

UTAH COURT OF APPEALS

State v. Mancia; State v. Saedt; State v. Alvarez

2026 UT App 30 · No. Opinion Nos. 20230735-CA, 20230760-CA, 20240282-CA · Decided March 5, 2026

SUMMARY

The Utah Court of Appeals affirmed the murder convictions of Jose Humberto Mancia, Argenis Daniel Ramirez Saedt, and Rosalio Andres Alvarez arising from a drive-by shooting and fatal vehicle collision. The defendants argued that their trial counsel were ineffective, including for failing to request a legal definition of recklessness in the accomplice-liability jury instructions. The court rejected the claims and held that the alleged errors did not prejudice the defendants.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Utah Court of Appeals                                                                                                                                                                                                                                                                                                                                                   |
| WRITING FOR THE COURT | Amy J. Oliver; Michele M. Christiansen Forster; John D. Luthy                                                                                                                                                                                                                                                                                                           |
| JURISDICTION          | Utah Court of Appeals                                                                                                                                                                                                                                                                                                                                                   |
| DECIDED               | March 5, 2026                                                                                                                                                                                                                                                                                                                                                           |
| DOCKET                | Opinion Nos. 20230735-CA, 20230760-CA, 20240282-CA                                                                                                                                                                                                                                                                                                                      |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                                                                                                                                |
| PROCEDURAL POSTURE    | Defendants appealed their jury convictions for two counts of murder arising from a drive-by shooting and fatal vehicle collision, asserting ineffective assistance of counsel and cumulative prejudice.                                                                                                                                                                 |
| STANDARD OF REVIEW    | A first-raised ineffective-assistance claim presents a question of law. Ineffective assistance is evaluated under Strickland v. Washington: deficient performance and prejudice. Cumulative prejudice is evaluated under the standard applicable to each underlying claim, with reversal warranted only if the cumulative effect undermines confidence in a fair trial. |
| PRECEDENTIAL VALUE    | Published and precedential Utah Court of Appeals opinion                                                                                                                                                                                                                                                                                                                |
| PARTIES               | Jose Humberto Mancia, Argenis Daniel Ramirez Saedt, Rosalio Andres Alvarez v. State of Utah                                                                                                                                                                                                                                                                             |

TOPICS

- ineffective assistance
- jury instructions
- mens rea
- criminal procedure
- evidence

## PRACTICE AREAS

criminal procedure

criminal appeals

ineffective assistance of counsel

jury instructions

accomplice liability

## QUESTIONS PRESENTED

1. Whether counsel was ineffective for failing to request a legal definition of recklessness in the accomplice-liability jury instructions.
2. Whether counsel was ineffective for failing to object to the format of jury instructions combining the mens rea for felony discharge of a firearm with party liability.
3. Whether counsel was ineffective for failing to object to testimony concerning the victims' character and the effect of their deaths on a family member.
4. Whether counsel was ineffective for failing to request a specific unanimity instruction concerning alternative means of committing felony discharge of a firearm and party liability.
5. Whether counsel was ineffective for failing to object to prosecution of Mancía as an adult under party liability after amendment of the juvenile jurisdiction statute.
6. Whether the alleged errors cumulatively prejudiced the defendants.

## HOLDINGS

1. Counsel's failure to request an instruction defining the legal meaning of recklessness did not establish ineffective assistance because the omission did not create a realistic possibility that the jury convicted defendants on impermissible factual findings, and there was no reasonable probability of a different verdict.
2. Counsel did not perform deficiently by failing to object to instructions that combined the elements of felony discharge of a firearm and party liability, because the instructions correctly stated the law.
3. Even assuming counsel performed deficiently by failing to object to the testimony describing the victims' character and the effect of their deaths on the victims' sister, defendants were not prejudiced because there was no reasonable likelihood of a different verdict.
4. Counsel was not ineffective for failing to request a specific unanimity instruction because the alternative methods of committing felony discharge of a firearm and the principal-versus-accomplice theories were means of committing a single offense, not separate legal elements or distinct crimes requiring separate unanimity.
5. Mancía's counsel was not ineffective for failing to object to his prosecution as an adult under the party-liability theory because the amended juvenile jurisdiction statute was substantive, not procedural, and did not apply retroactively to the charged conduct.
6. The alleged errors did not cumulatively prejudice defendants because, even assuming the lack of a mens rea definition and the admission of the challenged testimony were errors with a conceivable potential for harm, their combined effect did not undermine confidence in the verdict.

## KEY QUOTATIONS

*“Unanimity is not met “if a jury unanimously finds only that a defendant is guilty of a crime.”” (¶ 56)*

*“The jury did not need to agree on whether Mancia or Alvarez discharged the firearm in accordance with subsection (a) or subsection (b) because they were different ways to commit the same crime.” (¶ 58)*

*“In the face of this evidence, including mens rea definitions and removing Sister’s testimony about Pace’s and Woodward’s character and the impact their deaths had on her does not change the overwhelming evidence of Defendants’ guilt.” (¶ 72)*

## FACTUAL BACKGROUND

The defendants, members of the Norteños street gang, were involved in retaliatory violence directed at a member of the rival Sureños gang and his family. After a drive-by shooting at the targeted residence on September 18, 2017, the defendants returned the next evening in a stolen Ford Raptor, with firearms in or near the vehicle, and shots were fired as the vehicle fled. The Raptor collided with a Toyota Yaris, killing Lloyd Pace and Tami Woodward; evidence connected the defendants to the vehicle and firearms through eyewitness testimony, DNA, video, and ballistic evidence.

## PROCEDURAL HISTORY

The three defendants were jointly tried before a jury in the Third District Court, Salt Lake Department. Each was convicted of two counts of felony murder with gang enhancements, felony discharge of a firearm with a gang enhancement, and theft by receiving stolen property; the State later stipulated to dismissal of the other counts. Each defendant received consecutive fifteen-years-to-life sentences for the two murder convictions. The Utah Court of Appeals rejected the ineffective-assistance and cumulative-prejudice arguments and affirmed the convictions.

## DISPOSITION

affirmed

## CASES CITED

- State v. Kufrin, 2024 UT App 86, n.1, 551 P.3d 416
- State v. Cortez-Izarraraz, 2025 UT App 116, ¶ 22, 575 P.3d 1240
- State v. King, 2017 UT App 43, ¶ 15, 392 P.3d 997
- Strickland v. Washington, 466 U.S. 668, 687 (1984)
- State v. Miller, 2023 UT App 85, ¶ 25, 535 P.3d 390
- State v. Popp, 2019 UT App 173, ¶¶ 25, 40, 453 P.3d 657
- State v. Sandoval, 2024 UT App 186, ¶ 19, 562 P.3d 731
- State v. Forbush, 2024 UT App 11, ¶ 25, 544 P.3d 1
- State v. Grunwald, 2020 UT 40, ¶ 22, 478 P.3d 1
- State v. Lolani, 2025 UT App 138, ¶¶ 18, 21, 25, 581 P.3d 1024

- State v. Liti, 2015 UT App 186, ¶¶ 22-23, 355 P.3d 1078
- State v. Bird, 2015 UT 7, ¶¶ 4, 8, 20, 345 P.3d 1141
- State v. Seach, 2021 UT App 22, ¶ 16, 483 P.3d 1265
- State v. Hummel, 2017 UT 19, ¶¶ 18, 26, 29, 58, 62, 393 P.3d 314
- State v. Fitzwater, 2026 UT App 10, ¶ 52
- State v. Alvarado, 2023 UT App 123, ¶ 19, 538 P.3d 633
- State v. Clark, 2011 UT 23, ¶ 14, 251 P.3d 829
- State v. Johnson, 2012 UT 68, ¶¶ 4, 12-14, 290 P.3d 21
- State v. Soto, 2022 UT App 107, ¶ 31, 518 P.3d 157
- State v. Haynes, 2025 UT App 75, ¶¶ 72-74, 571 P.3d 1197, cert. denied, 578 P.3d 749 (Utah 2025)