

Kewa Pueblo man pleads guilty to assaulting federal officer

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Faces eight years in prison

ALBUQUERQUE – Avery Cate, 27, an enrolled member of Kewa Pueblo who resides in Bernalillo, pled guilty in federal court in Albuquerque Nov. 15 to assaulting a federal officer.

Cate was arrested in June on an indictment charging him with assaulting a federal officer.

According to the indictment, Cate assaulted a Bureau of Indian Affairs officer on Jan. 30, 2015, on Kewa Pueblo in Sandoval County while the officer was engaged in the performance of his official duties.

During the Nov. 15 proceedings, Cate pled guilty to the indictment.

In entering the guilty plea, Cate admitted that on Jan. 30, 2015, on Kewa Pueblo, he cursed, threatened, and approached the officers in a threatening manner.

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Cate further admitted resisting arrest and kicking a federal officer in the leg, causing the officer to fall. The officer obtained medical care for his leg and was diagnosed with a sprain as the result of Cate's assault.

At sentencing, Cate faces a statutory maximum penalty of eight years in federal prison.

Cate remains in federal custody pending a sentencing hearing, which has yet to be scheduled.

This case was investigated by the Albuquerque office of the FBI and the Southern Pueblos Agency of the BIA's Office of Justice Services and is being prosecuted by Assistant U.S. Attorney Elisa C. Dimas.