

Office of the Kane County State's Attorney



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AURORA TOWNSHIP MAN CHARGED IN SUNDAY FATAL DUI CRASH

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An Aurora Township man faces multiple felony charges after a Sunday evening traffic crash that resulted in the death of 29-year-old Lazaro Rosas-Garcia of Aurora.

Kane County State's Attorney Jamie Mosser has charged 35-year-old **Gustavo Gutierrez-Aguilar** with the offenses of:

- Aggravated DUI/crash causing death, Class 2 felony, 2 counts
- Aggravated DUI/third violation, Class 2 felony
- Aggravated DUI/third violation – BAC .16 or higher, Class 2 felony
- Aggravated DUI/license suspended or revoked, Class 4 felony, 2 counts
- Reckless homicide – motor vehicle, Class 4 felony

Kane County prosecutors allege that the evening of Dec. 13, 2020, Gutierrez was driving a red 2007 Ford Mustang in the vicinity of Mountain Street and Austin Avenue in Aurora Township. Rosas-Garcia was a front-seat passenger in the car. Sometime around 6 p.m. the car struck a tree. Rosas-Garcia was unconscious and not breathing when police arrived. He was taken to a nearby hospital where he was pronounced dead. Investigators noted that Gutierrez-Aguilar showed signs of impairment, and his blood-alcohol concentration was .206 percent, and his license was revoked.

Gutierrez-Aguilar appeared Dec. 15, 2020, in Kane County bond court. His bail is set at \$500,000, with 10 percent (\$50,000) to apply for bond. His next court appearance is set for 9 a.m. Dec. 17, 2020, in Courtroom 217 at the Kane County Judicial Center.

The charges against Gutierrez-Aguilar are not proof of guilt. Gutierrez-Aguilar is presumed innocent and is entitled to a fair trial in which it is the state's burden to prove his guilt beyond a reasonable doubt.

Gustavo Gutierrez-Aguilar: Age 35 (d.o.b. 10-3-1985), of the 1-99 block of Margarets Lane, Aurora Township, Illinois. Case No. 20CF2321.