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Business owner acquitted in shooting after 17 months in jail

December 16, 2010 | By RACHANEE SRISAVASDI

SANTA ANA – Salvador Mercado Jimenez describes himself as an innocent man who acted in self-defense when he shot a man outside his business.

A county prosecutor saw it differently, calling Jimenez an angry security guard who tried to kill an unarmed man as he walked away.

Earlier this month, a jury and a judge weighed in. The jury sided with Jimenez, acquitting him of attempted murder and mayhem. Orange County Superior Court Judge Gary Paer dismissed the remaining lesser charges against him.

Jimenez, 52, who could have been incarcerated the rest of his life if convicted, was set free from Orange County Jail on Dec. 1. He had been in custody since June 27, 2009 – a total of 17 months and four days.

The fight happened outside Jimenez's longtime business, Salon Guadalajara Dance Hall, in the 1400 block of South Main Street on that June 27.

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Jimenez, who emigrated here from Guadalajara when he was a teenager, started the business on his own. Working seven days a week, Jimenez rented out the space for parties and also served as a security guard during events. The business' success enabled him to send his three children to Mater Dei High School.

Jimenez, who testified during his trial, recounted his story to The Orange County Register.

The night of the shooting, there was a private birthday party at the dance hall. A group of 10 to 15 men loitered outside. Some began drinking and using nitrous oxide, he said.

Holding a flashlight, he came outside with another security guard and asked the group to leave.

They cursed and threw glass beer bottles at the pair, he said. Two bottles hit Jimenez, who took out pepper spray but couldn't get the spray can to work.

The group circled around him. Jimenez put back the spray and took out his baton. The men knocked the baton out of his hand, he said.

Jimenez was scared. Some men started grabbing at him, trying to take his gun.

"At first, I was trying to protect my business," Jimenez said. "At that moment, I was trying to protect my life."

Jimenez took out his gun and pointed it to the floor. Rogelio Nolasco, one of the men in the group, grabbed the gun, which went off during the struggle, he said. Nolasco was shot in the back of his head. He's now partially paralyzed, and eyesight in his left eye is limited, according to prosecutors.

Jimenez was arrested that night. He said he was shocked – believing that everyone would understand he was acting in self-defense.

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