



PRESS RELEASE

CONTACT: Elizabeth M. Martinez
Executive Assistant U.S. Attorney
Public Affairs Officer
elizabeth.martinez@usdoj.gov
505.224.1469

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**TWO NAVAJO MEN SENTENCED TO PRISON BASED ON
VOLUNTARY MANSLAUGHTER CONVICTIONS**

Victim was Killed in Littlewater, N.M., on Sept. 4, 2010

ALBUQUERQUE – This afternoon in Albuquerque, a federal judge sentenced two Navajo men, Brian Thompson and Presley Shorty to prison sentences based on convictions arising out of the death of 42-year-old Vinton Wally and the assault on his 24-year-old son, Nathaniel Wally, in Littlewater, N.M., on Sept. 4, 2010, announced U.S. Attorney Kenneth J. Gonzales.

Thompson, 21, of Standing Rock, N.M., was sentenced to 190 months of imprisonment to be followed by three years of supervised release based on his May 12, 2011 guilty plea to a three-count information charging him with (1) voluntary manslaughter; (2) use of a firearm in relation to a crime of violence; and (3) assault resulting in serious bodily injury. Shorty, 22, of Littlewater, was sentenced to 63 months of imprisonment to be followed by three years of supervised release based on his May 12, 2011 guilty plea to an information charging him with voluntary manslaughter. The two men also were ordered to pay \$4,380 in restitution to cover funeral and medical costs of the victims.

According to court records, the criminal charges against Thompson, Shorty and two co-defendants, Kelvin Augustine, 21, and Byron Pahe, 22, both of Crownpoint, N.M., arose out of a gang-related confrontation that occurred in the early morning hours of Sept. 4, 2010 in a Native Housing Authority complex in Littlewater. According to the criminal complaint, at 1:00 a.m. that day, the four defendants, alleged members of a local gang called the “Dark Side Boys,” went to the housing complex in a sedan driven by Augustine with the intention of provoking a confrontation with members of the Wally family. At the complex, Shorty and Pahe got out of the sedan and provoked Vinton and Nathaniel Wally into a physical altercation. During the altercation, Shorty instructed Thompson, who remained in the sedan, to shoot Vinton Wally. Thompson fired three shots, one of which struck Vinton Wally. Thompson drove the sedan for a short distance while Shorty and Pahe ran behind it. Thompson then fired another two shots, including one that struck Nathaniel Wally. Vinton and Nathaniel Wally were taken to the Crownpoint Indian Health Services facility where Vinton Wally was pronounced dead on arrival, and Nathaniel Wally was treated for a gunshot wound to the back.

In entering his guilty plea, Thompson admitted shooting Vinton Wally and Nathaniel Wally with a revolver, and acknowledged that Vinton Wally died and Nathaniel Wally suffered serious bodily injury as a result of his unlawful conduct. In his plea agreement, Shorty admitted that he directed Thompson to fire the revolver and that Thompson complied by firing the shot that killed Vinton Wally.

On May 12, 2011, Augustine and Pahe pled guilty to informations charging them with simple assault. Pahe was sentenced to a year of probation, and Augustine was sentenced to six months of probation.

The case was investigated by the Gallup Resident Office of the Federal Bureau of Investigation and the Crownpoint Division of the Navajo Nation Department of Public Safety, and was prosecuted by Assistant U.S. Attorney Jack Burkhead.

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