



Office of the Kane County State's Attorney

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AURORA MAN GETS SIX YEARS FOR FATAL DUI CRASH

LAZARO ROSAS-GARCIA, 29, KILLED AFTER CAR HIT TREE

September 1, 2023

*RE: **Gustavo Gutierrez Aguilar**: Age 38 (d.o.b. 3-10-1985), of the 1-99 block of Margaret Lane, Aurora, Illinois. Case No. 20CF2321.*

Kane County State's Attorney Jamie L. Mosser announces that Judge David P. Kliment has sentenced **Gustavo Gutierrez Aguilar** to six years of imprisonment in the Illinois Department of Corrections.

On May 18, 2023, Gutierrez Aguilar pled guilty to the offense of aggravated DUI causing death, Class 2 felony.

Assistant State's Attorneys Katy Flannagan and David Belshan presented the following evidence in court:

On December 13, 2020, at about 6 p.m., Gutierrez Aguilar was driving a 2007 Ford Mustang in the vicinity of Mountain Street and Austin Avenue in Aurora Township when the car struck a tree. Lazaro Rosas-Garcia, 29, a front-seat passenger, was unconscious and not breathing when first responders arrived. He was pronounced dead at a nearby hospital a short time later.

Gutierrez Aguilar's blood-alcohol concentration was .206 percent and his license was revoked.

In accordance with Illinois law, Gutierrez Aguilar must serve at least 85 percent of the sentence. Gutierrez Aguilar receives credit for 988 days served in the Kane County jail.

ASA Belshan said: "Lazaro Rosas-Garcia's death was a preventable tragedy, and I hope his loved ones are able to move forward with this sentence. Our office will continue to vigorously prosecute these cases to hold offenders like Mr. Gutierrez Aguilar accountable for their actions and to send a message that responsible driving is important to keep our community safe and that there are serious consequences for those who make dangerous decisions. My thanks to the Aurora Police Department, to ASA Flannagan for her excellent work on this case, and to victim advocates Martha Martinez and Linda Hagemann."