UNITED STATES DISTRICT COURT ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

OCT 17 2023

FOR THE DISTRICT OF NEW MEXICO

MITCHELL R. ELFERS

	CLERK
UNITED STATES OF AMERICA,) CRIMINAL NO. 33-1547 WR
)
Plaintiff,) Count 1: 18 U.S.C. §§ 1153, 2242(2), and
) 2246(2)(A): Aggravated Sexual Abuse;
VS.)
) Counts 2 and 3: 18 U.S.C. §§ 1153,
DONOVAN PETE,) 2244(a)(5), and 2246(3): Abusive Sexual
) Contact.
Defendant.)

INDICTMENT

The Grand Jury charges:

Count 1

Between on or about February 26, 2016 and on or about February 27, 2016, in Indian Country, in San Juan County, in the District of New Mexico, the defendant, **DONOVAN PETE**, an Indian, unlawfully and knowingly engaged in and attempted to engage in a sexual act with Jane Doe, and Jane Doe was incapable of appraising the nature of the conduct and was physically incapable of declining participation in and communicating her unwillingness to engage in the sexual act, that is, the penetration, however slight, of Jane Doe's vulva by the defendant's hand and fingers.

In violation of 18 U.S.C. §§ 1153, 2242(2), and 2246(2)(A).

Count 2

Between on or about April 7, 2012 and on or about April 6, 2014, in Indian Country, in San Juan, in the District of New Mexico, the defendant, **DONOVAN PETE** an Indian, unlawfully

and knowingly engaged in and caused sexual contact with and by Jane Doe, a child who had attained the age of 12 years but not the age of 16 years, and the sexual contact consisted of the intentional touching, directly and through the clothing, of the breast of any person with an intent to abuse, humiliate, harass, degrade, and arouse and gratify the sexual desire of any person.

In violation of 18 U.S.C. §§ 1153, 2244(a)(5) and 2246(3).

Count 3

Between on or about February 26, 2016 and on or about February 27, 2016, in Indian Country, in San Juan County, in the District of New Mexico, the defendant, **DONOVAN PETE**, an Indian who is at least four years older than Jane Doe, knowingly engaged in and caused sexual contact with and by Jane Doe, a child who had attained the age of 12 years but not the age of 16 years, and the sexual contact consisted of the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, and buttocks of any person, with an intent to abuse, humiliate, harass, degrade, and arouse and gratify the sexual desire of any person.

In violation of 18 U.S.C. §§ 1153, 2244(a)(5), and 2246(3).

A TRUE BILL:

FOREPERSON OF THE GRAND JURY

Assistant United States Attorney