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***** PRESS RELEASE *****

October 9, 2014

RE: People v. Marcial Garcia and Christian Botello, Case Number 1423851

Santa Barbara County District Attorney Joyce E. Dudley announced today that a jury in Santa Barbara convicted Westside gang members Marcial Garcia and Christian Botello of robbery and false imprisonment by violence or menace with criminal street gang allegations and active participation in Westside criminal street gang. In a separate bifurcated trial, the jury further found Mr. Botello had sustained a prior conviction for felony active participation in a criminal street gang in October 2001. Further proceedings regarding Garcia and Botello's prior convictions are scheduled for October 22, 2014, the Honorable Frank Ochoa presiding.

Just prior to jury trial, co-defendants and fellow Westside gang members Luis Jaimes and Juan Carlos Gomez pled to robbery and active participation in a criminal street gang. Mr. Jaimes was sentenced to 5 years state prison and Mr. Gomez was sentenced to 5 years, 8 months state prison.

On Sunday, August 26, 2012, just after 6:30 p.m., Garcia, Botello, Jaimes and Gomez drove into rival Eastside gang territory and stopped at the Mi Fiesta Market on Salinas Street. The defendants approached the victim, who was seated in his cousin's car, directly outside of the market. The victim's cousin was inside of the market. Defendant Botello knocked on the car window and asked the victim "where you from?" The victim was asked if he was with the guy in the store. When the victim said he "didn't bang," wasn't from anywhere and grew up on the Eastside, defendant Botello proceeded to open the car door, and remove items from inside the car.

Garcia and Botello robbed the victim of his wallet, cell phone, cash, social security and gas card while the victim was seated in his cousin's car. The defendants told the victim to keep looking forward and not to look at them. When the victim tried to get out of the car, defendant Garcia threatened to "stick" (stab) him. Jaimes and Gomez acted as look outs and stood by while the gang motivated crimes occurred.

Dedicated Santa Barbara Police Department gang investigators were able to identify the defendants based upon previous gang crime investigations involving these defendants and also linked them all to the crime by video footage of the crime, gang tattoos, fingerprint and cell

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phone evidence and witness identification. Jaimes remained on the run and wanted by law enforcement for over ten months before his arrest. His girlfriend at the time, Adriana Guerrero was arrested, charged and convicted earlier this year of harboring a wanted felon after she admitted to police she assisted him knowing he was wanted for robbery.

District Attorney Dudley says, "The SBPD Gang Investigators and Senior DDA Kimberley Siegel did an extraordinary job investigating and prosecuting this case. This jury also worked especially hard at applying the facts to the law and coming up with a just verdict. Clearly, gang members preying upon innocent unsuspecting citizens in our community will not be tolerated."

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