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

December 24, 2014

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

Santa Barbara County District Attorney Joyce E. Dudley announced today that Marcial Garcia was sentenced to 35 years in prison and Christian Botello was sentenced to 21 years in prison, after a jury convicted them in October of robbery and false imprisonment by violence or menace with criminal street gang allegations and active participation in the Westside criminal street gang.

In a separate bifurcated trial, the jury further found Botello sustained a prior conviction in 2001 for felony active participation in a criminal street gang. In a court trial held several weeks after the verdicts, the Honorable Frank Ochoa found that Garcia also sustained prior convictions for the crimes of robbery and active participation in a criminal street gang in 2006 and grand theft person with criminal street gang allegations in 1999. Co-defendants and fellow Westside gang members Luis Jaimes and Juan Carlos Gomez pled to robbery and active participation in a criminal street gang prior to trial; Jaimes was sentenced to 5 years prison and Mr. Gomez was sentenced to 5 years, 8 months state prison.

On August 26, 2012, Garcia and Botello drove into rival Eastside gang territory with codefendants Jaimes 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, while the victim's cousin was inside of the market. 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 and when the victim said he "didn't bang," wasn't from anywhere and grew up on the Eastside, Botello proceeded to open the car door, and steal several items from the victim while he was seated inside the car.

Garcia and Botello stole the victim's wallet, cell phone, cash, social security and gas card. 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, Garcia threatened to "stick" (stab) him. Jaimes and Gomez acted as look-outs and stood by while the gang motivated crimes occurred.

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District Attorney Dudley says, "As a result of the rigorous investigation by Santa Barbara Police Department Gang Detectives and the focused prosecution by Senior DDA Kimberly Siegel, dangerous gang members will once again be sent to prison for decades."

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