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SUSPECT TRIAL VERDICT ATTEMPT MURDER CHARGE ARSON

BOYNTON MAN GUILTY OF ATTEMPT TO MURDER

Author: *Kathryn Quigley, Palm Beach Post Staff Writer*
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A 22-year-old man who made a bomb so his girlfriend would think he was a "hero" for trying to protect her from her husband was convicted Tuesday of attempted first-degree murder and attempted first-degree arson.

Ricardo Diaz of Boynton Beach faces from 10 years to life in prison when sentenced on Sept. 6.

After jurors deliberated for about 50 minutes, Diaz sat quietly while their verdict was read. His family cried softly in the back of Circuit Judge Richard Wennet's courtroom.

Diaz testified Tuesday that he made the bomb and planted it under the bed of his lover's husband, Elmer Rivera. But he told the jury he meant only to scare Rivera, not kill him.

He claimed he created the bomb out of oxygen canisters, tape, a 9-volt battery, a pipe and shrapnel, as a way to make his girlfriend - Rivera's wife - think he was tough and macho.

"I wanted to be her hero," Diaz said.

Assistant State **Attorney** Tom Lawson told the jury that Diaz, a former soldier, knew he was creating a deadly device and meant to kill Rivera.

"He was going to kill that man and take his wife," Lawson said.

Diaz testified that he left "very good warning signs" in the Boynton Beach home of Rivera and his wife, Nayades Ortega. She let Diaz into the house and he purposely left a sliding glass door open to make Rivera suspicious. Diaz wrapped the bomb in white towels to make it more noticeable, he said.

Ortega, 26, told Diaz that her husband abused her and the only way she could get away from him was if he were dead. So Diaz, whom she met at work, came up with a plan.

"The bomb thing was my idea," he said. "That's the only thing that would really scare him."

Rivera, 27, testified that he was indeed scared when he came home in the early morning hours of May 18, 2000, and saw a bomb under his bed.

He was so startled that he grabbed a handgun and his cordless phone while he ran outside in his underwear to call Boynton Beach police.

Rivera denied abusing Ortega, from whom he is now divorced. He said he was unaware she was having an affair with Diaz.

Rivera and Ortega have a 3-year-old son, who is staying with Rivera. Ortega is serving an 18-month sentence after she pleaded guilty in May to her role in the bomb plot.

Diaz testified that he didn't know that Ortega, whom he calls "Pebbles," was married when they met at work in August 1998. Eventually she confided in him about problems with her husband.

"Pebbles just came at me like she needed help," Diaz said. "Like she was in pain."

He would hold and comfort her. In return, she bought him clothes, jewelry and a 1996 gold Infiniti car.

Diaz testified it took him about three weeks to make the bomb.

His lawyer, Bruce **Lehr**, asked him why he didn't just make a fake bomb if his intent was simply to frighten Rivera.

"Because that wouldn't look real," he said.

kathryn_quigley@pbpost.com

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