



Administrative Office of the Courts

FOR IMMEDIATE RELEASE

June 10, 2024

Contact: Barry Massey, public information officer

bmassey@nmcourts.gov

505-470-3436

NM Supreme Court affirms Alamogordo man's murder conviction

SANTA FE – The state Supreme Court today upheld the first-degree murder conviction of Christopher Huble of Alamogordo for killing a man in 2020 he found with his on-again, off-again girlfriend.

The court unanimously rejected Huble's arguments on appeal that the trial judge wrongly denied a requested jury instruction on what is necessary under the law for a justifiable killing in self-defense.

In a nonprecedential decision written by Chief Justice David K. Thomson, the Court concluded "the evidence offered in this case was not sufficient to warrant an instruction on self-defense."

Huble was sentenced to life in prison for killing Harley Benedict after he discovered the man with Jenine Gurule in the bedroom of a house he owned. Huble and Gurule previously lived there together, but Huble had moved out. After ordering Gurule and Benedict to leave, Huble walked to a friend's trailer and returned with an AK-47 assault rifle. Benedict was shot as he ran toward Huble after exiting the house. Benedict was unarmed.

The Court found that Huble provoked the fatal encounter, and made a "show of potentially deadly force" by brandishing the AK-47 and calling for Benedict to come outside the house.

The Court wrote that "in response to the lethal situation Defendant created, no reasonable juror could conclude that Victim's actions in leaving the house and running at Defendant from a distance could have created an apparent danger of death or great bodily harm justifying a self-defense instruction."

The Court also rejected an argument by Huble that his conviction should be reversed because the trial judge instructed the jury that New Mexico law does not allow a landlord to unilaterally act outside the legal system to forcefully evict a tenant or someone invited to the property by its owner.

“The instruction is plainly irrelevant to the facts of this case as no evidence or theory indicated that Defendant killed Victim while trying to evict him, there was no rental agreement, Defendant was not a landlord, Gurule was not a tenant, and Victim was not an invitee,” the Court wrote. “For these reasons, the instruction should not have been given, but that does not make it error.”

###

To read the decision in *State v. Huble*, No. S-1-SC-39520, please visit the New Mexico Compilation Commission's website using the following link:

<https://nmonesource.com/nmos/nmsc/en/item/530307/index.do>