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DRIVER IN 2009 ELGIN SHOOTING GETS SIX YEARS IN PRISON

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An Elgin man has been sent to prison for a 2009 incident in which his co-defendant shot a handgun at two men they knew.

Martin Zavala, 23 (d.o.b. 3-13-1988), of the 400 block of Center Street, Elgin, was sentenced today by Circuit Judge M. Karen Simpson to a total of six years in the Illinois Department of Corrections on two cases.

Zavala and codefendant Abraham Robelo, 20 (d.o.b. 5-17-1991), of the 1200 block of Sebring Circle, Elgin, were convicted March 24, 2011, by Judge Simpson, of one count each of aggravated discharge of a firearm, a Class 1 felony.

At about 6 p.m. Jan. 20, 2009, Zavala, driving a red Ford Explorer, dropped off Robelo on Jefferson Street in Elgin. As the victims drove past a short time later, Robelo fired one shot from a .380 pistol at the victims' vehicle. The bullet struck the victims' vehicle causing damage, but no one was injured. Zavala drove back to pick up Robelo. The victims called Zavala and asked if he had sent Robelo to shoot at them, and Zavala acknowledged that he had dropped off Robelo. Zavala and Robelo were stopped by police about 45 minutes later and were identified by the victims as the men involved in the shooting. The shooting might have been the result of a dispute between one of the victims and Zavala.

On July 27, 2011, Judge Simpson sentenced Robelo to four years' probation, 180 days in the Kane County jail and 100 hours of community service.

Zavala at the time of the shooting was on probation for a 2008 conviction for concealment of a homicidal death that occurred in 2006 and was charged in 2007. The 2009 aggravated discharge was a violation of his 2008 probation sentence, and Zavala was re-sentenced on that conviction.

Zavala was sentenced to four years in prison for the aggravated discharge and two years on the concealment. According to Illinois law, Zavala must serve at least 85 percent of the aggravated discharge sentence and is eligible for day-for-day sentencing on the concealment conviction. The terms are to be served consecutively. He was given credit for at least 302 days served in the Kane County jail.

The case was prosecuted by Kane County Assistant State's Attorney Mark D. Stajdohar.