

'I'll try this case till hell freezes over': Jury hangs in murder case against alleged San Pablo gang members

By NATE GARTRELL

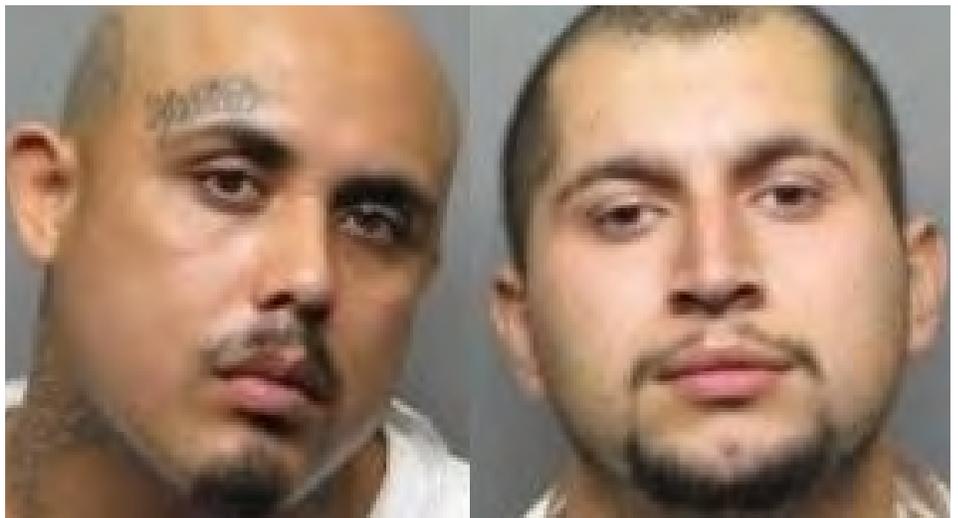
The jury in a San Pablo murder case could not reach a verdict against either defendant, after more than a week of deliberations, it was announced Thursday.

The 12 jurors were essentially evenly split; they leaned 7-5 in favor of convicting Jose Maravilla, 20, and went 7-5 in favor of finding Ignacio Sanchez-Gomez not guilty. The two were charged with murdering San Pablo resident Adrian Segoviano-Hernandez, 22, during a nighttime shootout last September.

The defendants were also charged with attempted murder of four others who were standing with Segoviano-Hernandez. One of them had his own gun and returned fire. During trial, he was called as a defense witness and refused to testify.

Prosecutors were unable to say

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Ignacio Sanchez, left, and Jose Maravilla were arrested in connection with a Sept. 10 San Pablo homicide.

which of the two defendants they believed was the shooter, but argued the pair had worked together as gang members to attack the group.

After a mistrial was announced, both defense attorneys said they were ready to re-try the case as many times as county prosecutors wanted to, and reasserted that their clients were not guilty.

“I’ll try this case till kingdom come, till hell freezes over, because (Sanchez-Gomez) is not guilty,” defense lawyer Jack Weiss said. “They don’t have a case.”

A statement from Senior Deputy District Attorney Mary Knox indicated prosecutors were ready for the challenge.

“The District Attorney’s Office is confident that, upon retrial, the video and DNA evidence, the defendants’ admissions and the evidence of their gang membership that lead to this senseless killing will result in the defendants’ conviction of gang-enhanced murder,” Knox said in a written statement.

The prosecution’s case included grainy videos that showed people walking near and leaving the scene of the shooting at various points throughout the night. There were also pieces of witness statements who saw people running from the area, and DNA on clothes left in a trash can nearby that tied to

both defendants.

Both defense attorneys, in one way or another, pointed fingers at Sanchez-Gomez’s brother; Weiss argued that Maravilla may have committed the shooting to impress the brother, but that his client had nothing to do with it. Maravilla’s attorney, Evan Kuluk, said Sanchez-Gomez’s brother was the real shooter.

Bruce Gerstman, a private investigator who worked for the Weiss, said that he believed Sanchez-Gomez was innocent.

“You have nobody able to identify the shooter, you have no gun, you have no credible motive,” Gerstman, a former Contra Costa Times reporter, said. “If the DA’s office retries this case, they need more evidence, as well as a suspect who actually committed this killing.”

Weiss also said his client’s gang tattoos were tantamount to Batesian mimicry, like harmless butterflies or snakes that look similar to other lethal species. Weiss also argued that the shooter had fired from more than 40 yards away so it was impossible to tell who was the intended victim.

Adding the confusion, the brother testified during trial, donning a clothing that explicitly pronounced his gang membership, and admitting he was a longtime gang member on

the stand. Prosecutors argued that Segoviano-Hernandez was killed for wearing red, a rival gang color.

“I think the split being so far down the center tells us something,” Kuluk said. “The prosecutor put on their full case...They’re never going to tell a clean story, no matter how many times or how many trials their evidence is viewed.” ■