



# Office of the District Attorney Stanislaus County

**Birgit Fladager**  
District Attorney

**Assistant District Attorney**  
Jeffrey M. Laugero

**Chief Deputies**  
Marlisa Ferreira  
Wendell Emerson  
Michael D. Houston  
Mark Zahner

**Bureau of Investigation**  
Chief Terry L. Seese

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## PRESS RELEASE

### For Immediate Release

Date: May 16, 2022  
Re: Jose Cruz Nery Cuevas  
Domestic Violence First Degree Murder Conviction

### For More Information Contact:

John Goold, Public Information Liaison  
Phone: (209) 525-6909

Modesto, California – Stanislaus County District Attorney Birgit Fladager announced today that Jose Cruz Nery Cuevas, age 29, of Modesto has been convicted of first-degree murder in the killing of 19-year-old Andrea Castro who was the mother of his two children. Deputy District Attorney Samuel Luzadas handled the case on behalf of the People.

On January 11, 2016, Cuevas got into an argument with Castro that ended with Cuevas putting his hand over her mouth until she was unconscious. Cuevas was later arrested for that assault and a criminal protective order was issued requiring Cuevas to stay away from Castro.

Eleven days later, on January 22, 2016, Cuevas broke into Castro's home while she was away. He then texted the victim, telling her that he left money for her in the mailbox located in the front yard of the residence. When Castro arrived with their 1-year-old daughter, Cuevas later told police that they talked at first, but then began arguing. Cuevas claimed Castro started yelling and began to hit him. In response, he again put his hand over Castro's nose and mouth until she went unconscious. Cuevas then took their daughter and Castro's car and left the residence leaving Castro inside of the house where she died.

Cuevas drove to his mother's house and dropped off his daughter. He was then picked up by a friend who drove him south to Bakersfield. He was arrested in a diner by the Kern County Sheriff's Department after he called 911 to turn himself in.

Cuevas was returned to Modesto and interviewed by lead investigator Detective Sean Martin from the Modesto Police Department. An autopsy of the victim showed she died from lack of oxygen due to smothering. The pathologist also found blunt force trauma to the back of her head, something Cuevas was unable to explain away during his interview.

Cuevas was arrested and charged with Castro's January 22<sup>nd</sup> murder as well as attempted murder for the January 11<sup>th</sup> domestic violence assault. On May 6, 2022 just before a jury trial was going to begin the following week, Cuevas pled guilty before Judge Shawn Bessey to first-degree premeditated murder. The attempted murder count was then dismissed in exchange for the plea.

Office: 832 12th Street, Suite 300 Modesto, CA 95354 Mailing: PO BOX 442 Modesto, CA 95353  
Telephone: (209) 525-5550 Fax: (209) 558-4027 www.stanislaus-da.org



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Sentencing is currently set for July 5, 2022 in Department 2 before Judge Bessey. At that time, Cuevas will be sentenced to serve 25 years-to-life in state prison. As part of his plea agreement, he will not receive any custody credits from the date of his arrest in 2016 up to the date of sentencing.

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