

For Immediate Release
January 4, 2012

RETIRED ATTORNEY CONVICTED OF ASSAULTING NEWS REPORTER

LAS CRUCES – This afternoon, **Marjorie Reese Stewart**, 75, a retired attorney from Kingston, N.M., was convicted of a misdemeanor assault charge after a bench trial before U.S. Magistrate Judge William P. Lynch in federal court in Las Cruces. Reese Stewart remains on conditions of release pending her sentencing hearing, which has yet to be set. At sentencing, Reese Stewart faces a maximum penalty of six months in jail, a \$5,000 fine, and five years probation.

Reese Stewart was charged in a criminal complaint filed on September 29, 2011 that alleged that Reese Stewart physically assaulted a Las Cruces Sun-News reporter in the federal courthouse in Las Cruces on September 19, 2011.

The evidence at trial established that on the afternoon of September 19, 2011, Reese Stewart and the reporter attended a proceeding in the case United States v. Reese, during which a U.S. District Judge overruled an order permitting defendant Remington Reese from being released to the custody of his grandmother, Reese Stewart, and ordered Remington Reese detained pending trial. After the proceeding, while the reporter was standing outside the courtroom, Reese Stewart elbowed the reporter “hard” in the stomach as Reese Stewart walked out of the courtroom.

Shortly thereafter, as the reporter approached a female acquaintance with the intention of greeting her and ascertaining if she had witnessed Reese Stewart elbow her, Reese Stewart extended her right arm and hand and grabbed the reporter by the neck and left shoulder. Reese Stewart then shoved the reporter away from the female without saying a word to the reporter. Reese Stewart walked away after speaking briefly with the female.

After the reporter alerted a Deputy U.S. Marshal of Reese Stewart's conduct, the Deputy Marshal reviewed video recordings from the security cameras in the courthouse and learned that one of the cameras had recorded Reese Stewart's actions as she grabbed the reporter and shoved her away.

Reese Stewart testified and admitted placing her hand on the reporter's shoulder and moving her, but denied pushing or elbowing the reporter. The female acquaintance also testified in support of Reese Stewart's defense.

After hearing the testimony and reviewing the video-tape, Magistrate Judge Lynch found Reese Stewart guilty of simple assault.

U.S. Attorney Kenneth J. Gonzales said that the case was investigated by the U.S. Marshal's Service and the U.S. Federal Protective Service, a federal agency responsible for conducting general federal police duties and enforcing federal law on federal property. The case is being prosecuted by Assistant U.S. Attorney Aaron O. Jordan.

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