

Office of the Kane County State's Attorney



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ELGIN GANG MEMBER SENT TO PRISON FOR POSSESSING GUN

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An Elgin street gang is headed to prison for unlawfully possessing a loaded .38-caliber pistol.

Kane County Circuit Judge Clint Hull on Tuesday, July 3, 2018, sentenced 35-year-old Oswaldo Garcia to 5 years' imprisonment in the Illinois Department of Corrections.

Garcia on May 24, 2018, pleaded guilty to unlawful possession of a weapon by a felon, Class 3 felony. Judge Hull accepted the plea.

Kane County Assistant State's Attorney Mark D. Stajdohar stated in court that at about 4:45 p.m. Oct. 2, 2016, Garcia, a member of an Elgin street gang, waved a Smith & Wesson pistol at a man leaving a convenience store in the 500 block of West Highland Avenue, Elgin. Garcia immediately ran away and threw the gun under some leaves. He was taken into custody a short time later by Elgin police.

Garcia was on parole at the time for a felony criminal damage to property conviction at the time. In addition he has multiple felony convictions, including for the offenses of obstructing justice, DUI, driving on a suspended license, criminal damage of property, intimidation and criminal damage to state supported property.

According to Illinois law, Garcia is eligible for day-for-day credit. He receives credit for 659 days served in the Kane County jail.

Kane County Assistant State's Attorney Robert Moeller assisted in the prosecution.

Oswaldo Garcia: Age 35 (d.o.b. 1-19-1983), of the 500 block of West Highland Avenue, Elgin