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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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THE UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v. Criminal Action No.  
1:25-cr-00035-BAH-1  
Friday, June 20, 2025  
9:50 a.m.  
  
CRISTIAN FERNANDO GUTIERREZ-OCHOA,  
  
Defendant.  
- - - - - x

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TRANSCRIPT OF SENTENCING HEARING  
HELD BEFORE THE HONORABLE BERYL A. HOWELL  
UNITED STATES DISTRICT JUDGE

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APPEARANCES:

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## P R O C E E D I N G S

THE COURTROOM DEPUTY: Your Honor, this is Criminal Case 25-035, *United States of America v. Cristian Fernando Gutierrez-Ochoa*.

And also for the record, Your Honor, Interpreters Teresa Roman and Susana Santangelo have been sworn for this matter.

Will parties come forward to the lectern and identify yourselves for the record this morning. We'll start with government counsel first.

MR. MEISEL: Good morning, Your Honor; Douglas Meisel for the United States. With me at counsel table is Special Agent Kyle Moore.

THE COURT: Good morning.

MR. RONIS: Good morning, Your Honor; Jan Ronis appearing with co-counsel, Mr. Anthony Colombo, on behalf of Mr. Gutierrez-Ochoa.

THE COURT: Good morning. Welcome back to the East Coast.

MR. RONIS: Thank you, Your Honor.

THE COURT: Good morning, Mr. Gutierrez-Ochoa.

THE DEFENDANT: Good morning.

THE COURT: All right. I understand the purpose of today's hearing is for Mr. Gutierrez-Ochoa to enter a plea of guilty to Count 2 of the information that's been

1 filed against him docketed at ECF 20 for conspiring with  
2 others to conduct and attempt to conduct concealment of  
3 money laundering involving the proceeds of narcotics  
4 trafficking in violation of 18 USC Sections 1956(h) and  
5 1956(a) (2) (B) (i) .

6 Mr. Ronis; is that correct? Or Mr. Colombo, are  
7 you speaking today?

8 MR. COLOMBO: Yes, Your Honor, that is correct.

9 THE COURT: All right. So, Mr. Gutierrez, could  
10 you just step forward to the podium with counsel.

11 All right. So, Mr. Gutierrez, I'm going to be  
12 asking you a whole series of questions today because I have  
13 to assure myself that you understand the charge against you,  
14 the penalties you face, the rights you'd be giving up by  
15 entering the plea of guilty, and that you understand the  
16 rights that -- both constitutional and statutory and  
17 procedural rights that you would be giving up.

18 If at any time I ask you a question that you want  
19 me to repeat, don't hesitate to ask me to do so, and I'll  
20 repeat the question.

21 If I ask you a question that you want to talk to  
22 your lawyer about before you answer, again, just let me know  
23 you want a moment to confer with your lawyer, and I'll give  
24 you time to talk to him. Do you understand?

25 All right.

1 THE DEFENDANT: Yes.

2 THE COURT: So the first thing we're going to  
3 do is, Mr. Coates, would you administer the oath to  
4 Mr. Gutierrez.

5 (Defendant sworn)

6 THE COURT: So you're now under oath. This means  
7 that, if you do not answer my questions truthfully, you  
8 could be prosecuted for perjury or for making a false  
9 statement, and any false answers that you give to me here  
10 today could be used against you in that prosecution. Do you  
11 understand that?

12 THE DEFENDANT: Yes.

13 THE COURT: And what is your full name?

14 THE DEFENDANT: Cristian Fernando Gutierrez-Ochoa.

15 THE COURT: And how old are you, Mr. Gutierrez?

16 THE DEFENDANT: I'm 27.

17 THE COURT: How far did you go in school?

18 THE DEFENDANT: High school.

19 THE COURT: Did you graduate from high school?

20 THE DEFENDANT: Yes.

21 THE COURT: And do you have any difficulty reading  
22 and writing in Spanish?

23 THE DEFENDANT: No.

24 THE COURT: Are you able to read and understand  
25 the written word in English?

1 THE DEFENDANT: No.

2 THE COURT: So, Mr. Colombo, could you just  
3 describe the process you went through in reviewing the  
4 various paperwork underlying the plea.

5 MR. COLOMBO: Yes, Your Honor. Mr. Ronis and I  
6 met with Mr. Gutierrez-Ochoa. We used the --

7 THE COURT: Could you just move that microphone  
8 closer to you.

9 MR. COLOMBO: We used the services of a Spanish  
10 interpreter, one that's actually authorized by the Court and  
11 has translated for the Court before, and she read the  
12 entirety of the agreement verbatim to Mr. Gutierrez-Ochoa.

13 After that was completed, then Mr. Ronis and I  
14 went through each paragraph with him to make sure he  
15 understood before he signed the agreement.

16 THE COURT: All right. And, Mr. Gutierrez, in  
17 that process that your lawyer just described --

18 (To Mr. Colombo) Could you turn the microphone  
19 back to him. Thank you.

20 -- do you believe that you understand everything  
21 that's in the plea agreement and the other paperwork  
22 submitted in connection with your plea today?

23 THE DEFENDANT: Yes.

24 THE COURT: And where were you born?

25 THE DEFENDANT: In Zamora, Michoacan.

1 THE COURT: And what country is that in?

2 THE DEFENDANT: Mexico.

3 THE COURT: All right. If you're not a U.S.  
4 citizen, do you understand that conviction of this offense  
5 may result in your deportation, exclusion from the United  
6 States, or denial of citizenship under immigration laws?

7 THE DEFENDANT: Yes.

8 THE COURT: Have you taken any alcohol or drugs in  
9 the last 48 hours or any medicine that could affect your  
10 ability to understand what is going on here today?

11 THE DEFENDANT: No.

12 THE COURT: Have you received any treatment  
13 recently for any type of mental illness, emotional  
14 disturbance, or addiction to narcotic drugs of any kind?

15 THE DEFENDANT: No.

16 THE COURT: Are you completely satisfied with the  
17 services of your attorneys in this case?

18 THE DEFENDANT: I am.

19 THE COURT: And do you feel that you've had enough  
20 time to talk to your attorneys about the case, the evidence  
21 against you, and the plea offer in this case and whether or  
22 not you should accept it?

23 THE DEFENDANT: Yes.

24 THE COURT: And, Mr. Colombo, do you have any  
25 question as to Mr. Gutierrez's competency to enter a guilty

1 plea today?

2 MR. COLOMBO: No, I do not, Your Honor.

3 THE COURT: Does government counsel have any  
4 question about his competency to enter a plea today?

5 MR. MEISEL: No, Your Honor.

6 THE COURT: Okay. I find that Mr. Gutierrez is  
7 responding appropriately to my questions. He seems to  
8 understand fully what's going on. Therefore, I find he is  
9 competent and capable of entering an informed plea today so  
10 I will proceed with the rest of the hearing.

11 The next stage of the plea hearing, Mr. Gutierrez,  
12 is where I describe to you the constitutional, statutory,  
13 and procedural rights that you hold under American law that  
14 you would be giving up if I accept your guilty plea here  
15 today. This is one where some of the questions may sound a  
16 bit legalistic, so I want to remind you that if you want me  
17 to either repeat a question or give you an opportunity to  
18 talk to your lawyer before you answer, just let me know, and  
19 I'll either repeat it or give you time to talk to your  
20 lawyer before you answer. Do you understand that?

21 THE DEFENDANT: Yes. I'm fine, thanks.

22 THE COURT: All right. Now, you're entering a  
23 plea of guilty to a charge in a document called an  
24 information.

25 And I appreciate that you executed and signed,

1 before the magistrate judge, a waiver of indictment in this  
2 case. That was -- and I think you signed that back in  
3 December of 2024. But I want to make sure that you  
4 understand that you have a right to have a grand jury  
5 consider the charges and the information against you. And  
6 if you decided that you wanted to have an indictment rather  
7 than just an information, the government would be required  
8 to present evidence to a grand jury and persuade at least 12  
9 grand jurors out of 16 that there's probable cause to  
10 believe that the charge against you was committed and that  
11 you committed it.

12 Do you understand that you have a right to have a  
13 grand jury indictment in this case?

14 THE DEFENDANT: Yes.

15 THE COURT: And I see a document called "Waiver of  
16 Indictment," and I'm going to -- for the record, I'm going  
17 to hold that up to you. Is that your signature on that  
18 document signed today?

19 THE DEFENDANT: Yes.

20 THE COURT: And you understand that you're waiving  
21 your right to a grand jury indictment in this case?

22 THE DEFENDANT: Yes.

23 THE COURT: All right.

24 Now, you have a right to plead not guilty to the  
25 charges in the information and to have a jury trial in this



1 case. That means that 12 citizens from the District of  
2 Columbia would sit in the jury box to my left, your right,  
3 listen to the evidence presented by the government, and  
4 determine whether or not the government had proven your  
5 guilt of the crime charged in the information.

6 Do you understand that you have a right to plead  
7 not guilty and to have a jury trial on the charges in the  
8 information filed against you?

9 THE DEFENDANT: Yes, I understand.

10 THE COURT: If you had a trial, you would have the  
11 right to be represented by your lawyers at the trial and at  
12 every other stage of the proceeding and, if necessary, have  
13 the Court appoint counsel for you. Do you understand that?

14 THE DEFENDANT: Yes.

15 THE COURT: If you had a trial, you would have the  
16 right, through your lawyer, to confront -- meaning cross-  
17 examine -- any witnesses brought to testify against you. Do  
18 you understand that?

19 THE DEFENDANT: Yes.

20 THE COURT: If you had a trial, you'd have the  
21 right to present your own witnesses and the right to  
22 subpoena witnesses, meaning to demand that they come to  
23 court to testify in your defense. You would also have the  
24 right to testify and present evidence on your own behalf, if  
25 you wanted to. Do you understand that?

1 THE DEFENDANT: Yes.

2 THE COURT: You would not have to testify or  
3 present any evidence at the trial if you did not want to  
4 because you cannot be forced to incriminate yourself or  
5 present evidence of your own guilt, and that cannot be used  
6 against you. Do you understand that?

7 THE DEFENDANT: Yes.

8 THE COURT: You're presumed by the law to be  
9 innocent, and if you chose to go to trial, it would be the  
10 government's burden alone to prove your guilt beyond a  
11 reasonable doubt. Do you understand that?

12 THE DEFENDANT: Yes.

13 THE COURT: And do you understand that if you went  
14 to trial and you were convicted, you would have a right to  
15 appeal your conviction of guilt to the Court of Appeals and  
16 to have a lawyer help you prepare that appeal?

17 THE DEFENDANT: I understand.

18 THE COURT: Now, your plea agreement sets out the  
19 waiver of appeal rights, and it's on Page 6 under Paragraph  
20 7, which is titled "Appeal Waiver." And under the terms of  
21 the plea agreement, you are agreeing to waive any argument,  
22 insofar as such waiver is permitted by law, that the statute  
23 to which the defendant is pleading guilty is  
24 unconstitutional, any argument that this admitted conduct  
25 does not fall within the scope of the statute, and you also

1 waive the right to appeal your sentence or the manner in  
2 which it was determined pursuant to 18 USC Section 3742  
3 except to the extent that, A, the Court sentences the  
4 defendant to a period of imprisonment longer than the  
5 statutory maximum or, B, the Court departs upward from the  
6 applicable sentencing guidelines range pursuant to the  
7 provisions of Section 5K2.0, the sentencing guidelines, or  
8 based on the consideration of the sentencing factors set  
9 forth in 18 USC Section 3553(a).

10 All of that is set out verbatim in the plea  
11 agreement at Paragraph 7. Do you understand all that?

12 THE DEFENDANT: Yes.

13 THE COURT: Now, your plea agreement reserves the  
14 right to make a collateral attack upon your sentence  
15 pursuant to 28 USC Section 2255 if new and currently  
16 unavailable information becomes known to you. Do you  
17 understand that?

18 THE DEFENDANT: Yes.

19 THE COURT: Now, certain procedural rules under  
20 Federal Rule of Evidence 410 and Federal Rule of Evidence --  
21 Federal Rule of Criminal Procedure 11F ordinarily limit the  
22 admissibility against you of statements that you make during  
23 any plea discussions or at this plea hearing. On Page 7  
24 under Paragraph 11 it talks about those two rules, and that  
25 paragraph is titled "Use of Defendant's Statements."

1 Have you reviewed this paragraph with your lawyer?

2 THE DEFENDANT: Yes.

3 THE COURT: And do you understand that if you  
4 violate the plea agreement, withdraw your guilty plea, or  
5 withdraw from the plea agreement after signing it regardless  
6 of whether this Court has accepted the plea agreement, that  
7 you have waived your rights under those procedural rules?

8 THE DEFENDANT: Yes.

9 THE COURT: Now, the offense to which you're  
10 pleading guilty is a felony offense. And if I accept your  
11 guilty plea and find you guilty of that offense, that may  
12 deprive you not just of the constitutional rights I reviewed  
13 with you but also valuable civil rights such as the right to  
14 vote, the right to hold public office, the right to serve on  
15 a jury, and the right to possess a firearm in the United  
16 States. Do you understand that you would be giving up those  
17 civil rights?

18 THE DEFENDANT: Yes.

19 THE COURT: And do you understand that by entering  
20 a plea of guilty and being convicted of this felony offense  
21 you may also face enhanced or increased punishment if you're  
22 convicted of another crime in the future?

23 THE DEFENDANT: Yes.

24 THE COURT: And do you understand that the offense  
25 to which you're pleading guilty is a removable offense?

1 That means that you could be subject to automatic removal  
2 from the United States. Do you understand that?

3 THE DEFENDANT: Yes.

4 THE COURT: Now, the government has provided a  
5 document called "Joint Statement of Stipulated Facts," and  
6 this describes in summary form what the government would be  
7 prepared to prove at trial about your criminal conduct.  
8 Now, have you read this document and discussed it fully with  
9 your attorney?

10 THE DEFENDANT: Yes.

11 THE COURT: And I'm turning to Page 5 of the  
12 document. And for the record I'm holding it up to  
13 Mr. Gutierrez.

14 And, Mr. Gutierrez, is that your signature on Page  
15 5 under "Defendant's Acknowledgement"?

16 THE DEFENDANT: Yes.

17 THE COURT: And does this Joint Statement of  
18 Stipulated Facts fairly and accurately describe what you did  
19 in this case?

20 THE DEFENDANT: Yes.

21 THE COURT: So from at least 2003 to November 2024  
22 did you knowingly, intentionally, and willfully conspire and  
23 agree with others to transport, transmit, transfer, and  
24 attempt to transport, transmit, and transfer a monetary  
25 instrument and funds to a place in the United States from or

1 through a place outside the United States of which monetary  
2 instrument and funds represented the proceeds of narcotics  
3 trafficking as set out in Paragraph 1?

4 THE DEFENDANT: Yes.

5 THE COURT: And did you also know that such  
6 transportation, transmission, and transfer was designed in  
7 whole or part to conceal and disguise the nature, location,  
8 source, ownership, and control of the proceeds of those --  
9 of such specified unlawful activity and while attempting to  
10 conduct such transportation, transmission, and transfer did  
11 you know that the property involved represented the proceeds  
12 of unlawful activity, namely narcotics trafficking?

13 THE DEFENDANT: Yes.

14 THE COURT: And were you, during this conspiracy,  
15 a member of the Cartel de Jalisco Nueva Generacion, CJNG?

16 THE DEFENDANT: No.

17 THE COURT: You were not a member?

18 THE DEFENDANT: No.

19 MR. COLOMBO: May I have a moment, Your Honor?

20 THE COURT: Yes. I'm just directing you to  
21 Paragraph 2 which states, "During the course and furtherance  
22 of the conspiracy, defendant was a member of the CJNG." I  
23 don't know whether it's my pronunciation of the CJNG which  
24 threw him off, but if that is incorrect, we need to -- you  
25 need to confer with the government.

1 THE DEFENDANT: Yes.

2 MR. COLOMBO: If you could reask the question,  
3 Your Honor, I think that would be appropriate. He's  
4 indicated that the answer is yes to your question.

5 THE COURT: All right. Mr. Gutierrez, during the  
6 course and in furtherance of the conspiracy were you a  
7 member of the CJNG?

8 THE DEFENDANT: Yes.

9 THE COURT: And are you connected to CJNG's top  
10 leadership?

11 THE DEFENDANT: Yes.

12 THE COURT: And do you understand and know that  
13 the CJNG controls substantial drug trafficking routes from  
14 Mexico into the United States?

15 THE DEFENDANT: Yes.

16 THE COURT: And do you understand and know that  
17 the CJNG imports tonnage quantities of illicit substances  
18 into the United States, including methamphetamine, cocaine,  
19 and other drugs?

20 THE DEFENDANT: Yes.

21 THE COURT: And do you understand and know that  
22 the CJNG also has expansive money laundering networks both  
23 in the United States and in Mexico?

24 THE DEFENDANT: Yes.

25 THE COURT: Mr. Colombo, can you explain his first

1 answer to the question about the CJNG? Did he not  
2 understand the question?

3 You can confer with him.

4 MR. COLOMBO: I did. I think he was just  
5 confused, Your Honor, by the question. He has just  
6 indicated that he was confused by the question.

7 This is something that we've reviewed with him,  
8 discussed, read to him verbatim. As indicated in the plea  
9 agreement, it's my practice to have him initial each page  
10 after we go through it, which is why his initials are on the  
11 bottom of the page. So I think he was just confused by the  
12 question.

13 THE COURT: Okay.

14 And, Mr. Gutierrez, did you knowingly conduct and  
15 participate in financial transactions with CJNG money  
16 laundering operatives using CJNG's drug proceeds?

17 THE DEFENDANT: Yes.

18 THE COURT: And did you conduct and participate in  
19 those financial transactions knowing that the drug proceeds  
20 were involved and that the transactions were designed to  
21 conceal and disguise the nature and location, source,  
22 ownership, and control of the drug proceeds?

23 THE DEFENDANT: Yes.

24 THE COURT: And did you assume a fictitious  
25 identity of Luis Miguel Martinez?



1 THE DEFENDANT: Yes.

2 THE COURT: And did you do so to live in the  
3 United States to further CJNG's money laundering activities  
4 here?

5 THE DEFENDANT: Yes.

6 THE COURT: And do you agree that your offense  
7 involved sophisticated money laundering activities?

8 THE DEFENDANT: Yes.

9 THE COURT: And did those sophisticated money  
10 laundering activities include two wire transfers in November  
11 2023 totaling \$1.2 million of CJNG drug proceeds from Mexico  
12 to the United States?

13 THE DEFENDANT: Yes.

14 THE COURT: And was that \$1.2 million of CJNG drug  
15 proceeds used to purchase the Pamplona property in  
16 Riverside, California?

17 THE DEFENDANT: Yes.

18 THE COURT: And was the title of that property  
19 held by the name Pasion Azul?

20 THE DEFENDANT: Yes.

21 THE COURT: And is Pasion Azul a Mexican entity  
22 controlled by the CJNG to launder drug proceeds?

23 THE DEFENDANT: Yes.

24 THE COURT: And did you and others within CJNG put  
25 the Pamplona property in the name of Pasion Azul?

1 THE DEFENDANT: Yes.

2 THE COURT: And did you do that to make Pasion  
3 Azul appear to be a legitimate business when it was really  
4 concealing and disguising the nature, location, source,  
5 ownership, and control of the CJNG's drug proceeds?

6 THE DEFENDANT: Yes.

7 THE COURT: And did you live at the property, the  
8 Palomo property, under your fictitious identity?

9 THE DEFENDANT: Yes.

10 THE COURT: And while you were doing that, did you  
11 do so to further CJNG money laundering activities in the  
12 United States?

13 THE DEFENDANT: Yes.

14 THE COURT: And did you do that from at least  
15 November 2023 until your arrest in November 2024?

16 THE DEFENDANT: Yes.

17 THE COURT: And at the time of your arrest, did  
18 you possess approximately \$2.2 million of CJNG drug proceeds  
19 in bulk U.S. currency?

20 THE DEFENDANT: Yes.

21 THE COURT: And did you keep that currency at the  
22 Pamplona property?

23 THE DEFENDANT: Yes.

24 THE COURT: And did you also have, at the Pamplona  
25 property, multiple other items of value that were purchased

1 with CJNG drug proceeds, including jewelry, watches, and  
2 vehicles?

3 THE DEFENDANT: Yes.

4 THE COURT: And did you use CJNG drug proceeds to  
5 purchase at least one vehicle under your fictitious name and  
6 using a third-party's Social Security number in order to  
7 hide the ownership and control of the car?

8 THE DEFENDANT: Yes.

9 THE COURT: And do you admit that the total amount  
10 of illegal funds laundered in the course of this conspiracy  
11 with which you're charged and for which you had actual  
12 knowledge and involvement was over \$3,500,000?

13 THE DEFENDANT: Yes.

14 THE COURT: And do you possess an unregistered and  
15 untraceable ghost firearm and also another firearm with an  
16 obliterated serial number at the Pamplona property?

17 THE DEFENDANT: Yes.

18 THE COURT: And did you have those two guns in  
19 connection with the underlying money laundering offense?

20 THE DEFENDANT: Yes.

21 THE COURT: And do you agree that your  
22 participation in these previously described acts was in all  
23 respects voluntary, knowing, intentional, and willful  
24 reflecting an intention and deliberation to do something the  
25 law forbids, and it was not in any way the product of

1 accident, mistake of law or fact, duress, entrapment, or  
2 public authority?

3 THE DEFENDANT: Yes.

4 THE COURT: All right. You may be seated.

5 I'll ask government counsel to step forward and  
6 describe the elements of the offense against Mr. Gutierrez.

7 And, Mr. Gutierrez, please listen carefully  
8 because I'm going to ask you afterwards whether you fully  
9 understand the charge against you.

10 You may proceed.

11 MR. MEISEL: Your Honor, as to Count 2 of the  
12 information, the elements of the charge of money laundering  
13 conspiracy are that the defendant knowingly, intentionally,  
14 and willfully conspired or agreed with others to commit  
15 offenses under Title 18 U.S. Code 1956(a)(2)(B)(i), that he  
16 knowingly transported, transmitted, and transferred and  
17 attempted or -- and attempted to transport, transmit, and  
18 transfer a monetary instrument and funds to a place in the  
19 United States from or through a place outside the United  
20 States, and those monetary instruments and funds represented  
21 the proceeds of specified unlawful activity, to wit  
22 narcotics trafficking, in violation of Title 21 U.S. Code  
23 Sections 952, 959, 960, and 963; that the defendant knew  
24 that such a transportation, transmission, and transfer was  
25 designed in whole and in part to conceal and disguise the

1 nature, location, source, and ownership and control of the  
2 proceeds of this specified unlawful activity; and that while  
3 conducting and attempting to conduct such transportation,  
4 transmission, and transfer, knowing that the property  
5 involved the transportation, transmission, and transfer  
6 represented proceeds of some form of unlawful activity.

7 THE COURT: And, Mr. Colombo, do you agree that  
8 those are the elements of the offense?

9 MR. COLOMBO: Yes, I do, Your Honor.

10 THE COURT: And, Mr. Gutierrez, do you fully  
11 understand the charge against you?

12 THE DEFENDANT: Yes.

13 THE COURT: And, Government Counsel, one more  
14 question. Does the plea agreement that's dated June 19th,  
15 that's when the defendant signed it, does it reflect the  
16 most lenient plea offer extended to Mr. Gutierrez in this  
17 case?

18 MR. MEISEL: It does, Your Honor.

19 THE COURT: All right. You may be seated.

20 MR. MEISEL: Thank you, Your Honor.

21 THE COURT: And, Mr. Colombo, could you please  
22 outline the most salient terms, principal terms, of the plea  
23 agreement, please.

24 MR. COLOMBO: Yes, Your Honor. I believe the most  
25 salient terms in the plea agreement would be in exchange for

1 a plea to Count 2 of the information, which is a money  
2 laundering count, at the time of sentencing the government  
3 would dismiss the drug trafficking count, which is Count 1  
4 of the indictment.

5 In addition, the parties agree to a criminal  
6 history of Category 1 with an adjusted offense level with a  
7 range of 135 to 168 months custody. The ceiling on what the  
8 government could recommend would be 168 months custody;  
9 however, the defendant reserves the right to request a  
10 variance as appropriate under 3553(a).

11 I think -- in addition, there's criminal  
12 forfeiture as a result, and Mr. Gutierrez-Ochoa agrees to  
13 forfeit all of the property listed in Paragraph 5A through  
14 -- Subsets A through L.

15 I think that would cover the pertinent parts of  
16 the agreement, Your Honor --

17 THE COURT: I agree.

18 MR. COLOMBO: -- that Your Honor hasn't covered  
19 yet.

20 THE COURT: All right. Thank you.

21 And why don't you remain up there, Mr. Colombo.  
22 And, Mr. Gutierrez, could you come back to the podium.

23 And, Mr. Gutierrez, do you have any questions  
24 about the terms of the plea agreement?

25 THE DEFENDANT: No.

1 THE COURT: Do you fully understand the plea  
2 agreement terms that you've signed?

3 THE DEFENDANT: Yes.

4 THE COURT: And do you feel that you've had plenty  
5 of time to talk to your lawyer about the plea agreement  
6 before you signed it?

7 THE DEFENDANT: Yes.

8 THE COURT: And do you understand that if the  
9 sentence is more severe than you expected, that you'll still  
10 be bound by your plea and will have no right to withdraw it?

11 THE DEFENDANT: Yes.

12 THE COURT: Now, I know the plea agreement sets  
13 out the penalties that you would face under both the statute  
14 and the guidelines that apply -- the guidelines manual that  
15 applies to your case, but this is such an important  
16 consideration for you to make before you enter a plea of  
17 guilty I'm required to also review those penalties with you  
18 to make sure you understand them.

19 So for a conviction of the money laundering  
20 offense in violation of 18 USC Section 1956(h) and  
21 1956(a)(2)(B)(i), you face a maximum sentence of 20 years  
22 imprisonment, a maximum fine of -- in accordance with the  
23 provisions of Title 18 or \$500,000, whichever is greater, a  
24 maximum term of supervised release of three years, and a  
25 special assessment of \$100.

1 Do you understand that those are the penalties you  
2 face?

3 THE DEFENDANT: Yes.

4 THE COURT: And do you understand that as part of  
5 your sentence I could order you to pay restitution to any  
6 victim of your offense for damages resulting from your  
7 offense conduct?

8 THE DEFENDANT: Yes.

9 THE COURT: And do you understand that because of  
10 your conviction you are also subject to forfeiture of  
11 property sufficiently connected to your offense or proceeds  
12 derived from your offense?

13 THE DEFENDANT: Yes.

14 THE COURT: And do you also understand that you  
15 have agreed to forfeit a whole list of items that are set  
16 out in Paragraph 5 of your plea agreement?

17 THE DEFENDANT: Yes.

18 THE COURT: In determining your sentence, I'm also  
19 obligated to calculate and consider the guideline range that  
20 applies to your case as determined by application of the  
21 guidelines manual.

22 Now, your plea agreement estimates a certain  
23 adjusted offense level and sets out what the parties believe  
24 the sentencing range will be. This is not binding on this  
25 Court, and I will come to my own determination about how the



1 guidelines apply in your case. But based on what the  
2 parties have in good faith estimated your sentencing range  
3 to be, they've done that based upon a base offense level of  
4 26 under the guideline at 2S1.1(a)(2) and 2B1.1(b)(1)(J)  
5 because you're accountable for laundered funds in excess of  
6 \$3.5 million.

7 You would also be subject to a six-level increase  
8 under the guideline at 2S1.1(b)(1) added to the base offense  
9 level of 6 because you knew the laundered funds included  
10 proceeds of an offense involving the manufacture,  
11 importation, or distribution of a controlled substance.

12 Your offense level would be increased by two  
13 additional levels under the guideline at 2S1.1(b)(2)(B)  
14 because of the conviction under 18 USC Section 1956, another  
15 two offense levels under the guideline at 2S1.1(b)(3)  
16 because of the use of sophisticated laundering of money, and  
17 because you have admitted to possession of firearms in  
18 connection with the offense, you would be ineligible for a  
19 zero point offender reduction in your offense level under  
20 Section 4C1.1(a)(7).

21 And if you demonstrate clearly acceptance of  
22 responsibility and timely notice of your intention to enter  
23 a plea of guilty, you would be entitled to a reduction of  
24 three offense levels, which results in a total adjusted  
25 offense level of 33, which in combination with the criminal

1 history category of 1, because we have no indication that  
2 you have prior criminal convictions, that would result in a  
3 guidelines sentencing range of 135 to 168 months  
4 imprisonment.

5 Do you understand that?

6 THE DEFENDANT: Yes.

7 THE COURT: And do you also understand that under  
8 the plea agreement the government has agreed not to seek a  
9 term of imprisonment greater than the top of that guidelines  
10 range of 168 months?

11 THE DEFENDANT: Yes.

12 THE COURT: Now, the probation office will closely  
13 examine any criminal history that you have. If they  
14 determine that you do have a prior criminal conviction, that  
15 will affect your criminal history score and could affect  
16 your criminal history category under the guidelines. And if  
17 you do have a higher criminal history category than a  
18 Criminal History Category 1, then that will increase the  
19 severity of the sentencing range that applies to your case.

20 Do you understand that?

21 THE DEFENDANT: Yes.

22 THE COURT: And do you understand that what is set  
23 out in the plea agreement that I've just reviewed with you  
24 is only an estimate of how the guidelines will apply in your  
25 case?

1 THE DEFENDANT: Yes.

2 THE COURT: Now, in determining your sentence, in  
3 addition to looking at what the statute of conviction finds  
4 and what the guidelines provide, I'm also required to look  
5 at a different statute codified at 18 USC Section 3553(a),  
6 and that statute requires that sentencing judges consider  
7 the nature and circumstances of the offense and history and  
8 characteristics of you, the need for a sentence imposed to  
9 reflect the seriousness of the offense, promote respect for  
10 the law, provide for just punishment, afford adequate  
11 deterrence to criminal conduct and protect the public from  
12 further crimes by you, Mr. Gutierrez, the kinds of sentences  
13 available, the need to avoid unwarranted sentencing  
14 disparities among defendants with similar records found  
15 guilty of similar offense conduct, and a number of other  
16 factors.

17 Do you understand that I have to consider all of  
18 those sentencing factors in fashioning an appropriate  
19 sentence in your case?

20 THE DEFENDANT: Yes.

21 THE COURT: Now, has anyone, including your  
22 attorney, any law enforcement agents with whom you've come  
23 in contact, the prosecutor, or anybody else promised or  
24 suggested to you that merely because you're pleading guilty  
25 that I will give you a lighter sentence?

1 THE DEFENDANT: No.

2 THE COURT: Has anyone forced, threatened, or  
3 coerced you in any way into entering a plea of guilty?

4 THE DEFENDANT: No.

5 THE COURT: Are you entering this plea of guilty  
6 voluntarily and of your own free will because you are guilty  
7 and for no other reason?

8 THE DEFENDANT: Yes.

9 THE COURT: Now, I'm ready to accept your guilty  
10 plea, Mr. Gutierrez, at this time, but I want you to  
11 understand that it is very hard to withdraw a guilty plea.  
12 So you can't change your mind if I decide to accept the plea  
13 agreement and your plea today.

14 Do you want me to accept your plea of guilty to  
15 the charge in the information at this time?

16 THE DEFENDANT: Yes.

17 THE COURT: Mr. Gutierrez, how do you now plead to  
18 Count 2 of the information charging you with knowingly,  
19 intentionally, and willfully conspiring with others to  
20 conduct and attempt to conduct concealment money laundering  
21 involving proceeds of narcotics trafficking in violation of  
22 18 USC Sections 1956(h) and 1956(a)(2)(B)(i), guilty or not  
23 guilty?

24 THE DEFENDANT: Guilty.

25 THE COURT: Okay. I'm satisfied that

1 Mr. Gutierrez is fully competent and capable of making a  
2 decision today, he understands the nature of the charge, he  
3 understands the consequences of the plea and the penalties  
4 he would face. He understands the rights that he's giving  
5 up, and I do find that there is an adequate factual basis  
6 for his plea. I, therefore, do accept his plea of guilty to  
7 the charge in Count 2 of the information, and you may be  
8 seated.

9 I suggest for a sentencing date September 19,  
10 2025. If counsel could check your schedules for that date?

11 MR. COLOMBO: Your Honor, the parties have met and  
12 conferred and would request jointly October 24th, if that's  
13 available to the Court.

14 THE COURT: October 24th works. Are you still  
15 conferring?

16 MR. MEISEL: We are, Your Honor. I apologize.

17 THE COURT: Okay. That's all right.

18 MR. COLOMBO: November 7th, Your Honor?

19 THE COURT: November 7th?

20 MR. COLOMBO: Yes.

21 THE COURT: That looks fine, too. So we'll put  
22 this down for 9:30 for a sentencing date.

23 MR. MEISEL: Thank you, Your Honor.

24 MR. COLOMBO: Thank you.

25 THE COURT: Is there anything else to address

1 today from the government?

2 MR. MEISEL: No, Your Honor.

3 THE COURT: And Mr. Colombo?

4 MR. COLOMBO: No, Your Honor. Thank you.

5 THE COURT: Thank you. You're all excused.

6 (Whereupon the hearing was

7 adjourned at 10:32 a.m.)

8  
9 **CERTIFICATE OF OFFICIAL COURT REPORTER**

10  
11 I, LISA A. MOREIRA, RDR, CRR, do hereby  
12 certify that the above and foregoing constitutes a true and  
13 accurate transcript of my stenographic notes and is a full,  
14 true and complete transcript of the proceedings to the best  
15 of my ability.

16 Dated this 7th day of July, 2025.

17  
18  
19 /s/Lisa A. Moreira, RDR, CRR  
20 Official Court Reporter  
21 United States Courthouse  
22 Room 6718  
23 333 Constitution Avenue, NW  
24 Washington, DC 20001  
25

<b>\$</b>	<b>25-035</b> [1] - 2:3 <b>26</b> [1] - 25:4 <b>27</b> [1] - 4:16 <b>28</b> [1] - 11:15 <b>2B1.1(b)(1)(J)</b> [1] - 25:4 <b>2S1.1(a)(2)</b> [1] - 25:4 <b>2S1.1(b)(1)</b> [1] - 25:8 <b>2S1.1(b)(2)(B)</b> [1] - 25:13 <b>2S1.1(b)(3)</b> [1] - 25:15	<b>ability</b> [2] - 6:10, 30:15 <b>able</b> [1] - 4:24 <b>accept</b> [7] - 6:22, 7:14, 12:10, 28:9, 28:12, 28:14, 29:6 <b>acceptance</b> [1] - 25:21 <b>accepted</b> [1] - 12:6 <b>accident</b> [1] - 20:1 <b>accordance</b> [1] - 23:22 <b>accountable</b> [1] - 25:5 <b>accurate</b> [1] - 30:13 <b>accurately</b> [1] - 13:18 <b>Acknowledgement</b> [1] - 13:15 <b>Action</b> [1] - 1:3 <b>activities</b> [4] - 17:3, 17:7, 17:10, 18:11 <b>activity</b> [5] - 14:9, 14:12, 20:21, 21:2, 21:6 <b>acts</b> [1] - 19:22 <b>actual</b> [1] - 19:11 <b>added</b> [1] - 25:8 <b>addiction</b> [1] - 6:14 <b>addition</b> [3] - 22:5, 22:11, 27:3 <b>additional</b> [1] - 25:13 <b>address</b> [1] - 29:25 <b>adequate</b> [2] - 27:10, 29:5 <b>adjourned</b> [1] - 30:7 <b>adjusted</b> [3] - 22:6, 24:23, 25:24 <b>administer</b> [1] - 4:3 <b>admissibility</b> [1] - 11:22 <b>admit</b> [1] - 19:9 <b>admitted</b> [2] - 10:24, 25:17 <b>affect</b> [3] - 6:9, 26:15 <b>afford</b> [1] - 27:10 <b>afterwards</b> [1] - 20:8 <b>Agent</b> [1] - 2:13 <b>agents</b> [1] - 27:22 <b>agree</b> [6] - 13:23, 17:6, 19:21, 21:7, 22:5, 22:17 <b>agreed</b> [3] - 20:14, 24:15, 26:8 <b>agreeing</b> [1] - 10:21 <b>agreement</b> [24] - 5:12, 5:15, 5:21, 10:18, 10:21, 11:11, 11:13, 12:4, 12:5, 12:6, 16:9, 21:14, 21:23, 21:25, 22:16, 22:24, 23:2, 23:5, 23:12, 24:16, 24:22, 26:8, 26:23, 28:13	<b>agrees</b> [1] - 22:12 <b>alcohol</b> [1] - 6:8 <b>alone</b> [1] - 10:10 <b>America</b> [1] - 2:3 <b>AMERICA</b> [1] - 1:3 <b>American</b> [1] - 7:13 <b>amount</b> [1] - 19:9 <b>answer</b> [6] - 3:22, 4:7, 7:18, 7:20, 15:4, 16:1 <b>answers</b> [1] - 4:9 <b>Anthony</b> [1] - 2:16 <b>ANTHONY</b> [2] - 1:17, 1:18 <b>anthonycolombolegal@gmail.com</b> [1] - 1:20 <b>apologize</b> [1] - 29:16 <b>appeal</b> [4] - 10:15, 10:16, 10:19, 11:1 <b>Appeal</b> [1] - 10:20 <b>Appeals</b> [1] - 10:15 <b>appear</b> [1] - 18:3 <b>APPEARANCES</b> [1] - 1:12 <b>appearing</b> [1] - 2:16 <b>applicable</b> [1] - 11:6 <b>application</b> [1] - 24:20 <b>applies</b> [3] - 23:15, 24:20, 26:19 <b>apply</b> [3] - 23:14, 25:1, 26:24 <b>appoint</b> [1] - 9:13 <b>appreciate</b> [1] - 7:25 <b>appropriate</b> [3] - 15:3, 22:10, 27:18 <b>appropriately</b> [1] - 7:7 <b>argument</b> [2] - 10:21, 10:24 <b>arrest</b> [2] - 18:15, 18:17 <b>assessment</b> [1] - 23:25 <b>assume</b> [1] - 16:24 <b>assure</b> [1] - 3:13 <b>attack</b> [1] - 11:14 <b>attempt</b> [3] - 3:2, 13:24, 28:20 <b>attempted</b> [2] - 20:17 <b>attempting</b> [2] - 14:9, 21:3 <b>attorney</b> [2] - 13:9, 27:22 <b>attorneys</b> [2] - 6:17, 6:20 <b>authority</b> [1] - 20:2 <b>authorized</b> [1] - 5:10 <b>automatic</b> [1] - 13:1 <b>available</b> [2] - 27:13,	29:13 <b>Avenue</b> [2] - 1:23, 30:20 <b>avoid</b> [1] - 27:13 <b>Azul</b> [4] - 17:19, 17:21, 17:25, 18:3
<b>/</b>			<b>B</b>	
<b>/s/Lisa</b> [1] - 30:18			<b>base</b> [2] - 25:3, 25:8 <b>based</b> [3] - 11:8, 25:1, 25:3 <b>basis</b> [1] - 29:5 <b>becomes</b> [1] - 11:16 <b>BEFORE</b> [1] - 1:10 <b>behalf</b> [2] - 2:16, 9:24 <b>BERYL</b> [1] - 1:10 <b>best</b> [1] - 30:14 <b>beyond</b> [1] - 10:10 <b>binding</b> [1] - 24:24 <b>bit</b> [1] - 7:16 <b>born</b> [1] - 5:24 <b>bottom</b> [1] - 16:11 <b>bound</b> [1] - 23:10 <b>box</b> [1] - 9:2 <b>brought</b> [1] - 9:17 <b>bulk</b> [1] - 18:19 <b>burden</b> [1] - 10:10 <b>business</b> [1] - 18:3	
<b>1</b>	<b>3</b> <b>3.5</b> [1] - 25:6 <b>33</b> [1] - 25:25 <b>333</b> [2] - 1:23, 30:20 <b>354-3187</b> [1] - 1:24 <b>3553(a)</b> [1] - 27:5 <b>3553(a)</b> [2] - 11:9, 22:10 <b>3742</b> [1] - 11:2			
<b>1</b> 1 [5] - 14:3, 22:3, 22:6, 26:1, 26:18 <b>1.2</b> [2] - 17:11, 17:14 <b>105</b> [1] - 1:19 <b>10:32</b> [1] - 30:7 <b>11</b> [1] - 11:24 <b>11F</b> [1] - 11:21 <b>12</b> [2] - 8:8, 9:1 <b>135</b> [2] - 22:7, 26:3 <b>145</b> [1] - 1:14 <b>16</b> [1] - 8:9 <b>168</b> [4] - 22:7, 22:8, 26:3, 26:10 <b>18</b> [9] - 3:4, 11:2, 11:9, 20:15, 23:20, 23:23, 25:14, 27:5, 28:22 <b>19</b> [1] - 29:9 <b>1956</b> [1] - 25:14 <b>1956(a)(2)(B)(i)</b> [3] - 20:15, 23:21, 28:22 <b>1956(a)(2)(B)(i)</b> [1] - 3:5 <b>1956(h)</b> [3] - 3:4, 23:20, 28:22 <b>19th</b> [1] - 21:14 <b>1:25-cr-00035-BAH-1</b> [1] - 1:4	<b>4</b> <b>410</b> [1] - 11:20 <b>48</b> [1] - 6:9 <b>4C1.1(a)(7)</b> [1] - 25:20			
<b>2</b>	<b>5</b> <b>5</b> [3] - 13:11, 13:15, 24:16 <b>598-2281</b> [1] - 1:15 <b>5A</b> [1] - 22:13 <b>5K2.0</b> [1] - 11:7			
<b>2</b> 2 [6] - 2:25, 14:21, 20:11, 22:1, 28:18, 29:7 <b>2.2</b> [1] - 18:18 <b>20</b> [3] - 1:4, 3:1, 23:21 <b>20001</b> [2] - 1:24, 30:21 <b>2003</b> [1] - 13:21 <b>202</b> [2] - 1:15, 1:24 <b>2023</b> [2] - 17:11, 18:15 <b>2024</b> [3] - 8:3, 13:21, 18:15 <b>2025</b> [3] - 1:4, 29:10, 30:16 <b>20530</b> [1] - 1:15 <b>21</b> [1] - 20:22 <b>2255</b> [1] - 11:15 <b>2300</b> [1] - 1:14 <b>236-1704</b> [1] - 1:20 <b>24th</b> [2] - 29:12, 29:14	<b>6</b> <b>6</b> [2] - 10:19, 25:9 <b>619</b> [1] - 1:20 <b>6718</b> [2] - 1:23, 30:20			
	<b>7</b> <b>7</b> [3] - 10:20, 11:11, 11:23 <b>7th</b> [3] - 29:18, 29:19, 30:16			
	<b>9</b> <b>92101</b> [1] - 1:19 <b>952</b> [1] - 20:23 <b>959</b> [1] - 20:23 <b>960</b> [1] - 20:23 <b>963</b> [1] - 20:23 <b>9:30</b> [1] - 29:22 <b>9:50</b> [1] - 1:5			
	<b>A</b> <b>a.m</b> [2] - 1:5, 30:7			

<p>8:10, 20:9, 20:12, 21:11, 28:15, 29:2, 29:7</p> <p><b>charged</b> [2] - 9:5, 19:11</p> <p><b>charges</b> [3] - 8:5, 8:25, 9:7</p> <p><b>charging</b> [1] - 28:18</p> <p><b>check</b> [1] - 29:10</p> <p><b>chose</b> [1] - 10:9</p> <p><b>circumstances</b> [1] - 27:7</p> <p><b>citizen</b> [1] - 6:4</p> <p><b>citizens</b> [1] - 9:1</p> <p><b>citizenship</b> [1] - 6:6</p> <p><b>civil</b> [2] - 12:13, 12:17</p> <p><b>CJNG</b> [17] - 14:15, 14:22, 14:23, 15:7, 15:13, 15:17, 15:22, 16:1, 16:15, 17:11, 17:14, 17:22, 17:24, 18:11, 18:18, 19:1, 19:4</p> <p><b>CJNG's</b> [4] - 15:9, 16:16, 17:3, 18:5</p> <p><b>clearly</b> [1] - 25:21</p> <p><b>closely</b> [1] - 26:12</p> <p><b>closer</b> [1] - 5:8</p> <p><b>co</b> [1] - 2:16</p> <p><b>co-counsel</b> [1] - 2:16</p> <p><b>Coast</b> [1] - 2:19</p> <p><b>Coates</b> [1] - 4:3</p> <p><b>cocaine</b> [1] - 15:18</p> <p><b>Code</b> [2] - 20:15, 20:22</p> <p><b>codified</b> [1] - 27:5</p> <p><b>coerced</b> [1] - 28:3</p> <p><b>collateral</b> [1] - 11:14</p> <p><b>Colombo</b> [10] - 2:16, 3:6, 5:2, 5:18, 6:24, 15:25, 21:7, 21:21, 22:21, 30:3</p> <p><b>COLOMBO</b> [16] - 1:17, 3:8, 5:5, 5:9, 7:2, 14:19, 15:2, 16:4, 21:9, 21:24, 22:18, 29:11, 29:18, 29:20, 29:24, 30:4</p> <p><b>Columbia</b> [1] - 9:2</p> <p><b>COLUMBIA</b> [1] - 1:1</p> <p><b>COLUMBO</b> [1] - 1:18</p> <p><b>combination</b> [1] - 25:25</p> <p><b>commit</b> [1] - 20:14</p> <p><b>committed</b> [2] - 8:10, 8:11</p> <p><b>competency</b> [2] - 6:25, 7:4</p> <p><b>competent</b> [2] - 7:9, 29:1</p>	<p><b>complete</b> [1] - 30:14</p> <p><b>completed</b> [1] - 5:13</p> <p><b>completely</b> [1] - 6:16</p> <p><b>conceal</b> [3] - 14:7, 16:21, 20:25</p> <p><b>concealing</b> [1] - 18:4</p> <p><b>concealment</b> [2] - 3:2, 28:20</p> <p><b>conduct</b> [13] - 3:2, 10:24, 13:7, 14:10, 16:14, 16:18, 21:3, 24:7, 27:11, 27:15, 28:20</p> <p><b>conducting</b> [1] - 21:3</p> <p><b>confer</b> [3] - 3:23, 14:25, 16:3</p> <p><b>conferred</b> [1] - 29:12</p> <p><b>conferring</b> [1] - 29:15</p> <p><b>confront</b> [1] - 9:16</p> <p><b>confused</b> [3] - 16:5, 16:6, 16:11</p> <p><b>connected</b> [2] - 15:9, 24:11</p> <p><b>connection</b> [3] - 5:22, 19:19, 25:18</p> <p><b>consequences</b> [1] - 29:3</p> <p><b>consider</b> [4] - 8:5, 24:19, 27:6, 27:17</p> <p><b>consideration</b> [2] - 11:8, 23:16</p> <p><b>conspiracy</b> [5] - 14:14, 14:22, 15:6, 19:10, 20:13</p> <p><b>conspire</b> [1] - 13:22</p> <p><b>conspired</b> [1] - 20:14</p> <p><b>conspiring</b> [2] - 3:1, 28:19</p> <p><b>constitutes</b> [1] - 30:12</p> <p><b>Constitution</b> [2] - 1:23, 30:20</p> <p><b>constitutional</b> [3] - 3:16, 7:12, 12:12</p> <p><b>contact</b> [1] - 27:23</p> <p><b>control</b> [5] - 14:8, 16:22, 18:5, 19:7, 21:1</p> <p><b>controlled</b> [2] - 17:22, 25:11</p> <p><b>controls</b> [1] - 15:13</p> <p><b>convicted</b> [3] - 10:14, 12:20, 12:22</p> <p><b>conviction</b> [7] - 6:4, 10:15, 23:19, 24:10, 25:14, 26:14, 27:3</p> <p><b>convictions</b> [1] - 26:2</p> <p><b>correct</b> [2] - 3:6, 3:8</p> <p><b>counsel</b> [8] - 2:10, 2:12, 2:16, 3:10, 7:3, 9:13, 20:5, 29:10</p>	<p><b>Counsel</b> [1] - 21:13</p> <p><b>Count</b> [6] - 2:25, 20:11, 22:1, 22:3, 28:18, 29:7</p> <p><b>count</b> [2] - 22:2, 22:3</p> <p><b>country</b> [1] - 6:1</p> <p><b>course</b> [3] - 14:21, 15:6, 19:10</p> <p><b>COURT</b> [114] - 1:1, 2:14, 2:18, 2:21, 2:23, 3:9, 4:2, 4:6, 4:13, 4:15, 4:17, 4:19, 4:21, 4:24, 5:2, 5:7, 5:16, 5:24, 6:1, 6:3, 6:8, 6:12, 6:16, 6:19, 6:24, 7:3, 7:6, 7:22, 8:15, 8:20, 8:23, 9:10, 9:15, 9:20, 10:2, 10:8, 10:13, 10:18, 11:13, 11:19, 12:3, 12:9, 12:19, 12:24, 13:4, 13:11, 13:17, 13:21, 14:5, 14:14, 14:17, 14:20, 15:5, 15:9, 15:12, 15:16, 15:21, 15:25, 16:13, 16:18, 16:24, 17:2, 17:6, 17:9, 17:14, 17:18, 17:21, 17:24, 18:2, 18:7, 18:10, 18:14, 18:17, 18:21, 18:24, 19:4, 19:9, 19:14, 19:18, 19:21, 20:4, 21:7, 21:10, 21:13, 21:19, 21:21, 22:17, 22:20, 23:1, 23:4, 23:8, 23:12, 24:4, 24:9, 24:14, 24:18, 26:7, 26:12, 26:22, 27:2, 27:21, 28:2, 28:5, 28:9, 28:17, 28:25, 29:14, 29:17, 29:19, 29:21, 29:25, 30:3, 30:5, 30:9</p> <p><b>court</b> [1] - 9:23</p> <p><b>Court</b> [12] - 1:22, 1:22, 5:10, 5:11, 9:13, 10:15, 11:3, 11:5, 12:6, 24:25, 29:13, 30:19</p> <p><b>Courthouse</b> [2] - 1:23, 30:19</p> <p><b>COURTROOM</b> [1] - 2:2</p> <p><b>cover</b> [1] - 22:15</p> <p><b>covered</b> [1] - 22:18</p> <p><b>crime</b> [2] - 9:5, 12:22</p> <p><b>crimes</b> [1] - 27:12</p> <p><b>criminal</b> [11] - 13:7,</p>	<p>22:5, 22:11, 25:25, 26:2, 26:13, 26:14, 26:15, 26:16, 26:17, 27:11</p> <p><b>Criminal</b> [4] - 1:3, 2:3, 11:21, 26:18</p> <p><b>Cristian</b> [2] - 2:3, 4:14</p> <p><b>CRISTIAN</b> [1] - 1:6</p> <p><b>CRM</b> [1] - 1:13</p> <p><b>cross</b> [1] - 9:16</p> <p><b>CRR</b> [3] - 1:22, 30:11, 30:18</p> <p><b>currency</b> [2] - 18:19, 18:21</p> <p><b>custody</b> [2] - 22:7, 22:8</p>	<p>28:4, 28:8, 28:16, 28:24</p> <p><b>Defendant</b> [2] - 1:7, 1:17</p> <p><b>defendant</b> [8] - 4:5, 10:23, 11:4, 14:22, 20:13, 20:23, 21:15, 22:9</p> <p><b>Defendant's</b> [2] - 11:25, 13:15</p> <p><b>defendants</b> [1] - 27:14</p> <p><b>defense</b> [1] - 9:23</p> <p><b>deliberation</b> [1] - 19:24</p> <p><b>demand</b> [1] - 9:22</p> <p><b>demonstrate</b> [1] - 25:21</p> <p><b>denial</b> [1] - 6:6</p> <p><b>departs</b> [1] - 11:5</p> <p><b>deportation</b> [1] - 6:5</p> <p><b>deprive</b> [1] - 12:12</p> <p><b>DEPUTY</b> [1] - 2:2</p> <p><b>derived</b> [1] - 24:12</p> <p><b>describe</b> [4] - 5:3, 7:12, 13:18, 20:6</p> <p><b>described</b> [2] - 5:17, 19:22</p> <p><b>describes</b> [1] - 13:6</p> <p><b>designed</b> [3] - 14:6, 16:20, 20:25</p> <p><b>determination</b> [1] - 24:25</p> <p><b>determine</b> [2] - 9:4, 26:14</p> <p><b>determined</b> [2] - 11:2, 24:20</p> <p><b>determining</b> [2] - 24:18, 27:2</p> <p><b>deterrence</b> [1] - 27:11</p> <p><b>Diego</b> [1] - 1:19</p> <p><b>different</b> [1] - 27:5</p> <p><b>difficulty</b> [1] - 4:21</p> <p><b>directing</b> [1] - 14:20</p> <p><b>discussed</b> [2] - 13:8, 16:8</p> <p><b>discussions</b> [1] - 11:23</p> <p><b>disguise</b> [3] - 14:7, 16:21, 20:25</p> <p><b>disguising</b> [1] - 18:4</p> <p><b>dismiss</b> [1] - 22:3</p> <p><b>disparities</b> [1] - 27:14</p> <p><b>distribution</b> [1] - 25:11</p> <p><b>District</b> [1] - 9:1</p> <p><b>DISTRICT</b> [3] - 1:1, 1:1, 1:10</p> <p><b>disturbance</b> [1] - 6:14</p> <p><b>docketed</b> [1] - 3:1</p> <p><b>document</b> [6] - 7:23, 8:15, 8:18, 13:5,</p>
---	--	---	---	--



<p>13:8, 13:12 <b>DOJ</b> [1] - 1:13 <b>DOJ-CRM</b> [1] - 1:13 <b>done</b> [1] - 25:3 <b>doubt</b> [1] - 10:11 <b>Douglas</b> [1] - 2:11 <b>DOUGLAS</b> [1] - 1:13 <b>douglas.meisel@usdoj.gov</b> [1] - 1:16 <b>down</b> [1] - 29:22 <b>drug</b> [12] - 15:13, 16:16, 16:19, 16:22, 17:11, 17:14, 17:22, 18:5, 18:18, 19:1, 19:4, 22:3 <b>Drug</b> [1] - 1:14 <b>drugs</b> [3] - 6:8, 6:14, 15:19 <b>duress</b> [1] - 20:1 <b>during</b> [3] - 11:22, 14:14, 15:5 <b>During</b> [1] - 14:21</p>	<p><b>excused</b> [1] - 30:5 <b>executed</b> [1] - 7:25 <b>expansive</b> [1] - 15:22 <b>expected</b> [1] - 23:9 <b>explain</b> [1] - 15:25 <b>extended</b> [1] - 21:16 <b>extent</b> [1] - 11:3</p>	<p>20:8, 21:10, 23:1, 29:1 <b>funds</b> [7] - 13:25, 14:2, 19:10, 20:18, 20:20, 25:5, 25:9 <b>furtherance</b> [2] - 14:21, 15:6 <b>future</b> [1] - 12:22</p>	<p>2:4, 2:17, 2:21, 2:24, 4:14, 5:6, 5:12, 22:12 <b>GUTIERREZ-OCCHOA</b> [1] - 1:6</p>	<p><b>including</b> [3] - 15:18, 19:1, 27:21 <b>incorrect</b> [1] - 14:24 <b>increase</b> [2] - 25:7, 26:18 <b>increased</b> [2] - 12:21, 25:12 <b>incriminate</b> [1] - 10:4 <b>indicated</b> [3] - 15:4, 16:6, 16:8 <b>indication</b> [1] - 26:1 <b>indictment</b> [5] - 8:1, 8:6, 8:13, 8:21, 22:4 <b>Indictment</b> [1] - 8:16 <b>ineligible</b> [1] - 25:18 <b>information</b> [13] - 2:25, 7:24, 8:5, 8:7, 8:25, 9:5, 9:8, 11:16, 20:12, 22:1, 28:15, 28:18, 29:7 <b>informed</b> [1] - 7:9 <b>initial</b> [1] - 16:9 <b>initials</b> [1] - 16:10 <b>innocent</b> [1] - 10:9 <b>insofar</b> [1] - 10:22 <b>instrument</b> [3] - 13:25, 14:2, 20:18 <b>instruments</b> [1] - 20:20 <b>intention</b> [2] - 19:24, 25:22 <b>intentional</b> [1] - 19:23 <b>intentionally</b> [3] - 13:22, 20:13, 28:19 <b>interpreter</b> [1] - 5:10 <b>Interpreters</b> [1] - 2:5 <b>involved</b> [4] - 14:11, 16:20, 17:7, 21:5 <b>involvement</b> [1] - 19:12 <b>involving</b> [3] - 3:3, 25:10, 28:21 <b>items</b> [2] - 18:25, 24:15</p>
<p><b>E</b></p>	<p><b>F</b></p>	<p><b>G</b></p>	<p><b>H</b></p>	
<p><b>East</b> [1] - 2:19 <b>ECF</b> [1] - 3:1 <b>EDWARD</b> [1] - 1:18 <b>either</b> [2] - 7:17, 7:19 <b>elements</b> [3] - 20:6, 20:12, 21:8 <b>emotional</b> [1] - 6:13 <b>enforcement</b> [1] - 27:22 <b>English</b> [1] - 4:25 <b>enhanced</b> [1] - 12:21 <b>enter</b> [5] - 2:24, 6:25, 7:4, 23:16, 25:22 <b>entering</b> [6] - 3:15, 7:9, 7:22, 12:19, 28:3, 28:5 <b>entirety</b> [1] - 5:12 <b>entitled</b> [1] - 25:23 <b>entity</b> [1] - 17:21 <b>entrapment</b> [1] - 20:1 <b>ESQ</b> [3] - 1:13, 1:17, 1:18 <b>estimate</b> [1] - 26:24 <b>estimated</b> [1] - 25:2 <b>estimates</b> [1] - 24:22 <b>evidence</b> [6] - 6:20, 8:8, 9:3, 9:24, 10:3, 10:5 <b>Evidence</b> [2] - 11:20 <b>examine</b> [2] - 9:17, 26:13 <b>except</b> [1] - 11:3 <b>excess</b> [1] - 25:5 <b>exchange</b> [1] - 21:25 <b>exclusion</b> [1] - 6:5</p>	<p><b>face</b> [6] - 3:14, 12:21, 23:13, 23:21, 24:2, 29:4 <b>fact</b> [1] - 20:1 <b>factors</b> [3] - 11:8, 27:16, 27:18 <b>Facts</b> [2] - 13:5, 13:18 <b>factual</b> [1] - 29:5 <b>fairly</b> [1] - 13:18 <b>faith</b> [1] - 25:2 <b>fall</b> [1] - 10:25 <b>false</b> [2] - 4:8, 4:9 <b>far</b> [1] - 4:17 <b>fashioning</b> [1] - 27:18 <b>Federal</b> [3] - 11:20, 11:21 <b>felony</b> [2] - 12:10, 12:20 <b>FERNANDO</b> [1] - 1:6 <b>Fernando</b> [2] - 2:4, 4:14 <b>fictitious</b> [3] - 16:24, 18:8, 19:5 <b>filed</b> [2] - 3:1, 9:8 <b>financial</b> [2] - 16:15, 16:19 <b>fine</b> [3] - 7:21, 23:22, 29:21 <b>firearm</b> [3] - 12:15, 19:15 <b>firearms</b> [1] - 25:17 <b>first</b> [3] - 2:10, 4:2, 15:25 <b>Floor</b> [1] - 1:19 <b>FOR</b> [1] - 1:1 <b>forbids</b> [1] - 19:25 <b>forced</b> [2] - 10:4, 28:2 <b>foregoing</b> [1] - 30:12 <b>forfeit</b> [2] - 22:13, 24:15 <b>forfeiture</b> [2] - 22:12, 24:10 <b>form</b> [2] - 13:6, 21:6 <b>forth</b> [1] - 11:9 <b>forward</b> [3] - 2:8, 3:10, 20:5 <b>free</b> [1] - 28:6 <b>Friday</b> [1] - 1:4 <b>full</b> [2] - 4:13, 30:13 <b>fully</b> [6] - 7:8, 13:8,</p>	<p><b>Generacion</b> [1] - 14:15 <b>ghost</b> [1] - 19:15 <b>Government</b> [1] - 21:13 <b>government</b> [13] - 2:10, 7:3, 8:7, 9:3, 9:4, 13:4, 13:6, 14:25, 20:5, 22:2, 22:8, 26:8, 30:1 <b>government's</b> [1] - 10:10 <b>graduate</b> [1] - 4:19 <b>grand</b> [5] - 8:4, 8:8, 8:9, 8:13, 8:21 <b>greater</b> [2] - 23:23, 26:9 <b>guideline</b> [5] - 24:19, 25:4, 25:8, 25:13, 25:15 <b>guidelines</b> [11] - 11:6, 11:7, 23:14, 24:21, 25:1, 26:3, 26:9, 26:16, 26:24, 27:4 <b>guilt</b> [4] - 9:5, 10:5, 10:10, 10:15 <b>guilty</b> [28] - 2:25, 3:15, 6:25, 7:14, 7:23, 8:24, 9:7, 10:23, 12:4, 12:10, 12:11, 12:20, 12:25, 23:17, 25:23, 27:15, 27:24, 28:3, 28:5, 28:6, 28:9, 28:11, 28:14, 28:22, 28:23, 28:24, 29:6 <b>guns</b> [1] - 19:18 <b>GUTIERREZ</b> [1] - 1:6 <b>Gutierrez</b> [29] - 2:4, 2:17, 2:21, 2:24, 3:9, 3:11, 4:4, 4:14, 4:15, 5:6, 5:12, 5:16, 7:6, 7:11, 13:13, 13:14, 15:5, 16:14, 20:6, 20:7, 21:10, 21:16, 22:12, 22:22, 22:23, 27:12, 28:10, 28:17, 29:1 <b>Gutierrez's</b> [1] - 6:25 <b>Gutierrez-Ochoa</b> [8] -</p>	<p><b>hard</b> [1] - 28:11 <b>hearing</b> [5] - 2:24, 7:10, 7:11, 11:23, 30:6 <b>HEARING</b> [1] - 1:9 <b>held</b> [1] - 17:19 <b>HELD</b> [1] - 1:10 <b>help</b> [1] - 10:16 <b>hereby</b> [1] - 30:11 <b>hesitate</b> [1] - 3:19 <b>hide</b> [1] - 19:7 <b>high</b> [2] - 4:18, 4:19 <b>higher</b> [1] - 26:17 <b>history</b> [7] - 22:6, 26:1, 26:13, 26:15, 26:16, 26:17, 27:7 <b>History</b> [1] - 26:18 <b>hold</b> [3] - 7:13, 8:17, 12:14 <b>holding</b> [1] - 13:12 <b>Honor</b> [25] - 2:2, 2:5, 2:11, 2:15, 2:20, 3:8, 5:5, 7:2, 7:5, 14:19, 15:3, 16:5, 20:11, 21:9, 21:18, 21:20, 21:24, 22:16, 22:18, 29:11, 29:16, 29:18, 29:23, 30:2, 30:4 <b>HONORABLE</b> [1] - 1:10 <b>hours</b> [1] - 6:9 <b>HOWELL</b> [1] - 1:10</p>	
			<p><b>I</b></p>	
			<p><b>identify</b> [1] - 2:9 <b>identity</b> [2] - 16:25, 18:8 <b>illegal</b> [1] - 19:10 <b>illicit</b> [1] - 15:17 <b>illness</b> [1] - 6:13 <b>immigration</b> [1] - 6:6 <b>important</b> [1] - 23:15 <b>importation</b> [1] - 25:11 <b>imports</b> [1] - 15:17 <b>imposed</b> [1] - 27:8 <b>imprisonment</b> [4] - 11:4, 23:22, 26:4, 26:9 <b>IN</b> [1] - 1:1 <b>include</b> [1] - 17:10 <b>included</b> [1] - 25:9</p>	
				<p><b>J</b></p>
				<p><b>Jalisco</b> [1] - 14:15 <b>JAN</b> [1] - 1:18 <b>Jan</b> [1] - 2:15 <b>jewelry</b> [1] - 19:1 <b>Joint</b> [2] - 13:5, 13:17 <b>jointly</b> [1] - 29:12 <b>JR</b> [2] - 1:17, 1:18 <b>judge</b> [1] - 8:1 <b>JUDGE</b> [1] - 1:10 <b>judges</b> [1] - 27:6 <b>July</b> [1] - 30:16 <b>June</b> [2] - 1:4, 21:14 <b>jurors</b> [1] - 8:9</p>

<p><b>jury</b> [8] - 8:4, 8:8, 8:13, 8:21, 8:25, 9:2, 9:7, 12:15</p>	<p><b>location</b> [4] - 14:7, 16:21, 18:4, 21:1</p> <p><b>look</b> [1] - 27:4</p> <p><b>looking</b> [1] - 27:3</p> <p><b>looks</b> [1] - 29:21</p> <p><b>Luis</b> [1] - 16:25</p>	<p><b>Moreira</b> [2] - 1:22, 30:18</p> <p><b>morning</b> [7] - 2:9, 2:11, 2:14, 2:15, 2:18, 2:21, 2:22</p> <p><b>most</b> [3] - 21:16, 21:22, 21:24</p> <p><b>move</b> [1] - 5:7</p> <p><b>MR</b> [25] - 2:11, 2:15, 2:20, 3:8, 5:5, 5:9, 7:2, 7:5, 14:19, 15:2, 16:4, 20:11, 21:9, 21:18, 21:20, 21:24, 22:18, 29:11, 29:16, 29:18, 29:20, 29:23, 29:24, 30:2, 30:4</p> <p><b>multiple</b> [1] - 18:25</p>	<p>1:18, 30:9</p> <p><b>offender</b> [1] - 25:19</p> <p><b>offense</b> [30] - 6:4, 12:9, 12:10, 12:11, 12:20, 12:24, 12:25, 17:6, 19:19, 20:6, 21:8, 22:6, 23:20, 24:6, 24:7, 24:11, 24:12, 24:23, 25:3, 25:8, 25:10, 25:12, 25:15, 25:18, 25:19, 25:24, 25:25, 27:7, 27:9, 27:15</p> <p><b>offenses</b> [1] - 20:15</p> <p><b>offer</b> [2] - 6:21, 21:16</p> <p><b>office</b> [2] - 12:14, 26:12</p> <p><b>OFFICES</b> [1] - 1:18</p> <p><b>OFFICIAL</b> [1] - 30:9</p> <p><b>Official</b> [1] - 1:22</p> <p><b>official</b> [1] - 30:19</p> <p><b>old</b> [1] - 4:15</p> <p><b>one</b> [4] - 5:10, 7:15, 19:5, 21:13</p> <p><b>operatives</b> [1] - 16:16</p> <p><b>opportunity</b> [1] - 7:17</p> <p><b>order</b> [2] - 19:6, 24:5</p> <p><b>ordinarily</b> [1] - 11:21</p> <p><b>outline</b> [1] - 21:22</p> <p><b>outside</b> [2] - 14:1, 20:19</p> <p><b>own</b> [5] - 9:21, 9:24, 10:5, 24:25, 28:6</p> <p><b>ownership</b> [5] - 14:8, 16:22, 18:5, 19:7, 21:1</p>	<p>24:23, 25:2, 29:11</p> <p><b>parts</b> [1] - 22:15</p> <p><b>party's</b> [1] - 19:6</p> <p><b>Pasion</b> [4] - 17:19, 17:21, 17:25, 18:2</p> <p><b>pay</b> [1] - 24:5</p> <p><b>penalties</b> [5] - 3:14, 23:13, 23:17, 24:1, 29:3</p> <p><b>period</b> [1] - 11:4</p> <p><b>perjury</b> [1] - 4:8</p> <p><b>permitted</b> [1] - 10:22</p> <p><b>persuade</b> [1] - 8:8</p> <p><b>pertinent</b> [1] - 22:15</p> <p><b>place</b> [4] - 13:25, 14:1, 20:18, 20:19</p> <p><b>Plaintiff</b> [1] - 1:4</p> <p><b>plea</b> [51] - 2:25, 3:15, 5:4, 5:21, 5:22, 6:21, 7:1, 7:4, 7:9, 7:11, 7:14, 7:23, 10:18, 10:21, 11:10, 11:13, 11:23, 12:4, 12:5, 12:6, 12:11, 12:20, 16:8, 21:14, 21:16, 21:22, 21:25, 22:1, 22:24, 23:1, 23:5, 23:10, 23:12, 23:16, 24:16, 24:22, 25:23, 26:8, 26:23, 28:3, 28:5, 28:10, 28:11, 28:12, 28:13, 28:14, 29:3, 29:6</p> <p><b>plead</b> [3] - 8:24, 9:6, 28:17</p> <p><b>pleading</b> [4] - 10:23, 12:10, 12:25, 27:24</p> <p><b>plenty</b> [1] - 23:4</p> <p><b>podium</b> [2] - 3:10, 22:22</p> <p><b>point</b> [1] - 25:19</p> <p><b>possess</b> [3] - 12:15, 18:18, 19:14</p> <p><b>possession</b> [1] - 25:17</p> <p><b>practice</b> [1] - 16:9</p> <p><b>prepare</b> [1] - 10:16</p> <p><b>prepared</b> [1] - 13:7</p> <p><b>present</b> [5] - 8:8, 9:21, 9:24, 10:3, 10:5</p> <p><b>presented</b> [1] - 9:3</p> <p><b>presumed</b> [1] - 10:8</p> <p><b>previously</b> [1] - 19:22</p> <p><b>principal</b> [1] - 21:22</p> <p><b>probable</b> [1] - 8:9</p> <p><b>probation</b> [1] - 26:12</p> <p><b>procedural</b> [4] - 3:17, 7:13, 11:19, 12:7</p> <p><b>Procedure</b> [1] - 11:21</p> <p><b>proceed</b> [2] - 7:10, 20:10</p>
<p><b>K</b></p>	<p><b>M</b></p>	<p><b>N</b></p>	<p><b>P</b></p>	
<p><b>keep</b> [1] - 18:21</p> <p><b>kind</b> [1] - 6:14</p> <p><b>kinds</b> [1] - 27:12</p> <p><b>knowing</b> [3] - 16:19, 19:23, 21:4</p> <p><b>knowingly</b> [5] - 13:22, 16:14, 20:13, 20:16, 28:18</p> <p><b>knowledge</b> [1] - 19:12</p> <p><b>known</b> [1] - 11:16</p> <p><b>Kyle</b> [1] - 2:13</p>	<p><b>magistrate</b> [1] - 8:1</p> <p><b>manner</b> [1] - 11:1</p> <p><b>manual</b> [2] - 23:14, 24:21</p> <p><b>manufacture</b> [1] - 25:10</p> <p><b>Martinez</b> [1] - 16:25</p> <p><b>matter</b> [1] - 2:7</p> <p><b>maximum</b> [4] - 11:5, 23:21, 23:22, 23:24</p> <p><b>meaning</b> [2] - 9:16, 9:22</p> <p><b>means</b> [3] - 4:6, 9:1, 13:1</p> <p><b>medicine</b> [1] - 6:9</p> <p><b>Meisel</b> [1] - 2:12</p> <p><b>MEISEL</b> [9] - 1:13, 2:11, 7:5, 20:11, 21:18, 21:20, 29:16, 29:23, 30:2</p> <p><b>member</b> [4] - 14:15, 14:17, 14:22, 15:7</p> <p><b>mental</b> [1] - 6:13</p> <p><b>merely</b> [1] - 27:24</p> <p><b>met</b> [2] - 5:6, 29:11</p> <p><b>methamphetamine</b> [1] - 15:18</p> <p><b>Mexican</b> [1] - 17:21</p> <p><b>Mexico</b> [4] - 6:2, 15:14, 15:23, 17:11</p> <p><b>Michoacan</b> [1] - 5:25</p> <p><b>microphone</b> [2] - 5:7, 5:18</p> <p><b>Miguel</b> [1] - 16:25</p> <p><b>million</b> [4] - 17:11, 17:14, 18:18, 25:6</p> <p><b>mind</b> [1] - 28:12</p> <p><b>mistake</b> [1] - 20:1</p> <p><b>moment</b> [2] - 3:23, 14:19</p> <p><b>monetary</b> [4] - 13:24, 14:1, 20:18, 20:20</p> <p><b>money</b> [13] - 3:3, 15:22, 16:15, 17:3, 17:7, 17:9, 18:11, 19:19, 20:12, 22:1, 23:19, 25:16, 28:20</p> <p><b>months</b> [4] - 22:7, 22:8, 26:3, 26:10</p> <p><b>Moore</b> [1] - 2:13</p> <p><b>MOREIRA</b> [1] - 30:11</p>	<p><b>name</b> [4] - 4:13, 17:19, 17:25, 19:5</p> <p><b>namely</b> [1] - 14:12</p> <p><b>Narcotic</b> [1] - 1:14</p> <p><b>narcotic</b> [1] - 6:14</p> <p><b>narcotics</b> [5] - 3:3, 14:2, 14:12, 20:22, 28:21</p> <p><b>nature</b> [6] - 14:7, 16:21, 18:4, 21:1, 27:7, 29:2</p> <p><b>NE</b> [1] - 1:14</p> <p><b>necessary</b> [1] - 9:12</p> <p><b>need</b> [4] - 14:24, 14:25, 27:8, 27:13</p> <p><b>networks</b> [1] - 15:22</p> <p><b>new</b> [1] - 11:15</p> <p><b>next</b> [1] - 7:11</p> <p><b>notes</b> [1] - 30:13</p> <p><b>notice</b> [1] - 25:22</p> <p><b>November</b> [6] - 13:21, 17:10, 18:15, 29:18, 29:19</p> <p><b>Nueva</b> [1] - 14:15</p> <p><b>number</b> [3] - 19:6, 19:16, 27:15</p> <p><b>NW</b> [2] - 1:23, 30:20</p>	<p><b>page</b> [2] - 16:9, 16:11</p> <p><b>Page</b> [4] - 10:19, 11:23, 13:11, 13:14</p> <p><b>Palomo</b> [1] - 18:8</p> <p><b>Pamplona</b> [5] - 17:15, 17:25, 18:22, 18:24, 19:16</p> <p><b>paperwork</b> [2] - 5:4, 5:21</p> <p><b>Paragraph</b> [7] - 10:19, 11:11, 11:24, 14:3, 14:21, 22:13, 24:16</p> <p><b>paragraph</b> [3] - 5:14, 11:25, 12:1</p> <p><b>part</b> [3] - 14:7, 20:25, 24:4</p> <p><b>participate</b> [2] - 16:15, 16:18</p> <p><b>participation</b> [1] - 19:22</p> <p><b>parties</b> [5] - 2:8, 22:5,</p>	
<p><b>L</b></p>		<p><b>O</b></p>		
<p><b>last</b> [1] - 6:9</p> <p><b>laundry</b> [1] - 17:22</p> <p><b>laundered</b> [3] - 19:10, 25:5, 25:9</p> <p><b>laundering</b> [13] - 3:3, 15:22, 16:16, 17:3, 17:7, 17:10, 18:11, 19:19, 20:12, 22:2, 23:19, 25:16, 28:20</p> <p><b>law</b> [7] - 7:13, 10:8, 10:22, 19:25, 20:1, 27:10, 27:22</p> <p><b>LAW</b> [1] - 1:18</p> <p><b>laws</b> [1] - 6:6</p> <p><b>lawyer</b> [9] - 3:22, 3:23, 5:17, 7:18, 7:20, 9:16, 10:16, 12:1, 23:5</p> <p><b>lawyers</b> [1] - 9:11</p> <p><b>leadership</b> [1] - 15:10</p> <p><b>least</b> [4] - 8:8, 13:21, 18:14, 19:5</p> <p><b>lectern</b> [1] - 2:8</p> <p><b>left</b> [1] - 9:2</p> <p><b>legalistic</b> [1] - 7:16</p> <p><b>legitimate</b> [1] - 18:3</p> <p><b>lenient</b> [1] - 21:16</p> <p><b>level</b> [8] - 22:6, 24:23, 25:3, 25:7, 25:9, 25:12, 25:19, 25:25</p> <p><b>levels</b> [3] - 25:13, 25:15, 25:24</p> <p><b>lighter</b> [1] - 27:25</p> <p><b>limit</b> [1] - 11:21</p> <p><b>LISA</b> [1] - 30:11</p> <p><b>Lisa</b> [1] - 1:22</p> <p><b>list</b> [1] - 24:15</p> <p><b>listed</b> [1] - 22:13</p> <p><b>listen</b> [2] - 9:3, 20:7</p> <p><b>live</b> [2] - 17:2, 18:7</p>		<p><b>oath</b> [2] - 4:3, 4:6</p> <p><b>obligated</b> [1] - 24:19</p> <p><b>obliterated</b> [1] - 19:16</p> <p><b>OCHOA</b> [1] - 1:6</p> <p><b>Ochoa</b> [8] - 2:4, 2:17, 2:21, 2:24, 4:14, 5:6, 5:12, 22:12</p> <p><b>October</b> [2] - 29:12, 29:14</p> <p><b>OF</b> [5] - 1:1, 1:3, 1:9,</p>		

<p><b>proceeding</b> [1] - 9:12</p> <p><b>proceedings</b> [1] - 30:14</p> <p><b>proceeds</b> [20] - 3:3, 14:2, 14:8, 14:11, 16:16, 16:19, 16:22, 17:11, 17:15, 17:22, 18:5, 18:18, 19:1, 19:4, 20:21, 21:2, 21:6, 24:11, 25:10, 28:21</p> <p><b>process</b> [2] - 5:3, 5:17</p> <p><b>product</b> [1] - 19:25</p> <p><b>promised</b> [1] - 27:23</p> <p><b>promote</b> [1] - 27:9</p> <p><b>pronunciation</b> [1] - 14:23</p> <p><b>property</b> [12] - 14:11, 17:15, 17:18, 17:25, 18:7, 18:8, 18:22, 18:25, 19:16, 21:4, 22:13, 24:11</p> <p><b>prosecuted</b> [1] - 4:8</p> <p><b>prosecution</b> [1] - 4:10</p> <p><b>prosecutor</b> [1] - 27:23</p> <p><b>protect</b> [1] - 27:11</p> <p><b>prove</b> [2] - 10:10, 13:7</p> <p><b>proven</b> [1] - 9:4</p> <p><b>provide</b> [2] - 27:4, 27:10</p> <p><b>provided</b> [1] - 13:4</p> <p><b>provisions</b> [2] - 11:7, 23:23</p> <p><b>public</b> [3] - 12:14, 20:2, 27:11</p> <p><b>punishment</b> [2] - 12:21, 27:10</p> <p><b>purchase</b> [2] - 17:15, 19:5</p> <p><b>purchased</b> [1] - 18:25</p> <p><b>purpose</b> [1] - 2:23</p> <p><b>pursuant</b> [3] - 11:2, 11:6, 11:15</p> <p><b>put</b> [2] - 17:24, 29:21</p>	<p>13:8, 16:8</p> <p><b>reading</b> [1] - 4:21</p> <p><b>ready</b> [1] - 28:9</p> <p><b>really</b> [1] - 18:3</p> <p><b>reask</b> [1] - 15:2</p> <p><b>reason</b> [1] - 28:7</p> <p><b>reasonable</b> [1] - 10:11</p> <p><b>received</b> [1] - 6:12</p> <p><b>recently</b> [1] - 6:13</p> <p><b>recommend</b> [1] - 22:8</p> <p><b>record</b> [4] - 2:5, 2:9, 8:16, 13:12</p> <p><b>records</b> [1] - 27:14</p> <p><b>reduction</b> [2] - 25:19, 25:23</p> <p><b>reflect</b> [2] - 21:15, 27:9</p> <p><b>reflecting</b> [1] - 19:24</p> <p><b>regardless</b> [1] - 12:5</p> <p><b>release</b> [1] - 23:24</p> <p><b>remain</b> [1] - 22:21</p> <p><b>remind</b> [1] - 7:16</p> <p><b>removable</b> [1] - 12:25</p> <p><b>removal</b> [1] - 13:1</p> <p><b>repeat</b> [4] - 3:19, 3:20, 7:17, 7:19</p> <p><b>REPORTER</b> [1] - 30:9</p> <p><b>Reporter</b> [3] - 1:22, 1:22, 30:19</p> <p><b>represented</b> [5] - 9:11, 14:2, 14:11, 20:20, 21:6</p> <p><b>request</b> [2] - 22:9, 29:12</p> <p><b>required</b> [3] - 8:7, 23:17, 27:4</p> <p><b>requires</b> [1] - 27:6</p> <p><b>reserves</b> [2] - 11:13, 22:9</p> <p><b>respect</b> [1] - 27:9</p> <p><b>respects</b> [1] - 19:23</p> <p><b>responding</b> [1] - 7:7</p> <p><b>responsibility</b> [1] - 25:22</p> <p><b>rest</b> [1] - 7:10</p> <p><b>restitution</b> [1] - 24:5</p> <p><b>result</b> [3] - 6:5, 22:12, 26:2</p> <p><b>resulting</b> [1] - 24:6</p> <p><b>results</b> [1] - 25:24</p> <p><b>review</b> [1] - 23:17</p> <p><b>reviewed</b> [4] - 12:1, 12:12, 16:7, 26:23</p> <p><b>reviewing</b> [1] - 5:3</p> <p><b>rights</b> [10] - 3:14, 3:16, 3:17, 7:13, 10:19, 12:7, 12:12, 12:13, 12:17, 29:4</p> <p><b>Riverside</b> [1] - 17:16</p> <p><b>Roman</b> [1] - 2:6</p>	<p><b>Ronis</b> [4] - 2:15, 3:6, 5:5, 5:13</p> <p><b>RONIS</b> [3] - 1:18, 2:15, 2:20</p> <p><b>Room</b> [2] - 1:23, 30:20</p> <p><b>routes</b> [1] - 15:13</p> <p><b>Rule</b> [3] - 11:20, 11:21</p> <p><b>rules</b> [3] - 11:19, 11:24, 12:7</p>	<p><b>S</b></p> <p><b>salient</b> [2] - 21:22, 21:25</p> <p><b>San</b> [1] - 1:19</p> <p><b>Santangelo</b> [1] - 2:6</p> <p><b>satisfied</b> [2] - 6:16, 28:25</p> <p><b>schedules</b> [1] - 29:10</p> <p><b>school</b> [3] - 4:17, 4:18, 4:19</p> <p><b>scope</b> [1] - 10:25</p> <p><b>score</b> [1] - 26:15</p> <p><b>seated</b> [3] - 20:4, 21:19, 29:8</p> <p><b>Section</b> [9] - 1:14, 11:2, 11:7, 11:9, 11:15, 23:20, 25:14, 25:20, 27:5</p> <p><b>Sections</b> [3] - 3:4, 20:23, 28:22</p> <p><b>Security</b> [1] - 19:6</p> <p><b>see</b> [1] - 8:15</p> <p><b>seek</b> [1] - 26:8</p> <p><b>sentence</b> [10] - 11:1, 11:14, 23:9, 23:21, 24:5, 24:18, 27:2, 27:8, 27:19, 27:25</p> <p><b>sentences</b> [2] - 11:3, 27:12</p> <p><b>SENTENCING</b> [1] - 1:9</p> <p><b>sentencing</b> [13] - 11:6, 11:7, 11:8, 22:2, 24:24, 25:2, 26:3, 26:19, 27:6, 27:13, 27:18, 29:9, 29:22</p> <p><b>September</b> [1] - 29:9</p> <p><b>serial</b> [1] - 19:16</p> <p><b>series</b> [1] - 3:12</p> <p><b>seriousness</b> [1] - 27:9</p> <p><b>serve</b> [1] - 12:14</p> <p><b>services</b> [2] - 5:9, 6:17</p> <p><b>set</b> [5] - 11:8, 11:10, 14:3, 24:15, 26:22</p> <p><b>sets</b> [3] - 10:18, 23:12, 24:23</p> <p><b>severe</b> [1] - 23:9</p> <p><b>severity</b> [1] - 26:19</p> <p><b>signature</b> [2] - 8:17, 13:14</p>	<p><b>signed</b> [7] - 5:15, 7:25, 8:2, 8:18, 21:15, 23:2, 23:6</p> <p><b>signing</b> [1] - 12:5</p> <p><b>similar</b> [2] - 27:14, 27:15</p> <p><b>sit</b> [1] - 9:2</p> <p><b>six</b> [1] - 25:7</p> <p><b>six-level</b> [1] - 25:7</p> <p><b>Social</b> [1] - 19:6</p> <p><b>sophisticated</b> [3] - 17:7, 17:9, 25:16</p> <p><b>sound</b> [1] - 7:15</p> <p><b>source</b> [4] - 14:8, 16:21, 18:4, 21:1</p> <p><b>Spanish</b> [2] - 4:22, 5:9</p> <p><b>speaking</b> [1] - 3:7</p> <p><b>special</b> [1] - 23:25</p> <p><b>Special</b> [1] - 2:13</p> <p><b>specified</b> [3] - 14:9, 20:21, 21:2</p> <p><b>SPENCER</b> [1] - 1:13</p> <p><b>stage</b> [2] - 7:11, 9:12</p> <p><b>start</b> [1] - 2:10</p> <p><b>statement</b> [1] - 4:9</p> <p><b>Statement</b> [2] - 13:5, 13:17</p> <p><b>statements</b> [1] - 11:22</p> <p><b>Statements</b> [1] - 11:25</p> <p><b>STATES</b> [3] - 1:1, 1:3, 1:10</p> <p><b>states</b> [1] - 14:21</p> <p><b>States</b> [17] - 1:13, 2:3, 2:12, 6:6, 12:16, 13:2, 13:25, 14:1, 15:14, 15:18, 15:23, 17:3, 17:12, 18:12, 20:19, 20:20, 30:19</p> <p><b>statute</b> [6] - 10:22, 10:25, 23:13, 27:3, 27:5, 27:6</p> <p><b>statutory</b> [3] - 3:16, 7:12, 11:5</p> <p><b>stenographic</b> [1] - 30:13</p> <p><b>step</b> [2] - 3:10, 20:5</p> <p><b>still</b> [2] - 23:9, 29:14</p> <p><b>Stipulated</b> [2] - 13:5, 13:18</p> <p><b>Street</b> [2] - 1:14, 1:19</p> <p><b>subject</b> [3] - 13:1, 24:10, 25:7</p> <p><b>submitted</b> [1] - 5:22</p> <p><b>subpoena</b> [1] - 9:22</p> <p><b>Subsets</b> [1] - 22:14</p> <p><b>substance</b> [1] - 25:11</p> <p><b>substances</b> [1] - 15:17</p> <p><b>substantial</b> [1] - 15:13</p> <p><b>sufficiently</b> [1] - 24:11</p>	<p><b>suggest</b> [1] - 29:9</p> <p><b>suggested</b> [1] - 27:24</p> <p><b>Suite</b> [1] - 1:14</p> <p><b>summary</b> [1] - 13:6</p> <p><b>supervised</b> [1] - 23:24</p> <p><b>Susana</b> [1] - 2:6</p> <p><b>sworn</b> [2] - 2:6, 4:5</p>
<b>T</b>					
<p><b>table</b> [1] - 2:12</p> <p><b>talks</b> [1] - 11:24</p> <p><b>Teresa</b> [1] - 2:6</p> <p><b>term</b> [2] - 23:24, 26:9</p> <p><b>terms</b> [6] - 10:20, 21:22, 21:25, 22:24, 23:2</p> <p><b>testify</b> [4] - 9:17, 9:23, 9:24, 10:2</p> <p><b>THE</b> [205] - 1:1, 1:1, 1:10, 2:2, 2:14, 2:18, 2:21, 2:22, 2:23, 3:9, 4:1, 4:2, 4:6, 4:12, 4:13, 4:14, 4:15, 4:16, 4:17, 4:18, 4:19, 4:20, 4:21, 4:23, 4:24, 5:1, 5:2, 5:7, 5:16, 5:23, 5:24, 5:25, 6:1, 6:2, 6:3, 6:7, 6:8, 6:11, 6:12, 6:15, 6:16, 6:18, 6:19, 6:23, 6:24, 7:3, 7:6, 7:21, 7:22, 8:14, 8:15, 8:19, 8:20, 8:22, 8:23, 9:9, 9:10, 9:14, 9:15, 9:19, 9:20, 10:1, 10:2, 10:7, 10:8, 10:12, 10:13, 10:17, 10:18, 11:12, 11:13, 11:18, 11:19, 12:2, 12:3, 12:8, 12:9, 12:18, 12:19, 12:23, 12:24, 13:3, 13:4, 13:10, 13:11, 13:16, 13:17, 13:20, 13:21, 14:4, 14:5, 14:13, 14:14, 14:16, 14:17, 14:18, 14:20, 15:1, 15:5, 15:8, 15:9, 15:11, 15:12, 15:15, 15:16, 15:20, 15:21, 15:24, 15:25, 16:13, 16:17, 16:18, 16:23, 16:24, 17:1, 17:2, 17:5, 17:6, 17:8, 17:9, 17:13, 17:14, 17:17, 17:18, 17:20, 17:21, 17:23, 17:24, 18:1, 18:2, 18:6, 18:7, 18:9, 18:10, 18:13,</p>					

<p>18:14, 18:16, 18:17, 18:20, 18:21, 18:23, 18:24, 19:3, 19:4, 19:8, 19:9, 19:13, 19:14, 19:17, 19:18, 19:20, 19:21, 20:3, 20:4, 21:7, 21:10, 21:12, 21:13, 21:19, 21:21, 22:17, 22:20, 22:25, 23:1, 23:3, 23:4, 23:7, 23:8, 23:11, 23:12, 24:3, 24:4, 24:8, 24:9, 24:13, 24:14, 24:17, 24:18, 26:6, 26:7, 26:11, 26:12, 26:21, 26:22, 27:1, 27:2, 27:20, 27:21, 28:1, 28:2, 28:4, 28:5, 28:8, 28:9, 28:16, 28:17, 28:24, 28:25, 29:14, 29:17, 29:19, 29:21, 29:25, 30:3, 30:5</p> <p><b>therefore</b> [2] - 7:8, 29:6</p> <p><b>they've</b> [1] - 25:3</p> <p><b>Third</b> [1] - 1:19</p> <p><b>third</b> [1] - 19:6</p> <p><b>third-party's</b> [1] - 19:6</p> <p><b>threatened</b> [1] - 28:2</p> <p><b>three</b> [2] - 23:24, 25:24</p> <p><b>threw</b> [1] - 14:24</p> <p><b>timely</b> [1] - 25:22</p> <p><b>title</b> [1] - 17:18</p> <p><b>Title</b> [3] - 20:15, 20:22, 23:23</p> <p><b>titled</b> [2] - 10:20, 11:25</p> <p><b>today</b> [13] - 3:7, 3:12, 4:10, 5:22, 6:10, 7:1, 7:4, 7:9, 7:15, 8:18, 28:13, 29:2, 30:1</p> <p><b>today's</b> [1] - 2:24</p> <p><b>tonnage</b> [1] - 15:17</p> <p><b>top</b> [2] - 15:9, 26:9</p> <p><b>total</b> [2] - 19:9, 25:24</p> <p><b>totaling</b> [1] - 17:11</p> <p><b>trafficking</b> [7] - 3:4, 14:3, 14:12, 15:13, 20:22, 22:3, 28:21</p> <p><b>transactions</b> [3] - 16:15, 16:19, 16:20</p> <p><b>TRANSCRIPT</b> [1] - 1:9</p> <p><b>transcript</b> [2] - 30:13, 30:14</p> <p><b>transfer</b> [8] - 13:23, 13:24, 14:6, 14:10, 20:18, 20:24, 21:4, 21:5</p> <p><b>transferred</b> [1] - 20:16</p>	<p><b>transfers</b> [1] - 17:10</p> <p><b>translated</b> [1] - 5:11</p> <p><b>transmission</b> [5] - 14:6, 14:10, 20:24, 21:4, 21:5</p> <p><b>transmit</b> [3] - 13:23, 13:24, 20:17</p> <p><b>transmitted</b> [1] - 20:16</p> <p><b>transport</b> [3] - 13:23, 13:24, 20:17</p> <p><b>transportation</b> [5] - 14:6, 14:10, 20:24, 21:3, 21:5</p> <p><b>transported</b> [1] - 20:16</p> <p><b>treatment</b> [1] - 6:12</p> <p><b>trial</b> [10] - 8:25, 9:7, 9:10, 9:11, 9:15, 9:20, 10:3, 10:9, 10:14, 13:7</p> <p><b>true</b> [2] - 30:12, 30:14</p> <p><b>truthfully</b> [1] - 4:7</p> <p><b>turn</b> [1] - 5:18</p> <p><b>turning</b> [1] - 13:11</p> <p><b>two</b> [5] - 11:24, 17:10, 19:18, 25:12, 25:15</p> <p><b>type</b> [1] - 6:13</p> <p><b>U</b></p> <p><b>U.S</b> [5] - 1:23, 6:3, 18:19, 20:15, 20:22</p> <p><b>unavailable</b> [1] - 11:16</p> <p><b>unconstitutional</b> [1] - 10:24</p> <p><b>under</b> [22] - 4:6, 6:6, 7:13, 10:19, 10:20, 11:19, 11:24, 12:7, 13:15, 18:8, 19:5, 20:15, 22:10, 23:13, 25:4, 25:8, 25:13, 25:14, 25:15, 25:19, 26:7, 26:16</p> <p><b>underlying</b> [2] - 5:4, 19:19</p> <p><b>understood</b> [1] - 5:15</p> <p><b>UNITED</b> [3] - 1:1, 1:3, 1:10</p> <p><b>United</b> [17] - 1:13, 2:3, 2:12, 6:5, 12:15, 13:2, 13:25, 14:1, 15:14, 15:18, 15:23, 17:3, 17:12, 18:12, 20:19, 30:19</p> <p><b>unlawful</b> [5] - 14:9, 14:12, 20:21, 21:2, 21:6</p> <p><b>unregistered</b> [1] - 19:14</p> <p><b>untraceable</b> [1] -</p>	<p>19:15</p> <p><b>unwarranted</b> [1] - 27:13</p> <p><b>up</b> [8] - 3:14, 3:17, 7:14, 8:17, 12:16, 13:12, 22:21, 29:5</p> <p><b>upward</b> [1] - 11:5</p> <p><b>USC</b> [8] - 3:4, 11:2, 11:9, 11:15, 23:20, 25:14, 27:5, 28:22</p> <p><b>V</b></p> <p><b>valuable</b> [1] - 12:13</p> <p><b>value</b> [1] - 18:25</p> <p><b>variance</b> [1] - 22:10</p> <p><b>various</b> [1] - 5:4</p> <p><b>vehicle</b> [1] - 19:5</p> <p><b>vehicles</b> [1] - 19:2</p> <p><b>verbatim</b> [3] - 5:12, 11:10, 16:8</p> <p><b>victim</b> [1] - 24:6</p> <p><b>violate</b> [1] - 12:4</p> <p><b>violation</b> [4] - 3:4, 20:22, 23:20, 28:21</p> <p><b>voluntarily</b> [1] - 28:6</p> <p><b>voluntary</b> [1] - 19:23</p> <p><b>vote</b> [1] - 12:14</p> <p><b>W</b></p> <p><b>waive</b> [2] - 10:21, 11:1</p> <p><b>waived</b> [1] - 12:7</p> <p><b>waiver</b> [3] - 8:1, 10:19, 10:22</p> <p><b>Waiver</b> [2] - 8:15, 10:20</p> <p><b>waiving</b> [1] - 8:20</p> <p><b>Washington</b> [3] - 1:15, 1:24, 30:21</p> <p><b>watches</b> [1] - 19:1</p> <p><b>welcome</b> [1] - 2:18</p> <p><b>West</b> [1] - 1:19</p> <p><b>whichever</b> [1] - 23:23</p> <p><b>whole</b> [4] - 3:12, 14:7, 20:25, 24:15</p> <p><b>willful</b> [1] - 19:23</p> <p><b>willfully</b> [3] - 13:22, 20:14, 28:19</p> <p><b>wire</b> [1] - 17:10</p> <p><b>wit</b> [1] - 20:21</p> <p><b>withdraw</b> [4] - 12:4, 12:5, 23:10, 28:11</p> <p><b>witnesses</b> [3] - 9:17, 9:21, 9:22</p> <p><b>word</b> [1] - 4:25</p> <p><b>works</b> [1] - 29:14</p> <p><b>writing</b> [1] - 4:22</p> <p><b>written</b> [1] - 4:25</p>	<p><b>Y</b></p> <p><b>years</b> [2] - 23:21, 23:24</p> <p><b>yourself</b> [1] - 10:4</p> <p><b>yourselves</b> [1] - 2:9</p> <p><b>Z</b></p> <p><b>Zamora</b> [1] - 5:25</p> <p><b>zero</b> [1] - 25:19</p>
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