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Shooter gets 38 years in prison

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Adrian Rodarte made a number of choices that led to the events of Nov. 15, 2008, and the death of Loveland's Casey Harvey, said District Judge Jolene Blair during a sentencing hearing Wednesday.

Rodarte chose to steal a handgun and ammunition just a week before.

He chose to show up at a late-night confrontation in the parking lot of Loveland's Thompson Valley High School.

And there, the then-18-year-old chose to arm himself with the deadly weapon.

In the end, the results of those choices left 23-year-old Harvey dead, with Rodarte as the shooter.

On Wednesday, the judge sentenced Rodarte to 38 years in prison for second-degree murder.

During the emotional 1 1/2-hour hearing, defense and prosecuting attorneys presented varying accounts of what happened that night, while family members of both the victim and the defendant spoke of the young men involved.

"My son who sits before you is not a cold-blooded murderer," Roxanne Rodarte, the defendant's mother, told the judge.

Defense attorney Norm Townsend agreed, citing witness accounts that he said showed Rodarte not as a murderer, but as a young man acting in self-defense.

One of Harvey's friends had brought a knife to the fight, Townsend said, which led to Rodarte firing the gun he never intended to use.

"The reality is Adrian was stupid, Adrian was foolish ... but there was no evidence Adrian specifically armed himself to go to this fight," Townsend said.

He added that both parties were responsible for agreeing to attend the confrontation in the first place, which started over an argument about a girl.

"If it weren't so sad, it would be silly," Townsend said, later adding, "Both parties share blame for what happened that night. ... Every one of them was at fault."

Yet the people at the other end of the courtroom disagreed, saying that the fault lay only in Rodarte's actions and poor choices.

“There is agreement this outcome is the result of something needless,” said prosecutor Tom Lynch. “But the defendant did knowingly go to the Thompson Valley High School with a loaded gun.”

Lynch argued that Rodarte was trying to fit a “gangster image” by bringing the gun, which he chose to aim at Harvey and pull the trigger.

“He used the gun as he intended,” Lynch said. “The defendant armed himself at Thompson Valley High School prepared to shoot someone, which is exactly what he did to Casey Harvey at point-blank.”

Harvey’s family members pleaded with the judge to give Rodarte the maximum 40-year sentence.

“(Casey) didn’t deserve this. He deserved a long, healthy life,” said the victim’s mother, Angela Harvey. “And that’s why I think the defendant deserves the maximum time.”

Before sentencing, Rodarte — who had sat silently with his head bowed throughout the proceedings — spoke a few sentences to the court and the victim’s family.

“After this incident, I know I have affected a lot of people, and I am truly sorry for that,” he said, adding, “I hope one day they can forgive me and have peace in their hearts instead of anger for me. That is all.”

In the end, Blair agreed with both sides that the events of that night were senseless and needless.

While no one can prove exactly what happened leading up to the murder, she said, Rodarte ultimately chose to integrate himself into the fight with a loaded gun.

“It is a crime of violence,” she said, adding, “At the end of the day, Mr. Rodarte shot another man at close range in the head.”

For that, Blair sentenced Rodarte to 38 years in prison.