

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
SECOND JUDICIAL DISTRICT COURT

D-202-CR-2001-02063  
DA: 1999-04042-1

STATE OF NEW MEXICO,  
Plaintiff,

vs.

LINDA HENNING,  
Defendant.

**STATE'S EXPEDITED MOTION FOR PRETRIAL DETENTION  
AND TO APPEAR REMOTELY FOR PRE-TRIAL DETENTION HEARING**

COMES NOW, the State of New Mexico, and hereby moves this Court for an order detaining Defendant under Rule 5-409 NMRA and Article II, Section 13 of the New Mexico Constitution while trial in this case is pending. Such an order is appropriate because "no release conditions will reasonably protect the safety of any other person or the community." 5-409 NMRA.

The State intends to show that the defendant should be detained for the following reasons:

This defendant is charged with a felony:

1. 30-02-01(A)(1): Murder in the first degree (willful & deliberate and felony murder);
2. 30-02-01(A)(1)C: Conspiracy to Commit first degree Murder (Willful & Deliberate);
3. 30-4-1: Kidnapping;
4. 30-4-1(C): Conspiracy to Commit Kidnapping;
5. 30-25-1: Perjury;

#### 6. 30-22-5: Tampering with Evidence

The nature and circumstances of the offense charged and the weight of the evidence against the Defendant are sufficient to merit the Defendant's pretrial Detention. The facts below are taken from the sworn affidavit, police investigation, and trial record related to this cause number.

On or around September 9, 1999, the Defendant and co-defendant Diazien Hossencofft (Hossencofft) kidnapped and killed Hossencofft's wife Girly Chew Hossencofft. At the time of the murder, Hossencofft was involved in a child custody dispute with his wife and was in a romantic relationship with the Defendant. Girly Chew Hossencofft attended work on September 9, 1999, but then did not show up for work for following morning (September 10, 1999) and was subsequently never seen or heard from again.

Shortly after Mrs. Hossencofft's disappearance, a tarp was found near the shoulder of U.S. 60 near Magdalena, New Mexico, which contained trace evidence of Mrs. Hossencofft's blood, along with the Defendant's hair and art sand and glitter from the Defendant's garage. This tarp matched the style and size of a tarp that the Defendant purchased at a Home Depot in Albuquerque on September 8, 2026, a mere day before the killing of Girly Chew Hossencofft. Additionally, blood stains were found inside Mrs. Hossencofft's apartment on the carpet and sofa that matched the Defendant's DNA.

Just prior to Mrs. Hossencofft's disappearance, the Defendant told a co-worker she was going to marry Diazien Hossencofft, even though Hossencofft was currently married, as that would "be taken care of next week." Later, during the week of September 12, 2026, the Defendant told her friend Mary Alice Thomas that Mrs. Hossencofft had been kidnapped and killed, even though that information had not yet been released to the public. Additionally, Mary Alice Thomas later admitted to having lied to a Grand Jury investigating this case at the request of the Defendant. It was also discovered that the Defendant remained in contact with Diazien Hossencofft after he fled New Mexico following the disappearance of Mrs. Hossencofft.

At the trial of the Defendant, Hossencofft testified in detail about having planned the disposal of Mrs. Hossencofft, but that the Defendant was merely an unwitting alibi. Further, Hossencofft provided a multi-layered explanation as to how the Defendant's DNA, hair, and sand/glitter from her garage become linked to the murder and kidnapping of Mrs. Hossencofft. However, letters written by Hossencofft to the Defendant demonstrated their ongoing relationship and his intent to exonerate her by any means necessary, and discussed intentionally misdirecting the police investigation towards Bill Miller, an acquaintance of the Defendant. The Defendant facilitated this crime, in part, out of her desire to please Hossencofft and to continue their relationship.

In October of 2002, after considering all of the evidence against her, a Jury convicted the Defendant of First-Degree Murder (felony Murder), Kidnapping, Perjury, Criminal Solicitation, and Tampering with Evidence, related to the disappearance and death of Girly Chew Hossencofft. To this day, Mrs. Hossencofft's body has not been found.

On November 18, 2020, while incarcerated in the New Mexico Corrections Department (NMCD), an NMCD Hearing Officer found the Defendant Guilty of Violation of a Correspondence Regulation. Specifically, the defendant had attempted to use a go-between named Jacky Collins to forward a letter to co-defendant Hossencofft, who was then incarcerated in a different prison. Hossencofft remains in NMCD custody, having pled to, among other offenses, First-Degree Murder (Willful And Deliberate), a capital felony, for the murder of Girly Chew Hossencofft, and he is serving a sentence of Life imprisonment plus 60 years and 364 days as a result of his plea in his case.

The nature and seriousness of the danger posed to any person and/or the community by the Defendant's release merits the imposition of pretrial detention. There are no conditions of release that will keep the community safe.

Kidnapping and disposing of another human being are violent and dangerous behaviors that threaten the safety of the community. Girly Chew Hossencofft was an innocent victim who was murdered because of Defendant and her co-defendant's selfish reasons. They essentially erased her because she was an inconvenience. The Court cannot expect someone capable of participating and facilitating this level of premeditated violence, and who as of 2020 was still attempting to communicate with her co-Defendant, to have any respect for Orders on conditions

of release. There are no conditions that can physically prevent Defendant from acting in a dangerous manner or facilitating the violent requests of another person. Clearly finding that under these circumstances, release of the Defendant in her expected lifetime was inappropriate and hence the Court initially sentenced the Defendant to a term of Life plus 43 and ½ year, or, with parole, not less than 73 and ½ years. The only reasonable way to protect the community is to hold Defendant in custody until this case is resolved.

### **CONCLUSION**

For the above referenced reasons, and in the interest of the security and public safety of the law-abiding citizens of New Mexico, the State respectfully requests that this Court:

1. Make a finding of probable cause based on the complaint in this matter;
2. Issue a warrant for Defendant's arrest to temporarily detain Defendant for a pretrial detention hearing if Defendant is not currently in State custody.
3. If Defendant is in State custody, the State requests that this Court issue an order temporarily denying release provisions to keep Defendant in State custody while awaiting a pretrial detention hearing;
4. Transfer or set this matter for a hearing in the District Court wherein the State will prove by clear and convincing evidence that no release conditions for Defendant will reasonably protect the safety of any other person or the community;
5. Schedule a preliminary examination separately from the pretrial detention hearing.

Respectfully Submitted,

/s/ Peter A. Robertson

Peter A. Robertson

Deputy District Attorney

**\*Please send any notices to:**

**Peter A. Robertson\***

Deputy District Attorney

Office of the Second Judicial District Attorney

520 Lomas Blvd. NW

Albuquerque, New Mexico 87102

## **CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Motion was sent  
to counsel for the defense on 21 October 2026.

/s/ Peter A. Robertson

Time needed for Motion: 30 Minutes