



# Butte County

LAND OF NATURAL WEALTH AND BEAUTY

**MICHAEL L. RAMSEY**

District Attorney

**FRANCISCO R. ZARATE**  
Chief Deputy District Attorney

**ANTHONY G. KOESTER**  
Chief Investigator

## **PRESS RELEASE**

For immediate release

November 8, 2005

### **DRIVER IN COLLISION THAT KILLED FETUS ENTERS PLEA**

Juan Patino Alvarez, 37, the driver of a pickup that smashed head-on into a van carrying four members of an Orland family, entered pleas of no contest to two felony counts and two special allegations that will leave the Chico resident facing up to 10 years in state prison when he is sentenced.

Alvarez was driving eastbound in the westbound lanes of traffic at about 10 p.m. on Highway 32 west of Chico on August 2<sup>nd</sup> of this year, when he collided with a mini-van driven by Isela Enriquez, 28. Witnesses reported that Enriquez had no chance to take evasive action before being hit.

Following the wreck, Alvarez, who was identified as the driver of the pickup, fled the scene on foot, but was quickly detained by witnesses. Alvarez was found to have been driving under the influence of alcohol at the time, with a blood alcohol content more than twice the legal limit.

The grinding collision critically injured Isela Enriquez, who was 8 ½ months pregnant at the time. In the van with Enriquez were her husband and 2 young daughters, age 7 and age 3, who suffered moderate injuries. Isela's injuries resulted in the death of her otherwise healthy baby boy fetus. After considerable research, the Butte County District Attorney's Office discovered that there is no provision in California Law for charging manslaughter in the death of a fetus. "It's an anomaly in the law," commented District Attorney Mike Ramsey. "The murder statute specifically provides for the death of a fetus as a result of an intentional-act homicide, but there is no comparable language in the manslaughter statutes. It certainly is a travesty, and one that needs to be corrected by the legislature."

Alvarez was charged with, and entered his no contest plea to, the maximum he could be charged with under current law. Alvarez pleaded to Driving Under the Influence Causing Bodily Injury, a felony, and Leaving The Scene of An Accident Causing Death or Permanent Bodily Injury, a felony. In addition, he admitted to Causing Injury To More Than One Victim as well as a special enhancement of Causing Great Bodily Injury to Isela Enriquez..

Alvarez will be sentenced on January 10, 2006, and could be sent to prison for up to 10 years.