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16-YEAR-OLD MALE ACCUSED IN THE 2009 “PONY TRAIL MURDER” CERTIFIED TO STAND TRIAL AS AN ADULT

El Paso County Attorney Jo Anne Bernal announced today that a District Court judge has certified an 18-year-old male, who was a juvenile at the time of the alleged offense, to stand trial as an adult. The teen now will face one count of Capital Murder in the adult criminal-justice system.

The teen is one of five individuals arrested in connection with the murder of 37-year-old Jose Daniel Gonzalez Galena, who was gunned down in front of his East-side home on May 15, 2009.

According to police records that night at around 10 p.m. Gonzalez-Galeana was shot at close range outside his home in the 1300 block of Pony Trail. The murder is believed to have been drug-related.

This morning after hearing the facts of the case, 65th District Court Judge Yahara Lisa Gutierrez certified the juvenile to face charges in the adult criminal-justice system.

The District Attorney's office will be presenting the case to a Grand Jury next week. If the teen is indicted, he will not be eligible for the death penalty. Under Texas law the maximum sentence a juvenile can receive in the adult criminal-justice system after certification is life in prison.

Adult certification of a juvenile offender is reserved for the most serious criminal cases. In approving the certification the judge considers four factors:

- Whether the alleged offense was against a person or property, with greater weight in favor of transfer given to offenses against the person.

- The sophistication and maturity of the child.
- The record and previous history of the child.
- The prospects of adequate protection of the public and the likelihood of the rehabilitation of the child by use of procedures, services, and facilities currently available to the juvenile court.

In this case, the court weighed all the factors and determined that it was appropriate to certify.

The identity of the teen cannot be disclosed at this point as he has not been indicted by a grand jury. No further information will be released.

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