

**ATTORNEY GENERAL’S REPORT REGARDING THE JULY 5, 2023 SHOOTING  
DEATH OF SAMUEL LOZADA IN BARTLETT, NEW HAMPSHIRE**

---

**I. INTRODUCTION**

The Office of the Attorney General and the New Hampshire State Police have concluded an investigation into the fatal shooting of Samuel Lozada (age 24) in Bartlett, New Hampshire on July 5, 2023. The investigation determined that Jason Sanchez (age 23) shot and killed Samuel Lozada during an altercation in a parking lot in the vicinity of 25 Nordic Wilderness Road, Bartlett, NH. Mr. Lozada and Mr. Sanchez were both armed with pistols, and both shot each other. Mr. Sanchez claims that he acted in self-defense. The purpose of this report is to summarize the Attorney General’s findings and conclusions regarding Samuel Lozada’s death. The findings and conclusions set forth in this report are based on information gathered during the investigation, including witness interviews, grand jury testimony, photographs, and physical evidence.

As provided in RSA 626:7, I(a), when evidence is admitted establishing a defense, such as self-defense, the state must disprove such defense beyond a reasonable doubt. Based on the investigation of Samuel Lozada’s homicide, the Attorney General finds that there is not sufficient evidence to disprove Jason Sanchez’s claim of self-defense beyond a reasonable doubt. As such, no charges will be filed against Jason Sanchez in the shooting death of Samuel Lozada.

**II. SUMMARY OF THE FACTS**

On July 5, 2023, at approximately 1:14 A.M., the Bartlett Fire Department, Bartlett Jackson Ambulance, Bartlett Police Department and the Conway Police Department were dispatched to 25 Nordic Wilderness Road for a reported shooting. While enroute, Jason Sanchez (10/15/1998), a second shooting victim, flagged down a responding ambulance from his car and requested medical

assistance. Mr. Sanchez was located on Route 16, approximately 1.5 miles south of Nordic Wilderness Road, was observed to have been shot in the left shoulder, and stated to first responders that he had “returned fire.” A loaded 10mm caliber, Glock, semi-automatic pistol was secured from the driver’s seat of Mr. Sanchez’s car. Mr. Sanchez acknowledged the pistol was his and advised that he used it in self-defense after being shot. Mr. Sanchez was provided with emergency medical attention and transported to Maine Medical Center, where he recovered.

Upon arrival at 25 Nordic Wilderness Road, emergency services located Samuel Lozada (11/22/1999), laying on his back in the parking lot, in a large pool of blood. Mr. Lozada was observed to have sustained multiple gunshot wounds. Emergency medical services discontinued CPR and pronounced Mr. Lozada’s time of death at approximately 1:30 A.M.

Officers observed discharged 10mm semiautomatic pistol shell casings in the parking lot but were not able to locate a firearm near his body<sup>1</sup>. A group of women who knew Mr. Lozada were in the parking lot, several of whom were extremely emotional. When asked what had happened, they either denied seeing anything or provided very little information.<sup>2</sup>

The New Hampshire State Police Major Crimes Unit, in conjunction with members of the New Hampshire Attorney General’s Office responded to assist in the investigation into the death of Samuel Lozada and what happened leading up to the shooting.

---

<sup>1</sup> A 9mm caliber, Polymer80, Model PF940SC, semiautomatic pistol was eventually recovered by the NH State Police from a nearby dumpster after obtaining a court authorized search warrant. Based on Mr. Lozada’s wounds it would not have been possible for him to put the pistol in the dumpster himself after being shot. The pistol was collected and labelled as Evidence # MSL-1.

<sup>2</sup> Upon discovering Mr. Lozada laying in a pool of blood with apparent gunshot wounds and empty shell casings nearby, law enforcement collectively asked the group who had gathered in the parking lot what had happened. When a member of the group responded in sum and substance “no one saw anything,” none of the bystanders gave the police any further information at the scene regarding the shooting.

### **III. THE INVESTIGATION**

Since the incident on July 5, 2023, the Attorney General's Office and the New Hampshire State Police have been investigating the facts and circumstances surrounding the shooting. That investigation has entailed witness interviews, crime scene investigation, review of reports, photographs, physical evidence, surveillance video, recordings of 911 calls, and grand jury testimony. Jason Sanchez was cooperative throughout the investigation, provided multiple interviews to law enforcement, and provided a DNA sample for analysis. The following account is a summation of what investigators learned.

#### **A. Mr. Lozada's Family and Friends Gathering at 25 Nordic Wilderness Road**

A group of Samuel Lozada's family and friends had planned to travel from Massachusetts to New Hampshire to go camping for the Fourth of July holiday, but opted to rent a condominium instead because of the rainy weather. Lucely Ortiz, of Salem, Massachusetts, rented Nordic Village Resort Condominium Unit #25 for a one-night stay, and the group began to arrive on the afternoon of July 4, 2023. Throughout the day and evening, the group barbecued, drank alcohol, smoked marijuana, listened to music, and lit fireworks.

When law enforcement responded to the condominium after the shooting there were eight women present and one male: Lucely Ortiz, Natasha Ortiz, Ada Perez, Aaliyah Ramirez, Crysley Pimintel, Cristal Pimentel, Emely Pimentel, Leyla Pimentel and Leyla's boyfriend Wilmani Guerrero. The investigation revealed that three additional males, Alejandro Pimentel, Brando Zoquier, and Edwin Guerrero, had been at the gathering as well, but left immediately after the shooting before law enforcement arrived<sup>3</sup>.

---

<sup>3</sup> At approximately 3:19 A.M. State Trooper Guilbeault observed a 2022 Acura RDX stopped in the right-hand breakdown lane of Route 95 South, in Hampton, NH. When Trooper Guilbeault stopped to conduct a checkup on the vehicle, he found Mr. Pimentel outside the vehicle and Mr. Guerro and Mr. Zoquire inside the vehicle. Mr. Pimentel told Trooper Guilbeault that were coming from an Airbnb in North Conway where they had spent the 4th of July, had stopped on the side of the road so he could use the bathroom, and that they were headed back home to Massachusetts.

Mr. Sanchez was invited to the gathering by two other males, Alberto “Berto” Peguero & “Pung”<sup>4</sup>, two acquaintances of his who left the party shortly after he arrived. Mr. Sanchez was not related to Mr. Lozada, nor did he know anyone else renting the unit or staying at the gathering. While he was at the gathering, Mr. Sanchez kept mostly to himself until he was confronted by Mr. Lozada just prior to the shooting.

**B. The Shooting – Mr. Lozada Confronts Mr. Sanchez**

With Alberto “Berto” Peguero and “Pung” gone, Mr. Lozada kicked Mr. Sanchez out of the party at approximately 1:06 A.M., and followed him from the front of the condominium to his car, which was parked near a dumpster in the parking lot. Before Mr. Sanchez reached his car, Mr. Lozada displayed a pistol and began physically assaulting Mr. Sanchez, forcibly stealing his backpack and hat. As Mr. Sanchez got into his car to leave, Mr. Lozada pointed his 9mm caliber, semi-automatic pistol<sup>5</sup> at him through the open driver’s seat door, and indicated that he wanted any valuables Mr. Sanchez possessed.

Mr. Sanchez pushed Mr. Lozada’s pistol away from his face, and Mr. Lozada fired, shooting Mr. Sanchez in the left shoulder with a 9mm bullet. The bullet passed through Mr. Sanchez’s shoulder, through the driver’s seat of his car, and lodged in the rear of the vehicle. During this sequence of events, Mr. Sanchez grabbed his own pistol from the center console of his car, and fired multiple 10mm caliber rounds at Mr. Lozada just before he drove away. Mr. Sanchez’s gunshots struck Mr. Lozada in the neck, left thigh, and right forearm. The gunshot to Mr. Lozada’s neck was a fatal wound.

---

<sup>4</sup> “Pung”’s actual first and last name are both unknown.

<sup>5</sup> Mr. Lozada’s pistol was examined by the NHDOS Forensic Laboratory and determined to be a 9mm caliber, Polymer80 brand, Model PF940SC, semiautomatic pistol. The pistol does not have a serial number. The pistol was determined to be a firearm created from an “80% pistol frame kit” manufactured by Polymer80 which had additional aftermarket components added to it. When aftermarket components (ex. slide, barrel, guide rod, springs) are added to or assembled on a Polymer80 type frame, a functional firearm can be created. These homemade firearms are commonly referred to as “ghost guns” because they are homemade and therefore don’t have a manufacturer serial number.

The State Police located and collected shell casings from both the parking lot and Mr. Sanchez's vehicle. Five 10mm caliber shell casings were recovered from the parking lot, while two 10mm caliber shell casings, one 9mm caliber shell casing, and the fired 9mm bullet were recovered from inside Mr. Sanchez's vehicle. Recovery of the 9mm bullet and both 9mm and 10mm caliber shell casings from inside Mr. Sanchez's car is consistent with both pistols having been fired within the passenger compartment of the car, as described by Mr. Sanchez.

C. **Witness Statements/Grand Jury Testimony from Mr. Lozada's Family and Friends**

In the aftermath of the shootings, Mr. Lozada's family and friends were asked to come to the Conway Police Department where they could be interviewed in a more organized fashion in a controlled setting. Failing to obtain much more information than the little information that was provided at the scene, some of the witnesses were interviewed a second time or were subpoenaed to testify before an investigative grand jury. The information obtained from the witnesses is summarized below, beginning with the account provided by Aaliyah Ramirez, who provided the greatest amount of factual detail.

**Aaliyah Ramirez (age 22)**

*July 5, 2023, interview at Conway Police Department, Conway, NH:*

Aaliyah Ramirez stated all the women were inside, all the men were outside. She claimed that she never met any of the males that came to hang out with Mr. Lozada. She went outside and saw Mr. Lozada on the ground. She was close to Mr. Lozada and she thought of him like a brother.

*September 15, 2023, interview at Carroll County Courthouse, Ossipee, NH*

Ms. Ramirez told investigators that she has known Mr. Lozada (nicknamed "P") for 8 – 9 years. She was happy to be spending the holiday with him because this was the first time in about four years that "P" was not in jail on the Fourth of July. The group of family and friends were supposed to go to a lake, but because of the bad weather they rented an Airbnb at the last minute.

The group, consisting of Leyla, Cristal (Leyla's sister), Wilmani (Leyla's boyfriend), Crysley, Emely, Ada, Lucely, Natasha, Edwin (nicknamed "E"), Alejandro (nicknamed "A"), and Brando, who were all at the condo partying before the shooting happened.

During the party, Alberto (nicknamed "Berto") called Mr. Lozada and asked if he could come by with another man called "Pung." Mr. Lozada agreed and gave Berto the address. When Berto and Pung arrived, they asked if they could invite another man named Jason (Mr. Sanchez), who showed up about 15 minutes later.

Mr. Lozada spent a good amount of time on the second floor of the condo that evening and Ms. Ramirez had gone back and forth between the first and second floor during the party to talk with him. On one occasion when she returned to the first floor, she saw that Brando, Pung, and Mr. Sanchez were inside the condo, but noticed that Berto had left. When she returned downstairs on another occasion, Brando and Pung were also now gone, and Mr. Sanchez was there alone. She described Mr. Sanchez as just hanging around, not causing trouble, but she was confused why he stayed at the gathering without Berto and Pung, who had invited him. Around 11:50 P.M. Mr. Lozada came downstairs and noticed Mr. Sanchez hanging around and asked who he was.

Ms. Ramirez and Brando (who had apparently returned) were drinking the last shots of alcohol at the party when Mr. Sanchez asked Brando to go outside with him. When they went outside, Lucely asked Ms. Ramirez to follow them and make sure Brando "*was good.*" As she went outside to check on Brando, Mr. Lozada went with her, so she didn't go outside alone. Once outside, she heard Mr. Sanchez saying that he gave them (Berto and Pung) something and they left, which caused her to conclude and state out loud that she thought Berto and Pung had robbed Mr. Sanchez.

Mr. Lozada became angry, even though Ms. Ramirez did not see Mr. Sanchez doing anything to provoke anyone or posing any danger to anyone. She heard Mr. Lozada tell Mr.

Sanchez to leave before he “*popped him.*” Ms. Ramirez observed that Mr. Lozada was carrying a gun when he unexpectedly said this to Mr. Sanchez. Ms. Ramirez then saw “P” begin hitting and “roughing-up” Mr. Sanchez, who had his hands up while he walked toward his car. She said that she tried to convince Mr. Lozada to just let Mr. Sanchez go, but Mr. Lozada was not listening to her.

When Mr. Lozada began roughing up Mr. Sanchez, Brando went inside and got “A”, then both came outside the condo when the shooting occurred. Ms. Ramirez saw “E” outside as well and heard Mr. Lozada instruct “E” and “A” to “*check the whip*”<sup>6</sup> as Mr. Sanchez was getting into his car.

Ms. Ramirez described seeing Mr. Lozada “getting” Mr. Sanchez through the driver’s side door of his car; hearing Mr. Sanchez say “*I’m gonna go bro, stop, chill;*” hearing Mr. Lozada say “*what you clutchin for?*”; and then hearing five gunshots. Knowing that Mr. Lozada had a gun in his hand at the time, she yelled into the condo that “P” had just killed someone as she heard Mr. Sanchez’s tires screeching.

When she turned back to the parking lot Mr. Sanchez’s car was gone, she saw Mr. Lozada on the ground, and “A” fell into her looking pale, breathing oddly, and unable to talk. Ms. Ramirez went to where Mr. Lozada was lying on the ground and unsuccessfully tried to wake him up as Brando, “A” and “E” got into a car and left fast. She stated that she has no idea when the other two males, Berto and Pung, left the gathering, but that they were “long gone” before the shooting. Ms. Ramirez said that she doesn’t know what happened to Mr. Lozada’s gun but said that it would either be found on him or that “one of the boys” would have thrown it in the dumpster.<sup>7</sup>

Ms. Ramirez explained that she’s had a falling out with Mr. Lozada’s family after the

---

<sup>6</sup> “Whip” is slang for car, and the use of the phrase “check the whip” is believed to be an instruction for “E” and “A” to look inside Mr. Sanchez’s car for valuables.

<sup>7</sup> Ms. Ramirez did not see anyone move “P’s” gun but was guessing someone threw it in the dumpster based on “Law & Order shit.”

shooting, as they blamed her and the other party attendees for his death. Despite being one of Mr. Lozada's closest friends, she was clear with investigators that, from her perspective, Mr. Sanchez shot Mr. Lozada in self-defense because he was scared. She told investigators that she would apologize to Mr. Sanchez if she could, "*there was no reason for it to go like that, he (Mr. Lozada) was just not fucking listening.*"

**Lucely Ortiz – age 29**

*July 5, 2023, interview at Conway Police Department, Conway, NH:*

Lucely Ortiz stated that she was in the condo with Mr. Lozada and when he said he was going outside. She asked him not to, but he did anyway. After three minutes she followed him outside and heard shots go off. She saw him down on the ground and saw that there was more than one male outside, but she doesn't know how many. She saw a "fat Spanish guy"<sup>8</sup> but described that "they" drove off fast because "they" must have shot him (Mr. Lozada) from within the car. She described the car as a light-colored SUV, either grey or white. She did not see a gun or know of a gun (in Mr. Lozada's possession).

*September 15, 2023, statement:*

In her later statement on September 15, 2023, Lucely confirmed that the group of family/friends were planning a trip to a lake in New Hampshire for the Fourth of July but ended up renting an Airbnb at the last minute because of the bad weather. She met Mr. Lozada (who everyone referred to as "P") through her nephew Alejandro, and has known him since February or March (of 2023). Alejandro and Mr. Lozada drove to the condo together in one vehicle, all the girls drove to the condo together in another vehicle, and Edwin and Brando drove together in a third vehicle.

Lucely stated that the three other men showed up at the condo, but they weren't relatives,

---

<sup>8</sup> Investigators believe this to be a description of Jason Sanchez.



and she didn't know their names. She said two men showed up together and then "the shooter" (the man who shot Mr. Lozada) showed up very shortly after. She said nothing seemed out of place until the group noticed that the "two men" were gone but "the shooter" was still at the party without them. Realizing that "the shooter's" friends had left, Mr. Lozada told him that he had to leave too, and they both went outside. When the group heard Mr. Lozada and "the shooter" arguing, they all ran outside to make sure everything was okay. Once outside, she heard gunshots, saw Mr. Lozada on the ground, and saw a car drive off. She ran to Lozada and stayed with him until the police and ambulance showed up. Although she ran to Mr. Lozada immediately after he was shot and stayed at his side until the police arrived, she denied ever seeing Mr. Lozada's gun that evening. She admitted that her observations and recollection of the events were clouded by her concern for Mr. Lozada's health and her consumption of alcohol.

**Natasha Ortiz – age 24**

*July 5, 2023, interview at Conway Police Department, Conway, NH:*

Natasha said that her friend,<sup>9</sup> Lucely wanted to go outside the condo to check on what was happening during the verbal argument, but she (Natasha) didn't think they should. As she got to the door, she heard three or four gunshots and went back inside. When she went back outside, she saw Mr. Lozada on the ground gasping for air and she heard a vehicle drive off, but didn't see it. She knew there were men outside but not how many, she didn't know any of them, and she denied seeing any firearms. During a second interview approximately an hour later, she said some other men had come to their rental property, but she did not know them, she had never met them before, and she did not speak to them.

*September 15, 2023, statement summary:*

Natasha denied having met anyone besides Lucely before this trip. During the ride and at

---

<sup>9</sup> While Natasha and Lucely share the same last name they are not related, but rather friends who met at work.

the party, she met Lucely's family members and recognized some of their names when prompted, but otherwise just remembered hanging out at the condo until the shooting. She was on the front steps of the condo when she heard gunshots, ducked, and immediately ran back inside. She heard screaming and went back outside, where she saw Lucely screaming while on top of Mr. Lozada. She called 911 and gave Mr. Lozada CPR until EMS arrived, but denied ever seeing a gun.

**Crysley Pimentel – age 18**

*July 5, 2023, interview at Conway Police Department, Conway, NH:*

Crysley Pimentel reported hearing multiple gunshots, but said everyone was inside when the shooting occurred. She did not see anyone else come or go that day and denied knowing who else would have been there.

*September 15, 2023, statement summary:*

Crysley was a senior in high school and was celebrating the Fourth of July with her family in Bartlett, New Hampshire. She knew Mr. Lozada, or "P," through her cousin Alejandro Pimentel. She denied seeing anyone shooting a gun but saw muzzle flashes as she was looking out the kitchen window when it occurred. At the time she saw the muzzle flashes she knew that Mr. Lozada was outside telling someone to leave the party and that Aaliyah, Lucely, and Natasha were also outside. She remembered seeing three men she did not know at the house before the shooting, but two of the three had already left when the shooting occurred. She never saw anyone with a gun that evening.

**Cristal Pimentel – age 24**

*July 5, 2023, interview at Conway Police Department, Conway, NH:*

Cristal Pimentel travelled to New Hampshire with a group of family and friends for the Fourth of July. In addition to the group, she said two other men she didn't know were at the party, a light skinned male with a beard, and a "fat ass" Hispanic man with a beard and baseball hat. She

was inside and did not witness “P” (Mr. Lozada) get shot.

*July 5, 2023, second interview at Conway Police Department, Conway, NH:*

During a second interview, Cristal confirmed that Alejandro Pimentel, Edwin Guerrero, and Brando Zoquire had been at the condo earlier in the evening but said that they left before the shooting.

*September 15, 2023, statement summary:*

Cristal stated that Mr. Lozada is a family friend she has known for a couple of years, but she had become better friends with him over the last several months since he got out of jail. She had never been to Bartlett before and came with her family to celebrate the Fourth of July. She remembers Berto, Pung, and Jason (Mr. Sanchez) showing up at the party very late, but she did not know them and did not talk to them. She was unclear of the timeline of the shooting, which she attributes to her alcohol consumption that night. She was inside when the shooting took place and didn't know anything had happened until someone ran inside and said Mr. Lozada got shot. Upon hearing this she ran outside, and saw Natasha giving CPR, but didn't see anything else, including any gun.

**Leyla Pimentel – age 21**

*July 5, 2023, interview at Conway Police Department, Conway, NH:*

Leyla Pimentel was inside the condo and denied knowing anything about what occurred. She believed that everyone was in the house when it occurred and denied remembering anyone else who came or went through the day. She denied that any other males were at the residence other than Wilmani Guerrero. She denied hearing anything happening outside because of the loud music playing inside the house.

*July 5, 2023, second interview at Conway Police Department, Conway, NH:*

Leyla stated that three female cousins, Oriana Pena, Oreangles Pena, and Keylanis Pena,

and two of their (female) friends (names unknown) had also stopped by the party during the day. That group of women had left the party hours before the shooting. She also confirmed that three of her male cousins, Alejandro Pimentel, Edwin Guerrero and Brando Zoquier were at the residence during the day hanging out with Samuel Lozada, who she referred to as “P.”

*September 15, 2023, statement summary:*

Leyle knew Mr. Lozada for several years but didn’t know him well until recently because he was “locked-up” for a few years. She had travelled to New Hampshire to celebrate the Fourth of July with her relatives, during which time three men visited the party. Alberto, whom she had met once before, arrived with another man she did not know, and then a third man named Jason<sup>10</sup> arrived shortly thereafter. She restated how her recollection and perception of the events was affected by her alcohol consumption, so she isn’t clear what time the shooting happened. She remembered being in the kitchen when Aaliyah ran in and said that “P” had shot somebody and “we gotta go.” As she packed her belongings Aaliyah came back inside again and said that “P” was dead and not to go outside. She remembers seeing Natasha doing CPR on Mr. Lozada and then going to the police station to speak to investigators. She never saw Mr. Lozada with a gun and denies know anything about a gun.

**Wilmani Guerrero – age 20**

*July 5, 2023, interview at Conway Police Department, Conway, NH:*

Wilmani Guerrero was dating Leyla Pimentel and went to Bartlett to meet her family for the first time. He drove from Massachusetts and arrived at approximately 10:00 P.M. He was introduced to everyone quickly when he arrived, as he had never met anyone before and told investigators that he didn’t remember their names. There was one male at the condo when he arrived, but he did not know his name, nor could he provide a description. He didn’t hear any

---

<sup>10</sup> Jason is believed to be Jason Sanchez.

gunshots but followed Leyla when she ran outside to the scene. He denied seeing any other males at the residence besides the victim.

*September 15, 2023, interview Carroll County Courthouse, Ossipee, NH*

During this interview, Mr. Guerrero confirmed that there were other males at the rental besides himself and Mr. Lozada, but he did not know them and was not able to describe them. He spent most of the time upstairs but heard screaming from outside when he went downstairs to use the bathroom, so he walked outside where he saw Mr. Lozada lying on the ground. He confirmed that Mr. Lozada was very close with Aaliyah.

**Ada Perez – age 22**

*July 5, 2023, interview at Conway Police Department, Conway, NH:*

Ada Perez told investigators that she didn't know much about what happened earlier, and that she was sleeping when the incident occurred. She stated that the group had arrived at the condo that day, and that she did not know the shooter or the victim.

*September 15, 2023, interview at Carroll County Courthouse, Ossipee, NH*

Ms. Perez told investigators that she travelled from Massachusetts to New Hampshire with her family and took a nap about three hours after they had all settled into the house. When she woke up, she went downstairs to make something to eat and that is when all the chaos started. When she got downstairs, she saw that Crysley, Lucely, the baby, Natahsa, Cristal, Alejandro, Brando and "P" (Mr. Lozada) were present. She stated that she did not leave the house until the police arrived, was unsure if she heard any gunshots that night, and only learned that there had been a shooting when someone ran inside and stated, "*P's dead.*" She did not see Mr. Lozada with a gun that night and does not know Jason Sanchez.

**Emely Pimentel** – age 22

*July 5, 2023, interview at Conway Police Department, Conway, NH:*

Emely Pimental told investigators that she didn't see anything: but was asleep and woke up when police arrived. She denied knowing what happened, seeing anyone else who showed up at the rental that day, and stated that whomever shot Mr. Lozada wasn't amongst the group of friends who stayed at the rental when police arrived.

*September 15, 2023, statement summary:*

Emely had known Mr. Lozada as "P." He was friends with her relatives Leyla, Cristal, and Aaliyah, but for a few months. She denied seeing Mr. Lozada with a gun that evening. She restated how she was upstairs sleeping when the shooting happened, and that while she "heard" that "Berto" and "Pung" had been at the house, she never saw them. She remembered that someone woke her up and she went outside where she saw Mr. Lozada on the ground. Everyone was screaming and crying. The police were there. Around this time, in response to the police asking if anyone witnessed the shooting, she heard Aaliyah say to the group something to the effect of "*you didn't see shit, nobody saw anything.*"

Between the time of the shooting and her September 2023 statement, Emely heard from other people that the guy that got shot (Jason Sanchez) had been robbed by Berto that night and he (Mr. Sanchez) was asking for something when Mr. Lozada went outside to make him leave.

**D. Witness statements from Jason Sanchez**

*July 5, 2023, initial interview at Maine Medical Center, Portland, ME*

Jason Sanchez agreed to speak to Maine State Police investigators on the day of the shooting from his hospital bed. Mr. Sanchez told investigators that he drove from Manchester to attend a party somewhere in the White Mountains. He said that he was invited to the party by a couple of men he had met at a house party with whom he had eaten lunch on several occasions, but

denied knowing their names and could only describe them as “Hispanic guys.” Mr. Sanchez said he arrived at the party around midnight, had one drink, and stayed for about an hour. He said that he got a weird feeling during the party when he realized that it had been a while since he last saw the two guys who invited him because he didn’t know where they went and he didn’t know anyone else at the party.

Not knowing where his two acquaintances were, he approached two men at the party (one who he referred to as the guy who later shot him) and asked if they could call them for him. Mr. Sanchez said that the two men he asked to call his acquaintances for him “acted dumb,” like they didn’t know who he was talking about and wouldn’t make the phone call.

Mr. Sanchez decided to leave and described walking through the parking lot to his car when he encountered two men from the party, one who he described as wearing a white shirt and the other a black shirt. Mr. Sanchez remembered some of the women from the party were in the parking lot during the encounter. The man in the white shirt (later determined to be Mr. Lozada) took a handgun out of his pocket, displayed it in “a threatening demeanor,” and told him to leave the party. Mr. Sanchez described the handgun as a dark colored gun which looked like a Glock. Mr. Sanchez said he responded by putting his hands up, stated that he was leaving, and he kept walking toward his car. As he got to his car, the guy in the white shirt took Mr. Sanchez’s bag and hat from him and asked what he had inside the car.

Mr. Sanchez said that he had started the engine of his car and shifted it into drive when the man in the white shirt “cocked<sup>11</sup>” his gun and pressed it to Mr. Sanchez’s forehead as four or five other men were trying to get at Mr. Sanchez and/or get into his car from the passenger side. Mr. Sanchez maintained that he didn’t have anything of value inside the car but believed that the men may have thought he did because he was driving his mother’s BMW X5, which he described as “a

---

<sup>11</sup> Investigators clarified that the pistol didn’t have an exposed hammer, rather what Mr. Sanchez referred to as “cocking” the pistol was Mr. Lozada racking the slide of a semiautomatic pistol to load a round into the chamber.

nice car.”

Mr. Sanchez told investigators that the guy with the gun asked him what he was reaching for and threatened to kill him right there. Because he was afraid that he was about to be shot in the head, Mr. Sanchez slapped the gun away from his head and Mr. Lozada fired, shooting him in the shoulder. During this interaction, Mr. Sanchez reached into the center console of his car and grabbed his own pistol, a 10mm caliber Glock semiautomatic handgun. Mr. Sanchez stated that he shot back at the man who had shot him and then he drove away as fast as he could, fearing the other men surrounding his car may also be armed.

Mr. Sanchez described his own gun as a legally owned, black colored, 10mm caliber Glock. He stated that it was a Glock Model 40 frame, with Glock Model 20 slide, loaded with “self-defense hollow-tips.” Mr. Sanchez believed that his assailant fired at him “multiple times” and that he, in turn, shot his assailant with three bullets.

Mr. Sanchez remembered losing a lot of blood as he drove away and described that his arm felt like it had been blown off by a shotgun. Believing that he was going to die, he called 911 as he was driving away and before passing out. Mr. Sanchez remembered waking up on the side of the road. He called 911 again before an ambulance arrived.

When asked by investigators if there had been a drug deal that had gone bad, Mr. Sanchez replied “*No Sir.*”

*July 8, 2023, interview at Maine Medical Center, Portland, ME*

On July 8, 2023, New Hampshire State Police Investigators re-interviewed Mr. Sanchez, who was still in the hospital recovering from his gunshot wound. During the interview, Mr. Sanchez largely reconfirmed the information which he had previously provided to law enforcement but described the shooting in greater detail. The new details disclosed during the second interview are summarized below. Although he didn’t refer to Mr. Lozada by name during the interview, this



report will refer to “the man who shot him” as “Mr. Lozada” for easier reference.

Mr. Sanchez told investigators that as he was getting into his car, Mr. Lozada flashed a gun and took his green camouflage backpack and hat from him. Mr. Sanchez said his backpack did not have “anything important” in it.<sup>12</sup>

Mr. Sanchez told investigators that as he got into the driver’s seat and tried locking the car doors Mr. Lozada pulled the driver’s door open and asked him “*what you got in the car, what you got in your pockets?*” He described seeing several other men surrounding his car who were trying to look inside and open the passenger door as Mr. Lozada put his pistol to Mr. Sanchez’s forehead. Mr. Lozada threatened to kill him while holding the pistol to his forehead. Mr. Sanchez described Mr. Lozada’s pistol as a gun that “looked like a Glock” with a silver slide.<sup>13</sup>

Mr. Sanchez clarified that at this point in the interaction, he was sitting in the driver’s seat but was facing Mr. Lozada, who was standing between the open car door and the door frame while holding a pistol to his forehead. While he was in the driver’s seat, Mr. Sanchez clarified that he wasn’t fully inside the car because he was seated with his right leg inside the car, his left leg was still outside the car touching the ground. While in this position, Mr. Lozada and a man in a black shirt began trying to pull Mr. Sanchez out of his car while the car was running, and already shifted into drive. He had his foot on the brake pedal preventing it from moving. Mr. Sanchez said he feared he was going to be killed, causing him to grab his 10mm caliber Glock from the center console of the car. Mr. Sanchez claimed that he racked the slide of his pistol to load a round into the chamber while he pushed Mr. Lozada’s pistol away from his face. When he knocked Mr. Lozada’s gun away from his forehead, Mr. Lozada shot him. He told investigators he then immediately fired his gun at Mr. Lozada, and he believed that he hit him three times.

---

<sup>12</sup> A green camouflage backpack was located in the parking lot in close proximity to the shooting location. The police found controlled substances inside the backpack.

<sup>13</sup> Mr. Sanchez’s description is consistent with the pistol recovered from the dumpster in the parking lot, which has a black Glock style frame and a silver-colored slide.

Mr. Sanchez stated that he had his pistol magazine loaded with three different brands of ammunition: “bear tappers, hollow tips and regular.” At the conclusion of the interview Mr. Sanchez consented to provide a buccal swab for DNA and authorized the release of his medical records to investigators to assist in their investigation.

**E. Examination of Scene/Physical Evidence**

Members of the Bartlett Police Department and the New Hampshire State Police maintained crime scene security of the parking lot between Condominium Unit #25, Nordic Wilderness Road and the dumpster located on the opposite side of the parking lot, where Mr. Sanchez’s car had been parked.



*Images 1 & 2. Photographs depicting the 25 Nordic Wilderness Road parking lot, viewing the dumpster where Mr. Sanchez had parked his vehicle and Mr. Lozada was found, and the condominium units on the other side of the parking lot.*

The New Hampshire State Police located and marked items of evidentiary significance in the parking lot, including Mr. Lozada’s personal belongings, spent 10mm caliber shell casings, and bullets/bullet fragments. Consistent with Mr. Sanchez’s statements to police, two different types of 10mm shell casings were recovered at the scene.



*Images 3 - 5. Photographs depicting evidence placards in the parking lot used to mark the location of evidentiary items and photographs of the two different brands of 10mm caliber shell casings located in the parking lot.*

Pursuant to a court-authorized search warrant, on July 6, 2023, the New Hampshire State Police searched the dumpster in the parking lot and recovered a black and silver colored, 9mm caliber, Polymer80 semiautomatic pistol. The pistol was found in a jammed condition<sup>14</sup>, with a live 9mm round partially in the chamber and the magazine partially released from the pistol grip. Red/brown staining consistent with blood was observed on the pistol at the time it was found.

---

<sup>14</sup> This condition is consistent with, among other things, an outside force restricting the slide's momentum and movement during or immediately after firing a round.



*Images 6 & 7. Photographs of the 9mm caliber, Polymer80 semiautomatic pistol with a black frame and silver-colored slide recovered from the dumpster.*

A swabbing of the red/brown staining located on the trigger guard of the pistol was analyzed by the New Hampshire Department of Safety Forensic Laboratory. The red/brown substance tested positive for blood on November 28, 2023, and was further analyzed by the lab for DNA on February 29, 2024. The Forensic Lab concluded that the blood sample obtained from the trigger guard contained a mixture of DNA from a minimum of two biological males. Jason Sanchez was identified as a possible contributor of the major DNA profile, and Samuel Lozada was identified as a possible contributor of the minor DNA profile.

**F. Jason Sanchez’s 2015 BMW X5**

Pursuant to a court-authorized search warrant the NH State Police processed Mr. Sanchez’s BMW on July 7, 2023. Consistent with Mr. Sanchez’s statements to the police: a 10mm caliber Glock pistol was observed on the driver’s seat; the driver’s seat had a bullet defect from front to back; a bullet was located in the rear cargo area; one 9mm caliber shell casing was located near the driver’s seat; two 10mm caliber shell casings were located near the front passenger seat; and there was a significant amount of blood throughout the passenger compartment.



*Image 8. Photograph of the interior of Mr. Sanchez's BMW depicting the 9mm shell casing highlighted by the blue square, Mr. Sanchez's 10mm Glock pistol highlighted by the green square, and a void of blood staining on the driver's seat (highlighted by the yellow circle) from Mr. Sanchez sitting in this location during the bleeding event caused by the shooting.*



*Image 9 & 10. Photographs of the interior of Mr. Sanchez's BMW depicting the trajectory and direction of travel of the bullet Mr. Lozada fired after it exited Mr. Sanchez's body.*

### **G. Forensic Laboratory Firearm Analysis Report**

On January 12, 2024, the New Hampshire Department of Safety Forensic Laboratory completed a Firearm Analysis Report regarding their review of the firearms, shell casings, and bullets recovered during the investigation.

Samuel Lozada's 9mm caliber, Polymer80 pistol, was examined, test fired, and found to

function normally. This pistol was not susceptible to an accidental discharge due to jar-off. The pistol magazine has a capacity of fifteen 9mm cartridges, contained six live 9mm cartridges, and was found to function normally during test firing. It should be noted that an additional live 9mm cartridge was found in Mr. Lozada's pants pocket during the autopsy examination.

The bullet that Mr. Lozada fired through Mr. Sanchez's body and vehicle compartment and the 9mm cartridge case located on Mr. Sanchez's driver's seat, were both examined and found upon microscopic comparison to have been discharged from Mr. Lozada's pistol.

Jason Sanchez's 10mm caliber, Glock pistol, was examined, test fired, and found to function normally. This pistol was not susceptible to an accidental discharge due to jar-off. The pistol magazine has a capacity of fifteen 10mm cartridges, contained seven live 10mm cartridges, and was found to function normally during test firing.

The 10mm S&B cartridge case recovered from the parking lot in front of shed, the 10mm cartridge case recovered from the front passenger seat, the bullet recovered from Mr. Lozada's autopsy, and the bullet recovered from the parking lot were examined and found upon microscopic comparison to have been discharged from Mr. Sanchez's 10mm Glock.

#### **H. Autopsy Results**

An autopsy was performed by Deputy Chief Medical Examiner Mitchell L. Weinberg, M.D., on July 6, 2023. Dr. Weinberg found that Mr. Lozada suffered gunshot wounds of the neck, right forearm, and left thigh. The bullet that entered Mr. Lozada's neck injured the left internal jugular vein resulting in fatal blood loss. Toxicology screening indicates Mr. Lozada had used cannabis and oxycodone prior to death, as well as the consumption of ethanol (the alcohol in alcoholic beverages, present at a level approximately equal to the legally defined level of intoxication). Dr. Weinberg concluded that Mr. Lozada died as a result of a gunshot wound of the neck, and that the manner of death was homicide.

#### IV. APPLICABLE LAW AND LEGAL STANDARDS

New Hampshire's laws regarding self-defense are set forth in RSA Chapter 627. RSA 627:4 contains several variants of self-defense that state that an actor may be justified in using deadly force to protect himself or others in certain circumstances. Here, RSA 627:4, II(a), permits the use of deadly force by an actor against another when he reasonably believes that the other person "[i]s about to use unlawful, deadly force against the actor or a third person"

Some discussion of the terms used in each of the statutory provisions is appropriate. The law defines "deadly force" as "any assault or confinement which the actor commits with the purpose of causing or which he knows to create a substantial risk of causing death or serious bodily injury." RSA 627:9, II. "Non-deadly force" means "any assault or confinement which does not constitute deadly force." RSA 627:9, IV. "Unlawful force" means "deadly or non-deadly force." *N.H. Criminal Jury Instructions - 1985*, 3.11.

"Self-defense does not require an actual danger to the defendant. Rather, the defendant must reasonably believe that the other person was about to use unlawful, deadly force [or unlawful force in the case of RSA 627:4, II(b) and (d)]." *N.H. Criminal Jury Instructions - 1985*, 3.11; *see also State v. Gorham*, 120 N.H. 162, 163-64 (1980).

Therefore, a mistaken use of deadly force could still be justified under the law if that mistake was reasonable. The term "reasonable" is "determined by an objective standard." *State v. Leaf*, 137 N.H. 97, 99 (1993). As such, all the circumstances surrounding the incident are to be considered in determining whether the actor had a reasonable belief that deadly force was necessary to defend himself or another. When reviewing a deadly force incident, the actor's conduct should be viewed considering "the circumstances as they were presented to him at the time, and not necessarily as they appear upon detached reflection." *N.H. Criminal Jury Instructions - 1985*, 3.10. In other words, when analyzing the reasonableness of an

actor's use of deadly force, the inquiry must focus on the situation from the standpoint of a reasonable person facing the same situation. That examination cannot be made with the benefit of hindsight. The amount of deadly force used by the actor to protect himself or others must also be reasonable, and not excessive. *See State v. Etienne*, 163 N.H. 57, 70 (2011).

The law also provides that people in their dwellings or curtilage, or who are anywhere they have a right to be, have no duty to retreat from the encounter before resorting to deadly force to protect themselves or others, if they were not the initial aggressor. *See* RSA 627:4, III(a). And finally, in any case where a person uses deadly force and later claims self-defense, the State has the burden to disprove that self-defense claim beyond a reasonable doubt in order to convict the person. *See State v. McMinn*, 141 N.H. 636, 645 (1997); RSA 626:7, I(a). There is no burden on the actor to prove that his actions were lawful.

These are the legal standards that help guide the Attorney General's review of the use of deadly force in this case.

## **V. ANALYSIS AND CONCLUSION**

Based on all the facts and circumstances of this case, the Attorney General has concluded that the State cannot disprove Mr. Sanchez's claims that he used deadly force in self-defense under RSA 627:4, (II)(a), beyond a reasonable doubt. Here, the evidence suggests that Mr. Sanchez was in actual danger from unlawful, deadly force, when Mr. Lozada displayed his 9mm pistol to Mr. Sanchez in the Nordic Wilderness Road condominium parking lot, threatened to shoot him, and forcibly took his property from him as he put his hands up and tried to leave.

Because Mr. Sanchez was invited to the gathering, and more importantly because the encounter took place in a common parking lot shared by a number of condominium units, Mr. Sanchez was in a location he had a right to be. Additionally, Mr. Sanchez was not the initial aggressor, and as corroborated by the account of multiple witnesses, was trying to leave the



complex when Mr. Lozada forced him to his car at gunpoint. Accordingly, Mr. Sanchez had no duty to retreat from the encounter before resorting to deadly force to protect himself. Nonetheless, Mr. Sanchez did retreat, and tried to make it to the safety of his car.

As Mr. Sanchez was retreating into his car, Mr. Lozada's use of unlawful deadly force escalated when he placed his 9mm pistol against Mr. Sanchez's forehead, threatened to kill him again, and asked Mr. Sanchez what he had inside his vehicle, now threatening to rob him of more than just his backpack. Mr. Lozada's threats of unlawful deadly force ultimately escalated to the point where Mr. Lozada shot Mr. Sanchez as he was seated in his car with the engine running and the vehicle shifted into drive in a continuing attempt to retreat from the encounter, and batting the gun away from his forehead. It was only after Mr. Lozada shot Mr. Sanchez that Mr. Sanchez resorted to the use of deadly force and shot at Mr. Lozada.

Mr. Sanchez told investigators during both interviews that he was afraid he was going to be shot and killed once Mr. Lozada put the pistol to his forehead. Mr. Sanchez consistently told investigators that he only used deadly force after being shot by Mr. Lozada, who was the initial aggressor. Mr. Sanchez's factual presentation was partially corroborated by the physical evidence, as well as the account provided by the only friend of Mr. Lozada who reported seeing the incident, Aaliyah Ramirez.<sup>15</sup>

No information obtained from Mr. Lozada's other family and friends who witnessed the events contradict the accounts provided by Mr. Sanchez or Ms. Ramirez. To the contrary, although lacking a number of significant details, most of the other witness accounts partially corroborate the accounts provided by both Mr. Sanchez and Ms. Ramirez.

Here, the question for analysis is not whether the evidence is sufficient to prove beyond a reasonable doubt that Mr. Sanchez acted in self-defense, but rather whether there is sufficient

---

<sup>15</sup> Ms. Ramirez considered Mr. Lozada "a brother."

evidence to disprove his assertion of self-defense beyond a reasonable doubt. Based upon the totality of these facts, the evidence tends to support Mr. Sanchez's claim of self-defense, and is insufficient for the State to disprove this claim beyond a reasonable doubt. Since the State cannot disprove Mr. Sanchez's self-defense claim beyond a reasonable doubt, no charges will be filed against him in connection with Mr. Lozada's death.