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FOR IMMEDIATE RELEASE

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ILLEGAL IMMIGRANT FOUND GUILTY OF SEXUAL BATTERY, IMPREGNATING CHILD

State Attorney Melissa Nelson announces that a Duval County jury found Sergio Pena guilty of Sexual Battery and Child Abuse – Impregnating a Child Under the Age of 16. With the verdict, Pena faces a mandatory life sentence in Florida State Prison; the Honorable Lindsay Tygart will formally sentence Pena at a later date.

Between April 1 and June 30, 2008, the victim and her mother lived in a shared house. Pena, 21 years old at the time, moved in around April 2008. Pena would often be the only person present when the 11-year-old victim arrived home from school. He raped her on several occasions. He left Jacksonville and moved west in late June 2008. Soon after, the victim began showing signs of pregnancy, which was confirmed through a pregnancy test and a medical exam. At that time, the victim disclosed the sexual abuse to her mother, who then reported it to law enforcement. Subsequent DNA evidence also linked Pena to the sexual assault.

Due to Pena's illegal immigration status, an arrest warrant was provided to the U.S. Marshals Service Fugitive Task Force in 2008. On May 10, 2023, Pena was arrested when he illegally crossed the U.S.-Mexico border in Arizona.

The case was investigated by the Jacksonville Sheriff's Office and prosecuted by Assistant State Attorneys Jessica Russell and Marleigh Gulliford.