

## WEEKLY DWI REPORT

Written by Gallupsun Staff  
Friday, 16 December 2016 10:31

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### Staff Reports

*Legal Limit is .08*

### Matthew Smiley

**Dec. 13, 1:14 am**

### Aggravated DWI

Smiley had reportedly hit another vehicle at Goodfella's and fled the scene, according to McKinley County Sheriff's Office Deputy Arnold J. Noriega's report. But, the calling party wasn't about to let him get away and proceeded to follow Smiley on to I-40 westbound.

The calling party was trailing the suspect in a white Buick with its hazard lights turned on, making it easy for Noriega to catch up with Smiley who was driving a gold Ford F-150. When he caught up with Smiley, the deputy noted the strong smell of alcohol wafting from the vehicle. Smiley, 31, showed the classic signs of intoxication – bloodshot, watery eyes, slurred speech, and the smell of booze on his breath.

Smiley failed the field sobriety tests and blew a .17 twice during the two required breath tests.

### Christian Yazzie

**Dec. 6, 6:03 pm**

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### **Aggravated DWI**

Yazzie was reported for reckless driving by another driver, who said that he nearly hit other vehicles, a pedestrian and a pole before stopping at T & R Market.

When MCSO DWI Task Force Supervising Deputy Tammy Houghtaling approached the vehicle, Yazzie, 25, was passed out behind the wheel. Houghtaling opened the door and grabbed the keys out of the ignition. She noticed that Yazzie had a several cans of booze in the vehicle, including an open container.

Houghtaling noted that Yazzie showed the signs of intoxication, and when he awoke, he told her that he wanted to go home. She got him to exit the vehicle, and he had a difficult time standing. In the meantime, his Chihuahua jumped out of the vehicle, which distracted him. Before she could run any tests, he jumped into his car and locked the door.

Houghtaling placed the keys on the hood. Yazzie jumped out of the car and took off running. She tasered him, but he kept running. He then ran into a man and stumbled onto the ground. The deputy was able to detain him at this time. He did submit to a breath test and blew a .31/.32. His Chihuahua was taken into safekeeping at Gallup-McKinley Humane Society.

### **Fidel A. Apache**

**Dec. 1, 6 pm**

### **3rd DWI**

A woman hauling a trailer on the interstate was reportedly hit by Apache as he attempted to pass her on the shoulder as she traveled on I-40. MCSO Deputy Jasmine Jaramillo made contact with the woman Apache had hit. She said that Apache pulled over at first, offering money, but refused to wait until officers arrived at the scene.

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Meanwhile, Deputy Merlin Benally located Apache, 43, driving a Toyota Camry, heading eastbound on I-40 near mile marker 26. Deputy Houghtaling arrived at the scene and by that time Apache was standing at the rear of his vehicle, swaying and appearing to be “highly intoxicated,” the report states.

Apache admitted that he was “f - - ked up.” He consented to having his blood drawn to determine his blood alcohol content. Results are pending.

### **Treva Silversmith**

**Dec. 1, 6:13 pm**

#### **Aggravated DWI**

Silversmith, 57, was not only arrested for driving drunk, but for putting her hands on MCSO Deputy Roxanne King. King noted in her report that Silversmith was driving toward her and was told to stop. She stepped out of the way to avoid being hit.

King told Silversmith to get out of the car, but instead, according to MCSO Deputy Lorenzo Guerrero’s report, she pushed King two to three times in the chest area. Guerrero stated that Silversmith refused to answer questions and take the required breath tests. She was also charged with assault and battery on a peace officer.

### **Leo Tom, Jr.**

**Nov. 22, 4:30 pm**

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### 4th DWI

MCSO Deputy Ivan Tsethlikai, Jr. pulled Tom, 52, over after he pulled into the business of Joe Milo's at 1628 State Highway 602 without using his turn signal. There were three men in the vehicle, and Tsethlikai watched as the passenger lifted a can of an unidentified beverage and took a swig.

As Tsethlikai approached Tom, he could smell liquor coming from his breath, and noted that he had bloodshot eyes and slurred speech. He told the deputy that he had two cans of beers. Tom exited the vehicle upon request, but became argumentative when asked if he would engage in field sobriety tests, reportedly saying, "Just take me to jail," twice.

However, he did agree to take the breath tests and blew a .31 and .30.