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PRESS RELEASE

For Immediate Release

Date: November 7, 2024
Re: Nicholas Castaneda, Jr.
Convicted Killer Denied Parole

For More Information Contact:

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Modesto, California - Stanislaus County District Attorney Jeff Laugero announced today that Nicholas Castaneda, Jr., age 36, of Modesto was found unsuitable for parole during a November 5, 2024, hearing of the State Board of Parole Hearings held at the California State Prison, Solano. Deputy District Attorney Amy Elliott Neumann appeared at the hearing on behalf of the People.

On August 18, 2007, Kevin Argueta was shot and killed while waiting with friends to order food at a taco truck. Castaneda pulled a gun on Mr. Argueta and his friends, confronting them about whether they were gang members and instigating a verbal altercation. Mr. Argueta and his friends were unarmed. While still engaging in the verbal conflict, Castaneda got into his car with two cohorts. As Castaneda drove the car slowly past Mr. Argueta's group of friends, a passenger in Castaneda's car leaned out the rear passenger door of the car and fired several shots from a revolver. After the last shot, Mr. Argueta fell to the ground, bleeding from the head and suffering from a fatal gunshot wound.

Castaneda drove away after the shots were fired. One of Mr. Argueta's friends got into his car and chased Castaneda's car. During the chase, one of Castaneda's passengers shot at the car in pursuit. Castaneda and his two passengers were convicted after a jury trial of second-degree murder, two counts of assault with a firearm, and negligent discharge of a firearm. Castaneda was sentenced to serve a total of 20 years to life in state prison.

At the beginning of the hearing, Castaneda asked the Board to consider a three-year stipulation that he was unsuitable for parole. Castaneda had incurred a recent rule violation for use and/or manufacture of alcohol in prison. It was his third rule violation related to his persistent alcohol use. Prosecutor Neumann argued that Castaneda would not be ready for parole even in three years, given his recent rule violations in prison and his complete lack of self-help programming. Castaneda's comprehensive risk assessment determined that he was a high risk for potential violence if released because of his rule violations, gang involvement, and lack of programming.

The Board deliberated and agreed to accept Castaneda's proposed three-year stipulation of unsuitability. Commissioners advised Castaneda of the programming he should immediately engage in and advised him that he has significant work to do to be eligible for release even in three years.

Although Castaneda was eighteen years old at the time of his commitment offense, he is eligible for youthful parole consideration. He will be scheduled for another hearing in three years, but he may also petition to advance that date if he can show a change in circumstances.

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