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**For Immediate Release**

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# Grand Jury Indicts Four Gang Members for Chula Vista Cold Case Murder

*Innocent Victim Was Beaten and Stabbed in the Heart*

San Diego County District Attorney [Summer Stephan](#) said today that a grand jury has returned an indictment against four gang members who attacked and killed a man at a Chula Vista restaurant nearly 21 years ago. Jose Roque-Garcia, 50; Carlos Herrera, 42; Marco Herrera, 41; and Franco Dominguez, 43, have all been charged with murder. The defendants were arraigned today in San Diego Superior Court.

“This case demonstrates that my office, working with law enforcement, will continue to seek justice no matter how long it takes. The resolve of the DA’s Bureau of Investigations working alongside our prosecutors to fight for justice for this innocent victim never wavered.” said DA Stephan. “This was a brutal crime that took the life of a victim who was looking forward to starting the next chapter of his life.”

On March 20, 2004, Roque-Garcia, a high-ranking member of a Mexican drug cartel, was at La Bella’s Pizza Garden in Chula Vista celebrating the baby shower of his then-girlfriend and mother of his child. During the event, Roque-Garcia’s girlfriend accused a patron in the restaurant, 22-year-old Ryan Cunningham of stealing the keys to her car. Cunningham was an innocent bystander who was simply at the restaurant enjoying a drink while celebrating his upcoming relocation to Arizona the next day. Roque-Garcia called his gang associates and directed them to come to the restaurant to “f--- up” Cunningham.

Minutes later, Dominguez and the Herreras drove to La Bella’s where Roque-Garcia pointed out the victim. Using a 2 x 4 piece of wood, taser, metal chair, and a knife, the group collectively and viciously attacked the unsuspecting and unarmed victim, culminating in a fatal stab wound to the victim’s chest.

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In spite of excellent investigatory work by the Chula Vista Police Department, the case ran cold with no meaningful leads for decades. By re-examining the case over the past several years, prosecutors and DA investigators were able to piece together missing pieces of evidence that ultimately supported the grand jury's indictment.

Law enforcement agencies involved in the investigation include the San Diego Police Department, the Department of Homeland Security, and the San Diego District Attorney's Office which provided assistance and information to the Chula Vista Police Department. Numerous search warrants were executed in the course of the investigation and DNA evidence was re-examined. Franco Dominguez, Carlos Herrera, and Marco Herrera were taken into custody on January 15 without incident. Roque-Garcia was already in custody.

The case is being prosecuted by Deputy District Attorneys Robert Eacret, Christopher Netniss and Michael Reilly in the DA's Gangs Division with key support and involvement from District Attorney Investigator Marco Mercado.

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#### **About the San Diego County District Attorney's Office**

*The San Diego County DA's Office prosecutes all felony crimes in the county and misdemeanor crimes committed outside the City of San Diego. The office files about 40,000 criminal cases a year and balances prosecution with numerous crime prevention programs. District Attorney Summer Stephan leads the office of more than 1,000 dedicated employees who pursue fair and equal justice, and support victims daily across San Diego County.*

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