

Mexican Consulate seeks new trial in '96 slaying

Officials cite evidence that 2 convicted men were not at crime scene

By ISABEL ROJAS

Al Dia

Officials from the Mexican Consulate are calling for a new trial for two immigrants convicted of murdering a store clerk in 1996 because, they say, there's evidence they did not commit the crime.

Luis Lara, vice consul for protection in Dallas, alleges that authorities in West Texas ignored tes-

timony from three witnesses who place Alberto Sifuentes, 30, and Jesús Ramírez, 55, in another city at the time of the crime. A fourth witness testified that he heard someone else confess to the murder in prison.

"We got involved in the case because we feel these two men were convicted of capital murder without sufficient evidence. It is clear to us that these men are innocent," said Mr. Lara, adding that the consulate contacted a law firm to investigate the case and appeal the 1998 guilty verdicts. The two men received life sentences.

A state appellate court in Littlefield, Texas, has scheduled *habeas corpus* hearings for Jan. 10-12. Attorneys for the two men are hoping to overturn the conviction or petition for a new trial.

Mr. Sifuentes and Mr. Ramírez were convicted of the Aug. 6, 1996, murder of Evangelina Cruz during a violent robbery at the Jolly Roger convenience store in Levelland. Ms. Cruz was shot nine times, including once in the face. But she managed to call 911 and describe her assailants as two Hispanic men who were 18 to 20 years old and driving a gold sedan.

Mary Dávila Wood, a woman who said she rode with Mr. Sifuentes and Mr. Ramírez in a beige Lincoln sedan on the night of the murder, testified that they stopped at the convenience store around

the time of the crime. And Brenda Ayala, a woman who came out of a nearby Town & Country convenience store, said she, too, saw the men at the Jolly Roger minutes before the shooting.

But the investigation by the Mexican government and the law firm of Haynes and Boone LLP has determined that Ms. Ayala couldn't have been at the store at the time of the robbery because a surveillance video from Town & Country reveals that she left that store 90 minutes before the shooting.

In addition, a Texas Department of Public Safety investigator later acknowledged that Ms. Dávila Wood had three times the legal alcohol level in her blood the night of the robbery, which defense attorneys say puts her testimony into question.

Further, affidavits from two patrons and one employee at the Paradise Club in Lubbock show that Mr. Sifuentes and Mr. Ramírez left that establishment just before the 2 a.m. closing time. That would have been minutes before the time of the

shooting in Levelland, which is about a 45-minute drive from Lubbock.

A fourth person, Oscar Balderas, an inmate in the same jail as another man initially mentioned as a possible suspect, later told authorities that the suspect confessed to him that he was the real culprit.

Officials did not respond to the latest allegations by Mr. Ramírez's and Mr. Sifuentes' lawyers. The courts have already turned down two appeals.

"We are doing this because we believe it's the right thing to do," said Ronald Breaux, a lawyer from Haynes and Boone.



Alberto Sifuentes