

Manual Perez sentenced to 24 years in state prison

Defendant Manual Perez was sentenced June 21, 2001 to 24 years in state prison after being convicted by a jury of 1st degree robbery. The jury also found that defendant personally used a firearm during the commission of the robbery and that the robbery was committed to benefit a criminal street gang.

On December 20, 2000, victim Jorge Jara entered the Quik Stop Market in Modesto to use the ATM. When Jara exited the Quik Stop, defendant asked Jara for a light for his cigarette. Defendant was the passenger in a vehicle being driven by an unidentified accomplice. As Jara approached defendant, defendant brandished a sawed-off shot gun. Defendant proclaimed "I am a straight up Norteno - give me your money." Jara handed defendant the \$20 he just received from the ATM. Defendant poked Jara in the chest with the gun and stated, "lets go behind the store."

Fearing for his life, Jara somehow managed to wrestle the gun away from defendant. When defendant aggressively approached Jara, Jara attempted to fire the gun at defendant's legs. Despite being fully loaded the gun failed to fire. Jara ran away on foot into a nearby McDonald's restaurant, holding the gun over his head to assure the McDonald's customers he was not attempting to rob the store. Defendant chased Jara into McDonald's and pointed his finger at Jara.

Police apprehended defendant at gun point a short distance from McDonald's. Defendant was talking on a walkie-talkie when the police first observed him. Eye witnesses described another unidentified man crouching in the nearby bushes talking on a walkie-talkie at the time defendant was apprehended.

A Modesto gang expert detective testified before the jury about defendant's long time association with the Norteno criminal street gang and how the armed robbery benefitted the Norteno gang in a number of ways, chief of which is the fear of gang members and the notoriety gained by such violent conduct.

Defendant was sentenced to 4 years for the robbery, 10 consecutive years for the gun use enhancement, and 10 consecutive years for the gang enhancement for a total of 24 years. Defendant will be eligible for parole after he serves 20 years and 4 months.