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NM Supreme Court affirms convictions for double homicide in Alamogordo

SANTA FE – The state Supreme Court today upheld the convictions of an Alamogordo man for killing his ex-wife and her boyfriend at the home where the couple lived with her children.

The Court unanimously rejected arguments raised in the appeal by Terrick Thompkins, who contended that the trial court judge should have directed a verdict of not guilty on all counts by reason of insanity.

Thompkins was sentenced to two life sentences – each a mandatory 30 years in prison before becoming eligible for parole – plus 46 years. A jury convicted him of two counts of first-degree murder, child abuse resulting in great bodily harm, aggravated burglary, shooting at an occupied dwelling and three counts of child abuse. The Supreme Court affirmed Thompkins' convictions and sentence.

In March 2015, Thompkins drove to the Alamogordo home of his ex-wife, Jessica, firing shots into the front door and then went inside where he fatally shot her and her boyfriend. Four children were in the house at the time, two in the bedroom where the ex-wife was killed. The boyfriend died from shots fired through the door of another bedroom, where he helped a boy escape out a window. Shrapnel from the gunfire hit the boy in the chest but he survived. At least 32 shell casings were found in the home.

The murders occurred a day after Thompkins lost custody of his two children to the ex-wife because of allegations of child abuse.

In an opinion, written by Justice Michael E. Vigil, the Supreme Court said the trial court judge acted properly in submitting the case to the jury to decide and declining to direct a verdict in favor of Thompkins on grounds of insanity.

"Because the evidence in this case was clearly disputed, the determination of Defendant's sanity was a question for the jury to decide," the Court stated.

At trial, expert witnesses for the defense testified that Thompkins suffered from post-traumatic stress disorder, other mental health conditions and had a traumatic brain injury during his military service. The state's expert witness testified that Thompkins was sane and that he carried out a plan for the killings.

Thompkins also argued in his appeal that the trial court judge wrongly allowed testimony of a former girlfriend about Thompkins' previous threats to kill his ex-wife, her children and her boyfriend. The Supreme Court disagreed.

"The testimony that Defendant had threatened Jessica and her family on multiple occasions prior to the murders was relevant to whether Defendant had the deliberate intent to commit the murders and to whether Defendant was sane at the time the murders were committed," the Court reasoned.

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To read the decision in *State v. Thompkins*, No. S-1-SC-37220, please visit the New Mexico Compilation Commission's website using the following link:

https://decisia.lexum.com/nmos/nmsc/en/item/468486/index.do