

## Conviction in 1996 LV slaying overturned

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A Clark County judge on Wednesday overturned the murder conviction of a man found guilty in 2000 of shooting an acquaintance outside a Las Vegas restaurant.

In ordering a new trial for Geovanny Torres, 39, District Judge Elizabeth Gonzalez said she was seeking to avert "a fundamental miscarriage of justice" based on new evidence that prosecutors allowed a star witness to commit perjury at Torres' trial.

Gonzalez said the new information "indicates that a different result is probable" if a new jury is called to determine Torres' guilt or innocence.

Torres has been serving a life sentence in High Desert State Prison. He's been incarcerated for nearly 10 years, including his time in jail before trial.

Upon hearing Wednesday's ruling, Torres, a slight and bespectacled Cuban emigre, lifted his shackled arms and exclaimed, "Thank you, judge!"

Gonzalez set a new trial date of Oct. 13 and ordered Torres remain in custody on \$250,000 bond.

After the hearing, Connie Beljica, Torres' longtime fiancée and the mother of his 8- and 11-year-old daughters, said, "Oh my goodness, this is a joyful feeling. It's not over, but I hope it soon will be." Beljica hopes her family will have the chance to rebuild a life together in Florida.

En route to the 14th-floor courtroom, Beljica and the girls trudged up nine flights of stairs before taking an elevator the rest of the way because waiting in the long ground-floor elevator line could have made them late for the hearing.

It was worth the climb, she said.

The question now is whether prosecutors can convict Torres a second time of the 1996 murder of 30-year-old Alfonso Lazaro outside El Matador restaurant on South Maryland Parkway.

At Wednesday's hearing, Clark County Deputy District Attorney Christopher Laurent, the lead prosecutor in the case, said his office is up to the task.

"I understand your ruling, and I accept it," Laurent told Gonzalez. "We'll be ready for trial."



Karen Connolly, Torres' attorney, said she plans to file a motion to dismiss the murder indictment against her client.

A Review-Journal story Monday chronicled prosecutors' years-long pursuit of Torres, which culminated in June 2000 when a jury found Torres guilty of first-degree murder.

Leading up to the trial, the district attorney's office twice dropped indictments against Torres as prosecutors struggled to build a case against him. They never firmly concluded whether Torres gunned down Lazaro or was an accomplice to the murder.

The prosecution's strongest eyewitness to the killing testified that Torres' brother, Carlos, was the shooter, but murder charges against Carlos Torres were dropped after prosecutors secured a conviction against Geovanny Torres.

Connolly said ample evidence exists that her client is innocent.

At his trial, the only witness to identify him as the gunman was a Florida jail inmate who lied about the benefits he got in his own criminal cases for cooperating against Torres.

Laurent repeatedly told jurors that the informant, Rafael Cortina, wasn't testifying as part of a plea agreement with prosecutors in Nevada or elsewhere.

Cortina testified that Torres confessed to him about being the shooter while the men were in a Miami jail together.

Connolly argued in a court filing in July that Florida law enforcement documents prove Cortina committed perjury and show that Laurent, if he didn't know about Cortina's deal, should have.

She accused Laurent and another prosecutor on the case of gross prosecutorial misconduct.

The documents show that Cortina had a possible 55-year prison term in Florida on armed kidnapping and other charges reduced to five years for his help against Torres and other defendants.

Gonzalez, in a stern rebuke of Laurent on Wednesday, criticized the "failure of representatives of the state of Nevada to disclose evidence" that would have aided Torres' defense.

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