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FOR IMMEDIATE RELEASE

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Two Men Convicted of Murder In Stabbing Of Brooklyn Man They Wrongly Thought Was Gang Rival; Victim Bled To Death In Street

Juries Find Defendants Attacked the 20-year-old Victim with Broken Bottle and Knife After Asking "Que Barrio?"

Kings County District Attorney Kenneth P. Thompson today announced that two men have been convicted of second-degree murder in connection with an unprovoked attack on a 20-year-old man they suspected was a rival gangster, but who in fact did not belong to a gang.

District Attorney Thompson said, "Abel Xochimitl was an innocent young man whose life was senselessly and viciously taken by the defendants. The victim was not a gang member, unlike the defendants, who now face spending many years of their lives in prison for this heinous act."

The defendants, Miguel Juarez, 26, of 53-13 New Utrecht Avenue in Bensonhurst, and Gilberto Serrano, 25, of 98-05 Northern Boulevard in Queens were convicted by separate juries in a simultaneous trial before Brooklyn Supreme Court Justice Vincent DelGiudice.

Juarez was convicted on July 2, 2014, and Serrano was convicted on July 8, 2014. Both defendants were remanded until sentencing on July 17, 2014 and July 22, 2014 respectively. They face up to 25 years to life in prison.

District Attorney Thompson said the attack occurred on July 14, 2012 after the 20 year-old victim, Abel Xochimitl, left La Parranda bar located at 2366 86th Street in Bensonhurst.

District Attorney Thompson said that, according to trial testimony, the defendants approached Xochimitl near the corner of Bay 35th Street and 86th Street and asked him, "Que barrio?" which in English means, "What neighborhood?" but is also gang parlance for: "What gang do you belong to?"

According to statements made by the defendants to police, Xochimitl responded, “Panchito. Brighton Beach.” The defendants then began to attack him with a broken bottle and a knife, stabbing his face, neck, chest and back. His jugular vein and right lung were perforated, and Xochimitl bled to death as a result.

The case was prosecuted by Assistant District Attorney Andy Palacio of the District Attorney’s Homicide Bureau and Assistant District Attorney Yaniris Urraca of the Orange Trial Zone, under the supervision of Kenneth M. Taub, Homicide Bureau Chief.

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