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AURORA MAN FACES LIFE SENTENCE AFTER 2ND MURDER CONVICTION HERNANDEZ, GUILTY IN GANG KILLING, IS SERVING 35-YEAR TERM IN PRIOR MURDER

May 9, 2012

An Aurora man is due to be sentenced to spend the rest of his life in prison after being convicted in a 2005 gang-motivated murder, his second murder conviction.

Ruben Hernandez, 28 (d.o.b. 6-18-1983), of the 300 block of Superior Street, Aurora, was convicted late Wednesday, May 9, 2012, by Associate Judge Allen M. Anderson of two counts of first-degree murder and one count of attempted murder. Judge Anderson heard the trial May 1-3, 2012.

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.

Judge Anderson set Hernandez's next court appearance for 1:30 p.m. July 2, 2012, in Courtroom 311 for post-trial motions and sentencing. Hernandez faces a mandatory sentence of life in prison because of a prior murder conviction. Hernandez is serving a 35-year prison sentence for the Sept. 4, 2005, beating death of 21-year-old Jorge Caro of Aurora. When he was sentenced, the judge called Hernandez "incorrigible" and noted that the only occasions in which he had not been in trouble since age 15 were when he was in police custody.

Saulsberry's next court appearance in the case is set for 9 a.m. June 28, 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.

“This conviction means that a man who has blighted the city of Aurora for most of his life has been removed from free society for good,” Kane County State’s Attorney Joe McMahon said. “Given his extensive criminal record, it is clear that Mr. Hernandez never tried to assimilate to his greater community. From the time he was an adolescent, he was only interested in serving his own selfish means, and he never sought a productive life. I wish him well in prison.

“My thanks to the members of the Aurora Police Department who investigated this case and assisted in this trial. My thanks, also, to Kane County Assistant State’s Attorneys Mark D. Stajdohar and Kelly M. Orland, who prosecuted this case.”

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.