



U.S. Department of Justice

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ROCKFORD RESIDENT SENTENCED TO 32 YEARS IN FEDERAL PRISON FOR CONSPIRACY TO KIDNAP AND USING A FIREARM IN FURTHERANCE OF A VIOLENT CRIME

ROCKFORD – PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois; ROBERT D. GRANT, Special Agent-in-Charge of the Chicago Office of the Federal Bureau of Investigation; and ANDREW L. TRAVER, Special Agent-in-Charge of the Chicago Office of the Bureau of Alcohol, Tobacco, Firearms & Explosives; RICHARD A. MEYERS, Winnebago County Sheriff; and CHET EPPERSON, Rockford Police Chief, today made the following announcement:

United States District Judge Frederick J. Kapala today sentenced **ERNESTO MARTINEZ**, (also known as “Nesto”) 20, of Rockford, Illinois, to a total of 32 years in federal prison without parole for conspiracy to kidnap and use of a firearm during the kidnaping. Martinez was sentenced to 25 years imprisonment on the conspiracy charge to be served consecutively to 7 years imprisonment for using a firearm during the kidnaping. The court also ordered Martinez to serve 5 years of supervised release following his release from prison. Martinez was charged with these offenses by an indictment returned on June 17, 2008. Also charged in the indictment were co-defendants Louis Guajardo, Jr. (“Papa Johns”), 22, Belvidere, Illinois, and Christopher E. Toney (“Villain”), 19, Rockford, Illinois. Guajardo pleaded guilty to conspiracy to kidnap and use of a firearm during the kidnaping on November 12, 2008 and is awaiting sentencing. Toney’s case is still pending.

In pleading guilty, Martinez admitted that he was a member of the Latin Kings street gang and that late in the evening on April 10th and the early morning hours of April 11th, 2008, he met with several other members of the Latin Kings to plan a kidnaping in order to make money. According to the plea agreement, the defendants stole a blue minivan, then abducted the victim in the area of Wisconsin Avenue and Clifton Avenue in Rockford. Specifically, Martinez pulled the victim out of his car while his co-defendants then pushed the victim into the stolen minivan, where they tied the victim's legs and hands with duct tape. As stated in the plea agreement, the victim was then taken to the basement of a residence in Winnebago County where they intended to hold the victim for reward and use the telephone to demand payment of a ransom. During the victim’s confinement, Martinez’s co-conspirators repeatedly beat the victim. Shortly before 10:00 a.m. on April 11, 2008, while the kidnapers were upstairs and prior to a ransom call being made, the victim was able to get free of his restraints and escape from the house.

Members of the public are reminded that a criminal indictment is only a charge and is not evidence of guilt. Defendant Toney is entitled to a fair trial at which time the government has the burden of proving his guilt beyond a reasonable doubt.

The case was investigated by Rockford offices of the FBI and ATF, the Winnebago County Sheriff's Department and the Rockford Police Department. The case is being prosecuted in federal court by Assistant United States Attorney Joseph C. Pedersen.

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