



Administrative Office of the Courts

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State Supreme Court affirms convictions in a woman's murder at an Albuquerque park

SANTA FE – The state Supreme Court today affirmed a Bernalillo County man's convictions of first-degree depraved mind murder and aggravated assault for killing a woman at a park in 2019.

The Court unanimously held there was sufficient evidence for Izaiah Garcia's convictions for the fatal shooting of Cayla Campos, who was playing the augmented reality game Pokémon Go with her boyfriend while driving alongside Bianchetti Park. She was shot as she tried to drive away from a robbery occurring in one of two vehicles blocking the road ahead.

Garcia was sentenced to life in prison. In appealing his convictions, Garcia contended the evidence failed to show that more than one person was endangered by his actions and that he acted with "intensified malice or evil intent" — all of which are required for depraved mind murder. To establish that Garcia had the necessary malice for depraved mind murder, the evidence must show he acted in an extremely reckless manner demonstrating an indifference to human life.

The Court rejected Garcia's arguments. Garcia shot at Campos' car, according to testimony from the defendant's friend, because he thought a man was in it with whom he had a vendetta. Garcia had previously attempted to shoot the man, which resulted in the death of a teenage bystander. The Court also noted that he fired four to six rounds from an assault weapon at Campos' vehicle in a residential neighborhood.

"Defendant's decision to shoot the driver of a moving car exposed the people inside the surrounding homes to stray bullets and the risk that, if Defendant successfully killed or injured the driver, the vehicle would keep moving until it collided with a nearby home," the Court stated in its decision written by Justice David K. Thomson.

Those circumstances, the Court reasoned, "were sufficient for a jury to infer that Defendant knew his actions were greatly dangerous to the lives of others."

Garcia also asserted it was improper for the jury to see a video of the prior shooting. The Court disagreed, reasoning that "while prejudicial, this evidence was not *unfairly* prejudicial, and it was highly probative of intent, motive, and identity in this case."

Garcia contended his trial should have been moved to another location because of publicity in the Albuquerque area about the park killing and his involvement in the prior shooting. The Court found no abuse of discretion by the district court in denying Garcia's motion for a change of venue. The justices noted that during jury selection questioning only four prospective jurors indicated they were aware of Garcia or the case, and none of them served on the jury.

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To read the decision in *State v. Garcia*, No. S-1-SC-40626, please visit the New Mexico Compilation Commission's website using the following link:

<https://nmonesource.com/nmos/nmsc/en/item/538381/index.do>