



**ARIZONA**  
DEPARTMENT  
*of* CHILD SAFETY

David Lujan, Director  
Katie Hobbs, Governor

<b>Preliminary Report</b>	<b>Near Fatality</b>	<b>06/15/2023</b>
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**1. Near Fatality Victim:** two-month-old male

**2. Date of notification to DCS:** 02/04/23

**3. Date of near fatality:** 2/04/23

**4. Date of determination that the near fatality was the result of abuse or neglect\*:**

Martin Nino-Cota – 2/14/23  
Yajaira Perez– 5/10/23

**5. County and general location of the residence of the victim:** Maricopa County – Phoenix, AZ

**6. Alleged perpetrator(s) name, age and city, town or general location:**

Martin Nino-Cota – age 23 – Phoenix, AZ  
Yajaira Perez– age 19 – Phoenix, AZ

**7. Circumstances of the near fatality that indicate it was the result of abuse or neglect:**

On February 4, 2023, the Department of Child Safety received a report regarding a two-month-old male who was transported to the hospital. Upon examination, it was determined that the child was in critical condition with multiple injuries including fractures, bruising, abrasions, and brain injuries. On February 14, 2023, the father, Martin Nino-Cota, was charged with two counts of child abuse. On March 8, 2023, a dependency petition was filed with the Maricopa County Superior Court. On May 10, 2023, the court made a finding that the mother, Yajaira Perez, failed to protect the child from abuse.

**8. Whether DCS has received any reports or past cases, of child abuse, abandonment or neglect involving the child or the current alleged perpetrator(s)\*\*:**

There were no prior DCS reports involving Martin Nino-Cota, Yajaira Perez, and/or the near fatality victim.

**9. Actions taken by DCS in response to the near fatality:**

A joint investigation was conducted with the Phoenix Police Department.

**10. Actions taken regarding the child and/or other children in the home:**

*Safety · Compassion · Change · Teaming · Advocacy · Engagement · Accountability · Family*

Upon release from the hospital, the child was placed with relatives. There were no other children in the home.

**11. Whether the agency is or intends to provide direct services or service referrals to the family:**

The Department is providing services to the family.

\*The determination that a fatality or near fatality is the result of abuse, abandonment or neglect is based one or more of the following criteria: (1) The perpetrator(s) arrest related to the incident, (2) Substantiated finding(s) linking the alleged perpetrator(s) action(s) to the fatality or near fatality and/or (3) Results of the Medical Examiner's report.

\*\* Information released after July 3, 2015 provides reports, or any current or past cases, of abuse, abandonment or neglect involving the child or the alleged perpetrator pursuant to A.R.S. § 8-807.01(A)(1)(e).  
Posted information may be updated as new information becomes available.