

1 they're going to kill someone, they can do something
 2 about it. They have to do something about it.
 3 But what can they do when this situation
 4 was in another country, and the police -- the
 5 government were the ones who were doing this? What --
 6 what are you going to do, yeah?
 7 Not even the mobster. The police, the
 8 agents. They are the ones who -- who physically killed
 9 these people. What -- what can we do?
 10 SMITH: Yeah. Yeah.
 11 LOYA: What about Guzman? He died in the
 12 US.
 13 RAMIREZ: Well -- but that was the --
 14 after that, yeah. That was -- and they were trying to
 15 kill me, not him, yeah? They -- that's a situation
 16 after the investigation, and that time -- that's a
 17 consequence of the investigation. I agree with that.
 18 LOYA: How did the killers get away? I
 19 thought they were close. Do you know?
 20 RAMIREZ: How did they get away?
 21 LOYA: Yeah.
 22 RAMIREZ: I don't know. I -- as I -- as I
 23 read, they just shot him and leave, leaving in a
 24 vehicle. Yes.
 25 The first thing I don't like why everybody

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1 get so -- in the government get so disappointed it
 2 wasn't me that was dead.
 3 SMITH: It wasn't -- it wasn't what? I'm
 4 sorry?
 5 RAMIREZ: It wasn't me that dead. And
 6 what are they doing?
 7 LOYA: Why does the government want to --
 8 RAMIREZ: Giving me now officially to the
 9 people who are going to kill me?
 10 LOYA: Why?
 11 RAMIREZ: That's what I don't know. Why?
 12 Why? Why?
 13 LOYA: Why don't they just send you to a
 14 farm in Idaho somewhere?
 15 RAMIREZ: No, they don't want to do
 16 nothing. Not even the -- I went once and talked with
 17 the people at the Witness Protection Program. They --
 18 they just said, it's very difficult, it's very hard,
 19 and you cannot get what they promised you. You -- you
 20 cannot improve your -- your status in the -- in the US
 21 if you come with -- with a passport or a visa. You
 22 have to be here all the time with a visa. A lot of
 23 barriers, yeah, and I told him, hey, what if -- so
 24 in --
 25 (End of recording.)

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1 FILE SMOV0008
 2
 3 RAMIREZ: ...like they usually do, keep me
 4 to my country, yeah, put me in the bridge. No, no.
 5 They want to kill me in the hands of the authorities of
 6 the Mexican government.
 7 SMITH: And that means to you?
 8 RAMIREZ: I'm going to be killed. That's
 9 not a -- that's not a big -- a big question. That's
 10 what's going to happen.
 11 SMITH: You look -- you look awful calm
 12 for a guy that's talking about this kind of stuff.
 13 RAMIREZ: Well, I got two years thinking
 14 on this. And I'm not coward. I'm -- I'm praying,
 15 yeah. I believe in God. And I'm praying that they --
 16 they make the decision that -- I'm -- I'm hoping the
 17 Supreme Court say that you cannot -- like the judge
 18 here told them, you cannot deport this guy. Yeah?
 19 The judge here don't give me the chance to
 20 explain the facts, the things what -- how that
 21 happened. He just said, hey, no matter what it is,
 22 yeah, you cannot deport him, because he's going to get
 23 killed. And that's it.
 24 LOYA: Why this court here in Minnesota?
 25 Why are you here?

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1 RAMIREZ: They move me here. Why? The
 2 excuse or the thing they told me is, they are afraid of
 3 my life. Yeah? So they don't want me near to Mexico
 4 because they are afraid somebody kill me in jail.
 5 That's why I've been in the hole, in
 6 segregation, all that -- all that thing. They are
 7 afraid they kill me, but they want to put me in the
 8 hands of the killers. Do you understand that? And
 9 they fly me over here because of that.
 10 SMITH: If you ever had it over again,
 11 would you ever have been an informant? Would you ever
 12 work -- I mean that's maybe too easy.
 13 LOYA: Well, what would you have done
 14 differently?
 15 SMITH: What would you have done
 16 differently.
 17 RAMIREZ: In the beginning, I talk with
 18 the agents plainly and I tell them, I'm putting my life
 19 in your hands. If you think you cannot make your
 20 promises, let's -- let's do this a little different,
 21 yeah?
 22 That little difference requires more
 23 effort and more participation from the agents, yeah?
 24 Like I was allowing, don't let me go by me; send an
 25 agent with me to Mexico, yeah?

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1 I know they want to jump me. You
 2 understand that term, "jump"? In the mob, it's very
 3 usual, when you've got something and you're the
 4 middleman, they're trying to jump you. That way, they
 5 don't have to give you nothing. You don't get your
 6 share; you don't get nothing, yeah.

7 So I was pretty sure if the job that I
 8 did, an agent could do it, they're going to move me
 9 aside, yeah? And I couldn't (inaudible). And when the
 10 problem come, well, it comes against the agent, right?

11 But they said, no. Why they are afraid
 12 of -- it is not easy. They can know an agent want to
 13 go and infiltrate the cartel and keep the face and go
 14 inside of the cartel and go.

15 Over all, after a bust, when you bust the
 16 drugs, yeah, you have to go and you have to face, and
 17 you don't know if you're going to get killed, because
 18 sometimes they don't -- they don't -- they don't care
 19 what happened, yeah? They just say, kill him, no
 20 matter what, yeah?

21 So they said, no, we'd better give you
 22 protection. We'd better pay you. We'd better bring
 23 you here to the -- and they are trying not to do that.

24 I am not fighting for that. I'm not
 25 fighting for my payments. I'm not fighting for what --

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1 their -- all their promises. Right now, I'm just
 2 fighting for my life, yeah.

3 I don't know if they're going to keep me
 4 here for the rest of my life or they're going to -- I
 5 don't know what's going to happen to me.

6 Right now, I'm just trying to -- to say,
 7 hey, don't put me in the hands of the people that are
 8 going to kill me. That's all I'm doing right now. I
 9 ain't got no choice.

10 LOYA: Why did you start doing it in the
 11 first place?

12 RAMIREZ: What?

13 LOYA: (In Spanish).

14 RAMIREZ: Why?

15 LOYA: Uh-huh.

16 RAMIREZ: I told you, I got vocation, and
 17 I believe in the -- in that time, I was believing in
 18 the -- in the Mexican -- the American government.

19 I told you -- like here, the -- this
 20 pissed me off. The prosecutor here tell to the
 21 judge -- asked me, hey, you start working after they
 22 arrest you, you start working like an informant? I
 23 said, no. No, no, no, no, no, no. I come by myself,
 24 by my own conviction, my vocation, yeah.

25 And I talk with Bencomo, was the agent who

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1 went to -- to talk with me. And we -- we start -- I
 2 asked for a job -- for a job. And he explain to me,
 3 well, I cannot give you a job. We can start doing
 4 this, and see what -- how that's going.

5 And that's the way that happened, yeah? I
 6 don't start because I want to get rid of a sentence or
 7 something like that, no.

8 SMITH: And, again, I want to ask you this
 9 one more time so I'm clear, because I was somewhat
 10 unclear on it. After --

11 RAMIREZ: Just a second.

12 And let me add, when I start, I don't have
 13 problems, no -- no criminal charges, no -- no problems
 14 with the law, not in Mexico, not in the USA, not -- not
 15 in anyplace in the world, yeah, because that's another
 16 thing they are doing. They are saying I -- I was in
 17 legal problems. That's not true.

18 Now, I am, in consequence of the -- of
 19 the -- of the job I did with Customs, yeah.

20 SMITH: Just so I'm clear, because I --
 21 because I -- on -- after -- after the situation on
 22 August 5th, the Reyes situation, Fernando Reyes, who
 23 you didn't know the name of, you said, but after his
 24 death, you have literally -- you had tapes -- or
 25 digital tape -- I don't know -- cell phone -- I don't

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1 know how you did it, but you had a -- a tape of that
 2 situation.

3 They told you afterwards -- they praised
 4 you when you got back for your work. But what did they
 5 say? Did they tell you distinctly, no more -- what?
 6 We don't want any sounds of death in tapes or what? I
 7 mean, what did they tell you?

8 RAMIREZ: No, they told me, try to keep
 9 out of that situations, like if I got a choice. And I
 10 explained to them, hey, I -- I don't -- I don't have a
 11 choice, yeah? I don't got an excuse. They called
 12 me -- which was very strange, because they called me
 13 hourly, and I went over there; and when I was over
 14 there, there is the tape. They -- they explained to me
 15 what they -- the plan they got already, yeah.

16 And I was like, ah, yeah. And why didn't
 17 you tell me before why -- why I am going. The usual
 18 was, I was all the time with Santillan, with the boss,
 19 yeah?

20 SMITH: Right.

21 RAMIREZ: Now, why -- another guy, who was
 22 under -- under me, stays with the boss, and I am going
 23 along with the -- with the -- the agents of the police
 24 inside the house, that's what freaked me out
 25 completely.

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1 SMITH: Yeah.
 2 RAMIREZ: I was -- that was very strange.
 3 Yeah? So I got no choice. I cannot say, no, no. And
 4 if I say it, well, I get killed, just like that.
 5 There's a lot of -- when I start working
 6 with this guy, he writ me -- he writ me all the
 7 handbook, yeah, and I -- I passed the writ to -- to
 8 Customs; you've got to be like this. This, this, this,
 9 this, this.
 10 You do not get the -- you do not
 11 infiltrate the cartel just -- just deals like that. I
 12 have been very low-key, absolutely low-key, and I think
 13 we did a very good job.
 14 SMITH: And they called you Lalo. What is
 15 your full name?
 16 RAMIREZ: Lalo?
 17 SMITH: The full name. What is your full
 18 name?
 19 LOYA: (In Spanish).
 20 Okay. That's it.
 21 SMITH: Well, I just -- I could go on and
 22 on. I just -- I would like to talk to you again. I
 23 don't know, you know, if it's possible, but I'd really
 24 like to, so --
 25 LOYA: Who is the prosecutor now who is --

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1 RAMIREZ: The same one.
 2 LOYA: The same one?
 3 SMITH: The same one?
 4 RAMIREZ: It's the same. Well, it's not a
 5 prosecutor; it's just an immigration attorney.
 6 LOYA: You signed a paper to agree to stay
 7 in custody?
 8 RAMIREZ: To agree what?
 9 LOYA: To stay in protective custody or
 10 agree not to be deported or --
 11 RAMIREZ: Yeah, they -- they -- they
 12 blackmailed me. They said, you sign to stay here in
 13 jail, or we're going to kick out your family.
 14 LOYA: What do you mean?
 15 RAMIREZ: Yeah, if I don't -- if I don't
 16 sign I accept to be in jail, in protective custody,
 17 they're going to put my family in the hands of the
 18 killers.
 19 SMITH: Who said that -- who said that,
 20 specifically? Who said that?
 21 RAMIREZ: Juanita Fielding, the -- my --
 22 the attorney they put me. And -- yeah, it was Juanita
 23 Fielding, because the guys from Customs don't even give
 24 the face anymore. I never seen them again.
 25 SMITH: So you -- essentially, you stay

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1 almost in single cells or solitaire --
 2 LOYA: The hole.
 3 SMITH: The hole?
 4 RAMIREZ: Uh-huh.
 5 SMITH: No charges against you?
 6 RAMIREZ: No, no criminal charges, no.
 7 SMITH: But you did it -- you decided --
 8 RAMIREZ: It was under -- under the excuse
 9 of a protective custody.
 10 SMITH: And under the fear that if you
 11 didn't sign it, what, your family --
 12 RAMIREZ: Yeah, they kick my family to
 13 Mexico.
 14 LOYA: Did you have a lawyer when they
 15 were giving you this deal?
 16 RAMIREZ: The lawyer they give me.
 17 And he start fighting, because -- we went
 18 to courts different times. In the beginning, it was
 19 the judge telling, hey, like I don't find nothing about
 20 this guy. He just helped you for four years and you
 21 want to put him in jail?
 22 He said, why don't we better -- they make
 23 an agreement. Why don't we better put him -- that
 24 thing they put you -- on your leg -- yeah.
 25 (End of recording.)

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A
ability 56:8
absolutely 13:25
16:23 53:12
accept 54:16
access 2:7 6:12,16
accomplishes 30:10
accurate 23:12,14
26:3
act 8:5,25 20:8
44:22
acts 19:6
add 27:2 51:12
addicts 14:18
address 41:17,18
AFT 41:14,16
afraid 7:16 43:22
44:20 48:2,4,7
49:11
agencies 36:23,24
37:4,7,20
agency 17:15 41:4
agent 20:1 25:24
37:16,17 48:25
49:8,10,12 50:25
agents 5:21 9:1
18:5,21 20:3 21:3
26:14,15,15,17
28:24 36:14 40:3
41:2 44:15 45:8
48:18,23 52:23
agree 20:14 44:25
45:17 54:6,8,10
agreement 55:23
ah 52:16
ahead 26:25 27:1
ain't 50:9
air 40:1
AK-47 10:17
allow 13:23
allowed 6:2 7:12
13:20
allowing 48:24
America 7:7
American 29:10
50:18

ample 18:19
announced 13:18
answer 18:4
answered 3:5
Antonio 17:25
38:13,15
anybody 6:6 12:24
38:12 43:25,25
anywhere 54:24
anyplace 51:15
anyway 10:17
apologize 21:8
33:22
apparently 5:23
appeal 2:5
appear 8:16
appeared 6:1
approved 21:9,10
Army 13:8
arrest 12:24 13:8,10
21:23 39:3 42:11
50:22
arrests 13:20
arrived 11:24
articles 23:13
asda 23:11,12
aside 37:20 38:18
49:9
asked 2:22,24 28:3
40:6 50:21 51:2
attorney 5:19 54:5
54:22
audio 1:1 56:7
August 51:22
authorities 47:5
aware 44:14
awful 47:11

B
back 9:24 10:4
18:24 19:19 20:5
52:4
bad 3:7 9:2 31:6,6
44:2
barriers 46:23
basis 31:2

begged 2:25
beginning 48:17
55:18
behavior 15:12
believe 12:15 14:7
14:8 15:17 47:15
50:17
believing 50:17
Bencomo 6:7,7
7:23,24,24 17:18
17:20,23 19:16,16
27:18 38:11 50:25
best 17:1 43:1 56:8
betraying 31:7
better 9:21 29:5
40:5 49:21,22,22
55:22,23
Bible 22:13
big 10:10 13:21,21
34:20,25 35:1,17
36:4 47:9,9
50:22
biggest 17:6
blackmailed 54:12
blame 12:7
blaming 12:8
blanks 25:4,6
blood 29:23
bodies 13:9,10,18
25:7 29:22 31:9
32:5 36:24
37:23
body 13:11 32:11
border 39:2
border 18:19
boss 32:3 35:15
52:18,22
bosses 36:8
bother 32:4
bothers 32:19,21,24
bread 38:5
break 19:5 20:24
breaking 19:11 23:4
bridge 47:4
bring 49:22
brought 38:25
buddies 30:20

3
3 3:22,24
buried 31:13 36:24
37:24
burying 20:14 31:9
31:10
bust 10:25 20:15
22:2,23 23:3
24:17 36:21 43:16
49:15,15
busted 19:13 20:25
42:23 43:1 44:3
53:3
bustings 36:5
busts 34:20,25
busy 27:18
buy 11:17

C
call 10:12,14 14:19
18:1,2 23:10,23
28:4,18 41:16,17
called 5:21 18:2
28:17 37:25 52:11
52:12 53:14
calls 27:20
calm 47:11
care 3:15 18:21
32:7 38:8,9 41:1
42:15,16 49:18
cares 44:6
Carillo 35:7
carne 23:11,12
cartel 4:8,10 8:21
18:9,10 20:6
35:15 44:11 49:13
49:14 53:11
cartels 18:10
case 44:1
cases 37:13 40:17
Casterline 1:5 56:5
56:12
cell 18:9 42:22,22
42:23 51:25
cells 18:11 42:21
55:1
Certified 56:5
certify 56:6

chance 7:24 29:6
47:19
charge 7:5 42:1,6
charges 6:24 7:2,4
21:23 51:13 55:5
55:6
cheating 20:21
checkpoints 22:24
Chief 13:21
choice 50:9 52:9,11
53:3
choose 41:10
cities 38:3
clear 12:9 31:24
51:9,20
close 27:13 32:17
35:6,7,8,9,12
45:19
closely 38:6
cocaine 34:25 35:2
come 5:14 6:3 8:3
11:12,18 13:8
14:24,24 16:20
26:18 28:15,20
33:17 36:6,7
39:19 40:1 42:20
46:21 49:10 50:23
comes 16:16,18
49:10
coming 30:12
commit 4:15
complete 16:24
completely 52:25
Compton 27:19
computer 16:22
concerned 41:3,4,6
concrete 2:19 16:12
confidence 31:20
31:21 33:12
confidential 3:14
congratulations
36:10
connection 23:23
connections 41:9
consequence 45:17
51:18

consider 10:8
contact 27:18,19
34:6,7
continue 12:23
continued 12:23
17:18
control 20:14,23
22:12
controlled 22:7
controls 22:23
conviction 50:24
convinced 39:1
cop 14:14 15:25
cops 11:5 13:4,9,10
13:11 23:25 24:3
30:15
Corchado 3:9
corrupt 28:1
country 12:22 22:7
45:4 47:4
COUNTY 56:3
courage 18:15
court 5:13 40:3,3,4
40:16 47:17,24
56:13
courts 55:18
cover 4:14
covered 32:5
coward 47:14
Cramer 36:12 38:12
crazy 29:19
crime 44:23
criminal 7:4,5
14:24 18:21 20:7
20:8 51:13 55:6
criminals 13:4 20:9
22:6 40:4
cross 39:1
CRR 1:5
CSR 1:5 56:12
curious 26:25
Curtis 27:19
custody 13:4 54:7,9
54:16 55:9
Customs 25:15
26:21 28:2,9 29:9

37:9 51:19 53:8
54:23
c'mon 9:1

D
daily 38:5
Dallas 3:10 16:21
danger 14:3,5 33:6
Date 56:13
day 10:24 36:10
56:9
DEA 25:14,16,24
26:15,17,19 27:5
28:1,6,6,15,17,24
36:11 37:9,16
dead 3:22 15:19
18:5,6 27:14
28:25 46:2,5
deal 55:15
dealing 35:16
deals 53:11
death 51:24 52:6
debtf 12:21 26:18
35:19,21
debriefed 37:12
debriefs 37:14
December 56:10
decide 36:20 42:7
decided 55:7
decision 12:19,22
47:16
delay 13:23
deliveries 22:7
DENTON 56:3
depo 5:17
deport 2:4 16:17
47:18,22
deported 2:20 4:3
54:10
describe 23:9 29:21
die 15:23
died 45:11
difference 48:22
different 8:21 10:24
34:23 37:13 39:22
48:20 55:18

difficult 46:18
dig 32:11
digital 51:25
dimension 18:13
directions 44:17
disappear 10:18
disappeared 44:13
disappointed 46:1
discontinued 17:15
discover 22:3
discovered 31:3
32:9
discovery 40:11
discuss 19:8
discussed 20:12
distinctly 52:5
Distinguished
17:20
documented 40:10
documents 23:14
doing 14:14,15 15:2
17:12 18:11 20:20
23:21 26:22 27:22
29:8 31:4 32:7
36:7 39:18 40:23
41:8 45:5 46:6
50:8,10 51:3,16
doubt 3:22,23 4:1
37:20
drive 34:5
drug 14:18 23:3
24:18 29:22
drugs 9:4 19:23
20:15,22,23,23
21:13,25 22:12,19
22:22 34:5,7
41:15 43:15 44:3
49:16
dying 37:24 38:2
41:3,8,9,11

E
easy 21:12 35:2,5
48:12 49:12
effort 48:23

eight 6:19,21,25
7:10
El 26:17 27:14,17
27:23
emergency 21:19
enforce 19:6 22:5
enforcement 22:5
English 14:11
equipment 19:24
especially 14:17
essence 28:22
essentially 7:9
15:22 54:25
establish 8:24
establishing 26:16
estrella 38:22
everybody 12:8
20:6 24:11 30:22
36:8,11 45:25
everybody's 43:25
everypiece 21:20
exactly 8:9 9:12
14:8 23:18 43:13
example 8:1 15:11
16:4
excellent 40:2
excuse 11:18,19
15:20 42:22 48:2
55:17
52:11 55:8
excuses 11:9,23
34:23,23
expecting 40:15
experience 4:19
Expiration 56:13
explain 44:21 47:20
51:2
explained 52:10,14
explaining 44:22
expression 34:2
extension 20:12

F
face 5:11,13 49:13
49:16 54:24
faces 30:15
fact 3:16 5:18 8:15

39:4
facts 2:14 3:11 7:21
10:20 12:6 17:8
17:10 47:20
fair 8:7 31:13
fairness 28:23
fake 39:13
families 28:20
family 5:3 10:18
27:6 54:13,17
55:11,12
far 10:3
farm 46:14
FBF 33:25 37:10,17
feared 10:6 55:10
federal 18:5 41:14
44:16
federals 41:20
feds 9:3 18:24
22:19
feel 12:1,4 17:10
Fernando 25:9 37:2
37:7 51:22
Fielding 54:21,23
fight 12:25
fighting 15:5 49:24
49:25,25 50:2
55:17
FILE 1:1 2:1 47:1
files 56:7
34:23,23
filling 40:15
experience 4:19
Expiration 56:13
explain 44:21 47:20
51:2
explained 52:10,14
explaining 44:22
expression 34:2
extension 20:12

finds 44:6
fingers 10:25
finish 36:21
finished 38:17
fired 6:7,9
Firm 56:15
first 6:19 8:2 10:10
10:11 13:8 21:16
26:14 28:14 30:3
38:21 39:6,12,14

37:9 51:19 53:8
54:23
c'mon 9:1

D
daily 38:5
Dallas 3:10 16:21
danger 14:3,5 33:6
Date 56:13
day 10:24 36:10
56:9
DEA 25:14,16,24
26:15,17,19 27:5
28:1,6,6,15,17,24
36:11 37:9,16
dead 3:22 15:19
18:5,6 27:14
28:25 46:2,5
deal 55:15
dealing 35:16
deals 53:11
death 51:24 52:6
debtf 12:21 26:18
35:19,21
debriefed 37:12
debriefs 37:14
December 56:10
decide 36:20 42:7
decided 55:7
decision 12:19,22
47:16
delay 13:23
deliveries 22:7
DENTON 56:3
depo 5:17
deport 2:4 16:17
47:18,22
deported 2:20 4:3
54:10
describe 23:9 29:21
die 15:23
died 45:11
difference 48:22
different 8:21 10:24
34:23 37:13 39:22
48:20 55:18

difficult 46:18
dig 32:11
digital 51:25
dimension 18:13
directions 44:17
disappear 10:18
disappeared 44:13
disappointed 46:1
discontinued 17:15
discover 22:3
discovered 31:3
32:9
discovery 40:11
discuss 19:8
discussed 20:12
distinctly 52:5
Distinguished
17:20
documented 40:10
documents 23:14
doing 14:14,15 15:2
17:12 18:11 20:20
23:21 26:22 27:22
29:8 31:4 32:7
36:7 39:18 40:23
41:8 45:5 46:6
50:8,10 51:3,16
doubt 3:22,23 4:1
37:20
drive 34:5
drug 14:18 23:3
24:18 29:22
drugs 9:4 19:23
20:15,22,23,23
21:13,25 22:12,19
22:22 34:5,7
41:15 43:15 44:3
49:16
dying 37:24 38:2
41:3,8,9,11

E
easy 21:12 35:2,5
48:12 49:12
effort 48:23

eight 6:19,21,25
7:10
El 26:17 27:14,17
27:23
emergency 21:19
enforce 19:6 22:5
enforcement 22:5
English 14:11
equipment 19:24
especially 14:17
essence 28:22
essentially 7:9
15:22 54:25
establish 8:24
establishing 26:16
estrella 38:22
everybody 12:8
20:6 24:11 30:22
36:8,11 45:25
everybody's 43:25
everypiece 21:20
exactly 8:9 9:12
14:8 23:18 43:13
example 8:1 15:11
16:4
excellent 40:2
excuse 11:18,19
15:20 42:22 48:2
55:17
52:11 55:8
excuses 11:9,23
34:23,23
expecting 40:15
experience 4:19
Expiration 56:13
explain 44:21 47:20
51:2
explained 52:10,14
explaining 44:22
expression 34:2
extension 20:12

F
face 5:11,13 49:13
49:16 54:24
faces 30:15
fact 3:16 5:18 8:15

39:4
facts 2:14 3:11 7:21
10:20 12:6 17:8
17:10 47:20
fair 8:7 31:13
fairness 28:23
fake 39:13
families 28:20
family 5:3 10:18
27:6 54:13,17
55:11,12
far 10:3
farm 46:14
FBF 33:25 37:10,17
feared 10:6 55:10
federal 18:5 41:14
44:16
federals 41:20
feds 9:3 18:24
22:19
feel 12:1,4 17:10
Fernando 25:9 37:2
37:7 51:22
Fielding 54:21,23
fight 12:25
fighting 15:5 49:24
49:25,25 50:2
55:17
FILE 1:1 2:1 47:1
files 56:7
34:23,23
filling 40:15
experience 4:19
Expiration 56:13
explain 44:21 47:20
51:2
explained 52:10,14
explaining 44:22
expression 34:2
extension 20:12

finds 44:6
fingers 10:25
finish 36:21
finished 38:17
fired 6:7,9
Firm 56:15
first 6:19 8:2 10:10
10:11 13:8 21:16
26:14 28:14 30:3
38:21 39:6,12,14

41:7 45:25 50:11
fish 13:21
fly 48:9
foregoing 56:7
forget 39:23,23,24
form 56:8
former 25:24
found 13:5 25:12
27:24 28:31,31
four 5:22 30:11
32:16 37:11 55:20
fraked 52:24
friends 30:10
fucking 26:9
Fuentes 35:7
full 16:24 38:16
53:15,17,17

G
Gaudioso 42:4
general 19:2
give 5:9,11,12 10:5
10:20 16:1,1,5
28:5 34:2,22 36:3
36:4 41:17,17
47:19 49:5,21
51:3 54:23 55:16
given 2:7 56:9
giving 25:20 46:8
55:15
glad 29:14,14
glory 39:16
go 4:4 6:14,21 9:15
11:24 12:25 13:9
14:24,24 15:15
16:25 17:5 18:24
19:10 20:5,7
23:24 26:25 27:3
30:4,8,16 31:2,23
32:6 34:8 36:16
39:21 40:12,16
41:13 42:25 48:24
49:13,13,14,16
53:21
goal 15:4
God 47:15

going 2:20 4:7
4:14,15,16,17 6:7
7:18,22 8:25 9:8,9
9:16,17 10:3,14
10:14,15,16,18,19
10:20 11:1,13
12:15,16 13:10,11
16:17 20:9 21:18
23:10,17 24:23
26:19 27:21 28:14
28:18 30:13,17,20
32:4,4 34:22
35:25 36:7,17
40:1,4,7,8 41:17
42:9,17 45:1,6
46:9 47:8,10,22
49:8,17 50:3,4,5,8
51:4 52:17,22
54:13,17
Gonzalez 25:24
good 5:23 12:4 14:9
14:15,15 15:2,9
15:25 16:1 18:6
23:7 32:5 38:4
40:5 43:20 53:13
government 3:14,16
3:21 4:8,9 8:17
9:9,18 11:1 15:3
29:10 31:1 33:15
33:20 34:12 43:4
43:23 45:5 46:1,7
47:6 50:18
grab 19:9
green 19:16
group 9:10 25:14
guess 33:6
guidelines 19:7
guilty 30:25 40:6,12
40:20
gun 10:15 19:9,10
guy 7:23 8:17 11:12
11:14 15:19,22
21:6 23:23 36:22
47:12,18 52:21
53:6 55:20
guys 6:1 8:12 9:2

9-14 27:15 28:6,7
28:12,16,24 31:8
35:17 36:11 41:18
43:5 54:23
Guzman 32:18,22
45:11
gym 6:22

H
hand 56:9
handbook 53:7
handle 19:23 21:15
21:19
handled 43:15
handlers 44:15
handing 21:3
hands 42:10 47:5
48:8,19 50:7
54:17
happen 39:19 40:15
47:10 50:5
happened 5:7 8:19
12:6,9 29:13
32:20 40:20 44:8
47:21 49:19 51:5
happening 2:19
12:12
happens 36:1
happy 36:8
hard 46:18
heck 29:5
help 16:4,8 20:2,3
25:17 43:2
helped 27:12 55:20
hey 5:13 9:1,3
10:19 13:7 14:20
16:5 18:3,20
22:11 23:17 27:21
28:11,13 30:20
36:12 41:4,15,18
43:8 46:23 47:21
50:7,21 52:10
55:19
hiding 14:23 16:14
high 17:20,24
Higher 17:22

highest 38:11
Hispanic 7:13
history 16:3
Hm 35:20
hole 48:5 55:2,3
honestly 37:13
hoping 2:15 11:11
47:16
hourly 52:13
hours 6:22
house 11:4,9 20:11
23:9 24:12 26:25
29:19 30:1,9,16
31:2 36:25 37:25
52:24
Houston 56:14
huge 18:14
huh 37:6 41:20
43:11

32:10 33:17,23
34:1,5,15,16,17
35:8,9,23,23
39:23 54:24
news 3:10 16:21
38:6
newspaper 23:13
29:16
newspapers 6:17
number 4:19 8:2
14:17 56:15
numbers 34:16

O
oath 22:13
obviously 7:3 21:20
32:24
official 2:16
officially 46:8
oh 5:1 11:10 14:23
30:21 33:16,22,22
36:11,18
okay 19:19 20:21
21:19 27:3 29:11
29:11 30:21 32:6
42:17 53:20
once 46:16
ones 5:5 25:14,19
45:5,8
ooh 36:10
open 23:24
operation 4:12,23
operative 19:21
opinion 44:1
order 9:20 27:5
ordered 17:17
outset 8:8
owe 34:13,15

P
paid 5:24 34:12
paper 6:14 54:6
paperwork 19:18
Passioneros 23:9
26:24 29:19 36:25
part 9:18 28:24 29:7
29:7 30:4 31:18

participate 19:6
participated 10:1
participation 8:4
48:23
Paso 26:17 27:14
27:17,23
passed 53:7
passport 46:21
pay 16:7 34:16,21
49:22
payment 5:1
payments 49:25
peace 39:24
people 3:2,6,5:12
13:3 14:16 15:5
16:6 17:9,11,25
18:11 22:2,24
23:2 24:3,15,19
25:17 27:5,25
30:8 31:5 32:7,25
34:4 35:16,16
37:24 38:2,14
41:3 42:14,18,20
44:3,5,12,15,45:9
46:9,17 50:7
perceive 18:13
permanent 5:5
permits 36:3
persons 21:22
phone 23:16 51:25
physically 45:8
pick 19:9 33:6
pissed 15:9 25:14
50:20
place 10:10 23:21
23:21 30:3 41:7
50:11
plainly 48:18
plan 52:15
play 9:17
playing 32:8
pled 40:12
pled 40:6,20
point 2:15 8:6 11:7
24:14 26:5 38:20
pointing 19:1

police 10:12,13,13
10:16 12:14 13:21
15:7 41:13 45:4,7
52:23
policeman 10:15
policy 18:25
possibilities 15:3,5 28:4
22:12 34:25
possible 40:7,21
42:4 53:23
power 17:16
praised 52:3
pray 12:3
praying 47:14,15
prepare 29:24
pressure 7:25
pretty 35:12 49:7
prevent 22:25
private 38:7
probably 4:1 7:25
problem 18:14
19:13 30:22 49:10
problems 39:13
51:13,13,17
produce 16:1
Profit 22:16
Program 46:17
programs 14:19
program 4:22
promised 46:19
promises 4:21,23
26:9,11,13 27:2,4
27:9,13 28:10,13
29:1,4,7,12,15,20
29:24 30:3,19
31:1,11,14,16,19
32:1,3,15,21 33:8
33:11,18,21,33
34:14 35:4,8,13
35:20,23 36:15
37:2,5,9,22 38:2
38:14 39:9,18
40:14,19,25 41:6
41:24 42:3 43:1,7
43:11,13,20,24
44:8,11,18,21
45:13,20,22 46:5

Q
quantities 20:25
22:12 34:25
quantity 20:23 35:1
36:5
question 47:9
quite 38:1

R
RAMIREZ 2:3,9,11
2:23 3:2,19,23 4:2
4:6,13,24 5:1,4,9
5:20 6:5,10,18,25
7:4,8,10,15 8:9,20
8:23 9:8 10:7
11:8,22 12:2
13:15,24 14:5,7
14:13 15:2,14,16
15:20,24 16:10,14
16:20 17:2,8,19
17:23 18:1 19:3
19:12 20:12,18
22:17,19,21 23:15
23:19 24:6,13,21
25:3,6,11 26:1,4,6
26:9,11,13 27:2,4
27:9,13 28:10,13
29:1,4,7,12,15,20
29:24 30:3,19
31:1,11,14,16,19
32:1,3,15,21 33:8
33:11,18,21,33
34:14 35:4,8,13
35:20,23 36:15
37:2,5,9,22 38:2
38:14 39:9,18
40:14,19,25 41:6
41:24 42:3 43:1,7
43:11,13,20,24
44:8,11,18,21
45:13,20,22 46:5

54:17,22 55:21,23
55:24
putting 21:5 41:19
48:18

46:8,11,15 47:3,8
47:13 48:1,17
50:12,14,16 51:11
52:8,21 53:2,16
54:1,4,8,11,15,21
55:4,6,8,12,16
reach 21:17,18
read 25:22 45:23
ready 23:25
real 13:4
reality 5:25,25
realized 39:7
really 2:16 4:6,13
4:18 5:15 12:12
14:15 17:12,13
24:20 29:1 32:4,5
38:8,15 53:23
receive 6:13 19:15
23:25
received 36:9
receiving 27:20
record 12:5,8
recording 12:5 40:9
recording 11:16
46:25 55:25
Registration 56:15
remember 11:16
37:14 38:15
repeat 4:17 42:12
42:19 44:8
report 8:2,8 9:25,25
25:2
reporter 16:11 56:6
reporters 3:9 56:13
reports 7:22 29:16
requires 48:22
research 44:12
residence 5:5
responsible 43:10
43:14
rest 50:4
results 16:1
Reyes 17:14 25:9
37:2,8 51:22,22
rid 38:18 51:6

ridiculous 9:6
right 6:18,21 8:8,16
8:22 12:15,20
13:3,11,22 15:9
18:4,4,6,21:1
27:22 31:13 32:8
33:16 34:21 35:4
39:2,8 40:13
41:16 42:17 44:19
49:10 50:1,6,8
52:20
risk 18:16
RMR 1:5
rock 42:4
room 6:20
rules 9:17
run 13:10,11 21:25

S
sad 32:22 38:3
San 17:25 38:13,15
Sandy 25:24
Sanitlan 38:25,25
39:1,1,3 42:23
43:2 52:18
Saturday 9:4
Saturdays 9:3
save 27:10,11,12
36:13
saving 36:14,15
saw 8:1 10:11 14:25
23:13 30:15 35:17
36:4 38:6
saying 8:7,17 9:25
14:23 16:6 21:14
25:25 26:14,20
27:5 28:15 31:16
36:4 38:6
says 18:25 19:7
37:19
SA913EP 8:3
scared 10:23 31:2,6
scary 30:7,14
scenario 40:18
se 31:10
second 41:12 51:11
section 42:4

see 6:7 7:19 15:23
16:3 22:23 24:18
24:21 22:25 22:2
31:24 32:4 34:10
34:10 43:20 44:23
51:4
seen 25:23 35:9
54:24
segregation 7:11
48:6
send 3:4 19:18,19
21:16 33:10 46:13
48:24
sense 32:1
sent 33:5
sentence 5:16
setting 39:11
share 26:21 49:6
shoot 10:15
Shorthand 56:5
shot 45:23
shovel 32:10
show 4:9 12:11
18:15
showed 5:18
sign 54:12,16 55:11
signed 21:4,7 33:25
54:6
silent 12:3
single 55:1
situation 8:16 45:3
45:15 51:21,22
52:2
situations 52:9
smaller 6:20
smell 29:19
SMITH 2:13,24
3:18,20,25 4:3,11
4:21,25 5:3,7,16
5:21 6:9,16,24 7:2
7:6,9,19 8:10,22
9:7,23 11:7,21
12:1 13:14,16
14:1,6 15:1,11,18
15:21 16:9,13,19
16:24 17:5,7

18:23 19:4 20:10
20:17 21:1,3,10
22:1,9,16,20 23:8
23:18 24:5,11,20
25:1,4,9,22 26:2,5
26:8,10,12,24
27:3,12 28:8,11
28:22 29:3,5,11
29:14,18,21,25
30:18 31:8,12,15
31:17,25 32:2,13
32:17 33:16,19,22
34:10 35:3,6,11
36:23 37:4,7,19
37:23 38:10,20
39:17 40:13,18,24
44:10 45:10 46:3
47:7,11 48:10,15
51:8,20 52:20
53:1,14,17,21
54:3,19,25 55:3,5
55:7,10
SMOV0001 2:1
SMOV0008 47:1
snapping 10:25
solitaire 55:1
solitary 7:7
somebody 48:4
someday 5:11
someone 24:7,8,8
24:22
somewhat 51:9
soon 38:17
sorry 17:10 38:10
38:22 46:4
sound 40:9
sounded 6:1
sounds 52:6
Spanish 14:13
38:12 50:13 53:19
speak 7:12 8:11,11
speakers 7:13
special 9:16
specifically 19:7
54:20
staircase 29:23

standby 27:22
star 15:18,21 38:21
38:23
start 19:15 37:3
38:17 39:22 50:10
50:21,22 51:1,3,6
51:12 53:5 55:1,7
stash 34:5
State 56:2,6
statement 8:7
States 7:6 15:9
44:25
status 46:20
stay 10:19,22 54:6,9
54:12,25
stays 52:22
stiffed 34:12
stirs 31:22,23
stop 17:16,17 41:22
41:24,24
storage 41:15,19
strange 52:12 53:2
street 38:7
stuff 2:19 32:14
47:12
stupid 9:5 13:13
32:7 39:10
succeed 18:8
sudden 39:2
suicide 4:16
Suite 56:14
Sunday 9:5
Sundays 9:3
supervised 8:3,4,18
10:1
supervisor 27:19
support 25:20
supposed 3:13
39:25
supposedly 22:25
31:6 39:25
Supreme 47:17
sure 5:24 6:11 7:18
9:7 13:14 31:12
49:7
survive 4:7

suspect 30:1
suspend 10:8
suspicious 13:7
Sutton 38:13
swear 22:13
systematically 8:13

T
take 12:19,21 13:9
13:11 17:16,21
18:15 20:20 21:15
24:4 28:20 32:7
32:10 36:16 38:20
talk 3:7 7:12,24
34:16 37:12 43:5
48:17 50:25 51:1
53:22
talked 46:16
talking 19:1,4 22:8
47:12
tape 51:25 52:1,14
tapes 51:24 52:6
tell 2:24 3:1,2 5:15
6:6 12:13 16:10
17:2 26:2 40:19
41:2,15 43:6,7,8
48:18 50:20 52:5
52:7,17
telling 55:19
temps 39:16
term 21:8 49:2
terms 23:15
testify 5:14 40:16
testifying 6:6
testimony 6:2,12
Texas 56:2,6,12,14
thankful 36:12,18
thanks 14:20 36:11
36:13
thereabouts 34:13
Theresa 15:5 56:5,12
they'd 15:23,23
thing 3:5 6:23 13:6
13:17,24 17:6
21:19 23:7,22
25:13,13 30:7,14

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36:1,9,11 38:4,24
39:5,19 43:2,16
45:25 48:2,6
51:16 55:24
things 4:14,20
12:20 21:11 32:7
32:9,14 36:4
37:13,18 39:10,10
39:11 42:7 47:20
think 4:7,11 8:6,10
10:24 11:3,5,6
13:7,9,22 14:9,14
15:3,11 16:3
17:24 18:3 23:6
26:2,7 36:16
37:10 42:14 43:17
43:17,19,22 48:19
53:12
thinking 47:13
third 21:22,22
thought 35:12 45:19
thousands 18:11
three 27:15
time 5:23 10:11
11:16,17,18 12:22
14:7 16:15 21:16
21:21 24:16 27:21
31:2 34:19,23
35:25 36:9,17
38:1,7,16 39:10
39:12 40:2,7
41:25 44:13 45:16
46:22 50:17 51:9
52:18
times 10:8 11:15
20:13 26:18 37:12
37:15 55:18
told 2:22,23 9:12
13:6 14:20 17:10
22:11 33:4 46:23
47:18 48:2 50:16
50:19 52:3,8
torture 30:1
tortured 24:8 27:15
27:16
tortures 24:6

tragedy 2:20
transcribed 1:5 56:7
TRANSCRIPTION
1:1
treatment 14:19,19
trial 40:8
tricks 43:18
tried 22:6 23:2
true 11:12 34:18
51:17
trust 32:23
frustrations 35:17
truth 16:15,18,22
16:23 23 17:3
43:7,9
try 8:13 10:3 21:16
21:21 24:9 39:21
39:24 52:8
trying 11:3,24
12:18 21:25 33:3
38:18 42:7 45:14
49:4,23 50:6
TV 13:19
twice 26:16
twisting 3:7,11 4:20
two 6:21 28:15
30:11 33:15,20
41:13 47:13
type 15:12
typewritten 56:8

U
Uh-huh 5:20 14:12
19:3 20:17 31:16
50:15 55:4
unclear 51:10
underneath 29:23
understand 6:5,19
14:2 20:13,19
21:2 23:16,20
30:8 32:2 42:7
48:8 49:2
understood 6:4
unfair 31:15
United 7:6 15:8
44:25

USA 51:14
use 23:20
usual 49:3 52:17
usually 47:3

V
Vasconcelos 18:3
18:20
vehicle 45:24
Vicente 35:6
victims 17:13
video 40:9
violated 44:16
visa 46:21,22
vocation 14:11
vocation 14:10
50:16,24

W
wait 34:21
walk 6:22 30:17
walked 30:2
walks 30:22
walls 2:19
want 2:14,23,24 3:1
3:7,17 17 43,14
5:13,14,14 7:16
7:17 9:17 11:19
12:6,7,9,11 13:1
15:14,16,19 16:2
16:4,5,7,11,17
17:8,9 18:24 23:8
23:17 26:6,6,6,21
31:20 34:17,19,21
39:19,21 41:5
46:7,15 47:5 48:3
48:7 49:1,12 51:6
51:8 52:6 55:21
wants 3:22
warnings 10:5
Washington 6:6
19:16,19 35:19,22
42:5 44:16
wasn't 24:13 26:15
28:14,14 35:18
39:7 41:25 44:12
46:2,3,3,5

waste 11:18
watch 32:6
water 31:23
way 10:23 13:12
17:1 23:4 29:10
29:12 33:9 34:6
40:21 41:10 42:6
42:6 44:22 49:4
51:5
ways 4:19,20 22:8
40:22
week 6:22 36:1
well-known 9:10
went 4:12 10:3,22
11:1,15,17 15:18
15:21 20:10 24:11
26:25 27:17 29:25
40:2,3 41:14
46:16 51:1 52:13
55:17
werent 6:2 30:4
31:9
Weslayan 56:14
were 10:3 12:18
15:8 23:10,17
54:13
we've 15:15 18:17
19:24 40:8 42:25
whatnot 21:6
win 40:21
wish 16:15
wishing 16:15
Witness 46:17
word 14:10 38:21
words 12:14 16:1
23:12
work 5:12,23,24
8:12,13 9:4 10:23
14:3 18:19 19:25
20:5 21:22 22:4
25:17 29:8 33:13
33:15 40:5 43:15
48:12 52:4
worked 5:22 25:19
33:19,19 43:5
working 4:24 9:9

11:1 19:15 20:4
31:1 33:14 43:20
50:21,22 53:5
works 13:19 19:14
23:4
world 51:15
WORLDWIDE
56:13
worried 2:18 42:18
worry 42:13
worse 39:11
worst 40:16
worst-case 40:18
wouldn't 30:1 41:22
writ 6:14 53:6,6,7
write 3:5
wrong 7:21 27:10
wrote 9:24,25

Y
yeat 2:3,6,10 3:4,7
3:18 4:15 5:4,4
6:5,20 7:13 8:21
8:24 9:5,6,9,11,13
9:14,15,15,16,16
9:19 10:9,10,10
10:12,14,17,23
11:2,5,8,11,15,17
11:21,22,25,25
12:4,7,10,11,20
12:23 13:2,15,24
14:6,9,13,14,20
14:23,25 15:4,10
15:24 16:1,16,17
17:5 18:9,10,12
18:16 19:14,17,20
19:22,22 20:1,2,6
20:7,16,18,20,21
20:24 21:13,15,17
21:20,22,23,24
22:1,3,6,7,8,20,22
22:25 23:3,7,19
23:21 24:1,2,5,14
24:15,17,19,23
25:8,12,14,15,16
25:17 26:8,16,16

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26:18,18,22 27:6
27:6,10,14,16,19
27:21 28:2,4,10
28:13,13,16,18
29:4,12,18 30:5,6
30:9,11,12 31:4
31:14,19,19,21,24
31:25 32:5,15,23
33:1,13,18,23,23
33:7,10,17,20
34:22 35:15 36:2
37:12,22 39:17,20
39:22,24 40:4,10
40:14,16,18,21,24
41:9,10 42:10,21
43:11 44:6,22,23
44:24 45:6,10,10
45:14,15,21 46:23
47:4,15,18,22
48:3,21,23,25
49:6,9,16,19,20
50:2,24 51:5,15
51:19 52:11,15,16
52:19 53:1,3,7
54:11,15,22 55:12
55:24
year 33:15,20
years 5:22 32:16
33:15,20 37:11
47:13 55:20

\$
\$225,000 34:13

1
1-800-745-1101
56:15
10 7:11
100 35:1
11 18:5,20
11th 56:9
12 44:12
12-31-07 56:13
15 15:13,15

2
2006 56:10

223 56:15
235 56:14

3
3000 56:14

4
400 35:1
400,000 34:13

5
5th 51:22
5001 56:13

7
77027 56:14

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Bureau of Immigration and Customs Enforcement

DATE: August 25, 2003

FILE: ENF-1.0/EP/LG

MEMORANDUM FOR: Case File

FROM: Special Agent Luis Garcia
El Paso

SUBJECT: August 6, 2003 Debrief of SA-913-EP

The purpose of this memorandum is to document information obtained during a debrief of SA-913-EP which took place on Wednesday, August 6, 2003. The debrief was conducted by Bureau of Immigration and Customs Enforcement (BICE) Special Agent (SA) Louie Garcia and El Paso County Sheriff's Office (EPSO) Detective Onesimo Esparza. The purpose of the debrief was to obtain information related to events that occurred between Thursday July 31, 2003 and Tuesday August 5, 2003 related to a homicide that was allegedly supervised by SA-913-EP.

The following is a synopsis of the debrief results from SA-913-EP:

The murder of "Fernando" LNU, was ordered by Heriberto SANTILLAN Tabares, who is a gatekeeper for the Vicente CARRILLO Fuentes Organization. According to SANTILLAN, "Fernando" was a childhood friend who had entrusted him with the delivery and transportation of 1,000 pounds of marijuana. SA-913-EP had posed as the one responsible for the transportation of the marijuana. An agreement between SANTILLAN and "Fernando" had been reached, at which time, SANTILLAN lured "Fernando" to an undisclosed location in Juarez, Mexico for the purpose of meeting SA-913-EP. The purpose for the meeting was to hand over the phone numbers for the people that were responsible for accepting the marijuana in El Paso, Texas. As SANTILLAN entered the location, "Fernando" was told to give the phone numbers to SA-913-EP. As the information was relayed, SANTILLAN exited the residence, at which time, "Fernando" was subdued and murdered.

The participants in the murder were Alex GARCIA, and two (2) Juarez Judicial Police Officers. SA-913-EP supervised the murder and had minimal participation in the act. GARCIA is often tasked with the coordination of the smuggling and transportation of narcotics. GARCIA is now also known to be an enforcer within the organization.

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According to SA-913-EP the two Judicial police officers that assisted in the murder of "Fernando," were hired by SANTILLAN. The two officers were later identified only by last name PEREZ and VARGAS. The body was subsequently entombed within the property line of the residence, where the meeting took place. The residence is allegedly owned by GARCIA.



Luis Garcia
Special Agent

Attachment