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PRESS RELEASE

For Immediate Release

Date: August 1, 2012
Re: People v. Pedro Alvarez
Case No. 1439161 & 1441031

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that on July 12, 2012, in Department 1 of the Stanislaus County Superior Court, Judge Dawna Reeves sentenced defendant Pedro Alvarez to a total term in state prison of 23 years and four months. Alvarez will have to serve 85% of his sentence before he is eligible for parole since the commitment offenses are considered violent felonies.

On December 2, 2011, while in a small retail business known as Kano's Smoke Shop located at 1309 Yosemite Boulevard in Modesto, Alvarez pulled a loaded .40 caliber Glock semi-automatic handgun and pointed it at two customers and the store clerk. He ordered them not to move or he would shoot them. He then shot one round into the ceiling of the store. While his attention was focused on taking money, knives and cigarettes, the two customers and the clerk fled from the store. One of the customers, Michael Washington, ran to a nearby store and called 911. Officers from the Modesto Police Department arrived as Alvarez was leaving the store. After a struggle, officers were able to disarm Alvarez and arrest him. While in custody, Alvarez severely beat a fellow inmate which resulted in additional charges being filed against him.

Several years ago, Alvarez, a Cuban immigrant, had served a prison term for assault with a deadly weapon and for assaulting a fellow inmate. While he was in custody for those offenses in state prison, he was caught in possession of heroin and was subsequently charged with and convicted of felony possession of a controlled substance in prison.

A jury convicted Alvarez of three counts of assault with a semi-automatic firearm and one count of negligent discharge of a firearm in case number 1439161. After a court trial, Judge Reeves found that the defendant had a prior conviction for purposes of sentencing that qualified under the "Three Strikes" law. Alvarez pled guilty to the felony assault charge in his second case. The judge sentenced him to a total of 23 years and four months in prison for both cases.