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Drunk driver gets maximum penalty in death

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Samuel Sierra was given the maximum penalty Monday for killing a Rochester man while driving drunk — the second time he has been convicted of manslaughter.

State Supreme Court Justice David D. Egan sentenced Sierra to prison for 7 1/2 to 15 years for second-degree manslaughter, second-degree vehicular manslaughter, first-degree aggravated unlicensed operation, driving while intoxicated and running a red light in the death of Michael H. Civiletti on Oct. 14, 2006.

Although Sierra, 42, apologized for causing Civiletti's death, Egan noted Sierra's conviction for killing a passerby who rode his bicycle into a gun battle between Sierra and his brother in 1993.

"Mr. Sierra, your record shows that you're a criminal and you're a drunk, and now you have two bodies on your back to carry — a very heavy weight."

Civiletti, 45, was on his way home from a church choir rehearsal when his car was broadsided at Portland Avenue and Norton Street by Sierra, who barreled through a red light at a speed estimated at 55 to 60 mph.

The speed limit was 30 mph.

Sierra's blood-alcohol content was 0.17 percent, more than twice the level needed for a DWI charge.

He also was driving without a license because he was convicted in Irondequoit in April 2006 of driving while his ability was impaired and the state Department of Motor Vehicles revoked his license for refusing to submit to a sobriety test.

The courtroom was packed with Civiletti's family, friends and fellow Boy Scout leaders from Troop 195 at Holy Name of Jesus Church, where Civiletti was assistant scoutmaster.

His widow, Regina Civiletti, wore her husband's Troop 195 polo shirt as she told Egan that Sierra had deprived her family of a kind and caring father of three who had a corny sense of humor and "loved his family, his God, his church and his country."

Outside court, she said she hopes Sierra's sentencing can help her family begin to heal.

"I don't think closure is ever going to happen, but it's a start," she said.

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Background

Samuel Sierra pleaded guilty in April and was promised a prison term of 4 1/2 to nine years. The plea set off angry letters and phone calls to County Court Judge John J. Connell, who offered the plea. Connell withdrew the plea and recused himself, saying the District Attorney's Office misled him into believing it supported the sentence. The DA's Office said it always maintained Sierra should receive the maximum penalty.

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