

NEW JERSEY SUPERIOR COURT, APPELLATE DIVISION

State of New Jersey v. Gualberto L. Lebron

Lebron · No. A-3454-22 · Decided February 24, 2026

SUMMARY

The New Jersey Appellate Division affirmed Gualberto L. Lebron's convictions for murder and related offenses arising from the assault and death of Julia Vega. The court held, as a matter of first impression, that under New Jersey's forfeiture-by-wrongdoing hearsay exception, the intent to procure a witness's unavailability need not be the defendant's sole motivation. The court also rejected challenges concerning the failure to charge passion/provocation manslaughter and the sentence imposed.

CASE DETAILS

COURT	New Jersey Superior Court, Appellate Division
WRITING FOR THE COURT	Gummer, J.A.D.; Paganelli, J.A.D.; Jacobs, J.A.D.
JURISDICTION	Superior Court of New Jersey, Appellate Division
DECIDED	February 24, 2026
DOCKET	A-3454-22
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed his jury convictions for murder and numerous related offenses, as well as his aggregate 106-year sentence, following a trial in the Superior Court of New Jersey, Law Division, Essex County.
STANDARD OF REVIEW	Evidentiary rulings are reviewed for abuse of discretion, with de novo review when the trial court applied the wrong legal standard. Factual findings are deferred to when supported by adequate, substantial, credible evidence. The denial of a requested lesser-included-offense instruction is reviewed under the rational-basis standard. Sentencing decisions are reviewed for abuse of discretion and affirmed unless sentencing guidelines were violated, aggravating or mitigating factors lacked competent credible support, or the sentence is clearly unreasonable or shocks the judicial conscience.
PRECEDENTIAL VALUE	published and approved for publication
PARTIES	Gualberto L. Lebron v. State of New Jersey

TOPICS

hearsay evidence criminal procedure sentencing appellate procedure

PRACTICE AREAS

criminal law evidence criminal procedure sentencing appellate practice

QUESTIONS PRESENTED

1. Whether the trial court properly admitted Vega's out-of-court statements under N.J.R.E. 804(b)(9), including whether the State had to prove that procuring her unavailability was Lebron's sole motive and whether the statements bore sufficient reliability or trustworthiness.
2. Whether the trial court erred by refusing to instruct the jury on passion/provocation manslaughter as a lesser-included offense of murder.
3. Whether the trial court improperly applied aggravating factor one, failed to apply mitigating factor seven, or failed to explain the overall fairness of the aggregate sentence.

HOLDINGS

1. The forfeiture-by-wrongdoing exception does not require proof that the defendant's intent to procure the witness's unavailability was the sole reason for the wrongful conduct. It is sufficient that the intent to prevent testimony was one motivating purpose, and the evidence supported the finding that Lebron acted with that intent.
2. Although the trial court erred by failing to state its reliability or trustworthiness findings, the Appellate Division conducted a de novo review and concluded that Vega's recorded, written, and oral statements possessed sufficient indicia of reliability or compelling indicia of trustworthiness for admission under N.J.R.E. 804(b)(9). Any error was also harmless in light of the overwhelming evidence of guilt.
3. The trial court properly refused to give a passion/provocation manslaughter instruction because the evidence did not provide a rational basis for adequate provocation and insufficient time to cool off.
4. The trial court did not abuse its discretion in applying aggravating factor one, declining to apply mitigating factor seven, or explaining the overall fairness of the aggregate sentence.

KEY QUOTATIONS

"For the admission of a witness's out-of-court statement under the forfeiture-by-wrongdoing exception, the State must prove "by a preponderance of the evidence that defendant engaged, directly or indirectly, in wrongdoing that was intended to, and did, procure the witness's unavailability." (at 17-18)

"Nothing in the language of N.J.R.E. 804(b)(9) requires the State to prove that the intent to render a witness unavailable was the sole reason a defendant caused the witness's unavailability." (at 20)

"With no rational basis for a passion/provocation manslaughter charge in this case, the court correctly declined to give that instruction to the jury." (at 32)

FACTUAL BACKGROUND

Gualberto Lebron lived with or near his former girlfriend, Julia Vega, despite her repeated requests that he leave and her efforts to end their relationship. In the days before Vega's death, Lebron assaulted and threatened her, demanded that she drop domestic-violence charges, and warned that he would kill her if she did not. Vega disappeared on May 9, 2018, and her body was later found decomposing in a duct-taped black bag; physical, surveillance, cellular, DNA, and other evidence connected Lebron to her murder and the concealment of her remains.

PROCEDURAL HISTORY

The trial court admitted statements by the deceased victim under the forfeiture-by-wrongdoing exception to the hearsay rule, N.J.R.E. 804(b)(9). The jury convicted defendant on nearly all charged offenses, and the trial court imposed an aggregate 106-year prison term, including a mandatory life term without parole for murder. Defendant appealed, challenging the hearsay ruling, the refusal to charge passion/provocation manslaughter, and the sentence. The Appellate Division affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Pittman, 419 N.J. Super. 584, 591 (App. Div. 2011)
- State v. Urcinoli, 321 N.J. Super. 519, 530 (App. Div. 1999)
- State v. Garcia, 245 N.J. 412, 430 (2021)
- State v. Medina, 242 N.J. 397, 412 (2020)
- C.R. v. M.T., 257 N.J. 126, 139 (2024)
- State v. Trinidad, 241 N.J. 425, 448, 453 (2020)
- State v. Cabbell, 207 N.J. 311, 328, 335 (2011)
- State v. Byrd, 198 N.J. 319, 324-25, 339-40, 352-53 (2009)
- Davis v. Washington, 547 U.S. 813, 833 (2006)
- State in the Int. of J.A., 195 N.J. 324, 338 (2008)
- United States v. Houlihan, 92 F.3d 1271, 1279 (1st Cir. 1996)
- United States v. Roberts, 84 F.4th 659, 667-68 (6th Cir. 2023)
- United States v. El Shafee Elsheikh, 103 F.4th 1006, 1024 (4th Cir. 2024)
- United States v. Jackson, 706 F.3d 264, 269 (4th Cir. 2013)
- Giles v. California, 554 U.S. 353, 366, 376-77, 380 (2008)
- State v. Gross, 121 N.J. 18, 29 (1990)
- State v. Prall, 231 N.J. 567, 588 (2018)
- State v. Macon, 57 N.J. 325, 336 (1971)
- State v. Sanchez-Medina, 231 N.J. 452, 468 (2018)
- State v. Galicia, 210 N.J. 364, 378-79, 388 (2012)

- State v. Bragg, 260 N.J. 387, 405 (2025)
- State v. Baum, 224 N.J. 147, 159 (2016)
- State v. Green, 86 N.J. 281, 287-88 (1981)
- State v. Carrero, 229 N.J. 118, 127-30 (2017)
- State v. Funderburg, 225 N.J. 66, 80-81 (2016)
- State v. A.L.A., 251 N.J. 580, 595 (2022)
- State v. Brent, 137 N.J. 107, 117 (1994)
- State v. Crisantos, 102 N.J. 265, 275, 278 (1986)
- State v. Owens, 262 N.J. 391, 392 (2026)
- State v. Robinson, 136 N.J. 476, 481, 490 (1994)
- State v. Mauricio, 117 N.J. 402, 412-14 (1990)
- State v. Viera, 346 N.J. Super. 198, 212-16 (App. Div. 2001)
- State v. Jumpp, 261 N.J. Super. 514, 522 (App. Div. 1993)
- State v. Docaj, 407 N.J. Super. 352, 368-69 (App. Div. 2009)
- State v. Abrams, 256 N.J. Super. 390, 395-98 (App. Div. 1992)
- State v. McClain, 248 N.J. Super. 409, 419 (App. Div. 1991)
- State v. Oglesby, 122 N.J. 522, 536 (1991)
- State v. Blanks, 313 N.J. Super. 55, 72 (App. Div. 1998)
- State v. Konecny, 250 N.J. 321, 334 (2022)
- State v. Liepe, 239 N.J. 359, 370 (2019)
- State v. Case, 220 N.J. 49, 65 (2014)
- State v. Rivera, 249 N.J. 285, 297-98 (2021)
- State v. Roth, 95 N.J. 334, 364-65 (1984)
- State v. M.A., 402 N.J. Super. 353, 370 (App. Div. 2008)
- State v. Tarver, 272 N.J. Super. 414, 435 (App. Div. 1994)
- State v. R.A.M., 482 N.J. Super. 439, 459 (App. Div. 2025)
- State v. A.T.C., 454 N.J. Super. 235, 254-55 (App. Div. 2018), *aff'd* in part on other grounds, 239 N.J. 450 (2019)
- State v. Fuentes, 217 N.J. 57, 77 (2014)
- State v. McGuire, 419 N.J. Super. 88, 159-60 (App. Div. 2011)
- State v. Yarbough, 100 N.J. 627, 643-44 (1985)