



# Office of the District Attorney Stanislaus County

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## PRESS RELEASE

### For Immediate Release

Date: December 16, 2022  
Re: Rene Rodriguez Franco  
Attempted Murder Life prison sentence

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**Modesto, California** - Stanislaus County District Attorney Birgit Fladager announced today that on December 13, 2022 Rene Rodriguez Franco, age 48, of Modesto was sentenced to 86 years and 8 months to life in state prison for the July 2019 attempted murder of a mother and the mutilation of her young son. Deputy District Attorney Sara Sousa prosecuted the case for the People.

On July 12, 2019 at approximately 10:30 P.M., officers of the Modesto Police Department were dispatched to an alley behind Melrose Ave in Modesto for a reported stabbing. Once there, officers found a 44-year-old female victim covered in blood from multiple stab wounds. Her 5-year-old son was with her and had two cuts to both sides of his face extending out and upwards from his lips.

The victim told investigators she had been in a dating relationship with Franco and earlier that evening they had gone to a local grocery store together. Upon returning to his home, a verbal argument ensued between Franco and the female victim.

Once inside his home, the female victim asked Franco for a glass of orange juice. When Franco handed it to her, he stabbed her eleven times in the neck, chest, forearms and face with a knife. The 5-year-old began to scream and cry as he watched Franco stabbing his mother from only four feet away.

Franco then turned to the child and used the same knife to carve both sides of the boy's face. At trial, witnesses described the cuts as resembling a "Joker cut" similar to the one on the face of the comic book character. After the attacks, Franco stood in front of the door and prevented both victims from leaving to seek medical aid. The mother begged Franco to let them go as she could not breathe and was feeling faint due to extreme blood loss. Franco eventually let her leave.

On October 13, 2022 after a day of deliberations, a Stanislaus County Superior Court jury convicted Franco of attempted murder with premeditation and deliberation, aggravated mayhem,

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assault with a deadly weapon, infliction of emotional distress upon a child and two counts of false imprisonment. Additionally, the jury found true all enhancements, allegations and aggravating factors.

Franco has a long criminal conviction history which included a 1995 assault with a deadly weapon conviction and a 2012 robbery conviction, both of which were alleged as “strikes” under California’s “Three Strikes” law.

After being convicted by the jury, Franco waived his right to a jury trial on the prior “strike” convictions. During a court trial, Judge Linda McFadden found the prior convictions true allowing them to be used to increase his sentence. The attempted murder, aggravated mayhem and assault with a deadly weapon convictions are Franco’s third, fourth, and fifth “strikes.”

On December 2, 2022, defense counsel filed a sentencing brief asking the Court to strike the finding of premeditation and deliberation made by the jury as it relates to the attempted murder conviction.

Prosecutor Sousa opposed the request, noting that premeditation and deliberation was not an enhancement, but a finding made by the jury after a day of deliberations and being presented with evidence at trial that Franco had stabbed the female victim 11 times.

McFadden refused the defense request, noting how Franco had lived a life riddled with crime and had done nothing to change the trajectory of his violent acts. She told Franco that his case was, by far, the most “egregious” she had ever encountered in her 30-year career as a prosecutor and Superior Court Judge.

The People requested that Franco be sentenced to the maximum term of 91 years and 8 months to life in state prison. Judge McFadden sentenced Franco 86 years and 8 months to life, just five years shy of the maximum sentence.

Franco is currently in custody at the Stanislaus County jail awaiting transportation to the Department of Corrections.

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