Administrative Office of the Courts

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NM Supreme Court affirms conviction of Raton woman for killing her boyfriend

SANTA FE – The state Supreme Court today upheld the first-degree murder conviction of a Raton woman for the fatal shooting of her boyfriend in 2016.

The state's highest court concluded in a unanimous decision that there was sufficient evidence to support Crystal Vigil's conviction. The Court also rejected Vigil's arguments that she failed to receive a fair trial because the judge prevented the cross-examination of a witness about text messaging statements concerning the murder and declined to make an instruction to the jury that the defense initially requested but later withdrew.

Vigil was sentenced to life in prison – a mandatory 30 years in prison before becoming eligible for parole – for killing Zachariah Holderby in the house they shared in Raton. The couple were in the process of separating and the shooting occurred on a day in which they drank and used methamphetamine. During an argument, Holderby threw a drink at Vigil. She pulled out a gun and shot him in the forehead. Vigil's niece and another woman witnessed the shooting.

On appeal, Vigil contended there was not enough evidence to show she deliberately intended to kill Holderby. The requirement for deliberate intent distinguishes first-degree murder from second-degree murder. Vigil testified at trial that she accidently shot Holderby during a struggle over the gun. On appeal, she argued that the evidence at most showed the shooting was rash and impulsive.

The Court, in an opinion written by Justice C. Shannon Bacon, concluded there were a number of facts to support the jury's finding of deliberation by Vigil. She fought against her niece's efforts to stop the shooting, firing the gun after the niece could no longer hold her back and released her arm. Vigil also called the victim a derogatory name when he was on the ground after the shooting, the Court noted, and told her niece to "clean it up" and then fled the crime scene in a car.

In presenting those facts and more at the trial, the Court said, “the State introduced evidence beyond the temporal aspect of the crime that reasonably led the jury to find that Defendant deliberated before shooting Victim.”

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To read the decision in *State v. Vigil*, No. S-1-SC-37110, please visit the New Mexico Compilation Commission's website using the following link:

https://decisia.lexum.com/nmos/nmsc/en/item/465506/index.do