

CRIME

Car-dragging victim died later, cause is still a mystery

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The smell of burning rubber from the soles of Sebastian Cabada's boots still lingers in Sal Montelongo's mind.

Cabada, a Coronado High School student, was seriously injured three years ago when a 15-year-old fellow student inside a car, grabbed his arms and held on to him as a sedan took off, dragging him at a high rate of speed.

Once he was released from the fast-moving car, Cabada's body tumbled several times before resting on concrete curb where he hit his head. Cabada's boots were burned by the friction as Cabada tried to steady himself.

Montelongo, a family friend, and Brianda Dominguez, 17, a friend of the teenage boy who lives across the street, saw it happen. It occurred around 4:45 p.m. of Oct. 22, 2011, in the 5600 block of Oak Cliff, a solidly middle class neighborhood in the West Side.

Cabada died suddenly last year of undiagnosed symptoms. His death and the dragging incident also set a course of agony for Veronica Cabada, the injured boy's mother, who has spent the past three years pursuing justice for her son through the juvenile and adult judicial systems.

She is still seeking justice today. Prosecutors said that while they empathized with the mother, they were limited in filing charges against the men who dragged him because they could not prove the dragging incident led to his death, as the mom alleges.

"It was horrible," Montelongo said. "Someone in a black BMW called over to Sebastian, and he went to the car to talk to that person. Then that person grabbed his arms as the car picked up speed, probably clocking

50 to 60 miles an hour, before letting go of him."

Dominguez said she will never forget what she saw that day.

"I watched Sebastian get up and stumble his way back to his house. And then his mother came out. She was in shock," Dominguez said. "I haven't stopped wondering, how can anyone do this to another human being?"

Dominguez said police questioned her about what she witnessed that day. From a photo lineup, she also picked the boy who was in the car, whom she already recognized from school.

"He's the one that grabbed Sebastian and held onto to him from the car," she said.

Veronica Cabada said her son turned 16 years old on Oct. 16, 2011, six days before the car-dragging. She had given him a pair of combat-style boots for his birthday, and wore them the day of the dragging.

"Who knows what would have happened to his feet if he had worn a different pair of shoes," she said.

According to a statement by Sebastian Cabada at one of the hospitals that treated him for his injuries, the youths in the black BMW had called him over to ask him for drugs.

"(Sebastian) states that the people in the car wanted to buy drugs from him, and he informed them that he does not sell drugs, and that he has not done drugs in months," the statement said.

Mother's odyssey

In a recent interview, she spread out on a table the medical reports from her son's physical and mental injuries stemming from that day. She recounted her efforts to obtain justice for her son, who died suddenly at the age of 17 on May 3, 2013. His death certificate states that his cause of death is "undetermined."

The medical records show the son sustained various cuts and bruises, skin burns from the dragging, a broken

collar bone, damage to the frontal lobe and post-traumatic stress disorder.

Later on, he experienced flashbacks, and sometimes cowered in fear whenever something reminded him of the dragging incident. He also became suicidal, and once tried to stab himself in the stomach with a candle.

"He was given medications that clashed with his regular medications, and that only made things worse," she said.

The 15-year-old boy who grabbed Cabada in the car-dragging was tried as a juvenile and pleaded guilty in December 2011 for his role in the incident. He was charged with a Class A misdemeanor assault, and was sentenced to probation. Cabada family members and Montelongo attended the youth's proceeding.

Matthew Salinas, whom the 15-year-old identified during his proceeding as the driver, was indicted Nov. 7, 2012, on suspicion of "intentionally, knowingly, or recklessly causing serious bodily injury to Sebastian Cabada by dragging (him) with a motor vehicle." Officials said that due to his age when the incident occurred, Salinas was not tried as an adult.

Veronica Cabada said she, Montelongo, a family friend, and Luis Cabada, her ex-husband and Sebastian's father, stayed on top of the Salinas proceeding. She constantly called and emailed the District Attorney's Office to keep abreast of the developments.

"I got very concerned because at one point I was told that there would be no trial and that the charge against Salinas could be dropped," the mother said. "He had a high-powered attorney to defend him. All I had was this pain that led me to keep pushing for my son's sake."

Going to trial hinged on whether the then 15-year-old boy, who is now 18 years old, would show up at Salinas' hearing and testify. Court documents indicate

that a subpoena for the key witness was prepared, but prosecutors had no assurance that he would actually testify, the prosecutors alleged.

Salinas pleaded guilty to assault with bodily injury on Oct. 3, 2014, nearly three years after the incident, and was given deferred adjudication and ordered to pay \$12,000 in restitution and placed under community supervision for two years. With deferred adjudication, someone who enters a guilty plea and completes the probation terms may have the charge dismissed later.

A more serious charge against Salinas, aggravated assault with bodily injury, was dismissed.

"Considering my son could have been killed, and how they ruined his young life, (the other youth) and Salinas got off with light sentences. They will have their records expunged (erased) after they finish their probations, and they will get to start over as if this never happened."

A year after the dragging to the day, Oct. 22, 2012, police arrested Matthew Salinas on charges of possession of a small amount of marijuana and two "Watson 3203" (hydrocodone) pills, court documents stated. He pleaded guilty to the marijuana possession charge, and the hydrocodone pill charge was dismissed.

Hydrocodone is an opiate-based drug, and happened to be a medication that doctors had prescribed for Sebastian Cabada, according to the late teenager's medical records.

Neither Salinas nor the teen who was tried as a juvenile was available for comment.

DA's response

Claudia Duran, a spokeswoman for the District Attorney's Office, issued the following statement regarding the Cabada family's concerns:

"The District Attorney's

Office reviewed and considered all of the relevant information surrounding this offense and resolved the case based on the facts and circumstances as they existed at the time of the plea, including that the victim had passed away due to events unrelated to this offense."

The statement also said, "The defense attorney did not play a role in how the case was handled, nor was the case adversely impacted by the different Assistant District Attorneys who worked on the case, as there was a single trial team chief who was involved in the case during the entire time it was pending."

"While the grief of this family cannot be minimized," the statement said, "the case was appropriately handled ... and the family of the victim was kept apprised of the status of the case while it was pending as well as the resolution of the case."

A 'special boy'

Sebastian Cabada was in grade school when he was diagnosed with Tourette's syndrome, a neurological condition that causes involuntary tics and or sounds in people, such as twitching and grunting. According to the Centers for Disease Control and Prevention, one out of 360 children between 6 and 17 years old has the syndrome, and it is more common in boys than girls.

The condition, which health experts believe is genetic, has no cure, although medications are sometimes prescribed to help manage the symptoms and stress. The CDC said Tourette's syndrome is often accompanied by other conditions, such as autism, attention deficit hyperactivity disorder, obsessive compulsive disorder, among others.

"The Tourette affected Sebastian because the other children bullied him or made fun of him," Veronica Cabada said. "But it also made him very sensitive to-

ward others, young and old, especially people who had disabilities. He even made friends with homeless veterans, who greeted him on the street by name."

"Once, Sebastian asked me to drive him to the home of a deaf girl he met on social media, because she didn't have any friends," Cabada said. "She lived in a very low-income neighborhood. The girl's mother came out and thanked me for how my son had reached out to her daughter in friendship."

Enrique Guerrero, Sebastian's grandfather, cried after saying a few things about his late grandson.

"He was a special boy. He had lots of friends," Guerrero said. "He called me 'Da,' which was the second word he ever spoke as a baby. I watched him grow up. I would give him and his friends rides to the park to go skate-boarding. I last saw Sebastian on a Wednesday, after I got home from surgery. He told me, 'Da, everything is going to be all right.'"

He died two days later. He left us."

Dominguez said her friend and neighbor was charismatic, and that many girls at school often commented on his good looks and his friendly personality.

"No matter what you were going through, Sebastian could put a smile on your face," Dominguez said. "He was a great guy and a happy person. I knew him since the second grade. I know that he forgave the guy who held him during the car-dragging. That's how he was. I also know that the dragging hurt him and affected him in a bad way."

When Sebastian Cabada died in 2013, numerous youths on social media spontaneously organized a memorial for him. Dominguez said the place where the memorial took place was packed.

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