



OFFICE OF THE  
**DISTRICT ATTORNEY**

Stanislaus County  
832 12<sup>th</sup> Street, Suite 300  
Modesto, CA 95354  
Mailing address: POB 442, Modesto, CA 95353  
Telephone: (209) 525-5550 Fax: (209) 525-5545

**Birgit Fladager**  
District Attorney  
**Carol Shipley**  
Assistant District Attorney  
Chief Deputy District Attorneys  
Jerry Begen  
Alan Cassidy  
Dave Harris

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**PRESS RELEASE**

**For Immediate Release**

**For More Information Contact:**

Date: 3/6/09

Carol Shipley, Assistant District Attorney

Re: Angel Cabanillas Convicted of Murder

Phone: (209) 525-5550

Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Angel Cabanillas, age 17, of Modesto, was convicted of Murder on March 5<sup>th</sup> following a one-month long jury trial. Deputy District Attorney Brad Nix prosecuted the case for the People.

The case arose on June 10, 2006, beginning around 6:00 p.m., when Cabanillas, then age 14, and his brother and co-defendant, drove to four homes in south Modesto. Cabanillas was the right front passenger. He and his co-defendants were all members of the Southside Trece's, a subgroup of the Surenos criminal street gang. After passing by a home on Almaden where a birthday party was underway, Cabanillas made gang signs and then drove the car away. There were approximately 20 to 25 adults and 10 to 15 children at the party, most of whom were in the front yard. The children were playing basketball and in an inflatable bouncer. Thereafter, the car returned to the house three times. Each time it came back, Cabanillas pulled out a rifle, pointed it at the partygoers and attempted to fire it. Cabanillas fired at least one shot at party goers on the first or second pass, and two more shots on the third pass. Two of the shots hit the interior of the attached garage, and the third and final shot struck Manual Rayas, then age 28, in the side of his chest. Mr. Rayas was attempting to flee into the house when he was shot. Mr. Rayas died a short time later at a local hospital. Mr. Rayas lived out of the county, was not a gang member, and was in the county for the day only to attend the birthday party of a friend. No one at the house on Almaden was a member of any gang, but one party attendee was wearing a red Joe Montana football jersey and is believed to have been mistaken for a gang member.

In between the second and third pass at the house on Almaden, the defendant's car went around the block and stopped at a house where a family was out in their driveway. The defendant pointed his rifle at each member of that family, beginning with a teenage girl wearing a red sweatshirt. He exchanged a number of angry words with the girl and her sister. The car then began to drive off, but stopped at another house two doors down, and again pointed the rifle at the occupants of that house. The defendant's car then went on around the block. Its muffler was so loud that the family was able to hear it as it came near them on the far side of the block by the house on Almaden. That family then heard the final shots of the third pass.

After the shooting of Manual Rayas on Almaden, Cabanillas and his co-defendants drove to a fourth house in south Modesto about a mile away. While there they yelled, “we’re scrappa’s,” at the victim, a known member of the Nortenos criminal street gang, and shot him as he ducked for cover, striking him in the leg. Members of the Modesto Police Department stopped the vehicle within approximately 10 minutes.

Cabanillas was convicted of: Murder in the second degree with enhancements for the use of a gun, committing the crime for gang purposes, and discharging a gun causing great bodily injury or death; shooting at an inhabited house, with two enhancements for committing the crime for gang purposes, attempted premeditated murder with a number of enhancements for the use of a gun, committing the crime for gang purposes, and discharging a gun causing great bodily injury or death, shooting from a car with a number of enhancements for the use of a gun, committing the crime for gang purposes, and causing great bodily injury, assault with a firearm, with enhancements for the use of a gun and committing the crime for gang purposes, a separate assault with a firearm, with enhancements for use of a gun and committing the crime for gang purposes, and committing a crime to benefit, aid, or in association with a criminal street gang.

The Honorable Timothy Salter, who presided over the trial, scheduled a sentencing hearing for April 2, 2009 in Department 1. Cabanillas faces multiple life terms in state prison.