

ATLANTIC COUNTY PROSECUTOR'S OFFICE

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NEWS RELEASE

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MAYS LANDING – The triggerman in the 2006 killing of an Egg Harbor Township woman gunned down in her driveway in front of her 8-year-old son, entered a guilty plea today and faces 30 years in prison, Atlantic County Prosecutor Ted Housel announced.

Gerardina Garcia, 43, was shot to death on April 20, 2006. In accordance with the plea agreement, Anthony DiGisosaffatte, 54, of Ozone Park in Queens New York, who pled to one count of murder, must serve the entire prison term, First Assistant Prosecutor Murray Talasnik stated.

On Thursday the hit man told the court that he traveled to New Jersey with a handgun, waited until the victim returned home in the early evening, got out of his vehicle, walked up to her car and shot her five times. He stated that he intended to kill her and that he knew of her but never met her prior to the shooting. After the hit, DiGisosaffatte went back to New York, Talasnik stated.

The defendant's sentence will run at the same time as a federal bank robbery conviction, Talasnik said.

DiGisosaffatte's co-defendant Yvette Garcia, the victim's stepdaughter, 35, also entered a guilty plea today to one count of conspiracy to commit armed robbery. She told the court during the plea hearing that she agreed with DiGisosaffatte, Ricky Irizarry, of Ithaca, New York and Cristovaho Diaz, of Ozone Park, New York, to plan a home invasion robbery at her stepmother's 712 Scarborough Drive home. The defendant also indicated at the plea hearing that the plan did not include killing her stepmother, Talasnik stated.

Yvette Garcia will be sentenced to eight years in prison, of which she must serve 85 percent of the term before parole eligibility. She is currently serving a prison term in New York for a drug possession conviction.

Talasnik said that a federal drug investigation is pending against Yvette Garcia. He also stated that the State's plea agreement was entered into after consultation with members of the U.S. Attorney's Office.

The victim's husband, Fabio Garcia, was originally charged for his alleged role in the killing but based on additional information the charges were dismissed.

Diaz, who entered a guilty plea in October 2008 to conspiracy to commit murder, faces up to 10 years in prison when he is sentenced. He must serve 85 percent of the prison term imposed prior to parole eligibility.

At the time of the plea, Diaz admitted that he drove to New Jersey in a separate vehicle from DiGisosaffatte. DiGisosaffatte was able to abandon his vehicle in New Jersey and drive back to New York with Diaz. Diaz further stated during his court hearing that he did not have a firearm and was not with DiGisosaffatte at the time the crime was committed, Talasnik stated.

Irizarry entered into a guilty plea in April 2009 to stealing the vehicle used by DiGisosaffatte. Diaz faces up to 5 years in prison when sentenced. As part of the plea Irizarry indicated that he had no knowledge that Gerardina Garcia was going to be killed.

DiGisosaffatte, Yvette Garcia, Diaz and Irizarry, will be sentenced in front of Superior Court Judge Michael A. Donio on Oct. 1.

Mirtha Gomez, of Jackson Heights New York, pled guilty in October 2008, to insurance fraud involving the victim's life insurance policy. She entered a Pre-Trial Intervention Program, which she successfully completed.

Anyone with information involving serious crimes is asked to call the Atlantic County Prosecutor's Office at 609-909-7800 or go to the Prosecutor's Office Web site at <http://www.acpo.org/tips.html> and provide information by filling out the form anonymously on the Submit a Tip page. People can also call Crime Stoppers at 609-652-1234 or 1-800-658-8477 (TIPS). Crime Stoppers offers cash rewards for information leading to the arrest and indictment of those who commit crimes in Atlantic County.