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PRESS RELEASE

For Immediate Release

Date: May 7, 2008
Re: Gang Murder Trial Jury Verdict

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that **Pablo Lopez III, age 20, and Daniel Joseph Martinez, age 23**, were convicted of murder following a 4 week jury trial that commenced April 8, 2008, in Stanislaus County Superior Court. **Pablo Lopez III** was convicted of First Degree Murder and discharging a firearm while being an Active Participant in the Norteno Criminal Street gang causing death. **Daniel Joseph Martinez** was convicted of Second Degree Murder and for aiding and abetting **Pablo Lopez** in discharging a firearm causing death while being an Active Participant in the Norteno Criminal Street gang.

Pablo Lopez III faces a mandatory state prison sentence of 50 years to life.

Daniel Joseph Martinez faces a mandatory state prison sentence of 40 years to life.

Sentencing for both defendants will be June 3, 2008 before the Honorable Judge Donald Shaver who presided over the trial.

The incident occurred on December 8, 2005, at approximately 7:00 pm. Jefte Garcia, 17 years old, a Sureno gang member, took a can of black spray paint and began crossing out rival gang tagging that had been placed on the sidewalk in front of the Garcia house on Alamo street. The tagging read, "YGL X4." "YGL" represents the Norteno clique "Young Gangster Locos" and "X 4" is a common sign used by the Norteno Criminal Street Gang which represents the 14th letter in the alphabet, "N." **Pablo Lopez III and Daniel Joseph Martinez** confronted Jefte Garcia while he crossed out the gang tagging. Jefte Garcia was joined by his brother Jair Garcia, who was also affiliated with the Sureno Criminal Street Gang. A verbal argument began between the Garcia brothers and the two defendants.

The prosecutions' gang expert testified that **Pablo Lopez III and Daniel Joseph Martinez** are both members of the "YGL" Norteno Criminal Street Gang and that crossing out a gang member's tagging is a serious act of disrespect in the gang world. Acts of disrespect by rival gang members are often responded to with violence, including murder. Murder is one of the primary activities of the Norteno Criminal Street Gang.

During the verbal confrontation, **Pablo Lopez III and Daniel Joseph Martinez** walked up the driveway and front porch of a house occupied by Kristian Sandoval who was also associated with the YGL Norteno Gang. **Daniel Joseph Martinez** told Kristian Sandoval to “get me the gauge.” Kristian Sandoval handed a loaded sawed off shotgun to **Pablo Lopez III**. **Pablo Lopez III and Daniel Joseph Martinez** then walked back to Alamo street, re-engaging the Garcia brothers in the verbal dispute. **Pablo Lopez III** told Jefte and Jair Garcia to “go to the corner,” referring to the street corner down the street from the confrontation. When the Garcia brothers refused to go to the corner, **Pablo Lopez III** pulled out the sawed off shotgun which he had hidden behind his back. Both Garcia brothers ran away across the street near the front porch of their house on Alamo. **Daniel Joseph Martinez** told **Pablo Lopez III** “just do it.” **Pablo Lopez III** fired a single shot of magnum buck shot, striking Jefte Garcia in the face and arm. Jefte Garcia died instantly. **Daniel Joseph Martinez** was arrested two days later at a gang house on Hatch Road. Ammunition consistent with the shotgun round that killed Jefte Garcia was found at **Daniel Joseph Martinez’s** residence. **Pablo Lopez III** was arrested on February 2, 2006 after being on the run for two months.

Jair Garcia was shot and killed in an unrelated gang shooting on March 23, 2006.