

IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

Court of Appeals of New Mexico

Filed 1/14/2026 10:22 AM

STATE OF NEW MEXICO,

Plaintiff-Appellee,



Mark Reynolds

v.

No. A-1-CA-42832

DARRIUS D. VALLES,

Defendant-Appellant.

APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY

Stan Whitaker, Pro Tem, District Court Judge

Raúl Torrez, Attorney General

Santa Fe, NM

for Appellee

Bennett J. Baur, Chief Public Defender

Maria A. Pomorski, Assistant Appellate Defender

Santa Fe, NM

for Appellant

MEMORANDUM OPINION

WRAY, Judge.

{1} This matter was submitted to the Court on the brief in chief pursuant to the
Administrative Order for Appeals in Criminal Cases from the Second, Eleventh, and
Twelfth Judicial District Courts in *In re Pilot Project for Criminal Appeals*, No.
2022-002, effective November 1, 2022. Having considered the brief in chief,
concluding the briefing submitted to the Court provides no possibility for reversal,

1 and determining that this case is appropriate for resolution on Track 1 as defined in
2 that order, we affirm for the following reasons.

3 {2} Defendant appeals from the district court's revocation of his probation. [RP
4 479-80] "We review a district court's revocation of a defendant's probation for an
5 abuse of discretion." *State v. Leon*, 2013-NMCA-011, ¶ 36, 292 P.3d 493. "In a
6 probation revocation proceeding, the [s]tate bears the burden of establishing a
7 probation violation with a reasonable certainty." *Id.* "To meet this burden, the [s]tate
8 must introduce evidence that a reasonable and impartial mind would be inclined to
9 conclude that the defendant has violated the terms of probation." *Id.*

10 {3} According to the brief in chief, Defendant pleaded guilty to second degree
11 murder with a firearm enhancement, tampering with evidence, and escape from a
12 community custody program. [BIC 1] He was sentenced on the murder charge to
13 sixteen years in prison, with nine years suspended on the condition of five years of
14 probation; the sentences to the other charges were to run concurrently. [BIC 1]
15 Defendant's probation began in May 2022 and a condition of that probation was that
16 he was required to abstain from consuming illegal substances. [BIC 2]

17 {4} In August 2023, the State moved to revoke Defendant's probation on the
18 grounds that he failed to appear for a urinalysis drug screening. [BIC 2; RP 391-400]
19 Defendant admitted to the violation and explained to the district court that while in
20 prison he had turned to substances to cope with mental health issues. [BIC 2] He

1 asked the district court not to revoke his probation, but to instead impose appropriate
2 additional probation terms such as counseling. [BIC 2] The district court entered an
3 order reinstating his probation and added as a condition that Defendant complete
4 counseling and treatment as ordered by the division of probation. [BIC 2]

5 {5} In July 2024, the State filed a second motion to revoke probation again on the
6 basis that Defendant violated his probation by failing to report for a random
7 urinalysis. [BIC 2; RP 422] In addition to the probation violation, at the hearing the
8 parties discussed Defendant having absconded to Colorado. [BIC 3] The district
9 court sentenced Defendant to six months in the Bernalillo County Metropolitan
10 Detention Center (MDC) so Defendant could complete MDC's in-house Addictions
11 Treatment Program. [BIC 3; RP 444-45] Although Defendant was sentenced to
12 MDC to complete the thirty-day treatment program, he ultimately only completed
13 about two weeks of the program. [BIC 3] Nevertheless, the district court entered an
14 order releasing Defendant from MDC upon his completion of the six-month
15 sentence. [BIC 3; RP 448] In addition, the district court "amended the conditions of
16 [Defendant]'s probation to require completing an intensive outpatient program."
17 [BIC 3; RP 447]

18 {6} Finally, the State filed a third motion to revoke Defendant's probation.
19 [BIC 4; RP 458-67] Defendant "acknowledged that he violated his probation by
20 failing to report and that he had failed a urinalysis." [BIC 4] Defendant again

1 requested that his probation not be revoked because his “substance abuse issues
2 stemmed from and were exacerbated by his time in prison” and that “he had been
3 working hard to support his family by starting his own business, and he needed help
4 with his addiction so that he could continue to do so.” [BIC 4] The district court,
5 however, revoked Defendant’s probation and sentenced him to three years in the
6 New Mexico Department of Corrections to be followed by three years of probation.
7 [BIC 4; RP 479-80] Defendant appeals.


8 {7} Defendant argues on appeal that the district court erred in revoking his
9 probation because instead of requiring that he complete a rehabilitation program, the
10 district court “sent him back to the prison where his addiction originated and where
11 it is unlikely to improve.” [BIC 4] Defendant argued that he “never had a meaningful
12 opportunity to receive treatment and address his substance abuse issues.” [BIC 7]
13 Although Defendant “was successful on probation for over a year after his release
14 from prison” [BIC 7], he nevertheless acknowledged that he violated his probation
15 [BIC 2]. Moreover, the State sought to revoke his probation on two prior occasions
16 to which Defendant had admitted. [BIC 2] This Court has held that evidence of a
17 defendant’s admission is sufficient to support the revocation of probation. In *State*
18 *v. Sanchez*, a probation officer testified that the defendant had admitted to using
19 drugs, which was a violation of the terms of her probation. 1990-NMCA-017, ¶ 3,
20 109 N.M. 718, 790 P.2d 515, *abrogated on other grounds by State v. Wilson*, 2011-

1 NMSC-001, 149 N.M. 273, 248 P.3d 315, *overruled on other grounds by State v.*
2 *Tollardo*, 2012-NMSC-008, ¶ 37 n.6, 275 P.3d 110. The *Sanchez* Court determined
3 that the corpus delicti rule does not apply in probation revocation proceedings and
4 “conclude[d] that a trial court may revoke a defendant’s probation based on
5 defendant’s extrajudicial admission that [they] violated the terms of probation.” *Id.*
6 ¶ 10. This Court then held that the defendant’s admission to her probation officer
7 was sufficient to support the district court’s revocation of probation. *Id.* ¶ 12.

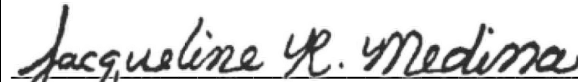
8 {8} To the extent Defendant argues that the district court abused its discretion by
9 not sending him to a rehabilitation program, we are unpersuaded. After Defendant
10 served his six-month sentence after his second probation violation, the district court
11 “amended the conditions of [his] probation to require completing an intensive
12 outpatient program.” [BIC 3; RP 446-47] The record proper indicates that
13 Defendant’s probation officer referred him to Rio Grande Counseling or Perfectly
14 Imperfect. [RP 462] Defendant asked to go to University of New Mexico Hospital
15 instead, to which his probation officer agreed. [RP 462] However, the record proper
16 further indicates that Defendant “failed to provide proof that he ha[d] enrolled and/or
17 is attending [s]ubstance [a]buse and [a]nger [m]anagement.” [RP 462] Defendant
18 was given the opportunity to go participate in a rehabilitation program, but failed to
19 do so.


1 {9} For the foregoing reasons, we affirm the district court's order revoking
2 Defendant's probation.

3 {10} **IT IS SO ORDERED.**

4 
5 **KATHERINE A. WRAY, Judge**

6 **WE CONCUR:**

7 
8 **JACQUELINE R. MEDINA, Chief Judge**

9 
10 **J. MILES HANISEE, Judge**