

IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO

STATE OF NEW MEXICO,

Court of Appeals of New Mexico
Filed 9/21/2026 10:11 AM

Plaintiff-Appellee,



Mark Reynolds

v.

No. A-1-CA-43395

JUAN DOMINGUEZ,

Defendant-Appellant.

APPEAL FROM THE DISTRICT COURT OF OTERO COUNTY

Stephen Ochoa, District Court Judge

Raúl Torrez, Attorney General
Santa Fe, NM

for Appellee

Bennett J. Baur, Chief Public Defender
Kathleen T. Baldridge, Assistant Appellate Defender
Santa Fe, NM

for Appellant

MEMORANDUM OPINION

BACA, 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 the district court’s judgment and sentence, convicting him
4 of criminal damage to property (under \$1,000), a petty misdemeanor, and acquitting
5 him of three felony charges. [2 RP 479-83] On appeal, Defendant challenges the
6 sufficiency of the evidence to support his conviction. [BIC 4-5]

7 {3} When assessing the sufficiency of the evidence to support a conviction, “we
8 view the evidence in the light most favorable to the guilty verdict, indulging all
9 reasonable inferences and resolving all conflicts in the evidence in favor of the
10 verdict.” *State v. Samora*, 2016-NMSC-031, ¶ 34, 387 P.3d 230 (internal quotation
11 marks and citation omitted). We disregard all evidence and inferences that support
12 a different result. *State v. Rojo*, 1999-NMSC-001, ¶ 19, 126 N.M. 438, 971 P.2d 829.
13 “We then determine whether substantial evidence of either a direct or circumstantial
14 nature exists to support a verdict of guilt beyond a reasonable doubt with respect to
15 every element essential to a conviction.” *State v. Garcia*, 2016-NMSC-034, ¶ 15,
16 384 P.3d 1076 (internal quotation marks and citation omitted).

17 {4} In the present case, Defendant contends the evidence was insufficient to prove
18 that he intentionally damaged the property of another and did not have the owner’s
19 permission to damage the property, as the offense of criminal damage to property
20 was described to the jury. [BIC 4; 2 RP 416] *See State v. Smith*, 1986-NMCA-089,

¶ 7, 104 N.M. 729, 726 P.2d 883 (“Jury instructions become the law of the case against which the sufficiency of the evidence is to be measured.”); *see also* UJI 14-1501 NMRA (setting forth the uniform jury instruction for criminal damage to property). Criminal damage to property is a general intent crime, meaning that the State needed to prove only that Defendant purposefully committed an act that the law declares to be a crime, on which the jury was also instructed. [2 RP 421] *See* UJI 14-1501 (requiring the jury to be given the general criminal intent instruction where a defendant is tried for criminal damage to property); UJI 14-141 NMRA (general criminal intent instruction).

{5} The State presented the testimony of Mr. Hernandez, who was the director of facilities and security at a hospital where Defendant was being treated on the night in question. [BIC 1-2] Mr. Hernandez testified that he was called in because of an incident in the emergency room that resulted in broken ceiling tiles, damage to part of the metal ceiling grid, and a damaged EKG machine in exam room four, which had been recently remodeled. [Id.] The State presented evidence that the hospital did not grant anyone permission to damage the hospital ceiling. [BIC 1] The State also presented the eye witness testimony of a patient in the hospital who observed Defendant in exam room four standing up or jumping on the hospital bed reaching and grabbing something on the ceiling. [BIC 2] The State also presented the testimony of the responding officer who observed the alleged damage to the hospital

1 ceiling in exam room four. [Id.] The officer also watched a video in which he saw
2 Defendant break off a steel pole from the EKG machine. [BIC 2-3]

3 {6} Defendant testified on his behalf, stating that he was high on
4 methamphetamine on the night in question and was taken to the hospital by police
5 officers who had “roughed him up.” [BIC 3] Defendant testified that he was placed
6 in exam room four and wanted to escape from the officers through the ceiling of the
7 hospital. [Id.] Defendant explained that he jumped on a table in the exam room,
8 grabbed at the ceiling, broke the ceiling tile and grid in the process, and fell on his
9 back. [Id.]

10 {7} Defendant’s own testimony that he intentionally grabbed at the ceiling in
11 order to create a means of escape from police sufficiently shows an intentional act
12 for purposes of criminal damage to property, which required only a showing that
13 Defendant purposefully did an act the law declares to be a crime, regardless of
14 whether Defendant knew his act was unlawful. [2 RP 416, 420] See UJI 14-1501;
15 UJI 14-141. To the extent Defendant claims his intoxicated intent to escape renders
16 the evidence of his intent to commit criminal damage to property inadequate, we
17 disagree. Defendant’s methamphetamine use and attempt to escape from police are
18 not legal excuses for his purposeful actions that damaged the hospital room and its
19 contents because intoxication evidence does not negate the general criminal intent
20 required for the offense of criminal damage to property. See *State v. Brown*, 1996-

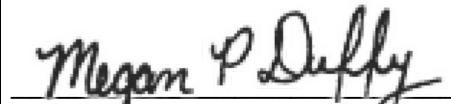
1 NMSC-073, ¶¶ 22-23, 27, 122 N.M. 724, 931 P.2d 69 (upholding the common law
2 approach that intoxication is not a defense to a general intent crime).

3 {8} Viewing the evidence in the light most favorable to the jury's verdict and
4 disregarding evidence and inferences contrary to the jury's verdict, we hold that the
5 evidence was sufficient to support Defendant's conviction. *See Samora*, 2016-
6 NMSC-031, ¶ 34; *Rojo*, 1999-NMSC-001, ¶ 19. Thus, we affirm the district court's
7 judgment and sentence.

8 {9} **IT IS SO ORDERED.**

9
10 
GERALD E. BACA, Judge

11 **WE CONCUR:**

12 
13 **MEGAN P. DUFFY, Judge**

14 
15 **ZACHARY A. IVES, Judge**