



PRESS RELEASE

Pursuant to CA Gov't. Code Sect. 6254(f)
San Jose Police Department
Press Information Office
201 W. Mission Street, San Jose, CA 95110
Phone (408) 277-5339 / Fax (408) 286-0923

TYPE OF CRIME: In-Custody Death

LOCATION: 5498 Monterey Road

CASE NUMBER: 05-213-0186

DATE: 8-1-05 **TIME:** 4:08AM

VICTIM: Withheld

ADDRESS: San Jose Resident

AGE:

SUSPECT: (Withheld – Pending notification)

ADDRESS:

AGE:

DETAILS:

On Monday, August 1, 2005, at 4:08AM, San Jose Police Officers responded to the AM/PM Mini-Market at 5498 Monterey Road at Blossom Hill Road. Clerks there reported that two men were fighting inside the store. Officers arrived and separated the two men. During the course of their investigation, the suspect fled on foot. Officers captured him after a foot chase and a struggle ensued. He refused to comply with orders from the officers and was subsequently Tased, sprayed with pepper spray and struck with a baton. As officers were preparing to deploy the WRAP device, the suspect went unconscious. Officers began CPR and called for emergency medical personnel. The suspect was transported by ambulance to a local hospital where he later died.

Information obtained from the victim indicates that the suspect first went to the victim's condo and kicked in his front door. The victim does not know the suspect. The victim then chased the suspect from the scene over to the AM/PM Mini-Market where the two men then fought one another. The suspect fought with the victim who stands 6-3 and weighs 350 pounds. By all accounts, this was a prolonged and violent struggle between the two men, both inside and outside the store.

Anyone with information on this case is urged to call Detective Sgts. Rob Millard or Tim Porter of the San Jose Police Department Homicide Unit at (408) 277-5283. Persons wishing to remain anonymous may call Crime Stoppers at (408) 947-STOP.

BY: Sgt. Nick Muyo #2086

DATE: 8-1-05

TIME: 1:00PM

AUTHORIZED BY: Capt. Dave Keneller

DATE: 8-1-05

TIME: 1:00PM

PRESS OFFICER BRIEFED BY UNIT COMMANDER (CIRCLE) **YES NO**