

## MULTIPLE OFFENDER DWI REPORTS

Written by By Bernie Dotson Sun Correspondent  
Friday, 26 May 2017 03:58

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*The legal limit is .08*

### **Bennie McDonald**

**5/6/17, 8:58 pm**

#### **3rd DWI, aggravated**

McDonald, 46, was found by McKinley County Sheriff's Department Deputy Lorenzo Guerrero when dispatched to County Road One at the Mentmore Rock Climbing area near the railroad tracks. MCSO Deputy Guerrero spotted the crashed vehicle stuck between two fence posts and observed a male subject sitting in the driver's seat, apparently passed out or sleeping.

When Guerrero woke the driver, he seemed impaired and did not know where he was. At this time, Guerrero also noticed an open bottle of Imports alcohol on the floorboard under the driver's legs. The bottle's seals were all broken and the contents were missing from the bottle.

When asked to take a sobriety test, the driver said he would not because he was already in trouble. Guerrero then read the New Mexico Implied Consent Advisory and asked the driver to submit to a breath test, which he initially agreed to do. The deputy then checked the driver's mouth for any foreign objects and did not find any. At the Sheriff's Office, McDonald refused to blow into the breath hose, twice, and was then booked into the jail on Aggravated DWI 3rd Offense (Refusal) and Open Container.

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McDonald was transported to Gallup Indian Medical Center for medical clearance because of a large number of medications found in his vehicle and because of the brace and cane in his back seat that he needed to walk.

### **Larry Benally**

**5.1.17, 2:46 pm**

#### **7th DWI, Aggravated**

Benally, 54, who gave an address in Silver City, NM, had been noticed speeding North on his 2007 Suzuki X90 at Second and Aztec, and then made a reckless u-turn on Coal St. where Gallup Police Department Detective N. Yazzie stopped him. GPD Officer Douglas Hoffman responded to 221 Coal St. in reference to this possible drunk driver.

Hoffman asked the suspect if he had been drinking, to which he replied he had had one can of Steel Reserve about two hours earlier. Subsequent field tests were failed and after transport to the GPD, he was administered the Intoxilyzer and blew a 0.20 and a 0.21. Benally was then taken to the jail and booked for DWI and other charges of Driving on a Revoked License, No Insurance, No Registration Plates, and Reckless Driving.

### **Asa Pete Moore**

**4.21.17, 1:09 pm**

#### **3rd DWI, Aggravated**

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Moore, 39, was located by Gallup Police Department Officer Mark Spencer on April 21, sitting in his vehicle in the City parking lot located just north of the County Court House on Aztec. As Spencer entered the lot, the driver of the vehicle was attempting to drive away but came to a stop when Spencer engaged his emergency lights.

Moore had some difficulties after that as he attempted to pass off three one-dollar bills as his driver's license and claimed he had not been drinking though his speech was slurred, his eyes bloodshot, he had a strong odor of alcohol on his breath, and was swaying as he stood in front of the officer. He also failed the field sobriety tests and Officer Spencer stopped them at the midway point for fear that Moore would fall and injure himself.

While conducting a search prior to calling Moore's mom to retrieve the vehicle, Spencer opened the trunk and found two rifles covered with a blue pullover. When the serial numbers were run through Metro Dispatch, one of the rifles came back stolen out of Houston Texas on 12/26/2012.

Moore gave two breath samples at the GPD, posting a blood alcohol content of 0.26 and 0.25 and was then transported to the McKinley County Adult Detention Center, where he was processed and booked on the DWI charge and also for Receiving Stolen Property.

### **Layne Platero**

**4.2.17, 9:30 pm**

### **5th DWI, Aggravated**

A long chase that started at the Mustang in Vanderwagen ended suddenly at Cedar Hills Drive when the driver Platero, 39, was arrested by McKinley County Sheriff's Office Sergeant Tammy Houghtaling and two other officers, Deputies Roxanne King and Jasmine Jaramillo. Deputy King also took a statement from Sylvania Martinez, 30, who stated that Platero had forced her into a guard rail. Even with the slight damage to her vehicle, Martinez continued to follow Platero into Gallup and was present when he was stopped.

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Platero failed Field Sobriety tests but agreed to take a breath alcohol test at the main station. He failed the first BAC at 0.08 and blew a 0.07 on his second try.

Platero was booked in McKinley County Adult Detention Center on the DWI charge as well as Resisting Arrest, Suspended License, Open Container, Possession of Marijuana (less than 1 ounce), Leaving the Scene of an Accident, Failure to Maintain Traffic Lane, Improper Turn, Improper use of Registration Display, Display Registration Plate, Proof of Insurance, and Driving on Revoked License.

**Cheryl A. Smith**

**4.2.17, 7:21 pm**

### **3rd DWI, Aggravated**

A call from dispatch sent McKinley County Sheriff's Officer Johnson Lee to the Mustang gas station in Vanderwagen. While en route the dispatcher advised that the subject was going South on Highway 602, followed by the calling party and swerving all over the roadway. A short time later Metro Dispatch advised the subject made a u-turn and was now headed Northbound. With the emergency lights activated, the subject vehicle turned and then stopped on Blue Jay Road, at which time MCSO Deputy Jasmine Jaramillo joined Lee to assist in the stop.

The driver, identified as Cheryl Smith, 56, admitted to having 4-6 Bud Lights and agreed to a Field Sobriety Test, which she failed. She was then placed under arrest for DWI and was transported to the McKinley County Sheriff's Office for a breath test, where the results showed a 0.16 and 0.17 Blood Alcohol Content.

Smith was then transported to the McKinley County Adult Detention Center where she was booked on the charge of Aggravated DWI.

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### **Dwayne Charlie**

**1.8.17, 3:26 am**

#### **2nd DWI, Aggravated**

Gallup Police Department Officer Andrew Thayer was dispatched to 2811 E. Dairy Drive (Pinon Hills) in reference to a fight, and one of the two men fighting had pulled a gun and threatened the other man. The caller then described a silver vehicle driving away and the pursuit began Northbound on Patton, ending at the Allsup's next to a gas pump. The driver then fled the vehicle heading East on Aztec, South on George Lane, then back West on Aztec where he was apprehended at RAC Transport with the assistance of another GPD Officer.

Dwayne Charlie, 28, of Albuquerque was returned to his vehicle at Allsup's and agreed to Field Sobriety Tests, which he failed, and refused any further testing. Charlie's vehicle was picked up by family members and Charlie was cited for Aggravated DWI (Refusal) 2nd Offense and Resisting, Evading, or Obstructing an Officer.

### **Elijah S. Wrate**

**1.7.17, 11:09 pm**

#### **2nd DWI, Aggravated**

Elijah Wrate, 22, led Gallup Police Department officers on a high-speed chase through downtown Gallup and then through some Northbound streets in a reckless manner before coming to a stop on Maxwell on the wrong side of the road. Along the way he ran through the red light at 3rd and Maloney.

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GPD Officer Douglas Hoffman administer a Field Sobriety Test after receiving an affirmative reply to the question, "Have you been drinking?" Wrate failed all the tests and refused to take a breath test although he did take one for medical staff later when transported to the hospital for a scrape on his forehead. He blew a 0.178 on that test and was returned to jail and booked on the DWI as well as Reckless Driving, Open Container, Roadway Laned for Traffic, Failure to obey Traffic Control Devices, Driver's License Suspended or Revoked, and Display of Registration Plates.