

TRIAL VICTORIES JUNE 2023

- Congratulations to Felony Division Chief Marie Mato and Sexual Battery Unit Chief Natalie Snyder who secured a verdict of guilty as charged on two counts of Second-Degree Murder in the 2015 deaths of Wilber Salgueiro and David Edward Hilbert, Jr.

On July 21, 2015, Wilber Salgueiro (Will) and David Edward Hilbert, Jr. (Big Dave) were working at the Mint Lounge in Miami Gardens. Will was an armed security guard assigned to the outside and Big Dave was a bouncer working at the door. Shortly after midnight, the Defendant arrived with his cousin and met his brother and his brother's girlfriend there. At 3:43 a.m., the Defendant walked out of the Mint Lounge, returned to his car in the parking lot, and remained there. About 20 minutes later, his brother's girlfriend and another female patron inside the club got into a physical altercation. As a result, they were all kicked out of the club. The inside security guard who escorted them out testified at trial about those events and what happened next. Once outside, the Defendant's brother and his girlfriend refused to leave and started arguing with security, including Will and Big Dave. The events outside were captured in part by cellphone video from a witness who testified at trial. It was also captured in its entirety by surveillance cameras at the Miami Gardens Police Department, which is next door to the Mint Lounge.

The Defendant ran over, but instead of grabbing his brother and leaving, he escalated the confrontation. He is seen and heard on the cellphone video telling Will, "Don't make no threats!" However, no threat is heard and no one in the group reacts to a threat. At that point, the cellphone video ends but the police surveillance cameras captured what occurred. The Defendant's brother, who is unarmed, aggressively charges towards Will, who is armed. Will pushes or punches him but pulls no weapon and does not use his mace or baton.

Upon seeing Will punch his brother, the Defendant pulled out a .45 caliber Glock with an extended clip from his waistband and started shooting at Will, who was struck twice in the left thigh area as he tried to get away. Will can be seen on video returning fire as he is falling before the Defendant fatally shot him in the head. Big Dave reacted to the Defendant shooting at Will by pulling out his concealed .45 Ruger and firing 6 shots. However, the Defendant turned and fatally shot Big Dave in the head, who collapsed and died on scene. Then the witness who took the cellphone video grabbed Big Dave's firearm and shot 3 times. The manager of the Mint Lounge, who also testified, heard the shooting from his office and ran outside with his firearm, a .40 cal Beretta. He fired one time at the Defendant as he was driving away in his car with his cousin.

On their way to Jackson Memorial Hospital North at some point, the Defendant or his cousin tossed the murder weapon out the window onto a residential street in North Miami Beach. The firearm was reported by a resident and recovered by North Miami Beach Police later that morning.

The scene was total chaos as police officers and Fire Rescue trucks arrived. Will was taken to Aventura Hospital where he is pronounced deceased. The Defendant's brother, who was shot as well, was also taken to Aventura Hospital by Fire Rescue. He survived. A projectile was recovered from his body during surgery and later collected as evidence.

Dr. Emma Lew, former Medical Examiner, performed autopsies on the bodies of Big Dave and Will. She testified that Big Dave died from the bullet to the head, which she recovered. She also testified that Will was shot twice in the left thigh and once fatally in the head. She recovered one projectile from each place. Dr. Lew explained that Will must have been running away because the projectile stuck his leg back-to-front and that he could not have discharged his weapon if he had been shot in the head first. Dr. Lew's testimony, the surveillance video, the location of the casings, and the eyewitness testimony were all consistent.

In total, 35 casings, 8 projectiles, and 4 firearms were collected by Crime Scene Investigators, submitted to the Miami-Dade Crime Lab, and tested by Criminalist Magen Roberts who linked the projectile recovered from the Defendant's brother to Will's gun and the 3 projectiles recovered by the Medical Examiner to the Defendant's gun.

The Defendant testified that he was defending his brother's life and his own life. He was cross examined on his prior inconsistent statements in a post-Miranda statement to police upon being released from the hospital 9 days after the shooting. He claimed he had seen Will fire his weapon twice at his brother and that he had to fire his weapon in defense of his brother. He said that he had to shoot Big Dave because he was shooting at him. The State put on a rebuttal case and recalled the lead detective to play the entire video recorded statement. His testimony was contradicted by the witnesses' testimony and the videos. The jury found him guilty beyond a reasonable doubt.

Special thanks to Trial Coordinators Janet Gonzalez and Daniella Arguello, Homicide Counselor Idalma Gurruchaga, and Victim/Witness Supervisor Maria Diaz for their support and dedication.

- Congratulations to Felony Division Chief Cristina Diamond and ASA Deanna Andrews for securing guilty verdicts on charges of First-Degree Murder and Child Abuse. The Defendant was immediately sentenced to a mandatory life sentence following the verdict and pled guilty to the remaining charges of Aggravated Battery on a Law Enforcement Officer and Battery on a Detainee.

On October 22, 2016, the Victim bought dinner on her way home. Unbeknownst to her, the Defendant was waiting in the parking lot of the restaurant, with his girlfriend and her 3-year-old daughter, looking for someone to rob. The Defendant followed the Victim out of the parking lot and back to her house a couple miles away. He switched seats with his girlfriend and jumped out of the front passenger door to commit the robbery. The Defendant struggled to pull the Victim's purse off her arm as he dragged her towards the open passenger door of the truck. He yelled at his girlfriend to go as he pulled the purse away. Consequently, the Victim was killed when she fell under the tire of the pickup truck as the girlfriend

drove away. A few neighbors heard the Victim scream and saw a silver pickup truck drive off.

Responding officers originally thought they were being dispatched to a traffic homicide, but they quickly noticed the Victim's belongings strewn across her driveway and a child's sneaker, which did not belong to the Victim, in the roadway. Investigators were able to obtain surveillance camera footage from a few neighbors' houses that showed the silver pickup truck following the Victim home, but it was too dark to see inside the truck or the license plate.

Investigators retraced the Victim's last steps and got crucial surveillance footage from the restaurant parking lot where they could see a male, a female, and a young child inside the pickup truck. SunPass records were obtained that show the silver truck going southbound minutes after the Victim was killed. SunPass photos showed a male with tattoos consistent with the Defendant's driving the truck, a young child in the middle, and a woman in the passenger seat holding a purse consistent with the Victim's.

The girlfriend was apprehended at a check cashing store a few days later when she tried to use checks from the Victim's purse. She assisted detectives in locating the Defendant and the Victim's purse at the trailer where she lived in with her father, daughter, and the Defendant. As they attempted to apprehend the Defendant, he tried to run over the officers. They shot him in self-defense. The Defendant's girlfriend pled in 2019 and agreed to testify against the Defendant at trial, which she did.

The State corroborated her testimony with the fingerprint examiner, who found the Defendant's palmprint on one of the Victim's documents found inside the trailer, the Victim's sister who identified the purse and documents, the DNA analyst who matched the Victim's DNA to the purse found in the trailer, and the SunPass witness who verified the timestamps on the SunPass images.

The Defense's strategy at trial was to argue that the jury should find the Defendant was not liable for felony murder because he could not have foreseen the girlfriend's "independent act" of killing the Victim by driving over her. The State argued that he was in the best position to see and know what was happening when he told his girlfriend to drive. Although this case was expected to go to trial in late March 2020 (when the case was

already over 3 years old), the COVID-19 pandemic and the long-time defense attorney's decision to close his practice in December 2021 delayed the trial even further.

Special thanks to thank Homicide Counselor Idalma Gurruchaga, who has been by the Victim's family's side for almost 7 years, Trial Coordinators Stephany Mercado and Nelson Escobar, and Unit Supervisor Carla Ribie, who worked continuously to make sure we had support despite being pulled in multiple directions at the same time.

- Congratulations to ASA Joseph-Robert Forman and Division Chief Khalil Madani for securing a guilty verdict on one count of Second-Degree Murder, two counts of Attempted Second Degree Murder and one count of Possession of Firearm by Convicted Felon.

On January 2, 2021, a drive-by shooting occurred in Overtown that left one victim dead and two victims injured. The Defendant was driving a black Mercedes when he and his backseat passenger fired nearly 30 rounds into a parked vehicle occupied by three victims. The entire homicide was captured on RTCC surveillance.

Five days later, law enforcement located the black Mercedes and discovered that it was a rental vehicle and that the Defendant returned it nearly 40 minutes after the homicide.

Prior to returning the vehicle, the Defendant texted the vehicle owner that there was damage to the roof (which was consistent with the State's theory that the pressure from the firearms blew out the sunroof). The owner identified the Defendant as the individual who rented and returned the vehicle. Through an extraction of the vehicle owner's cellphone, Detectives were able to obtain the text messages from the Defendant along with a photo depicting the damage to the sunroof of the black Mercedes.

In April 2021, one of the firearms used in the homicide was recovered from a close associate of the Defendant. In May 2021, the other firearm used in the homicide was located inside the Defendant's apartment during the

execution of an FBI search warrant. The Defendant was subsequently federally indicted for possession of firearm by felon and via a factual proffer, he admitted to possession/ownership of one of the murder weapons.

Detectives were able to obtain Facebook records that showed the Defendant wearing clothing/jewelry consistent with what was depicted on the surveillance. Detectives also obtained the Defendant's iCloud records that included videos and photos of the Defendant and his associates brandishing one of the murder weapons both days before and after the homicide.

The case was entirely circumstantial and was pieced together via surveillance videos, cell sites, Facebook records, iCloud records and jail calls. Both surviving victims were uncooperative and did not testify at trial.

Special thanks to Secretary Evika Jones and Paralegal Mary Ann Myskiw-Jones for handling travel arrangements, ensuring all witnesses were available for trial and overall requests; Homicide Counselor Andrea Marquez for providing continuous victim support both in and out of the courtroom; and Litigation Support Unit members Angel Del Castillo and Rene Ferrer for exhibit presentation and courtroom technology.

- Congratulations to ASA Vianca Picart and Repeat Offender Court ASA Andrea Piloto for securing a guilty verdict on one count of Kidnapping, one count of Robbery, one count of Carjacking, and two counts of Fraudulent Possession or Use of Personal Information. The Defendant will receive a mandatory life sentence as a Three-Time Violent Felony Offender.

On October 24, 2018, the Victim was picking up a co-worker before work. While he was waiting in his car at his co-worker's house, the Defendant, who was known to the Victim for years as "Twin," entered the Victim's car and pointed a firearm at the Victim. He ordered the Victim to drive to a different location and stop in front of an abandoned house. There, the Defendant demanded the Victim's belongings, including his wallet and the credit cards in it. Then he used the Victim's phone to call the "1-800" number on the back of the card and found out that the victim had \$7,000 available. Next the Defendant demanded the last four digits of the Victim's social security number at gunpoint, which he used to change the Victim's pin number.

The Defendant forced the Victim at gunpoint to drive again. When the Victim saw a marked police car waiting at a red light in the opposing lanes at a main intersection, he drove straight for the police car like he was going to crash into it. The two officers inside "braced for impact," but the Victim slammed on the brakes and stopped just short of hitting the police car. Then the Victim jumped out of the car yelling, "I'm being robbed!" The Defendant jumped from the passenger seat to the driver seat of the Victim's car and drove off. He abandoned the car two blocks away and fled on foot.

The officers set up a perimeter but responding officers were not able to find him. The Defendant moved quickly to steal more from the Victim. He visited three ATMs and withdrew \$2,400 of the Victim's money. Two of the three ATMs locations recorded the Defendant withdrawing the money, and one video showed his face very clearly. The Defendant was located and arrested a month after the crime occurred, but the firearm he used was never recovered.

The Defendant testified at trial that he dropped off his child at school and went to work that day. He denied that he was the person on the ATM video. He admitted that he and the Victim knew each other for many years. He also admitted that he knew the Victim routinely gave his co-worker rides to work.

Although forensic testing of the car yielded no usable DNA or helpful fingerprint evidence from the Defendant, the Victim's identification of this person who was known to him, his solid testimony, the ATM video of the

Defendant withdrawing the Victim's money, and the bank records, were sufficient to convince the jury that the Defendant was guilty beyond a reasonable doubt.

Special thanks to Victim Witness Specialists Adeola Obadeyi and ReAnne Drayton; Lead Worker Asher Marie Coates; Trial Coordinators Tianna Whittaker, Andres Stolk-Cocco, and Mary Clifford; Division Secretary Jerry Pierre; Travel Coordinator Miro Norman; Litigation Support Multimedia Technicians Angel Del Castillo, Rene Ferrer, and George Washington III; and interns, Ryan Shields and Schuyler Pierson.