

Trial Victories April 2023

- Congratulations to Senior Trial Counsel Laura Adams and Sexual Battery Unit Chief Natalie Snyder for securing guilty verdicts on First-Degree Murder and Armed Burglary with an Assault or Battery charges in the trial of Miguel Ruiz Lobo. Lead Detective Rolando Garcia investigated this case before he retired from the City of Miami Police Department and became a State Attorney's Office Investigator.

The Victim was an 11-year-old girl named Martha Denora Guzman. She was only 4'8" tall and 61 pounds. On the morning of Sunday, June 22, 2014, Martha's mother had to go out for a while and planned to take Martha, but she asked to stay home and sleep instead. Martha's mother agreed. While her mother was away, the Defendant, who was the mother's estranged boyfriend, somehow entered the apartment. He choked and stabbed Martha to death. He slashed Martha's wrist to the bone and left a knife impaled in her neck. A few hours later, her mother came home to discover her daughter in this horrific state.

The Defendant returned to the crime scene when the police arrived and approached the officers to ask what had happened. The police noticed he had fresh scratches on his face and arms. A sample of the Defendant's DNA was collected, and it was discovered that his DNA was under Martha's fingernails. She had scratched him while she was fighting for her life against this 6'4" 220-pound man. The police also found grainy video surveillance footage from a neighbor's camera that appeared to show the Defendant walking to the Victim's home at about 10:27 a.m. and leaving at about 11:00 a.m. The Defendant denied any wrongdoing and tried to make it seem like the Victim had committed suicide, knowing that she had a history of cutting herself.

The jury found the Defendant guilty as charged and the case went forward to the death penalty phase of the trial. After hearing from two defense experts, the jury unanimously found that the mitigation presented by the defense was outweighed by the aggravating factors that supported a vote for the death penalty. However, the jury did not unanimously agree that he should be sentenced to death, as was required by law when the trial began.

Martha's mother and sister told the judge about what a joyful, smart, and loving child Martha was during the victim impact portion of the sentencing hearing. The judge imposed a sentence of Life in Prison without the Possibility of Parole for the crime of First-Degree Murder and imposed a consecutive sentence of Life in Prison for the charge of Armed Burglary with an Assault or Battery.

Special thanks to several SAO employees who were invaluable to securing this result:

- Andrea Marquez, Homicide Counselor, for being a source of strength and comfort for the victim's family for nearly 9 years (as well as an amazing translator);
- Sherri Reaves, Trial Coordinator, for ensuring all the witnesses were at the courthouse when needed, managing many of the logistics of the case, and doing background screens for hundreds of jurors;
- Janet Gonzalez, Leadworker, for contacting Spanish-speaking witnesses to advise them when they were needed in court and for ordering expedited transcripts;

- Rene Ferrer, Litigation Support, for creating many trial posters and conducting video redactions of the 911 calls and the Defendant's statements;
 - Angel Del Castillo, Litigation Support, for assisting with technology in the courtroom;
 - Kenneth Johnson, Facilities Management, for bringing a table from the SAO to the courtroom for a trial demonstration;
 - Trevon Gayle, Division Secretary, for bringing a child-size mannequin to the courtroom for a demonstrative evidence exhibit.
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- Congratulations to Sexual Battery Unit (SBU) ASAs Jacob Castineira and Meagan Sarraff for securing a guilty verdict on two counts of Lewd and Lascivious Molestation on a Victim Under the Age of 12, a first-degree felony, and two counts of Sexual Battery on a Victim Under the Age of 12, a Capital Felony. The Defendant will receive a mandatory life sentence.

On September 20, 2020, in the height of the pandemic, the Victim reported to police the sexual abuse she suffered 20 years before at the hands of her stepfather. The abuse began with acts constituting lewd and lascivious molestation when the Victim was only eight years old. It escalated to sexual battery when she was nine years old. The Victim was able to vividly recall certain specific facts about the sexual abuse, but she did not readily recall the exact dates on which they took place. She was able to testify to date ranges during which these crimes occurred by relating the incidents to events in her life such as birthdays, the arrival of a family member into the country, and breaks from school.

This case was challenging, of course, because there was no physical evidence that could be presented at trial. Additionally, the defense sought to attack the Victim's credibility by showing that she never disclosed the abuse to anyone during the intervening 20 years. Thankfully, the City of Miami Police recorded a "controlled telephone call" between the Victim and Defendant during their investigation. During that call, the Defendant stated that he did not remember the incidents because he was "probably drinking or something." When the Victim asked him why he sexually abused her, the Defendant stated that "it could have been some attraction or something."

The Victim's testimony was moving and incredibly impactful. The jury found her to be credible and promptly returned a verdict of guilty on all counts.

Special thanks to Trial Coordinators Bertreece Wilder, Valerie Ford, and Charlotte Haslem for their assistance in preparing the case; Victim/ Witness Counselors Smirne Syndic and Nancy Germeille for ensuring the presence of the witnesses; the entire Litigation Support Unit for assisting in the presentation of the evidence; and the Legal Division for their legal assistance mid-trial.

- ASAs Maritza Clop Liriano and Ashley Moussa Martinez secured convictions for a 2019 Attempted Second Degree Murder and Armed Robbery with a Weapon after a week-long trial.

The Defendant, who was the Victim's ex-boyfriend, arrived uninvited to her house, attempting to shower her with gifts while pleading with her to take him back. When that did not work, the Defendant led the Victim into her kitchen where he essentially trapped her between himself and the kitchen counter.

There, the Defendant grabbed the largest knife from the Victim's knife block and stabbed her multiple times in the neck, shoulder, arm, and back. The Defendant then dropped the knife and grabbed the Victim's cell phone from her dining room table just outside the kitchen before running out of the apartment. The Victim was rushed to the hospital on a medivac helicopter and was treated at Jackson Memorial Hospital trauma center. She survived her injuries but was left with visible permanent scarring which she eventually covered with elaborate tattoos to avoid the constant inquiries and comments that consistently retraumatized her by making her relive the day the Defendant almost killed her.

The Victim's moving and overwhelming testimony was supported and corroborated by her minor son, who was eleven years old at the time of the incident and was able to identify his mother's attacker to the police shortly after the incident.

During the trial, the defense argued that the Victim was lying, and the Defendant was never at her apartment. They suggested to the jury that the attacker was someone else—maybe her boyfriend at the time, or her roommate. They also indicated that the Victim was continuing to cooperate in the State's case because she was hoping to receive some form of monetary or immigration benefit. The State was able to overcome the defense's theory of the case by placing the Defendant at the scene through the introduction of CCTV footage from the Victim's apartment complex showing his vehicle arriving just before and leaving just after the brutal attack.

The State also introduced the Defendant's credit card bearing his name and a gold chain that he brought as gifts for the Victim to try to win her back as well as text messages from the day before the attack where he repeatedly insisted that he would come to the Victim's house on the day of the attack despite her repeated attempts to tell him not to come.

The State also introduced two 911 calls. In one, the Victim's roommate's girlfriend told the police that her boyfriend, the Victim's roommate, was at work and that she had just jumped out of the window in fear of the sounds and screams for help from the violent attack that had just transpired inside the apartment. In the other call, the Victim's minor son identified the Defendant by name as the attacker. The State also brought out testimony from the Victim that she had gained her permanent residency in 2021 because of a domestic incident with her ex-husband and was testifying at trial in 2023, four years after the attempted murder, without any hope or promise of financial or immigration benefits from the police, the State, or the Federal government.

Special thanks to Victim/ Witness Counselor Pedro Mayorga and Domestic Violence Counselor Avry-Ann Whyte-James.

- Congratulations to ASAs Wally Hernandez and Career Criminal Assistant Chief Kioceaia Stenson for securing a guilty verdict on charges of Attempted Premeditated Murder, Possession of a Firearm by a Convicted Felon, and Fleeing to Elude Police. The Defendant faces a mandatory life sentence as a Prison Releasee Reoffender at sentencing.

On July 11, 2018, the Victim was robbed by the Defendant which caused him to fear for his life. Also, since the robbery occurred, the Victim was stalked by the Defendant's "associates", so he attempted to obtain a firearm from his "friend" for protection. He made plans to meet the friend in the early morning hours of July 13, 2018. While attempting to call him from the meeting location, the Defendant pulled up to the Victim in a Silver Acura and said, "I heard you were looking for me!?" The Defendant then pointed his firearm out the driver's side window and began shooting the Victim. The Victim ran but the Defendant drove after him while simultaneously firing at him through the open car window. The Victim was struck by four or five bullets and left for dead. However, the Victim's life was saved by a MDPD officer who administered first aid while waiting for the ambulance. The only evidence left on scene were the shell casings found on the ground.

A couple of days later, the police spotted the Defendant in the same Acura he used in the attempted murder leaving a "Trap House" where illegal drugs are sold and used. When they attempted to pull over the Defendant, he led numerous MDPD officers on a high-speed chase that lasted more than 15 minutes, reached speeds up to 90 MPH, and ended only when the Defendant broke an axle on the vehicle and crashed into a fence. He then fled on foot but was quickly apprehended. A firearm was discovered in the center console of the crashed Acura, which turned out to be a stolen vehicle. Forensic analysis revealed that the shell casings found at the scene of the attempted murder of the Victim had been fired from the firearm recovered in the stolen Acura.

The Victim gave passionate testimony, bravely reliving the traumatic ordeal. He displayed his gruesome wounds to the jury, which helped to paint a vivid picture of the severity of the crime. The jury heard from DNA, fingerprint, and firearm experts whose testimony helped convince them that the State had proved the Defendant guilty beyond a reasonable doubt.

Special thanks to Victim-Witness Coordinator ReAnne Drayton for her assistance throughout the trial process.

- ASAs Rose Daragjati and Richard Moncada secured a guilty verdict on one count of Battery and one count of Criminal Mischief. The incident occurred between the Defendant and her brother-in-law (Victim). In a fit of rage while arguing with his sister (Victim's wife) over a family matter, the Defendant charged at the Victim and snatched the chains off his neck, which tore his skin and broke the chains in the process. The defense argued that the police arrested the wrong person. They alleged that the Victim was carrying a firearm and had been drinking at the dinner party where the incident took place. Further, the defense attempted to attack the motives of the Victim by bringing up a civil case at which the Defendant refused to testify on behalf of the Victim. The defense was not successful in their argument. The Defendant was adjudicated guilty and was sentenced to 12 months of reporting probation and he must successfully complete an anger management course, undergo a mental health evaluation and treatment, if necessary, complete 100 community service hours, and pay restitution.

- ASAs Aleksander Kohn and Melissa Rodriguez secured a guilty verdict on one count of Resisting an Officer Without Violence. The Defendant has multiple social media accounts in which he creates content that seeks to interfere with and/or provoke law enforcement officers throughout the county in the execution of their duties. In this case, a Sweetwater police officer had just initiated a traffic stop on a vehicle on a desolate road and confiscated a firearm from the driver. While investigating into whether the gun was stolen, the Defendant approached the stop and began to film while standing in the only safe path to the stopped vehicle, as this took place on the shoulder of a busy roadway. Despite multiple commands from the officer to back away for his safety, the Defendant refused to comply. He was subsequently taken into custody. During trial the ASAs were able to introduce the Defendant's own statements that he had approached officers on previous occasions.

Case Update:

Defendant Catherine Areu Jones took a plea on April 3, 2023, to a charge of Second-Degree Theft and was sentenced to 8 years of probation in an Elder and Vulnerable Adult (EVA) Unit case where the Victim is the Defendant's elderly mother. In open court, Areu executed a quitclaim deed prepared by the Victim's civil lawyer turning over her share of ownership of the Victim's residence back to the Victim. This satisfied full restitution with the exception of the approximately \$4,000 which will be obtained from the yet uncharged co-Defendant. The Victim is now able to sell the house and use the proceeds to pay for her care for her remaining years

Unfortunately, per the Victim's civil lawyer, under the terms of the reverse mortgage contract the Defendant convinced the Victim to sign, the Victim was going to lose her house because she was no longer occupying it. The Victim, who is now 92 and no longer able to live alone, had to move to an ALF at the beginning of the year. The State had only a few months before the lender could proceed with contractually taking the house.

Areu also relinquished her right to inherit, be a guardian, personal representative, executor, or trustee over the Victim and/or her estate and is required to make no contact with the Victim.

This case is a perfect example of the tremendous work our EVA Task Force does on behalf of our elderly and vulnerable adult victims.