



BUTTE COUNTY DISTRICT ATTORNEY



MICHAEL L. RAMSEY
District Attorney

FRANCISCO R. ZARATE
Chief Deputy District Attorney

KORY L. HONEA
Chief Investigator

PRESS RELEASE

For Immediate Release
January 8, 2010

FAST FOOD SHOOTER SENTENCED

A former gang member who shot another former gang member in the drive-through lane of a local Chico fast food restaurant was sentenced yesterday to more than ten years in prison.

District Attorney Mike Ramsey said David Godinez, 26, Chico was sentenced to a total of ten years and eight months for assault with a deadly weapon and evading police for the June 25, 2009 shooting. The shooting occurred at the Carl's Jr. restaurant at the intersection of East Avenue and The Esplanade at approximately 1:30 p.m.. Witnesses said a minivan was waiting in the drive-through lane when they saw Godinez drive up in his car and start yelling out his window at the minivan's passengers. As a 23-year-old man stepped out of the passenger side of the van, Godinez pulled out a handgun and fired at least two shots at the minivan. One bullet struck the man in the lower leg and a second bullet broke a rear passenger side window and entered the minivan.

According to police reports, the second bullet passed in "very close proximity" to a 7-month-old infant who was in the minivan's rear passenger seat. The infant suffered minor abrasions from broken glass. The adult victim was treated and released at Enloe Hospital.

Shortly after the shooting, Chico Police spotted Godinez's vehicle on Highway 99 and attempted to stop him. Godinez sped away and got onto the Skyway driving erratically and forcing other drivers to take evasive actions. He was eventually stopped and arrested on Norte Dame Boulevard.

Both Godinez and the adult victim claimed that they were former members of rival gangs. Godinez however claimed during his sentencing that the shooting incident was a result of "road rage" rather than gang rivalry. He claimed that the minivan had earlier cut him off in traffic. Godinez's attorney asked judge Steven Howell to grant probation asserting that personal and financial problems had peaked on the day of the shooting causing him to be angry and upset. The judge denied Godinez probation and sentenced him to prison.

Ramsey said that regardless of whether this was a gang or road-rage incident: "It was extremely fortunate the bullets did not hit the baby or anyone else in the minivan or the restaurant. All were placed in harm's way by the defendant's violent actions and he deserved prison."