

Gallup rape case charges to be refiled Filing mishap WAS A misunderstanding

Written by By Bernie Dotson Sun Correspondent
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The case of a rape kit not being submitted to the state on time appears to be a big misunderstanding, officials said.

As such, the charges in the case are expected to be refiled in the near future and the case re-opened, Capt. Marinda Spencer, public information officer with the Gallup Police Department, said. Spencer did not give a date in the situation.

“The deadlines were originally met. Everything on our part was properly filed,” Spencer said. “We don’t anticipate a problem going forward.”

The situation relates to a reported rape at the EconoLodge, 3101 W. Historic Highway 66, on Nov. 20, 2016. Major Singh, 47, of Bakersville, Calif., and a cook at the Bombay Restaurant along West Historic Highway 66, was arrested in the case and charged with criminal sexual penetration in the second degree. A bond amount was originally set at \$100,000, but later reduced to \$10,000, records at the McKinley County Adult Detention Center show.

“The state does not believe that this is acceptable behavior in a case where the defendant has been in custody since the date of his arrest,” Rhoads wrote in court papers. Rhoads stated in the same court document that the state’s case hinged on DNA evidence should the situation go to trial. Singh was released from jail on May 5.

Rhoads stated in the court document that two emails to Collins gave the impression that Collins sent the kit to the state lab on April 28 and not within time to move the case ahead.

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“That was not true,” Spencer said, stressing that the paperwork connected to the case was, indeed, submitted on time. Spencer said the kit was sent to the state lab in February and could have been sent at an even earlier date had it not been for a personnel changeover at the police department.

When the *Gallup Sun* ran the case dismissal story last week, Spencer and Collins immediately pointed out the misunderstanding. Officials at the McKinley County District Attorney’s Office did not return telephone calls seeking comment.

Singh, who possess a prior arrest record from Texas, and at least one other employee at the restaurant met up with the victim and some other females for drinks at the EconoLodge. That’s when the rape allegedly took place. The victim stated in a police report that Singh grabbed her and threw her on the bed and raped her.

Singh has been free and without restrictions since the dismissal of the case.

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