

## Office of the Kane County State's Attorney



**JOSEPH H. McMAHON**

State's Attorney

Kane County Judicial Center  
37W777 Route 38 Suite 300  
St. Charles, Illinois 60175

General Offices: (630) 232-3500  
Contact:  
Christopher Nelson (630) 232-3500

### **AURORA MAN GETS LIFE SENTENCE FOR 2<sup>ND</sup> MURDER CONVICTION HERNANDEZ IS SERVING 35-YEAR TERM IN PRIOR MURDER; JUDGE ADDS 45-YEAR TERM FOR ATTEMPTED MURDER**

August 24, 2012

An Aurora man with a lengthy and violent criminal history will spend the rest of his life in prison, the result of his second murder conviction.

Ruben Hernandez, 29 (d.o.b. 6-18-1983), of the 300 block of Superior Street, Aurora, was sentenced today by Associate Judge Allen M. Anderson to natural life in prison for murder plus 45 years for attempted murder.

The life sentence was mandatory because Hernandez has been convicted twice of first-degree murder. He most recently was convicted May 9, 2012, by Judge Anderson of two counts of first-degree murder and one count of attempted murder in the November 2005 gang-motivated murder of 27-year-old Michael Moore. Hernandez previously was convicted for the September 2005, beating death of 21-year-old Jorge Caro of Aurora, and had been serving a 35-year prison sentence for that conviction.

At 11 a.m. on Nov. 28, 2005, Hernandez was a passenger in a Chevrolet van with several fellow street gang members. The men were hunting for any street gang rivals to kill. In the intersection of Smith Street and East Galena Boulevard they spotted a white 1995 Oldsmobile 98 that contained 27-year-old Michael Moore and a second man. The van pulled along the left side of the Oldsmobile, and Hernandez held open the sliding side door of the van while co-defendant Chavez K. Saulsberry, 22 (d.o.b. 11-30-1989), of the 800 block of Taylor Avenue, Aurora, and another person in the van fired 9mm semiautomatic handguns at the Oldsmobile. Moore was struck with multiple bullets and killed and another man in the Oldsmobile was struck with a bullet but survived.

Mr. Hernandez was sentenced to natural life for the murder, plus 30 years for the attempted murder plus a mandatory 15 years because Hernandez was armed with a firearm during the commission of the crime. The terms are to be served consecutively, as well as consecutive to the sentence for the Caro murder.

When Hernandez was sentenced for the Caro murder, prosecutors noted that the only occasions in which he had not been in trouble since age 15 were when he was in police custody.

“It would be easy to say ‘good riddance’ to Mr. Hernandez. But in truth this is a shame. All of this was completely preventable had he made better choices in life. But he chose to join a street gang and engage in a life of crime and violence, and now he must live with the decisions he made. Today’s sentence is the fruit borne of a life pock-marked with bad decisions,” Kane County State’s Attorney Joe McMahon said.

“Now, while Mr. Hernandez has plenty of time to think about when and where he could have made better choices, the community is a healthier and safer place because Mr. Hernandez will never again associate with free society.”

“Thanks to the Aurora Police Department for its hard work in this case and assistance at trial. Thanks also to Kane County Assistant State’s Attorneys Mark D. Stajdohar and Kelly M. Orland, who prosecuted this case.”

Saulsberry’s next court appearance in the case is set for 10:30 a.m. Oct. 4, 2012, in Courtroom 311 in front of Judge Anderson. Saulsberry is charged with two counts of first-degree murder, one count of attempted murder, a Class X felony, and one count of armed violence, a Class X felony. If convicted, Saulsberry also faces a mandatory life sentence. He is serving a 55-year prison sentence in the November 2005 gang-initiation murder of 21-year-old Montrell Fluellen of Aurora.

The pending charges against Saulsberry are not proof of guilt. A defendant charged is presumed innocent and is entitled to a fair trial in which it is the state’s burden to prove guilt beyond a reasonable doubt.