

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF FLORIDA

3 CASE NO. 15-CR-20540-KMM

4 UNITED STATES OF AMERICA,

Miami, Florida

5 Plaintiff(s),

January 8, 2018

6 vs.

7 SERGIO NEFTALI MEJIA-DUARTE,

Volume 02

8 Defendant(s).

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9 JURY TRIAL
10 BEFORE THE HONORABLE K. MICHAEL MOORE
11 UNITED STATES DISTRICT JUDGE

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1 (Case called; in open court.)

2 THE COURT: Please proceed.

3 MR. SCHUSTER: Thank you, your Honor.

4 Ladies and gentlemen, this case is about cocaine. Not
5 a few kilos, not dozens of kilos, not even hundreds of kilos.
6 But thousands upon thousands of kilos of cocaine. That cocaine
7 was made in Colombia, transported through Central America and
8 Mexico, and ultimately flooded the United States.

9 The evidence will show that the defendant, Sergio
10 Neftali Mejia-Duarte, also known by the names of Neftali,
11 Compa, El Doctor and Cunado, served as the critical link in
12 Honduras for that cocaine coming from Colombia and then
13 transported here to the United States.

14 For serving as that critical link in the transport of
15 drugs, the defendant made millions upon millions of dollars.
16 Through his connection and his organization, the defendant was
17 able to buy huge amounts of cocaine from his sources in
18 Colombia and then receive that cocaine in Panama and Honduras.

19 The defendant and his coconspirators then transported
20 that cocaine further north to northern Honduras and Guatemala.
21 They then sold it to buyers associated with large Mexican drug
22 cartels, who then smuggled it into the United States. As the
23 cocaine flowed north, millions of dollars flowed south to the
24 defendant and his partners in crime.

25 To transport the cocaine north on its journey to

1 America, the defendant used a number of different conveyances.
2 He used small, fast, low-profile vessels called go-fast boats.
3 He used containers on ships. He used airplanes. He used
4 trucks and cars with secret compartments, and he even used
5 helicopters.

6 Now, this was not a one-man operation. An endeavor of
7 this scale involving this much cocaine requires a number of
8 people working together to make it happen. That is why the
9 defendant is charged with one crime today. That's conspiracy
10 to distribute cocaine knowing that it would be imported into
11 the United States.

12 Now, at the end of the trial the judge will instruct
13 you on the law. He will tell you that conspiracy is simply an
14 agreement between two or more people for a criminal act. It's
15 a kind of partnership for criminal purposes. And the evidence
16 will show that the defendant and his coconspirators unlawful
17 plan was very clear. It was to serve as that critical link
18 between the cocaine in Colombia and eventually getting it into
19 the United States.

20 This trial will take you inside the defendant's
21 conspiracy, inside his partnership with these other people.
22 You will hear directly from some of the men that the defendant
23 did business with, his fellow drug dealers. These men will
24 tell you about the defendant's role in the conspiracy and how
25 he ran the organization.

1 First, you will hear from people at the source, the
2 men who coordinated the transport of these thousands of
3 kilograms of cocaine from Colombia north, by sea and air. You
4 will see pictures from one of the loads that the Colombian
5 national police was able to interdict. That's 2,000 kilos of
6 cocaine hidden in crates of bananas on its way north.

7 Then you will hear from the people who worked with the
8 defendant in Honduras and Guatemala to safely receive the
9 drugs. And you will also hear from some of the men who bought
10 the cocaine from the defendant and arranged for it to be moved
11 further north into Mexico and into the hands of large Mexican
12 drug cartels, where it was later brought illegally into the
13 United States.

14 These witnesses will also tell you how the defendant
15 was paid for his services. Millions of dollars in U.S. cash,
16 sometimes in stacks of worn 20-dollar bills. They were
17 delivered to the defendant's workers. And all of the
18 defendant's coconspirators will tell you how millions of
19 dollars moved back and forth in United States cash to make
20 these transactions work.

21 You will also learn from a DEA expert witness in drug
22 trafficking that the amounts we are talking about were not
23 destined for Honduras, they weren't destined for Guatemala,
24 they weren't destined for Mexico. Amounts like this moving
25 north from Colombia were only destined for one place. That is,

1 the single largest drug market in this part of the world.
2 That's the United States of America.

3 You will learn from that expert that because of the
4 danger involved and the amount of people who need to get paid
5 to move these drugs, that the price of cocaine rises as it goes
6 north. A kilo of cocaine in the United States is worth much,
7 much more than it is at its source in Colombia and as it moves
8 its way north. It's worth more than in Honduras, more than in
9 Guatemala, and more than in Mexico.

10 In addition to hearing from the DEA expert and some of
11 the defendant's partners in crime, you will also hear the
12 defendant's own words. You will hear the defendant's voice on
13 tape when he thought no one else was listening. You will hear
14 the defendant talk to someone he trusted about moving loads of
15 cocaine. And then you will hear the defendant's words when he
16 is finally arrested. When the Honduran police found the
17 defendant at his palatial home, he ran. And when they finally
18 caught him, the defendant said that he knew he was wanted in
19 the United States.

20 Ladies and gentlemen, once you look at all of the
21 evidence we present and you use your logic, reason and common
22 sense, you will come to the only conclusion that that evidence
23 requires, that's a conclusion finding the defendant guilty as
24 charged.

25 Thank you.

1 THE COURT: For the defense.

2 MR. CASUSO: Yes. Thank you.

3 Ladies and gentlemen, good morning. What the
4 prosecutor said is not evidence in the case. The judge is
5 going to tell you the evidence in the case is what you are
6 going to hear from the witnesses that are going to testify
7 under oath before you, not what some prosecutor said, not what
8 I say. Okay.

9 Your job here is two things. You listen to the
10 evidence, you pay attention to the evidence, and then after you
11 hear the evidence, the judge is going to tell you what the law
12 is. And you follow the law. And this is how we do justice in
13 the case. Listen to the evidence, you pay attention, and you
14 pay attention to the judge, who will give you the law.

15 Now, what do we expect the evidence to prove?

16 First of all, the judge is going to tell you that this
17 man is not on trial here for anything that is not on this
18 indictment. Let me tell you what is in the indictment. Okay?

19 He is charged with conspiracy, not with possessing
20 drugs, not with sending drugs here. Conspiracy. Which is like
21 getting together with people to do an act, an illegal act.
22 That's a conspiracy.

23 Now, the dates on the conspiracy, very, very
24 important. Okay. It's going to be from February 27, 2012.
25 Okay. That's the beginning. To until June of 2014. It's like

1 about a couple of years.

2 This is a case they will tell you, you are going to
3 hear this, you are going to hear that. Basically, you are not
4 going to hear any tape recordings, you are not going to see any
5 photographs, you are not going to hear like any seizures that
6 are associated with this man. What you will hear is a bunch of
7 people that are going to testify that have been sentenced to
8 long periods of time, and in testifying here against this man
9 they are trying to get their sentences down and cut them down.
10 This is what they are doing. They have all made deals. Every
11 one of them is working to try to get out from under sentences
12 that they have been caught red-handed.

13 This is the evidence in this case. So listen to it
14 and make up your own mind. Okay. Because a lot of this stuff
15 that you are going to hear is old stuff, that doesn't even
16 apply here. You are going to hear it anyway. But remember,
17 the guiding light here is from February 27, 2012 until
18 June 2014.

19 Listen to the evidence and listen to the law and then
20 make up your own mind as to whether this man is guilty or not.

21 Thank you.

22 THE COURT: Thank you.

23 Call your first witness.

24 MR. NORKIN: The government calls Warner Benitez
25 Lopez.

1 THE COURT: Why don't we take our morning break for
2 about ten minutes.

3 The marshal will escort you out to the jury
4 deliberation room.

5 (Jury not present)

6 MR. NORKIN: The government plans to introduce three
7 maps with this witness. My understanding is the defense has no
8 objection. It's a map of Honduras, Guatemala and Central
9 America. It's marked as Exhibits 21, 22 and 23.

10 MR. CASUSO: That's right, Judge, we don't.

11 THE COURT: Okay.

12 (Jury present)

13 THE COURT: Call your first witness.

14 MR. NORKIN: The government calls Warner Benitez
15 Lopez.

16 WARNER BENITEZ LOPEZ,
17 having been first duly sworn on oath, was examined and
18 testified as follows:

19 DIRECT EXAMINATION

20 BY MR. NORKIN:

21 Q. Good morning, Mr. Lopez.

22 A. Good morning.

23 Q. I see you are wearing a prison uniform. Are you currently
24 incarcerated?

25 A. Yes, sir.

1 Q. And did you plead guilty to something?

2 A. Yes, sir.

3 Q. What did you plead guilty to?

4 A. Drug trafficking.

5 Q. What did you actually do that made you guilty of narcotics
6 trafficking?

7 A. I am Colombian and I committed the crime of sending cocaine
8 from Colombia to Central America.

9 Q. Do you see anyone in the courtroom who was involved with
10 you in that crime?

11 A. Yes, a friend of mine.

12 Q. And could you please point him out and describe an article
13 of clothing that he is wearing.

14 A. He is wearing a black shirt and the shirt he is wearing is
15 a striped shirt.

16 MR. NORKIN: Your Honor, could the record reflect that
17 the witness has identified the defendant.

18 THE COURT: The record so reflects.

19 BY MR. NORKIN:

20 Q. When did you first -- well, let me back up.

21 By what names or nicknames do you know this person?

22 A. Compa, Neftali.

23 Q. And when did you first meet him?

24 A. I met him in Venezuela in 2004.

25 Q. And how did that come about? How did that meeting happen?

1 A. A compadre of mine introduced him to me. His name is Jose
2 Perez.

3 Q. And who is Jose Perez?

4 A. A boss of mine, and we are drug dealers.

5 Q. Did Jose Perez have any partners?

6 A. Yes. Sir.

7 Q. Who were they at that time?

8 A. It was Victor Mosquera and the partner or compadre Neftali
9 and myself.

10 Q. And just to be clear, at the time that you met the
11 defendant in 2004 in Venezuela, were you actually partners with
12 Mr. Perez?

13 A. I was a worker for Jose Perez.

14 Q. And is it fair to say that later as you grew you became his
15 partner?

16 A. Yes, sir.

17 Q. So how is it that you went to Venezuela to meet the
18 defendant?

19 A. I went with Jose Perez and he just introduced him to me.

20 Q. Was there a reason for the introduction?

21 A. Yes, sir.

22 Q. Could you tell us about that.

23 A. Well, the reason is that he needed to introduce him to me,
24 Jose Perez, because I was going to work for him as his right
25 hand in Honduras.

1 Q. And there were a lot of hes and himself in that answer.
2 Could you tell us that again but use the proper names of the
3 people.

4 A. Yes, sir. Jose Perez and Neftali.

5 Q. I'm sorry. Let me clarify. Could you explain what was the
6 reason for the meeting. And use names, if you could.

7 A. Yes, sir. My compadre is Jose Perez. At that time I was a
8 worker for Jose Perez. We traveled together to Venezuela in
9 2004 so that I could be introduced and I could meet compadre
10 Neftali, so that in the future I could travel to Honduras and
11 be the right hand for Jose Perez in Central America.

12 Q. Okay. And did you eventually travel to Honduras as you
13 guys discussed there?

14 A. Yes, sir.

15 Q. When did that happen?

16 A. I traveled November 26, 2006.

17 Q. Now, between 2004 and 2006 when you went to Honduras, were
18 you still involved in the drug business?

19 A. Yes. I was in Colombia and also I was working sending the
20 merchandise, the cargo, to Honduras to my compadre there.

21 Q. When you say your compadre in Honduras, who are you talking
22 about?

23 A. My compadre Neftali.

24 Q. What happened once you arrived in Honduras?

25 A. I arrived in 2006 and I went to stay at the home of my

1 compadre Neftali, and he treated me quite well, thank God.

2 Q. And so to be clear, you lived with the defendant; is that
3 correct?

4 A. Yes, sir.

5 Q. And did you continue working in drugs?

6 A. Yes, sir.

7 Q. So tell me about how that worked with you being in
8 Honduras.

9 A. I lived with my compadre Neftali in Honduras for about six
10 to eight months. After that, I went to live by myself in a
11 city in Honduras, which is called La Ceiba, and there I was the
12 eyes and the right-hand person for Victor Mosquera, who was
13 sending the drug to Honduras --

14 Q. And --

15 A. -- from Colombia.

16 Q. And what does that mean, by the way, to be the right-hand
17 person? What kind of things did you do?

18 A. That is, you are the trusted person, that you are like
19 their eyes.

20 Q. What kind of things did you do?

21 A. Well, from the merchandise and the cocaine that was
22 received from Colombia, I would keep an accounting and I would
23 deliver it to them.

24 Q. And when you say you would deliver it to them, were you
25 physically doing something?

1 A. Yes, sir. I was delivering it to our compadre Neftali.

2 Q. Did you count kilograms when they arrived?

3 A. Yes, sir.

4 Q. And made sure that they were delivered appropriately?

5 A. Yes. The amount and the number that was sent by my
6 compadre Victor, I would count that in order to deliver it to
7 my compadre Neftali.

8 MR. NORKIN: I want to put on the screen a map of
9 Honduras. This is in evidence as Government Exhibit 23.

10 Q. Mr. Benitez, do you see on the screen there a map of
11 Honduras? When you arrived in Honduras and you said you lived
12 with the defendant, where was that?

13 A. I lived in his home in the capital city, which is called
14 Tegucigalpa.

15 Q. That's about in the center of the map, correct?

16 A. Yes, sir. And you could see a small plane there.

17 Q. Okay. And then when you moved out into your own home,
18 where did you live?

19 A. Up here. Can you read La Ceiba? Atlantica La Ceiba.

20 Q. For the record, you are indicating a spot on the map that's
21 on the north coast in about kind of the center of the country;
22 is that right?

23 A. Yes. Right across from the Bahia Island.

24 Q. How long did you stay in Honduras?

25 A. I was there from 2004 to 2011.

1 Q. And as far as what you describe being the right-hand man
2 counting kilograms, keeping accounts, is that something you did
3 the entire time?

4 A. Yes, sir.

5 Q. Can you give us an estimate of approximately how many
6 kilograms you received and passed off to the defendant and his
7 organization during that time?

8 A. I personally delivered to him four different trips or
9 shipments, each one of about 1500 or 1800 kilos.

10 Q. And what about as far as the money, how would that be
11 handled?

12 A. The money was given to us in Guatemala. And from there I
13 would receive it and I would give it to a lady whose name is
14 Marlorry Chicon. And she would give it to us either in Panama
15 or Colombia.

16 Q. What about the defendant and his organization, did they get
17 any money?

18 A. Can you repeat that question?

19 Q. Sure.

20 Did the defendant, compadre Neftali, and his
21 organization get any money?

22 A. Yes, sir.

23 Q. Could you tell us about that.

24 A. They would receive the money as money that was a product of
25 the cocaine and they would receive their part, the part that

1 corresponded to them.

2 Q. And how do you know that?

3 A. Because I was the right-hand man for Perez and we would
4 keep an account of that, and that was what was delivered to
5 him.

6 Q. What were the ways that drugs would come into Honduras, as
7 far as when you helped out to deliver drugs to the defendant?

8 A. Well, we along with Jose Perez, we would do that on boats,
9 on ships, on containers, yes, ships, the fast go-boats, Panga
10 style, and also containers and flying.

11 Q. And just again talking about the period from 2006 to 2011
12 when you were in Honduras, were all those methods used?

13 A. Yes, sir. And through Victor Mosquera, yes, sir.

14 Q. Now, was there a time that things changed and you started
15 working with more people than just the defendant in Honduras?

16 A. Yes, sir. I worked with other coconspirators.

17 Q. Which ones?

18 A. I worked with the Cachiros, I worked with Marlorry Chicon,
19 and I worked for the Sinaloa cartel.

20 Q. Who are the Cachiros?

21 A. The Cachiros are Hondurans who are from Trujillo.

22 Q. And Trujillo is a northern port city of Honduras as well,
23 correct?

24 A. Yes, sir.

25 Q. And when you say the Cachiros, you are referring to two

1 brothers, correct?

2 A. Yes, sir. Two brothers who are drug traffickers, and they
3 were my partners.

4 Q. Do you know whether they worked at all with the defendant?

5 A. Yes. We would receive the boats with his in-laws in the
6 Juan River.

7 Q. When you say his in-laws, whose in-laws are you talking
8 about?

9 A. The in-laws of compadre Neftali.

10 Q. Did you know any of their names, those in-laws?

11 A. I only know Jairo and Chele.

12 Q. And those were people who worked for Neftali?

13 A. Yes. They were his right-hand in-laws, the
14 brother-in-laws.

15 Q. And was it your understanding that effectively the same way
16 you were the right hand of Mr. Perez these brother-in-laws were
17 the right hand of compadre Neftali?

18 A. Yes, sir.

19 Q. Before you left Honduras in 2011, did you have occasion to
20 see the defendant again?

21 A. Yes. On the 11th, in Easter week, Holy week in Roatan.

22 Q. I'm sorry. When you say the 11th, do you mean the year or
23 the date?

24 A. The year. The year, and it was Holy week, it was Easter.
25 It was Thursday and Friday. Holy Thursday and Holy Friday.

1 Q. And what were the circumstances of that meeting?

2 A. We went -- we just went there for a ride and to ride the
3 jet ski, and I went there with Jairo and the Cachiros. We went
4 there. And Javier and Leone, the two brothers. We went to the
5 island Roatan. They were going to speak with a compadre
6 Neftali about an airplane that they received, but they had to
7 burn it and bury it.

8 Q. Did you attend that meeting with the Cachiros and compadre
9 Neftali about that airplane load?

10 A. No, sir. I just greeted him and I left.

11 Q. By "him," you mean the defendant?

12 A. Yes. I greeted him. He was at a restaurant, and then he
13 was there with Javier, and I left in order to change.

14 Q. Just so we are clear, Javier with one the Cachiros
15 brothers, correct?

16 A. Yes, sir.

17 Q. Why did you leave Honduras?

18 A. Because I went back to Colombia to commit the crime there
19 and I had already been too long in Honduras.

20 Q. So fair to say that over the years that you were there in
21 Honduras you had grown as far as your ability to conduct
22 operations?

23 A. Yes, sir. And that's when I became the partner of Perez,
24 because before I was a worker for him.

25 Q. And so fair to say that you were able to continue your

1 narcotics trafficking activities being in Colombia as opposed
2 to Honduras?

3 A. Yes, sir.

4 Q. When you left Honduras, did you put anyone in place to
5 effectively be the right-hand man the way that you were?

6 A. Yes, sir. I left several workers, one in Honduras and one
7 in Guatemala.

8 Q. Could you give me the names of some of those workers?

9 A. It's a Honduran guy whose name is Ollie.

10 Q. Anyone else?

11 A. The Cachiros. And in Guatemala I left the Chicones. I was
12 working with them. And in San Pedro Sula there was a worker
13 Joel and another friend who would just run errands, and his
14 name is Ronald Carillon.

15 Q. How did you meet Ronald Carillon?

16 A. Ronald Carillon, he is a young fellow from a wealthy
17 family, and what he did was change dollars to the Honduran peso
18 or the limpera.

19 Q. Was that something that was useful to the drug
20 organization?

21 A. Yes, of course, because they would change the dollars to
22 the national currency.

23 Q. We are going to return to your time in Colombia in a
24 second, but I wanted to ask you, at some point learned that you
25 had a problem in the United States, correct?

1 A. Yes, sir.

2 Q. And you eventually surrendered to the United States
3 authorities to face those charges?

4 A. Yes, sir. As soon as I became aware of that problem, I got
5 an attorney. I did not like the services provided by the
6 attorney so I personally went to see the agent Paul Cohen, the
7 agent who is right here.

8 Q. And you eventually came to the United States and pled
9 guilty, correct?

10 A. Yes, sir.

11 Q. Were you sentenced?

12 A. Yes, sir.

13 Q. What sentence did you receive?

14 A. 292 months.

15 Q. And you are testifying here today because of a cooperation
16 agreement with the government, correct?

17 A. Yes, sir.

18 Q. What's your understanding of what your obligations are
19 under that agreement?

20 A. Just to tell the truth in my work.

21 Q. And to testify when asked?

22 A. Yes, sir. And only tell the truth.

23 Q. And if you do your part of the agreement, what's your
24 understanding of what you get in return?

25 A. The prosecutor may give me a good recommendation on my

1 behalf to the judge.

2 Q. And is that a recommendation to lower your sentence?

3 A. Yes, sir.

4 Q. If the prosecutor or the government writes this
5 recommendation, does the judge have to give you a reduction?

6 A. No, sir.

7 Q. Are you hoping that you do get a reduction?

8 A. Yes, sir.

9 Q. Okay. So going back to your time in narcotics trafficking,
10 did everyone always get along or were there disputes in the
11 organization?

12 A. When you are a drug dealer or narcotrafficking, we can be
13 the best of friends or sometimes we can become enemies.

14 Q. And were there occasions when partners became enemies?

15 A. Yes, sir.

16 Q. Did that happen in your narcotics trafficking dealings?

17 A. Yes, sir. It occurred with my compadre Jose Perez and with
18 Neftali.

19 Q. Could you tell us what happened?

20 A. Jose Perez and compadre Neftali, they had a friend whose
21 name is Jose Penya. Jose Penya kidnapped the wife of Jose
22 Perez and killed her. And so Jose Perez got together with
23 compadre Neftali to make war against Jose Penya.

24 Q. Did you have any dealings with people who assisted in that
25 effort in the war between Jose Penya on the one side and then

1 on the other side Jose Perez and compadre Neftali?

2 A. I was on the side of Jose Perez.

3 Q. And did you do anything to help the effort?

4 A. Yes. Jose Perez, while we were in Colombia, Jose Perez
5 asked me to send one of his bodyguards, and his name is Kevin.
6 And we sent Kevin in one of those fast boats with the drugs to
7 Honduras so that he would be the escort or the bodyguard with
8 compadre Neftali and so that he would be available for the war
9 against Jose Penya.

10 Q. In addition to sending Kevin to be a bodyguard, do you know
11 whether the defendant did anything to participate in the war
12 effort?

13 A. Can you repeat that question?

14 Q. Sure.

15 Aside from you sending Kevin -- let me back up. I am
16 going to ask a new question, a different question for you.

17 Did you ever visit the defendant at any of his homes?

18 A. Can you repeat that?

19 Q. Sure.

20 Did you ever have a meeting with the defendant Neftali
21 at any of his residences?

22 A. Yes. I already mentioned that I lived with him for about
23 six to eight months.

24 Q. Did you observe any kind of guns or bodyguards?

25 A. Yes, of course. He had bodyguards. He has bodyguards.

1 Q. And could you just explain a little bit more about that.
2 What did you see? How many?

3 A. He had approximately five to six personal bodyguards.

4 Q. Were they armed?

5 A. Yes, sir.

6 Q. With what kind of guns?

7 A. They had guns and also rifles or shotguns.

8 Q. When you say rifle, do you mean guns that can fire more
9 than one bullet at a time?

10 A. Yes. The M-16 American type.

11 Q. And what about the defendant himself, did you ever see him
12 with a gun?

13 A. Yes. Of course he had his own personal weapon. It was a
14 Glock.

15 Q. Any other guns that you saw him with?

16 A. Yes, of course. With the rifle, the same type.

17 Q. And when you say rifle again, I want to be clear, we are
18 talking about guns that fire more than one bullet at a time?

19 A. Yes, sir. An M-16.

20 Q. Do you know whether helicopters were ever used for drug
21 trafficking?

22 A. Yes, sir.

23 Q. Could you tell us about that.

24 A. I personally never saw him with helicopters. I knew he had
25 helicopters. When I did the drug trafficking with Javier

1 Cachiro, Cachiro would lend them to him or would rent them out
2 to him.

3 Q. I want to make sure I understand. Cachiro would provide
4 the helicopters to the defendant?

5 A. Yes, to compadre Neftali.

6 Q. And is that something you would discuss with Cachiro?

7 A. Yes, because I was in the business with Cachiro and I was
8 in the trafficking with Cachiro. That was my work.

9 Q. At some point after you returned to Colombia, did you send
10 out drugs using containers?

11 A. Yes. That was my job, that was to send the drugs in
12 containers from Colombia to Honduras.

13 Q. And did the defendant have anything to do with that?

14 A. I worked with his brother-in-laws in Honduras, with Jairo.

15 Q. And could you tell us how that came about, how those deals
16 were made?

17 A. In 2012 I contacted Jairo and I sent a worker of mine to
18 Honduras. My worker got together with them. My orders were
19 for him to get together with Jairo and compadre Neftali to get
20 together to work, so that he would get the authorization to
21 begin to work for me.

22 Q. An authorization for what?

23 A. To work with the containers, to receive them in Honduras.

24 Q. Why did you need permission or authorization to work with
25 containers?

1 A. Because when I was there with Jairo and Jairo's brother. I
2 knew that they provided that service in the port of Trujillo.

3 Q. And just to be clear, the worker that you sent, his name
4 was also Jairo, correct?

5 A. Jairo Mondraco.

6 Q. So there's two Jairos in this story, right?

7 A. Yes. Jairo my worker and Jairo who was a compadre,
8 Neftali's right hand, his brother-in-law.

9 Q. Did you eventually come to an agreement to send out
10 cocaine?

11 A. Yes, from the port of Santa Marta to the port of Trujillo.

12 MR. NORKIN: Can I have one moment to consult with my
13 colleague?

14 THE COURT: Okay.

15 BY MR. NORKIN:

16 Q. Returning to the story, drugs were eventually shipped out?

17 A. Yes, sir.

18 Q. And how were they shipped? In other words, did you provide
19 Jairo Mondraco some instructions about how to do this?

20 A. Yes. From an area called Turbo, which is a banana growing
21 area, and I explained to Jairo how to pack the cocaine inside
22 the banana crates. Those are boxes that weigh about 25 pounds.

23 So what I mean is that each crate or each box cannot
24 weigh more than 25 pounds. So if I put there a kilo of
25 cocaine, I have to balance it and make sure that it doesn't

1 weigh more than 25 if I put in the amount of cocaine and the
2 amount of bananas.

3 Q. And other than weighing it, was there a certain way to
4 package these kilos?

5 A. Yes. We would have palettes which would carry about 400
6 boxes, and they were about 40 feet in height.

7 Q. Okay. And as far as --

8 A. Containers. The containers.

9 Q. As far as packing the kilos, was there a method of doing
10 it?

11 A. Yes. We would pack kilo per kilo. You cannot go over the
12 25 kilos camouflaging the cocaine in there with the bananas.

13 Q. How would you camouflage it?

14 A. Well, you would pack it with tape or with a green color
15 packaging, the same green as the bananas.

16 Q. And where would the bananas go?

17 A. Those were to go from the port of Santa Marta in Colombia
18 to the port of Tujillo in Honduras.

19 Q. Sorry. My question was a little different.

20 Would there be any bananas in the box or just kilos?

21 A. You would hide it in the bananas. Mostly -- very few
22 bananas and mostly the kilos.

23 Q. By the way, you mentioned the port of Tujillo. Are you
24 sure about that destination?

25 A. Well, that is the first route. The second one would be to

1 Mexico.

2 Q. Are you familiar with a port in Honduras called the port of
3 Castilla?

4 A. Yes, sir. That's where the containers would arrive.
5 Castilla.

6 Q. So I am a little confused. You just now said Castilla.
7 Before you were saying Tujillo.

8 A. Well, I know it as one region, one -- but the port is the
9 port of Tujillo. And then you can look at the map and it says
10 Trujillo and port of Castilla.

11 Q. So I have here on the screen what's been admitted into
12 evidence as Exhibit 21, which is a map of Colombia and Central
13 America. Could you indicate where Santa Marta is, where it is
14 you would send out the cocaine from?

15 I believe the screen is responsive so you can touch
16 and leave a mark.

17 A. It's about 40 kilometers from Barranquilla. Right up here
18 at this same corner.

19 Q. So is it approximately where the arrow is on the screen to
20 the right of Barranquilla?

21 A. Yes. Right there. At that same end you have the port of
22 Barranquilla and the port of Santa Marta.

23 Q. Okay. And going back to the other map. Let me see if I
24 can zoom in. I am zooming in a part of Exhibit 23.

25 You see Trujillo there?

1 A. Yes, sir. Where you see the red dot, that is Trujillo.

2 Q. Where is the port of Castilla in reference to Trujillo?

3 A. Right at this end. Right here at this end. At the end.

4 Q. At the end of the finger of the land there?

5 A. Yes. It's there. That port is there more or less, yes.

6 Q. Were you eventually successful in getting kilograms of
7 cocaine getting sent out from Santa Marta to the port of
8 Castilla?

9 A. Yes, sir.

10 Q. And how many times? What kind of quantities?

11 A. We began with a test, a route or shipment for 350. And
12 then we sent shipments of 1500 or 2,000 or 1500. One of the
13 shipments which was for 2,000 was seized. And then we sent
14 another shipment, and then another shipment was seized and that
15 was for 700 kilos.

16 Q. And where was the 2,000-kilogram shipment that was seized?
17 Where was it seized?

18 A. At the port in Santa Marta.

19 Q. And do you remember approximately when that was?

20 A. That was around 2013 or 2014. I don't recall the exact
21 date.

22 Q. What about the loads that you said that were successful
23 that weren't seized, do you recall approximately when those
24 were sent?

25 A. Yes. Between 2012 and 2013. They were all successful.

1 Q. Now, at this time when you are sending out containers, you
2 are also a partner of Jose Perez, correct?

3 A. Yes, sir.

4 Q. Okay. Did you talk to him at all about whether he had any
5 dealings with the defendant compadre Neftali?

6 A. No. 2014, compadre Jose Perez traveled to Honduras and
7 Jose Perez met with a compadre Neftali. And Jose Perez
8 confirmed to me that we were going to continue our working with
9 compadre Neftali, that we were going to work with him.

10 Q. And was there anyone else at this meeting that you know
11 about that also talked to you about this?

12 A. I sent the person I trusted, who is Carillon and my
13 right-hand man so that he would take him wherever he needed to
14 go in Honduras.

15 Q. Now in addition to this meeting in Honduras, did you learn
16 from Jose Perez that he had another meeting at that time with
17 the defendant?

18 A. Yes. Compadre Neftali traveled to the Dominican Republic
19 and I was there. Jose Perez, compadre Neftali, I, myself,
20 Benitez, I was there. We were all there. I left. I did not
21 stay there. I went back to my family in Colombia and I told
22 him, you stay, you make the deal with him. And if we have to
23 start working again and to pack the kilos, I will do that, I
24 will pack them and I will work doing that again.

25 Q. Now, do you have an understanding of what happened to the

1 drugs that you sent out once they were received in Honduras?

2 A. Yes, sir. Because the road that I ordered for the cocaine
3 that I sent from Colombia was to hand it over to the Sinaloa
4 cartel.

5 Q. And who were the leaders of the Sinaloa cartel?

6 A. I know personally Padro Guzman, Mayo Zambada.

7 Q. Mayo Zambada. Can we correct --

8 A. Mayo. Mayo Zambada. I would -- I knew them personally and
9 I had the drugs get to them with those workers.

10 Q. And in addition to knowing that from your personal
11 experience, what was your understanding of what happened to the
12 drugs once they got to Mexico?

13 A. We as Colombians, we give their part to the cartel of
14 Sinaloa. They receive their part. And they bring for us a
15 percentage of cocaine to the United States.

16 Q. And as far as the money that comes back, in what currency
17 is that money?

18 A. In American dollars.

19 Q. Is that another indication to you that the drugs were going
20 to the United States?

21 A. Yes, because they did take a percentage for us and that
22 part was also paid in dollars to us.

23 Q. And to be clear, when you were squaring accounts with the
24 defendant and his organization, what currency did you use to
25 square those accounts?

1 THE INTERPRETER: Can you repeat it?

2 THE COURT: Rephrase.

3 BY MR. NORKIN:

4 Q. I can repeat.

5 When you were squaring accounts with the defendant and
6 his organization, what currency did you use to square the
7 accounts?

8 A. Dollars.

9 Q. Now you eventually arrived in prison here in the United
10 States, correct?

11 A. Can you repeat the question, please?

12 Q. Yes.

13 You eventually arrived in prison in the United States,
14 correct?

15 A. Yes, sir.

16 Q. Did you see the defendant in prison?

17 A. Yes, sir, at the visiting area.

18 Q. Did you talk with him at all?

19 A. Yes, sir.

20 Q. And what was the conversation?

21 A. Because we are friends, I went to him and I told him
22 friend, take a plea, because we as drug traffickers, it is
23 better for us to take a plea because we are guilty.

24 Q. And what was his response?

25 A. And he then answered to me, he said Compa and then he said

1 Toro. Because everybody that knows me calls me Toro. And said
2 he said to me, Compa, I am going to trial because I am not
3 guilty. Anyhow, you are the only one that knows me here, that
4 knows we are in drug trafficking. And I said to him, compadre,
5 that is your decision. I remained silent.

6 He told me, compadre Toro, anyhow, I know your family
7 because it was introduced to me in Honduras. So I remained
8 silent and I did not reply. I didn't say anything to him.

9 Q. When you heard him say that I know your family in Honduras,
10 what was your understanding of that comment?

11 A. Because he knows that we acted in some other way, to act in
12 the drug trafficking world means to kill family members. I
13 told him for us to take a plea, but I did not talk to him
14 anymore.

15 Q. So once he talked about your family you stopped talking to
16 him?

17 A. Yes, sir.

18 MR. NORKIN: May I have a moment to consult with my
19 colleagues?

20 THE COURT: All right.

21 BY MR. NORKIN:

22 Q. You mentioned the Sinaloa cartel. Did you personally get a
23 chance see their operations?

24 A. Yes, sir.

25 Q. Can you tell me about that.

1 A. We trafficked in cocaine from Colombia to Mexico.

2 Q. I mean what did you personally see as far as the Sinaloa
3 cartel operation?

4 A. Yes, sir.

5 Q. Tell me about that, what you personally saw.

6 A. Can you repeat the question, please?

7 Q. Let me be more direct.

8 Did you have a chance to visit the border at all with
9 the United States?

10 A. I traveled up to Sinaloa.

11 Q. And was there some discussion with the Sinaloa folks about
12 the U.S. border?

13 A. Yes, sir. I personally spoke with Chapo Guzman and Mayo
14 Zambada.

15 Q. Was there discussions about operations on the U.S. border?

16 A. Yes. They did tell me how they transferred the drugs to
17 the U.S. by using mules and trucks. For me the mules are
18 trucks.

19 Q. Do you know whether the defendant had any connections to
20 the Mexican cartels?

21 A. No, sir.

22 MR. NORKIN: No further questions.

23 THE COURT: Cross.
24
25

CROSS-EXAMINATION

BY MR. PADRON:

Q. Good morning, Mr. Lopez.

A. Good morning.

Q. When you came into this country you indicated that you entered into a cooperation agreement?

A. Yes, sir.

Q. And you pled guilty?

A. Yes, sir.

Q. To how many cases did you plead guilty?

A. Two cases.

Q. Was one of them here in Miami and the other one was in Texas?

A. Yes, sir.

Q. And it was the Texas judge that sentenced you, correct?

A. Yes, sir.

Q. Your sentence was 292 months?

A. Yes, sir.

Q. That is over 24 years, correct?

A. Yes, sir.

Q. What was the maximum sentence you were facing in each case?

A. Only that one for the two cases.

Q. For each one?

A. They gave me Rule 20. That is the only thing the attorney told me.

1 Q. If I were to tell you that you were facing life in prison,
2 had you ever heard that before for each case?

3 A. Yes, sir.

4 Q. So facing a life sentence you enter into a cooperation
5 agreement and the judge, in agreement with a recommendation
6 from the government, sentenced you to 24 years?

7 A. Yes, sir.

8 Q. And based on your continuing cooperation against other
9 people who have been accused of drug trafficking, it is your
10 hope that other judges, other prosecutors, will make similar
11 recommendations and reduce your sentence further, correct?

12 A. That is my contract.

13 Q. Well, how many other cases are you scheduled to testify in?

14 A. Can you repeat the question, please?

15 Q. In how many other cases are you expected to testify in?

16 A. At this time I am up fore another case, that it is a trial
17 for a Mr. Lopez.

18 Q. And as you indicated earlier, you also are a witness in the
19 case, the perhaps most famous case in the United States now,
20 Chapo Guzman out of New York, correct?

21 A. No, sir.

22 Q. You are not a witness against Chapo Guzman?

23 A. No, sir. I have not been informed about that. My attorney
24 has not told me about that.

25 Q. Have you provided to the government information, whether it

1 be law enforcement or prosecutors information about a Chapo
2 Guzman and his organization as you did here today?

3 A. Yes, sir.

4 Q. You indicated that while you were in Colombia you contacted
5 special agent Cohen directly in order to negotiate your
6 surrender; is that correct?

7 A. I was in Spain, not in Colombia when I got in touch with
8 Mr. Cohen.

9 Q. And when was the first time you met with him?

10 A. Here in the United States.

11 Q. Was that after you surrendered or before?

12 A. Only after I surrendered.

13 Q. Before you surrendered, did you meet with any prosecutors
14 or any law enforcement agents?

15 A. No, sir.

16 Q. So you just surrendered without any guarantees?

17 A. I spoke with Mr. Cohen and he send me another agent, agent
18 Cohen, and that other agent went to Spain and I traveled with
19 them from Spain to the United States.

20 Q. So you first met with them in Spain?

21 A. Yes. I again will repeat so that you will understand.

22 I was living in Spain. With a Spanish attorney I got
23 in touch with Mr. Cohen. I spoke via Skype with Mr. Paul
24 Cohen. He said that he was going to travel for a meeting with
25 another person, another defendant, Victor Mosquera. So he said

1 if you want to go with me, buy the ticket in that airline.

2 I bought the ticket. I met with them. I showed them
3 the ticket. So he told me we will see each other on Friday at
4 9:00 a.m., and I said okay.

5 At the airport I met with Mr. Paul Cohen, another DEA
6 agent, and another prosecutor. I believe his name is Michael
7 Nadler. I bought my own ticket with my own resources, and we
8 came to Miami and in Miami I surrendered at the building.

9 Q. So you had a Spanish attorney initially?

10 A. But from Spain.

11 Q. You indicated that you first moved to Honduras in
12 November 26, 2006. Very specific date.

13 A. Yes, sir. Because I never forget that date.

14 Q. Why was that date so special?

15 A. Because it is a birthday of a girlfriend of mine.

16 Q. And when you moved to Honduras you lived allegedly with the
17 defendant for six months?

18 A. I lived with him. Not allegedly. I lived with him in his
19 house.

20 Q. And you lived with his family?

21 A. Yes, sir.

22 Q. You lived with his wife and his three children?

23 A. With his wife and three children.

24 Q. Did you also meet his elderly parents?

25 A. No, sir.

1 Q. Now, it's your testimony that throughout this time you were
2 setting up drug shipments that went from Colombia and went
3 through Central America and off to Mexico and maybe the United
4 States afterwards, correct?

5 A. Yes, sir.

6 Q. And you indicated that you were the right-hand man of
7 somebody named Jose Perez?

8 A. Yes, sir.

9 Q. And you kept the accounting of all the drug trade?

10 A. That of Jose Perez and myself.

11 Q. And do you keep that written down anywhere?

12 A. No, sir.

13 Q. So where would you keep these figures?

14 A. That business went this way. I -- they would send me
15 1,500 kilograms. I had to pay for the 1,500 kilograms. And
16 when payments were made, what was recorded was it was paid, it
17 still needs to be paid, and he kept account of his affairs.

18 Q. So you had never kept a written record of any of the
19 shipments?

20 A. I did keep them, but when the job was over they would be
21 done away with.

22 Q. You would destroy them?

23 A. Yes, sir. Because if everything got paid up, everything
24 was destroyed so that there would be no evidence left.

25 Q. Now, during the time that you were in Honduras, that you

1 lived with the defendant, did you ever socialize with him? Was
2 it all work? Or would you go to restaurants, would you have
3 dinners, parties? Anything like that?

4 A. No, sir.

5 Q. So you never went -- you never socialized with the
6 defendant during the whole time you were in Honduras?

7 A. I only shared his home with him and when we went to work,
8 we would go to work.

9 Q. So you never went out anywhere?

10 A. For something else, no, sir.

11 Q. The six months that you were living with the defendant in
12 his home, were there ever any pictures taken of the two of you
13 together, of him, or of his numerous bodyguards that you
14 described?

15 A. No, sir.

16 Q. Now, you indicated that you were the right-hand man for
17 Jose Perez in Honduras coordinating all these shipments. When
18 did you start in the drug trade? What year?

19 A. I started, approximately, in 2004 in Colombia with Jose
20 Perez.

21 Q. When did you end your activities?

22 A. You can say 2015 when I turned myself in.

23 Q. Throughout your 11-year career in the drug trade,
24 approximately how many kilograms or tons of cocaine were you
25 involved in trafficking?

1 A. A lot. I don't know in numbers, but a big amount.

2 Q. Would the number be in the tons?

3 A. You can say 10,000, 20,000, 30,000 kilos. That is a big
4 quantity.

5 Q. And what is the dollar amount, the value, of all of the
6 kilos that you helped traffic?

7 A. We would do the computations month through month. So if in
8 a month it was 5,000 kilos, I would pay that up. I did not
9 keep an account.

10 Q. So you have no idea how many millions of dollars you made
11 in your drug trafficking career?

12 A. Yes. Possibly some 20, 30 million dollars.

13 Q. And of the 20 or 30 million dollars that you made, how much
14 of that was forfeited to the United States? How much of that
15 did you forfeit to the government?

16 A. I don't know because that money I spent in parties, in
17 going out and parties, going out on trips.

18 Q. So in the 11 years it's your testimony you spent 20 to
19 30 million dollars in partying?

20 A. Not only parties, in luxury things, in clothing and
21 everything.

22 Q. When was it exactly that you left Honduras?

23 A. It was Easter week of 2011.

24 Q. Either March or April of 2011?

25 A. That was Easter week. I don't know when it was, but I know

1 it was Easter week.

2 Q. And after that time you said that you then engaged in other
3 activities in which you sent shipments to ports using container
4 ships and you dealt with Jairo and his brother, correct?

5 A. Yes, sir.

6 Q. You also testified that you had a meeting arranged in the
7 Dominican Republic in 2014 to coordinate some drug trafficking
8 activities. How did you arrive in the Dominican republic?

9 A. I again repeat. I was with Jose Perez in the Dominican
10 Republic. I was not with Jose Perez and Neftali. I left for
11 Colombia. The two of them, they were partners. I told my
12 compadre Jose, compadre, you make arrangements with Neftali. I
13 am going to be in trouble. And I said if there is a need to
14 send fast, go-fast boats with cocaine from Colombia, I will
15 gladly do that.

16 Q. But you never participated in the meeting?

17 A. No, sir.

18 Q. And how did you arrive at the Dominican Republic? Did you
19 arrive in a commercial aircraft?

20 A. Yes, sir.

21 Q. And you went through Customs and you showed your passport?

22 A. Yes, sir.

23 Q. So the Dominican government would have your immigration
24 records as far as when you traveled there in 2014 or anybody
25 else in 2014, correct?

1 A. Yes, sir. Mr. Paul has my passport and all my immigration
2 records are there.

3 Q. Now, considering you are serving a 24-year sentence, what
4 is your hope in terms of the reduction that you ultimately get
5 of your sentence?

6 A. Can you we repeat the question, please?

7 Q. Do you want to go home as soon as possible?

8 A. But in what way?

9 Q. Do you want to complete your sentence and go home as soon
10 as possible?

11 A. Yes, sir.

12 Q. And anybody that the government charges with a crime, if
13 you are a witness or they think you are a witness, you have to
14 cooperate with them, correct?

15 A. Can you repeat the question, please?

16 Q. Can you pick and choose whom you testify against?

17 A. No, sir.

18 Q. So whomever they call you to testify against, you must
19 testify against, correct?

20 A. In my cooperation I did gave them name by name the alias,
21 by alias, and that was from the first day I arrived.

22 Q. Approximately how many times since you arrived in this
23 country have you met with agents and with prosecutors to
24 discuss your knowledge of the drug trafficking business or your
25 cooperation in cases?

1 A. I got here on April 24, 2015, and from that date on I then
2 went down about every four or five days to have discussions
3 with, meetings with the prosecutors and the agents.

4 Q. So you basically had weekly meetings?

5 A. Yes, sir. Exact dates I don't know, but I have had many
6 meetings with them.

7 Q. Now, you indicated that you had a meeting or that you met
8 with Mr. Neftali here in the federal jail, correct?

9 A. Yes, sir.

10 Q. And when was that specific meeting or encounter?

11 A. I was a few days after he arrived. I don't know exactly
12 when that was, but I saw him, I greeted him. As friends we
13 greeted each other and we talked.

14 Q. And this was in the visiting area of the jail?

15 A. Yes, sir.

16 Q. There are numerous guards in that visiting area, correct?

17 A. Yes, sir.

18 Q. And cameras, correct?

19 A. Yes, sir.

20 Q. And it's your testimony that you encouraged the defendant
21 to plead guilty but he said no, he was going to trial because
22 he is not guilty, correct?

23 A. That is what he told me, sir.

24 MR. PADRON: If I may have one moment.

25 No further questions, your Honor.

1 THE COURT: Redirect.

2 REDIRECT EXAMINATION

3 BY MR. NORKIN:

4 Q. Mr. Benitez, you were asked about the agreement that you
5 have with the government. What's your understanding of what
6 happens if you are not truthful?

7 A. If I lie, I could get further charges.

8 Q. What kind of charges?

9 A. Well, there could be another charge and I could get even
10 more years for obstruction of justice.

11 Q. Do you know who the other witnesses in this case are?

12 A. Now that I was brought here, I saw several of them.

13 Q. And I guess -- let me have you explain that. You had a
14 case here in Miami and in Texas, correct?

15 A. Yes, sir.

16 Q. And you came into Miami, correct?

17 A. Yes, sir.

18 Q. And at some point your housing, your jail, was switched to
19 Texas, correct?

20 A. Yes, sir.

21 Q. And when did that happen?

22 A. That was either in 2015 or 2016. I don't recall the exact
23 date.

24 Q. And at some point you were brought back here, correct?

25 A. Yes, sir.

1 Q. And when was that?

2 A. That was recently. In August of last year.

3 Q. Do you know someone or did you know someone when you were
4 outside named Cesar?

5 MR. PADRON: Objection, your Honor. Beyond the scope.

6 THE COURT: Overruled.

7 A. Cesar?

8 BY MR. NORKIN:

9 Q. Yes.

10 A. Yes, sir.

11 Q. Who is that?

12 A. Cesar, I know him as Cesar L. Pelon. He is a partner of
13 Mayo Zambada. He is Mexican.

14 Q. Do you know whether that person Cesar and the defendant
15 know each other?

16 MR. PADRON: Objection. Calls for speculation.

17 THE COURT: Overruled.

18 A. No, sir.

19 BY MR. NORKIN:

20 Q. How do you know Cesar?

21 A. Through the Cachiros.

22 Q. You were asked about meetings with prosecutors. Do you
23 remember when it was you first brought up your drug dealing
24 with this defendant Sergio Neftali Mejia-Duarte?

25 A. During 2015 when I met with the prosecutors and the agents,

1 I brought up all of the different people, my friends and
2 partners, with whom I had been trafficking in drugs.

3 Q. Does May of 2015 seem right as far as the time?

4 A. Yes, sir.

5 Q. At that time did you mention these same containers from
6 Santa Marta?

7 A. Yes, sir. I spoke, I informed about all of that.

8 Q. And in May of 2015, did you know that you might be a
9 witness at the trial against this defendant?

10 A. No, sir.

11 MR. NORRIN: May I have a moment to consult?

12 THE COURT: You may.

13 MR. NORRIN: No further questions.

14 THE COURT: Okay. Thank you. You may step down.

15 (Witness excused)

16 THE COURT: Let's go ahead, ladies and gentlemen, we
17 will take our lunch break. Why don't we get back around 5
18 after 1. Come back about 1:00. Gather yourself and we will
19 get started shortly after 1:00.

20 (Thereupon, the jury exited the courtroom)

21

22

23

24

25

1 AFTERNOON SESSION

2 (Thereupon, the jury entered the courtroom)

3 RONALD CARRION ZALABRIA,

4 having been first duly sworn on oath, was examined and
5 testified as follows:

6 THE DEPUTY CLERK: State your name for the record.

7 THE WITNESS: Ronald Carillon Zalabria.

8 THE COURT: Please proceed.

9 DIRECT EXAMINATION

10 BY MR. NORKIN:

11 Q. Good afternoon, Mr. Carrion.

12 A. Good afternoon.

13 Q. I see you are wearing a prison uniform. Are you currently
14 incarcerated?

15 A. Yes. Yes, I am.

16 Q. And have you pled guilty to something?

17 A. Yes.

18 Q. To what have you pled guilty?

19 A. To import drugs into the United States.

20 Q. Have you received a sentence?

21 A. Yes.

22 Q. What sentence did you get?

23 A. Nine years.

24 Q. What did you do that actually made you guilty of that
25 crime?

1 A. To introduce different individuals, those who were buying
2 and those who were selling. And also I helped them with
3 providing them and getting them communication equipment and
4 also helping them with logistics.

5 MR. NORKIN: He added something else, actually.

6 BY MR. NORKIN:

7 Q. Did you also help --

8 A. And also helped with the money issue.

9 Q. Thank you.

10 Do you recognize here anyone in the courtroom who you
11 know from your time trafficking drugs?

12 A. Yes.

13 Q. Who is it that you recognize?

14 A. Mr. Neftali.

15 Q. Can you point him out and describe an article of clothing
16 that he is wearing.

17 A. May I stand up?

18 MR. NORKIN: If the court would permit.

19 THE COURT: Go ahead.

20 A. It's the man who is sitting in between the other two and he
21 is wearing, I think, it's a black jacket. Sweater.

22 Q. Thank you.

23 MR. NORKIN: Your Honor, I'd like the record to
24 reflect the witness has identified the defendant.

25 THE COURT: The record so reflects.

1 BY MR. NORKIN:

2 Q. When did you meet him?

3 A. I believe I met him in 2014 at a meeting at San Pedro Sula.

4 Q. How did you get introduced?

5 A. I was with a friend, a female friend, and another friend
6 from Colombia had arrived and he asked us to go visit him at
7 the Intercontinental Hotel. My friend's name is Jose Perez.
8 And we went to visit him at the hotel and Jose Perez was there
9 with Neftali.

10 Q. So let's back up for a second. I know you talked about
11 2014. You obviously got involved in narcotics before then,
12 correct?

13 A. Yes, that's correct.

14 Q. And so how did you get involved in that?

15 A. Well, as a young man I would exchange dollars for the local
16 currency lempida, and I also sold satellite equipment and
17 that's how I got to know the majority of my customers were
18 narcotraffickers.

19 Q. Fair to say that you were basically interested in doing
20 whatever you could to help them so that you could earn money?

21 A. Yes.

22 Q. So tell me about some of the people that you met over the
23 course of your involvement.

24 A. I met individuals such as the Cachiros.

25 Q. Who are they?

1 A. There are two brothers who are imprisoned here in the
2 United States for drug trafficking.

3 Q. Prior to being in prison they were Honduran narcotic drug
4 traffickers, is that right?

5 A. Yes. That's correct.

6 Q. Who else?

7 A. I met Elio Sierra.

8 Q. Who is that?

9 A. He was somebody in charge of logistics for that same
10 Cachiros organization.

11 Q. Is it fair to say that Elio Sierra was effectively your
12 main conduit, the person who introduced you to the majority of
13 narcotics traffickers?

14 A. Yes, that is correct. He was the first person that I met
15 who opened the doors for me to meet the other people.

16 Q. So who else did you meet?

17 A. After Don Elio, I met Warner.

18 Q. Who is Warner?

19 A. Warner is a friend who also was involved in drug
20 trafficking.

21 Q. Did he have any relation to Jose Perez who you mentioned
22 earlier?

23 A. Yes. They were partners, along with a Mr. Victor Mosquera
24 also.

25 Q. Okay. Just so that I narrow this down a little bit so that

1 we are -- you obviously, I would imagine, could sit for a while
2 and talk about all of the narcotics traffickers you knew,
3 right?

4 A. Yes. I could, yes.

5 Q. Okay. So let me just direct you a little bit.

6 Did you ever meet someone named Cesar?

7 A. Yes.

8 Q. Who was that?

9 A. Are you referencing Cesar Gastellum?

10 Q. Sure.

11 A. Well, he was -- he used to belong to the Sinaloa cartel,
12 Mexican, and practically he was the one buying a lot of drugs
13 and sending them to the United States.

14 Q. And did you do some work for Cesar Gastellum?

15 A. Yes, I did. I introduced him to Warner, and I also sold
16 some communication equipment to him.

17 Q. What about someone with the last name Via, did you know
18 anyone by that last name?

19 A. I know who they were because of the media, the press. And
20 then on one occasion I shared some time with them in South
21 Africa in 2010, but I never really had any dealings with them.

22 Q. Okay. I don't want to know what you know from newspapers,
23 but from your time that you shared with them in South Africa,
24 did you get to know about who they were and what they did?

25 A. Yes. I knew about them through Don Elio, who had mentioned

1 to me that he had been a partner of theirs.

2 Q. Okay. What about anyone with the last name Lorenzana?

3 A. No. I directly, no.

4 Q. Okay. Some people that you have heard of but never did any
5 dealings with, correct?

6 A. That's correct.

7 Q. Do you know any of the people who worked with Cesar
8 Gastellum? Did you ever meet any of them?

9 A. Yes.

10 Q. Can you give us some names of those people.

11 A. I met his brother Kio and I met a partner of his from
12 Colombia called Serucco and another one who was called El
13 Paisano.

14 Q. What about any workers for Cesar Gastellum, did you ever
15 meet any of his workers?

16 A. Yes. I met two or three of them. They were the ones who
17 paid me for the satellite equipment.

18 Q. Do you remember any of their names or nicknames?

19 A. No, I do not remember.

20 Q. Do you know anyone who used a helicopter?

21 A. Yes. I saw a helicopter when I went to install some
22 satellite equipment near -- in some land near the river. The
23 river is called Patuca. But I don't remember having seen the
24 individual. If I did see him, I just don't remember.

25 Q. Now, you eventually learned that you had a problem with the

1 United States, correct?

2 A. That's correct.

3 Q. Specifically with the DEA, correct?

4 A. That's correct.

5 Q. And you eventually surrendered; is that correct?

6 A. That's correct.

7 Q. And you signed an agreement with the government, right?

8 A. That's correct.

9 Q. And to be clear, you actually signed several agreements
10 with the government, correct?

11 A. Well, I signed my plea agreement and then I signed another
12 document.

13 Q. The other document that you are referring to addresses
14 something called Rule 35, correct?

15 A. Yes, that's correct.

16 Q. That's effectively a cooperation agreement, right?

17 A. Yes, that's correct.

18 Q. What is your understanding about what you have to do as
19 part of the cooperation agreement?

20 A. I have to tell the truth and I have to assist the
21 government of the United States in any way I can.

22 Q. Okay. And that includes testifying when you are asked?

23 A. Yes, that's correct.

24 Q. And if you do your part in the agreement, what's your
25 understanding of what you get in return?

1 A. That the government might make a recommendation so that my
2 sentence can be reduced.

3 Q. And if the government makes this recommendation do, you
4 automatically get a reduction?

5 A. No.

6 Q. Who decides whether you actually get a reduction?

7 A. I have always understood that it is the judge who makes
8 that decision.

9 Q. Are you hoping to get a substantial reduction?

10 A. Yes.

11 Q. Let's go back to this meeting that you had at the
12 Intercontinental Hotel. Tell me, as far as you remember who
13 was there. Who do you remember?

14 A. When I arrived, when we arrived, there were several people
15 there. There was a group. I don't remember exactly how many.
16 I only recognized Jose Perez, Jairo, and then it was later on
17 that I was introduced to Neftali. But I don't remember the
18 other people, how many there were and who they were.

19 Q. The Jairo that you mentioned, who is that?

20 A. Don Neftali's brother-in-law.

21 Q. And had you met him before this meeting?

22 A. Jairo, I had seen him in bars or discos but I hadn't meet
23 him personally, no.

24 Q. Okay. So at this meeting at the Intercontinental Hotel,
25 what do you recall being discussed?

1 A. Well, exactly -- it was like disguised what they were
2 talking about, but I remember some words here or there. I
3 remember them mentioning San and Res and a fishing boat or a
4 fishing ship, and that they were trying to figure out how they
5 could bring the drugs from San Andres to Honduras.

6 Q. To be clear, who was this conversation between?

7 A. That was between Jose Perez and Neftali.

8 Q. Did you later discuss with Jose Perez in more detail what
9 they were talking about at the Intercontinental Hotel?

10 A. Yes. Two or three days later Jose Perez traveled to La
11 Ceiba and we went out to eat, and when we were there together
12 we began to talk briefly. And I asked him what he was doing in
13 Honduras, what was the reason for his coming to Honduras. He
14 told me that compadre Neftali had called him to see if they
15 could get together to bring drugs into the country.

16 Q. And did you ask him about the specifics of that potential
17 plan?

18 A. Yes. He mentioned to me that they were going to bring it
19 on a fishing boat up to a certain area in the Caribbean at sea
20 and that they would send a go-fast boat to a certain place and
21 that was a way that they would do it. And as a matter of fact,
22 I mentioned to him that the use of boats, that that was already
23 a burnt method, that it was quite common. And he told me that
24 it was a shipping --

25 THE INTERPRETER: Strike that --

1 A. -- that it was a fishing boat and that it was going to be
2 small quantities.

3 Q. And when you say "small quantities," did you discuss or
4 have an idea of what those small quantities were?

5 A. Yes. He mentioned quantities of between 400 kilos and
6 600 kilos.

7 Q. Mr. Carillon, I noticed you started to answer before the
8 interpreter was finished. Do you speak some English as well?

9 A. Yes, I speak quite a bit of English, but I feel much better
10 in Spanish.

11 Q. Okay. Now, in addition to those interactions with Jose
12 Perez, did you at some point travel to Colombia and meet up
13 with Warner?

14 A. Yes. On several occasions I went to visit Warner.

15 Q. Let's talk about your most recent ones. Let's say anything
16 in 2012, '13 or '14, did you go during those times?

17 A. Yes. I was there maybe at the end of 2013 or the beginning
18 of 2014. I don't recall exactly, but I do believe that it was
19 at the end of 2013.

20 Q. And to be clear, Warner was someone you knew from drug
21 trafficking, correct?

22 A. That's correct.

23 Q. You had helped him in past drug deals?

24 A. Yes.

25 Q. When you went to visit him this time around 2013, did you

1 have additional conversations about narcotics trafficking?

2 A. Yes. When I met with him, he mentioned to me that Jairo
3 had visited him recently, that he had been with him and that
4 they had done things together. And I asked him what he was up
5 to, and he told me that Compa, Neftali had sent him because he
6 wanted drugs to be sold to him as well.

7 Q. Were you hoping that this would also result in some work
8 for you and some money that you could earn?

9 A. Yes. Whenever it was with Warner, yes, because he was the
10 one that I knew.

11 Q. By the way, the Jairo that you are mentioning, can you be
12 more specific about which Jairo you are mentioning when you say
13 he was sent by Neftali?

14 Let me be clear, if I may. Is that the same Jairo you
15 talked about the brother-in-law who was in the meeting in the
16 Intercontinental?

17 A. Yes, that's correct.

18 Q. Okay. Now, there is another person you know named Jairo as
19 well, correct?

20 A. Who are you making reference to?

21 Q. Sure. Do you know someone with the last name or nickname
22 Mondraco, Mandrake.

23 A. Yes, I know him.

24 Q. Who is he?

25 A. Well, I didn't know him by name, but I knew he was a person

1 who coordinated the logistics for sending drugs in containers
2 for Warner.

3 Q. And how did you know that?

4 A. Because in several locations I was there with Warner and
5 Mandrake when they were deciding the routes that they were
6 going to use to send it.

7 Q. And these were routes for containers; is that correct?

8 A. That's correct.

9 Q. Now, what's your understanding of -- let me back up.

10 You are Honduran, correct?

11 A. Yes.

12 Q. Warner, Mandrake, Jose Perez, those are all Colombians,
13 correct?

14 A. Yes, that's correct.

15 Q. What's your understanding of what would happen to the drugs
16 that were sent from Colombia over to Honduras?

17 A. That it was going to be sold to a buyer in Guatemala,
18 Mexico so that it could be sent and sold to the United States.

19 Q. What gives you that understanding? How do you know that?

20 A. Because of the volume, because they were huge quantities,
21 to be used or consumed in Honduras or Guatemala.

22 Q. What about the currency that was used in these
23 transactions, do you know anything about that?

24 A. Yes. It was always in dollars.

25 Q. Fair to say that's where you earned some of your

1 commissions, right?

2 A. That's correct.

3 MR. NORKIN: Your Honor, may I have a moment to
4 consult?

5 THE COURT: All right.

6 (Pause)

7 BY MR. NORKIN:

8 Q. Did you know any of the routes that the drugs took from
9 Colombia over to Honduras?

10 A. What type of routes are you referring to?

11 Q. Well, how would -- you talked before about, for example,
12 Warner and Mandrake planning routes.

13 A. Yes.

14 Q. Do you know how it would happen, boats, planes, where they
15 went?

16 A. The routes that Mandrake and Warner would plan, they
17 usually would seek ships, the large ships that would carry
18 containers, large ships. And then they would study all the
19 stops that they would make all the way from the Caribbean to
20 Colombia. When they made stops for six or 12 hours in
21 Colombia, they would then open a container on a ship and then
22 they would throw in suitcases that contained drugs on a ship
23 that was on its way to Honduras.

24 Q. I apologize to interrupt you. I am not actually asking for
25 the methodology. I am talking about the actual routes. For

1 example, whether boats would go directly from Colombia to
2 Honduras. Would there be stops? Same thing with airplanes.

3 A. If it were with the containers on ships, the stops that
4 they would be making until reaching Honduras and then for boats
5 if they had stopping points for resting purposes, if they would
6 stop in Costa Rica and Guatemala before reaching Honduras,
7 Nicaragua, and also Cesar, who would use helicopters, he would
8 make many stops from Panama until reaching Guatemala.

9 Q. And at the Hotel Intercontinental where you saw the
10 defendant, do you recall if he had any bodyguards or guns or
11 anything like that?

12 A. I do not remember, but I do remember that there were many
13 people around them in the group.

14 Q. Okay.

15 MR. NORKIN: No further questions.

16 THE COURT: Cross.

17 MR. CASUSO: Yes, sir.

18 CROSS-EXAMINATION

19 BY MR. CASUSO:

20 Q. Mr. Carrion, how old are you?

21 A. Thirty-six years old.

22 Q. Thirty-six?

23 A. Yes, sir.

24 Q. Were you an investor in any of these loads of cocaine that
25 you are talking about?

1 A. No, sir.

2 Q. You are saying that you made a living, what, selling
3 communications equipment to all these drug people?

4 A. Yes.

5 Q. And you said that you told the prosecutor that you made a
6 commission. What commission did you make, sir?

7 A. What are you referring to? Commission on what?

8 Q. What the prosecutor was referring to, that you were quick
9 to answer, that you made a commission. On what did you make a
10 commission on, sir?

11 A. Always when I introduced two individuals, one from one side
12 would pay me something.

13 Q. Introduced people for what purpose, sir?

14 A. So that they could sell drugs between each other.

15 Q. So you would actually take like one person and introduce
16 them to another person for the purpose of selling drugs?

17 A. Yes, sir.

18 Q. And then what type of commission would be involved in that,
19 sir?

20 A. They would make a payment to me in cash.

21 Q. How much?

22 A. That was -- it would always be at their own free will.

23 Q. Like a tip? You would get a tip, is that it?

24 A. Yes, sir.

25 Q. How much would that be, sir?

1 A. They could give me from 50 to 100,000 dollars.

2 Q. Fifty to 100,000 dollars; is that right?

3 A. Yes, sir.

4 Q. How much money would you say you made making all these
5 introductions, sir?

6 A. I would say some \$300,000. I would say some \$300,000.

7 Q. You would say that's what you made making introductions?

8 A. Yes, and besides that my interest was to buy things from
9 the drug traffickers.

10 Q. Let's talk about the 300,000. What happened to that money?

11 A. I would use it for my expenses.

12 Q. Like what?

13 A. Cars, expenditures for going out, everything that one would
14 spend on daily cost of living.

15 Q. You said your expenses three times. What expenses? Tell
16 us.

17 A. Expenses for women, clothing, food, telephones, all the
18 expenses that I incurred at that time.

19 Q. You like fancy clothes, too, like your friend Warner,
20 right?

21 A. Yes, I did like expensive clothes.

22 Q. Out of any of that money, have you given any to the
23 government, forfeited anything?

24 A. No, sir.

25 Q. So you are saying it's all gone, right?

1 A. Yes, sir.

2 Q. And you said also that you wanted to buy things from these
3 drugs traffickers, right?

4 A. To buy things for drug traffickers for them.

5 Q. For them. Okay.

6 So you would buy things for the narcotraffickers with
7 your money, right?

8 A. I would come and let's say a drug trafficker wanted to buy
9 an expensive watch. They would give me the money. I would buy
10 it for them and from that I would make a commission.

11 Q. So you would be like a personal shopper for these
12 traffickers?

13 A. Yes.

14 Q. Now, you told us here about looking at some helicopters
15 with some Mexican person.

16 A. Yes, sir.

17 Q. Did you ever go in one of these drug runs with him?

18 A. No, sir.

19 Q. Did you ever take any drugs with, what's the person's name?
20 Castillo?

21 THE INTERPRETER: Take drugs, transport?

22 MR. CASUSO: Yes.

23 A. No. I went to one of his haciendas to install some
24 satellite equipment and there is where I saw the helicopter. I
25 used to talk to Don Cesar there.

1 BY MR. CASUSO:

2 Q. But did you ever ride in the helicopter?

3 A. No, sir.

4 Q. Did you ever make any drug runs with Don Cesar?

5 A. No, sir.

6 Q. Did you ever make any drug runs with Warner?

7 A. No, sir.

8 Q. Did you ever invest in any drug runs with Warner?

9 A. No, sir.

10 Q. Did you ever yourself deal in any drugs, sir, with anyone?

11 A. Yes, sir.

12 Q. With whom, sir?

13 A. Yes, with Tata and the man from Colombia that we would call
14 Mariano.

15 Q. Tata is a person named Julio Lopez Calderon, right?

16 A. Yes. Yes, sir.

17 Q. He is a co-defendant with you in your indictment, right?

18 A. Yes, sir.

19 Q. Where is he from?

20 A. From Guatemala.

21 Q. So you dealt drugs with this person Julio Danilo Lopez
22 Calderon from Guatemala. How many drugs did you deal with him?

23 A. It was the first time I did a drug deal with Tata, Don
24 Julio.

25 Q. My question wasn't whether it was a first time or last

1 time. How many drugs did you deal with this man at that time,
2 sir?

3 A. We were attempting to bring, do a run for 360 kilos.

4 Q. And were you an investor in that load and for how much?

5 A. On that occasion I was an investor.

6 Q. How much?

7 A. I invested around \$130,000.

8 Q. How many kilos would that be, sir?

9 A. It was approximately something a little over 20 kilos.

10 Q. And what happened to that load?

11 A. It was seized in Costa Rica.

12 Q. Were you arrested as a result of that load, sir?

13 A. At that time, no.

14 Q. Eventually?

15 A. Yes.

16 Q. And did that happen around October of 2013, give or take?

17 A. I believe it was in 2014.

18 Q. 2014. Okay.

19 And you are familiar with the paperwork in your case,
20 sir, in court? Are you?

21 A. What are you referring to when you say familiarized? In
22 what regard?

23 Q. Your commitment order, sir. Your sentence.

24 A. Yes.

25 Q. Doesn't it say that the case ended in October '13?

1 A. I don't know. I have not read it very well. I do not
2 remember at this time.

3 Q. Did that load, sir, have anything to do -- okay. Is that
4 the only load that you have done?

5 A. Me as an investor, yes.

6 Q. Let's say, sir, if you know the difference between an
7 investor in a drug load and a partner in a drug load. Is there
8 a difference in your mind? Same thing, right?

9 A. Would I say the two would be practically the same thing?

10 Q. Right.

11 A. Yes, sir.

12 Q. Were you ever on these loads that you are talking about
13 with Warner and -- did you talk about Mr. Mosquera? Did you
14 know him? Did you do any loads with Mosquera?

15 A. Not me, sir.

16 Q. Or Warner?

17 A. No, sir.

18 Q. So basically am I correct in saying or thinking here that
19 your only load has been with Mr. Julio Danilo Lopez Calderon?

20 A. Yes. The thing is, I am aware that the fact of introducing
21 people, it would be the same charge. But at that time I myself
22 was blind and I was lying to myself, thinking that I was away
23 from that, but I was indeed committing a crime nonetheless.

24 Q. I understand that. But I am not trying to put words in
25 your mouth. Okay. I am just asking you. Is this the only

1 load that you had ever done?

2 A. Yes, sir.

3 Q. And that load got busted, right?

4 A. Yes, sir.

5 Q. And when it gets busted, you would lose your investment?

6 A. Yes, sir.

7 Q. And this load here with Mr. Danilo Lopez is, you say it's
8 kind of like 2013, maybe 2014 you said?

9 A. Yes. I believe it was in 2014 to be sure.

10 Q. Now did this person Jairo, the brother-in-law of the
11 defendant here, did he have anything to do with this load, sir?

12 A. No, sir.

13 Q. How about the defendant here, did he have anything to do
14 with anything about this load, sir?

15 A. No, sir.

16 Q. Now let me ask you, sir, about this meeting that you said
17 you had at the Intercontinental Hotel in San Pedro Sula, right?

18 A. Yes.

19 Q. You are Honduran, right?

20 A. Yes, sir.

21 Q. But you are from San Pedro?

22 A. From La Ceiba, sir.

23 Q. That's close, right?

24 A. Two hours away from there.

25 Q. Now, Intercontinental Hotel San Pedro is a very nice hotel,

1 isn't it?

2 A. Yes, sir.

3 Q. It's the best in the city, right?

4 A. Possibly.

5 Q. And it's a legitimate hotel, right?

6 A. Yes, sir.

7 Q. It's got security guards?

8 A. Yes.

9 Q. Parking lot attendants?

10 A. Yes.

11 Q. It has a number of restaurants, correct?

12 A. Yes.

13 Q. Now this reunion that you said you had with a number of
14 people, how many people were at this reunion?

15 A. As I told you, I do not remember exactly but it was about
16 six or eight people. I don't remember the number exactly.

17 Q. And where did it take place, sir, in the hotel?

18 A. At the bar.

19 Q. Now there is a bar. Is there like a sushi restaurant in
20 the hotel?

21 A. Right now I do not remember.

22 Q. Is there a dining room?

23 A. Yes.

24 Q. And where is the bar? Where is it located?

25 A. The bar is by the reception area.

1 Q. You go into the reception, there is a bar, there is a pool,
2 right?

3 A. Yes, that is correct.

4 Q. So are you telling us -- okay. And who invited you to this
5 reunion? What was your purpose there?

6 A. Jose Perez invited a woman friend. I was with her. And I
7 went to the place because I too knew Jose Perez.

8 Q. So there was at least like one lady present, right?

9 A. Same thing. I don't remember. She -- yes, my friend.
10 Yes.

11 Q. Were there any other wives or girlfriends, if you recall,
12 sir?

13 A. I believe not.

14 Q. Okay. And your purpose for being there is because Jose
15 Perez had invited this lady?

16 A. Jose Perez had told her that he was staying at the hotel.
17 And we already had to be on our way to La Ceiba. So before
18 taking off we went by to visit him.

19 Q. And it was a social visit?

20 A. Yes, and we were there for about one -- about close to two
21 hours there.

22 Q. Were there any pictures taken?

23 A. No.

24 Q. And Jose was present and you say Mr. Jairo was present?

25 A. Yes, sir.

1 Q. And you are saying the defendant was present?

2 A. Yes, sir.

3 Q. So you mean to tell us, at least your friend present, your
4 lady friend, there is discussions here. Oh, there is also, you
5 are saying, armed guards in this nice hotel. You people are
6 talking about some drug deal and bringing in a drug load with
7 all these people present there; is that what you said?

8 A. I did not say that there were armed guards.

9 Q. I beg to differ, sir.

10 Did you say there were guards with guns around there
11 like bodyguards, or am I mistaken?

12 A. I don't remember having talked about guards, but they are
13 present at that meeting.

14 Q. Sir, how many drug loads have you brought in before going
15 to this meeting that you talked about?

16 A. I had never brought any drug load.

17 Q. So what possible purpose, sir, would you have in attending
18 a meeting where drug loads are being discussed if you don't
19 even know anything about it, sir? What were you doing there?

20 A. Because my lady friend and myself, we were very good
21 friends of Jose Perez and when we arrived, we were there for
22 quite a while. During that time these topics were discussed.

23 Q. Were they discussed with you, sir?

24 A. Not directly, sir.

25 Q. What would you be doing there, sir?

1 MR. NORKIN: Objection.

2 THE COURT: Overruled.

3 A. It was just a mere chance my being there, to be honest with
4 you.

5 BY MR. CASUSO:

6 Q. Okay.

7 You talked about that you know the Cachiros?

8 A. Yes, I did meet them.

9 Q. That's a drug gang, right, in Honduras?

10 A. That is correct.

11 Q. And the prosecutor asked you about the Valles. That's
12 another drug gang in Honduras, right?

13 A. Yes, sir.

14 Q. As a result of your guilty plea in your case, you got 108
15 months, nine years?

16 A. Yes, sir.

17 MR. CASUSO: That's all I have, Judge.

18 THE COURT: Thank you.

19 Redirect.

20 REDIRECT EXAMINATION

21 BY MR. NORKIN:

22 Q. Mr. Carillon, you were asked about the Valles and Cachiros
23 being a drug gang. I want to go back to that word specifically
24 as far as gang.

25 Was it your understanding that the defendant Neftali's

1 group was any different from the Cachiros's or the Valles?

2 A. Yes, they were different. That is to say, they were a drug
3 organization and, yes, these were people that could have a lot
4 of influence, power, hands over the country.

5 Q. But I want to be clear. You are not drawing a distinction
6 between what was asked as far as the Cachiros gang or the
7 Valles gang, there is not a different -- the organization that
8 the defendant had, are you saying that that's different
9 somehow, or are they similar?

10 A. No, they were similar.

11 Q. And you were also asked about when you were arrested and I
12 want to clarify. Were you actually arrested or did you
13 surrender?

14 A. I turned myself in.

15 Q. You were asked about the meeting at the Intercontinental
16 and whether discussions could take place with the people who
17 were there.

18 Is it fair to say that the female who accompanied you
19 was no stranger to narcotics traffickers?

20 A. No, she had been a lover of Warner's and she was an
21 excellent friend of Jose Perez and she had met many of his
22 associates.

23 Q. You were also asked about your agreement with the
24 government. What's your understanding of what happens if you
25 were to testify falsely here?

1 A. I am aware I could lose any benefit that I could obtain and
2 in addition to that, I could get more charges.

3 Q. What were to happen if you got -- well, what kind of
4 additional charges do you understand you could get?

5 A. I believe it's called perjury, but I am not.

6 Q. Your understanding is that lying under oath is a crime in
7 and of itself?

8 A. Yes, I am aware of that.

9 Q. Now, you were also asked as far as your role at the meeting
10 and your role in drug trafficking in general, and so I want to
11 clarify that.

12 If I understand correctly, you weren't the person who
13 necessarily invested in drug loads, correct?

14 A. That is correct.

15 Q. But you had another role assisting traffickers, right?

16 A. Yes, that is correct.

17 Q. You talked about satellite phones for Cesar Gastellum.

18 Do you recall that?

19 A. Yes, I do remember.

20 Q. Is it fair to say that that was one of the primary ways
21 that you earned money from drug traffickers, by providing them
22 these satellite and communication services?

23 A. Yes, that is correct.

24 Q. And explain to us why having these kinds of communications
25 is important for a drug organization.

1 A. Well, first of all, this satellite equipment was used in
2 areas where there was no other communications system. The same
3 for go-fast boats or planes. They were difficult to obtain. I
4 was one of the few people that sold this equipment, and I would
5 sell them at a very costly price.

6 Q. It was a high price traffickers are willing to pay; is that
7 correct?

8 A. That is correct.

9 Q. You also were involved with money movement, right?

10 A. Correct.

11 Q. And changing money to different currencies?

12 A. Correct.

13 Q. And you would earn commissions from providing those
14 services as well?

15 A. That is correct.

16 Q. And the other aspect of the money services that you
17 provided would be effectively acting as a mini bank; is that
18 right?

19 A. Yes. That was my greatest interest, always was.

20 Q. Okay. And explain to us what that is. What does it mean
21 to serve as kind of like a mini bank for the narcotics
22 traffickers?

23 A. Drug traffickers would give me money, different places,
24 different cities. I would keep it for them and then I would
25 make payments for anything that they would need for employees,

1 payroll, credit card or any payment that they needed to make.

2 Q. Okay. So drawing your attention now to this time period
3 where Jose Perez has a meeting at the Intercontinental Hotel
4 and then afterwards you meet with him a few days later in San
5 Pedro Sula and just the two of you talking about the
6 discussions at the Intercontinental Hotel. Are you familiar
7 with that time period?

8 A. The meeting, a few days later, it was in La Ceiba with Jose
9 Perez.

10 Q. La Ceiba. My mistake. I apologize.

11 After that meeting with Jose Perez where he explained
12 to you that he and Neftali discussed upcoming shipments, did he
13 ask you once again to act as a bank for him?

14 A. Yes.

15 Q. And what happened?

16 A. He handed over to me \$300,000 so that I would keep it for
17 him.

18 MR. NORKIN: May I have one moment, your Honor?

19 THE COURT: All right.

20 MR. NORKIN: No further questions.

21 THE COURT: Thank you, you may step down.

22 (Witness excused)

23 THE COURT: Call your next witness.

24 MR. NORKIN: The United States calls Hector Galezo.

25 For the next witness, would it be possible for me to

1 stand next to Mr. Schuster so I could work the computer?

2 THE COURT: Yes.

3 HECTOR GALEZO,

4 having been first duly sworn on oath, was examined and
5 testified as follows:

6 THE DEPUTY CLERK: State your full name for the
7 record.

8 THE WITNESS: Hector Enrique Jesus Santiago.

9 DIRECT EXAMINATION

10 BY MR. SCHUSTER:

11 Q. Good afternoon, sir. Where do you work?

12 A. I work at the National Police Group in Colombia, and I am a
13 member of the anti-narcotics unit in the section of criminal
14 investigations. And that is with the base in Santa Marta.

15 Q. And how long have you done that?

16 A. In criminal investigations section, about nine years,
17 approximately.

18 Q. And where is Santa Marta located in Colombia?

19 A. Santa Marta is in the northwest coast of Colombia.

20 Q. And what are your duties and responsibilities with the
21 anti-narcotics division?

22 A. Within that section of criminal investigation, we conduct
23 investigations regarding the narcotraffickers' organizations,
24 and we also have all of the information and data regarding the
25 cases that are going to be investigated.

1 Q. And, sir, does your jurisdiction fall under the ports in
2 your area?

3 A. Yes, in the coast or the ports that are in the north coast
4 of Colombia.

5 Q. Sir, I'd like to ask you some questions specifically about
6 March 28, 2014. Were you on duty that day?

7 A. Yes, sir.

8 Q. Were you notified that there had been a seizure at the port
9 of Santa Marta?

10 A. Yes. We were advised that it was a substance that was to
11 be known as narcotics.

12 Q. And what did you do after you received that notification?

13 A. We set up a task group, a working group, and we included a
14 photographer and expert in the crime scene and myself as a
15 coordinator of this operation, and other personnel was taken as
16 backup and support.

17 Q. So after you assembled your team -- sir, were you the lead
18 of the team?

19 A. Yes, sir.

20 Q. And what -- sorry. I forgot to ask you.

21 What is your current rank?

22 A. I am a sergeant at the Colombian National Police.

23 Q. So, Sergeant, you were leading this team for this seizure?

24 A. Yes, sir.

25 Q. And after you assembled your team, Sergeant, what did you

1 do next?

2 A. We arrived at the scene. The scene had already been
3 cordoned off. We take the pictures. A series of photos are
4 taken from different angles. And then you remove the narcotics
5 that were found in boxes, banana boxes or plantain boxes, and
6 then they are spread out in different rows and then you begin a
7 process that includes weighing the substance, identifying the
8 substance, and qualifying the substance.

9 Q. And, sir, when you say the scene, was this at the port of
10 Santa Marta?

11 A. Yes. That is the area, inspection area, in that port zone
12 in Santa Marta.

13 Q. Where were these boxes of bananas located?

14 A. These boxes were in pallets, in pallets that were in
15 containers of shipments that were going to be sent to the
16 United States via the port of Castilla.

17 Q. And, sir, where is the port of Castilla?

18 A. In Honduras exactly.

19 MR. SCHUSTER: May we show what's on the screen to
20 just the witness, your Honor, on the laptop?

21 THE COURT: You are on the laptop?

22 MR. SCHUSTER: Yes.

23 THE WITNESS: Thank you, your Honor.

24 BY MR. SCHUSTER:

25 Q. Sir, I am going to scroll through what's been marked for

1 identification as Government's Exhibits 6A through 6O.

2 You could see it on your screen, sir?

3 A. Yes, sir.

4 Q. Sir, do you recognize those photographs?

5 A. Yes, sir.

6 MR. SCHUSTER: Your Honor, we move to admit
7 Government's Exhibit 6A through 6O into evidence.

8 MR. CASUSO: No objections.

9 THE COURT: Admitted.

10 (Government's Exhibits 6A - 6O received in evidence)

11 THE COURT: They are admitted.

12 MR. SCHUSTER: Your Honor, may we publish?

13 THE COURT: Yes.

14 BY MR. SCHUSTER:

15 Q. I am scrolling to the beginning, to 6A.

16 Sergeant, taking a look at what's been admitted as
17 Exhibit 6A, what is that a photo of?

18 A. Here you are able to see some cardboard boxes and in the
19 middle of those cardboard boxes, you can see some packaging,
20 and around that the middle bananas, and they are covered in
21 green plastic.

22 Q. And this was at the crime scene where you and your team
23 responded to?

24 A. Yes, sir.

25 Q. Turning next to Exhibit 6B, what is that a photo of?

1 A. You can see in this picture a rectangular object covered
2 with the green plastic, and also around it you can see the
3 bananas and transparent plastic, and right in the middle of the
4 rectangular package is --

5 Q. Looking at Government Exhibit 6C, what is that?

6 A. These are the boxes that have the brand name Dole, and
7 these boxes were the boxes used to hide and camouflage the
8 contraband in these boxes, and that's where it was found in the
9 narcotics. And you see also the code that indicates the origin
10 of the fruit.

11 Q. Is that the photo at the bottom of the page with the
12 numbers, it looks like a price tag almost?

13 A. What it means?

14 Q. That's the second picture on the bottom of the page.

15 A. Yes. Yes, sir.

16 Q. Looking at Exhibit 6D, starting first at the top, what is
17 that a photo of?

18 A. That's the identification. It identifies the farm where
19 the bananas originated, where they were harvested.

20 And the second photograph are the rectangular
21 packaging, and that's how it was found inside the banana boxes.
22 As you can see, they are compact packages, packaged in this way
23 with different colors, and that's how they were found.

24 Q. Now taking a look at 6E, starting at the top, what is that
25 a photo of?

1 A. Here in the first part of the photograph we were able to
2 see the narcotics that were seized, and they have been set up
3 there in different rows in order to be able to do a more
4 specific accounting of the packages.

5 Q. So, Sergeant, that top picture, that is all drugs?

6 A. Yes. All of them tested positive for cocaine.

7 Q. What about the picture underneath that picture of all the
8 drugs, what is that?

9 A. These are the packages, which are rectangular, and you can
10 see them here in the picture, and they are covered in plastic
11 and they have the colors of the Colombian flag.

12 Q. Now turning to Exhibit 6F, what is this a photo of?

13 A. You are able to see a more detailed image of the
14 rectangular package and with the metrics system, you are able
15 to see better, see the package, rectangular package.

16 Q. These were inside the banana boxes?

17 A. Yes, sir.

18 Q. Now turning to 6G, what is 6G?

19 A. We were able to see the following on this picture, first
20 there is a test that is done, pH testing.

21 Q. Is that the photo at the top?

22 A. Allow me to explain the process that is conducted.

23 Q. Yes, please. Thank you.

24 A. This identification test includes first identify the
25 substance that has been seized. You add a reagent, and if it's

1 turns yellow, creamy yellow, then that's the positive sign that
2 it's an alkaloid and if it's blue/green, like turquoise, and
3 that would identify it as cocaine or any of its derivatives.

4 Q. And did you conduct this test on the packages that you
5 seized from the banana boxes?

6 A. Yes. These are the tests done on packages that are seized.

7 Q. And what was the results of your test?

8 A. The test indicated to us that everything that had been
9 seized, it was cocaine. It had cocaine.

10 Q. Looking at Exhibit 6H, what is that a photo of?

11 A. This picture indicates the weighing process and that will
12 give us the weight of the package, including the wrappings.

13 Q. And in this example of this package, how much did this
14 weigh, including the wrapping?

15 A. 1,146 grams.

16 Q. Now showing you Government Exhibit 6I, starting with the
17 photo at the top, what is that?

18 A. These are markings that are placed on the substance or the
19 packaging in order to identify so that they will know who is
20 the owner of this merchandise.

21 Q. And are those markings on the packaging or on the cocaine
22 itself?

23 A. These markings are on the substance itself.

24 Q. And how much does the cocaine with the CNN logo on it weigh
25 in the photo?

1 A. According to this photograph, it weighs 1,000 grams.

2 Q. Now turning to Exhibit 6J, what are these two photos?

3 A. Like I had mentioned previously, these are the markings
4 that are used by the different organizations in order to
5 identify their substance. And in this seizures we found
6 different markings.

7 Q. Now turning to K, 6K, is that another example of different
8 markings?

9 A. Yes, sir.

10 Q. And how about in the top picture on 6L?

11 A. Yes. Again, this is another -- a marking as we saw in the
12 other packages, and here you could see that the markings on
13 this one is a V, an O, and a number 2.

14 Q. Sergeant, how about what is depicted in the photo on the
15 bottom of Exhibit 6L?

16 A. This picture is a sample of what was seized during the
17 process of seizing this substance, and these are sent to the
18 scientific laboratory in order to fully identify the substance
19 that has been seized.

20 Q. Now I am showing you 6M. Starting with the picture at the
21 top, what is that?

22 A. And here, this image, you are able to see the seals which
23 are removed from the container in order to collect them and to
24 package them, in order to send them to the manufacturers in
25 order to be able to identify whether they are legitimate or

1 not.

2 Q. And where would these seals go on a container?

3 A. These seals are placed on the doors of the containers.

4 These have some metal beams, and that's where the seals are
5 placed in order to prevent any type of tainting or
6 contamination.

7 Q. Turning to Government Exhibit 6N, what is that a photo of?

8 A. This picture shows the officers who have been working
9 collecting the packages and getting the package ready to be
10 sent out to a safe place and wait for orders from the
11 prosecutor's office in order to see what's to be done with it.

12 Q. Now 6O, starting with the -- what is the picture on the
13 bottom, actually, the second picture?

14 A. These are the boxes that contain the substance. They have
15 already been packaged in order to be transported to a safe
16 place.

17 And the one below is a picture of the container where
18 the substance was found.

19 Q. Sergeant, did you and your team weigh all of the cocaine
20 that was seized from these banana boxes that day?

21 A. Yes, sir.

22 Q. Approximately, how much did all of that cocaine weigh?

23 A. Approximately, the net weight of that was 2,011 kilos.

24 MR. SCHUSTER: Your Honor, may I have a moment?

25 THE COURT: All right.

1 MR. SCHUSTER: I have nothing further.

2 THE COURT: Cross.

3 CROSS-EXAMINATION

4 BY MR. CASUSO:

5 Q. Sergeant, this cocaine was caught where in Colombia?

6 A. At the port of Santa Marta in Colombia.

7 Q. Okay. That's in Colombia, right, at the port?

8 A. Yes, sir.

9 Q. And the boxes were boxes of bananas, masquerading as
10 bananas, but it is really a shipment of cocaine going out,
11 right?

12 A. Yes, sir.

13 Q. How was this stuff found? Who found it?

14 A. We have a procedure that includes inspection when we are
15 speaking about critical destinations. The anti-narcotic port
16 law enforcement carries out a very detailed inspection in order
17 to verify that any substance that is to be sent to other
18 countries will not include any narcotics that may contaminate
19 the cargo.

20 Q. Okay. So basically it was found during the normal
21 operating procedures of the police in Colombia, correct?

22 A. Yes, sir.

23 Q. So it was not through an informant, nothing like that,
24 right?

25 A. No, sir.

1 Q. Okay. Now, who was the shipper for this load of bananas?

2 A. Dole company in Colombia.

3 Q. There is a Dole company in Colombia?

4 A. It's an international company that exports fruits and they
5 do have an office in Colombia.

6 Q. And it's the same company that we have in the United
7 States, the Dole company?

8 A. Yes, sir.

9 Q. And you say that there is markings there with a farm where
10 the bananas were harvested, right?

11 A. Yes, sir.

12 Q. Was that a farm in Colombia or was that a farm in Honduras?

13 A. In Colombia.

14 Q. And so the shipper was the Dole company, correct?

15 A. Yes, sir.

16 Q. Who was the receiver?

17 A. The receiver, I don't know. I don't know who the receiver
18 would be.

19 Q. Well, let me ask you something. I mean, normally here
20 there is a shipper and a receiver, right? There is a bill of
21 lading. Do you know about that?

22 A. I know that the end destination was Freeport.

23 Q. Freeport, Bahamas?

24 A. Freeport, the United States.

25 Q. Where? Where is Freeport, United States? Tell me.

1 A. It must be close to Texas, somewhere there.

2 Q. Texas. Okay.

3 Was anyone prosecuted in Colombia for this case?

4 A. No, sir.

5 Q. Well, it never left Colombia, did it?

6 A. No, sir.

7 Q. It did not leave there?

8 A. It did not, sir.

9 Q. Was the case prosecuted in Texas?

10 A. No, sir.

11 Q. What happened to this case?

12 A. It is still under investigation in Colombia.

13 Q. Okay. But you are aware that a person named Warner Lopez
14 admitted to shipping the stuff, right?

15 A. No, sir.

16 Q. And you are not aware that he was prosecuted in Texas for
17 this?

18 A. No, sir.

19 Q. So how can you still be investigating this?

20 A. Because in Colombia we still have to continue investigating
21 in order to gather proof and evidence, to continue finding out
22 who could have been involved in this, and we still need to
23 continue investigating in order to gather evidence to see who
24 were the people involved and responsible for trying to send
25 this out of Colombia.

1 Q. This happened on March 28, 2014, right?

2 A. Yes, sir.

3 Q. Now did you find, for example, did you find any DNA in the
4 boxes linking it to this defendant here in court, sir?

5 A. Well, no, sir.

6 Q. And who was supposed to receive this shipment? You are
7 saying it was destined for Honduras. Maybe I am wrong. Okay.
8 Is that correct?

9 A. No, no, it's not correct.

10 Q. Okay. So it was going from, you said, Santa Marta to
11 Freeport, Texas?

12 A. Yes. When the officer delivers to us the documents that
13 says that it is to be sent to Freeport via Honduras or
14 Castilla.

15 Q. So it was going from Santa Marta to a port in Honduras and
16 then to some port in Texas, correct?

17 A. That is what was indicated to us by the officer and at the
18 scene.

19 Q. Who was the receiver to be in Honduras? Do you know?

20 A. I don't know.

21 Q. Were the boxes processed for fingerprints, if you know?

22 THE INTERPRETER: Counsel, move away from the
23 microphone with the pad.

24 BY MR. CASUSO:

25 Q. Let me ask it again because I didn't hear. I'm sorry. The

1 stuff was going to Honduras, right? And who was the receiver
2 in Honduras, if you know?

3 A. No, I don't know. I don't know.

4 Q. And as far as you know, the boxes were not processed for
5 fingerprints?

6 A. It has not been done. It has not been done.

7 Q. DNA?

8 A. No, sir.

9 Q. Were there any wiretaps with anybody's voice on it showing
10 who is responsible for this?

11 A. No, sir. Because we start from the flagrant fact.

12 MR. CASUSO: That's all I have, sir. Thank you very
13 much.

14 THE COURT: Thank you.

15 Redirect?

16 REDIRECT EXAMINATION

17 BY MR. SCHUSTER:

18 Q. Sergeant, you were asked a number of questions on
19 cross-examination about the sender of these drugs on the ship,
20 on the shipping label and the receiver and the bill of lading.
21 Do you remember that?

22 A. Yes, sir.

23 Q. Based on your experience working with anti-narcotics, do
24 drug dealers typically put their contact information on
25 shipments of drugs?

1 A. No, they don't place any contact information on the
2 shipment.

3 Q. Okay.

4 MR. SCHUSTER: Nothing further, your Honor.

5 THE COURT: Thank you. You may step down.

6 Let's take our afternoon recess for about ten minutes.

7 (Witness excused)

8 (Thereupon, the jury exited the courtroom)

9 MR. NORRIS: Your Honor, before you step out, I forgot
10 to call your attention to a lot of jurors going to the
11 cafeteria. Can you give them the instruction not to talk to
12 us; we are not ignoring them.

13 THE COURT: Okay.

14 (Recess taken in proceedings.)

15 (Thereupon, the jury entered the courtroom)

16 GUILLERMO LOZANO,

17 having been first duly sworn on oath, was examined and
18 testified as follows:

19 THE DEPUTY CLERK: State your full name for the
20 record.

21 THE WITNESS: Guillermo Lozano.
22
23
24
25

DIRECT EXAMINATION

BY MR. NORKIN:

Q. Are you a helicopter pilot by training?

A. Yes.

Q. How did you learn to become a helicopter pilot?

A. When I was about 37 years old in Guatemala, my hometown, I got flying lessons and became a helicopter pilot.

Q. And did there come a time when you started using pilot skills to help out narcotics traffickers?

A. Yes. That's correct.

Q. When did that start?

A. Yes. It's 2004, around 2004.

Q. What would you do specifically?

A. I would get in touch with the people trafficking narcotics and they asked me for transportation of their monies and narcotics in Guatemala.

Q. Did you do that kind of stuff?

A. Yes, I did.

Q. Did there come a point where you were approached by DEA agents and explained, effectively, that you were going to have a problem in the United States?

A. Yes.

Q. When did that happen?

A. That was in early 2007.

Q. And what did you tell DEA when they approached you?

1 A. Well, they told me that there was U.S. laws that I was
2 breaking doing that kind of stuff in Guatemala. Even though I
3 was in Guatemala, I didn't know I was breaking U.S. laws, and I
4 had a great chance of getting indicted. And so they asked me
5 for my cooperation in the investigation they were handling in
6 the country at that time, and I agreed to do that.

7 Q. Okay. And as part of your cooperation, did you basically
8 provide information to the DEA?

9 A. Yes. We established the ways to get back and forth between
10 myself and the agents. Mainly, we had like personal meetings
11 and by email.

12 Q. Okay.

13 A. Yes.

14 Q. And so you would let them know when, for example, you would
15 be doing a drug trip, who you would be working for, that kind
16 of thing?

17 A. Yeah. Everything that I thought it was important and
18 during this investigation, I shared with them, and I got their
19 approvals to do that.

20 Q. Okay. Did you take some photographs and make some
21 recordings as part of your cooperation?

22 A. Yes.

23 Q. And did you get -- you talked about DEA approval. Did you
24 get DEA approval to continue effectively providing helicopter
25 services to narcotics traffickers?

1 A. Yes, that's correct.

2 Q. Do you see anyone in the courtroom for whom you transported
3 drugs or money in the way that you just described?

4 A. Yes. Right there. A gentleman between the two guys with
5 the white and blue stripped shirt.

6 MR. NORKIN: Could the record reflect the witness has
7 indicated the defendant.

8 THE COURT: The record so reflects.

9 BY MR. NORKIN:

10 Q. How did you meet that person?

11 A. I met him at late 2007 at a meeting that we have. It was
12 arranged by a mutual friend of ours in a farm near the town of
13 Tela in Honduras.

14 Q. Okay. And did you learn a name or a nickname for him?

15 A. Yes. They all call him Compa.

16 Q. And that's how you were introduced, Compa?

17 A. Yes. I didn't know his name up until about three months
18 ago.

19 Q. Okay. And how did he call -- well, let me back up.

20 So when you would speak to him, you would just call
21 him Compa. Did you ever call him anything else?

22 A. No, just Compa.

23 Q. And how would he refer to you?

24 A. He would refer to me as Cappie.

25 Q. Cappie, and is that short for something?

1 A. For maybe captain, which normally in Honduras they call
2 captains, they're pilots of helicopters.

3 Q. Now when you first met him, did he ask you right away to do
4 narcotics work for him or was there an evolution?

5 A. No, he didn't ask me that. There was an evolution. At the
6 first meeting we just met. He told me that he was very much
7 interested in buying a helicopter for his personal
8 transportation. So we met there for about 20 minutes.

9 He was with his bodyguards in cars. He took my -- I
10 took my helicopter, landed it on the site that I described, and
11 afterwards he called me for personal transportation. After a
12 few months were passing, he started to ask me to move monies
13 and then all of a sudden we started moving drugs.

14 Q. Okay. So it's fair to say that your relationship developed
15 into one of trust?

16 A. Yes.

17 Q. Now, did you tell the DEA about Compa once he started
18 asking you about help in moving drugs?

19 A. Yes, I did.

20 Q. And what instructions, if any, were you given by DEA?

21 A. They told me to continue as normal so I don't get suspicion
22 by him, that they were working on the authorizations for me to
23 do all that, and that I was -- that it was okay for me to go
24 and do whatever he was asking me for to do.

25 Q. Okay. And in the course of doing work for Neftali, would

1 you take pictures and provide that to DEA?

2 A. Yes, I did.

3 Q. I am going to show you a series of pictures, but before I
4 do that I wanted to ask you, you mentioned bodyguards when you
5 first met him. Do you recall, approximately, how many there
6 were?

7 A. I remember three cars and about eight of them.

8 Q. Eight men or --

9 A. Eight men.

10 Q. Okay. And in the course of your dealings with the
11 defendant, would you continue to see him with bodyguards?

12 A. Normally people with guns and security guards around him,
13 yes, there were.

14 Q. And what kind of guns were they carrying?

15 A. All kinds of guns. Short guns and big guns. Like I don't
16 know how do you call them, but AR-15s.

17 Q. Basically guns that could fire more than one bullet at a
18 time, like a machine gun?

19 A. Yes, high-powered guns. Yes.

20 Q. What about the defendant himself, did you ever see him with
21 guns?

22 A. Yes, he used to carry one gun that I remember very much
23 because it was kind of unusual. It was a Herstal Five-Seven,
24 and it has very unique type of bullets. Very powerful.

25 Q. Okay. Did you and Compa talk about that gun?

1 A. Yeah. He told me about that gun and what it was good about
2 it. I am not a gun guy, but he told me that it was a very good
3 gun.

4 Q. When you say that it was a gun that carried unique type of
5 bullets, is the gun a pistol?

6 A. Yes, pistol.

7 Q. And so what's unique about the bullets?

8 A. The bullets are high powered, and I have seen those bullets
9 used in the high-powered rifles as well. So that's the unique.

10 Q. This was a pistol that had rifle bullets; is that correct?

11 A. That's correct.

12 Q. So I want to direct your attention to the screen in front
13 of you.

14 MR. NORKIN: If I could get the court's indulgence to
15 show this to the witness.

16 Q. I am showing you what's marked for identification as
17 Government Exhibits 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17.

18 Starting with Exhibit 8, can you see what's on your
19 screen there, sir?

20 A. Yes.

21 Q. I don't want you to describe it. I want to show you the
22 photographs first. Okay.

23 So do you see Government's Exhibit 8 on your screen?

24 A. Yes, I see it.

25 Q. Scroll down all the way through. I will stop.

1 This is Exhibit 9. This is Exhibit 10. Exhibit 11.
2 Exhibit 12. Exhibit 13 is that smaller photograph there.
3 Exhibit 14 right below. Exhibit 15, Exhibit 16, and Exhibit
4 17.

5 Are those photographs familiar to you?

6 A. Yes. I took those pictures.

7 MR. NORKIN: Government moves to admit Exhibits 8
8 through 17.

9 MR. CASUSO: No objection.

10 THE COURT: They will be admitted.

11 (Government's Exhibits 8 - 17 received in evidence)

12 BY MR. NORKIN:

13 Q. Let me back up to Exhibit No. 8. This is a photograph that
14 you took, correct?

15 A. Yes, I did.

16 Q. Can you describe to us what we see in the photograph?

17 A. Yes. The photograph was taken from inside the helicopter
18 out to the place where we were -- I mean, I was supposed to
19 upload those bundles full of drugs.

20 Q. When you say upload, what do you mean by "upload?"

21 A. They had loads and ready for me to pick them up and deliver
22 to some place that I was directed to.

23 Q. When you were moving the bundles, did you know what they
24 were?

25 A. Yes. They told me they were cocaine.

1 Q. Was there anything, other than them telling you it was
2 cocaine, was there anything that struck you about those bundles
3 that confirmed to you that they were in fact cocaine?

4 A. They have a very particular smell and when they get into
5 the cockpit, I had the opportunity to smell the cocaine.

6 Q. And where were you moving the cocaine from typically?

7 A. Different places. This place where this photograph was
8 taken was very close to little town called Juticalpa in
9 Honduras by the coast, Atlantic Coast.

10 Q. By what coast?

11 A. Atlantic Coast.

12 Q. Could you move the microphone closer to you.

13 A. Atlantic Coast.

14 Q. Go ahead. Where was it going?

15 A. Probably -- I mean, there was various different places
16 around the San Pedro Sula area and the border between Honduras
17 and Guatemala.

18 Q. Is it fair to say for all these transports you are taking
19 cocaine from a southern region basically to a northern region,
20 basically whether it's northern Honduras or basically into
21 somewhere in Guatemala?

22 A. Yes.

23 Q. Directing your attention to Government Exhibit 9. What's
24 pictured there?

25 A. There is a -- that was taken in --

1 MR. NORKIN: Sorry about that. My mistake. Can we go
2 back to --

3 Q. Just a one-sentence recap, Government Exhibit 8 was a
4 picture taken from the cockpit of your helicopter as you were
5 picking up bundles of cocaine somewhere in southern Honduras to
6 move north; is that correct?

7 A. That's correct.

8 Q. Then Government Exhibit 9, what do we see there?

9 A. I took that picture from the helicopter up to the -- where
10 I landed, there was by the San Esteban area, San Esteban,
11 Olancho. This place, I was downloading the truck that I took
12 out from La Mosquitia, and this truck and pickup, was supposed
13 to just pick it up from the helicopter and load it into that
14 truck.

15 Q. This is Government Exhibit 23 that's already in evidence.
16 You said, if I recall correctly, that this particular load
17 where we saw the open truck was moved from La Mosquitia to
18 Olancho; is that correct?

19 A. That's correct.

20 Q. On the map there is Mosquitia kind of all the way to the
21 right-hand corner of Honduras?

22 A. Yes. It's where you see the purple part of the map with
23 the name gracias adios. That's what they call La Mosquitia.

24 Q. Do you know why it's called La Mosquitia?

25 A. Probably because there's a lot of Miskit Indians around

1 there.

2 Q. Fair to say that's kind of an unpopulated area?

3 A. Yes, full of rain forests, and no roads to get in there,
4 just rivers and by helicopter.

5 Q. Okay. And then you move the drugs from there to Olancho.
6 And Olancho is indicated on Government Exhibit 23. It's kind
7 of that central yellow area; is that right?

8 A. Yeah, that is correct. There's a town called San Esteban.
9 That place was very close to San Esteban.

10 Q. I am moving the cursor over there.

11 Is that close to where you landed?

12 A. Yes, it is.

13 Q. How long does that trip take from a remote region in La
14 Mosquitia over to Olancho?

15 A. I would say probably around 45 minutes.

16 Q. Is it possible to move the drugs by car, for example, from
17 where you picked it up to where you dropped them off?

18 A. No, probably not, because there is no roads and they would
19 probably have to move it by little boats in the rivers up to
20 where the roads are available.

21 Q. Going back now to Exhibit 9, and we talked about 9. What's
22 Exhibit 10?

23 A. That's the same truck and pickup truck. It shows a little
24 bit closer that it has like a hidden compartment where they
25 were putting all the drugs or the bundles inside.

1 Q. Let's see if we can get a better -- here is Exhibit 10. Is
2 that a closeup view basically of a false floor or false bottom
3 compartment of the truck?

4 A. Yes. That was a closer view of the false compartment I was
5 telling you about.

6 Q. If we go back to Exhibit 10. See on the right side of the
7 picture what appears to be a bumper? Does that go over the
8 truck to cover up the false bottom compartment?

9 A. Yes, that's correct. It disassembles and it clears up the
10 way to just fill the false compartment with whatever you need
11 to put inside.

12 Q. Going back to Exhibit 12, is that the license plate of the
13 truck with the false compartment?

14 A. Yes. That's the license plate of the same truck.

15 Q. These are pictures you took for the benefit of the DEA; is
16 that correct?

17 A. That's correct.

18 Q. I will jump now to Exhibit 14. Could you tell us what you
19 see there?

20 A. There is that compartment, back compartment of the
21 helicopter where you could see some bundles full of cocaine or
22 drugs.

23 Q. Are these the same bundles we saw in the earlier exhibit or
24 is this a different load?

25 A. It's in a different load.

1 Q. Do you know -- well, let me back up.

2 Have you ever opened one of these bundles?

3 A. No, never.

4 Q. Do you have an understanding of how many kilograms are in
5 one of these bundles?

6 A. It depends. I would say between 25 and 30.

7 Q. I am going to Exhibit 15. Could you tell us what's in that
8 photograph?

9 A. This is a place in Lepaguare area in Olancho, where Compa
10 had a farm, and we used that to download the cargo brought in
11 from the Mosquitia or whatever place we were uploading. And we
12 used it as well as to refueling station, and that picture was
13 taken from inside the cockpit of the helicopter.

14 Q. What about Government Exhibit 16, is that the same
15 location?

16 A. That's the same location, but what is important right there
17 is to see the pickup truck with the two 55-gallon containers
18 where they kept the aviation fuel that we needed to refuel the
19 aircraft.

20 Q. Government Exhibit 17, is that a picture of the same farm
21 but now from an aerial view after you had taken off?

22 A. Yes. After I took off I went back and took the picture of
23 the same location.

24 Q. I want to go back to Government Exhibit 13. Government
25 Exhibit 13, did you take that photograph?

1 A. Yes, I did.

2 Q. And what's that a photograph of?

3 A. That's a yacht. That's a boat.

4 Q. Yacht.

5 A. In Guatemala, in a place called Rio Dulce.

6 Q. Why did you take that picture?

7 A. He wanted that picture and he was buying that boat from me.

8 I sold that boat to him. And I had instructions from the DEA
9 agents that they needed a picture of Compa.

10 Q. So you provided that to the DEA as well?

11 A. Yes, I did.

12 Q. Do you have an understanding of where the drugs came from
13 that you were picking up in Mosquitia and other parts south,
14 how they got there?

15 A. Well, he told me that they with were coming down -- I mean
16 up from Colombia and Panama, most of them, either by boats or
17 by airplanes. When we picked up by the shores of the Atlantic
18 Ocean, it was by boats, and in La Mosquitia it was because they
19 were coordinating the landing of the airplanes.

20 Q. And so would you go to locations where airplanes landed to
21 get those drugs?

22 A. Yes. Some airstrips that they were in the middle of the
23 jungle, I never got to see the airplanes because I was called
24 after everything was cleared up and no danger to me landing in
25 there and to pick it up, and I would normally get to those

1 airstrips and pick up the drugs.

2 Q. And when you are talking about airstrips, do you mean like
3 a formal paved runway or are you talking about something else?

4 A. No. It was very basic, like airstrips just worked with
5 like heavy equipment to move and clear the way for those
6 airplanes to land.

7 Q. And what's your understanding of what happened to the drugs
8 after you dropped them off in further points north?

9 A. My understanding was that he had agreements with some other
10 people involved in narcotrafficking, like Cesar, who is one of
11 the main customers, and Cachiros -- that's the name of the
12 family that used to do dealings with drugs and with him. And
13 so it was like them taking over after he delivered.

14 Q. And do you have an understanding of what happened once
15 those next people took over like Cesar or the Cachiros?

16 A. My understanding was that that they crossed the border
17 between Honduras and Guatemala and transported all the way to
18 the border with Mexico.

19 Q. By the way, the person you mentioned Cesar, do you know his
20 last name?

21 A. No, I don't.

22 Q. Did you ever meet anyone who worked with Cesar?

23 A. Yes, I did.

24 Q. Who did you meet?

25 A. I met his brother, Kio. Another fat guy, his name was

1 Cuache. That was his nickname but they called him also
2 Eduardo. He was from Guatemala. He used to work for a drug
3 dealer last name Perez, and Chalo as well.

4 Q. Who was Chalo?

5 A. Chalo was into operations. He was very good into doing
6 logistics to land the airplanes in this so-called airstrips
7 that I was telling you about.

8 Q. In La Mosquitia?

9 A. In La Mosquitia to do that. He was Guatemalan.

10 Q. You mentioned a fat guy named Cuache. What did you
11 understand his role to be?

12 A. He was like second-in-command with Cesar. He was very --
13 he was doing everything there. He knew about a lot of things
14 about the dealings because Cesar was like traveling between
15 Mexico and Honduras. So Cesar was always there. I mean Cuache
16 was always there.

17 Q. Do you know whether Cesar was linked or aligned with any
18 Mexican cartels?

19 A. Yes. He was very proud to say that he was very close to
20 the Chapo Guzman.

21 Q. Okay. Did you ever meet somebody whose nickname was Zope?

22 A. Yes, I did.

23 Q. Who was that?

24 A. I believe his last name was Montejo. He was -- like he
25 lived by the border of Guatemala and Mexico in a department

1 called Huehuetenango.

2 Q. We will spell that at another time.

3 A. It's kind of hard.

4 Q. What was Zope's role?

5 A. He was always taking delivery of the loads coming in from
6 Guatemala or Honduras, and probably he was the one that crossed
7 the border for them.

8 Q. Now you mentioned the Cachiroses, who were they?

9 A. I met the Cachiroses, they were from the Colon area and the
10 department in Honduras. They are very powerful and had
11 dealings with drugs, and two of them, brothers, one of them is
12 Javier and the other -- I don't remember his name right now.
13 But they are two brothers and they were very powerful drug
14 dealers.

15 Q. And do you know whether they had any business dealings with
16 Compa?

17 A. Can you say that again?

18 Q. Sure.

19 Do you know whether they had any business dealings
20 with Compa?

21 A. Yes, they did.

22 Q. How do you know that?

23 A. Because I saw them together and sometimes they have like
24 businesses between them two, and I was delivering between them
25 two.

1 Q. So just be a little bit more specific and explain that a
2 little more. When you say you were delivering between them
3 two, what does that mean?

4 A. That means that probably Compa will sell to Javier or
5 Lionel, is the name of the other brother who I didn't recall,
6 and they had agreements where they took over from one port or
7 the other in the same country.

8 Q. By the way, this person Zope, did you ever have an occasion
9 to transport him in your helicopter?

10 A. Yes. I did it once from Huehuetenango, on the border with
11 Mexico and Guatemala, to San Pedro Sula to a meeting with Cesar
12 and Compa.

13 Q. So you transported Zope from the border of Guatemala to San
14 Pedro Sula; is that correct?

15 A. That's correct.

16 Q. When you dropped them off, you saw it was a meeting with
17 Cesar and Compa?

18 A. Yes.

19 Q. Did you know a family called the Valles?

20 A. Yes.

21 Q. Did you do any work with them?

22 A. Their role in this activities were like -- they were the
23 ones that crossed the border between Honduras and Guatemala.
24 They had some farms in the border. So they were doing the same
25 thing as Zope was doing between Guatemala and Mexico, but in

1 between Guatemala and Honduras.

2 Q. And what about specifically Compa's people, did you meet
3 anyone who worked for him?

4 A. Yes, I met a lot of workers for him.

5 Q. Do you remember any of their names or nicknames?

6 A. They normally don't use names but nicknames. For example,
7 there used to be a couple guys called Cuanatos, who I think are
8 relatives to him, brothers of his wife. And there is another
9 guy named Anuar.

10 Q. Named Anuar?

11 A. Anuar. He was very smart. He was always with him, but not
12 in the field, just like going off along with him advising or
13 something.

14 Q. Okay.

15 A. There was a lawyer whose name is -- that was taking care of
16 all the deal things for him.

17 Q. When you say -- sorry to interrupt. When you say "deal
18 things for him," what do you mean by that?

19 A. Legal, legal matters, like setting up companies, buying and
20 selling properties, stuff like that.

21 Q. Okay. And this was a lawyer who worked for Compa buying
22 and selling properties and companies?

23 A. Yes, doing the legal paperwork needed to do all those
24 transactions.

25 Q. Okay. What were the roles of the Cuanatos that you

1 mentioned? What did they do?

2 A. They were into operative, like operation tasks on sites
3 like uploading helicopters, downloading them, or taking the
4 degree of the loads coming on the ocean. They were always on
5 sites because he trusted them very well, very much.

6 Q. Now, were you paid for the narcotics work that you were
7 doing moving drugs and moving money?

8 A. Yes, I was.

9 Q. And what currency were you paid?

10 A. I was paid in U.S. dollars.

11 Q. And when you moved drugs and money for Compa, did he also
12 pay you in U.S. dollars?

13 A. Yes, he did.

14 Q. How much would you get paid for a delivery? If you give us
15 some examples of money that you earned.

16 A. Between -- depends on the length of the trip, but between
17 80 and 200 dollars a kilo.

18 Q. And so what would that -- what do you remember as far as
19 the amounts that you were paid? If they are 80 to 100 dollars
20 a kilo, what kind of amounts were you given?

21 A. For each trip, probably rounding 400 kilos times \$100 would
22 be \$40,000. And when I transported money for him, it was a
23 flat fee of 10,000.

24 Q. Did there come a time when you needed to flee Central
25 America?

1 A. Yes.

2 Q. What happened?

3 A. I was informed by DEA that my life was in danger because
4 there was suspicion that I was involved in working with the
5 agency. And I was also flying for the Guatemalan president and
6 my life was in danger. So one day to the other, I had to come
7 to the U.S.

8 Q. And did agents help to move you and your family to the U.S.
9 when they informed you that there was a risk to your life?

10 A. No. I did it. They just gave me heads-up on what was
11 going on. I moved myself by my own means, and that was it.

12 Q. Okay. After your family got to the United States DEA
13 helped with the paperwork to allow them to stay for longer than
14 their visas, for example, and to work in the United States?

15 A. I came here on a tourist visa and I was granted six months'
16 stay, and after that they gave me some deferred action letters
17 to stay longer for two times. Now I am in the process of
18 getting my CAT and political asylum.

19 Q. And so you currently have a pending application for asylum
20 to remain in the United States; is that correct?

21 A. Yes. I am in the process of getting that.

22 Q. Okay. Were you ever charged with drug trafficking?

23 A. No, I was not.

24 Q. And what's your understanding now as to whether you can be
25 charged?

1 A. My understanding is that the time is passed for me to get
2 charged and since I have been longer here than five years, I am
3 not going -- I am not chargeable. I don't know. That's my
4 understanding.

5 Q. Okay. Basically the statute of limitations of your conduct
6 before cooperating with DEA has passed?

7 A. Yes, that's correct.

8 Q. Are you testifying here today pursuant to a subpoena?

9 A. Yes.

10 Q. You hesitated there.

11 A. Yeah because I didn't see the subpoena, but I was told I
12 had one.

13 Q. Okay. By your lawyers?

14 A. Yes.

15 Q. How long did you continue working for Compa?

16 A. I met him in 2007 and I went down working and had a
17 relationship with him up until October 2009.

18 Q. Can you estimate how many kilograms of cocaine you
19 transported for him over that time period?

20 A. I would guess not 100 percent accurate, but probably 6,000.

21 Q. And what's your estimate of how much money Compa paid you
22 for all of your work over those years?

23 A. I would say more than \$600,000.

24 Q. Did there come a time when Compa asked you to help him buy
25 his own helicopter?

1 A. Yes.

2 Q. And tell us about that.

3 A. That was -- from the beginning he was always very much into
4 buying his helicopter, and after we had a relationship he told
5 me that he needed to buy one for his personal use and his
6 families. So we signed a contract between him and/or his
7 lawyer and my company where I was going to act as a broker to
8 find him the best helicopter to buy, and so we did.

9 Q. And so did you end up helping him buy the helicopter?

10 A. Yes.

11 Q. Where did the helicopter come from?

12 A. We bought it in the company called Mansfield Heliflight up
13 in Vermont.

14 Q. That's Vermont, United States?

15 A. Vermont, United States, yes.

16 Q. And do you know how much was paid for that helicopter?

17 A. I would say approximately -- I don't have the figure in
18 mind, but it was 3 million dollars and 3 hundred thousand.

19 Q. And did you help in getting the money over to the Vermont
20 company?

21 A. Yes. He gave me a lot of checks that I put into couriers
22 or postal services to send it out to Vermont.

23 Q. I want to show you what's been marked -- and if I could
24 have just the witness' screen for the moment -- this is
25 Government Exhibit.

1 19. Do you recognize this?

2 A. Yes. That's a purchase agreement between the company that
3 was set up to buy the helicopter and the seller.

4 Q. And is this document actually one that you kept in your own
5 files and provided to the government?

6 MR. NORKIN: I can keep scrolling through it.

7 Q. Is that the document?

8 A. Yes. I kept this in my files and had this provided.

9 MR. NORKIN: The government moves to admit Exhibit 19.

10 MR. CASUSO: No objection.

11 THE COURT: It will be admitted.

12 (Government's Exhibit 19 received in evidence.)

13 BY MR. NORKIN:

14 Q. I want to direct your attention -- this was the end of it.
15 I will scroll back.

16 On this second-to-last page, what's written there
17 looks like Aeros Servicios Internacionales.

18 Are you familiar with that company?

19 A. Yes. That was the company that purchased the helicopter.

20 Q. Was that a company you purchased before the time of the
21 purchase?

22 A. Not until the time of the purchase.

23 Q. And do you know where that company is based?

24 A. You can see there. I think it's based in Panama.

25 MR. NORKIN: Scroll up a little bit earlier.

1 Q. This part of the contract is written in Spanish. It talks
2 about commission or commissionista. Is that a reference to
3 you?

4 A. That was like a brokerage contract that we signed between
5 the company that I owned and this Aeros Servicios
6 Internacionales, who was the buyer.

7 Q. I want to show you what's been marked for identification --

8 MR. NORKIN: Can I have the witness screen one more
9 time.

10 Q. -- as Government Exhibit 18C. I'm sorry for the quality of
11 the photograph. But do you recognize what is pictured there?

12 A. Yes. That was the helicopter that we sold to Compa.

13 MR. NORKIN: Move to admit 18C.

14 MR. CASUSO: No objection.

15 THE COURT: It will be admitted.

16 (Government's Exhibit 18C received in evidence)

17 BY MR. NORKIN:

18 Q. So where was that helicopter located when you made the
19 arrangements to purchase it?

20 A. It was located in Vermont, and it was picked up by a pilot
21 that he named and flew it all the way down to Honduras.

22 Q. Fair to say it had to take a variety of stops before it got
23 down to Honduras?

24 A. Yes, I believe so.

25 Q. And who was the pilot who flew it from Vermont to Honduras?

1 A. Pilot was -- pilot named, last name Salgado.

2 Q. I want to show you what's been marked for identification as
3 Government Exhibit 20B.

4 MR. NORKIN: I guess I should say any objection to
5 20B?

6 MR. CASUSO: No.

7 MR. NORKIN: So we can leave the jurors' screen on.

8 Q. That's a better picture of the helicopter, 20A, correct?

9 A. That's correct.

10 Q. And 20C is this picture. Is that the person you referred
11 to just now as Salgado?

12 A. Yes. His name is Jorge Salgado.

13 Q. And other than being the person who flew the helicopter
14 from Vermont to Honduras, did you know him separately?

15 A. Yes. He used to fly for my company before. And he was no
16 longer working for me. And when the company needed a pilot, I
17 recommended him to him.

18 Q. Do you know why Compa had so many bodyguards? Did he ever
19 discuss that with you?

20 A. Well, I guess he was worried.

21 Q. Don't guess.

22 A. He was worried about his security. He had an enemy that he
23 was worried. I don't know his name or what was the problem
24 between them. But that was the reason he told me that he had
25 to use security around him.

1 Q. So he told you that he had this enemy; is that correct?

2 A. Yes, that's correct.

3 Q. I'd now like to show you what's been marked for
4 identification as Government Exhibit 1.

5 MR. NORKIN: Your Honor, may I approach the witness?

6 THE COURT: All right.

7 BY MR. NORKIN:

8 Q. Do you recognize that exhibit?

9 A. Yes. This is a CD that I signed containing the
10 conversations that I recorded between myself and Compa over the
11 phone.

12 Q. Did you listen to the CD, the conversation?

13 A. Yes, I listened to three of them in the CD.

14 Q. Did you confirm that those were the same conversations
15 which you recorded and hadn't been changed or anything like
16 that?

17 A. They haven't been changed. I recorded them and surrendered
18 them to DEA agents.

19 MR. NORKIN: The government moves to admit Exhibit 1.

20 MR. CASUSO: No objections.

21 THE COURT: It will be admitted.

22 (Government's Exhibit 1 received in evidence)

23 BY MR. NORKIN:

24 Q. Did you also help to prepare transcripts of those
25 conversations?

1 A. Yes, I did.

2 Q. And you reviewed transcripts while you were listening to
3 the recordings?

4 A. Yes, I did.

5 Q. And on one side of the transcript -- I should say, the
6 conversations are in Spanish, correct?

7 A. That's correct.

8 Q. On one side of the transcript you saw the Spanish
9 translation?

10 A. That's correct.

11 Q. The Spanish language, correct?

12 A. Yes.

13 Q. On the other side, in the column, there was an English
14 translation?

15 A. That's correct.

16 Q. And you reviewed both, correct?

17 A. Yes, I did.

18 Q. And you marked up times where you thought there were
19 corrections or edits based on what you heard and what you
20 remembered of the conversation, correct?

21 A. Yes, I did.

22 Q. And the transcripts are accurate reflections to the best
23 that you could remember and hear about those conversations; is
24 that correct?

25 A. That's correct.

1 MR. NORKIN: The government moves to admit Exhibits
2 1A, 1B, and 1C.

3 MR. CASUSO: No objections.

4 THE COURT: It will be admitted.

5 (Government's Exhibits 1A - 1C received in evidence)

6 MR. NORKIN: Your Honor, I have a copy of the
7 transcripts.

8 May I have permission to hand them out to the jury?

9 THE COURT: All right.

10 MR. NORKIN: I am handing out first what's been
11 admitted as 1C.

12 May I approach the witness to hand him one as well?

13 THE COURT: All right.

14 MR. NORKIN: Your Honor, the sum total of the
15 recordings is six minutes. The first one I am going to play is
16 a little bit under two minutes. The second one is under one
17 minute, and the third one is a little bit over three minutes.

18 I am going to play them in their entirety one at a
19 time and then afterwards I am not going to replay them again.
20 I am going to ask the witness about the transcript portion of
21 the conversation.

22 THE COURT: Okay.

23 BY MR. NORKIN:

24 Q. So I am playing for you right now, Mr. Lozano, a
25 conversation from Exhibit 1, and it corresponds to Government

1 Exhibit 1C, transcript.

2 Let me try again. I don't know the volume on this I
3 am just warning folks.

4 (Whereupon, audio is played.)

5 (Whereupon, audio is stopped.)

6 Q. If you can go back to the first page. In the very top, in
7 the beginning -- let me back up.

8 Is that a conversation between you and Compa over
9 here?

10 A. Yes.

11 Q. At the very top of the transcript you hear Compa say "Copy,
12 Copy." Is that the nickname that he called you by?

13 A. Yes, that's the nickname he used for me.

14 Q. And going down a little bit lower in the conversation, kind
15 of towards the top, Compa asks about the fog in the air.

16 What is that about?

17 A. He was like reporting that where I was supposed to pick up
18 the loads of drugs it was foggy, because normally it was very
19 early in the morning. So it was foggy at that time.

20 Q. And then going back, going to the bottom of the page, you
21 say to him: What we also need from the other side to see which
22 spot because like right now there are two now, right?

23 And he responds: What I was going to tell you was
24 that look on the other side.

25 And then it carries over: Now in the morning, nobody

1 is able to do it because I just got here a short time ago.

2 What is that part of the conversation about?

3 A. Can you point where is that right here in the transcript?

4 Q. Sure. It's bottom of page 1. There is a box that starts
5 "look, what we also need is, um." That's you speaking, and
6 then he responds to you.

7 A. Uh-huh.

8 Q. Can you explain to us what you are talking about there
9 when -- other spot and other side and what those references
10 are?

11 A. Yeah. He was referencing that we needed to look up for
12 another place because right now there was nobody that would
13 take the load, and he was just getting it to the place and he
14 hasn't been able to coordinate.

15 Q. Okay. So what do you mean look for another spot because
16 nobody was able to take the load? What does that mean?

17 A. Where it was delivered, supposed to be delivering the load,
18 there was no one ready to take the load yet.

19 Q. Meaning where you were going to transport it to when you
20 were going to land and offload the drugs, there was no one to
21 pick them up from that spot?

22 A. That is correct.

23 Q. And so at the top of page 2 where it continues with him
24 saying: We left it here, the departure, it could be an option,
25 it will be for the second load, I have to give you something,

1 another option, we are ready there, whenever you want to go
2 out. What's your understanding of what he's instructing you?

3 A. That he is just working to see what we are going to do with
4 the second load.

5 Q. Okay. And to ask the obvious question, was there a first
6 load?

7 A. Sure. This was the -- I mean, was going to be two loads.
8 The one is, the first one was going to be ready in half an hour
9 I heard, and the second one he just wanted to just make sure
10 that everything was okay to do it.

11 Q. Okay. And how many kilograms could your helicopter hold?
12 When we are talking about two loads, what amounts are we
13 talking about?

14 A. Probably around 450.

15 Q. Kilos for each load?

16 A. Yes.

17 Q. Now, down towards the bottom middle kind of page 2, there
18 is a box where Compa is speaking and he says: There where it
19 was yesterday. You ask: The same one. And he says: Yes.
20 And then you say: I saw there was, there was some close to a
21 town. And Compa eventually responds: But it's the same thing
22 anyway and last.

23 Could you tell us what that portion of the
24 conversation is about?

25 A. Yeah. He was telling me that there was the same town where

1 we went yesterday. I was telling him that I was worried or
2 concerned about there being a little town close by.

3 Q. Explain why were you worried or concerned about there being
4 a town close by to the spot where you had picked up drugs?

5 A. Because normally you want to do this without nobody
6 noticing, and he would say there that it was everything under
7 control.

8 Q. What does that mean "under control?"

9 A. Normally it's because the town is friendly, they are not
10 going to be any, they are not going to denounce or anything
11 like that, probably to police, or the authorities are already
12 taken care of.

13 Q. Okay. When you say "taken care of," you mean paid off?

14 A. Yes.

15 Q. So at the top of page 3 when Compa tells you: I think in
16 half an hour we will be ready, what's your understanding of
17 that?

18 A. That they will be ready and will pick up in half an hour,
19 and I respond to him that just give me a heads-up and I will
20 leave and to pick it up.

21 Q. Okay. When you say "to pick it up," you mean to pick up
22 the drugs to transport?

23 A. Yes.

24 MR. NORKIN: Let me play now another conversation, and
25 this correspond to transcript 1B. This is a conversation

1 that's less than a minute.

2 (Whereupon, audio played.)

3 (Whereupon, audio is stopped.)

4 Q. So towards the top of that page when Compa says:

5 Everything is okay over there, the guy told me, what was your
6 understanding of what he was communicating to you?

7 A. I understand that he was telling me that everything was
8 okay at the delivery point.

9 Q. And what does that mean for something to be okay at a
10 delivery point?

11 A. That they are ready to -- I mean, they will probably be
12 there and everything is set up for me to land there.

13 Q. Okay. You say: I understand it's probably obvious to you,
14 but when you are talking about everything being ready, meaning
15 people, there will be people to offload and take the drugs from
16 you?

17 A. That's correct.

18 Q. When you ask below: With the same thing as yesterday,
19 right? And he says: Yes. What do you mean by that, "the same
20 thing as yesterday?"

21 A. Probably would be this because we were using the same
22 delivery point that we used yesterday.

23 Q. Okay. So this was a second load that you were doing to the
24 same delivery point?

25 A. Yes. One day before we did one and this day, the day of

1 the recording, I was doing the second one.

2 Q. Okay. Now, there is a reference there to Don Fermin. Who
3 is that?

4 A. I don't recall that name.

5 MR. NORKIN: Now I want to play the recording that
6 corresponds with transcript 1A.

7 May I approach the witness?

8 THE COURT: Yes.

9 (Whereupon, audio played.)

10 (Whereupon, audio is stopped.)

11 BY MR. NORKIN:

12 Q. Going to the beginning of that conversation, if you go to
13 the bottom of page 1, Compa asks you: Has Dona Celia contacted
14 you.

15 Who did you understand that to be a reference to?

16 A. Dona Celia was a nickname that was used for Cesar.

17 Q. Why not just say Cesar?

18 A. I don't know. Probably to disguise the enemy.

19 Q. What about at the very top of page 2 when you say: She
20 hasn't. I have asked Chalito, but he doesn't have any
21 messages. What are you explaining there?

22 A. That I was also looking for Caesar and I haven't been able
23 to know his whereabouts, and I have talked with Chalito, who is
24 one of his workers, but he didn't give me any answers on that.

25 Q. And Chalito, is that the same person that you talked about

1 before, Chalo, who arranged for logistics of airplanes in
2 Mosquitia?

3 A. Yes, that's the same person.

4 Q. On that same page 2, a little below where you say in the
5 box: Because remember that it remained pending there, you
6 know. Compa responds: Yes, and I also have loads to lay
7 there. What are you talking about?

8 A. I was talking about that Cesar was owing money and he would
9 say also that he had some collection to do with him as well.

10 Q. When you say "he would say," who is the "he" you are
11 talking about?

12 A. Compa.

13 Q. Okay. So Compa is telling you that Cesar owes him money as
14 well for loads that are delayed?

15 A. Yes.

16 Q. And then a little bit below when Compa says: Yes, but his
17 brother isn't do anything. I have talked, I have met several
18 times, and it's not the same.

19 Who do you understand Compa to be talking about there?

20 A. Cesar's brother. His name is Kio. He normally took care
21 of business along with Cuache, who I mentioned before, but he
22 is saying things are not the same dealing with him as it is
23 dealing directly with Cesar.

24 Q. What was your understanding of it's not the same dealing
25 with him as it is dealing directly with Cesar?

1 A. My understanding was that Kio was not a decision taker. He
2 is always relying on instructions from his brother Cesar. So
3 he was not taking any decisions at that time.

4 Q. Okay. And at the bottom of the page, on page 2, you see it
5 says: Yes, and Copy. Is that Compa addressing you again as
6 Copy?

7 A. Yes.

8 Q. And there is a reference to Salgado. Do you see that in
9 that same box?

10 A. That's correct.

11 Q. Is that the person you talked about before, who flew the
12 helicopter from Vermont?

13 A. Yes.

14 Q. So starting there and basically for the rest of the two
15 pages, what are you discussing there regarding Salgado and
16 helicopters?

17 A. He told me that he was worried about the fact that Salgado
18 checked --

19 Q. I'm sorry to interrupt. When you say "he," who are you
20 talking about?

21 A. He, Compa.

22 That Compa was worried about Salgado having checked on
23 the web about the serial number on the helicopter that he was
24 about to take delivery of. But that serial number was for my
25 helicopter that's already wasn't used. So I told him that

1 probably there was a mistake on him trying to get that
2 information from the web, and that I was going to just make
3 sure that there was no problem.

4 Q. Those second two pages are basically a discussion between
5 you and him about the purchase about that helicopter and
6 Salgado; is that correct?

7 A. That's correct.

8 MR. NORKIN: May I have a moment to consult?

9 THE COURT: Yes.

10 (Pause)

11 BY MR. NORKIN:

12 Q. I think I might have forgotten to ask you something. When
13 we were going down the list of other people that you knew, did
14 I ask you about the -- or I guess I will ask you now. Did you
15 know the Lorenzana family?

16 A. Yes, I did.

17 Q. Did you have personal dealings with them?

18 A. Yes.

19 Q. Who are they?

20 A. They were a family or they are a family involved in
21 narcotrafficking in Guatemala, in the Zacapa area. I believe
22 they are already here in the U.S. in trial.

23 Q. Do you know if there was any relationship between the
24 Lorenzana family and Compa?

25 A. Yes.

1 Q. How do you know?

2 A. Because he told me.

3 Q. Okay. And when you say "he," you mean Compa?

4 A. Compa told me, yes.

5 Q. What did he say about the Lorenzana family?

6 A. That they had dealings with him before, but that was before
7 I met him. And I remember him telling me that they owe him
8 money and he had a house there in Zacapa that was part of the
9 payments, but he was not able to use it because he didn't live
10 up there.

11 Q. When you said he had dealings, you mean narcotics
12 trafficking or something else?

13 A. Yes.

14 Q. Narcotics trafficking?

15 A. Narcotics trafficking, yes.

16 MR. NORKIN: No further questions.

17 THE COURT: Cross.

18 CROSS-EXAMINATION

19 BY MR. CASUSO:

20 Q. Mr. Lozano, you started flying helicopters in 2004?

21 A. Yes.

22 Q. Okay.

23 A. I mean no. I started to flying for narcotics in 2004. I
24 started flying helicopters in 1987.

25 Q. So from 1987 to 2004 you were a legitimate pilot, right?

1 A. That's correct.

2 Q. Okay. Did you have your own company?

3 A. I used to. Not anymore.

4 Q. Okay. Back then in 2004, when you started flying for, you
5 are saying traffickers, did you have your own company or were
6 you a pilot employed by a company?

7 A. I had my own company.

8 Q. Okay. And you owned your own helicopter?

9 A. The company owned the helicopters and I owned the company.

10 Q. But the company is you, right?

11 A. Yes.

12 Q. You are the company, right?

13 A. Legally it's different. But I was the owner of the
14 company.

15 Q. Okay. So you were the owner of the company that owns a
16 helicopter?

17 A. Yes.

18 Q. Right. Okay. And in fact, when you were flying
19 helicopters, at least legitimately, you said that you flew for
20 the president of Guatemala; is that correct?

21 A. That's correct.

22 Q. Did you fly for the president of Honduras?

23 A. That's correct.

24 Q. You didn't fly dope for the president of Honduras, did you?

25 A. No, I didn't.

1 Q. Or the president of Guatemala?

2 A. No, I didn't.

3 Q. You had some pretty good credentials, did you not?

4 A. I guess I did.

5 Q. Well, you know you did, right?

6 A. That's correct.

7 Q. And what is it that made you start flying drug loads for
8 people?

9 A. The money.

10 Q. You needed money?

11 A. Yes.

12 Q. You weren't making enough money flying your helicopter?

13 A. No.

14 Q. So you needed money and then you started flying loads of
15 drugs for people, right?

16 A. That's correct.

17 Q. Who else did you fly drugs for?

18 A. There was some other drug traffickers in Guatemala before.
19 The Lorenzanas was one of them. There was -- let me remember.

20 Q. A number of people, right?

21 A. Yeah, a number of people, like four more. Javiera was one
22 of them.

23 Q. And there came a time, sir, that you say that in 2007 you
24 were approached by people from the DEA that told you that you
25 could be in trouble, right?

1 A. That I could be what?

2 Q. In trouble.

3 A. Yes.

4 Q. With the law, right?

5 A. That's correct.

6 Q. Did they give you a choice that you could maybe cooperate
7 with them and help them out and maybe they could look the other
8 way or maybe not? Right?

9 A. They told me that I had a choice, and I did decide what to
10 do.

11 Q. What was your choice?

12 A. To cooperate.

13 Q. Okay. What else? Be charged?

14 A. Probably I would get indicted.

15 Q. And this happened in 2007?

16 A. That's correct.

17 Q. And you started cooperating with them, correct?

18 A. Yes.

19 Q. And there came a time, sir, when you stopped flying these
20 loads and the people and the DEA told you basically your life
21 was in danger, right?

22 A. That is correct.

23 Q. And when did that happen?

24 A. That was in the beginning. January 2013.

25 Q. At the beginning of January 2013. Then you did what? Did

1 you come to the U.S.?

2 A. I came to the U.S.

3 Q. Okay. Did you come to the U.S. with the government's help
4 or did you come here on your own?

5 A. I came here on my own.

6 Q. What is your immigration status now, sir?

7 A. I have asylum and CAT process pending.

8 Q. You are actually -- you are a parolee here, correct? You
9 are not a resident?

10 A. I am not a resident, yes.

11 Q. You are not a citizen?

12 A. That's correct.

13 Q. Right. You are here at the -- you are here as long as the
14 government allows you to be here, would that be correct?

15 A. That is correct.

16 Q. Now, these conversations that you tape recorded, when did
17 they happen?

18 A. 2008.

19 Q. In 2008. Okay.

20 So basically, and you said this yourself, most of the
21 transportation of drugs that you did is way past five years,
22 right?

23 A. That is correct.

24 Q. Okay. Way past the statute of limitations, correct?

25 A. That is correct.

1 Q. Okay. And you are not doing that anymore, are you?

2 A. No.

3 Q. You'd be crazy to do it, right?

4 A. I guess so.

5 Q. And you are here, you are trying to help yourself,
6 understandable, correct?

7 A. Yes.

8 Q. But you said that at some point there was a helicopter that
9 was sold for \$3 million?

10 A. Yes.

11 Q. Did you take part in that?

12 A. Yes. I was a broker on that sale.

13 Q. Let me ask you this. Was there anything illegal about
14 that?

15 A. No. Just the sale of a helicopter.

16 Q. It's the sale of a helicopter, right?

17 A. Yes.

18 Q. That's not illegal, right?

19 A. Well, no.

20 Q. Okay. Did you take a commission on that?

21 A. Yes, I did.

22 Q. All right. And it was done -- the helicopter was bought
23 from some company in Vermont?

24 A. That is correct.

25 Q. And you were sort of -- were you the broker on it?

1 A. I was the broker.

2 Q. So you took a fee?

3 A. Yes.

4 Q. You are entitled to do that, right?

5 A. Yes. I have a contract.

6 Q. Nothing wrong with that, right?

7 A. No.

8 Q. Now, in your testimony here you said you did some illegal
9 things for the defendant here, correct?

10 A. That is correct.

11 Q. Now, the illegal things that you say you did was you
12 transported drugs within Honduras from one point to another?

13 A. Yes.

14 Q. And when was the last time you did that, sir?

15 A. The first half of 2009.

16 Q. 2009. Over five years ago, right?

17 A. Yes.

18 Q. Now I am going to ask you about these photographs that the
19 prosecutor put up for you, but I want to ask him to put them up
20 again because I don't know how to work this thing.

21 Let me see if they can help you and I will ask you
22 about them.

23 MR. NORKIN: Your Honor, may I have permission to stay
24 here with Mr. Casuso?

25 THE COURT: All right.

1 BY MR. CASUSO:

2 Q. Now, this is Government Exhibit 8. Do you see it?

3 A. Yes, I do.

4 Q. Okay, sir. Now, that is a picture taken from inside the
5 helicopter?

6 A. That is correct.

7 Q. Did you take that?

8 A. Yes, I did.

9 Q. Okay. The gentleman in the red here, who is that?

10 A. I don't know.

11 Q. And you are saying these bundles here, these white bundles
12 you are saying, did you transport those?

13 A. Yes, I did.

14 Q. Let me ask you that. Now, obviously at this point you are
15 working for the people in the DEA, right? That's why you are
16 taking these pictures?

17 A. Yes.

18 Q. Right. Okay. Did you tell them that you were transport --
19 did you transport these bundles?

20 A. Yes.

21 Q. Did you open them up and look inside?

22 A. No.

23 Q. But you say that you could smell it?

24 A. Yes, that's correct.

25 Q. And you knew about the smell of cocaine, right?

1 A. Yes.

2 Q. And to you that looked like it was cocaine?

3 A. Correct.

4 Q. Now, did you tell the government after where you
5 transported that?

6 A. Yes.

7 Q. And what happened? Did anybody seize it, as far as you
8 know or --

9 A. No, they didn't. My job was just give them information and
10 that's what I did.

11 Q. But would you tell them where you took the stuff?

12 A. Can you repeat that?

13 Q. Yes.

14 Would you tell them where you took it?

15 A. No, I didn't. I didn't ask them what they did with it
16 afterwards.

17 Q. This other picture, this is a truck, and this is where?

18 A. That is by the town of San Esteban in Olancho department.

19 Q. Is there any cocaine there that we can see?

20 A. No, there is not.

21 Q. It's just an empty truck?

22 A. Yes.

23 Q. Did you take those?

24 A. I took those.

25 Q. Okay. The other one, this other one, same thing, any

1 cocaine there?

2 A. Yes. There is some bundles in the left-hand side that are
3 cocaine.

4 Q. In the left-hand side?

5 A. Yes.

6 Q. Okay.

7 A. By the gentleman with the green shirt.

8 Q. With the green?

9 A. Yes.

10 Q. Did you take them over there?

11 A. Yes, I took them.

12 Q. In your helicopter?

13 A. In my helicopter I delivered them.

14 Q. When you were working for the DEA or the agents, these are
15 DEA agents in Honduras, as far as you know?

16 A. Everywhere. I had contact with DEA agents from Washington,
17 Guatemala, and Honduras. Most of them Americans.

18 Q. Were you working with any Honduran police?

19 A. No.

20 Q. You didn't trust them, right?

21 A. I didn't.

22 Q. Why not?

23 A. Because they are not trustworthy.

24 Q. Okay. A lot of them are crooked, right?

25 A. Yes.

1 Q. And this is a picture, actually, of the defendant, right,
2 except he seems to be a lot heavier? Right?

3 A. Yes.

4 Q. He lost some weight, right?

5 A. Probably yes.

6 Q. And he is there on a boat that -- you sold him that boat,
7 right?

8 A. Yes, I did.

9 Q. It's a pleasure boat, right?

10 A. It is a pleasure boat.

11 Q. Where was that taken?

12 A. Rio Dulce, Guatemala.

13 Q. What year was that?

14 A. That was 2008.

15 Q. You are saying back then in that time when you were doing
16 that, you stopped doing that after you were told by the DEA
17 that you were in danger, right?

18 A. Yes.

19 Q. Okay. You are saying back then when you were doing that
20 during those years you were paid a certain amount of money to
21 transport drugs and other monies, other monies to transport
22 money?

23 A. That is correct.

24 Q. Correct. Okay.

25 Now, if, for example, if somebody found out someone in

1 authority, okay, be it the police that you were transporting
2 money in your helicopter, would they take your helicopter?

3 A. You mean in Guatemala?

4 Q. Guatemala, any country. Would they forfeit your
5 helicopter?

6 A. Probably. I'd probably be charged by that.

7 Q. Do you have any pending charges?

8 A. In Guatemala?

9 Q. Yes.

10 A. Yes, I do.

11 Q. What pending charges do you have in Guatemala?

12 A. I was involved with the president of Guatemala in 2012. I
13 was flying for him and I had dealings with the Port Authority
14 to, for the expansion of the Port Authority in the Pacific
15 Ocean. So I put together a deal for some Spanish company to
16 come to Guatemala, invest their money, and to get a contract
17 for them to be able to do that.

18 For that, I got a commission. And then I was going to
19 get a commission, but I never got it because the president and
20 the vice president told -- I mean, told me that they were not
21 going to give it to me and they were going to keep it. So the
22 government charged me with me being the one that produced that
23 deal, and they are in jail for that. So I was charged for that
24 as well.

25 Q. Okay. But as far as you know, there's been no move to like

1 extradite you to Guatemala?

2 A. No, there have not.

3 Q. You are a citizen of what country?

4 A. I am citizen of Guatemala and I am a citizen of Spain.

5 Q. So even though you are a citizen of Guatemala, there is a
6 warrant out for you in Guatemala, you haven't been sent over
7 there?

8 A. No, I haven't.

9 Q. Is that because of your assistance here in part?

10 A. I believe it's because of my asylum process.

11 Q. Okay. So but as we said, all this stuff that you related
12 is years ago, over five years ago, right?

13 A. Yes.

14 MR. CASUSO: That's all I have.

15 A. Excuse me. All the stuff that you related, can you explain
16 that to me?

17 Q. Yes, sir.

18 Your recordings here, your movement of drugs, your
19 movement of money, that sort of thing.

20 A. Oh, yes, that's more than five years ago.

21 Q. More than five years ago. Okay.

22 MR. CASUSO: Sir, thank you very much. I appreciate
23 it.

24 THE COURT: Redirect.

25

REDIRECT EXAMINATION

BY MR. NORKIN:

Q. You were asked about the Guatemalan charges. Are you cooperating with that investigation?

A. Yes. In 2015 there was a commission in Guatemala called CICIG, who is founded by the United Nations and the U.S. government. Right now the head of the CICIG is a Colombian named Ivon Velasquez, who at that time I thought was a very trustworthy gentleman.

So I had the opportunity to contact him because I thought that I had very good information for him to process regarding the wrongdoings of the president and vice president of Guatemala. So we met here in Miami, and I told him everything I knew about that deal.

We signed a letter where he was not going to use anything that I was telling him against me. But to my surprise, in April 2016 he charged me for the same things that I told him. So I don't know the reason, but that was the reason why I have this charge in Guatemala.

Q. After being charged, you continued, effectively, cooperating with the investigation?

A. Yes. I have had two more meetings with them.

Q. And is it your understanding that the charges are going to be -- is it your understanding that the charges are going to be dismissed?

1 A. That's what they promised. They haven't done that yet.

2 Q. And have they sought your extradition from the United
3 States or anything like that?

4 A. No, they haven't.

5 Q. You were asked about also what happened with the bundles
6 that you were transporting and what DEA did. When you were
7 cooperating with DEA, did they give you a badge?

8 A. No, they didn't.

9 Q. Did they make you an agent?

10 A. No, they didn't.

11 Q. Did they tell you what they were doing, whether they were
12 seizing things or not seizing things or what operations they
13 were running? Did you learn any of that?

14 A. I was just focusing on doing what I promised them to do or
15 I have been asked by them to do and I never ask any questions.

16 MR. CASUSO: Nothing further.

17 THE COURT: Thank you. You may step down.

18 (Witness excused)

19 THE COURT: Call your next witness.

20 MR. SCHUSTER: Oscar David Pulgarin-Ganan.

21 OSCAR DAVID PULGARIN-GANAN,

22 having been first duly sworn on oath, was examined and
23 testified as follows:

24 THE DEPUTY CLERK: State full name for the record.

25 THE WITNESS: Oscar David Pulgarin.

DIRECT EXAMINATION

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BY MR. NORKIN:

Q. Good afternoon, sir.

A. Good afternoon.

Q. I see you are wearing a prison uniform. Are you currently incarcerated?

A. Yes, sir.

Q. Have you pled guilty to something?

A. Yes, sir.

Q. What have you pled guilty to?

A. Drugs.

Q. Is that drug trafficking?

A. Yes, sir.

Q. And what did you do that makes you guilty of drug trafficking?

A. Could you repeat that?

Q. Yes.

What did you do, what was your role in drug trafficking that made you guilty of that crime?

A. I transferred drugs.

Q. And where were you located when you transferred drugs?

A. In several countries.

Q. Which countries?

A. Panama, Costa Rica, Nicaragua, Honduras, Guatemala.

Q. What types of drugs did you transport?

1 A. Cocaine.

2 Q. What types of quantities did you transport?

3 A. More than 25 tons.

4 Q. And is that over a period of time?

5 A. Yes, sir.

6 Q. And how long have you been in prison?

7 A. It will be three years.

8 Q. Have you been sentenced for your crime?

9 A. Yes, sir.

10 Q. What sentence did you receive?

11 A. Twenty years.

12 Q. Now, sir, do you see anyone sitting in this courtroom who
13 you engaged in drug trafficking with?

14 A. Yes, sir.

15 Q. Would you please point to that person and identify him or
16 her by an article of clothing they are wearing?

17 A. Of course.

18 That's Neftali, and he is wearing a black jacket and a
19 stripped shirt.

20 MR. SCHUSTER: Your Honor, would the record please
21 reflect the witness has identified the defendant.

22 THE COURT: The record will so reflect.

23 BY MR. NORRIN:

24 Q. Sir, when you engaged in drug trafficking with the
25 defendant, did you know him by any nicknames?

1 A. Yes. El Compa.

2 Q. When did you first meet the defendant?

3 A. I met him around 2005, 2006.

4 Q. Where was that?

5 A. In Guatemala, in a hotel called Qunita Real.

6 Q. What were the circumstances of that first meeting with the
7 defendant?

8 A. Well, we had already done some movements in drugs and this
9 was an opportunity to be able to meet the well-known Neftali.

10 Q. And when you say "we," who are you talking about?

11 A. I am referring to the group of us, the Colombians, who were
12 working in that transferring or moving of drugs.

13 Q. Who are some of the people you worked with, the other
14 Colombians you worked with in the movement of drugs?

15 A. It was through, when we had drug runs and drug movement at
16 that time, it was through an individual Colombian, individual
17 called Yaris from San Andres, Colombia.

18 Q. Did you work for anyone at that time in 2005, 2006 period?

19 A. Yes, sir.

20 Q. Who did you work for?

21 A. For Manuel Mosquera.

22 Q. Did Manuel Mosquera have any partners?

23 A. It was just one partner because he literally preferred to
24 work on his own line.

25 Q. Who was that one partner?

1 A. Jose Perez.

2 Q. And what was your role in transporting these drugs at that
3 time in 2005, 2006?

4 A. During 2005 and 2006, I would have to stay in the compounds
5 where it was received in Panama.

6 Q. So you received large shipments of cocaine in Panama?

7 A. Yes, sir.

8 Q. And you testified a few moments ago that Neftali was
9 well-known. What was he well-known for?

10 A. When I first heard of him was when I arrived in Panama, and
11 I was there to receive the shipments when they arrived from
12 Colombia, and I would have to receive the boats from Colombia.
13 The Honduran crew would come down, and that was under the
14 directions of Bolantillo.

15 Q. And who did Bolantillo work for?

16 A. Nor Neftali.

17 Q. When you say the Honduran crews came to receive the
18 shipments, can you tell us how that worked.

19 A. Can you clarify, sir.

20 Q. How did the shipments arrive to the Honduran crews?

21 A. Well, on a given day you would have first a Colombian crew
22 arrive.

23 Q. How did the Colombian crew arrive?

24 A. On a go-fast boat. That go-fast boat would arrive in a
25 town in Panama and I would automatically receive that boat with

1 the merchandise. And on the following day, then the crew from
2 Honduras would be arriving.

3 The town where it was received in Panama was called
4 was Azuero. And when we received the amount of cocaine where
5 we could be talking about 3 tons, whenever I received it, and
6 then the organization of Jose Perez and Manuel Mosquera, the
7 3 tons arrived in one single boat from Colombia, but for
8 Honduras two boats were required because of the weight and the
9 number of miles to get to Honduras. And for the first
10 dispatch, that was with Bolantillo, and that was leaving with
11 1.5 tons. And once that first ton was successful, then he
12 comes down with money.

13 Q. And when you say "he," sir, are you talking about
14 Bolantillo?

15 A. Yes. Whenever we speak about anything on water, whether it
16 was the merchandise, the money, whatever, it was both, it was
17 always referred to Bolantillo. We are speaking about
18 Bolantillo.

19 Q. And, sir, those Honduran crews who were meeting the
20 shipments of cocaine, who did they work for?

21 A. Nor Neftali. For Neftali.

22 Q. So what happened after the handoff was made to the Honduran
23 crews?

24 A. Once that shipment arrives in Honduras, that crew has to
25 automatically come down again. And once that crew arrives at

1 the spot, at that place in Panama, the second time so much
2 money is then delivered in order to be able to pick up the
3 second load.

4 Q. And did you receive that money?

5 A. Well, it was received in several portions. One was
6 received with the group of Jose Perez, and Walter received that
7 money, who is also known as El Sobrino, and I had to deliver
8 the remaining amount of merchandise.

9 Q. And are those workers related to or work for Jose Perez who
10 you just mentioned?

11 A. Yes, sir.

12 Q. What currency was the payments made in?

13 A. Dollars.

14 Q. United States dollars?

15 A. Yes, sir.

16 Q. Sir, after your first meeting, what did you discuss during
17 your first meeting with the defendant in 2005 and 2006 at that
18 hotel?

19 A. Before I met with him, I first had a conversation with him
20 from that spot at the compound.

21 Q. Was that by the phone?

22 A. Yes, satellite phone.

23 Q. And what did you speak about in that first phone call?

24 A. Well, he just introduced himself because Bolantillo had
25 already told me that he was his boss.

1 Q. And how did he introduce himself? Did he give a name?

2 A. Just as Compa.

3 Q. And what else did he speak about during that phone call?

4 A. Just very briefly, and we spoke about whatever was needed
5 in drug trafficking. Then it would be there through
6 Bolantillo.

7 Q. Was that -- the defendant made his services available to
8 you through his worker Bolantillo?

9 A. Yes, sir.

10 Q. And then during that meeting in 2005, 2006 at the hotel,
11 did you continue discussions along those lines?

12 A. Yes, sir.

13 Q. After that meeting did you continue to, did you start --
14 let me start again.

15 After your meeting with the defendant in 2005, 2006,
16 did you start conducting transactions with him?

17 A. Yes, in all of the transactions, even before I started in
18 2005 were being done with him.

19 Q. After that first meeting, did you have occasion to meet
20 with the defendant again?

21 A. 2007.

22 Q. And can you please tell us the circumstances of that
23 meeting.

24 A. Of course. In Tegucigalpa, the capital of Honduras, on the
25 way to San Pedro Sula, in an area which is quite well-known

1 called Los Lagos, and that was for the second time that I was
2 able to meet up with him, and that was through Bolantillo
3 because it was he himself who picked me up at the airport.

4 Q. When you say he himself, who is "he himself?"

5 A. Bolantillo, Neftali's worker.

6 Q. And then during the second meeting with the defendant, what
7 did you discuss?

8 A. He offered me whatever I needed in Honduras if I was going
9 to remain in Honduras, and just offered me his support.

10 Q. Did you discuss drug trafficking during this meeting?

11 A. Yes, sir.

12 Q. What did you discuss?

13 A. We spoke about different topics, such as the price, the
14 route, Panama, Honduras, we spoke about the crew, and we spoke
15 about the different places for the fuel, where it is hidden in
16 order to have that available when we are coming up in order to
17 get fuel.

18 Q. And, sir, let me stop you there. When you are talking
19 about that, are you talking about the go-fast boats refueling?

20 A. Yes. And it's almost always the go-fast boats with two or
21 three outboard engines. 300. Three or four engines, yes.

22 Q. And there would be fuel or you would refuel along the way
23 from Colombia or Panama?

24 A. The Colombian boat would only get to Panama, and then
25 Neftali's crew would come to Panama and go back to Honduras.

1 Q. What were the prices that you discussed during the second
2 meeting with the defendant?

3 A. At that time what we discussed was the price of 6,400
4 Hondura price. And the price in Guatemala was a little higher,
5 and that was 8,500.

6 Q. Why was the price higher in Guatemala than it was in
7 Honduras?

8 A. Because the closer to the United States, the higher the
9 price.

10 Q. Can you tell us why that is?

11 A. Well, let me give you an example. Starting in Colombia the
12 price of a kilo would be between 2,000 and 3,000. Once it gets
13 to Panama, the price goes up to 4,000 or 4,500. And if it gets
14 to Costa Rica, it goes up about \$700 additional. So we are
15 talking about around 5,200, 5,300.

16 And once it gets to Nicaragua or Honduras or that
17 border between Nicaragua and Honduras, the price goes up to
18 6,400. And then once it gets to Honduras or Guatemala, that
19 area in the border, the price goes up to 7,500 or 8,000.

20 Q. So as further north --

21 A. Because it's getting closer to the capital of Guatemala.

22 Q. And then do you know if it goes up when it gets into
23 Mexico?

24 A. Yes, of course. Certainly.

25 Q. Now, sir, after this second meeting, did you continue to do

1 business with the defendant?

2 A. Once, yes. The third time is a meeting at his own estate
3 or farm, compound there, and I go in a helicopter to that
4 place.

5 Q. So you met with the defendant a third time at the
6 defendant's farm?

7 A. Yes, sir.

8 Q. And what country was that in?

9 A. In Honduras.

10 Q. And you said you arrived by helicopter?

11 A. Yes, sir.

12 Q. Do you know who the pilot of that helicopter was?

13 A. Guatemalan.

14 Q. Do you know his name?

15 A. I knew him as Guillermo or Memo.

16 Q. How did you know that that was his name?

17 A. I had the opportunity to speak with him on several
18 occasions. And one of those occasions was when I traveled into
19 Neftali's compound.

20 Q. What did you talk about? Anything relating to drug
21 trafficking with Guillermo?

22 A. Yes, always.

23 Q. What did you talk about?

24 A. We spoke about the money delivery coming down; we talked
25 about the handling of money, product of drug trafficking in

1 Guatemala; we spoke about the easiness of moving the money from
2 Guatemala to Honduras on the helicopter.

3 Q. And were these money -- when you say money coming down,
4 that's money from Guatemala to Honduras?

5 A. That's correct.

6 Q. What was that money related to?

7 A. Narcotrafficking always.

8 Q. And Guillermo flew this money down from Guatemala to
9 Honduras?

10 A. That was the first time that he told me when we were able
11 to speak, and that was at the hangar. Then again I had the
12 opportunity and spoke about the Soto, who also was bringing
13 down money, and that's when he told me then that Guillermo was
14 there willing and available to move money.

15 Q. And who was Guillermo bringing money down from Guatemala to
16 Honduras for?

17 A. As far as I know, all of the money movements on a
18 helicopter was done by him for Neftali, according to what he
19 said.

20 Q. And during this meeting at the defendant's ranch, what did
21 you talk about?

22 A. Narcotrafficking.

23 Q. Along the same lines as your previous meeting?

24 A. We spoke about the same topics, but with a little more
25 confidence and trust because there was some security people

1 there, and that was Kevin.

2 Q. Okay. And when you say security people, are those
3 bodyguards?

4 A. Yes, sir.

5 Q. And who are they working for?

6 A. For Neftali.

7 Q. Do you remember how many bodyguards you saw at the
8 defendant's ranch?

9 A. The first one I saw was Kevin, because we brought Kevin up
10 from Colombia. He is Colombian. I saw him with the other
11 people who were there, armed, and they were all Honduran.

12 Q. So when you say "they," are you talking about the
13 defendant's bodyguards?

14 A. Yes, sir.

15 Q. And when you say "armed," what were they armed with?

16 A. Rifles, shotguns, pistols.

17 Q. Did you see the defendant carrying any type of guns?

18 A. Pistol.

19 Q. What type of pistol?

20 A. He had a Glock, and close by, that we were in like a tiki
21 hut, he had a Five-SeveN.

22 Q. What is a Five-SeveN?

23 A. A pistol.

24 Q. Is there anything special about a Five-SeveN that
25 differentiates it from, say, a Glock?

1 A. Yes.

2 Q. What is that?

3 A. The 9-millimeter is a small design bullet, and the
4 Five-Seven is for the small rifle.

5 Q. So it's a pistol that carries a rifle bullet, the
6 Five-Seven?

7 A. Yes, sir.

8 Q. And you mentioned Kevin as one of the defendant's
9 bodyguards. Who is Kevin?

10 A. Kevin used to work for the paramilitary groups in Colombia.

11 Neftali needed an individual who had no scruples
12 whatsoever. Kevin was from the city of Medellin. I had the
13 opportunity of sending him off individually from Panama, and
14 Mr. Jose Perez had asked me to take care of him quite well.

15 Q. And did Jose Perez tell you to send his bodyguard to
16 Neftali?

17 A. Neftali had already asked and given orders for him to be
18 brought up.

19 Q. Brought up, "he" being Kevin?

20 A. To take him up to on the boat, yes. Correct.

21 Q. And then after that meeting -- and when did that meeting at
22 the defendant's ranch occur, if you remember?

23 A. You mean Neftali?

24 Q. Yes.

25 A. 2008.

1 Q. After that 2008 meeting with the defendant at his ranch,
2 did you have occasion to meet with him again?

3 A. Yes, sir.

4 Q. And when did that occur?

5 A. That was in 2009, in Guatemala.

6 Q. And where did you meet with the defendant?

7 A. At that occasion I had the opportunity of by chance meeting
8 up at that same meeting, we were getting together with
9 Lorenzana, a group from Guatemala in an area called Zacapa,
10 which is a region in Guatemala.

11 Q. And who are the Lorenzanas?

12 A. Narcotraffickers.

13 Q. And did you work with them?

14 A. Yes, sir.

15 Q. How did you work with them?

16 A. I would deliver the drugs. They would always be there to
17 receive the drugs brought in by boat in an area called, in a
18 port called Puerto Barrios.

19 Q. What country is Puerto Barrios?

20 A. In Guatemala.

21 Q. And did the Lorenzanas work with Neftali?

22 A. Yes, sir.

23 Q. How did Lorenzana work with Neftali?

24 A. Lorenzana was in charge of was everything that was done on
25 land.

1 Q. And when you say "on land," what was his role? Would he
2 take receipt of cocaine on land?

3 A. Part of the goods that arrived at Puerto Barrios, there was
4 a man called Yeto and he worked for Neftali, and he had
5 knowledge of everything Guatemalan. And the Lorenzana, they
6 did all of the operation on pickup trucks in order to move it
7 up to the American border.

8 Q. So Neftali would deliver the cocaine to Puerto Barrios to
9 Lorenzana?

10 A. Correct.

11 Q. And then Lorenzana would continue moving it north?

12 A. Yes, to the Mexican cartels.

13 Q. So Lorenzana had a connection with the Mexican cartels?

14 A. Correct.

15 Q. And do you know who are the Mexican cartels Lorenzana had a
16 connection with?

17 A. Of course.

18 Q. And who are those people?

19 A. El Zope.

20 Q. Who is El Zope?

21 A. He was at the border between Mexico and Guatemala. He
22 would leave the cash deposits, transactions that were between
23 15 and 16 million dollars, once Lorenzana was there in order to
24 deliver the load, and automatically that money was brought down
25 to Guatemala City. And it was always sent in 20-dollar bills.

1 And then it was changed over to 100-dollar bills, and in order
2 to have the handling and transportation made easier.

3 Q. And from El Zope's land in Guatemala, where did the cocaine
4 go after the money came down south?

5 A. When the goods arrived, it would be going up to the border
6 between Guatemala and Mexico.

7 Q. And then from there what happened?

8 A. Once the goods were paid for, then that was all handled by
9 Mexican hands.

10 Q. Sir, after these meetings -- did you speak to the defendant
11 on the phone after this meeting at the Lorenzanas?

12 A. After that the last opportunity that I had to speak to him
13 was when a worker communicated me with him, El Chele.

14 Q. And who is El Chele?

15 A. El Chele was the one who was in charge of operations on
16 water as well as handling the go-fast boats, as well as the
17 parts of the places where we would refuel.

18 Q. And what were the circumstances under which Chele put you
19 on the phone with Neftali?

20 A. El Chele was first cousin of Neftali's wife.

21 Q. And why did he put you on the phone with him?

22 A. Because communication was always through Bolantillo or
23 through El Chele.

24 Q. So whenever you communicated with Neftali, it was through
25 one of his workers?

1 A. That's correct.

2 Q. And did you continue doing transactions with the defendant
3 through his workers?

4 A. That's correct.

5 Q. Through when did you do transactions with the defendant's
6 workers? Approximate year.

7 A. 2013.

8 THE COURT: Counsel, how much longer do you have with
9 this witness? Tomorrow?

10 MR. SCHUSTER: Yes. Tomorrow, your Honor.

11 THE COURT: We are going to bring him back tomorrow.
12 So let's go ahead and recess for the evening.

13 Ladies and gentlemen, I will give you a couple of
14 instructions before we recess.

15 First of all, if you see any of the parties in the
16 case, the lawyers or the agents, outside the courtroom or in
17 the cafeteria or coming into the courthouse, they are under the
18 same rules as you are not to have any contact with you, not to
19 discuss the case with you. So if they avoid typical courtesies
20 or politeness or hello, good morning, or whatever, they are
21 just trying to make sure that there's no misunderstanding about
22 having contact with you.

23 You all got here what today, at 8:00? Is that when
24 you were expected here? If you are unfamiliar with coming into
25 the downtown area, I would ask that you give yourself a little

1 extra time. School is back in session and the roads get
2 clogged coming into the downtown area.

3 I am more than happy to start at 8:30 if you are
4 comfortable with that. If not, we can start later. But I
5 think the more work we get done, the sooner we finish it. So
6 if you are comfortable with 8:30, just get here a few minutes
7 before 8:30.

8 The same like you did for lunch today. You were great
9 about that. So figure about 8:20 to give yourself time to get
10 through security. We will start promptly at 8:30. Fair
11 enough?

12 Don't talk to anyone about the case. Don't read or
13 listen to anything about the case. If anyone tries to talk to
14 you about it, bring it to the court's attention promptly.
15 Don't form any opinions about the case. You haven't heard all
16 the evidence in the case. Keep an open mind.

17 Have a pleasant evening. We will see you tomorrow
18 morning at 8:30.

19 (Thereupon, the jury exited the courtroom.)

20 THE COURT: A couple of things, folks. You can have a
21 seat if you want.

22 It was brought to my attention that juror number 4 is
23 from Broward County, lives in Broward County. So normally she
24 wouldn't be brought in on the Dade County pool. I will have
25 you do whatever you want me to do. She can be replaced.

1 I don't really know the law as far as whether there is
2 any right, the defendant has a right to particular jurors
3 within a division. They have to be from the district. But if
4 you want to make an issue of that, you can either choose to do
5 so and we can put in an alternate or you can waive it. But I
6 think it's a fact and we probably need to decide that one way
7 or the other.

8 You are both on notice to the extent you want to
9 research that and make sure you are comfortable with whatever
10 decision you make. The questionnaire wasn't a Dade County
11 questionnaire. She filled out a Dade County address, but
12 apparently she changed it online yesterday.

13 MR. CASUSO: We don't have a problem if you excuse
14 her.

15 THE COURT: We don't have a problem?
16 If you excuse her.

17 MR. CASUSO: We don't have a problem.

18 THE COURT: And then bringing in juror number 13?

19 MR. CASUSO: Sure.

20 THE COURT: So we will bring her in tomorrow and
21 explain it to her, and she gets the day off.

22 Have you had a chance to look at the jury
23 instructions?

24 MR. CASUSO: Yes, sir.

25 THE COURT: Do you have any questions or issues about

1 them?

2 MR. CASUSO: Not now, Judge.

3 THE COURT: Well --

4 MR. CASUSO: I don't think -- maybe I will by
5 tomorrow. I will it look over and I will get to it tonight.
6 But they are pretty standard.

7 THE COURT: Well, I notice that they do have some what
8 I would consider nonstandard. There was an instruction for
9 evidence in an electronic format, which is not the standard out
10 of the 11th Circuit. I don't know if it's really necessary
11 given if they want to look at some of the stuff. I can just
12 tell them if they want to look at something on the computer, we
13 will provide them with the computer. But they have in here
14 that we are going to provide them with a projector, printer,
15 accessory equipment. I don't know.

16 MR. NORKIN: I was just hoping to provide them a blank
17 laptop that they could look at the recordings or pictures by
18 themselves.

19 THE COURT: That's fine. We don't need to give them a
20 9th Circuit instruction.

21 There was another one, interview of witnesses. That's
22 not a pattern instruction. That's just kind of in the
23 government's case. The same with all evidence and all
24 witnesses not needed. That's not an 11th Circuit pattern. I
25 am not inclined to give it.

1 If you look at the government's, all of their
2 notations about the CM/ECF docket entry at the header of the
3 page, the title of the instruction and the reference to the
4 pattern instruction at the bottom footnote, all those will come
5 out on every page.

6 So far I haven't seen anybody taking any notes. So if
7 nobody takes notes, I am not going to read an instruction
8 that's not applicable. If anybody sees anybody taking notes,
9 let me know and I will be happy to get it back in.

10 But that's the stuff that I saw that deviated from the
11 typical pattern 11th Circuit instruction for a conspiracy case.

12 You are welcome to look at it again. Let me know.
13 But in that regard, where are we in the government's case?

14 MR. NORKIN: We are about halfway done. It is
15 proceeding faster than I thought. I am sure your Honor is not
16 surprised by that.

17 THE COURT: I am not.

18 MR. NORKIN: I would expect that at this rate we are
19 going to be finished by Wednesday.

20 THE COURT: Are you calling all 13 witnesses?

21 MR. NORKIN: No, I don't believe we will.

22 Now, I don't know if there's a defense case or the
23 defendant is going to testify. There may be people from that
24 list that we save as potential rebuttal witnesses. But as far
25 as the case in chief, we are not going to be calling 13.

1 THE COURT: So you are on witness number five.

2 Do you know if you want to have a defendant's case?

3 MR. CASUSO: Yes, your Honor.

4 THE COURT: Okay.

5 MR. CASUSO: Not --

6 THE COURT: You what?

7 MR. CASUSO: I am not.

8 THE COURT: You are not going to have. So I see
9 tomorrow is getting five witnesses in. That will be ten and
10 that will be closer to your 13. You may be even faster than
11 that.

12 Okay. So anything else we need to take up?

13 MR. NORRIN: May I request if we finish late in the
14 afternoon tomorrow with all of our witnesses and if they are
15 not on the defense case, may I request that we close on
16 Wednesday morning as opposed to --

17 THE COURT: Absolutely. Depends on where we, where we
18 finish during the day. I mean, if we finish at 4:00, I mean,
19 how long are you going to request for closing?

20 MR. NORRIN: I think closing about 45 minutes.

21 THE COURT: That's a little long. Cut it in half.

22 So if we finish at 4, then that is enough time to get
23 it to the jury. If we finish at 4:30, I am fine with sending
24 them home and coming back Wednesday. Okay.

25 Anything else?

1 Have a pleasant evening. See you tomorrow morning at
2 8:30.

3 (Trial adjourned to January 9, 2018 at 8:30 a.m.)

4 C E R T I F I C A T E

5
6 I hereby certify that the foregoing is an accurate
7 transcription of the proceedings in the above-entitled matter.
8

9
10 January 29, 2018

/s/ Jill M. Felicetti
Jill M. Felicetti, RPR, CRR, CSR
Official Court Reporter
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Miami, Florida 33128
jill_felicetti@flsd.uscourts.gov

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BY MR. CASUSO: [7] 62/18 65/25 73/4 87/3 90/23 130/18 136/25
BY MR. NORKIN: [26] 11/19 12/18 27/14 33/2 34/20 46/2 47/7 47/18 49/9 50/5 50/25 61/6 73/20 93/1 95/8 99/11 115/12 116/16 118/6 118/22 120/22 126/10 129/10 143/1 145/1 146/22
BY MR. PADRON: [1] 36/1
BY MR. SCHUSTER: [4] 78/9 80/23 81/13 91/16
MR. CASUSO: [25] 9/1 11/9 62/16 65/21 73/16 81/7 91/11 99/8 115/9 116/13 117/5 118/19 120/2 142/13 142/21 144/15 163/12 163/16 163/18 163/23 164/1 164/3 166/2 166/4 166/6
MR. NORKIN: [48] 10/23 11/5 11/13 12/15 16/7 27/11 34/17 35/21 48/10 48/12 50/4 50/17 50/22 61/2 62/14 72/25 77/17 77/19 77/23 92/8 95/5 98/13 99/6 100/25 115/5 115/8 115/24 116/7 116/12 117/3 117/6 118/4 118/18 119/25 120/5 120/9 120/13 124/23 126/4 129/7 130/15 136/22 164/15 165/13 165/17 165/20 166/12 166/19
MR. PADRON: [3] 45/23 47/4 47/15
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THE DEPUTY CLERK: [4] 49/5 78/5 92/18 144/23
THE INTERPRETER: [4] 32/25 57/24 65/20 90/21
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2005 [8] 147/3 147/18 148/3 148/4 150/17 151/10 151/15 151/18
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