



**Kevin Petroff**  
First Assistant

**Johnny Freeze**  
Chief Investigator

**Zonia Wilturner-Smith**  
Chief Executive  
Officer

**Contact:**

Galveston County  
Justice Center  
600 59<sup>th</sup> Street  
Suite 1001  
Galveston, Texas  
(409)766-2355  
(409)766-2290 (fax)

# Press Release

For Immediate Release

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## Man Sentenced to 3.75 years for Assault on an Officer

GALVESTON – Yesterday, Juan Manuel Mata, 40, was sentenced to 3.75 years in the Institutional Division of the Texas Department of Criminal Justice, as assessed by the jury, for the felony offense of Assault on a Public Servant.

On Monday, February 1, 2016, trial began in the 212th District Court. The State presented witness testimony and video evidence that on September 15, 2013 Juan Mata, along with an angry crowd, attacked an on-duty, uniformed Dickinson Police Officer and attempted to take the officer's service weapon.

Shortly after 2:00 a.m. on September 15, 2013, a Dickinson police officer responded to a complaint of loud music being played at a residence. The officer arrived and spoke to a female, later identified as Ashley Rose Charcas, telling her the reason for him being at the residence. The officer asked Charcas to turn down the music and she did. As the officer was leaving, an unknown person threw an object in the officer's direction; however, before the officer could see what was thrown he heard a crowd advancing towards him from the direction of the residence. The officer saw the defendant, Juan Mata, at the front of the crowd yelling, cursing, and threatening him while swinging a beer bottle. In light of the increasingly chaotic situation, the officer called for officer assistance to help with the large crowd of people that gathered outside the residence who were also yelling and screaming at the officer.

The officer attempted to identify Mata, asking repeatedly for Mata's ID, but Mata was very uncooperative. The officer told Mata that he was being detained and was not free to leave. Mata turned from the officer and ran into the residence but was caught by the officer just inside the door. The officer tried to detain Mata but he aggressively resisted, fighting the officer and trying to take the officer's service weapon in the process. While trying to prevent Mata from getting control of the weapon, the officer was struck in the head several times by a person trying to exit the residence. The officer was also attacked by several members from the crowd who hit the officer in the face and back.

A witness testified that the altercation was "the worst he had ever seen" and that he was very concerned for the officer because it was "four on one."

The officer, responding officers, and a neighbor, identified the other persons in the attack as Charcas, Angel Rene Valdez, and Xavier Rafael Hayes.

The jury heard closing arguments on Wednesday morning and then retired to deliberate over lunch. The jury returned early that afternoon with a guilty verdict on the assault on a public servant charge but found Mata not guilty on the attempt to take a weapon from a Peace Officer charge.

During punishment, Mata faced a punishment range of 2 to 10 years in prison. The State submitted evidence that Mata had a prior felony conviction from 1999 for burglary of a building in Harris County. The jury deliberated for about two hours before returning late yesterday afternoon with a punishment verdict of 3.75 years. Mata will be eligible for parole when one-fourth of his sentence has been served.

Mata was prosecuted by Assistant District Attorneys Gina Gilmore and Charlotte Kim in the 212th District Court, with Judge Patricia Grady presiding. The investigation was conducted by the Dickinson Police Department.

Mata's co-defendants were also charged for the attack on the officer. Charcas pled guilty in March 2014 and received 2 years probation, which was extended for 1 year in November 2015. The charge against Valdez was dismissed in February 2015. Hayes' case is set for trial in the 212th District Court.