



Administrative Office of the Courts

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Supreme Court affirms convictions for 2008 murder in Bernalillo County

SANTA FE – The state Supreme Court today upheld a man’s convictions for first-degree murder and other charges for a 2008 killing in which the victim was shot at least 18 times and his body burned in a sparsely populated area south of Albuquerque known as Pajarito Mesa.

In a unanimous decision, the Court rejected a “novel argument” by Jaime Veleta that a Bernalillo County jury’s verdict was legally inconsistent because he was convicted of first-degree murder but acquitted of the lesser-included offenses of second-degree murder and voluntary manslaughter. The legal elements of the lesser crimes – that Veleta killed the victim and the killing occurred on Jan. 11, 2008 – are contained within the more serious offense of first-degree murder. Veleta argued that an acquittal for lesser offenses would bar a conviction for the greater offense.

“We take this opportunity to address New Mexico law on inconsistent verdicts to explain that only inconsistent convictions and not inconsistent verdicts are reviewed,” the Court wrote in an opinion by Justice Julie J. Vargas. “When the evidence is sufficient to support the verdict of conviction, we will not speculate as to why the jury acquitted a defendant of other charges. To examine the verdict of acquittal requires that either we rule based on pure speculation or we inquire into the jury’s deliberations, neither of which we are willing to do.”

The Court concluded there was sufficient evidence to support Veleta’s conviction for willful and deliberate first-degree murder.

Veleta was sentenced to life imprisonment plus 15 years for convictions of first-degree murder, kidnapping, conspiracy, and evidence tampering. According to witness statements to law enforcement, Veleta arranged for the victim and another man to transport marijuana and cocaine from Mexico into the United States but they failed to deliver the drugs. Veleta fled to Mexico after the killing and was extradited in 2018 to stand trial in New Mexico.

In his appeal, Veleta asked the Court to vacate his convictions. The justices rejected his arguments, including that evidence about Veleta fleeing to Mexico was improperly admitted at

his trial and that the district court's jury instructions caused juror confusion leading to an unjust verdict.

"We see no internal inconsistency in the instruction that would confuse or misdirect a reasonable juror," the Court wrote.

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To read the decision in *State v. Veleta*, No. S-1-SC-38169, please visit the New Mexico Compilation Commission's website using the following link:

<https://nmonesource.com/nmos/nmsc/en/item/521958/index.do>