

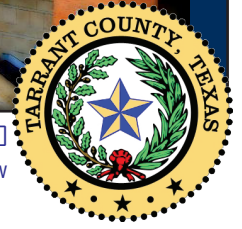
For Immediate Release

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HERNANDEZ, GUTIERREZ FOUND GUILTY

This week's felony trials

STATE OF TEXAS V. ERICA MARIE HERNANDEZ, CDC3

Prosecutors: David Alex, Melinda Westmoreland

Defendant Erica Marie Hernandez was found guilty this week of Intoxication Manslaughter, including the Use of a Deadly Weapon, for the August 2014 accident that killed 57 year-old Elaine Plummer of Arlington.

At approximately 2:30 AM on August 6, 2014, Hernandez was driving east on I-20 in Arlington with two passengers. A witness who was entering the highway via the on ramp testified Hernandez's car passed him at a rate of speed high enough to shake his pick up truck. Seconds later, Hernandez's car clipped the bumper of a gasoline tanker truck and flew out of control, sending it crashing into the vehicle driven by Elaine Plummer. Both vehicles then traveled forward together, finally stopping after colliding with the concrete highway barriers just past the bridge at New York Avenue. All four individuals involved in the crash were injured, and Elaine Plummer died shortly afterward at Arlington Medical Center. Plummer, the mother of four grown children and a grandmother of four, was on her way to work at Bell Helicopter, where she had been employed for more than 20 years. Members of her family, including her children and siblings, filled the courtroom throughout the proceedings. In a terrible coincidence, Plummer's oldest brother was also killed by a drunk driver several years prior to this accident.

Police officers and EMTs at the accident scene reported the strong smell of alcohol on Hernandez, and blood drawn at the hospital approximately 30 minutes after the crash showed Hernandez had a blood alcohol content of 0.28 – more than 3x the legal limit. During the trial, a witness from the Tarrant County Medical Examiner's Office stated that at a BAC level that high placed Hernandez dangerously close to alcohol poisoning.

"There are no winners in this type of case, but a clear message was sent to anyone who drives while intoxicated," said prosecutor David Alex.

After finding her guilty of Intoxication Manslaughter, the jury recommended an eight year prison sentence for Hernandez, now 23 years old.

STATE OF TEXAS V. MARCELINO GUTIERREZ, CDC1

Prosecutors: Colin McLaughlin, Heather Davenport

Defendant Marcelino Gutierrez was found guilty this week of the Aggravated Sexual Assault of a Child. Gutierrez, a Fort Worth resident, was charged with the 2013 sexual abuse of a then-six year old female relative. The girl's family was staying with Gutierrez due to economic difficulties, and the now-eight year old victim testified that Gutierrez threatened to kick her family out of the house if she told anyone about the abuse. Dressed in jeans and a pink t-shirt, she held her stuffed dog, "Spotty" throughout her time on the stand.

The abuse in this case was discovered when the girl's mother walked in on Gutierrez inappropriately touching her daughter. The mother tearfully recounted the incident to the jury, describing the subsequent interviews by police and forensic therapists, and accompanying her young daughter to have a sexual assault examination performed at Cook Children's Hospital.

"It is incredibly hard to sit on the witness stand and describe the deepest, darkest moments of your life to 12 strangers," said prosecutor Colin McLaughlin. *"Marcelino Gutierrez made this little girl a victim, but hopefully this sentence will be a positive stepping stone toward her future as a survivor."*

After finding Gutierrez guilty of three counts of Aggravated Sexual Assault of a Child, the jury recommended sentences of 45 years, 45 years and 10 years, which will be served concurrently.

END