

For Immediate Release  
December 19, 2011

**EL SALVADORAN PLEADS GUILTY TO FELONY  
MURDER CHARGE IN DENNY'S CASE**

***Plea Agreement Requires Imposition of 35 Year Prison Sentence***

ALBUQUERQUE -- U.S. Attorney Kenneth J. Gonzales announced that earlier today in federal court, **Pablo De Leon Ortiz**, 34, of El Salvador, pled guilty to Counts 4 and 13 of the second superseding indictment filed in the "Denny's" case. Specifically, De Leon Ortiz pled guilty to a felony murder committed during the June 20, 2009 armed robbery of an Albuquerque-area Denny's Restaurant, and the June 13, 2009 armed robbery of an Albuquerque-area Lone Star Steakhouse and Saloon. The guilty pleas were entered immediately after a U.S. District Judge found that De Leon Ortiz was legally competent.

The guilty pleas were entered under a plea agreement with the U.S. Attorney's Office that requires a 30 year sentence for the felony murder offense and five years imprisonment for the armed robbery offense. The sentences on the two offenses are to be served consecutively for a total of 35 years imprisonment. De Leon Ortiz will be deported after he completes his 35 year prison sentence. He remains in federal custody pending his sentencing hearing, which has yet to be scheduled.

De Leon Ortiz and co-defendants **Marvin Antonio Aguilar-Lopez**, 24, and **Francisco Melgar-Cabrera**, 28, also of El Salvador, were initially indicted on October 8, 2009, and charged with robbery, felony murder and firearms offenses in a nine-count indictment stemming from the armed robbery of the Denny's Restaurant located at 1602 Coors Blvd. NW on June 20, 2009, and the murder of Stephanie Anderson, a cook at the restaurant. De Leon Ortiz and Aguilar-Lopez, who had been in state custody since June 20, 2009, were arrested on the federal

charges on October 19, 2009, and have been in federal custody since that time.

On April 14, 2010, a ten-count superseding indictment was filed that added **Jose "Tito" Humberto Melgar-Cabrera**, 34, the brother of Francisco Melgar-Cabrera, as a defendant. Jose Melgar-Cabrera was charged as an accessory after the fact for assisting his brother avoid apprehension. He was arrested on April 21, 2010, and has been in federal custody since that time.

A 14-count second superseding indictment was filed on October 14, 2010. The new indictment added four new robbery and firearms offenses against De Leon Ortiz, Aguilar-Lopez and Francisco Melgar-Cabrera. The new charges arose out of the armed robbery of the Lone Star Steakhouse & Saloon located at 10019 Coors Blvd. NW in Albuquerque on June 13, 2009.

Jose Melgar-Cabrera entered a guilty plea to Count 10 of the second superseding indictment charging him with being an accessory after the fact on September 23, 2011 and admitted assisting his brother to flee to avoid apprehension on the day of the armed robbery of the Denny's Restaurant and Ms. Anderson's felony murder. He was sentenced to a 48-month term of imprisonment on December 14, 2011.

On September 30, 2011, Aguilar-Lopez entered a guilty plea to Counts 3 and 4 of the second superseding indictment charging him with the armed robbery of the Denny's Restaurant, and the felony murder of Ms. Anderson. Under the terms of his plea agreement, Aguilar-Lopez will be sentenced to a 40-year prison term, and will be deported after he completes his prison sentence. Aguilar-Lopez's sentencing hearing is scheduled for February 13, 2012.

Francisco Melgar-Cabrera has yet to be apprehended and is considered a fugitive. The charges in the second superseding indictment against Francisco Melgar-Cabrera are only accusations, and he is presumed innocent until proven guilty beyond a reasonable doubt.

The case was investigated by the Albuquerque Police Department, the Bureau of Alcohol, Tobacco, Firearms & Explosives, and the Federal Bureau of Investigation. The case is being prosecuted by Assistant United States Attorneys Louis E. Valencia, Presliano A. Torrez and Roberto D. Ortega.

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