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News In Brief

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Defendant Is Resentenced In Smuggled Immigrant Case

A man who a federal appeals court said should not have been convicted for violating the Hostage Taking Act has been re-sentenced to time served. The U.S. Court of Appeals for the Second Circuit last year threw out the hostage taking convictions of Jorge Garcia-Reynoso and Domingo Rodriguez ([NYLJ Dec. 1, 2009](#)). The pair were convicted in a 2008 trial before Eastern District Judge Sandra J. Feuerstein for keeping smuggled immigrant Azucena Gonzalez-Mendez in a van while demanding her husband pay \$475 to release her. In addition to the hostage taking convictions, the two were convicted on one count each of conspiracy and one substantive count of violating the Alien Transportation Act. They were each sentenced to 20 years in prison.

In November, however, the circuit said the Hostage Taking Act requires that the victim be confined "for an appreciable period of time" and here "the confinement following the demand for payment lasted at most 15 minutes." Yesterday, Judge Feuerstein re-sentenced Mr. Garcia-Reynoso to the five years behind bars he has already served, according to his attorney, Edward V. Sapone. Defense attorney Beverly Van Ness said yesterday that on April 26 the judge re-sentenced her client, Mr. Rodriguez, to seven years and two months in prison. — *Mark Hamblett*