



U.S. Department of Justice
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PRESS RELEASE

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**FEDERAL JURY CONVICTS NAVAJO MAN OF VOLUNTARY MANSLAUGHTER
IN CONNECTION WITH DEATH OF 10-MONTH INFANT**

ALBUQUERQUE – U.S. Attorney Kenneth J. Gonzales announced that this afternoon, a federal jury sitting in Albuquerque convicted **Kalvest Ganadonegro**, 30, a member of the Navajo Nation from Alamo, N.M., of voluntary manslaughter, after a seven-day trial. The crime of conviction arose out of the death of a 10-month infant who had been left in Ganadonegro's care on November 21, 2008.

Ganadonegro, who had been released to a half-way house under pretrial supervision following his arrest on November 22, 2008, was remanded into the custody of the U.S. Marshal Service after the jury returned its guilty verdict. Ganadonegro will remain detained pending his sentencing hearing, which has yet to be scheduled. At sentencing, Ganadonegro faces a minimum of ten years of imprisonment and a maximum of life imprisonment.

Ganadonegro initially was charged with assault resulting in death in a criminal complaint filed on November 24, 2008, alleging that he killed a ten-month infant by shaking her violently on November 21, 2008. Subsequently, on February 10, 2009, Ganadonegro was indicted and charged with first degree murder. The case went to trial in September 2011, and resulted in a mistrial after the jury was unable to reach a unanimous verdict.

On November 9, 2011, Ganadonegro was indicted in a three-count superseding indictment charging him with: (1) second degree murder; (2) voluntary manslaughter; and (3) negligent

child abuse resulting in death. Trial on the superseding indictment began on February 27, 2012, and ended today when the jury convicted Ganadonegro of Count 2 and acquitted him of Counts 1 and 3.

In summary, the evidence at trial established that on November 21, 2008, in a residence located in Alamo, which is on the Navajo Indian Reservation, Ganadonegro shook and killed a ten-month infant whom he was babysitting because she would not stop crying. Ganadonegro picked up the infant, shook her, and forcefully put her down on the couch. Ganadonegro shook the infant on at least two occasions. The shaking caused a diffuse subdural hematoma, cerebral edema and diffuse retinal hemorrhages that eventually lead to the infant's brain death.

During trial the jury heard testimony from approximately 20 witnesses, including a number of medical providers who testified that, based on their experience and training, the injuries the infant sustained were the result of child abuse.

The jury also heard the testimony of the infant's mother, who testified that her baby was a healthy growing baby, with no health concerns aside from a cold, when she left her in Ganadonegro's care on the morning of November 21, 2008, while she went to school. That afternoon, the mother was pulled out of class and told that there was a medical emergency at home. When the mother got home, Ganadonegro said the baby had stopped breathing and was being transported to the hospital. The mother traveled with Ganadonegro to the hospital where she learned that her baby was on life support. The next day, medical providers told the mother that her baby's brain had stopped working. Shortly thereafter, the infant was removed from life support.

An FBI agent testified that, when he interviewed Ganadonegro on November 22, 2008, shortly after the infant had been declared brain dead, Ganadonegro initially denied doing anything to the infant. After further questioning, Ganadonegro admitted that he picked the infant up, shook her, and threw her down on the couch because she would not stop crying. He also admitted that, when the infant continued to cry, he repeated the assault.

Ganadonegro testified in his own defense, and denied having shaken the infant. He claimed that he was only trying to comfort the child that day.

The jury deliberated for approximately three and a half hours before returning a verdict of guilty on Count 2 of the indictment.

The case was investigated by the FBI and the Navajo Nation Department of Public Safety, and is being prosecuted by Assistant U.S. Attorneys Jennifer M. Rozzoni and Jeremy Pena.

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