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PRESS RELEASE

For Immediate Release

Date: August 21, 2017
Re: David Trujillo Aguilar
Murder conviction

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that David Aguilar, age 45, of Modesto, was convicted on August 16th of the murder of Lacy Ferguson and the shootings of John Richie and Adrian Cervantez as they stood outside a Modesto convenience store in 2003.

On August 24, 2003, Aguilar and fellow gang member Pete Garcia drove by the Quick Stop at Paradise and Carpenter Roads in Modesto. Aguilar began shooting at Cervantez who Aguilar considered a rival gang member. Twenty-five-year old Lacy Ferguson and her boyfriend John Richie were hit by Aguilar's gunfire.

Sheriff's detectives investigated all possible leads immediately after the killing but nothing definitively identified who the shooter was. With no further information available, the case went cold until 2014 when Lacy's Ferguson's mother, Boni Driskill, approached District Attorney Birgit Fladager requesting assistance in reopening the case. Fladager discussed the case with Sheriff Adam Christianson and he agreed to turn over the case files to Fladager's office.

"District Attorney Investigator Kirk Bunch was assigned to the case and managed to uncover evidence that led to the identification of David Aguilar as the killer," Fladager said. "Without Investigator Bunch's determination and tenacity, this case might still be unsolved after eleven years."

A criminal complaint charging Aguilar was filed in February of 2014. Aguilar had previously been deported to Mexico so Fladager's office began the long and complicated process of extradition. Aguilar was brought back to Stanislaus County in 2016.

Testimony during the trial showed that Aguilar was a lifelong member of the Norteno criminal street gang. Investigator Bunch testified before the jury that in the thirty-three times Aguilar was booked into the Stanislaus County Jail, he was housed in the Norteno cellblock. Other witnesses testified in the trial that on the night of the killing Aguilar and his partner were intent on shooting at any rival they could find.

Aguilar was convicted after a five-week long jury trial of first degree murder with a gun, two counts of attempted murder with gun and three counts of shooting at an occupied house or vehicle along with various enhancements for each count. Chief Deputy District Attorney Marlisa Ferreira prosecuted the case. Aguilar faces up to 61 years to life in state prison at sentencing on October 31, 2017 at 8:30 a.m. in Department 6.

Aguilar returns to court on September 13, 2017 at 8:30 a.m. in Department 6 when family members of the victims will be able to make victim impact statements to the Court.

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