

FILED
13th JUDICIAL DISTRICT COURT
Cibola County
04/24/2026 11:22:32
Toinette Garcia
CLERK OF THE COURT
Jaramillo, Bernabe

STATE OF NEW MEXICO
COUNTY OF CIBOLA
THIRTEENTH JUDICIAL DISTRICT

STATE OF NEW MEXICO,
Plaintiff,

NO: D-1333-CR-2026-00056
DA#: CL 26 0196(A)2
Judge George Eichwald

vs.

David Thomas Byington,
Defendant.

GRAND JURY INDICTMENT

THE GRAND JURY CHARGES:

Count 1:

Second Degree Murder, (0004), on or about April 18, 2026, in the County of Cibola, State of New Mexico, the above-named defendant did kill *Lucas Knapp*, and the defendant knew that his acts created a strong probability of death or great bodily harm, a second degree felony resulting in the death of a human being, contrary to NMSA 1978, Section 30-2-1(B) (1994). This offense shall be enhanced by five (5) years, pursuant to the firearm enhancement statute, §31-18-16, NMSA 1978.

Count 2:

Tampering with Evidence, (4230), on or about April 18, 2026, in the County of Cibola, State of New Mexico, the above-named defendant destroyed, changed, hid, fabricated, or placed a *firearm* with the intent to prevent the apprehension, prosecution or conviction of himself and the highest crime was a capital crime, a first or second degree felony, a third degree felony, contrary to NMSA 1978, Section 30-22-5 (2003).

Count 3:

Assault With Intent to Commit a Violent Felony, (0067), on or about April 18, 2026, in the County of Cibola, State of New Mexico, the above-named defendant did assault or strike at *Benjamin Sorenson*, with the intent to kill or to commit the violent felony of *Murder*, a third degree felony, contrary to NMSA 1978, Section 30-3-3 (1977). This offense shall be enhanced by five (5) years, pursuant to the firearm enhancement statute, §31-18-16, NMSA 1978.

The names of the witnesses upon whose testimony this Indictment is based are :
Brandon Mariano.