



## OFFICE OF THE DISTRICT ATTORNEY

P.O. Box 1748, Austin, TX 78767  
Telephone: 512/854-9400  
Fax: 512/854-4206

**MARGARET MOORE**  
DISTRICT ATTORNEY

**MINDY MONTFORD**  
FIRST ASSISTANT

For Immediate Release  
March 11, 2020

### **Darrell Shane Smitty Sentenced to 20 Years in Prison In Connection with the Death of Ernesto Garcia**

(Austin, TX) In a plea deal with the Travis County District Attorney's office, 53-year-old Darrell Shane Smitty of Hutto pled guilty to Intoxication Manslaughter and failing to stop to render aid in connection with the hit and run death of 40-year-old Ernesto Garcia.

Smitty was sentenced to 20 years in prison by visiting Judge Mike Lynch in the 299<sup>th</sup> District Court.

On the morning of August 1, 2018, Garcia was walking towards a bus stop near Ben White Boulevard and South First Street. While passengers were boarding the bus, witnesses say a pick-up truck drove around the bus, onto the sidewalk and struck Garcia.

The truck came to a halt after crashing into a trash can. Capital Metro video then shows the driver, later identified as Darrell Shane Smitty, getting out of his truck and walking over to the man he had hit. He then returned to his truck and fled the scene. Garcia died from his injuries.

That same day, Smitty went to Dell Seton Medical Center at the University of Texas to seek medical attention. Austin Police investigators were able to track him to the hospital the following morning and Smitty was arrested.

The case was prosecuted by Travis County Assistant District Attorney Matthew Foye with the Vehicular Crimes Special Prosecution Unit. "This case serves as a tragic reminder that everyone has a responsibility for each other's safety on the roads of our community and that everyone has a legal duty to remain at the scene of a collision. If you do not remain, you can and will face an additional criminal charge for leaving," Foye said.

Media contact: Ron Oliveira at: [Ron.Oliveira@traviscountytexas.gov](mailto:Ron.Oliveira@traviscountytexas.gov)

#####