

## **Christina Beltran Opening - 07 CF 1882**

**Well....you've just heard the State's Opening Statement. An opening statement, in theory and legal lore, is supposed to be like a movie trailer. Kind of a preview for what you will hear and see in the form of evidence.**

**The State of course, presents their own version of an opening statement, and understandably, has the option of putting their own slant on it.**

**We, as the defense, are given the same opportunity to present you with our own opening statement. I have two goals in that respect.**

**The first is to provide you with an overview of what the evidence will be and why Christina is innocent.**

**The second is to have you in some way identify with Christina. To see that she isn't that much different from you. Unfortunately, the truth can be bitter.**

**Christina was born and grew up in Mexico. At about the age of 17, Christina was raped by her mother's boyfriend in Mexico. About 2 weeks after Christina's 18<sup>th</sup> birthday, Evelin was born.**

**Just as Evelin's biological father didn't give a damn about Christina, he didn't give a damn about Evelin either. Evelin was Christina's burden.**

**But rather than consider her a burden, Christina loved Evelin. It didn't matter the circumstances of how the egg was fertilized, Evelin was Christina's little girl.**

**In 2004, Christina was 20 years old. She decided she needed to make a better life for her daughter Evelin. So, she made arrangements to have her aunt care for Evelin, while Christina made her way to the US , to work and earn money. She had considered bringing Evelin with her, but there was too much risk involved.**

**You see, Christina wasn't flying on Delta, or boarding a greyhound bus. She crossed the border in the back of a truck. She ended up in Phoenix, and then had to make her way to Illinois. Christina had heard stories of children being taken away from their parents, and she couldn't risk that.**

**So, Christina asked her aunt to care for Evelin until Christina returned. Christina's plan was to come to Illinois and live with her half-brother, until she could save enough money to return to Mexico, and buy some land and a house for herself and Evelin.**

**....and so it began**

**Evelin made her way from Mexico to Illinois by means of the worst class of accommodations. It was the type reserved for illegal aliens. But eventually, she made it to her step-brother's house.**

**Her first job was at a factory that made sandwiches for retailers such as 7-Eleven. She worked there full-time, and on the weekends and some week days, she worked at McDonalds.**

**From her meager earnings, she sent over \$200 per month to her aunt in Mexico to ensure that Evelin was being cared for.**

**She was working nearly 7 days a week for low wages, but to her, she was living the American Dream.**

**While working at the sandwich factory, a young man whose duties were to wrap the sandwiches caught her eye. It was Victor Jimenez.**

**Christina and Victor began dating and became close. After dating Victor for about 2 ½ months. Victor asked her to move in with him....at his parent's house. So, in May of 2006 Christina moved from her step-brother's house to Victor's parent's house.**

**Soon after Christina and Victor met, Christina told Victor that she had a daughter in Mexico. In fact, it was on their first date.**

**When it appeared to Christina that she was in a serious relationship with Victor, she began to campaign to have Evelin brought up to Illinois.**

**You see, Christina called and spoke to Evelin almost every week since she arrived at her half-brother's house. She ended her phone calls by telling Evelin that she loved her, and they would be together soon.**

**The problem was that Christina had not planned on being romantically involved with someone when she came to Illinois. She didn't foresee meeting Victor.**

**But there was a constant. She would be reunited with Evelin.**

**But now a chapter of the plans needed to be rewritten. Instead of Christina saving so she could return to Mexico and live with Evelin, Christina desperately needed to have Evelin join her in her new life in Illinois.**

**In September of 2006, Christina was seven months pregnant with twins. She was excited about starting a family with Victor, but at the same time, she wanted her daughter Evelin to be a part of this new family.**

**So Christina became more persistent in asking Victor to let Evelin come from Mexico to live with them.**

**Together, Christina and Victor were able to amass \$3000 from work and borrowing. This was the amount they needed to bring Evelin to Illinois from Mexico.**

**It was quite a bit pricier, but for the extra money, Evelin was provided with immigration documentation that would heighten the likelihood of her safe arrival.**

**In March of 2007, Evelin arrived and was an immediate big sister to her newborn twin brothers.**

**On July 6, 2007 an absolute nightmare occurred in Victor and Christina's apartment. Evelin was fatally injured, and despite Christina's rudimentary attempts to revive her daughter, Evelin died.**

**On July 6, Victor left for work, but returned around noon, due to pain in his shoulder.**

**A short time after Victor returned home, he called to Christina and told her that Evelin had had another accident in her pants. It was obvious to Christina that Victor was angry.**

**Christina entered the living room and told Evelin that she should take a bath. As Evelin walked past Victor, Victor extended his good arm, grabbed Evelin and threw her backwards. In doing so, Evelin struck her head.**

**Nonetheless, Evelin was able to stand and walk to the bathroom, where she turned on the water and began to bath.**

**In the interim, Christina began to argue with Victor. Christina did not want Victor manhandling her daughter, and made sure he knew it.**

**However, it was obvious to Christina that Victor was becoming even more angry, so Christina left the room to lay down with the twins for a few minutes - just until they fell asleep.**

**Once the twins were asleep, Christina cautiously walked to the bathroom to check on Evelin. Evelin seemed fine as Christina spoke to her through the partially open bathroom door.**

**However, when Christina glanced toward Victor, she could see that Victor had turned in his chair and was glaring at her. When Christina saw Victor's face, she was certain that he was about to lose his temper. So she went back into the bedroom and hid in the closet behind some furniture.**

**You see, Victor had struck Christina in the past. In fact, Victor had struck Christina several times, and Christina feared that the look on Victor's face would soon be followed up with physical violence. So, Christina thought that by hiding in the closet, she could escape Victor's rage.**

**She could hear Victor calling her name and walking around the bedroom looking for her. Victor even opened the closet door, but didn't notice her behind the wooden box.**

**Christina could hear the water in the bathroom still running, so she knew Evelin was still taking a bath. Christina peaked out of the closet and saw Victor walk toward the bathroom.**

**Then Christina heard a series of thuds from the bathroom. Within seconds, Victor was hectically calling for Christina. Christina still hid in the closet.**

**Then Christina saw Evelin in Victor's arms, and she appeared to be limp. Victor continued to yell for Christina, and said that he thought he may have killed Evelin.**

**As Victor laid Evelin on the bed as Christina frantically emerged from the closet. Victor said that Evelin had fallen in the bath tub.**

**Evelin appeared unresponsive, and Christina immediately began to give CPR to Evelin. Evelin seemed to recover, and so Christina gave Evelin some soda in an effort to further revive her.**

**Evelin began to talk, so Christina thought she was ok.**

**Evelin's rally turned out to be very temporary, and she began to drift back into unconsciousness in the tub.**

**Christina grabbed a blanket and some underwear for Evelin and left for the Bolingbrook Medical Center.**

**Christina had been to Bolingbrook before, and knew there were doctors there. She really wasn't aware of the difference between the doctors there and the doctors at a hospital emergency room. To her, a doctor was a doctor.**

**While there she was in a frenzy. She was still frantic, and worried. She didn't really know what happened to Evelin, and when asked directly how the injury has been sustained, she had to guess.**

**But keep this in mind, Christina didn't know how serious Evelin had been injured. As far as she knew, Evelin was knocked out. She didn't want to blame Victor, or suggest that what had happened was anything other than an accident.**

**At Bolingbrook, Christina believed that Evelin would be treated and would be alright. Christina did not want the authorities swarming on their one bedroom apartment, so she downplayed what had happened. She did not tell everyone what Victor had done. She merely said that Evelin fell in the bathtub.**

**To Christina, it didn't matter. The doctors were experts. They Would find the injury and fix Evelin?**

**However, Evelin injuries were beyond what the Bolingbrook facility was prepared to treat.**



**From Bolingbrook Medical Center, Evelin was whisked to Edwards Hospital, but the efforts to revive her failed. Evelin was dead.**

**In the mean time, Victor brought the twins to his sister's house. He then met up with Christina at Edwards Hospital.**

**But Victor did not want to speak to anyone about what happened to Evelin. At least not until he spoke to Christina.**

**When he did speak to Christina, he discussed the need for Christina to take all of the responsibility for the injuries. After all, they had twins that needed a parent.**

**Victor had plenty of family, a job, and the ability to help Christina. Christina was an illegal alien, with only a step-brother and some extended family. If Victor was arrested, they would lose everything. If Christina loved her twins, she would make the ultimate sacrifice. She should take the blame.**

**Christina DID love her twins. Christina told Victor that she would take the blame.**

**When the police first spoke to Christina, she was hesitant to speak with them. In fact after being read her Rights and being told that she didn't have to speak to the police, Christina invoked that right. She said that she did NOT want to talk to the police.**

**Nonetheless, the police kept questioning Christina. It was a clear indication to her that she really didn't have any rights. She had no papers, and they were the authorities.**

**So, Christina continued to take the blame. She simply said she had done the things that she knew that Victor had done.**

**The evidence will clearly show that Christina expressed her own innocence at Bolingbrook Clinic, at Edward Hospital, and even Investigator Holguin will tell you that during the course of his investigation of Christina, that she proclaimed that she did not hurt Evelin.**

**You'll have the opportunity to hear from Christina, because she will tell you what happened, from right here, the witness stand.**

**At the conclusion of the case the judge will read to you instructions about the believability of witnesses. This is one reason why you should pay close attention to Christina. Watch her. Not only when we question her, but when the State questions her as well. Try to spot signs that indicate just how easily confused she can become. Question the level of her gullibility. Measure her intelligence. Determine for yourself how easily she can be controlled.**

**Now you all sat through jury selection. You all know we were looking for well adjusted, bright people with life experiences. Please don't judge Christina solely in terms of what you would have done.**

**Try to get to know her. Decide for yourself what happened to Evelin.**

**Find Christina Not Guilty.**

**Not because the State can't prove their case, but because Christina is Innocent.**