



Written by [R. Cort Kirkwood](#) on July 8, 2025

## Riley Murderer Ibarra Seeks New Trial With Mental Evaluation

Jose Ibarra, convicted in the murder of nursing student Laken Riley last year, might be retried.

Attorneys for the [Tren de Aragua terror gang member](#) now claim that he was not mentally competent to understand his trial, or what he was doing when he settled for a bench instead of jury trial.

Ibarra, his attorneys say, needs a check up from the neck up. The trial judge agreed. The special prosecutor in the case didn't oppose the move despite there being zero evidence that Ibarra was tried unfairly due to his putative mental incapacity.



AP Images  
Jose Ibarra

Ibarra's legal monkeyshines aside, his case highlights the Biden administration's policy of catching and releasing illegal aliens at the border.

Laken Riley's killer Jose Ibarra gets major win as judge allows him to undergo mental evaluation for shot at trial redo <https://t.co/qyjTjbCyNC> [pic.twitter.com/8Mt1DDZppW](https://pic.twitter.com/8Mt1DDZppW)

— New York Post (@nypost) [July 7, 2025](#)

### The Murder

Ibarra is a Biden "migrant" from central casting. Caught jumping the border then released in 2022 on Biden's longstanding orders, Ibarra made his way to New York, where he quickly landed in trouble with the law but, of course, faced no charges. Though cops arrested the violent miscreant for harming a child, that arrest was expunged, and the Biden administration [rewarded him](#) with a work permit.

But that wasn't enough help to get him to the scene of his crime. [New York City taxpayers coughed up](#) the fare for his plane ticket to Georgia.

[He murdered](#) Riley in Athens on February 22 after he attacked her and dragged her off a jogging trail near the University of Georgia some time between 9:00 a.m. and 9:28 a.m., when her smartwatch stopped detecting her heartbeat. He strangled her, tried to rape her, and smashed her skull in with a rock.

Judge H. Patrick Haggard convicted Ibarra [on following charges](#): felony murder while kidnapping with bodily injury, felony murder while committing aggravated assault to commit rape, felony murder while committing aggravated battery, and separate counts of aggravated battery, kidnapping with bodily injury, and aggravated assault to commit rape.

He also convicted Ibarra for evidence tampering, Peeping Tom, and obstructing or hindering a person making an emergency call.



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The judge sentenced the Venezuelan murderer to life in prison.

The death penalty should be sought for Jose Ibarra. But Athens District Attorney Deborah Gonzalez has said she won't seek the death penalty — and said she will “take into account collateral consequences to undocumented defendants”. I sincerely hope she reverses course. [pic.twitter.com/m4ufqOulOP](https://pic.twitter.com/m4ufqOulOP)

— Houston Gaines (@houstongaines) [February 26, 2024](#)

Far-left Democratic District Attorney Deborah Gonzalez, by the way, had decided that a hot shot while strapped to a gurney wasn't the right punishment for murderers in her territory. Even worse, as George State Representative Harrison Gaines noted on X, Gonzalez's charging policy would “take into account collateral consequences to undocumented defendants.”

Translation: We can't upset the illegal aliens.

## His Case

“Ibarra's attorneys — who are handling his appeal case — said in court papers from last month that they believe Ibarra is ‘suffering from congenital deficiency which could render the client incapable of preparing a defense and standing trial,’” the [New York Post](#) reported:

The defense attorneys also claimed he “lacks the mental capacity to understand the nature and object and proceedings and counsel believes that this was in existence at the time of the offense and at the time of the trial.”

Strangely, though, his trial attorneys said nothing about any “congenital deficiency” at the time. And he certainly didn't lack the mental capacity to murder Riley.

“Ibarra's trial lawyers didn't have him evaluated before trial, which might have been a problem when he agreed to only be tried by a judge and not a jury, the appeal lawyers claimed,” the [Post](#) continued:

[Special] Prosecutor Sheila Ross responded in her own court papers, saying there was no evidence during trial that suggested Ibarra wasn't mentally competent. But Ross didn't oppose Ibarra getting evaluated and left it up to Haggard to decide.

Haggard's order said, “The mental competence of [Ibarra] has been called into question, and this court has found it appropriate for an evaluation to be conducted at the public expense.”

Thus will a headshrinker drill into Ibarra's noggin to find out whether was fit to be tried and can assist his appeal. A “prompt evaluation,” as Haggard ordered, is ahead.

So now, Ibarra gets a shot at a new trial, despite, again, there being zero evidence he was “suffering from congenital deficiency which could render the client incapable of preparing a defense and standing trial,” or that he “lacks the mental capacity to understand the nature and object and proceedings.”

On the other hand, given Gonzalez's pro-illegal-alien policy to “take into account collateral consequences to undocumented defendants” when filing charges, one might call it miraculous that Ibarra was even charged with felony murder.



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## Catch and Release

The Ibarra case spotlighted the Biden administration's policy of catching and releasing unvetted illegal aliens into the country. The most dangerous, at least for Riley, were Venezuelans affiliated with the TdA terror gang. By the time President Biden left office, the [gang had established](#) a nationwide network [in major cities](#).

The administration [also released](#) Ibarra's two criminal brothers at the border. But the release of Jose exposed former Homeland Security Secretary Alejandro Mayorkas as a notorious liar. In April last year, under questioning from U.S. Senator Josh Hawley of Missouri during a Homeland Security Committee hearing, [Mayorkas refused](#) to discuss the case because it was "under investigation."

Two days before that, he told the committee that he didn't know why Ibarra had been released. Six days before that, he said Ibarra was released because DHS didn't have "derogatory information" about him.

Here's the truth. Mayorkas illegally paroled Laken Riley's killer into the US. He had a criminal record. He then committed a crime against a child in New York. No prosecution. In fact, HE GOT A WORK PERMIT. And then he killed Laken. Mayorkas knew \*all\* this. He lied about it [pic.twitter.com/hA6qXh11JO](https://pic.twitter.com/hA6qXh11JO)

— Josh Hawley (@HawleyMO) [April 18, 2024](#)

Hawley fumed at the [Cuban visa fraudster](#). The bulldog senator had Ibarra's DHS file. "We all know that the reason he was paroled into this country was because [of the] lack of detention capacity, which, as you and I both know, is not a valid reason under the statute.... Here it is," Hawley said. Then he quoted the file: "Subject was paroled due to detention capacity at the Central Processing Center in El Paso, Texas."

Laken Riley died because Ibarra would have been uncomfortable in an illegal-alien detention facility.



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