

Ex-wife testifies Gallo bit daughters

Trial's punishment phase continues for man convicted in 3-year-old's death

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A man convicted of beating, biting and sexually assaulting his girlfriend's 3-year-old daughter used to bite his biological daughters hard enough to leave teeth marks.

Tomas Gallo's ex-wife testified Friday during the punishment phase of Gallo's trial that she did not mind his playful biting of their daughters, but Noelia Gallo said she told her then-husband not to bite other children "because it didn't look right."

Other testimony Friday revealed Tomas Gallo is a gang member with an allegiance to the Mexican Mafia, a powerful prison gang here and in California. Gallo is from California where he has a juvenile crime record.

Gallo, 27, was convicted Thursday of capital murder in the Dec. 11 death of Destiny Flores. A jury in state District Judge Jeannine Barr's court must now decide whether he should receive a life or death sentence.

Destiny died on her third birthday after she and her 5-year-old sister had been left in the care of Gallo, who lived with them, their mother, aunt and two cousins in

South Houston. Destiny suffered bite marks and bruises over most of her body. She had broken ribs, a crushed skull and two tears on her vagina. Her heart, lungs and kidneys also were bruised.

Gallo has admitted biting the child but told investigators he does not know how she was sexually assaulted or died. His lawyers unsuccessfully argued that another man was responsible or that Destiny's mother, Christina Arredondo, was involved. Arredondo has given conflicting statements to police. On the witness stand last week she denied then admitted sending love letters to Gallo in jail.

Noelia Gallo, 25, said she met Gallo in the small town where they lived in Riverside County, Calif. She was 14, and he was 17. He already was a member of a gang, and she wanted to become one.

The couple had their first child when she was 16 and the second when she was 18. They soon married after the second child but the marriage was "stormy" and "violent."

Noelia Gallo sought several restraining orders against her husband, but she testified she caused just as much of the violence in their relationship as he did,



A jury must decide on a life sentence or the death penalty for **Tomas Gallo**, convicted of capital murder.

mostly over extramarital affairs.

Their daughters witnessed much of the fighting, Noelia Gallo said, but her husband never abused the children. She said she did not consider the biting abuse.

The couple moved to Pasadena in 1998 to start a new life. At first, Tomas Gallo worked while she stayed at home with the children. But when he lost his job, they were forced to move in with friends until eventually they had nowhere to live. The family went to Harlingen to stay with Noelia Gallo's sister.

On Tomas Gallo's way back to Houston — where he was to find a job, then send for his family — he was arrested in San Antonio on aggravated assault charges.

While her husband remained in jail, Noelia Gallo and the children moved back to California. Tomas Gallo visited once after receiving

probation but returned to Texas to fulfill the terms of punishment.

Although the couple talked on the phone often, Noelia Gallo never saw her husband again until recently when she tried to bring their daughters to visit him in the Harris County Jail.

A 16-year-old girl testified Friday that she is the mother of Gallo's year-old daughter, born a month before Destiny's death. The teenager said Gallo was not violent with her and he has not been involved in her daughter's life.

Officials from California testified Gallo has a juvenile record there for two weapons violations — pulling a knife on someone and firing a gun. He was on juvenile probation until he was 18.

Gallo has more than a dozen gang-related and other tattoos, said gang investigators from Pasadena and California. The gang-related ones include the No. 13 on his arm and leg that represent the 13th letter of the alphabet, M, a common moniker for the Mexican Mafia.

His most recent tattoo is a cross with the words "Destiny RIP."

Testimony is scheduled to continue Monday.