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IN THE UNITED STATES DISTRICT COURT
2
FOR THE DISTRICT OF COLUMBIA3
THE UNITED STATES OF AMERICA,4
Plaintiff,
5
v.Criminal Action No.
1:25-cr-00035-BAH-1
Friday, June 20, 2025
9:50 a.m.6
CRISTIAN FERNANDO GUTIERREZ-OCHOA,7
Defendant.
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TRANSCRIPT OF SENTENCING HEARING
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HELD BEFORE THE HONORABLE BERYL A. HOWELL
11
UNITED STATES DISTRICT JUDGE12
APPEARANCES:13
For United States: **DOUGLAS SPENCER MEISEL, ESQ.**
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1 P R O C E E D I N G S

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

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

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

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

14 THE COURT: Good morning.

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

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

20 MR. RONIS: Thank you, Your Honor.

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

22 THE DEFENDANT: Good morning.

23 THE COURT: All right. I understand the purpose
24 of today's hearing is for Mr. Gutierrez-Ochoa to enter a
25 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.

THE COURT: And what country is that in?

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?

THE DEFENDANT: Yes.

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?

THE DEFENDANT: Yes.

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

THE DEFENDANT: Yes.

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

THE DEFENDANT: Yes.

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

THE DEFENDANT: I understand.

THE COURT: Now, your plea agreement sets out the waiver of appeal rights, and it's on Page 6 under Paragraph 7, which is titled "Appeal Waiver." And under the terms of the plea agreement, you are agreeing to waive any argument, insofar as such waiver is permitted by law, that the statute to which the defendant is pleading guilty is unconstitutional, any argument that this admitted conduct 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."

Have you reviewed this paragraph with your lawyer?

THE DEFENDANT: Yes.

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

THE DEFENDANT: Yes.

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

THE DEFENDANT: Yes.

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

THE DEFENDANT: Yes.

THE COURT: And do you understand that the offense 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.

THE DEFENDANT: Yes.

MR. COLOMBO: If you could reask the question,

Your Honor, I think that would be appropriate. He's indicated that the answer is yes to your question.

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

THE DEFENDANT: Yes.

THE DEFENDANT: Yes.

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

THE DEFENDANT: Yes.

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

THE DEFENDANT: Yes.

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

THE DEFENDANT: Yes.

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?

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.

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?

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.

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.

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.

18 MR. MEISEL: It does, Your Honor.

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

20 MR. MEISEL: Thank you, Your Honor.

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.

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.

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.

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?

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?

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.

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

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