



Written by [Patrick Krey](#) on May 20, 2022

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## Exercising the Right

### Fight Outside Restaurant Turns Deadly

The *Tampa Bay Times* reported April 25 about a deadly shooting in downtown Tampa on the night of February 27 that authorities determined was a justifiable homicide. The Hillsborough State Attorney's Office issued a news release on April 22 explaining what occurred on that fateful night.

A man was inside Bello Bar & Kitchen in Tampa with his girlfriend when he got into an argument with another man. During the argument, two other men approached, and the three men attacked the first man. Restaurant security pushed the fight outside, where the victim was knocked to the ground. The main attacker threw a glass at the victim and stabbed him multiple times with a knife. All three men dog-piled the victim and continued beating him.

Fortunately, the victim was armed and pulled out his gun and fired multiple shots at his attackers. One of the bullets struck the main attacker in the head, fatally wounding him. The deceased attacker was later identified as 23-year-old Adrian Diaz, and the other two culprits were identified as Kevin Zayas and Freddy Santiago, Jr. — both of whom are facing battery charges for their involvement in the deadly fight. The State Attorney's Office said that the victim fled the scene for his own safety, but then called 911 to report what happened and also cooperated with Tampa Bay police.

Security cameras recorded the entire assault, and the State Attorney's Office later said, "After our thorough analysis, we have determined that the facts and evidence of this incident prove that the victim reasonably believed he was in fear of imminent death or great bodily harm when he used deadly force."

### Smoke Shop Robber Gets Smoked

The *Los Angeles Times* reported on May 5 about a shooting in a smoke shop in Compton, California, that was caught on camera.

The video shows four suspects entering the smoke shop. The first three men walked up to the counter and began talking to the employee behind the counter, while the fourth man pulled out a gun and aimed it at the employee. Probably due to the fact that the business is located in a high-crime neighborhood, the man working behind the counter was wearing a bulletproof vest and was also armed. The employee quickly pulled out his own gun, but the armed robber shot at him first, and he fell to the floor. The employee was still able to return fire at the armed suspect. The other suspects all pulled out their own guns and began shooting at the employee as they retreated toward the back of the store. In the chaotic scene, the men tripped over each other as they fired at the employee. The armed burglars huddled behind a shelf and exchanged fire with the wounded employee, who kept shooting back at them.

The burglars eventually fled the scene, but one of the men suffered severe gunshot wounds and was transported to a nearby medical facility. The wounded suspect died from his wounds, and law enforcement was able to identify him as one of the suspects from the video. The wounded employee was treated for his injuries and released from the hospital, and is expected to make a full recovery.

The investigation into the burglary attempt led to one arrest the next day; police have identified the two other suspects, but they are not yet in custody. Authorities say that the surviving suspects will be charged with murder under the state's felony murder rule, which holds accomplices vicariously liable



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for any deaths that occur during the commission of a violent felony even if the accomplices were not directly responsible for the murder.

## **Fourteen-year-old Burglar Gets Shot**

WRTV reported on April 29 about a shooting that occurred on the east side of Indianapolis when two suspects broke in to a man's home. The Indianapolis Metropolitan Police Department told WRTV that a homeowner had returned to his residence to find two intruders in his house. The two suspects and the homeowner got into a confrontation, and the homeowner shot one of them while the other one fled from the scene. The wounded suspect received treatment for his injuries, which were described as not being life-threatening.

The investigation later revealed that the wounded suspect was only 14 years old. It's tragic to think that someone so young could be involved in such dangerous felonies and that he easily might have been killed by the homeowner. We can only hope this experience is enough to scare this 14-year-old away from a life of crime. The police are still searching for the other suspect.

## **Home Break-in Fatal for Burglar**

The *Tyler Morning Telegraph* reported on April 28 about a home break-in that occurred in Canton, Texas. The Canton Police Department issued a news release in which they explained that 51-year-old Erik Hicks was repeatedly shot by a homeowner after forcing his way into the man's home.

The deadly shooting occurred just after midnight, when the homeowner was awakened by the sound of Hicks forcing his way into the house. The homeowner confronted Hicks, and shot him multiple times. The homeowner called 911, and police and medics soon arrived. Hicks was transported to a local medical facility, where he was pronounced dead. The Canton Police Department and the Texas Rangers conducted a joint investigation in which they discovered that Hicks was armed during the break-in.

The investigation is ongoing, and once it concludes, the case will go to the Van Zandt County Grand Jury for review. It is unlikely there will be criminal charges against the homeowner, since the shooting occurred inside his house and there is a presumption that a homeowner is justified in using lethal force to defend himself in his home.



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