

Claim filed against Oxnard over fatal police shooting of bystander

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A bystander fatally shot on Oct. 13 by Oxnard police pleaded for his life, and police didn't tell the family he died for two days, according to a claim filed Monday by a high-profile Los Angeles law firm.

The document says Alfonso Limon Jr., 21, was walking home with his brother in the La Colonia neighborhood about 10 p.m. when he was mistaken for someone involved in a shootout after a police traffic stop.

"According to witnesses," Limon, in full view of officers, "put his hands up and yelled multiple times 'don't shoot, don't shoot,' " before police opened fire, the claim against the city says.

"While on the ground and still alive, multiple (officers) approached him and continued to shoot at him and killed him," the claim says.

Limon's build and clothing didn't match those of the person involved in the shootout, who was behind a car about 60 feet away, said the lawyers representing Limon's family.

Oxnard City Attorney Alan Holmberg called the incident "a tragic event" but said the claim has legal arguments with which he doesn't necessarily agree. He declined to comment in detail on the filing because it involves potential litigation.

The city is self-insured for legal awards of up to \$1 million, Holmberg said. For amounts greater than that, Oxnard belongs to a coverage pool of large cities that share and reinsure losses.

The claim also says Limon's brother, Gerardo Limon, barely missed being hit by bullets, and that police commanders throughout the night didn't inform Limon's family he had been killed, telling relatives no information could be released. The family drove to hospitals that night and the next day trying to get information, according to the claim.

"Only two days later did representatives" of the Oxnard Police Department tell the family Limon was dead, the claim says.

The filing, the first step toward a possible lawsuit against the city, indicates Brian Panish of Panish, Shea & Boyle LLP has come on as lead attorney. The firm's client list includes Michael Jackson's family — Panish read a statement on the family's behalf at the sentencing hearing of Dr. Conrad Murray, the physician convicted of involuntary manslaughter in the pop star's death — and its website says the firm has won record verdicts in personal injury cases.

Panish also represented some victims' families from the Alaska Airlines flight that crashed into the ocean off Port Hueneme in 2000, killing all 88 passengers and crew members onboard.

Two Santa Barbara firms also are representing the Limon family, with separate claims that generally mirror each other filed on behalf of Alfonso Limon's parents, Alejandra and Alfonso Limon Sr., as well as Gerardo Limon. No dollar amount is listed in the claims, which name the city, the Police Department and Police Chief Jeri Williams as respondents.

In an email Monday, Williams said an investigation by the Ventura County Sheriff's Office is ongoing and that she didn't want to say anything that might unduly influence the process.

"I have been open and responsive, but I want to make certain that this case is not influenced by my comments," Williams wrote.

The incident took place about 10 p.m., when Oxnard police reportedly ended up being shot at after a traffic stop.

A vehicle with three male occupants pulled over near Second Street and Grant Avenue in La Colonia neighborhood after initially failing to stop, according to police reports. The three refused to comply with officers' instructions, and one simulated a weapon in his hands, police say. Meanwhile, dispatchers reported that a resident may have seen one of the males brandish a handgun.

The driver suddenly took off, pulling over a few blocks away in the 100 block of North Garfield Avenue. When two of the males fled the vehicle, officers chased them and were fired at. Nine officers fired weapons during the incident, the Police Department said.

At the same time, Alfonso and Gerardo Limon were walking to their home in the 200 block of South Roosevelt Avenue after jogging at Pacifica High School when they became enmeshed in the gunfight near Garfield and Cooper Road, according to the family's claim.

Police later said they accidentally killed Alfonso Limon when mistaking him for a suspect as the incident unfolded. How many officers fired at Limon has not been reported, and the names of the officers involved have not been released.

Of the three males stopped by police, Jose Zepeda, 24, was killed in the street shootout. Justin Villa, 24, suffered injuries that were not life-threatening. Rafael Hernandez, 22, never fled the vehicle and surrendered to police. Two handguns belonging to the men were found at the scene.

Limon's death came at a time when tension had been brewing because of police brutality allegations in Oxnard. In June, a man who was reportedly overdosing on methamphetamine died in custody. Demonstrations have taken place in recent weeks around the city and at City Council meetings.

Many residents, clergy members and others, meanwhile, have spoken in support of the Police Department and have urged calm as investigations play out.

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