

**News Release from
The Honorable Sandra Doorley
Monroe County District Attorney**

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FOR IMMEDIATE RELEASE

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**David Gardner and Kimberly Jones Sentenced to 40 Years to Life for the
Kidnapping and Murder of Samuel Ortiz**

Rochester, NY- On Wednesday, April 20, 2022, New York State Supreme Court Justice Renzi sentenced 44-year-old David Gardner and 30-year-old Kimberly Jones to 40 years to Life in the New York State Department of Corrections. This sentence comes after their jury conviction of two counts of Murder in the 2nd Degree, Kidnapping in the 1st Degree, Robbery in the 1st Degree, two counts of Robbery in the 2nd Degree and Criminal Possession of Stolen Property in the 4th Degree for the robbery, kidnapping and murder of Samuel Ortiz.

On July 7, 2019, Samuel Ortiz was reported missing by his family. Two days later on July 9, 2019, his vehicle was found after being lit on fire in Brandon, Florida. On July 13, 2019, Samuel Ortiz's body was found decomposed in a garage in the City of Rochester. Kimberly Jones and David Gardner abducted, robbed and murdered Samuel Ortiz before fleeing the state.

A detailed investigation conducted by the Rochester Police Department spanned over several jurisdictions and involved many law enforcement agencies, including the Hillsboro County Sheriff's Office and Fire Department in Florida, the Tampa Police Department, and the New York State Division of Parole.

Kimberly Jones was arrested for parole absconding in Tampa, Florida in July 2019, where she was then extradited to New York and sent to the Department of Corrections. On July 16, 2020, after Kimberly Jones was released from the New York State Department of Corrections and Community Supervision, she was charged by the Rochester Police Department for Mr. Ortiz's murder.

David Gardner was also arrested for parole absconding when he was located in Salisbury, North Carolina in August 2019. Following the arrest of Kimberly Jones, David Gardner was charged on July 31, 2020, with the kidnapping, robbery and murder of Samuel Ortiz, as he was scheduled to be released from the New York State Department of Corrections.

The case was prosecuted by First Assistant District Attorney Perry Duckles and Assistant District Attorney Patrick Gallagher, Chief of the Domestic Violence Bureau.

“This is the only appropriate sentence for the brutal kidnapping, robbery and murder of Samuel Ortiz. It brings an end to this horrific crime that took place nearly three years ago,” said Assistant District Attorney Perry Duckles. “The Rochester Police Department conducted a complex investigation that took place in multiple states with many agencies. Because of this inter-agency cooperation and dedication, the Monroe County District Attorney’s Office was able to secure justice for Mr. Ortiz’s murder. Both David Gardner and Kimberly Jones are best served in the New York State Department of Corrections, where they can no longer cause violence against members of our community.”

“David Gardner and Kimberly Jones were both parolees when they violently took Samuel Ortiz’s life before fleeing the state,” said District Attorney Sandra Doorley. “Both defendants’ history proves that they will only continue to be a danger to society. It is our hope that Samuel Ortiz’s loved ones can find justice in these life sentences as they continue to mourn his death. Our community will be safer with both of these defendants in the New York State Department of Corrections.”

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