



COUNTY OF YOLO
OFFICE OF THE DISTRICT ATTORNEY
JEFF W. REISIG, DISTRICT ATTORNEY

FOR IMMEDIATE RELEASE

Date: November 9, 2009 **Contact:** Jonathan Raven, Asst. Chief Deputy District Attorney
Phone: (530) 666-8092

Yolo Judge Finds “Sucker Punch” Breaking Jaw During Burglary Warrants Prison

(Woodland, CA) – November 6, 2009 – District Attorney Jeff Reisig announces that Jaime Fernando De Vizcarra, 21, of San Francisco, will serve prison for breaking the jaw of a bookstore employee in half during De Vizcarra’s attempt to burglarize the U.C. Davis Bookstore in December of 2008.

In August of this year, a Yolo County Jury convicted De Vizcarra of three felonies arising from the December 2008 burglary. According to the evidence, De Vizcarra and his accomplice pocketed several items and attempted to leave when they were confronted by store employees. De Vizcarra immediately fled, but later ran up behind to attack a UCD employee. The employee turned and tried to block the attack, but looked away for a few seconds, allowing De Vizcarra to land a punch that broke his jaw in two. Despite his severe injury, the employee fended off more punches and held the larger, struggling De Vizcarra for several minutes until bystanders came to his assistance.

After a hearing on November 6, 2009, Judge Paul K. Richardson, who presided over the trial, sent De Vizcarra to prison for 5 years and 8 months. De Vizcarra and several defense witnesses testified, arguing that De Vizcarra was remorseful and acted in self-defense. Prosecutor Ryan J. Couzens countered that the victim’s head was turned before De Vizcarra swung and that communications between De Vizcarra and his girlfriend revealed that she and De Vizcarra were laughing about the incident. “De Vizcarra was willing to hurt someone badly to avoid a theft conviction,” argued Couzens. The Court ultimately sentenced him to prison. The term was “enhanced” by the jury’s finding that De Vizcarra inflicted “Great Bodily Injury.” Before sentencing, Judge Richardson admonished the crowd of De Vizcarra supporters that “this was not a case of self-defense, this was a ‘sucker punch.’”

“Mr. De Vizcarra severely injured the victim while he was just doing his job,” commented District Attorney Reisig. “Mr. De Vizcarra took a simple theft offense and compounded it with violence warranting prison. Hopefully this result will deter others from doing the same.”

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