

## Office of the Kane County State's Attorney



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### **SECOND MAN GETS PRISON FOR '08 AURORA MURDER OVER DRUGS**

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A second man will spend more than three decades in prison for a 2008 murder over a drug deal that turned fatal.

Jorge Diaz, 24 (d.o.b. 11-11-1987), of the 1900 block of West Division Street, Melrose Park, Ill., on Wednesday, Nov. 7, 2012, accepted the Kane County State's Attorney recommendation of 38 years in the Illinois Department of Corrections in exchange for a guilty plea to first-degree murder.

Circuit Judge Timothy Q. Sheldon accepted the plea.

At about 6 p.m. Oct. 1, 2008, Diaz and 28-year-old Hector Valtierrez, of the 4900 block of West Melrose Street, Chicago, and two others arrived at a residence in the 600 block of North Root Street, Aurora, to purchase five kilograms of cocaine. However, Diaz and Valtierrez actually intended to rob the dealers at gunpoint. Juan R. Herrera, 32 (d.o.b. 2-27-1980), of the 1400 block of Glen Ridge Drive, Prescott, Wis., had arrived earlier with a co-conspirator to sell the cocaine. When the transaction began to ensue, gunfire was exchanged as Valtierrez and Diaz attempted to steal the cocaine. Herrera was struck twice with bullets from Valtierrez's .38 caliber handgun, and Valtierrez was struck twice with bullets from Herrera's .45 caliber handgun. Valtierrez died at the scene.

Herrera was convicted of murder and sentenced last month to 46 years in prison. Diaz was charged because Valtierrez was murdered during the commission of a forcible felony, in this case armed robbery.

According to Illinois law, Diaz must serve 100 percent of the sentence. Diaz was given credit for at least 1,486 days served in the Kane County jail, where he had been held since his arrest on \$3 million bail. Bond was revoked upon conviction.

"Whenever guns and drugs are involved, the inevitable outcome will be prison or death. In this case, it was both. Mr. Diaz now has a long timeout to think about where his life went wrong," Kane County State's Attorney Joe McMahon said.

The case was prosecuted by Assistant State's Attorneys Kelly M. Orland and Jonathan McKay, and investigated by Det. Andy Wolcott, Det. Guillermo Trujillo and Officer Jeff Sherwood of the Aurora Police Department.