Honda Motorcycle that the defendant knew or had reason to believe that the vehicle had been stolen or unlawfully taken, contrary to §30-16D-4(A), NMSA 1978.

13 COUNT 8: RESISTING, EVADING OR OBSTRUCTING AN OFFICER (ARREST) (4173)

That on or between October 21, 2015 and October 22, 2015, in Bernalillo County, New Mexico, the above-named defendant did intentionally flee, attempt to evade or evade Officer Daniel Webster, an officer with the Albuquerque Police Department, when the defendant knew that the officer was attempting to apprehend or arrest him, contrary to §30-22-1(B), NMSA 1978.

The names of the witnesses upon whose testimony this Indictment is based are as follows:

Detective David Gonzales, APD

I hereby certify that the foregoing Indictment is a true Bill.

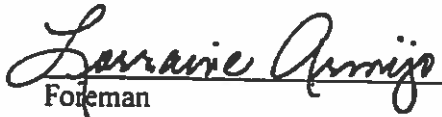
APPROVED:



JASON YAMATO
Assistant Attorney General

Date

12/22/16



Lorraine Arriaga
Foreman

Date

12-22-2016