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PRESS RELEASE

For Immediate Release

Date: June 24, 2022
Re: Nicolas Villela IV
DUI Vehicular Manslaughter Conviction
and Prison Sentence

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Modesto, California- Stanislaus County District Attorney Birgit Fladager announced today that Nicolas Villela IV, age 21, of Modesto was convicted on April 26, 2022 of vehicular manslaughter and other felony driving under the influence crimes and enhancements that resulted in the December 5, 2020 death of 20-year-old Francisco Diaz Lomeli and serious injuries to victims Deborah Mendez, Devin Redding, Ivan Villela and Chloe Songmouang and additional injuries to three other victims. Deputy District Attorney Ahnna Reicks prosecuted the case on behalf of the People.

On December 5, 2020, Villela had been drinking alcohol at a party in Modesto when he left with three passengers to pick up three more friends at the skateboard park in Oakdale. Villela was driving his white Nissan Altima which was equipped with a total of five seats and seatbelts. On the way there, Villela swerved into on-coming lanes of traffic. At the skateboard park, he picked up three additional passengers making a total of six in a vehicle designed to hold only four. Several passengers either did not have access to a seatbelt or chose not to wear one. Villela drove back to Modesto at speeds of up to 80 miles per hour while weaving within and outside his lane of travel.

At the intersection of Langworth and Claribel Road, Villela ran the stop sign and crashed into the passenger side of a car being driven by Deborah Mendez. Her passenger, 20-year-old Francisco Diaz Lomeli, was killed instantly. Mendez suffered a broken pelvis, ribs and serious internal injuries. All six passengers in Villela's vehicle received varying degrees of injuries from broken bones and lacerations to complaints of pain. Nineteen Good Samaritans, both residents and passing motorists, stopped to assist the injured people and extinguish the fire that started in Villela's vehicle. They waited until first responders arrived and provided statements.

At the scene, Villela was uncooperative, hostile and belligerent to emergency personnel who responded to the crash. He did admit to California Highway Patrol Officer Jason Evans that he had been driving too fast, he had previously known mechanical problems with his brakes and that he had been drinking alcohol before picking up his brother at the skate park and was heading back to Modesto. When emergency personnel tried to strap him to a gurney for transport to the hospital, Villela refused to follow orders, tried to remove the straps, kicked at emergency personnel and assaulted Officer Evans. Despite the serious nature of the accident where one person died, Villela was released from the hospital with only minimal injury.

A subsequent blood test showed Villela's blood alcohol level to be 0.149%, well above the legal limit of 0.08%. He was arrested and charged with felony vehicular manslaughter while intoxicated, felony driving under the influence causing injury, felony driving with a blood alcohol level of .08% or more causing injury and misdemeanors of driving without a valid license, battery on a peace officer and resisting arrest. Enhancements for causing great bodily injury to two victims were added to the charges along with enhancements for causing injury to three additional victims.

On August 20, 2021, a preliminary hearing commenced but faced multiple delays due to claims of COVID-19. On November 19, 2021, the court revoked Villela's bail and remanded him into custody after he presented a suspected fraudulent COVID-19 test result. The preliminary hearing concluded on December 8th after ten witnesses testified and 22 exhibits were admitted into evidence. During the three days of testimony, his passengers testified that Villela's driving made them worried, nervous and scared. Several of them told Villela to stop driving and slow down. At one point, Villela got so upset by his passengers' comments that he stopped the car, got out and briefly walked away before getting back into the driver's seat and continuing to drive at a high rate of speed up to the moment of the crash. Judge Dawna Reeves held the defendant to answer as charged on December 15, 2021.

At the arraignment on April 26, 2022, Villela pled guilty to vehicular manslaughter while intoxicated, driving under the influence of alcohol with a blood alcohol content over .08% and admitted the enhancements for causing great bodily injury to Deborah Mendez and Chloe Songmouang. The remaining counts were dismissed in exchange for the plea and a waiver regarding restitution to all the victims in those counts.

During his plea the defendant admitted circumstances in aggravation including: the fact that he had consumed a large quantity of alcohol that night; he drove a car with six passengers when the vehicle was only equipped to hold four; he refused to stop or slow down despite repeated requests from passengers who were alarmed at his weaving in and out of his lane and excessive speed; their complaints made him aware of his dangerous driving, caused him to stop his vehicle but then make the conscious decision to resume driving; he ran a stop sign and killed Francisco Diaz Lomeli in the other vehicle and caused injuries to seven people.

Judge Reeves then heard victim impact statements from Francisco Diaz Lomeli's family. The family recited how Lomeli's life was snuffed out by "someone else's irresponsibility, selfishness and bad decisions."

Judge Reeves then sentenced Villela to serve the aggravated term of 10 years in state prison for the vehicular manslaughter, 8 months for driving under the influence causing injury and 1 year for each of the two special allegations of causing great bodily injury. All prison terms were consecutive to each other for a total term of 12 years and 8 months in state prison.

These convictions count as "Strikes" under California's "Three Strikes" law which may be used in the future to increase any sentence if Villela re-offends and is convicted of a new felony after being released from prison.

The public is reminded that in the United States someone is killed by a drunk driver every 45 minutes and these deaths are entirely preventable. Don't drink and drive.

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