

## Older Zamora found guilty of first-degree murder

By AJ Vicens *The Columbine Courier*

The older of two brothers on trial in the April 2007 murder of 20-year-old Dylan Newman was convicted July 28 of first-degree felony murder and faces life in prison, while his younger brother was found guilty of a lone charge of reckless manslaughter.

Adam Zamora, 22, also was convicted of reckless manslaughter, aggravated robbery, and possession of marijuana with intent to sell. His younger brother, Aaron, 20, was found innocent of three other counts and was granted a bond hearing. Aaron faces two to six years in prison on the reckless manslaughter charge.

Sentencing for both brothers has been set for 8 a.m. Oct. 31. The convictions come more than a year after the fatal shooting of Newman on April 3, 2007.

Prosecutors alleged the Zamoras conspired with Jeffrey Depault and Eric Rooney to rob Newman of more than \$11,000 in cash during a purported marijuana deal in a South Jeffco home.

Defense attorneys for the Zamoras, who were tried together, claimed that Depault planned the robbery without telling the brothers, who then had to defend themselves against an intoxicated Newman, who had a knife. Depault and Rooney pleaded guilty for their roles in the crime. Rooney's sentencing was scheduled for the last day of trial but has been continued. Depault is scheduled to be sentenced in mid-August. Both testified against the Zamoras.

"On April 3, 2007, this young man's life ended," Deputy District Attorney Audrey Weiss said in closing arguments Monday while flashing a picture of a smiling Newman in a tuxedo on an overhead courtroom screen. "It ended tragically like this," she continued, switching to a picture of Newman dead on the floor with blood around his mouth. "Why? Greed. Business."

Weiss went over jury instructions that outlined the charges against the Zamoras, and she reviewed testimony and evidence in an attempt to persuade the jury that she and Chief Deputy District Attorney Steve Jensen had proven their case. Weiss said that many of the witnesses lied -- even prosecution witnesses -- but that all the testimony showed that only Adam Zamora claimed to have seen Newman reach for a foot-long knife.

"There is no evidence before you to show that Dylan Newman did anything -- anything -- that would give Adam Zamora the right to use self-defense," Weiss told the jury.

She said Aaron Zamora was the "master planner" and his brother was the "strong arm."

"Adam Zamora is the one who fired the shot, and Aaron Zamora is the one who set the whole thing up," Weiss said.

Weiss also hammered on a point central to the prosecution's theory: that the 3 pounds of marijuana Newman was looking to buy that day never existed. "It's a ruse, and everyone knows it's a ruse from the beginning," Weiss said. David Beller, one of Aaron Zamora's two defense attorneys, started his closing statement on a somber note.

"Dylan Newman did not deserve to die," Beller said. "He didn't deserve to be shot, didn't deserve to be robbed, didn't deserve to be set up and didn't deserve to be jacked."

Still, Beller told the jury that it was the prosecution's burden to prove guilt beyond a reasonable doubt, and "they have not. There's red flags all over his case."

Beller used small sheets of red paper that he said listed points made by the prosecution that made no sense. Point by point, he taped the small pieces of paper around the courtroom or dropped them on the floor near where he stood. By the end of his remarks, he was standing in a pile of red paper.

"Every time you have a red flag, that, ladies and gentlemen, is doubt, and it's reasonable," Beller said.

Beller said Aaron Zamora didn't have a weapon, didn't plan anything with Depault beyond a drug deal, and went to the house only to transact a drug deal -- albeit much larger than usual.

Mandarin Bowers, one of Adam Zamora's defense attorneys, said there was no dispute that Adam Zamora shot Newman -- in dispute was how it happened. "There was a struggle, the gun went off, and it was an accident," Bowers said.

Contact AJ Vicens at [@evergreenco.com](mailto:@evergreenco.com).

If you are in need of an experienced business litigator or criminal defense attorney, please call Recht & Kornfeld today.

Call Us At  
303.573.1900  
Fax: 303.446.9400  
1600 Stout Street, Suite 1000  
Denver, CO 80202