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PRESS RELEASE

For Immediate Release

Date: January 3, 2022
Re: Adolfo Leyva
Convicted Killer Denied Early Parole

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Adolfo Leyva, age 33, of Turlock was found unsuitable for early parole during a December 7, 2021 hearing of the State Board of Parole Hearings held at the California Correctional Institution in Tehachapi. Deputy District Attorney Donya Nunes appeared at the hearing on behalf of the People.

On May 1, 2007, Leyva borrowed a car and drove two armed accomplices to carjack victim Erik Gustavo Preciado. They located Preciado sitting in his car. Rather than completing the intended carjacking, Preciado was shot in the leg and head. Leyva then drove the shooters away from the scene. The victim was transported to the hospital where he died on May 2, 2007. Preciado was 31 years old at the time of his death and left behind a 4-year-old daughter.

Due to the multiple defendants involved, the case was delayed for ten years while the other defendants' cases worked their way through the justice system. On September 21, 2017, Leyva, who was not one of the actual shooters, pled to the crime of voluntary manslaughter for the aggravated term of 11 years in state prison. As part of the plea agreement, Leyva waived all good and work credits up to the date of his plea.

Since Leyva was under 25 years old at the time of the offense and not serving a life term, he qualified under more lenient parole rules passed by the state legislature and signed by the governor in recent years that allowed him to request an early parole hearing date.

Since being transported to state prison in 2018, Leyva has received two serious disciplinary violations including assaulting a correctional officer. A prison psychologist who interviewed him reported to the Board that, in his opinion, Leyva still represented a high moderate risk for future violence in the community if he were to be paroled. The psychologist noted that, despite Leyva being a "youthful offender" at the time of his offense, he continued to engage in criminal and manipulative behavior, failed to participate in sufficient self-help programming, had not addressed his impulsivity, and had recent behavior instability as shown by his serious rule violations. Leyva also continued to deny full responsibility for his past crimes and did not show any appreciation for

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the impact it had on his victims. Lastly, Leyva had inadequate parole plans that did not address where he would live, how he would realistically support himself or what skills he had learned while in custody that he could apply when confronted with the difficulties of living in a free society.

Prosecutor Nunes argued against Leyva's release on parole given the unreasonable risk he represented to public safety and his prison rules violations. The Board of Parole Hearings agreed and denied early parole for a period of five years.

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