

## Office of the Kane County State's Attorney



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### **MICHAEL GIACOMINO IS THIRD PERSON GUILTY OF MURDER IN 2017 STABBING DEATH OF BAYRON CRUZ-GARCIA OF ELGIN**

February 2, 2021

An Elgin man has pleaded guilty to first-degree murder for a second time in the 2017 stabbing murder of Bayron Cruz-Garcia of Elgin.

34-year-old **Michael A. Giacomino** on Feb. 1, 2021, agreed to a sentence of 29 years of imprisonment in the Illinois Department of Corrections in exchange for a guilty plea to the offense of first-degree murder. Giacomino on July 13, 2020, entered a cold plea to first-degree murder in the case, with a judge to determine his sentence. Giacomino later withdrew the plea. Today's action was a plea agreement between Giacomino and Kane County prosecutors.

Kane County Assistant State's Attorney Joseph Cullen stated during today's hearing that on Aug. 11, 2017, Giacomino attended a gathering at a house on Jay Street in Elgin. Co-defendant **Gabriel Lopez** also was present, and Giacomino asked Gabriel to help him and co-defendant **Carlos Lopez** to beat a man. Later that day co-defendant **Ivette Rodriguez** drove Giacomino and Gabriel Lopez to a BP gas station, where they met in her car with Carlos Lopez. During the meeting Carlos Lopez offered to pay Giacomino and Gabriel Lopez to help him beat up the man. They followed Carlos Lopez to a bank and Carlos Lopez gave Giacomino money. Giacomino and Gabriel Lopez agreed to meet later with Carlos Lopez. Rodriguez, Giacomino and Gabriel Lopez returned to the Jay Street home and engaged in further conversation about the attack. Giacomino then received a phone call from Carlos Lopez.

At Carlos Lopez's request, early Aug. 12, 2017, Rodriguez, Giacomino and Gabriel Lopez returned to the BP gas station, and again met with Carlos Lopez in Rodriguez's car and discussed the planned attack. Carlos Lopez offered to pay Giacomino and Gabriel Lopez \$300 to beat up a man Carlos Lopez said owed him money. Giacomino agreed.

Rodriguez then drove them to Elgin Industries, an Elgin business where the victim worked. Carlos Lopez gave instructions to Rodriguez as she drove. She parked the car and the group waited for about 10 minutes.

They then saw the victim, Cruz-Garcia, enter an SUV. Giacomino and Gabriel Lopez walked to the SUV, and then Carlos Lopez ran to the SUV. Gabriel Lopez opened the vehicle door and Carlos Lopez pulled the victim out. The victim tried to run away but Giacomino grabbed him. Giacomino, Gabriel Lopez and Carlos Lopez punched and kicked the victim several times, and continued to do so after he fell to the ground.

Carlos Lopez then stabbed the victim multiple times with a knife. The victim died as a result of the injuries inflicted by Giacomino, Carlos Lopez and Gabriel Lopez.

A Kane County jury in March 2020 found Carlos Lopez guilty of first-degree murder. He is serving a 39-year prison sentence. Gabriel Lopez in August 2019 pleaded guilty to first-degree murder and is serving a 25-year prison sentence. Rodriguez in March 2018 pleaded guilty to obstructing justice.

**Kane County State's Attorney Jamie Mosser said:**

“Bayron Cruz-Garcia’s family waited for justice for 3½ years, and I’m grateful they can finally put these court proceedings behind them. These defendants committed a violent and cold-blooded murder, and they belong in prison. My thanks to ASA Cullen for his work on the case.”

**Michael A. Giacomino:** Age 34 (d.o.b. 6-8-1986), of the 800 block of Bode Road, Elgin, Illinois. Case No. 17CF1817.