



**Stephen B. Tyler**  
CRIMINAL DISTRICT ATTORNEY  
205 N. BRIDGE, SUITE 301  
VICTORIA, TEXAS 77901-8085  
Phone: (361) 575-0468  
Fax: (361) 576-4139

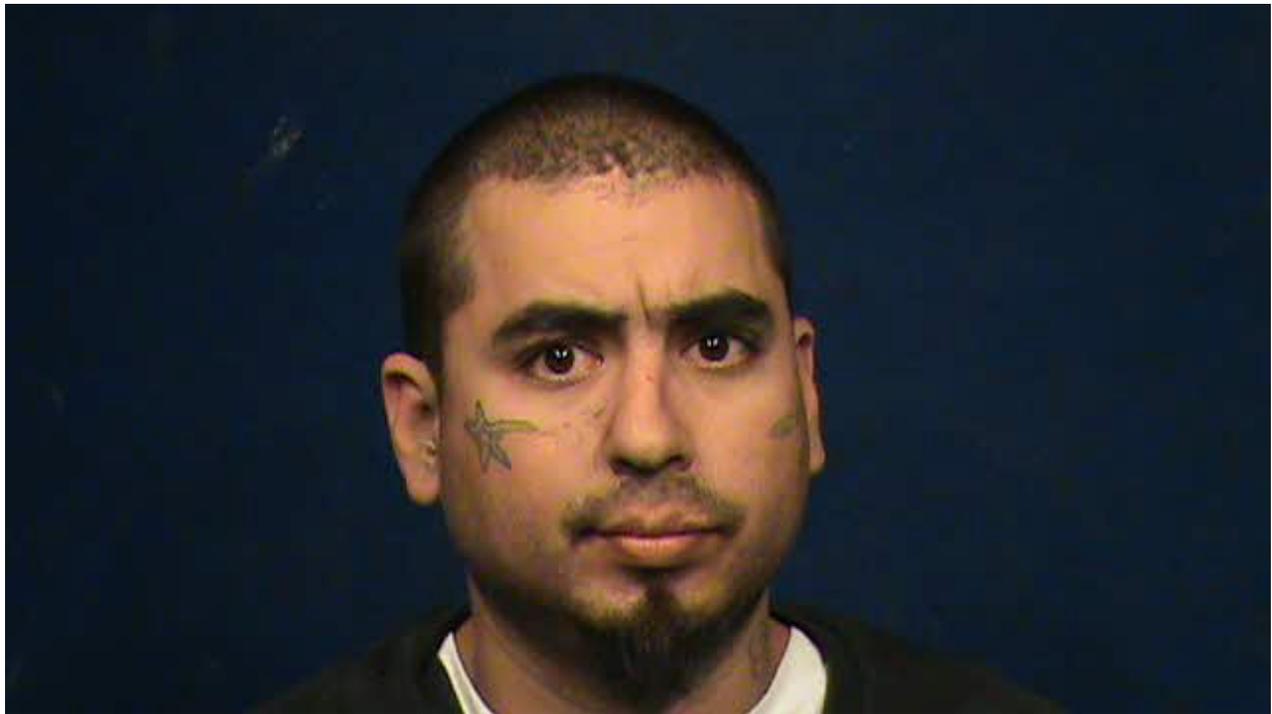


## **DEFENDANT GETS “BLASTED” WITH MAXIMUM SENTENCE AND FINE**

FOR IMMEDIATE RELEASE

CONTACT:

STEPHEN TYLER  
361-649-9644



On Wednesday, January 31, 2018, a Victoria jury sentenced Kevin Daniel Cerrillo to the maximum sentence of 10 years plus a \$10,000 fine (the maximum fine) for both counts of Assault Family Violence with Previous Conviction.

At trial, Officer Jason Stone of the Victoria Police Department testified that on February 9, 2016, he responded to victim LH, who was dating the Defendant at the time. The Defendant was not present at the location when Officer Stone arrived. Officer Stone observed LH's right side of her face was red. LH testified that the Defendant became upset when her 2 year old child was crying. This caused the Defendant to throw the 2 year old child in LH's arms. While LH was holding the child, the Defendant struck LH in her face with his fist. LH was pregnant at the time.

On March 1, 2017, LH was again assaulted by the Defendant. He struck her in the head, causing knots to form. After being assaulted, LH waited for the Defendant to fall asleep before sneaking out with her children to go stay at a friend's home. LH's friend testified that while LH was at her home, the Defendant was texting and calling LH threatening to "f\*ck her up" and

reminding LH of his gang affiliation – that he was “blastin’”. The next morning, LH went with her friend to provide a statement to law enforcement. Officer Jose Rosas took photographs of the injuries of LH including scratches on her chest and bumps on her head. Both LH and her friend testified that the Defendant had controlled, verbally abused and physically abused LH multiple times before.

The State also played jail calls from the Defendant where the Defendant labeled the assaults as making a “mistake.”

During closing argument, Defense Attorney Arnold Hayden said that this case was nothing more than a “ghetto divorce.” He implied that the assaults were the fault of LH because LH knew the Defendant was on parole when she started dating him. ADA Johnson responded that no one deserved to be assaulted and that the jury needed to protect Victoria County. The jury deliberated for approximately 30 minutes before finding the Defendant guilty of both counts of Assault Family Violence with Previous Conviction.

During the punishment phase of the trial, LH testified that her and her children have been mentally affected by the abuse suffered at the hands of the Defendant. The evidence showed that on December 8, 2007, the Defendant struck his previous girlfriend, DZR, with his fist leaving her with a black left eye and unconscious in a ditch. Sherry Hornstein of the Victoria Police Department testified that the Defendant said at the scene that he “screwed up” and that DZR Hornstein was his wife. DZR was taken to Citizens Medical Center. In 2007, the Defendant was placed on probation for Assault Causes Serious Bodily Injury. As part of his probation, the Defendant was not to have contact with DZR. In 2009, the Defendant assaulted DZR again by striking her in the head with a fan and with a television. The testimony at punishment indicated that DZR had to resort to stabbing the Defendant in order to defend herself. After the assault, the Defendant’s probation was revoked and he was sentenced to 10 years in the Texas Department of Criminal Justice. After getting paroled on that 10 year sentence, the Defendant committed a theft in Williamson County where he was sentenced to 12 months State Jail in 2012.

ADA Johnson compared the legal process in this case to a relay. She explained that law enforcement had done its job by sending the case to the District Attorney’s Office, that the grand jury had done its job by indicting the case, that the District Attorney’s Office had done its job by securing a verdict, and now the jury was the anchor leg in the relay. ADA Johnson argued that a team is only as good as its last leg and asked the jury to finish strong by assessing the maximum punishment allowed. It took the jury approximately 9 minutes to return with the maximum fine and maximum sentence in both counts.

ADA Johnson and ADA Guy prosecuted with the assistance of Victim’s Assistance Coordinator Sara Bill and Investigator Steve Allen. Our office would like to thank the Victoria Police Department (Sherry Hornstein, Jason Stone, Jose Rosas, Kelly Gibbs, and Crystal Lara) and Victoria Fire Department (Jennifer Dailey) for their great work!