

Office of the Kane County State's Attorney



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WISCONSIN MAN GETS 46 YEARS FOR AURORA MURDER OVER DRUGS

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A Wisconsin man has been sentenced to prison for shooting and killing a Chicago man in a botched narcotics theft in 2008 in Aurora.

Juan R. Herrera, 32 (d.o.b. 2-27-1980), of the 1400 block of Glen Ridge Drive, Prescott, Wis., was sentenced today by Circuit Judge David R. Akemann to 46 years in the Illinois Department of Corrections.

On March 19, 2011, Herrera was convicted by Associate Judge T. Jordan Gallagher of four counts of first-degree murder, one count of armed violence, a Class X felony, one count of unlawful possession of a controlled substance with intent to deliver, a Class X felony because of the amount of narcotics, and one count of unlawful possession of a controlled substance, a Class 1 felony.

Herrera had waived his right to a jury trial. Judge Gallagher died in June 2011.

At about 6 p.m. Oct. 1, 2008, 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, with the intent to purchase five kilograms of cocaine. Herrera had arrived earlier with a co-conspirator to sell the cocaine. As the transaction was about to ensue, Valtierrez and his associates attempted to steal the cocaine at gunpoint. During the gunfight 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.

The sentence is 21 years for the murder and a mandatory 25-year enhancement because Herrera personally discharged the gun that killed Valtierrez. All of the counts merge for sentencing purposes. Herrera must serve 100 percent of the sentence. He was given credit for at least 1,469 days in the Kane County jail.

"This is another example of the deadly mix of drugs and guns," Kane County State's Attorney Joe McMahon said. "Mr. Herrera now will have plenty of alone time to think about where he went wrong in life."

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