

*** NEWS RELEASE ***

ANTIOCH MAN CONVICTED OF MURDER, ATTEMPTED MURDER IN 2014 SHOOTING

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IMMEDIATE RELEASE

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Monterey County District Attorney Dean D. Flippo announced today that Marques Adrian Gaines, age 35 of Antioch, was convicted by jury yesterday of first-degree murder, attempted first-degree murder and being a felon in possession of a firearm. The convictions arose from a July 9, 2014 shooting in Chualar that killed 18-year-old Gabriel Javon Rodriguez, Jr. and seriously wounded 20-year-old Rafael Vasquez.

Just before midnight on June 9, 2014, Vasquez and Rodriguez test-fired a handgun into the open agricultural fields behind Vasquez's home in Chualar. Three to five minutes after they finished firing, while walking home on a dirt road, Gaines shot at them from the back porch of a neighbor's home. Gaines shot Rodriguez three times and Vasquez twice, both from behind, as they walked away from him. The evidence at trial showed that Gaines had been upset at Vasquez, his one-time friend, for not taking his side during arguments with their mutual acquaintances. Vasquez had also refused to help Gaines retaliate against another man who beat Gaines up during a drug deal in Chinatown. In the months leading up to the shooting, Gaines made threats toward Vasquez and his friends, specifically mentioning the gun that he would later use to shoot the victims.

Following the shooting, Gaines hid his firearm in the toilet and had his ex-girlfriend drive him to 7-11, where he purchased a cigar. He then had the ex-girlfriend drive him and their baby to the city of Antioch, where Gaines collided with another vehicle, fled, and was subsequently arrested for hit-and-run. Gaines told his ex-girlfriend to fabricate an alibi and deny that he was in Chualar the night of the shootings.

When questioned by detectives about the shooting, Gaines initially denied involvement, but eventually admitted to being the shooter after police told him that the surviving victim had identified him and that detectives had spoken to his ex-girlfriend. Gaines then told detectives, and maintained at trial, that he had shot the victims in self-defense when they ran at him while holding firearms. Physical evidence presented by Monterey County Sheriff's Office crime scene investigators and forensic pathologist Dr. Venus Azar cast doubt on Gaines's claim, showing that the victims were both shot from behind in a position consistent with a surprise attack.

Following presentation of the evidence during the 13-day jury trial, the jury found Gaines guilty of willful, deliberate and premeditated murder of Rodriguez and the willful, deliberate and premeditated attempted murder of Vasquez, with enhancements that Gaines personally and deliberately discharged a firearm, causing death or great bodily injury. The jury also convicted him of being a felon in possession of a firearm and found true enhancements that Gaines had suffered two prior “strike” convictions and that he had previously served two prior prison terms.

The case was investigated by District Attorney Investigator Jackie Meroney, Monterey County Sheriff’s Office Sergeant Bryan Hoskins, and Sheriff’s Detectives Bret Speirs, Matthew Davis, Rick Jorgensen, Shaheen Jorgensen, Bryan Clester, Kim Smith and Terry Rahiri.

Judge Pamela Butler will sentence Gaines on May 13, 2016. Gaines faces a minimum sentence of 153 years-to-life in prison.