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Jury acquits driver in 2nd assault trial

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A Star Shuttle driver accused of sexually assaulting a 24-year-old passenger with Down syndrome has been acquitted.

A jury of six men and six women deliberated less than three hours Monday before returning a verdict of not guilty against Francisco Mendoza, 52.

The case was tried before Senior Judge Phil Chavarria Jr.

It marked the second time Mendoza was tried on the same charge. His first trial ended in a mistrial in January after a jury was unable to reach a verdict.

Mendoza was a driver for the company for less than two years when the sexual assault allegations arose in November 1995. He has been assigned to a maintenance position with the company since then.

"For now, I just want to work and try to forget about this, but it's not going to be easy," Mendoza said by phone Tuesday.

Star Shuttle contracts with VIA Metropolitan Transit to provide some charter services for the city transportation system.

A Star Shuttle official said Mendoza possibly may be reinstated as a driver.

"We will have to meet with VIA and Mr. Mendoza to determine what happens at this point," Star Shuttle President John Walker said.

Pat Hancock, Mendoza's attorney, said the trial was a major ordeal for his client even though he was exonerated.

"The travesty is that he was falsely accused," Hancock said.

During the trial, Hancock questioned the timing of a civil lawsuit the woman's family filed against Star Shuttle only days after the alleged sexual assault.

That lawsuit is pending.

Meanwhile, Diana Cruz, the lead prosecutor in the case, said she was "very disappointed" in the verdict, although she said she accepted it.

"It was a difficult case from the outset," Cruz said, referring to the mistrial. "The bottom line was whether they believed the victim beyond a reasonable doubt."

Although there was medical evidence that corroborated the woman's testimony, Cruz said it came from an exam performed three months after she filed a sexual assault complaint.

Hancock pointed out that an initial examination following the alleged sexual assault was negative.