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10 UNITED STATES DISTRICT COURT  
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

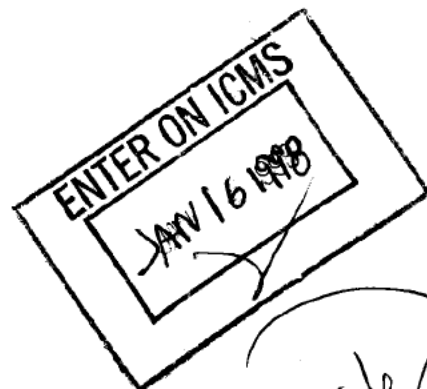
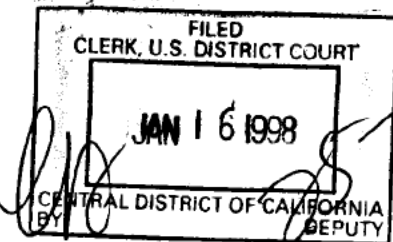
15 RUBEN ZUNO-ARCE,

16 Defendant.  
17 \_\_\_\_\_

No. CR 87-422(G)-ER

APPENDIX OF TRIAL TRANSCRIPT  
REFERENCES FILED IN SUPPORT OF  
GOVERNMENT'S OPPOSITION TO  
DEFENDANT'S MOTION FOR NEW  
TRIAL

Hrg. Date: March 2, 1998  
Hrg. Time: 10:00 a.m.



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**TAB 1**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 6 - Pgs: 175 - 177**

6-175

1 LITTLE MORE SLOWLY?

2 THE COURT: YES. REPEAT YOUR ANSWER SLOWLY.

3 THE WITNESS: JAVIER BARBA HERNANDEZ'S BODYGUARDS  
4 WOULD TAKE THE MONEY TO MY WIFE FOR HER TO HAVE IT DURING THE  
5 TIME THAT I WAS GOING TO BE THERE.

6 BY MR. MEDRANO:

7 Q. MR. CERVANTES, IF I COULD ASK YOU WHEN YOU ANSWER, COULD  
8 YOU SPEAK MORE SLOWLY FOR THE INTERPRETER TO DO THE  
9 TRANSLATION. OKAY?

10 A. YES.

11 Q. MR. CERVANTES, I'D LIKE TO DIRECT YOUR ATTENTION NOW TO  
12 ABOUT SEPTEMBER OF 1984. IN THE MONTH OF SEPTEMBER '84, DID  
13 YOU EVER ATTEND A BAPTISM?

14 A. YES.

15 Q. WHERE WAS THIS HELD AT?

16 A. AT THAT HOUSE, ATTORNEY JAVIER BARBA HERNANDEZ'S HOUSE.

17 Q. WHO WAS GOING TO BE BAPTIZED?

18 A. ATTORNEY JAVIER BARBA HERNANDEZ'S CHILD.

19 Q. WHAT WAS THE NAME OF THE CHILD, IF YOU KNOW?

20 A. YOREMI.

21 Q. WHO WAS GOING TO BE THE GODFATHER TO THE CHILD?

22 A. JAVIER GARCIA PANIAGUA.

23 Q. IS THERE -- STRIKE THAT.

24 THE BAPTISM EVENT IS HELD AT THE HOUSE OF BARBA  
25 HERNANDEZ?

009450

6-176

1 A. YES.

2 Q. DO MANY PEOPLE ATTEND?

3 A. YES.

4 Q. FOR THIS BAPTISM, WERE YOU PRESENT?

5 A. YES.

6 Q. CAN YOU TELL US WHO WAS AT THIS GATHERING IN SEPTEMBER OF  
7 1984?

8 A. MR. DON RUBEN ZUNO ARCE WAS THERE. THERE WAS JAVIER  
9 GARCIA PANIAGUA, HIS BROTHER MARCELINO, RAFAEL CARO QUINTERO,  
10 ERNESTO FONSECA CARRILLO.

11 THOSE WERE THE HIGHEST OFFICIALS PRESENT THERE AT THE  
12 BAPTISM.

13 Q. WAS YOUR BOSS JAVIER BARBA HERNANDEZ PRESENT?

14 A. YES.

15 Q. DID JAVIER BARBA HERNANDEZ HAVE A BOTHER?

16 A. YES.

17 Q. DO YOU RECALL HIS NAME?

18 A. YES.

19 Q. WHAT WAS THAT?

20 A. JORGE BARBA HERNANDEZ.

21 Q. WAS JORGE BARBA HERNANDEZ AT THIS GATHERING?

22 A. YES.

23 Q. DO YOU KNOW A MAN BY THE NAME OF MANUEL SALCIDO USUERTA?

24 A. YES.

25 Q. WAS MANUEL SALCIDO AT THIS GATHERING?

G09451

6-177

1 A. YES.

2 Q. NOW, MR. CERVANTES, DO YOU KNOW TWO MEN BY THE NAME OF  
3 MIGUEL ALDANA IBARRA AND MANUEL IBARRA HERRERA?

4 A. YES.

5 Q. AND WERE EITHER OF THESE TWO MEN AT THIS BAPTISM  
6 GATHERING?

7 A. NO.

8 Q. YOU MENTIONED THAT RUBEN ZUNO ARCE WAS AT THIS GATHERING  
9 AS WELL?

10 A. YES.

11 Q. DID HE COME WITH -- WELL, DID ANYONE COME WITH HIM; DO YOU  
12 RECALL?

13 A. YES.

14 Q. WHO WAS THAT?

15 A. DAVID MACIAS.

16 Q. WHO IS DAVID MACIAS?

17 A. HE USED TO BE HIS DRIVER BACK THEN.

18 Q. NOW, CAN I ASK YOU TO LOOK AT THE EXHIBIT IN FRONT OF YOU,  
19 GOVERNMENT EXHIBIT 55. CAN YOU PULL THAT OUT?

20 HAVE YOU FOUND THAT EXHIBIT, SIR?

21 A. YES.

22 Q. COULD YOU TELL ME WHO THAT IS?

23 A. YES.

24 Q. WHO IS IT?

25 A. JAVIER GARCIA PANIAGUA.

G09452

(2)

**TAB 2**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 7 - Pgs: 54 - 55**

7-54

1 Q WHEN DID YOU COME TO THE UNITED STATES PERMANENTLY?

2 A DECEMBER OF 89.

3 Q ARE YOU HERE TO TESTIFY VOLUNTARILY?

4 A YES.

5 Q SINCE COMING TO THE UNITED STATES IN DECEMBER OF 89, HAVE  
6 YOU RECEIVED MONEY FROM THE D.E.A.?

7 A YES.

8 Q AND DO YOU -- WELL, HOW MUCH HAVE YOU RECEIVED FROM THE  
9 D.E.A.?

10 A APPROXIMATELY SOME \$25,000.00.

11 Q HAVE YOU BEEN RECEIVING MONEY ON A MONTHLY BASIS?

12 A YES.

13 Q APPROXIMATELY HOW MUCH?

14 A 3,000.

15 Q WHAT DO YOU USE THIS MONEY FOR?

16 A I USE IT FOR MY FAMILY, TO PAY THE RENT, TO LIVE.

17 Q HAVE YOU BEEN PROVIDED MONEY, IN ADDITION, BY THE D.E.A.,  
18 FOR RELOCATION?

19 A YES.

20 Q FOR YOUR SECURITY?

21 A YES.

22 Q HAS ANY REWARD EVER BEEN PAID TO YOU BY THE D.E.A., MR.  
23 CERVANTES?

24 A NO.

25 Q HAS ANY REWARD BEEN PROMISED TO YOU BY THE D.E.A. OR



7-55

1 ANYBODY ELSE?

2 A NOTHING.

3 Q NOW, HAVE YOU BEEN ADVISED BY THE GOVERNMENT, MR.

4 CERVANTES, THAT YOU CAN REMAIN IN THE UNITED STATES SHOULD YOU  
5 DESIRE?

6 A YES.

7 MR. [REDACTED]: MAY I HAVE JUST ONE MOMENT, YOUR HONOR?

8 (PAUSE.)

9 YOUR HONOR, IF I CAN JUST CONFIRM WITH MADAM CLERK  
10 THAT I DID MOVE INTO EVIDENCE GOVERNMENT'S EXHIBIT 54, A  
11 PHOTOGRAPH.

12 THE COURT: WELL, IF NOT --

13 MR. [REDACTED]: WELL, WE WOULD SEEK ITS ADMISSION, YOUR  
14 HONOR. IT'S IDENTIFIED BY THE WITNESS.

15 THE COURT: IT MAY BE ADMITTED.

16 (EXHIBIT 54 & RECEIVED IN EVIDENCE.)

17 MR. [REDACTED]: THERE WAS A TERM USED BY THE WITNESS IN  
18 SPANISH THAT WAS TRANSLATED BY THE INTERPRETER. AT THIS TIME,  
19 WITH YOUR PERMISSION, I'D LIKE THE INTERPRETER TO GIVE BOTH THE  
20 LITERAL TRANSLATION, AS WELL AS THE ONE THAT SHE GAVE FOR THE  
21 RECORD --

22 THE COURT: WELL, WHAT IS THE TERM?

23 MR. [REDACTED]: MORE SPECIFICALLY, IN SPANISH, IT IS,  
24 "LA BOCA CERRADA NO ENTRA MOSCAS," WHICH I BELIEVE THE  
25 INTERPRETER, WHO IS CERTIFIED, OBVIOUSLY, CAN GIVE US A LITERAL

(3)

**TAB 3**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 7 - Pg: 63**

3 }

7-63

1 A I CHANGED IT BECAUSE THE QUESTION THAT THEY ASKED ME DID  
2 NOT COINCIDE WITH WHAT I WAS BEING ASKED, AND I WAS CONFUSED.

3 Q NOW, SIR, YOU FIRST MET D.E.A. AGENTS IN CONNECTION WITH  
4 YOUR TESTIMONY -- STRIKE THAT.

5 YOU FIRST MET D.E.A. AGENTS IN CONNECTION WITH GIVING  
6 ANY INFORMATION ABOUT WHAT KNOWLEDGE YOU HAVE ON THE CAMARENA  
7 AFFAIR IN NOVEMBER OF 1984; IS THAT CORRECT?

8 EXCUSE ME. I MISSPOKE.

9 IN NOVEMBER OF 1989, IS THAT THE FIRST TIME THAT YOU  
10 MET D.E.A. AGENTS AND SPOKE TO THEM ABOUT YOUR KNOWLEDGE OF THE  
11 CAMARENA KIDNAPPING?

12 A YES.

13 Q AND YOU WERE ASKED -- STRIKE THAT.

14 THE AGENTS YOU MET WITH WERE MR. SALAZAR AND MR.  
15 BERRELLEZ; IS THAT CORRECT?

16 A YES.

17 Q AND THEY TOLD YOU THEY WANTED TO KNOW EVERYTHING YOU KNEW  
18 ABOUT THE KIDNAPPING OF ENRIQUE CAMARENA; IS THAT CORRECT?

19 A YES.

20 Q AND THEY ENCOURAGED YOU ON THAT OCCASION, WITH A SERIES OF  
21 QUESTIONS, TO GIVE ALL THE INFORMATION THAT YOU HAD ABOUT THE  
22 CAMARENA KIDNAPPING; IS THAT CORRECT?

23 A WELL, I, ON MY OWN, GAVE THEM THE INFORMATION THAT I KNEW  
24 OF. THEY DIDN'T DEMAND ANYTHING OF ME.

25 Q SO YOU GAVE THEM THE INFORMATION YOU KNEW OF WHEN YOU MET

(4)

4)

**TAB 4**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 7 - Pg: 74**

7-74

1 KIDNAPPING BECAUSE YOU WERE NOT PRESENT THROUGHOUT THE ENTIRE  
2 MEETINGS?

3 A I ONLY TOLD THEM THE TRUTH, FROM THE BEGINNING. I TOLD  
4 THEM THAT I HAD BEEN THERE.

5 MR. [REDACTED]: MOVE TO STRIKE, YOUR HONOR, AND I'LL ASK  
6 IT AGAIN.

7 THE COURT: NO. HE'S ANSWERED THE QUESTION.

8 BY MR. [REDACTED]:

9 Q DID YOU TELL THE AGENTS ON JANUARY 2ND THAT YOU DID NOT  
10 OVERHEAR SPECIFICS ABOUT THE KIDNAPPING?

11 MR. [REDACTED]: ASKED AND ANSWERED, YOUR HONOR.

12 THE COURT: WELL, THAT'S -- HE MAY ANSWER THAT.

13 THE WITNESS: NO.

14 BY MR. [REDACTED]:

15 Q WAS THE FIRST TIME YOU EVER SAW MR. ZUNO AT JAVIER BARBA  
16 HERNDANDEZ'S HOUSE AFTER YOU STARTED WORKING FOR HIM?

17 A YES.

18 Q AND YOU SAID THAT YOU HAD KNOWN MR. HERNANDEZ FOR SOME 10  
19 YEARS BEFORE YOU STARTED WORKING FOR HIM?

20 A YES.

21 Q AND YOU SAW HIM FREQUENTLY DURING THOSE 10 YEARS?

22 A YES. WE LIVED IN THE SAME NEIGHBORHOOD, IN THE SAME AREA.

23 Q AND YOU NEVER SAW HIM DURING THAT 10-YEAR PERIOD WITH RUBEN  
24 ZUNO ARCE; ISN'T THAT CORRECT?

25 A NO, I NEVER DID SEE HIM WITH HIM BEFORE.

**TAB 5**

**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**

**Vol. 7 - Pgs: 78 - 81**

(5)

5)

1 MR. [REDACTED]: OBJECTION, ASKED AND ANSWERED.

2 THE COURT: OVERRULED.

3 THE WITNESS: I DID NOT KNOW.

4 BY MR. [REDACTED]:

5 Q WHAT WAS THE EVENT IN 1989 THAT CAUSED YOU TO COME FORWARD  
6 WHEN YOU HADN'T COME FORWARD IN THE FOUR AND A HALF PRECEDING  
7 YEARS WITH INFORMATION?

8 A WELL, THERE WAS A PERSON WHO ASKED ME IF I COULD COOPERATE.

9 Q AND WHAT WAS THAT PERSON'S NAME?

10 A I ONLY KNOW HIM BY A NICKNAME. I DON'T KNOW THE NAME.

11 Q WHAT IS THE NICKNAME?

12 A PANTERA.

13 Q DO YOU KNOW ANTONIO GARATE BUSTAMANTE?

14 A HE WAS MY BOSS WHEN I WAS WITH THE RIOT POLICE IN  
15 GUADALAJARA IN 1979.

16 Q DID HE HAVE ANY RELATIONSHIP WITH THE GENTLEMAN THAT CALLED  
17 YOU?

18 A THEY WERE FRIENDS.

19 Q THE PERSON THAT CALLED YOU, COULD YOU REPEAT THEIR NAME?

20 A THE PERSON WHO CALLED ME AND THE PERSON THAT I HAD CONTACT  
21 WITH WAS MR. ANTONIO GARATE.

22 Q I THOUGHT YOU HAD GIVEN ME A DIFFERENT NAME A MOMENT AGO,  
23 AS THE PERSON THAT FIRST CALLED YOU.

24 A WELL, YOU ASKED ME ABOUT THE FIRST CONTACT I WAS GOING TO  
25 HAVE. MY FIRST CONTACT WAS PANTERA.

7-79

1 Q PANTERA IS A DIFFERENT PERSON THAN GARATE BUSTAMANTE?

2 A NO. NO, HE'S NOT.

3 Q ARE THEY THE SAME PERSON?

4 A NO.

5 Q SO PANTERA IS A DIFFERENT PERSON THAN GARATE BUSTAMANTE; IS  
6 THAT CORRECT?

7 MR. [REDACTED]: OBJECTION. ASKED AND ANSWERED, YOUR  
8 HONOR.

9 THE COURT: THAT IS SUSTAINED.

10 BY MR. [REDACTED]:

11 Q WHEN DID PANTERA CALL YOU?

12 A I SAW HIM IN 89, WHILE I WAS WITH THE RIOT POLICE. HE ALSO  
13 WAS A RIOT POLICEMAN. HE WAS WITH ME.

14 HE SAID THAT HE KNEW THAT -- HE HAD SEEN -- THAT I HAD  
15 WORKED WITH ATTORNEY JAVIER BARBA HERNANDEZ, AND WHETHER I KNEW  
16 SOMETHING ABOUT THE KIDNAPPING, BECAUSE MEETINGS HAD BEEN HELD  
17 THERE. AND I TOLD HIM THAT, YES, I DID KNOW.

18 Q NOW, WHEN IN 1989 DID HE CONTACT YOU, SIR?

19 A OCTOBER.

20 Q NOW, YOU KNEW HIM FROM WHEN YOU WORKED WITH THE RIOT POLICE  
21 IN 1981, DID YOU NOT?

22 A YES.

23 Q WELL, IF YOU KNEW HE WAS WITH THE RIOT POLICE THROUGH THIS  
24 WHOLE PERIOD, WHY DIDN'T YOU CALL HIM IN 1985 AND TELL HIM YOU  
25 HAD INFORMATION?



7-80

1 A WELL, BECAUSE HE WAS NOT THE ADEQUATE PERSON TO TELL ME  
2 WHAT I WAS SUPPOSED TO DO. HE WAS GOING TO PUT ME IN TOUCH  
3 WITH MR. ANTONIO GARATE.

4 Q BUT IF YOU WANTED -- STRIKE THAT.

5 IF YOU HAD INFORMATION ABOUT THE KIDNAPPING THAT YOU  
6 WERE WILLING TO GIVE TO MR. GARATE IN 1989, WHY DIDN'T YOU GIVE  
7 IT TO SOMEBODY PRIOR TO THAT?

8 A BECAUSE, BUDDY, I WOULD BE DEAD.

9 Q YOU WOULDN'T BE DEAD IF YOU GAVE IT TO HIM IN 1989, BUT YOU  
10 WOULD BE DEAD IF YOU GAVE IT TO HIM IN 1986? IS THAT WHAT  
11 YOU'RE SAYING?

12 THE INTERPRETER: EXCUSE ME, YOUR HONOR. THE  
13 INTERPRETER NEEDS THAT QUESTION AGAIN.

14 THE COURT: RESTATE THE QUESTION.

15 BY MR. [REDACTED]:

16 Q ARE YOU SAYING THAT IF YOU GAVE INFORMATION IN 1989, YOU  
17 WOULD NOT BE KILLED, BUT IF YOU GAVE IT AT AN EARLIER PERIOD OF  
18 TIME, YOU WOULD BE KILLED?

19 A WELL, YES. IT'S DANGEROUS.

20 Q WELL, WHAT DID MR. BUSTAMANTE SAY TO YOU -- STRIKE THAT.

21 HOW DID YOU GET IN TOUCH WITH MR. BUSTAMANTE?

22 A OVER THE PHONE.

23 Q YOU KNEW HIM FROM 1980 -- 81, DID YOU NOT?

24 A YES.

25 Q IS THERE SOME REASON YOU DIDN'T CALL HIM AT AN EARLIER

7-81

1 PERIOD OF TIME?

2 A I DIDN'T KNOW THAT HE WAS WORKING WITH THESE PEOPLE.

3 Q NOW, DID HE TELL YOU THAT IF YOU COULD COME UP WITH  
4 INFORMATION ABOUT ZUNO ARCE, HE COULD HELP YOU GET RELOCATED TO  
5 THE UNITED STATES?

6 A NO. HE ONLY ASKED ME IF I WANTED TO COOPERATE VOLUNTARILY;  
7 AND I TOLD HIM, YES, THAT I WAS WILLING.

8 Q WELL, DID HE PROMISE YOU THAT YOU COULD COME TO THIS  
9 COUNTRY AND LIVE PERMANENTLY IF YOU COOPERATED?

10 A WELL, I WAS THE ONE WHO TOLD HIM THAT, WERE I TO LEAVE  
11 MEXICO, I COULD EXPLAIN EVERYTHING TO HIM, EVERYTHING THAT I  
12 KNEW. AND HE SAID THAT HE WAS GOING TO HELP ME, SO THAT  
13 NOTHING WOULD HAPPEN, AND THAT I WOULD BE HERE IN THE UNITED  
14 STATES, WHERE I COULD TALK.

15 Q SO DID HE TELL YOU THAT IF YOU GAVE INFORMATION, YOU'D BE  
16 ABLE TO LIVE HERE IN THE UNITED STATES AND LIVE HERE WITH YOUR  
17 FAMILY PERMANENTLY?

18 A WELL, TO SAY IT AGAIN: I ASKED HIM FOR HELP, AND HE  
19 OFFERED IT TO ME.

20 Q MY QUESTION, SIR, IS: DID HE TELL YOU IF YOU GAVE  
21 INFORMATION, HE WOULD ARRANGE SO THAT YOU COULD LIVE IN THIS  
22 COUNTRY PERMANENTLY?

23 A NO. HE ONLY ASKED ME IF I KNEW ABOUT THE CASE, AND I TOLD  
24 HIM THAT I DID.

25 Q NOW, IF YOU DIDN'T HAVE ANY PROMISE THAT YOU COULD LIVE

**TAB 6**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 7 - Pgs: 85 - 88**

(6)

6

7-85

1 BEEN AT A MEETING IN DECEMBER OF 1984, WHEN THE PICTURE OF  
2 ENRIQUE CAMARENA WAS PASSED AROUND AND MR. FONSECA SAID, "WE  
3 HAVE TO KILL HIM"?

4 A NO.

5 Q DID YOU TALK TO HIM AT ALL ABOUT WHAT INVOLVEMENT HE HAD IN  
6 THE KIDNAPPING?

7 A NO.

8 Q DID YOU TALK TO HIM ABOUT WHETHER YOU COULD REMAIN IN THE  
9 COUNTRY IF YOU GAVE INFORMATION THAT WAS FOUND TO BE HELPFUL?

10 A YES. I ALSO SAID THAT IF THEY HELPED ME, I WAS GOING TO  
11 SAY EVERY -- WHAT I KNEW, AND ONLY THE TRUTH.

12 Q IF THEY HELPED YOU WHAT? WHAT DID YOU ASK FOR?

13 A I DIDN'T ASK THEM FOR ANYTHING.

14 Q YOU SAID IF THEY HELPED YOU -- STRIKE THAT.

15 DID YOU EXPLAIN IT TO MR. BUSTAMANTE, WHAT YOU MEANT  
16 BY "HELP" YOU?

17 A WELL, TO BRING MY FAMILY TO LIVE HERE.

18 Q YOU THOUGHT YOU COULD MAKE MORE, LIVING HERE IN THIS  
19 COUNTRY, THAN THE \$45.00 A MONTH YOU WERE MAKING IN MEXICO; IS  
20 THAT RIGHT?

21 A I NEVER THOUGHT OF THAT.

22 Q NEVER THOUGHT YOU COULD MAKE MORE MONEY HERE IN THE UNITED  
23 STATES THAN YOU WERE MAKING IN MEXICO?

24 A WELL, MAYBE I DID THINK ABOUT IT, BUT -- (PAUSE.)

25 Q WELL, YOU DID THINK ABOUT IT, DIDN'T YOU, SIR?

7-86

1 A NO, I DIDN'T THINK ABOUT THAT. I JUST CAME BECAUSE OF WHAT  
2 I KNOW. THAT'S ALL.

3 Q BUT YOU DIDN'T COME TO THIS COUNTRY FROM 85 TO OCTOBER OF  
4 89 -- STRIKE THAT.

5 YOU DIDN'T COME TO THIS COUNTRY BEFORE THAT BECAUSE OF  
6 WHAT YOU KNOW, DID YOU?

7 A NO.

8 Q NOW, DID MR. BUSTAMANTE TELL YOU IF YOU GAVE HELPFUL  
9 INFORMATION, THAT YOU'D BEEN PAID AND YOU COULD STAY IN THIS  
10 COUNTRY WITH YOUR FAMILY?

11 A NO, HE DIDN'T SAY THAT TO ME. HE JUST PUT ME IN TOUCH WITH  
12 ANOTHER PERSON.

13 Q YOU DIDN'T GIVE HIM ANY DETAILS OF ANY KIND AT THAT TIME  
14 ABOUT MR. ZUNO, DID YOU?

15 A ONLY THAT I KNEW THAT HE HAD BEEN THERE. I TOLD HIM THAT.

16 Q YOU DIDN'T TELL HIM WHERE HE HAD BEEN, DID YOU?

17 A (SHAKING HEAD FROM SIDE TO SIDE.)

18 Q YOU'RE SHAKE YOUR HEAD "NO"?

19 A NO.

20 Q SO YOU WERE HOLDING OUT YOUR INFORMATION TO SEE WHAT YOU  
21 COULD GET FOR IT; ISN'T THAT TRUE?

22 A NEVER. NO.

23 Q WELL, WHAT HAPPENS THEN? YOU DON'T TELL MR. GARATE ANY  
24 DETAILS ABOUT ANY MEETINGS. WHEN DO YOU FIRST TELL SOMEBODY?

25 A A FEW DAYS LATER, HE PUTS ME IN TOUCH WITH A PERSON AND I

7-87

1 MEET WITH THAT PERSON.

2 Q IS THIS OCTOBER OR NOVEMBER, SIR?

3 A NOVEMBER.

4 Q AROUND THANKSGIVING?

5 A I DON'T KNOW WHEN THANKSGIVING WOULD BE.

6 Q ASSUME, SIR, THAT THANKSGIVING WOULD BE SOMEWHERE AROUND  
7 THE 24TH, 25TH OF NOVEMBER. MY QUESTION THEN, SIR, IS: THE  
8 PEOPLE THAT HE PUT YOU IN TOUCH WITH, DID YOU SEE THEM FOR THE  
9 FIRST TIME AROUND THANKSGIVING OF 1989?

10 A THE FIRST DAYS OF NOVEMBER, BEGINNING OF NOVEMBER.

11 Q BEGINNING OF NOVEMBER?

12 A MORE OR LESS.

13 Q WHO WAS IT THAT YOU SAW?

14 A MR. HECTOR BERRELLEZ.

15 Q AND WHERE DID YOU SEE HIM?

16 A AT A HOTEL WHERE I WAS STAYING.

17 Q IN WHAT CITY, SIR?

18 A HERE IN LOS ANGELES.

19 Q DID MR. BUSTAMANTE TELL YOU TO COME HERE TO LOS ANGELES AND  
20 GO TO A PARTICULAR HOTEL?

21 A NO. NO, HE TOOK ME TO THE HOTEL. I STAYED AT THE HOTEL,  
22 AND SUBSEQUENTLY I SPOKE WITH THAT PERSON.

23 Q NOW, BEFORE SPEAKING TO THAT PERSON -- THAT PERSON'S MR.  
24 BERRELLEZ?

25 A EXCUSE ME?

7-88

1 Q THE PERSON YOU SPOKE TO IS MR. BERRELLEZ?

2 A YES.

3 Q AND DO YOU SEE MR. BERRELLEZ IN THE COURTROOM TODAY?

4 A YES.

5 Q HE'S HELPED PREPARE YOU, HAS HE NOT, FOR YOUR TESTIMONY?

6 A NO. HOW COULD THEY PREPARE ME? I KNOW WHAT HAPPENED.

7 Q WELL, YOU'VE SPOKEN TO MR. BERRELLEZ A NUMBER OF TIMES  
8 ABOUT YOUR TESTIMONY, HAVE YOU NOT, SIR, IN THE LAST SEVERAL  
9 DAYS?

10 A ONLY WITH MR. MEDRANO AND MR. BERRELLEZ TOGETHER.

11 Q AT THE MORNING RECESS, SIR, DIDN'T MR. BERRELLEZ COME UP TO  
12 YOU AND WAS TALKING TO YOU ABOUT YOUR TESTIMONY, THIS VERY  
13 MORNING?

14 A NO. HE JUST SAID THAT MY SUIT LOOKED GOOD ON ME, AND THAT  
15 WAS ALL.

16 COURTROOM: (LAUGHTER.)

17 BY MR. [REDACTED]:

18 Q IS THAT A SUIT THAT WAS BOUGHT --

19 A HE DIDN'T SAY ANYTHING TO ME.

20 Q WAS THIS A SUIT THAT HE HELPED BUY FOR YOU YESTERDAY?

21 A (LAUGHTER.) NO.

22 COURTROOM: (LAUGHTER.)

23 BY MR. [REDACTED]:

24 Q SO ALL HE WAS TALKING TO YOU ABOUT IS HOW GOOD YOU LOOK?

25 A NO. HE JUST SAID THAT THIS SUIT WAS FINE.

(7)

**TAB 7**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 7 - Pgs: 90 - 91**

(7)



7-90

1 Q YOU'VE TOLD US YOU MET MR. BERRELLEZ AT A HOTEL IN LOS  
2 ANGELES IN 1989; IS THAT CORRECT, SIR?

3 A YES.

4 Q AND PRIOR TO GIVING ANY INFORMATION ABOUT MR. CAMARENA'S  
5 KIDNAPPING, DID YOU MAKE ANY REQUESTS OF HIM?

6 A NO, NOTHING.

7 Q DID YOU HAVE ANY DISCUSSIONS WITH HIM ABOUT YOUR ABILITY TO  
8 LIVE HERE PERMANENTLY IN THIS COUNTRY?

9 A I TOLD HIM THAT I ONLY KNOW WHAT I KNOW AND WHAT I HAVE  
10 SAID, AND THAT MY FAMILY WAS IN DANGER IN MEXICO. THAT'S WHAT  
11 I TOLD HIM.

12 I TOLD HIM THAT MY FAMILY'S IN MEXICO AND I NEED TO  
13 HAVE THEM HERE FOR ME TO MAKE STATEMENTS.

14 THE INTERPRETER: EXCUSE ME, YOUR HONOR. THERE WAS  
15 SLIGHTLY MORE. MAY I ASK HIM TO REPEAT?

16 THE COURT: YES.

17 THE INTERPRETER: (CONFERS WITH WITNESS.)

18 THE WITNESS: I TOLD HIM THAT, WELL, IF HE WANTED TO  
19 ARREST ME FOR WHAT I KNEW, THAT HE SHOULD GO AHEAD; BUT THAT  
20 FOR ME TO TALK, THAT MY FAMILY SHOULD BE BROUGHT HERE.

21 BY MR. [REDACTED]:

22 Q AND DID HE SAY THAT THAT WOULD BE AGREEABLE: IF YOU GAVE  
23 INFORMATION THAT HE THOUGHT WAS HELPFUL, THAT YOUR FAMILY WOULD  
24 BE BROUGHT HERE?

25 A YES, THAT THE GOVERNMENT WAS GOING TO HELP ME BECAUSE OF

7-91

1 WHAT I KNEW, BECAUSE IT WAS ALL TRUE.

2 Q NOW, HAD YOU -- STRIKE THAT.

3 WHEN DID YOU FIRST MENTION TO HIM THAT MR. ZUNO WAS IN  
4 ANY MEETINGS AT WHICH THE CAMARENA KIDNAPPING WAS DISCUSSED?

5 A THE FIRST TIME WHEN I EXPLAINED EVERYTHING TO HIM, I TOLD  
6 HIM THAT HE ALSO HAD BEEN THERE.

7 Q AND THAT'S THE TIME -- IS THAT THIS OCCASION, THAT WE'RE  
8 TALKING ABOUT?

9 MR. [REDACTED]: OBJECTION. AMBIGUOUS, YOUR HONOR: THIS  
10 OCCASION?

11 THE WITNESS: I DON'T KNOW WHAT HE'S TALKING ABOUT.

12 THE COURT: RESTATE YOUR QUESTION.

13 BY MR. [REDACTED]:

14 Q WAS IT ON THIS OCCASION, WHEN MR. BERRELLEZ MET YOU IN THE  
15 HOTEL ROOM, THAT YOU TOLD HIM EVERYTHING YOU KNEW ABOUT MR.  
16 ZUNO'S INVOLVEMENT IN THE CAMARENA KIDNAPPING?

17 A YES.

18 Q NOW, DID HE GIVE YOU AT THAT TIME \$2,000.00?

19 A YES. FOR EXPENSES, YES.

20 Q WAS THAT AT THE SAME MEETING?

21 A YES, ONCE WE FINISHED TALKING.

22 Q HAD YOU WORKED OUT AN ARRANGEMENT ON MONEY PRIOR TO THE  
23 TIME YOU STARTED TO TALK?

24 A NO. WE HADN'T TALKED ABOUT MONEY. I WAS ONLY ASKING FOR  
25 PROTECTION, FOR MY FAMILY AND FOR MYSELF.

7-92

1 Q NOW, WHEN YOU WERE GIVEN THE \$2,000.00, WHAT WAS SAID ABOUT  
2 GETTING MORE MONEY?

3 A WE DIDN'T SAY ANYTHING ABOUT THAT.

4 Q WELL, WEREN'T YOU TOLD THAT IF YOU WERE COOPERATIVE AND  
5 GAVE TESTIMONY, YOU WOULD BE GIVEN MORE MONEY?

6 A HE ONLY TOLD ME THAT I WOULD RECEIVE HELP MONTHLY IN ORDER  
7 TO BE ABLE TO LIVE, TO PAY RENT; HELP FOR MY FAMILY.

8 Q NOW, WHEN YOU SPOKE TO MR. BERRELLEZ AND TOLD HIM  
9 EVERYTHING YOU KNEW, YOU NEVER MENTIONED THE OCTOBER 1984  
10 WEDDING MEETING THAT YOU'VE TOLD THE JURY ABOUT HERE TODAY; IS  
11 THAT CORRECT?

12 A NO. I TOLD HIM ABOUT THAT LATER.

13 Q NOW, IN ADDITION TO SEEING MR. BERRELLEZ ON THIS OCCASION  
14 IN NOVEMBER OF 1984, DID YOU ALSO, ON THE SAME TRIP, SEE  
15 MEMBERS OF THE U.S. ATTORNEY'S OFFICE?

16 A I DON'T UNDERSTAND THAT QUESTION.

17 Q WHEN YOU GOT HERE, YOU SPOKE TO MR. BERRELLEZ AT YOUR  
18 HOTEL, IS THAT CORRECT, IN NOVEMBER OF 1989?

19 A YES.

20 Q DID YOU SPEAK TO THEM -- DID YOU SPEAK TO HIM MORE THAN ONE  
21 DAY ON THAT TRIP?

22 A JUST HOURS. NOT EVEN A DAY.

23 Q DID YOU VISIT AND DISCUSS THE CASE AT THAT TIME WITH ANYONE  
24 IN THE U.S. ATTORNEY'S OFFICE?

25 A JUST WITH THE GOVERNMENT ATTORNEY, [REDACTED].

(8)

**TAB 8**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 7 - Pg: 94**

(8)

7-94

1 MR. [REDACTED], DID YOU RETURN TO MEXICO?

2 A YES.

3 Q AND YOU WERE NOT HARMED?

4 A NO.

5 Q THEN A WEEK OR SO LATER, AFTER THE FIRST MEETING, DID YOU  
6 COME BACK TO MEET AGAIN WITH THE D.E.A. AGENTS AND MR. [REDACTED]?

7 A YES.

8 Q NOW, AT THAT TIME, APPROXIMATELY NOVEMBER 30 OF LAST YEAR,  
9 YOU DID NOT TELL MR. [REDACTED] OR THE D.E.A. AGENTS ANYTHING  
10 ABOUT THIS ALLEGED OCTOBER MEETING, DID YOU?

11 A I DIDN'T MENTION THAT MEETING TO THEM IN NOVEMBER. I  
12 DIDN'T MENTION IT UNTIL JANUARY TO THEM.

13 Q NOW, YOU ALSO DIDN'T MENTION IN NOVEMBER, TO THE D.E.A.  
14 AGENTS OR MR. MEDRANO, ON THIS SECOND TRIP, ANYTHING ABOUT AN  
15 ALLEGED SEPTEMBER BAPTISM MEETING WHERE YOU NOW CLAIM THERE WAS  
16 A DISCUSSION ABOUT THE KIDNAPPING; IS THAT CORRECT?

17 A NO, I DIDN'T TELL THEM ABOUT THAT UNTIL LATER, ALSO.

18 Q DID YOU RETURN TO MEXICO -- STRIKE THAT.

19 YOU APPEARED BEFORE THE -- STRIKE THAT.

20 DID YOU RETURN TO MEXICO ABOUT DECEMBER 1?

21 A YES, APPROXIMATELY AROUND THEN.

22 Q AND THAT WAS AFTER YOU HAD TESTIFIED BEFORE THE FEDERAL  
23 GRAND JURY; IS THAT CORRECT?

24 A YES, I HAD TESTIFIED.

25 Q AND YOU MADE NO MENTION OF ANY KIND OF ANY MEETINGS WHERE

(9)

**TAB 9**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 7 - Pgs: 97 - 109**

9 }

7-97

1 A IT WAS AROUND THAT TIME, ABOUT THE 11TH. I DON'T KNOW WHAT  
2 DAY EXACTLY.

3 Q NOW, YOU WERE PAID ANOTHER \$1500.00 ON DECEMBER 1ST,  
4 WEREN'T YOU?

5 A YES. IT WAS TO HELP MY FAMILY, SO THAT I COULD BE HERE AND  
6 ALL OF THAT.

7 Q DID YOU RETURN TO MEXICO AROUND DECEMBER 1ST?

8 A NO. IT WAS MORE TOWARD THE MIDDLE OF DECEMBER.

9 Q SO YOU WERE HERE FROM SOME TIME AROUND NOVEMBER 30, WHEN  
10 YOU TESTIFIED BEFORE THE GRAND JURY, TO THE MIDDLE OF DECEMBER;  
11 IS THAT WHAT YOU'RE SAYING, SIR?

12 A NO. IT WASN'T TOWARD THE END. IT WAS TOWARD THE MIDDLE OF  
13 DECEMBER.

14 Q I'M SORRY, SIR. I MIGHT HAVE MISUNDERSTOOD.

15 DID YOU SAY YOU WERE HERE IN THIS COUNTRY FROM  
16 APPROXIMATELY NOVEMBER 30 TO APPROXIMATELY DECEMBER 15TH?

17 A YES.

18 Q AND DURING THAT PERIOD OF TIME, DID YOU MEET ON A NUMBER OF  
19 OCCASIONS WITH D.E.A. PEOPLE TO TALK ABOUT WHAT YOUR KNOWLEDGE  
20 WAS IN CONNECTION WITH THE KIDNAPPING?

21 A WELL, JUST THE TIME WHEN I TOLD YOU ABOUT, WHEN I TOLD THEM  
22 THE LAST THINGS THAT I KNEW. I DIDN'T HAVE ANY MORE MEETINGS  
23 WITH THEM AFTER THAT.

24 Q WELL, YOU TOLD US ABOUT THE MEETINGS THROUGH NOVEMBER 30  
25 AND YOUR GRAND JURY TESTIMONY OF NOVEMBER 30. AND I'D LIKE TO

7-98

1 KNOW WHAT YOU DID IN THIS COUNTRY BETWEEN NOVEMBER 30 AND THE  
2 MIDDLE OF DECEMBER, WHEN YOU WENT BACK TO MEXICO.

3 A I DON'T UNDERSTAND THE QUESTION.

4 Q AFTER YOU TESTIFIED BEFORE THE GRAND JURY, SIR, YOU STAYED  
5 IN THIS COUNTRY TWO MORE WEEKS BEFORE RETURNING TO MEXICO?

6 A MORE OR LESS. I'M NOT SURE WHETHER IT WAS TWO WEEKS.

7 Q DID YOU HAVE ANY CONTACT DURING THOSE TWO WEEKS WITH ANY  
8 REPRESENTATIVES OF THE D.E.A.?

9 A NO.

10 Q WHAT DID YOU DO HERE THOSE TWO WEEKS?

11 A I WAS WAITING AT THE HOTEL, WAITING TO SEE WHAT WOULD  
12 HAPPEN.

13 Q DID YOU SEE MR. BUSTAMANTE, GARATE BUSTAMANTE?

14 A I DID NOT SEE HIM AGAIN.

15 Q ARE YOU SAYING, THEN, YOU JUST SAT IN THE HOTEL FOR THOSE  
16 TWO WEEKS AND DIDN'T SEE ANYBODY?

17 A WELL, I WAS AT THE HOTEL. I DIDN'T SEE ANYBODY, JUST MY  
18 FAMILY.

19 Q OH, SO YOU WERE HERE WITH YOUR FAMILY UNTIL THE MIDDLE OF  
20 DECEMBER; IS THAT CORRECT?

21 A I ARRIVED HERE ON DECEMBER 20TH WITH MY FAMILY.

22 Q SIR, WHEN YOU CAME HERE NOVEMBER 30TH TO TESTIFY BEFORE THE  
23 GRAND JURY, WAS YOUR FAMILY WITH YOU?

24 A NO.

25 Q AFTER YOU TESTIFIED BEFORE THE GRAND JURY, DID YOU RETURN



7-99

1 TO MEXICO WITHIN A FEW DAYS OF WHEN YOU TESTIFIED?

2 THE INTERPRETER: I NEED TO ASK THE WITNESS TO REPEAT  
3 THAT. (CONFERS WITH WITNESS.)

4 THE WITNESS: MY FATHER PASSED AWAY. I HAD TO GO  
5 BACK.

6 BY MR. [REDACTED]:

7 Q SO YOU WENT BACK TO MEXICO AND YOU STAYED THERE AND CAME  
8 BACK WITH YOUR FAMILY AROUND DECEMBER 20TH; IS THAT CORRECT?

9 A APPROXIMATELY, YES.

10 Q NOW, IN DECEMBER, YOU WERE PAID ANOTHER \$8500.00 FOR YOUR  
11 COOPERATION; ISN'T THAT CORRECT?

12 A YES, THAT IS TRUE.

13 Q AND YOU WERE TOLD AS LONG AS YOU WERE HELPFUL, YOU'D KEEP  
14 GETTING PAID; ISN'T THAT CORRECT?

15 A NO. I WAS TOLD FROM THE BEGINNING THAT IF I COOPERATED AND  
16 I SAID WHAT I KNEW, I WAS GOING TO HAVE A MONTHLY SALARY.

17 Q BUT IN DECEMBER, YOU GOT \$8500.00?

18 A YES. I HAD THE EXPENSES OF MY FATHER AND I ALSO HAD  
19 EXPENSES HERE, IN ORDER TO FIND A PLACE TO LIVE.

20 Q NOW, YOU WERE TOLD, WHEN YOU GOT THIS MONEY, THAT THE  
21 D.E.A. WANTED MORE INFORMATION, WANTED YOU TO REMEMBER MORE  
22 ABOUT WHAT HAPPENED; ISN'T THAT TRUE?

23 A NO. THAT IS NOT TRUE. THAT WAS FOR THREE MONTHS. I GOT  
24 TWO MONTHS' ADVANCE.

25 Q BUT AS TIME WENT ON, IT IS TRUE THAT AS YOU GOT MORE AND

7-100

1 MORE MONEY, YOU GAVE MORE AND MORE INFORMATION; ISN'T THAT  
2 TRUE?

3 A NO, THAT IS NOT TRUE.

4 Q YOU DID GIVE MORE INFORMATION, DID YOU NOT?

5 A ONLY WHAT I KNEW --

6 Q (SIMULTANEOUS WITH TESTIMONY:) THERE'S THINGS YOU KNEW IN  
7 JANUARY, BUT --

8 THE COURT: JUST A MOMENT. WAIT FOR THE ANSWER.

9 THE WITNESS: -- THAT WAS THE ONLY THING THAT I COULD  
10 SAY.

11 BY MR. MEDVENE:

12 Q YOU KNEW THINGS IN JANUARY THAT YOU DIDN'T KNOW IN  
13 NOVEMBER, SIR?

14 A NO. I KNEW EVERYTHING; IT'S JUST THAT I DIDN'T MENTION  
15 CERTAIN PEOPLE, SUCH AS JAVIER GARCIA PANIAGUA, BECAUSE OF THE  
16 DANGER THAT I WAS IN.

17 Q BUT YOU MENTIONED MR. --

18 THE COURT: JUST A MOMENT. WE'RE GOING TO TAKE OUR  
19 AFTERNOON RECESS AT THIS TIME.

20 THE CLERK: PLEASE RISE.

21 (BRIEF RECESS.)  
22  
23  
24  
25

7-101

1 (JURY PRESENT.)

2 THE COURT: DO YOU HAVE ANY FURTHER QUESTIONS FOR  
3 THIS WITNESS?

4 MR. [REDACTED]: YES, YOUR HONOR.

5  
6 CROSS-EXAMINATION + CONTINUED

7 BY MR. [REDACTED]:

8 Q. YOU TESTIFIED IMMEDIATELY BEFORE THE BREAK, MR. CERVANTES,  
9 ABOUT -- YOU DIDN'T FURNISH THE GRAND JURY IN NOVEMBER  
10 INFORMATION ABOUT THE OCTOBER MEETINGS BECAUSE YOU WERE  
11 CONCERNED ABOUT PANIAGUA; IS THAT CORRECT, SIR?

12 A. YES.

13 Q. ISN'T IT TRUE, SIR, THAT YOU TESTIFIED BEFORE THE GRAND  
14 JURY ON JANUARY 17 OF 1990 ABOUT AN OCTOBER PREWEDDING MEETING  
15 AND DO NOT MENTION MR. PANIAGUA?

16 A. I HAD ALREADY MENTIONED HIM.

17 Q. I'M SORRY, SIR.

18 ISN'T IT TRUE THAT YOU TESTIFIED BEFORE THE GRAND  
19 JURY THAT THERE WAS AN OCTOBER MEETING PRIOR TO THE WEDDING  
20 WHERE THE KIDNAPPING OF MR. CAMARENA WAS DISCUSSED AND YOU DID  
21 NOT IDENTIFY MR. PANIAGUA AS BEING THERE?

22 A. I DID SAY THAT HE WAS THERE.

23 Q. MR. CERVANTES, I READ YOU FROM THE JANUARY 17, 1990 GRAND  
24 JURY TRANSCRIPT AT PAGE 8, STARTING AT LINE 4 THROUGH LINE 11,  
25 AND ASK IF YOU WERE ASKED THESE QUESTIONS AND UNDER OATH DID

7-102

1 YOU GIVE THESE ANSWERS?

2 "Q. AND THIS MEETING THAT WE'RE ABOUT TO DISCUSS WHERE JAVIER  
3 BARBA ALDANA, IBERRA AND MATTA WERE PRESENT, DID THIS MEETING  
4 OCCUR THE DAY OF THE WEDDING?"

5 THE WITNESS -- THAT'S YOURSELF, SIR -- "YES."

6 AND AT LINES 9 THROUGH 11, MR. [REDACTED]:

7 "Q. DID IT OCCUR BEFORE THE ACTUAL WEDDING ITSELF?

8 "A. YES."

9 AND AT 12 AND 13:

10 "Q. WHAT ROOM OF THE HOUSE DID THE MEETING OCCUR?

11 "A. IN THE LIVING ROOM."

12 WERE YOU ASKED THOSE QUESTIONS AND DID YOU GIVE THOSE  
13 ANSWERS?

14 A. YES.

15 Q. AND THIS IS THE MEETING WHERE YOU HAVE TESTIFIED THAT  
16 THERE WERE CERTAIN DISCUSSIONS ABOUT THE KIDNAPPING OF  
17 MR. CAMARENA; IS THAT CORRECT?

18 A. YES.

19 Q. AND YOU DON'T IDENTIFY MR. PANIAGUA AS BEING AT THAT  
20 MEETING BEFORE THE GRAND JURY; ISN'T THAT CORRECT?

21 MR. [REDACTED]: HE MISSTATES THE TESTIMONY FO THE  
22 WITNESS. HE SAYS THAT THE SECOND MEETING IS WITH MR. PANIAGUA,  
23 IT IS NOT THE FIRST.

24 MR. [REDACTED] I'M TALKING ABOUT THE FIRST MEETING  
25 YOUR HONOR. THAT'S ALL WE'RE TALKING ABOUT.

7-103

1 THE COURT: WELL, THE JURY HAS HEARD THE TESTIMONY OF  
2 THIS WITNESS.

3 MR. [REDACTED] YES, YOUR HONOR.

4 THE COURT: I WANT YOU TO STOP PHRASING YOUR  
5 QUESTIONS IN TERMS OF WHAT THIS WITNESS HAS TESTIFIED. IF YOU  
6 HAVE QUESTIONS TO ASK HIM, JUST ASK THE QUESTIONS. IF YOU HAVE  
7 TESTIMONY YOU WANT TO QUESTION HIM ABOUT, JUST READ IT AND THE  
8 TESTIMONY WILL SPEAK FOR ITSELF.

9 MR. [REDACTED] YES, SIR.

10 BY MR. [REDACTED]

11 Q. SINCE DO YOU NOT MENTION MR. PANIAGUA AT THE PREWEDDING  
12 MEETING, WHY DIDN'T YOU FURNISH THAT INFORMATION TO THE D.E.A.  
13 IN NOVEMBER OF 1989 WHEN YOU CAME HERE AND SAID EVERYTHING YOU  
14 KNEW?

15 A. I DON'T UNDERSTAND WHAT HE'S SAYING.

16 Q. YOU SAID YOU DID NOT GIVE THE D.E.A. PEOPLE INFORMATION  
17 ABOUT THE OCTOBER -- BE AN OCTOBER MEETING BECAUSE OF MR.  
18 PANIAGUA.

19 I'M ASKING YOU IF THE MEETING REALLY OCCURRED. SINCE  
20 MR. PANIAGUA WAS NOT THERE, AS YOU TESTIFIED, WHY DIDN'T GIVE  
21 THAT INFORMATION TO THE D.E.A. PEOPLE IN NOVEMBER OF 1989?

22 THE INTERPRETER: I'M SORRY, YOUR HONOR. THE  
23 INTERPRETER NEEDS THAT QUESTION AGAIN.

24 THE COURT: THE QUESTION IS NOT VERY CLEAR, COUNSEL.  
25 I HAD TROUBLE FOLLOWING IT.

7-104

1 MR. [REDACTED]: I'M SORRY, YOUR HONOR.

2 THE COURT: IF I'M NOT MISTAKEN, YOU HAVE COVERED  
3 THIS ONCE ALREADY WITH THIS WITNESS BEFORE THE BREAK.

4 MR. [REDACTED]: I DON'T BELIEVE SO, SIR. I BELIEVE THE  
5 WITNESS STATED AT THE BREAK, YOUR HONOR, THAT HE DIDN'T GIVE  
6 THIS INFORMATION BECAUSE OF MR. PANIAGUA.

7 THE COURT: THAT IS CORRECT.

8 MR. [REDACTED]E: I'M TRYING TO ESTABLISH SINCE HE WASN'T  
9 THERE, I'M TRYING TO FIND OUT WHY HE DIDN'T GIVE THE  
10 INFORMATION.

11 THE COURT: WHY HE DIDN'T TELL THEM HE WASN'T THERE?

12 MR. [REDACTED]E: NO. SINCE HE WASN'T THERE, WHY DIDN'T  
13 HE GIVE THIS INFORMATION TO THE D.E.A. ON NOVEMBER 30 WHEN HE  
14 MET WITH HIM.

15 THE COURT: WHAT INFORMATION?

16 MR. [REDACTED]E: THE INFORMATION ABOUT THIS ALLEGED  
17 MEETING WHETHER THERE WAS DISCUSSION OF KIDNAPPING.

18 THE COURT: YOU COVERED THAT WITH THIS WITNESS;  
19 DIDN'T YOU?

20 THAT'S WHAT WE HAVE BEEN BELABORING CONSIDERABLY.

21 MR. [REDACTED]: LET ME MOVE ON AND TRY TO APPROACH IT A  
22 DIFFERENT WAY, YOUR HONOR.

23 THE COURT: ALL RIGHT.

24 BY MR. [REDACTED]:

25 Q. YOU DID GIVE INFORMATION ABOUT MR. ZUNO AND THE KIDNAPPING

7-105

1 WHEN YOU TESTIFIED JANUARY -- EXCUSE ME, WHEN YOU TESTIFIED  
2 NOVEMBER 30 BEFORE THE GRAND JURY; IS THAT CORRECT?

3 A. YES.

4 Q. IF YOU GAVE INFORMATION ABOUT IT, WHY DIDN'T YOU ALSO TELL  
5 THE AGENTS AT THAT TIME ABOUT HIS PARTICIPATION IN THE OCTOBER  
6 MEETING IF THERE REALLY WAS SUCH A MEETING?

7 MR. [REDACTED]: OBJECTION; AMBIGUOUS AS TO WHICH  
8 MEETING IS BEING REFERRED TO.

9 THE COURT: DOES THE WITNESS UNDERSTAND THE QUESTION?

10 THE WITNESS: NO.

11 BY MR. [REDACTED]:

12 Q. YOU DIDN'T TELL THE D.E.A. REPRESENTATIVES IN NOVEMBER OF  
13 1989 THAT MR. ZUNO ATTENDED ANY MEETING IN OCTOBER OF '84 WHERE  
14 THE KIDNAPPING OF MR. CAMARENA WAS ALLEGEDLY DISCUSSED; IS THAT  
15 CORRECT, SIR?

16 A. I DID TALK TO THEM ABOUT THIS MAN, DON RUBEN. I DON'T  
17 KNOW.

18 Q. YOU DID NOT CLAIM IN NOVEMBER OF '89 THAT MR. ZUNO  
19 ATTENDED ANY OCTOBER MEETING WHERE THE KIDNAPPING OF MR.  
20 CAMARENA WAS DISCUSSED; ISN'T THAT CORRECT?

21 MR. [REDACTED] ASKED AND ANSWERED AND COVERED, YOUR  
22 HONOR.

23 THE COURT: SUSTAINED.

24 BY MR. [REDACTED]

25 Q. NOW, IS IT TRUE, SIR, THAT YOU'RE BEING PAID AT THE RATE

7-106

1 OF APPROXIMATELY \$6,000 A MONTH BY THE D.E.A.?

2 A. NO.

3 Q. HAVE YOU RECEIVED SINCE NOVEMBER 24TH IN EXCESS OF  
4 \$36,000?

5 A. NO.

6 MR. [REDACTED]: EXCUSE ME ONE SECOND, YOUR HONOR.

7 (DISCUSSION HELD OFF THE RECORD BETWEEN COUNSEL.)

8 MR. [REDACTED]: MAY I APPROACH THE CLERK, YOUR HONOR,  
9 FOR PURPOSES OF MARKING DEFENDANT'S C?

10 THE COURT: YES.

11 (EXHIBIT TENDERED TO THE CLERK TO BE MARKED.)

12 MR. [REDACTED]: WOULD YOU PLEASE PLACE THAT IN FRONT  
13 OF THE WITNESS.

14 (DOCUMENT TENDERED TO THE WITNESS.)

15 BY MR. [REDACTED]

16 Q. MR. CERVANTEZ, I HAVE PLACED IN FRONT OF YOU WHAT HAS BEEN  
17 MARKED AS DEFENDANT'S C AND ASK YOU IF THAT IS A SCHEDULE OF  
18 THE MONIES THAT YOU WERE PAID BY THE D.E.A. BETWEEN NOVEMBER  
19 24, 1989 AND MAY 4, 1990?

20 THE INTERPRETER: EXCUSE ME, YOUR HONOR. THE LAST  
21 DATE?

22 MR. [REDACTED]: MAY 4, 1990.

23 MR. [REDACTED] OBJECTION, YOUR HONOR, LACK OF  
24 FOUNDATION AS TO WHETHER HE'S EVEN SEEN THIS DOCUMENT.

25 THE COURT: I DON'T KNOW WHAT HE'S GOING TO ASK HIM



7-107

1 ABOUT IT.

2 WHAT IS THE PURPOSE OF SHOWING THE WITNESS THE  
3 DOCUMENT?

4 MR. [REDACTED] I'M TRYING TO REFRESH HIS RECOLLECTION,  
5 YOUR HONOR, AS TO THE AMOUNT OF MONEY HE HAS RECEIVED.

6 WE HAVE GOTTEN THIS DOCUMENT --

7 THE COURT: HE HASN'T INDICATED THAT HIS RECOLLECTION  
8 NEEDS REFRESHING. YOU ASKED HIM IF HE HAS RECEIVED \$6,000 A  
9 MONTH. NOW, PERHAPS YOU SHOULD ASK HIM WHAT IS THE TOTAL  
10 AMOUNT THAT HE HAS RECEIVED?

11 MR. [REDACTED] I BELIEVE I HAD JUST ASKED HIM IF HE  
12 HAD RECEIVED APPROXIMATELY \$36,000 AND I BELIEVE HE SAID NO,  
13 AND I SHOWED HIM THIS DOCUMENT TO ASK IF THIS REFRESHES HIS  
14 RECOLLECTION THAT HE HAS RECEIVED \$36,000 THROUGH MAY 4 OF '90.

15 THE COURT: WHAT IS YOUR QUESTION?

16 MR. [REDACTED] LET ME GO THROUGH IT THEN WITH MR.  
17 CERVANTES ONE AT A TIME.

18 THE COURT: JUST A MOMENT. ASK A QUESTION FIRST.

19 MR. [REDACTED] YES, SIR.

20 BY MR. [REDACTED]

21 Q. ON NOVEMBER 24, SIR, DID YOU RECEIVE -- YOU'RE FREE TO  
22 LOOK AT THE SCHEDULE IF YOU WANT. DID YOU RECEIVE \$2,000?

23 THE COURT: DO WE NEED TO GO THROUGH THIS? CAN'T YOU  
24 STIPULATE TO WHAT HE HAS RECEIVED?

25 MR. [REDACTED] I TRIED, SIR.

7-108

1 MR. [REDACTED] YOUR HONOR, WE'LL STIPULATE TO --  
2 THAT IS FINE, YOUR HONOR. WE'LL STIPULATE TO THAT.

3 THE COURT: STIPULATE TO WHAT?

4 MR. [REDACTED] THE PARTIES HAVE ENTERED INTO A  
5 STIPULATION THAT THIS MAN HAS RECEIVED FROM THE D.E.A. BETWEEN  
6 NOVEMBER 24, 1989 AND MAY 4, 1990 \$36,140.

7 MR. [REDACTED] ONE MOMENT, YOUR HONOR.

8 (DISCUSSION HELD OFF THE RECORD BETWEEN COUNSEL.)

9 THE COURT: IS THAT YOUR STIPULATION?

10 MR. [REDACTED] WE WOULD ADD, YOUR HONOR, WE WOULD  
11 REQUEST, "FOR EXPENSES AND SECURITY".

12 THE COURT: ALL WE'RE INTERESTED IN IS THE AMOUNT.

13 MR. [REDACTED]: VERY WELL.

14 THE COURT: YOU CAN EXPLAIN WHAT IT'S FOR.

15 MR. [REDACTED] VERY WELL. THAT'S FINE. SO  
16 STIPULATED.

17 THE COURT: THE JURY WILL ACCEPT THAT.

18 MR. [REDACTED] WE WOULD JOIN THE STIPULATION AS TO THE  
19 AMOUNT.

20 THE COURT: I ASSUME THAT'S NOT IN DISPUTE.

21 MR. [REDACTED] THAT APPLIES ACROSS THE BOARD FOR  
22 ALL COUNSEL.

23 BY MR. [REDACTED]

24 Q. MR. CERVANTES, YOU TESTIFIED YESTERDAY, I BELIEVE, ABOUT A  
25 BAPTISM MEETING. DO YOU RECALL THAT, SIR?

7-109

1 A. YES.

2 Q. WHEN DID THAT OCCUR?

3 A. IT WAS APPROXIMATELY IN THE MONTH OF SEPTEMBER, 1984.

4 Q. AND APPROXIMATELY WHEN IN SEPTEMBER, SIR?

5 A. THAT MONTH, BUT I DON'T REMEMBER THE EXACT DAY. I KNOW  
6 THAT IT IS THAT MONTH.

7 Q. DO YOU RECALL IF IT WAS THE BEGINNING OF THE MONTH OR THE  
8 LATTER PART OF THE MONTH?

9 A. THE BEGINNING OF THE MONTH.

10 Q. NOW, THE OCCASION WAS THE BAPTISM OF A CHILD OF YOUR  
11 EMPLOYER; IS THAT CORRECT?

12 A. YES.

13 Q. AND THE GODFATHER WAS A RELATIVELY IMPORTANT EVENT IN YOUR  
14 MIND; IS THAT CORRECT?

15 STRIKE THAT.

16 WAS THE GODFATHER IMPORTANT TO YOU?

17 MR. MEDRANO: OBJECTION, RELEVANCE.

18 THE COURT: SUSTAINED.

19 BY MR. [REDACTED]:

20 Q. WHO WAS THE GODFATHER?

21 A. DON JAVIER GARCIA PANIAGUA.

22 Q. DIDN'T YOU TESTIFY IN FRONT OF THE GRAND JURY THAT THE  
23 GODFATHER WAS RAFAEL CARO QUINTERO?

24 MR. [REDACTED] MAY WE HAVE THE DATE, YOUR HONOR?

25 MR. [REDACTED]: NOVEMBER 30, 1989.

(10)

**TAB 10**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 8 - Pgs: 60 - 61**

10

8-60

1 NOW?

2 A WELL, NO. IF I WANT TO STAY ALIVE, NO.

3 Q IT'S A LOT SAFER TO BE HERE IN THE UNITED STATES, ISN'T IT?

4 A YES.

5 Q AND YOU'RE GRATEFUL TO BE ABLE TO BE HERE, AREN'T YOU?

6 A NO.

7 Q OH, YOU'RE NOT HAPPY TO BE HERE?

8 A YES, BUT NOT GRATEFUL.

9 Q ARE YOU THANKFUL?

10 THE INTERPRETER: YOUR HONOR, THE TRANSLATION WOULD BE  
11 THE SAME IN SPANISH.

12 MR. [REDACTED]: ALL RIGHT.

13 Q DO YOU APPRECIATE WHAT THE UNITED STATES HAS DONE FOR YOU,  
14 MR. CERVANTES?

15 MR. [REDACTED]: OBJECTION, YOUR HONOR. RELEVANCE.

16 THE COURT: OVERRULED.

17 THE WITNESS: I'M ONLY HAPPY TO TELL THE TRUTH, AND  
18 I'M ALSO HAPPY THAT ATTORNEY JAVIER BARBA KNOWS THAT I'M DOING  
19 SOMETHING FOR HIM AND THAT I AM COOPERATING.

20 MR. [REDACTED]: MOVE TO STRIKE AS NONRESPONSIVE, YOUR  
21 HONOR.

22 THE COURT: DENIED.

23 BY MR. [REDACTED]:

24 Q MY QUESTION WAS WHETHER YOU APPRECIATE WHAT THE UNITED  
25 STATES IS DOING BY LETTING YOU STAY IN THIS COUNTRY, MR.

8-61

1 CERVANTES.

2 A WELL, YES. I DO APPRECIATE WHAT THEY'RE DOING FOR MY LIFE.

3 Q THE UNITED STATES GOVERNMENT IS ALLOWING YOU TO STAY ALIVE;  
4 ISN'T IT?

5 A YOU COULD SAY THAT.

6 MR. [REDACTED]: THANK YOU.

7 NOTHING FURTHER, YOUR HONOR.

8 THE COURT: ALL RIGHT. ANYONE ELSE WISH TO  
9 CROSS-EXAMINE THE WITNESS?

10 MR. [REDACTED] YES.

11 CROSS-EXAMINATION +

12 BY MR. [REDACTED]

13 Q MR. CERVANTES, WHEN WERE YOU BORN?

14 A I WAS BORN MARCH 14TH 1960.

15 Q AND WHAT WAS -- HOW OLD WERE YOU WHEN YOU FIRST MET JAVIER  
16 BARBA?

17 A I WAS ABOUT 15 OR 16.

18 Q WHAT GRADE WERE YOU IN SCHOOL AT THAT TIME?

19 A WE WERE THERE FROM 1968 TO 1974.

20 Q YES. WHAT GRADE WERE YOU IN WHEN YOU FIRST MET MR. BARBA?

21 A I WAS IN THE SECOND YEAR OF ELEMENTARY SCHOOL.

22 Q WAS HE ALSO IN THE SAME GRADE?

23 A YES.

24 Q YOU TOLD US YOU FINISHED YOUR EDUCATION WHEN YOU WERE 21;  
25 IS THAT CORRECT?

(11)

**TAB 11**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 8 - Pgs: 67 - 73**

11)

8-67

1 YESTERDAY, CONCERNING PAYMENT RECORDS, WHICH INDICATE THAT YOU  
2 HAD RECEIVED PAYMENTS BETWEEN NOVEMBER 24TH 1989 AND MAY 4TH  
3 1990 --

4 THE COURT: COUNSEL, LET'S AVOID THESE PREFATORY  
5 STATEMENTS, BECAUSE IT MAKES IT CUMBERSOME FOR THE INTERPRETER.  
6 TRY TO JUST ASK QUESTIONS.

7 BY MR. [REDACTED]:

8 Q SINCE MAY 4TH 1990, HAVE YOU RECEIVED ANY ADDITIONAL MONEY  
9 FROM THE GOVERNMENT. WHAT I MEAN, "THE GOVERNMENT," I'M  
10 REFERRING TO THE D.E.A. OR THE U.S. ATTORNEY.

11 A YES.

12 Q HOW MANY DIFFERENT TIMES HAVE YOU RECEIVED MONEY? SINCE  
13 MAY 4TH?

14 A (PAUSE.) WELL, I WAS RECEIVING MY MONTHLY; AND ASIDE FROM  
15 THAT, I'VE GOTTEN FOR SECURITY AND FOR THE HOUSE AND FOR MY  
16 FAMILY, AND THAT'S APART FROM IT.

17 Q SO YOU'VE RECEIVED AT LEAST, FROM MAY 4TH, AT LEAST TWO  
18 PAYMENTS OF MONEY FROM THE D.E.A.; RIGHT?

19 A YES.

20 Q HAS IT BEEN MORE THAN TWO PAYMENTS?

21 A NO.

22 Q ALL RIGHT. NOW, WHEN WAS THE FIRST PAYMENT MADE TO YOU  
23 AFTER MAY 4TH?

24 A (NO AUDIBLE RESPONSE.)

25 Q IF IT WOULD HELP YOUR RECOLLECTION, MAY 4TH WAS ABOUT THREE



8-68

1 WEEKS AGO.

2 A I KNOW.

3 Q ALL RIGHT.

4 A I DIDN'T UNDERSTAND THE QUESTION WELL.

5 Q ALL RIGHT. WHEN WAS THE LAST TIME YOU RECEIVED ANY MONEY  
6 FROM THE D.E.A. PRIOR TO TODAY?

7 A I DON'T REMEMBER THE EXACT DATE. IT WAS A COUPLE OF WEEKS  
8 AGO.

9 Q ABOUT TWO WEEKS AGO?

10 A MORE OR LESS. I DON'T REMEMBER THE EXACT DATE.

11 Q ALL RIGHT. AND HOW MUCH MONEY DID YOU RECEIVE ON THAT DAY?

12 A I RECEIVED A PAYMENT TO MOVE, BECAUSE OF MY PERSONAL  
13 SAFETY.

14 Q HOW MUCH?

15 A \$2,000.00.

16 Q AND WHO GAVE YOU THAT MONEY?

17 A YOU ALREADY SAID SO. (AS STATED.)

18 Q WHICH PERSON GAVE YOU THE MONEY?

19 A A D.E.A. AGENT.

20 Q DO YOU KNOW THAT PERSON'S NAME?

21 A I DON'T REMEMBER HIS NAME WELL.

22 Q IS THAT PERSON IN THIS COURTROOM TODAY?

23 A YES.

24 Q WOULD YOU POINT THE INDIVIDUAL OUT, PLEASE?

25 A (COMPLIES.) YES. HE'S OVER THERE.

8-69

1 (WITNESS AND COURTROOM OCCUPANTS TURN TOWARD MAN WHO  
2 STANDS UP IN AUDIENCE.)

3 BY MR. [REDACTED]

4 Q WHAT'S HE WEARING?

5 MR. [REDACTED] YOUR HONOR, WE'LL STIPULATE IT'S A  
6 D.E.A. AGENT. WHAT'S THE RELEVANCE? OBJECTION.

7 THE COURT: SUSTAINED.

8 BY MR. [REDACTED]

9 Q HAVE YOU RECEIVED ANY MONEY TODAY FROM D.E.A.?

10 A TODAY?

11 Q D.E.A., YES.

12 A NO.

13 Q NOW, BETWEEN THE TIME THAT YOU RECEIVED THE \$2,000.00  
14 YOU'VE JUST TOLD US ABOUT, ABOUT TWO WEEKS AGO, BETWEEN THAT  
15 TIME AND MAY 4TH, YOU RECEIVED SOME MORE MONEY; RIGHT?

16 A I THINK SO. I DON'T REMEMBER REALLY WELL. THEY'VE HELPED  
17 ME WITH EVERYTHING. THAT'S WHY I DON'T REMEMBER.

18 Q WELL, THE \$2,000.00 YOU JUST TOLD US ABOUT THAT YOU  
19 RECEIVED, THAT WAS FOR MOVING EXPENSES; RIGHT?

20 A YES.

21 Q HOW MUCH WAS THE OTHER PAYMENT THAT YOU RECEIVED? HOW MUCH  
22 MONEY DID YOU RECEIVE?

23 A THAT -- THAT WAS ALL THE MONEY THAT I RECEIVED, THOSE  
24 \$2,000.00.

25 Q WELL, YOU TOLD US YOU RECEIVED YOUR SALARY; CORRECT?

8-70

1 A THAT WASN'T MY SALARY. THAT WAS ADDITIONAL HELP.

2 Q I UNDERSTAND. HOW MUCH IS YOUR SALARY, ANYWAY?

3 A \$3,000.00 A MONTH.

4 Q SO IT WOULD BE FAIR TO SAY THAT SINCE MAY 4TH UNTIL TODAY'S  
5 DATE, YOU RECEIVED ABOUT \$5,000.00 FROM THE GOVERNMENT?

6 A THIS MONTH OF MAY?

7 Q YES.

8 A WELL, I GET PAID ON THE FIRST DAYS OF EACH MONTH, AND THE  
9 ADDITIONAL HELP WAS IN THE AGREEMENT.

10 Q ALL RIGHT. THANK YOU.

11 NOW, LET'S GO BACK TO THE TIME YOU WERE WORKING FOR  
12 MR. BARBA AT A -- DID YOU HAVE AN OFFICIAL TITLE?

13 A NO.

14 Q AND WHAT SORT OF DUTIES DID YOU HAVE, WORKING FOR MR.  
15 BARBA?

16 A I WAS THE CHIEF OF SECURITY OF HIS HOUSE. I WOULD -- I  
17 WOULD WATCH WHO WOULD ENTER AND WHO WOULD LEAVE. I WOULD FEED  
18 THE LION.

19 COURTROOM: (LAUGHTER.)

20 BY MR. [REDACTED]

21 Q DID YOU CLEAN UP AFTER THE LION?

22 A YES. I WOULD SWEEP UP EVERY NOW AND THEN.

23 Q DID YOU EMPTY THE TRASH?

24 A NO.

25 Q DID SOMEBODY ELSE DO THAT?

8-71

1 A YES.

2 Q WOULD IT BE FAIR TO SAY THAT YOU HAD PEOPLE WHO WERE  
3 WORKING UNDER YOU AS ASSISTANTS?

4 A YES.

5 Q HOW MANY ASSISTANTS DID YOU HAVE WHEN YOU WERE THE HEAD OF  
6 SECURITY AT LA QUINTA?

7 A I ONLY HAD TWO.

8 Q AND WHAT WERE THEIR NAMES?

9 A THERE WAS AN OLD PERSON WHOM I ONLY KNEW AS EUSEBIO, FROM  
10 OCOTLAN, AND FELIPE CHICO TORRES, FROM GUADALAJARA. HE WAS  
11 WITH ME, ALSO.

12 Q NOW, PRIOR TO WORKING FOR MR. BARBA HERNANDEZ AT LA QUINTA,  
13 HAD YOU EVER BEEN THE CHIEF OF SECURITY FOR ANYONE ELSE?

14 A NO.

15 Q HAD YOU EVER BEEN THE ASSISTANT CHIEF OF SECURITY FOR  
16 ANYONE ELSE?

17 A HAD YOU EVER BEEN THE CHIEF SECURITY FOR ANYONE ELSE?

18 A NO.

19 Q WHEN YOU WERE WITH THE D.P.S., AT ANY TIME PRIOR TO THE  
20 TIME OF WORKING WITH MR. BARBA, DID YOU EVER HOLD ANY RANK OF  
21 ANY KIND?

22 A NO.

23 Q NOW WHEN YOU WERE TAKING CARE OF LA QUINTA, DID MR. BARBA  
24 LIVE THERE ALL THE TIME BETWEEN 1982 AND 1985?

25 A THAT WAS HIS SAFE HOUSE, HIS HOME. HE HAD A HOME WHERE HIS

8-72

1 FAMILY WAS, A HOUSE --

2 Q SO HE --

3 THE INTERPRETER: EXCUSE ME.

4 THE WITNESS: A HOUSE WHERE HIS FAMILY WAS.

5 BY MR. [REDACTED]

6 Q SO HE WAS IN AND OUT?

7 A YES.

8 Q AND WHAT WOULD BE LONGEST PERIOD OF TIME BETWEEN DECEMBER  
9 OF 1982 AND FEBRUARY OF 1985 WHERE HE WOULD HAVE STAYED IN THE  
10 HOUSE?

11 A HE WOULD NOT STAY. HE WOULD JUST COME TO SEE WHAT WAS  
12 GOING ON.

13 Q SO HE NEVER -- IN THAT TWO OR THREE YEAR PERIOD, HE NEVER  
14 SPENT THE NIGHT AT THE HOUSE?

15 A YES. HE DID SPEND THE NIGHT AT THE HOUSE.

16 Q WOULD HE DO THAT OFTEN, SPEND NIGHTS AT THE HOUSE?

17 A I REMEMBER THAT DURING ALL THESE YEARS, HE STAYED THERE TO  
18 SLEEP ON TWO OR THREE OCCASIONS.

19 Q NOW, DID ANY -- WELL, YOU LIVED AT LA QUINTA DURING  
20 DECEMBER OF 82 TO FEBRUARY OF 85; CORRECT?

21 A NO.

22 Q WHERE WERE YOU LIVING DURING THAT TIME PERIOD?

23 A YES. AT THE ATTORNEY'S HOUSE. BUT I WAS THERE UNTIL THE  
24 MIDDLE OF MARCH, NOT FEBRUARY.

25 Q ALL RIGHT. BUT YOU LIVED THERE FROM DECEMBER -- IN LA

8-73

1 QUINTA -- FROM DECEMBER OF 1982 UNTIL MARCH OF 1985; RIGHT?

2 A YES.

3 Q ANYBODY ELSE LIVE THERE WITH YOU?

4 A NO.

5 Q SO FELIPE AND THIS OTHER PERSON, THEY LIVED SOMEPLACE ELSE  
6 AND WOULD JUST COME TO THE HOUSE AND WORK DURING THE DAY; IS  
7 THAT CORRECT?

8 A YES.

9 Q NOW, WHEN MR. BARBA WOULD SHOW UP AT LA QUINTA, WOULD YOU  
10 KNOW IN ADVANCE WHEN HE WAS COMING?

11 A YES.

12 Q AND HOW MUCH IN ADVANCE OF HIS ARRIVAL WOULD YOU BE TOLD  
13 THAT HE WAS COMING?

14 A THERE WAS NO SET TIME. SOMETIMES HE WOULD HE SAY SOON;  
15 OTHER TIMES, IT WOULD BE HOURS. BUT I WOULD ALWAYS KNOW THAT  
16 HE WAS GOING TO ARRIVE.

17 Q HE NEVER SHOWED UP UNANNOUNCED; IS THAT RIGHT?

18 A YES, HE WOULD SHOW UP WITHOUT LETTING ME KNOW.

19 Q WHEN HE SHOWED UP, HE'D ALWAYS SHOW UP WITH THE BODYGUARDS?

20 A YES.

21 Q DID HE ALWAYS SHOW UP WITH THE SAME BODYGUARDS?

22 A USUALLY. SOME -- YES. SOMETIMES HE WOULD HAVE MORE.

23 Q AND WOULD THE SAME THING HAPPEN WHEN HE SHOWED UP WITH THE  
24 BODYGUARDS: THEY WOULD STAY OUTSIDE AND THEN YOU WOULD TAKE  
25 OVER WHEN --

(12)

**TAB 12**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 8 - Pgs: 98 - 99**

12

8-98

1 Q. DO YOU HAVE A GOOD LOOK AT THAT PHOTOGRAPH?

2 A. YES.

3 Q. DO YOU RECOGNIZE ANYBODY IN THAT PHOTOGRAPH?

4 A. YES.

5 Q. AND HAVE ANY OF THOSE PEOPLE HAVE BEEN TO LA QUINTA WHEN  
6 YOU WERE EMPLOYED THERE?

7 A. YES.

8 Q. WHICH PERSON IN THE PHOTOGRAPH? THERE ARE THREE PEOPLE IN  
9 THE PHOTOGRAPH; ARE THERE NOT?

10 A. YES.

11 Q. WHICH OF THE THREE PEOPLE; THE ONE TO THE LEFT, THE ONE IN  
12 THE MIDDLE OR THE ONE ON THE RIGHT?

13 A. THE ONE TO THE RIGHTHAND SIDE.

14 Q. WHAT IS THAT PERSON WEARING IN THE PHOTOGRAPH?

15 A. HE HAS A JACKET AND A BLUE SHIRT.

16 Q. DO YOU KNOW HIS NAME?

17 A. YES.

18 Q. WHAT IS IT?

19 A. THIS IS BERNA.

20 Q. THIS IS THE SAME BERNA YOU WERE TALKING ABOUT THAT WAS AT  
21 THE HOUSE IN FEBRUARY?

22 A. YES.

23 Q. THANK YOU. NOW PANTERA, THIS PERSON YOU KNOW AS PANTERA,  
24 DO YOU KNOW HIS TRUE NAME?

25 A. NO.



8-99

1 Q. DO YOU KNOW -- HAVE YOU EVER HEARD OF THE NAME PLASCENCIA?

2 A. NO.

3 Q. WAS PANTERA EVER AT ANY OF THE MEETINGS AT BARBA'S?

4 A. NO. NO.

5 Q. DID HE -- GARATE WAS AT MEETINGS AT BARBA'S HOUSE; WAS HE  
6 NOT?

7 A. YES. OH, EXCUSE ME. NO.

8 Q. NO WHAT?

9 A. GARATE NEVER CAME TO ANY MEETING WITH ATTORNEY BARBA WHERE  
10 I WAS PRESENT.

11 Q. SO THERE WERE MEETINGS THAT BARBA HAD AT LA QUINTA THAT  
12 YOU WEREN'T PRESENT AT; IS THAT RIGHT?

13 A. NO. I WAS PRESENT FROM '82 TO '85.

14 Q. NOW, IN FEBRUARY OF 1985, SHORTLY AFTER CAMARENA WAS  
15 REPORTED MISSING, HIS DISAPPEARANCE GOT A LOT OF PUBLICITY;  
16 DIDN'T IT?

17 A. WELL, A LITTLE BIT. I DON'T REALLY KNOW HOW MUCH THERE  
18 WAS.

19 Q. DIDN'T YOU READ ABOUT IT IN THE PAPERS?

20 A. NO.

21 Q. DO YOU READ?

22 A. NO.

23 Q. LET ME GO BACK TO 63 THERE JUST FOR A SECOND, THAT  
24 PHOTOGRAPH.

25 THE COURT: WHAT IS YOUR QUESTION?

**TAB 13**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 8 - Pgs: 101 - 102**

13 } (13)

8-101

1 BY MR. [REDACTED]

2 Q. DO YOU SEE THAT PICTURE?

3 A. YES.

4 Q. NOW, THAT'S NOT A PICTURE OF WAYNE NEWTON, IS IT, THE  
5 ENTERTAINER?

6 MR. [REDACTED] OBJECTION, YOUR HONOR.

7 CAN WE ASK THE WITNESS IF HE CAN IDENTIFY THE  
8 PHOTOGRAPH?

9 THE COURT: WHAT IS THE QUESTION?

10 BY MR. [REDACTED]

11 Q. CAN YOU IDENTIFY THE PERSON IN THAT PHOTOGRAPH?

12 A. YES.

13 Q. WHO IS IT?

14 A. MIGUEL FELIX GALLARDO.

15 Q. MIGUEL FELIX GALLARDO WAS AT THESE MEETINGS THAT YOU  
16 TALKED ABOUT TOO, WASN'T HE?

17 A. NO.

18 Q. WAS HE EVER AT JAVIER BARBA'S HOUSE?

19 A. NO.

20 Q. YOU NEVER SAW HIM THERE?

21 A. NOT AT THE HOUSE.

22 Q. DID HE EVER COME TO THE WEDDING?

23 A. NO.

24 Q. YOU JUST TESTIFIED BEFORE THAT YOU HAVE NEVER BEEN SHOWN  
25 PICTURES IN CONNECTION WITH THIS CASE; IS THAT CORRECT?

8-102

1 A. THAT IS TRUE.

2 Q. AND YOU HAVE NEVER IDENTIFIED PHOTOS OF FONSECA IN  
3 CONNECTION WITH THIS CASE?

4 A. NO, I HAVEN'T BEEN SHOWN HIS PHOTOGRAPH.

5 Q. THAT'S A FLAT-OUT LIE; ISN'T IT, SIR?

6 A. YES. THAT'S A FLAT-OUT LIE.

7 Q. YOU'RE LYING TO ME WHEN YOU'RE SAYING YOU HAVEN'T SEEN  
8 PICTURES; IS THAT RIGHT?

9 A. WELL, YOU WERE ASKING ME WHETHER THE AGENTS HAD SHOWN ME  
10 PHOTOGRAPHS AND I SAID THAT THEY HADN'T SHOWN ME PHOTOGRAPHS,  
11 THAT I KNEW HIM.

12 Q. I'M SAYING THAT YOU'RE LYING WHEN YOU SAY THE D.E.A.  
13 AGENTS NEVER SHOWED YOU PHOTOGRAPHS.

14 DO YOU AGREE WITH ME?

15 A. I AM NOT LYING.

16 Q. DO YOU KNOW A D.E.A. AGENT NAMED THOMAS MORALES?

17 A. YES.

18 Q. WERE YOU WITH HIM ON FEBRUARY THE 7TH OF THIS YEAR?

19 A. NO.

20 Q. ISN'T IT TRUE THAT ON FEBRUARY 7TH OF THIS YEAR YOU WERE  
21 SHOWN A SERIES OF TEN PHOTOGRAPHS BY AGENT THOMAS MORALES?

22 A. NO.

23 THE INTERPRETER: JUST A MOMENT.

24 THE COURT: JUST A MOMENT. CALM DOWN. CALMITAY.

25 (COURTROOM LAUGHTER.)

**TAB 14**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 8 - Pgs: 104 - 111**

(14)  
14)

8-104

1 MR. [REDACTED]: OBJECTION; ASKED AND ANSWERED, YOUR  
2 HONOR.

3 THE COURT: NO. HE MAY ANSWER.

4 THE WITNESS: NO, I HAVEN'T BEEN SHOWN ANY  
5 PHOTOGRAPHS.

6 BY MR. [REDACTED]

7 Q. WELL, BEFORE YOU TESTIFIED STARTING THE OTHER DAY, DID YOU  
8 SIT DOWN WITH MR. MEDRANO AND GO OVER YOUR TESTIMONY?

9 A. WHEN YOU SAY "THE OTHER DAY", I DON'T KNOW WHAT DAY YOU'RE  
10 TALKING ABOUT.

11 Q. WELL, YOU HAVE SPOKEN TO MR. MEDRANO. IN THE DAYS BEFORE  
12 YOU TOOK THE WITNESS STAND, DID YOU SPEAK TO MR. MEDRANO?

13 A. YES.

14 Q. HOW MANY TIMES?

15 A. TWO OR THREE TIMES.

16 Q. WHERE DID YOU SIT AND MEET WITH HIM?

17 A. I WAS ACROSS FROM HIS DESK IN HIS OFFICE.

18 Q. AND PRIOR TO YOUR TESTIFYING HERE IN COURT, WHEN WAS THE  
19 LAST TIME BEFORE THAT — I'LL WITHDRAW THE QUESTION.

20 WHEN WAS THE LAST TIME PRIOR TO YOUR TESTIFYING THAT  
21 YOU SAT DOWN AND TALKED ABOUT YOUR TESTIMONY WITH MR. MEDRANO?

22 A. I DON'T UNDERSTAND THE QUESTION.

23 Q. AND WEDNESDAY AFTERNOON OF THIS WEEK IS THE FIRST TIME YOU  
24 TOOK THE WITNESS STAND; IS THAT CORRECT?

25 A. YES.

8-105

1 Q. DID YOU SPEAK TO MR. [REDACTED] ABOUT YOUR TESTIMONY ON  
2 WEDNESDAY?

3 A. YES.

4 Q. FOR HOW LONG DID YOU TALK TO HIM ABOUT IT?

5 A. ABOUT 15 MINUTES.

6 Q. WHO ELSE WAS PRESENT?

7 A. IT WAS JUST HE AND I.

8 Q. WERE YOU SPEAKING IN SPANISH TOGETHER?

9 A. WELL, I DID UNDERSTAND SOME OF WHAT HE WAS TELLING ME IN  
10 SPANISH. HE DIDN'T SAY VERY MUCH.

11 Q. DID YOU MEET WITH MR. [REDACTED] ON TUESDAY TO GO OVER YOUR  
12 TESTIMONY?

13 A. YES.

14 Q. WHAT TIME OF DAY DID YOU MEET WITH HIM?

15 A. IN THE MORNING.

16 Q. WHAT TIME IN THE MORNING?

17 A. I DON'T REMEMBER EXACTLY. IT COULD HAVE BEEN FROM 10:00  
18 TO 11:00. BETWEEN 10:00 AND 11:00. I DON'T REMEMBER THE EXACT  
19 TIME.

20 Q. HOW ABOUT TUESDAY EVENING; DID YOU MEET WITH HIM ON  
21 TUESDAY EVENING?

22 A. NO.

23 Q. HOW ABOUT ON MONDAY OF THIS WEEK? DO YOU MEET WITH HIM TO  
24 DISCUSS YOUR TESTIMONY?

25 A. YES, I DID GET TOGETHER WITH HIM, BUT IT WAS NOT TO TALK

8-106

1 ABOUT MY TESTIMONY.

2 Q. HOW LONG DID YOU SPEND WITH HIM ON MONDAY?

3 A. 20 MINUTES.

4 Q. WAS ANYBODY ELSE PRESENT?

5 A. YES.

6 Q. WHO?

7 A. MR. HECTOR BERRELLEZ.

8 Q. ANYBODY ELSE?

9 A. NO.

10 Q. NOW, YOU SAID YOU MET WITH MR. MEDRANO ON TUESDAY MORNING  
11 OF THIS WEEK. YOU THINK IT'S SOMETHING AROUND 10:00 OR 11:00.

12 COULD YOU BE MISTAKEN?

13 MR. [REDACTED]: OBJECTION; THAT MISSTATES THE DIRECT.

14 HE STATES HE DOES NOT REMEMBER THE TIME.

15 THE COURT: RESTATE YOUR QUESTION.

16 BY MR. [REDACTED]:

17 Q. WHEN YOU MET WITH MR. MEDRANO ON TUESDAY MORNING, WAS IT  
18 VERY EARLY IN THE MORNING?

19 A. NO.

20 Q. IT WAS LATER IN THE MORNING; IS THAT WHAT YOUR  
21 RECOLLECTION IS?

22 A. IT WAS IN THE MORNING.

23 Q. WE ESTABLISHED THAT. I'M TRYING TO FIGURE OUT WAS IT  
24 CLOSER TO LUNCH OR CLOSER TO BREAKFAST?

25 A. WELL, LUNCH -- WELL IT WAS AFTER BREAKFAST. IT WAS AROUND



8-107

1 9:00 OR 10:00. THAT'S ABOUT THE TIME FOR BREAKFAST.

2 Q. 9:00 OR 10:00 IS WHEN YOU EAT BREAKFAST GENERALLY?

3 A. YES.

4 Q. OKAY. HOW ABOUT OVER THE WEEKEND, LAST WEEKEND; DID YOU  
5 MEET WITH MR. [REDACTED] TO GO OVER YOUR TESTIMONY?

6 A. NO.

7 Q. HOW ABOUT IN THE LAST WEEK? DID YOU MEET WITH MR. MEDRANO  
8 TO GO OVER YOUR TESTIMONY?

9 A. NO.

10 Q. DID YOU MEET WITH ANYBODY ELSE FROM THE D.E.A. OR THE U.S.  
11 ATTORNEY'S OFFICE LAST WEEK OR ANY TIME THIS WEEK UP UNTIL THE  
12 TIME YOU TOOK THE STAND TO GO OVER YOUR TESTIMONY?

13 A. NO.

14 Q. HOW ABOUT THE WEEK BEFORE; DID YOU MEET WITH MR. [REDACTED]  
15 TO GO OVER YOUR TESTIMONY THEN?

16 A. NO.

17 Q. THE WEEK BEFORE THAT?

18 A. NO.

19 Q. DO YOU REMEMBER YOU TESTIFIED BEFORE THE GRAND JURY ON  
20 THREE SEPARATE OCCASIONS. DO YOU RECALL THAT?

21 A. YES.

22 Q. AND EACH TIME BEFORE YOU WOULD TESTIFY BEFORE THE GRAND  
23 JURY WOULD YOU GO OVER WHAT THE QUESTIONS WERE GOING TO BE WHEN  
24 YOU GOT INTO THE GRAND JURY?

25 A. NO.

8-108

1 Q. YOU DIDN'T KNOW WHAT WAS GOING TO BE ASKED OF YOU BEFORE  
2 YOU GOT INTO THE GRAND JURY?

3 A. NO.

4 Q. AND YOU DIDN'T KNOW -- DID YOU KNOW WHAT QUESTIONS WERE  
5 GOING TO BE ASKED OF YOU IN COURT BEFORE YOU TOOK THE STAND ON  
6 WEDNESDAY?

7 A. NO.

8 Q. DID YOU DISCUSS WITH MR. MEDRANO OR ANYBODY FROM THE  
9 D.E.A. OR ANYBODY FROM THE U.S. ATTORNEY'S OFFICE THE FACT THAT  
10 YOU WOULD BE CROSS-EXAMINED BY THE LAWYERS?

11 A. I DON'T UNDERSTAND THAT QUESTION.

12 Q. DID YOU KNOW THAT YOU WERE GOING TO BE QUESTIONED BY THE  
13 DEFENSE LAWYERS IN THIS CASE?

14 A. YES.

15 Q. HOW DID YOU KNOW THAT?

16 A. MR. [REDACTED] TOLD ME THAT YOU WERE FROM THE DEFENSE AND  
17 THAT YOU WERE GOING TO ASK ME QUESTIONS. I KNEW THAT ALREADY.

18 Q. DID I UNDERSTAND YOU CORRECTLY IN RESPONSE TO ANOTHER  
19 QUESTION TO SAY THAT DO YOU NOT READ?

20 THE COURT: THAT QUESTION IS AMBIGUOUS.

21 MR. STOLAR: I'LL REPHRASE IT.

22 BY MR. [REDACTED]:

23 Q. DO YOU KNOW HOW TO READ?

24 A. YES.

25 Q. DO YOU READ ENGLISH?

8-109

1 A. NO.

2 Q. BEFORE YOU TESTIFIED, DID ANYBODY READ FOR YOU AND  
3 TRANSLATE FOR YOU THE TESTIMONY THAT YOU HAD PREVIOUSLY GIVEN  
4 BEFORE THE GRAND JURY?

5 A. NO.

6 Q. DID ANYBODY GO OVER WITH YOU THE REPORTS THAT THE D.E.A.  
7 HAD PREPARED OF YOUR INTERVIEWS WITH THEM?

8 A. NO.

9 Q. THE FIRST TIME THAT YOU MET AGENT BERRELLEZ WAS ON  
10 NOVEMBER 23 OR NOVEMBER 24TH 1990 -- 1989, RATHER; IS THAT  
11 CORRECT?

12 A. IN THE HOTEL ROOM. YES.

13 Q. THAT'S THE VERY FIRST TIME YOU MET AGENT BERRELLEZ?

14 A. YES.

15 Q. AND WHO WAS -- WAS ANYBODY WITH HIM WHEN HE SPOKE TO YOU  
16 ON THAT OCCASION?

17 A. YES.

18 Q. WHO?

19 A. SALAZAR. I ONLY KNOW HIM AS SALAZAR.

20 Q. DELBERT SALAZAR?

21 A. I ONLY KNOW HIM AS SALAZAR.

22 Q. WAS ANYBODY ELSE PRESENT?

23 A. NO.

24 Q. WERE THEY TAKING NOTES ABOUT WHAT WERE YOU TELLING THEM?

25 A. NO. THAT DAY THEY DIDN'T TAKE ANYTHING DOWN.

8-110

1 Q. WERE THEY TAPE RECORDING WHAT YOU WERE TELLING THEM?

2 A. NO.

3 Q. HAVE THEY EVER TAPE RECORDED ANY OF YOUR INTERVIEWS?

4 A. NO.

5 Q. NOW, THE FIRST PAYMENT THAT YOU GOT FROM THE D.E.A. WAS ON  
6 NOVEMBER THE 24TH OF 1989; IS THAT CORRECT?

7 A. YES.

8 Q. DID YOU RECEIVE THAT IN THE HOTEL ROOM?

9 A. YES.

10 Q. WHO GAVE IT TO YOU?

11 A. MR. HECTOR BERRELLEZ.

12 Q. AND THAT WAS PAYMENT FOR \$2,000; IS THAT RIGHT?

13 A. YES.

14 Q. DID YOU HAVE TO SIGN A RECEIPT FOR IT?

15 A. YES.

16 Q. DID THE RECEIPT INDICATE THE PURPOSE FOR WHICH THE MONEY  
17 WAS GIVEN TO YOU, IF YOU KNOW?

18 A. NO.

19 Q. NO, IT DIDN'T INDICATE, OR NO, YOU DO NOT KNOW?

20 A. I DIDN'T PAY ATTENTION. I DON'T UNDERSTAND ENGLISH.

21 Q. AND IT WAS GIVEN TO YOU IN CASH?

22 A. YES.

23 Q. WHAT KIND OF BILLS?

24 A. ONE HUNDREDS.

25 Q. HUNDRED DOLLAR BILLS?

8-111

1 A. YES.

2 Q. WAS IT GIVEN TO YOU BEFORE OR AFTER YOU TOLD AGENTS  
3 BERRELLEZ AND SALAZAR WHAT INFORMATION YOU HAD?

4 A. IT WAS AFTER.

5 Q. AND THEN APPROXIMATELY A WEEK WENT BY AND YOU HAD ANOTHER  
6 INTERVIEW WITH MR. SALAZAR AND MR. BERRELLEZ; IS THAT RIGHT?

7 A. COULD YOU REPEAT THAT, PLEASE?

8 Q. YOU HAD A SECOND INTERVIEW WITH SALAZAR AND BERRELLEZ  
9 ABOUT A WEEK LATER; DIDN'T YOU?

10 A. NO, JUST MR. HECTOR BERRELLEZ.

11 Q. SALAZAR WASN'T THERE?

12 A. HE WENT THERE, BUT HE DIDN'T COME IN TO TALK WITH ME OR  
13 WITH MR. BERRELLEZ.

14 Q. THIS WAS ON NOVEMBER THE 30TH, 1989. ARE WE TALKING ABOUT  
15 THE SAME INTERVIEW?

16 A. NO. I DIDN'T UNDERSTAND THE QUESTION REALLY WELL.

17 Q. OKAY. THIS IS THE SECOND TIME YOU MET AGENT BERRELLEZ,  
18 SOMEBODY WHOM YOU HAVE NEVER MET BEFORE IN YOUR LIFE. YOU SIT  
19 DOWN FOR A FORMAL INTERVIEW WITH HIM. DO YOU RECALL IT NOW?

20 A. YES.

21 Q. AND WASN'T AGENT DELBERT SALAZAR THERE ALSO?

22 A. HE WASN'T THERE WHILE WE WERE TALKING. HE WAS ELSEWHERE,  
23 HE WASN'T THERE.

24 Q. NOVEMBER 30, 1989 IS THE FIRST DAY YOU EVER TESTIFIED  
25 BEFORE THE GRAND JURY, CORRECT?

(15)  
15)

**TAB 15**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 9 - Pg: 31**

9-31

1 Q. WHAT WAS THE GARDENER'S NAME?

2 A. WELL, HIS NAME WAS FELIPE, FELIPE, THE YOUNGER. HE WAS  
3 CALLED BARIGUAY.

4 Q. TELL US WHO THE OTHER PEOPLE WERE WHO WERE EMPLOYED AT LA  
5 QUINTA.

6 A. THERE WERE JUST THE TWO OF THEM AND MYSELF.

7 Q. WHO DID THE COOKING?

8 A. NO COOKING WAS DONE THERE.

9 Q. NO MEALS WERE EATEN THERE?

10 A. WELL, I WAS THE ONLY ONE THERE DAY AND NIGHT, AND THE  
11 REFRIGERATOR WAS ALWAYS FULL. I WAS NEVER SHORT ON FOOD.  
12 SOMETIMES IT WOULD BE BROUGHT FOR ME.

13 Q. WAS THERE A KITCHEN THERE?

14 A. YES.

15 Q. WAS THERE A STOVE AND AN OVEN?

16 A. YES.

17 Q. BUT NO COOK WAS EMPLOYED FOR THE HOUSE?

18 A. NO.

19 Q. JAVIER NEVER TOOK A MEAL AT THAT HOUSE?

20 A. WELL, JUST FROM THE REFRIGERATOR -- SNACKS, BUT HE DIDN'T  
21 REALLY EAT THERE.

22 Q. WEREN'T THERE ALSO SOCIAL GATHERINGS AT LA QUINTA?

23 A. YES, BUT THE FOOD WAS ALWAYS BROUGHT IN.

24 Q. WAS THERE A BUTLER-TYPE PERSON OR SOMEBODY WHO WENT AROUND  
25 AND SERVED PEOPLE OTHER THAN YOU?

(16)

16

**TAB 16**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 9 - Pgs: 58 - 60**



1 A I DON'T REMEMBER THE EXACT MONTHS WHILE I WAS THERE.

2 Q DID YOU HAVE ANY OTHER JOBS WHILE YOU WERE WORKING FOR THE  
3 RIOT POLICE IN 1988?

4 A NO.

5 Q WAS YOUR SALARY THE SAME AS IT WAS IN 1989?

6 A NO.

7 Q HOW MUCH WAS IT?

8 A IT WAS 50 SOME EVERY TWO WEEKS.

9 Q 50,000?

10 A YES, MORE OR LESS.

11 Q EVERY TWO WEEKS?

12 A YES.

13 THE INTERPRETER: I'M SORRY. I DIDN'T HEAR HIM.

14 (CONFERS WITH WITNESS.)

15 THE WITNESS: YES. I WAS BEING PAID EVERY TWO WEEKS.

16 BY MR. [REDACTED]

17 Q BEFORE YOU SIGNED UP OR WENT TO WORK FOR THE RIOT POLICE IN  
18 1988, DID YOU HAVE ANOTHER JOB?

19 A YES.

20 Q WHAT DID YOU DO?

21 A EXCUSE ME. WHAT PERIOD ARE WE TALKING ABOUT?

22 Q PRIOR TO BEING WITH THE RIOT POLICE IN 1988.

23 A I ALSO WORKED TAKING CARE OF A PERSON AT THE LABORATORY.

24 Q COULD YOU EXPLAIN THAT FOR US?

25 A I WOULD GO PICK UP THAT PERSON. I WOULD TAKE HIM TO WORK

1 AND WHEN HE WENT OUT.

2 Q SO THAT WAS LIKE A CHAUFFEUR'S JOB?

3 A YES.

4 Q AND WHILE YOU HAD THAT JOB, DID YOU HAVE ANY OTHER JOBS?

5 A NO.

6 Q HOW MUCH WERE YOU PAID TO DO THAT?

7 A HE DIDN'T GIVE ME A FIXED AMOUNT EVERY WEEK. IT WOULD BE  
8 MORE SOMETIMES AND LESS OTHER TIMES.

9 Q CAN YOU GIVE US SOME RANGE OF NUMBERS, WHAT KIND OF MONEY  
10 WE'RE TALKING ABOUT?

11 A ABOUT 50,000 A WEEK; THAT'S WHAT HE WOULD GIVE ME.

12 Q ALL RIGHT. BEFORE YOU WENT TO WORK -- CAN WE HAVE THAT  
13 PERSON'S NAME?

14 A YES INGENIERO, RUBEN REA.

15 Q R E Y E S ?

16 A NO. THREE LETTERS.

17 Q PLEASE SPELL IT?

18 A R A E -- NO: R E A.

19 Q PRIOR TO HAVING THAT JOB, HOW WERE YOU EMPLOYED?

20 A WELL, I WAS WORKING FOR A COUSIN OF MINE IN A JEWELRY STORE  
21 THAT HE HAD.

22 Q WHERE'S THE JEWELRY STORE?

23 A IT'S IN SAN PEDRO.

24 Q WHAT'S THE NAME OF THE STORE?

25 A I DON'T KNOW WHAT THE NAME IS. IT DOESN'T HAVE A NAME.

1 Q WHAT'S THE NAME OF YOUR COUSIN?

2 A OH. MY COUSIN'S NAME IS MARIO CERVANTES FLORES.

3 Q ARE YOU STILL IN TOUCH WITH HIM?

4 A NO. IF I WANT TO, I HAVE A PHONE NUMBER; BUT I'M NOT  
5 REALLY IN TOUCH WITH HIM.

6 Q HAVE YOU MEMORIZED HIS PHONE NUMBER?

7 MR. [REDACTED]: OBJECTION. IRRELEVANT, YOUR HONOR.

8 THE COURT: SUSTAINED.

9 BY MR. [REDACTED]

10 Q WHEN YOU WORKED FOR HIM, WERE YOU PAID IN CASH OR CHECK?

11 MR. MEDRANO: OBJECTION, YOUR HONOR, TO THIS LINE OF  
12 QUESTIONING: RELEVANCE.

13 THE COURT: SUSTAINED.

14 BY MR. [REDACTED]

15 Q WHEN YOU WORKED FOR THE RIOT POLICE, WERE YOU PAID IN CASH?

16 A NO.

17 Q WOULD YOU HAVE TO SIGN SOMETHING TO GET A CHECK?

18 A YES. THE PAYROLL.

19 Q WHERE'S THE OFFICE WHERE YOU WENT TO PICK UP THE PAYROLL?

20 MR. [REDACTED]: OBJECTION. RELEVANCE, YOUR HONOR.

21 THE COURT: SUSTAINED.

22 MR. [REDACTED] IT'S SOMETHING THAT I CAN ATTEMPT TO  
23 CORROBORATE, YOUR HONOR.

24 MR. [REDACTED]: OBJECTION. IMPEACHMENT ON COLLATERAL  
25 MATTERS --

(17)

**TAB 17**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 9 - Pgs: 62 - 67**

17)

1 MR. [REDACTED]: WHEN IS THE FIRST TIME THAT HE IS  
2 CONTACTED BY LA PANTERA IN THE CAMARENA CASE.

3 THE COURT: CONTACTED WHO?

4 MR. [REDACTED]: HIM, THE WITNESS.

5 THE COURT: OH. RESTATE YOUR QUESTION.

6 MR. [REDACTED]: FINE.

7 Q HOW WAS IT THAT YOU MADE KNOWN THE FACT THAT YOU HAD  
8 INFORMATION ABOUT THE CAMARENA CASE?

9 MR. [REDACTED]: OBJECTION. THIS WAS ASKED AND ANSWERED,  
10 YOUR HONOR, PREVIOUSLY.

11 MR. [REDACTED]: NOT BY THIS LAWYER.

12 THE COURT: OVERRULED.

13 THE WITNESS: WELL, PANTERA ASKED ME THAT, SINCE I HAD  
14 WITH THE ATTORNEY, DID I KNOW SOMETHING.

15 BY MR. [REDACTED]

16 Q AND THIS WAS IN WHAT MONTH OF 1989?

17 A I THINK ABOUT IN OCTOBER, MORE OR LESS.

18 Q THIS WAS RIGHT WHEN YOU WERE LOSING YOUR JOB WITH THE RIOT  
19 POLICE?

20 MR. [REDACTED]: OBJECTION, YOUR HONOR. THERE'S NO  
21 TESTIMONY HE WAS LOSING HIS JOB. MISTATES THE TESTIMONY.  
22 BY MR. [REDACTED]:

23 Q ALL RIGHT. THIS WAS WHILE YOU WERE NOT WITH THE RIOT -- I  
24 WITHDRAW QUESTION.

25 THIS IS WHILE YOU WERE NOT EMPLOYED WITH THE RIOT

1 POLICE, CORRECT, IN OCTOBER?

2 A I HAD LEFT A FEW DAYS PRIOR.

3 Q WHAT WAS THE CAUSE OF YOUR LEAVING THE RIOT POLICE?

4 A I JUST WANTED TO BE DISCHARGED.

5 Q WHEN PANTERA APPROACHED YOU INITIALLY, DID HE TALK ABOUT  
6 HOW YOU COULD MAKE SOME MONEY IF YOU KNEW ABOUT THE CAMARENA  
7 CASE?

8 A NO.

9 Q DID THERE COME A TIME WHEN YOU LEARNED THAT IF YOU GAVE  
10 INFORMATION ABOUT THE CAMARENA CASE, THAT YOU COULD RECEIVE  
11 MONEY?

12 A NO.

13 Q WHEN IS THE FIRST TIME YOU TALKED ABOUT GETTING YOUR  
14 \$3,000.00 A MONTH FOR EXPENSES?

15 A I DON'T REMEMBER.

16 Q THE FIRST TIME THAT YOU SPOKE TO AGENT BERRELLEZ IN  
17 NOVEMBER -- NOVEMBER THE 23RD OR 24TH, 1989 -- YOU WERE GIVEN  
18 \$2,000.00, WEREN'T YOU?

19 A YES.

20 Q DID YOU HAVE ANY ADVANCE KNOWLEDGE THAT YOU WOULD BE  
21 RECEIVING THAT MONEY?

22 A NO.

23 Q IT CAME AS A COMPLETE SURPRISE TO YOU?

24 A YES.

25 Q WERE YOU PLEASED TO RECEIVE IT?

1 MR. [REDACTED]: OBJECTION, YOUR HONOR. IRRELEVANT.

2 THE COURT: SUSTAINED.

3 BY MR. [REDACTED]

4 Q AT THE TIME YOU GOT THAT \$2,000.00, YOU WERE UNEMPLOYED,  
5 WEREN'T YOU?

6 A NO.

7 Q LET ME REPHRASE THE QUESTION: DID YOU HAVE A JOB AT THE  
8 TIME YOU GOT THAT \$2,000.00?

9 A NO. I DON'T KNOW WHAT YOU'RE TALKING ABOUT.

10 Q IN NOVEMBER OF 1989, YOU DID NOT HAVE A JOB, DID YOU?

11 A NO.

12 Q YOU WERE UNEMPLOYED?

13 A YES.

14 Q THE NEXT TIME YOU SPOKE WITH THE AGENTS WAS ABOUT A WEEK  
15 AFTER THIS \$2,000.00 PAYMENT; ISN'T THAT CORRECT?

16 A I DON'T REMEMBER.

17 Q THAT WAS NOVEMBER 30TH, WHEN YOU CAME AND SAT DOWN WITH  
18 THEM AND YOU TESTIFIED BEFORE THE GRAND JURY?

19 A YES, IT WAS IN NOVEMBER THAT I SPOKE BEFORE THE GRAND JURY.

20 Q AND ON THE SAME DAY, YOUR -- YOU SPOKE TO THE GRAND JURY IN  
21 THE AFTERNOON, DIDN'T YOU?

22 A YES, I THINK SO.

23 Q AND YOU SPOKE TO AGENTS BERRELLEZ AND SALAZAR IN THE  
24 MORNING?

25 A NO.

1 Q WAS NOVEMBER 23RD TO 24TH THE VERY FIRST TIME THAT YOU MET  
2 AGENTS BERRELLEZ AND SALAZAR?

3 MR. [REDACTED]: OBJECTION. ASKED AND ANSWERED, YOUR  
4 HONOR.

5 THE COURT: SUSTAINED.

6 BY MR. [REDACTED]

7 Q THE DAY AFTER YOU TESTIFIED IN THE GRAND JURY, YOU GOT  
8 \$1500.00, DIDN'T YOU?

9 A YES, I THINK SO. I DON'T REMEMBER REALLY WELL HOW MUCH I  
10 WAS GIVEN.

11 Q IT WAS GIVEN TO YOU IN CASH AGAIN?

12 A YES. EVERYTHING WAS IN CASH.

13 Q WAS IT AROUND THE TIME FRAME OF YOUR GRAND JURY TESTIMONY  
14 THAT YOU CAME TO THE UNDERSTANDING THAT YOU WOULD BE GETTING A  
15 \$3,000.00-A-MONTH PAYMENT FROM THE D.E.A.?

16 A I DON'T REMEMBER EXACTLY WHEN THIS OFFER WAS MADE TO ME. I  
17 DON'T REMEMBER THE TIME.

18 Q AFTER YOU TESTIFIED IN THE GRAND JURY, YOU WENT BACK TO  
19 MEXICO, DIDN'T YOU?

20 A YES. I ALREADY TOLD YOU THAT I DID.

21 Q BUT THEN YOU WERE BACK HERE IN LOS ANGELES ON DECEMBER THE  
22 18TH OF 1989; ISN'T THAT CORRECT?

23 A YES. THAT IS THE APPROXIMATE TIME.

24 Q ON THAT DAY, YOU WERE GIVEN \$7,000.00 IN CASH, WEREN'T YOU?

25 A YES.



9-66

5  
1 Q SO BETWEEN NOVEMBER 24TH AND DECEMBER 18TH, WOULD IT BE  
2 FAIR TO SAY THAT YOU WERE PAID BY THE D.E.A. A TOTAL OF  
3 \$10,500.00?

4 A MORE OR LESS.

5 Q ACTUALLY, THERE WAS ANOTHER \$140.00 PAYMENT THAT YOU  
6 RECEIVED ON DECEMBER 1ST, ALSO, WASN'T THERE?

7 A I DON'T REMEMBER.

8 Q IN JANUARY, YOU RECEIVED A TOTAL OF \$6,000.00, DIDN'T YOU?

9 A YES. IF THAT'S WHAT IT SAYS, YES.

10 Q THEN ON FEBRUARY 1ST YOU GOT ANOTHER PAYMENT: \$3,000.00.  
11 IS THAT CORRECT?

12 A YES.

13 Q THAT MONEY IS MORE MONEY THAN YOU'VE EVER MADE IN YOUR  
14 LIFE, ISN'T IT?

15 A YES.

16 Q BY FAR THE MOST MONEY EVER; IS THAT CORRECT?

17 MR. [REDACTED]: OBJECT, YOUR HONOR. ASKED AND ANSWERED  
18 AND ARGUMENTATIVE.

19 THE COURT: SUSTAINED.

20 BY MR. [REDACTED]

21 Q WHEN WAS IT THAT YOU CAME TO THE AGREEMENT WITH THE D.E.A.  
22 THAT YOU WERE GOING TO GET YOUR \$3,000.00 A MONTH?

23 MR. [REDACTED]: OBJECTION. ASKED AND ANSWERED, YOUR  
24 HONOR, AS WELL.

25 THE COURT: WELL, I DON'T RECALL THE ANSWER TO THAT

1 QUESTION, IF THERE WAS AN ANSWER.

2 THE WITNESS: I DIDN'T UNDERSTAND THE QUESTION.

3 BY MR. [REDACTED]:

4 Q WHEN WAS IT THAT YOU CAME TO THE UNDERSTANDING WITH THE  
5 D.E.A. THAT YOU WERE GOING TO GET YOUR \$3,000.00 A MONTH?

6 A I DON'T REMEMBER EXACTLY WHEN WE TALKED ABOUT IT. I DON'T  
7 REMEMBER THE EXACT DATE OF THAT AGREEMENT.

8 Q YOU'RE TESTIFYING AS TRUTHFULLY AS YOU CAN?

9 MR. [REDACTED]: OBJECTION, YOUR HONOR. THIS IS  
10 ARGUMENTATIVE.

11 THE COURT: SUSTAINED.

12 BY MR. [REDACTED]:

13 Q WHEN YOU SAT DOWN WITH AGENTS BERRELLEZ AND SALAZAR, DID  
14 THEY EVER ASK TO YOU FILL OUT A PERSONAL HISTORY INFORMATION  
15 SHEET QUESTIONNAIRE ABOUT YOUR BACKGROUND?

16 MR. [REDACTED]: OBJECTION. RELEVANCE.

17 THE COURT: WE'LL TAKE OUR NOON RECESS AT THIS TIME  
18 AND RECONVENE THIS CASE AT 1:30.

19 THE CLERK: PLEASE RISE.

20 (COMMOTION IN COURTROOM AS JURY EXITS.)

21 THE COURT: ORDER IN THE COURT.

22 (JURY ABSENT:)

23 THE CLERK: YOU MAY BE SEATED.

24 THE COURT: COUNSEL, THE CROSS-EXAMINATION OF THIS  
25 WITNESS IS NOT LIMITLESS. HE'S BEEN UP HERE FOR THREE DAYS, OR

(18)

**TAB 18**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 9 - Pgs: 91 - 92**

18)

1 THE COURT: SUSTAINED.

2 BY MR. [REDACTED]:

3 Q DID HE ASK YOU ABOUT MATTA BALLESTEROS?

4 MR. [REDACTED]: SAME OBJECTION.

5 MR. [REDACTED]: NO, IT'S NOT.

6 THE COURT: OVERRULED.

7 THE WITNESS: NO.

8 BY MR. [REDACTED]:

9 Q THE FIRST TIME HE ASKED YOU ABOUT MATTA BALLESTEROS WAS IN  
10 JANUARY; IS THAT RIGHT?

11 A SHOWED YOU SOME PICTURES OF HIM, DIDN'T HE? SAID, "THIS IS  
12 MATTA BALLESTEROS"?

13 A NO. I WAS THE ONE WHO TOLD HIM.

14 Q DID HE ASK YOU QUESTIONS ABOUT MIGUEL FELIX GALLARDO?

15 A NO.

16 Q DID HE SHOW YOU MIGUEL FELIX'S PICTURE?

17 MR. [REDACTED] OBJECTION. AMBIGUOUS. NOVEMBER OR  
18 JANUARY, YOUR HONOR?

19 MR. [REDACTED] JANUARY.

20 THE WITNESS: NO.

21 BY MR. [REDACTED]

22 Q DID HE SHOW YOU MIGUEL FELIX'S PICTURE IN NOVEMBER OR  
23 DECEMBER?

24 A NO --

25 Q DID HE EVER SHOW YOU PICTURES OF MIGUEL FELIX?

1 A -- I DON'T REMEMBER.

2 Q DID YOU EVER SHOW YOU PICTURES OF MIGUEL FELIX IN FEBRUARY  
3 MARCH, APRIL OR MAY OF THIS YEAR?

4 A NO.

5 Q WHEN IS THE LAST TIME YOU CAN RECALL SEEING A PICTURE OF  
6 THIS GENTLEMAN IN COURT, MR. MATTA?

7 A JUST THE TIME WHEN I WAS SHOWN THE PHOTOGRAPHS.

8 Q WHEN IS THE LAST TIME YOU WERE SHOWN THE PHOTOGRAPHS?

9 A I DON'T REMEMBER.

10 Q IN ANY OF THE DISCUSSIONS THAT YOU OVERHEARD IN MEETINGS,  
11 DID ANYBODY TALK ABOUT SEIZURES OF COCAINE?

12 A NO.

13 MR. [REDACTED] EXCUSE ME ONE MOMENT, YOUR HONOR.

14 (MESSRS. STOLAR AND BURNS CONFER OFF THE RECORD.)

15 BY MR. [REDACTED]

16 Q THERE CAME A TIME, DIDN'T THERE, WHEN JAVIER BARBA LEFT  
17 TOWN?

18 A YES.

19 Q WHEN WAS THAT?

20 A WOULD HAVE BEEN LIKE APRIL OR THE END OF MARCH.

21 Q AFTER MR. CAMARENA'S BODY WAS FOUND?

22 A NO, I DON'T REMEMBER.

23 Q BUT YOU DO RECALL THERE WAS NEWS WHEN THE BODIES WERE  
24 FOUND, DON'T YOU?

25 A I DON'T REMEMBER THE DATE WHEN THAT CAME OUT.

(19)

**TAB 19**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 9 - Pgs: 104 - 106**

19)

1 A YES.

2 Q YOU AND YOUR FAMILY LIVED AT THE HOUSE?

3 A YES.

4 Q FROM MARCH OF 85 TO OCTOBER OF 89, DID YOU PAY RENT TO LIVE  
5 AT THAT HOUSE?

6 A NO.

7 Q PRIOR TO YOUR TESTIMONY TODAY, YOU RECEIVED ABOUT \$3,000.00  
8 A MONTH FROM THE D.E.A.; IS THAT CORRECT?

9 MR. [REDACTED] OBJECTION, YOUR HONOR. MISSTATES THE  
10 EVIDENCE.

11 THE COURT: WELL, RESTATE YOUR QUESTION.

12 BY MR. [REDACTED]

13 Q SINCE YOUR ARRIVAL IN LOS ANGELES IN OCTOBER AND NOVEMBER  
14 OF 1989, MR. CERVANTES, ABOUT HOW MUCH HAVE YOU BEEN RECEIVING  
15 A MONTH FROM THE D.E.A.?

16 A 3,000.

17 Q YOU AND YOUR IMMEDIATE FAMILY CURRENTLY RESIDE IN THE  
18 UNITED STATES?

19 A YES.

20 Q IS THAT YOU, YOUR WIFE, AND TWO CHILDREN?

21 A YES.

22 Q DID THE FAMILIES -- STRIKE THAT.

23 IN THE UNITED STATES, WITHOUT TELLING MEE THE CITY,  
24 HOW MUCH APPROXIMATELY DO YOU PAY A MONTH IN RENT.

25 MR. [REDACTED] OBJECTION, YOUR HONOR. IRRELEVANT.

1 MR. [REDACTED] YES, I OBJECT, ALSO. THE BASIS IS THAT  
2 GIVEN THE WAY THE QUESTION'S PHRASED AND THE QUESTIONS I EXPECT  
3 FROM MR. [REDACTED], IF I WANT TO FIND OUT WHERE IT IS, THERE'S NO  
4 WAY WE CAN CORROBORATE THE INFORMATION.

5 THE COURT: THE OBJECTION'S OVERRULED.

6 BY MR. [REDACTED]

7 Q HOW MUCH A MONTH IN RENT DO YOU PAY IN THE UNITED STATES?

8 A \$1,000.00.

9 Q DOES THIS COME FROM THAT 3,000 A MONTH THAT YOU'VE BEEN  
10 RECEIVING?

11 A YES.

12 Q OUT OF THAT 3,000 A MONTH, WHAT OTHER EXPENSES DO YOU PAY  
13 FROM THAT MONEY, IN THE UNITED STATES?

14 A WELL, THERE'S FOOD, CLOTHING; EVERYTHING THAT YOU NEED FOR  
15 A FAMILY.

16 Q IN ADDITION TO YOUR WIFE AND TWO CHILDREN, DO YOU HAVE ANY  
17 OTHER FAMILY MEMBERS PRESENTLY RESIDING WITH YOU IN THE UNITED  
18 STATES?

19 A YES.

20 Q WITHOUT GIVING ME NAMES, WHAT RELATIONSHIP ARE THESE  
21 PEOPLE? WHO ARE THEY?

22 A THEY'RE MY BROTHERS AND MY SISTERS.

23 Q HOW MANY BROTHERS AND HOW MANY SISTERS?

24 A TWO BROTHERS AND FOUR SISTERS AND MY MOTHER.

25 Q IN ADDITION TO YOUR IMMEDIATE FAMILY, DO YOU ALSO SUPPORT



1 THESE PEOPLE ON THE 3,000 A MONTH THAT YOU'RE RECEIVING?

2 A YES.

3 Q FINALLY, MR. CERVANTES, DO YOU REMEMBER TESTIFYING BEFORE  
4 THE FEDERAL GRAND JURY ABOUT JANUARY 17 OF 1990?

5 A YES.

6 Q AND DO YOU RECALL IN THE EARLY PART OF YOUR TESTIMONY THAT  
7 YOU DID NOT MENTION THAT MATTA BALLESTEROS WAS AT THE SECOND  
8 MEETING?

9 A YES.

10 Q DO YOU RECALL LATER ON, STILL ON JANUARY 17, CORRECTING  
11 YOUR TESTIMONY BEFORE THE GRAND JURY?

12 MR. [REDACTED] IT OBJECT TO THE CHARACTERIZATION THAT HE  
13 CORRECTED THE TESTIMONY.

14 THE COURT: WELL, YOU MAY READ THE TESTIMONY.

15 MR. [REDACTED] THANK YOU, YOUR HONOR.

16 JANUARY 17, PAGE 15, LINE 23, QUESTION TO MR.

17 CERVANTES:

18 "Q NOW, YOU MENTIONED SEVERAL PEOPLE WHO WERE PRESENT AT THAT  
19 MEETING. AND PERHAPS I FAILED TO ASK YOU, BUT WAS MATTA  
20 BALLESTEROS PRESENT FOR THAT MEETING, AS WELL?

21 "A OH, YES. ON THE SECOND ONE, YES. YES."

22 Q IS THAT HOW YOU TESTIFIED ON JANUARY 17TH?

23 A YES.

24 MR. [REDACTED]: MAY I HAVE JUST ONE MOMENT, YOUR HONOR?  
25 (PAUSE IN PROCEEDINGS.)

(20)

**TAB 20**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 10 - Pgs: 29 - 36**

20)

10-29

1 THE FOLLOWING ANSWER ON PAGE 15 AND 16, 16 BEING THE VERY LAST  
2 PAGE. LINE 19 -- 17. (READING):

3 "MR. [REDACTED] JUST A COUPLE MORE QUESTIONS, MR.  
4 CERVANTES. LET ME TAKE YOU BACK, IF I CAN, TO THE  
5 DAY OF THE WEDDING, TO THE SECOND MEETING VERY EARLY  
6 IN THE MORNING, ALL RIGHT?"

7 MR. [REDACTED]: THIS IS IMPROPER. OBJECTION, YOUR  
8 HONOR.

9 THE COURT: OVERRULED.

10 MR. [REDACTED]: (READING):

11 "A. YES.

12 "Q. NOW, YOU MENTIONED SEVERAL PEOPLE WHO WERE PRESENT AT THAT  
13 MEETING, AND PERHAPS I FAILED TO ASK YOU, BUT WAS MATTA  
14 BALLESTEROS PRESENT FOR THAT MEETING, AS WELL?

15 "A. OH, YES. ON THE SECOND ONE, YES. YES."

16 MR. [REDACTED]: OBJECTION TO THIS FORM OF READING, YOUR  
17 HONOR. THE INTONATION.

18 THE COURT: ALL RIGHT. CALM DOWN. THE OBJECTION IS  
19 OVERRULED.

20 BY MR. [REDACTED]

21 Q. MR. [REDACTED] ASKED YOU ON REDIRECT EXAMINATION IF YOU HAD  
22 REVIEWED ANY OF THE REPORTS OR YOUR GRAND JURY TESTIMONY.

23 DO YOU RECALL THAT?

24 A. NO, I DON'T REMEMBER.

25 Q. YOU DON'T READ ENGLISH, DO YOU?

10-30

1 A. NO.

2 Q. YOU'VE INDICATED THAT YOUR ARRANGEMENT WITH THE D.E.A. IS  
3 THAT YOU GET \$3,000 A MONTH; IS THAT RIGHT?

4 MR. [REDACTED] OBJECTION, BEYOND THE SCOPE OF  
5 REDIRECT.

6 MR. [REDACTED] THAT WAS ON REDIRECT. I HAVE IT RIGHT  
7 IN MY NOTES.

8 MR. [REDACTED] OBJECTION. ASKED AND ANSWERED.

9 THE COURT: YES, IT HAS BEEN ASKED AND ANSWERED BY  
10 YOU AND EVERYBODY ELSE.

11 MR. [REDACTED] HE RAISED IT ON REDIRECT.

12 THE COURT: THAT DOES NOT ENTITLED YOU TO GO INTO IT  
13 AGAIN IF YOU'VE ALREADY EXAMINED ON IT.

14 MR. [REDACTED] FINE.

15 BY MR. [REDACTED]

16 Q. YOU HAVE BEEN GETTING CLOSER TO \$6,000 A MONTH; ISN'T THAT  
17 RIGHT?

18 MR. [REDACTED] OBJECTION. ASKED AND ANSWERED.

19 THE COURT: OVERRULED.

20 THE WITNESS: NO.

21 BY MR. [REDACTED]

22 Q. IN THE MONTH OF DECEMBER YOU GOT \$8,640; ISN'T THAT RIGHT?

23 A. I DON'T RECALL HOW MUCH I WAS GIVEN.

24 Q. IN THE MONTH OF JANUARY YOU GOT \$6,000; ISN'T THAT RIGHT?

25 A. YES.

10-31

1 Q. IN THE MONTH OF FEBRUARY YOU GOT \$7,500; ISN'T THAT RIGHT?

2 A. WELL, IF IT IS WRITTEN DOWN, THAT'S RIGHT.

3 Q. IN THE MONTH OF MARCH, YOU GOT \$4,000 -- I BEG YOUR  
4 PARDON -- YES, \$4,000; ISN'T THAT RIGHT?

5 A. IF THAT'S WHAT IS WRITTEN DOWN THERE, THAT'S RIGHT.

6 Q. AND THE MONTH OF APRIL YOU GOT \$7,000; ISN'T THAT RIGHT?

7 A. WELL, LIKE I'M TELLING YOU, IF THAT IS WHAT IS WRITTEN  
8 DOWN, THAT'S RIGHT, BUT I DON'T REMEMBER.

9 Q. SO FAR THIS MONTH YOU'VE GOTTEN ABOUT \$4500; ISN'T THAT  
10 RIGHT?

11 A. I THINK SO.

12 Q. YOU'RE NOT CURRENTLY IN THE WITNESS SECURITY PROGRAM,  
13 WHICH IS ADMINISTERED BY THE U.S. MARSHAL'S SERVICE; ARE YOU?

14 MR. [REDACTED] OBJECTION. BEYOND THE SCOPE OF DIRECT  
15 AND RELEVANCE.

16 THE COURT: OVERRULED.

17 THE WITNESS: NO.

18 BY MR. [REDACTED]

19 Q. VIEW MADE AN APPLICATION TO JOIN THAT PROGRAM OR HAS  
20 ANYBODY MADE ONE ON YOUR BEHALF?

21 A. NO.

22 Q. MR. [REDACTED] ASKED YOU ON REDIRECT EXAMINATION ABOUT THE  
23 FACT THAT YOU HAD BEEN SHOWN PHOTOS. IS IT TRUE THAT YOU WERE  
24 SHOWN PHOTOGRAPHS OF MR. MATTA ON MANY OCCASIONS?

25 A. NO.

10-32

1 Q. HOW MANY TIMES WERE YOU SHOWN PHOTOGRAPHS OF MR. MATTA?

2 A. ONCE OR TWICE, AT BEST.

3 Q. WHEN WAS THAT?

4 A. IT WAS IN THE MONTH OF JANUARY.

5 Q. WHO SHOWED THEM TO YOU?

6 A. MR. HECTOR BERRELLEZ. AND AN AGENT BY THE LAST NAME OF  
7 SALAZAR WAS WITH HIM.

8 Q. BETWEEN THE DAY OF THE WEDDING IN 1984 THAT YOU TESTIFIED  
9 ABOUT AND THE TIME THAT YOU WERE SHOWN A PHOTOGRAPH OF MR.  
10 MATTA, DID YOU EVER SEE THE MAN WHO YOU PICKED UP AT THE  
11 AIRPORT, THE COLOMBIAN, BETWEEN THAT PERIOD OF TIME?

12 A. NO.

13 Q. WHEN YOU DID SEE HIM, THE MAN YOU SAY IS MR. MATTA, THE  
14 FIRST TIME YOU SAW HIM WAS WHEN YOU PICKED HIM UP AT THE  
15 AIRPORT AND DROVE TO LA QUINTA; IS THAT RIGHT?

16 MR. [REDACTED] OBJECTION. ASKED AND ANSWERED, YOUR  
17 HONOR.

18 THE COURT: SUSTAINED.

19 BY MR. [REDACTED]

20 Q. WERE YOU IN THE FRONT SEAT OF THE CAR WHEN THE CAR DROVE  
21 FROM THE AIRPORT TO LA QUINTA?

22 MR. [REDACTED]: OBJECTION, YOUR HONOR.

23 THE COURT: OVERRULED.

24 THE WITNESS: YES.

25 BY MR. [REDACTED]

10-33

1 Q. MR. MATTA, THE MAN YOU SAY IS MR. MATTA, WAS IN THE BACK  
2 SEAT?

3 A. YES.

4 Q. THE NIGHT OF THE WEDDING PARTY, WOULD IT BE FAIR TO SAY  
5 THAT YOU WERE PAYING ATTENTION TO YOUR BOSS, MR. BARBA?

6 MR. [REDACTED] OBJECTION. ASKED AND ANSWERED.

7 THE COURT: YES, IT HAS.

8 MR. [REDACTED] AT THE HEARING IT WAS, NOT IN FRONT OF  
9 THE JURY.

10 THE COURT: IT HAS BEEN ASKED AND ANSWERED.

11 MR. [REDACTED]: ALL RIGHT.

12 BY MR. [REDACTED]

13 Q. IS IT YOUR TESTIMONY THAT YOU WERE ONLY SHOWN PICTURES OF  
14 MR. MATTA ON ONE OR TWO OCCASIONS IN JANUARY AND NOT SINCE  
15 JANUARY?

16 MR. [REDACTED] OBJECTION. ASKED AND ANSWERED.

17 THE COURT: OVERRULED.

18 THE WITNESS: I WAS ONLY SHOWN THE PHOTOGRAPHS IN  
19 JANUARY.

20 BY MR. [REDACTED]

21 Q. DO YOU RECALL IN FEBRUARY THAT YOU WERE SHOWN --

22 MR. [REDACTED] OBJECTION, YOUR HONOR, TO COUNSEL  
23 HOLDING UP A REPORT FOR PURPOSES OF THE JURY. IF THERE IS A  
24 QUESTION, MAY WE JUST ASK IT?

25 THE COURT: STATE THE QUESTION.

10-34

1 BY MR. [REDACTED]

2 Q. IN FEBRUARY, WERE YOU SHOWN A SERIES OF GROUP PICTURES?

3 MR. [REDACTED] YOUR HONOR, SAME OBJECTION.

4 THE COURT: WHAT ARE YOU OBJECTING ABOUT?

5 THE WITNESS: YES.

6 BY MR. [REDACTED]

7 Q. IS IT YOUR TESTIMONY THAT MR. MATTA WAS IN THOSE PICTURES?

8 A. NO.

9 Q. NOW YOU SAY HE WAS NOT IN THOSE PICTURES; IS THAT CORRECT?

10 A. YES, THAT'S CORRECT.

11 Q. YOU TOLD US YESTERDAY MORNING HE WAS IN THOSE PICTURES;  
12 DIDN'T YOU?

13 MR. [REDACTED] OBJECTION, YOUR HONOR. HE'S RESTATING  
14 DIRECT FROM YESTERDAY.

15 MR. [REDACTED] I'M RESTATING CROSS-EXAMINATION, IN  
16 FACT.

17 THE COURT: SUSTAINED. THE OBJECTION IS SUSTAINED TO  
18 WHAT HE TOLD US.

19 MR. [REDACTED] NOTHING FURTHER.

20 THE COURT: ANYTHING FURTHER FOR THIS WITNESS?

21 MR. [REDACTED]: YOUR HONOR, I WOULD ASK THAT I BE  
22 ALLOWED TO RESERVE FURTHER CROSS PENDING THE OUTCOME OF THE  
23 HEARING.

24 MR. [REDACTED] YES.

25 THE COURT: YES, WHAT?



10-35

1 MR. [REDACTED]: I WANT TO ALSO RESERVE. I'M SORRY.

2 MR. [REDACTED] I JOIN IN THAT ALSO. I THOUGHT THAT WAS  
3 UNDERSTOOD.

4  
5 FURTHER REDIRECT EXAMINATION +

6 BY MR. [REDACTED]

7 Q. MR. CERVANTES, YOU SEE MATTA BALLESTEROS IN COURT TODAY,  
8 RIGHT?

9 A. YES.

10 Q. CAN YOU IDENTIFY HIM BECAUSE PHOTOGRAPHS WERE SHOWN TO YOU  
11 OR BECAUSE YOU REMEMBER HIM FROM THE MEETINGS?

12 MR. [REDACTED]: OBJECTION. ASKED AND ANSWERED AND  
13 IMPROPERLY PHRASED.

14 THE COURT: OVERRULED.

15 THE WITNESS: I REMEMBER HIM BECAUSE I SPENT HOURS  
16 WITH HIM AND NOT BECAUSE OF HAVE I WAS SHOWN PHOTOGRAPHS.

17 BY MR. [REDACTED]

18 Q. ZUNO: HOW DO YOU REMEMBER HIM?

19 MR. [REDACTED]: OBJECTION, YOUR HONOR. IT'S OUTSIDE OF  
20 THE SCOPE OF REDIRECT.

21 THE COURT: SUSTAINED.

22 MR. [REDACTED]

23 Q. BERNABE RAMIREZ?

24 MR. [REDACTED] SAME OBJECTION, YOUR HONOR. OUTSIDE THE  
25 SCOPE OF REDIRECT. THIS PROSECUTOR KNOWS NOT TO ASK THAT KIND

10-36

1 OF QUESTION.

2 THE COURT: SUSTAINED.

3 BY MR. [REDACTED]

4 Q. MR. CERVANTES, WHEN YOU RECEIVED MORE THAN \$3,000 IN ONE  
5 MONTH, WAS THIS BECAUSE YOU HAD TO BE MOVED FROM LOCATION TO  
6 LOCATION?

7 MR. [REDACTED] OBJECTION. LEADING AND SUGGESTIVE,  
8 YOUR HONOR.

9 THE COURT: SUSTAINED.

10 BY MR. [REDACTED]

11 Q. WHY WOULD YOU RECEIVE ON OCCASION MORE THAN \$3,000 A  
12 MONTH, MR. CERVANTES?

13 THE WITNESS: WELL, IT WAS BECAUSE OF SECURITY. I  
14 WAS BEING GIVEN SECURITY.

15 Q. YOUR FAMILY -- STRIKE THAT.

16 OTHER THAN YOUR WIFE AND CHILDREN, WERE YOU ALSO  
17 GIVEN MONEY TO BRING YOUR OTHER FAMILY MEMBERS THAT YOU HAVE  
18 DESCRIBED FROM MEXICO?

19 A. YES.

20 Q. YOU GOT \$500 THIS WEEKEND FOR A HOTEL, CORRECT?

21 A. YES.

22 Q. WHY DID GO TO A HOTEL?

23 A. FOR MY OWN SAFETY. THEY WANTED ME TO BE THERE UNTIL COURT  
24 STARTED AGAIN.

25 Q. FINALLY, MR. CERVANTES, LET ME DIRECT YOU TO YOUR GRAND

(21)

**TAB 21**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 14 - Pgs: 160 - 165**

21

14-160

1 A CORRECT.

2 Q AND AT THE TIME IN 1985, DO YOU KNOW WHO THE HEAD OF  
3 INTERPOL IN MEXICO WAS?

4 A YES. AT THAT TIME IT WAS PREMIER COMANDANTE FLORENTINO  
5 VENTURA GUTIERREZ.

6 Q NOW, WAS THERE ALSO A GENTLEMAN BY THE NAME OF ALDANA WHO  
7 WAS INVOLVED IN INTERPOL?

8 A I BELIEVE HE WAS, BUT I DON'T BELIEVE AT THAT TIME.

9 Q WHEN DID HE BECOME THE HEAD OF IT?

10 A MR. VENTURA?

11 Q ALDANA.

12 A ALDANA I THINK WAS BEFORE HIM.

13 Q ALDANA WAS BEFORE HIM?

14 A CORRECT. I BELIEVE SO

15 Q THE ALDANA WHO'S AN INDICTED DEFENDANT IN THIS CASE?

16 A YES.

17 Q ALL RIGHT. NOW, YOU INDICATED IN YOUR TESTIMONY THAT MR.  
18 CARO QUINTERO WAS INTERVIEWED; IS THAT RIGHT?

19 A CORRECT.

20 Q AND THERE'S ALSO A GENTLEMAN NAMED TEJEDA WHO WAS  
21 INTERVIEWED; IS THAT RIGHT?

22 A YES, HE WAS ALSO INTERVIEWED.

23 Q WOULD IT BE FAIR TO SAY THE TERM "INTERVIEW" IS  
24 INAPPROPRIATE?

25 MR. [REDACTED]: OBJECTION. AMBIGUOUS, YOUR HONOR.

14-161

1 BY MR. [REDACTED]

2 Q WELL, IN FACT, THEY WERE TORTURED AND SLAPPED AROUND TO GET  
3 ANSWERS OUT OF THEM, WEREN'T THEY?

4 MR. [REDACTED] OBJECTION, YOUR HONOR. ASK TO REPHRASE  
5 THE QUESTION.

6 BY MR. [REDACTED]:

7 Q WERE THEY TORTURED AND SLAPPED AROUND?

8 A PACO TEJEDA WAS. CARO QUINTERO WAS NOT PRESENT IF AND WHEN  
9 IT DID OCCUR.

10 Q BUT THAT'S WHAT HAPPENED TO TEJEDA; RIGHT?

11 A YES.

12 Q IN YOUR PRESENCE?

13 A YES.

14 Q IN FACT, THEY SLAPPED TEJEDA AROUND SO MUCH THEY HAD TO  
15 STOP BECAUSE THEY THOUGHT HE WAS HAVING A HEART ATTACK, DIDN'T  
16 THEY?

17 A YES.

18 Q CARO -- THE FIRST TIME CARO CAME IN, HE WAS BROUGHT IN  
19 BLINDFOLDED WITH HIS HANDS TIED BEHIND HIS BACK; IS THAT  
20 CORRECT?

21 A THAT'S CORRECT, COUNSEL.

22 Q HE WAS PUT IN A CHAIR AND HE WAS ASKED DIRECT QUESTIONS;  
23 CORRECT?

24 A CORRECT.

25 Q AND HE GAVE DIRECT DENIALS, DIDN'T HE?

14-162

2  
1 A CORRECT.

2 Q THE SECOND TIME HE WAS BROUGHT IN, HE WAS BROUGHT IN IN THE  
3 SAME FASHION?

4 A IN: HANDS TIED BEHIND HIS BACK AND BLINDFOLDED?

5 Q YES.

6 A YES, HE WAS.

7 Q AND THERE WAS SOME DIFFERENCE IN THE ATTITUDE OF THE  
8 MEXICAN POLICE OFFICIALS DURING THAT SECOND INTERROGATION,  
9 WASN'T THERE?

10 A I DON'T UNDERSTAND WHAT YOU MEAN: A DIFFERENCE IN  
11 ATTITUDES.

12 Q WELL, DO YOU REMEMBER YOU WALKED OUT OF THAT INTERVIEW?

13 A NOT ON THE SECOND ONE.

14 Q NOT ON THE SECOND ONE?

15 A NO.

16 Q WAS THERE ONE OF THE INTERVIEWS WHERE IT TURNED OUT THAT  
17 RAFAEL CARO QUINTERO WAS BEING TREATED VERY WELL, WITH WHITE  
18 GLOVES?

19 A THAT WAS THE THIRD INTERVIEW.

20 Q THAT WAS THE THIRD INTERVIEW, THE ONE THAT LASTED UNTIL  
21 3:30 IN THE MORNING, APPROXIMATELY?

22 Q THAT'S THE ONE YOU WALKED OUT OF?

23 A YES.

24 Q BECAUSE YOU WERE VERY DISGUSTED; IS THAT RIGHT?

25 A MR. HEATH WAS VERY DISGUSTED, YES.

14-163

1 Q WAS IT DURING THAT INTERVIEW THAT A CARO QUINTERO GAVE THIS  
2 OFFICIAL DECLARATION?

3 A THEY WERE IN THE PROCESS OF GETTING HIS DECLARATION, YES,  
4 AT THAT TIME.

5 Q AND IS THAT THE DECLARATION THAT ULTIMATELY HE GAVE THAT  
6 WAS SUBMITTED TO THE COURT IN MEXICO?

7 A I DON'T KNOW.

8 MR. [REDACTED]: OBJECTION, YOUR HONOR. LACK OF  
9 FOUNDATION. LACK OF PERSONAL KNOWLEDGE.

10 THE COURT: WELL, THE WITNESS SAID HE DOES NOT KNOW.  
11 BY MR. [REDACTED]

12 Q DO YOU KNOW THAT A DECLARATION FROM ONE OF THE  
13 INTERROGATIONS THAT YOU WERE PRESENT AT WAS SUBMITTED TO A  
14 COURT IN MEXICO?

15 MR. [REDACTED] OBJECTION. RELEVANCE, YOUR HONOR.  
16 BEYOND THE SCOPE?

17 THE COURT: SUSTAINED.  
18 BY MR. [REDACTED]

19 Q ON THE -- LET ME SEE. THERE WAS AN INTERVIEW ON APRIL THE  
20 7TH; IS THAT RIGHT?

21 A YES.

22 Q AN INTERROGATION; IS THAT RIGHT?

23 A YES.

24 Q THAT'S THE TIME THEY TOOK A BOTTLE OF SODA WATER AND  
25 FORCIBLY PLACED IT UP HIS NOSE; ISN'T IT?

14-164

1 MR. [REDACTED] OBJECTION, YOUR HONOR. MISSTATES THE  
2 PRIOR TESTIMONY OF THE WITNESS.

3 MR. [REDACTED]: I'M ASKING HIM IF THAT WAS THE TIME THEY  
4 DID THAT.

5 THE COURT: YOU MAY ANSWER.

6 THE WITNESS: I WASN'T PRESENT. I DON'T KNOW IF IT  
7 WAS DONE THEN.

8 BY MR. [REDACTED]:

9 Q THAT'S WHAT HEATH TOLD YOU; IS THAT RIGHT?

10 A NO. I NEVER SPOKE WITH MR. HEATH.

11 MR. [REDACTED]: OBJECT. HEARSAY, YOUR HONOR, AS TO WHAT  
12 HEATH SAID.

13 THE COURT: THE ANSWER MAY STAND.

14 BY MR. [REDACTED]

15 Q FINALLY, CARO, IN THE COURSE OF THE FOURTH INTERVIEW -- THE  
16 ONE THAT YOU SAW WHEN THEY BROUGHT IN TEJEDA?

17 A YES.

18 Q -- HE STARTED MAKING CERTAIN ADMISSIONS, DIDN'T HE?

19 A WHO?

20 Q CARO.

21 A NO.

22 Q HE DIDN'T?

23 A NO.

24 Q TEJEDA MADE ADMISSIONS?

25 A YES.



14-165

1 Q AFTER THEY BEAT HIM UP A BIT?

2 A YES. -

3 Q HE WAS ASKED QUESTIONS AND WHEN THE QUESTIONER DECIDED THAT  
4 THE PERSON WAS LYING, HE WOULD BE STRUCK UNTIL HE CAME UP WITH  
5 THE ANSWERS; IS THAT RIGHT?

6 A HE WAS STRUCK, YES.

7 Q UNTIL HE CAME UP WITH THE ANSWERS?

8 A CAME UP WITH AN ANSWER, YES.

9 Q AN ANSWER. IN YOUR OWN EXPERIENCE, IS THIS A COMMON MEANS  
10 OF CONDUCTING AN INTERVIEW BY THE POLICE IN MEXICO?

11 A YES, IT IS.

12 Q DID YOU OR MR. HEATH RAISE ANY PROTEST AS TO THE METHOD OR  
13 MEANS THAT THESE INTERROGATIONS WERE CONDUCTED?

14 A NO, SIR. WE WERE THERE TO OBSERVE.

15 Q THAT'S NOT THE METHOD THAT THE D.E.A. USES, IS IT?

16 A ABSOLUTELY NOT.

17 Q SO THESE ARE MORE CHARACTERIZED, MORE CORRECTLY  
18 CHARACTERIZED, AS INTERROGATIONS, NOT INTERVIEWS; WOULD THAT BE  
19 FAIR TO SAY?

20 A CORRECT.

21 Q ACCOMPANIED BY PHYSICAL INDUCEMENT?

22 A CORRECT.

23 Q AND THE PERSON IS BLINDFOLDED SO THAT THE PERSON IS NOT  
24 AWARE OF WHO THE INTERROGATOR IS; IS THAT RIGHT?

25 A I BELIEVE SO.

**TAB 22**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 19 - Pg: 181**

(22)

19-181

1 Q HOW MANY TIMES DID YOU SHOW HIM THAT?

2 A PRIOR TO HIS DIRECT TESTIMONY, I MET WITH HIM AT LEAST HALF  
3 A DOZEN TIMES; AND AT LEAST HALF OF THOSE DOZEN TIMES, I'M SURE  
4 I WOULD HAVE SHOWN HIM EXHIBIT 172.

5 Q SO ROUGHLY ON THREE OCCASIONS YOU SHOWED HIM EXHIBIT 172?

6 A I'M SURE I DID AT LEAST THREE TIMES, AND I ASKED HIM AGAIN  
7 IF HE KNEW ANYBODY.

8 Q ALL RIGHT. AND WHAT WAS HIS RESPONSE?

9 A HE IDENTIFIED EACH OF THE PEOPLE IN THAT DISPLAY.

10 Q ALL RIGHT. INCLUDING DEFENDANT BERNABE?

11 A THAT'S CORRECT.

12 Q WAS THERE ANY DISCUSSION AT THAT TIME CONCERNING BERNABE'S  
13 APPEARANCE IN 1985 OR THEREABOUTS?

14 A NOT THAT I RECALL NO.

15 Q MR. CERVANTES NEVER INDICATED THAT, "YEAH. I RECOGNIZE THE  
16 GUY BUT THAT'S NOT THE WAY HE LOOKED BACK IN 19 -- THE  
17 MID-80'S"?

18 A NO. HE NEVER SAID ANYTHING LIKE THAT.

19 Q AND YOU -- DID YOU ASK HIM ABOUT IT?

20 A I DON'T BELIEVE I DID. NO.

21 MR. [REDACTED] ALL RIGHT. I HAVE NOTHING FURTHER.

22 THE COURT: YOU MAY STEP DOWN.

23 DOES THAT CONCLUDE ALL OF THE EVIDENCE THAT WE'RE  
24 GOING TO HEAR ON THIS ISSUE?

25 MR. [REDACTED] I BELIEVE SO; YES, YOUR HONOR.

(23)

**TAB 23**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 21- Pgs: 9 - 11**

23)

1 TROUBLE WITH THE LAW?

2 A YES.

3 Q AND WHEN WAS THAT?

4 A THIS WAS TOWARD THE END OF FEBRUARY OF 1986.

5 Q AND DID YOU PLEAD GUILTY IN THE UNITED STATES TO A DRUG  
6 OFFENSE?

7 A YES.

8 Q AND WHAT WAS THE OFFENSE THAT YOU PLED GUILTY TO? WHAT WAS  
9 THE OFFENSE YOU PLED GUILTY TO IN FEBRUARY OF 86 OR  
10 THEREABOUTS?

11 A IT WAS CONSPIRING AND POSSESSING TO DISTRIBUTE 76 GRAMS OF  
12 HEROIN.

13 Q AND WHAT SENTENCE DID YOU RECEIVE?

14 A I WAS GIVEN 13 MONTHS.

15 Q AND WHERE DID YOU SERVE YOUR TIME?

16 A IN THE PRISON OF LA TUNA.

17 Q AND WHERE IS THAT?

18 A IN ANTHONY, NEW MEXICO.

19 Q AND APPROXIMATELY WHEN DID YOU GET OUT OF JAIL?

20 A THE BEGINNING OF DECEMBER OF 1986.

21 Q DID THERE COME A TIME AFTER YOU GOT OUT OF JAIL IN DECEMBER  
22 OF 86 THAT YOU RETURNED TO MEXICO?

23 A YES.

24 Q SOMETIME AFTER GOING TO MEXICO, DID YOU MEET A MAN BY THE  
25 NAME OF HECTOR CERVANTES SANTOS?

1 A YES.

2 Q AND WHEN WAS THE FIRST TIME YOU EVER MET HECTOR CERVANTES  
3 SANTOS?

4 A AT THE BEGINNING OF JANUARY OF 1987.

5 Q HAD YOU EVER SEEN HECTOR CERVANTES SANTOS PRIOR TO THAT  
6 TIME?

7 A NO.

8 Q HOW DID YOU COME TO MEET HECTOR CERVANTES SANTOS FOR THE  
9 FIRST TIME IN JANUARY OF 1987?

10 A I MET HIM THROUGH ANOTHER PERSON.

11 Q AND UNDER WHAT CIRCUMSTANCES DID YOU MEET HIM?

12 A I WAS PAWNING A RING AND THEY TOOK ME TO THEM (SIC) THERE.

13 Q WHO TOOK YOU TO HIM?

14 A A FRIEND OF MINE IS VICTOR FRANCISCO RAMIREZ.

15 Q DID YOU EVER KNOW OR HAD YOU EVER SEEN HECTOR CERVANTES  
16 SANTOS IN 1984?

17 A NO.

18 Q DID YOU EVER KNOW OR EVER SEE HECTOR CERVANTES SANTOS IN  
19 1985?

20 A NO.

21 Q DID YOU EVER KNOW OR SEE HECTOR CERVANTES SANTOS IN 1986?

22 A NO.

23 Q HAD YOU EVER MET HECTOR CERVANTES SANTOS WHILE YOU WERE  
24 WORKING IN ANY CAPACITY DURING ANY OF THE YEARS 1984, 1985 OR  
25 1986?

1 A NO.

2 Q OVER THE MONTH FROM JANUARY OF 1987 THROUGH SOMETIME IN  
3 SEPTEMBER OF 1987, DID YOU HAVE OCCASION TO BE INVOLVED IN  
4 CERTAIN BUSINESS DEALINGS WITH HECTOR CERVANTES SANTOS?

5 A YES.

6 Q AND WHAT WAS THE NATURE OF YOUR BUSINESS DEALINGS WITH  
7 CERVANTES SANTOS?

8 A MARIJUANA DEALS.

9 Q WITH CERVANTES SANTOS?

10 A YES.

11 Q WHEN WAS THE LAST TIME YOU SAW HECTOR CERVANTES SANTOS?

12 A IN SEPTEMBER OF 1987.

13 Q WHAT WERE THE CIRCUMSTANCES?

14 A IT'S THAT WE HAD PROBLEMS.

15 Q WHAT WERE THE PROBLEMS?

16 A HE TRIED TO STEAL AN AMOUNT OF MONEY FROM ME. AND I LOOKED  
17 HIM UP AND I BEAT HIM UP, AND I NEVER WANTED TO DO ANYTHING  
18 ELSE WITH HIM. I NEVER SAW HIM AGAIN.

19 Q DID THIS MONEY HAVE TO DO WITH MARIJUANA DEALS?

20 A YES.

21 Q AFTER TERMINATING YOUR RELATIONSHIP WITH CERVANTES SANTOS,  
22 DID YOU GET INTO TROUBLE WITH THE LAW AGAIN?

23 A YES.

24 Q WHEN WAS THAT?

25 A THIS WAS IN JANUARY OF 1988.

(24)

**TAB 24**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 21 - Pgs: 61 - 62**

24)



1 A WELL, I BELIEVE THAT'S WHAT IS CORRECT.

2 Q SO WHEN YOU WERE DEALING IN MARIJUANA, YOU WANTED TO COME  
3 TO A JURY AND TELL THE TRUTH THEN; RIGHT?

4 MR. [REDACTED]: OBJECTION. RELEVANCY. HE PLED GUILTY,  
5 YOUR HONOR.

6 THE COURT: THE OBJECTION IS SUSTAINED.

7 BY MR. MEDRANO:

8 Q WHEN YOU WERE DEALING IN MARIJUANA AND HEROIN, DID YOU GO  
9 TO THE D.E.A. TO TELL THEM ABOUT YOUR INVOLVEMENT?

10 MR. [REDACTED]: OBJECTION. RELEVANCY AND MATERIALITY,  
11 YOUR HONOR.

12 THE COURT: YES. SUSTAINED.

13 MR. [REDACTED]: MAY I HAVE JUST ONE MOMENT, YOUR HONOR?

14 (PAUSE.)

15 Q WHEN DID YOU MEET HECTOR CERVANTES SANTOS FOR THE FIRST  
16 TIME?

17 A AT THE BEGINNING OF JANUARY OF 1987.

18 Q WHERE, MR. MACIAS?

19 A IN GUADALAJARA.

20 Q AND WHERE IN GUADALAJARA DID YOU MEET CERVANTES?

21 A WELL, IN A NEIGHBORHOOD THAT IS CLOSE BY WHERE I LIVED.

22 Q DID YOU MET HIM ON THE STREET, IN A STORE? WHERE?

23 A I MET HIM AT A CORNER WHERE HE WAS SELLING CARDBOARD  
24 PACKAGES OF MARIJUANA.

25 Q HE WAS AT A CORNER DOING THIS?

21-62

1 A YES, BECAUSE HE DEALT THERE.

2 Q AND THIS WAS OUT ON THE STREET IN GUADALAJARA?

3 A YES, SIR.

4 Q NOW, DID YOU SEE HOW MANY CONTAINERS OF THIS MARIJUANA HE  
5 HAD?

6 A NO, BUT HE OPENED ONE OF THEM. WELL, IN OTHER WORDS, HE  
7 PULLED ONE OUT FROM HIS POCKET AND WE STARTED TO SMOKE  
8 MARIJUANA FROM THAT ONE.

9 Q RIGHT THERE IN THE OPEN, IN PUBLIC?

10 A YES. ON THE STREET.

11 Q NOW, DO YOU REMEMBER THE CROSS STREETS FOR THIS STREET  
12 CORNER?

13 A NO.

14 Q WAS IT IN DOWNTOWN GUADALAJARA?

15 A NO. IT WAS IN A NEIGHBORHOOD; IN A NEIGHBORHOOD CLOSE TO  
16 THE HOUSE WHERE I LATER FOUND OUT HE LIVED WITH HIS  
17 MOTHER-IN-LAW. HE WAS CLOSE BY THERE.

18 Q AND IS THIS NEAR DOWNTOWN GUADALAJARA OR IS IT ON THE  
19 OUTSKIRTS?

20 A WELL, IT IS NOT DOWNTOWN; BUT IT IS NOT ON THE OUTSKIRTS,  
21 EITHER.

22 Q IT IS A RESIDENTIAL AREA, THOUGH; RIGHT?

23 A IT IS IN -- IT IS A NEIGHBORHOOD.

24 MR. [REDACTED]: MIGHT THIS BE A GOOD TIME TO BREAK? I  
25 CAN CONTINUE; WHATEVER THE COURT WOULD DESIRE.

**TAB 25**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 21- Pgs: 70 - 77**

25)

(25)

1 THE COURT: SUSTAINED.

2 BY MR. [REDACTED]

3 Q WHEN YOU MET HECTOR CERVANTES SANTOS IN JANUARY OF 1987 --  
4 I WANT TO TALK TO YOU ABOUT THAT FOR A MOMENT.

5 A THAT'S FINE.

6 Q HOW MUCH OF THAT MARIJUANA DID YOU BUY FROM HECTOR  
7 CERVANTES?

8 A WHAT MARIJUANA ARE YOU TALKING ABOUT?

9 Q ON THE STREET CORNER, MR. MACIAS; WHEN WAS SELLING IT ON  
10 THE STREET CORNER.

11 A I DIDN'T BUY ANY FROM HIM. HE PULLED OUT A PACKAGE TO  
12 OFFER US A CIGARETTE OF MARIJUANA SO WE COULD SMOKE A CIGARETTE  
13 OF MARIJUANA.

14 Q THAT'S THE FIRST TIME YOU MET HECTOR CERVANTES?

15 A YES.

16 Q AND YOU JUST WALKED UP TO HIM AND HE PULLED OUT A MARIJUANA  
17 CIGARETTE FOR THE TWO OF YOU TO SMOKE?

18 A YES. NO, I WANT TO EXPLAIN TO YOU IN DETAIL SO THAT YOU  
19 WILL UNDERSTAND HOW IT WAS THAT I CAME TO MEET HECTOR  
20 CERVANTES.

21 Q LET ME TRY ASKING THE QUESTIONS. THAT'S THE FIRST TIME YOU  
22 MET HECTOR CERVANTES?

23 MR. [REDACTED] OBJECTION, YOUR HONOR. AMBIGUOUS, WHAT  
24 "THAT" MODIFIES.

25 THE COURT: OVERRULED.

1 THE WITNESS: YES.

2 BY MR. [REDACTED]:

3 Q WHEN THE TWO OF YOU SMOKED MARIJUANA?

4 A AND THE PERSON WHO INTRODUCED HIM TO ME, ALSO.

5 Q BEFORE THAT, YOU HAD NEVER MET HECTOR CERVANTES?

6 A NO, SIR.

7 Q BEFORE THAT, MR. MACIAS, YOU NEVER WORKED AS A CHAUFFEUR  
8 FOR RUBEN ZUNO?

9 A NO, SIR.

10 Q BEFORE THAT, YOU HAD NEVER EVER DRIVEN ZUNO TO LA QUINTA,  
11 THE HOUSE OF JAVIER BARBA HERNANDEZ?

12 A NO, SIR.

13 Q WELL, YOU KNOW JAVIER BARBA HERNANDEZ; DON'T YOU?

14 A NO, SIR. I DON'T KNOW HIM.

15 Q YOU NEVER MET HIM IN PERSON?

16 A NO, SIR.

17 Q DO YOU KNOW RAFAEL CARO QUINTERO, MR. MACIAS?

18 A PERSONALLY, NO. I KNOW OF HIM THROUGH THE MAGAZINES AND  
19 THE NEWSPAPERS AND THE PHOTOGRAPHS THAT THEY HAVE SHOWN OF HIM;  
20 BUT PERSONALLY, I HAVE NEVER HAD DEALINGS WITH HIM.

21 Q YOU KNOW ERNESTO FONSECA; DON'T YOU?

22 A NO, SIR.

23 Q MR. MACIAS, ISN'T IT TRUE YOU HAVE SERVED AS A BODYGUARD AT  
24 A HOUSE WHEN CARO AND FONSECA MET WITH RUBEN ZUNO?

25 A NO, SIR.

1 Q YOU KNOW THE TIERRA LIBRE BROTHERS, DON'T YOU?

2 A NO, SIR.

3 Q DO YOU KNOW JAVIER VASQUEZ VELASCO?

4 A WELL, BECAUSE NOW THAT THEY HAVE BEEN BRINGING ME OVER, I  
5 HEAR WHEN THEY CALL HIM IN THE CELLS; BUT I HAVE NEVER KNOWN  
6 HIM BEFORE THEN, IN THESE MOMENTS WHEN I HAVE BEEN BROUGHT OVER  
7 HERE.

8 Q ISN'T IT TRUE, MR. MACIAS, THAT YOU USED TO SEE JAVIER  
9 VASQUEZ VELASCO OUTSIDE LA QUINTA, THE RESIDENCE OF BARBA  
10 HERNANDEZ?

11 A NO, SIR. NO.

12 Q ALONG WITH HIS BROTHERS ELISEO AND ANTONIO?

13 A I DON'T KNOW WHO THEY MIGHT BE, EITHER.

14 Q YOU KNOW JUAN JOSE BERNABE RAMIREZ, TOO; DON'T YOU?

15 MS. [REDACTED]: YOUR HONOR, A PREVIOUS OBJECTION WAS  
16 ENTERED TO THIS QUESTION BASED ON THE RESPONSE THAT THE WITNESS  
17 HAS GIVEN TO THE QUESTION ABOUT JAVIER VELASQUEZ.

18 MR. [REDACTED] I'LL REPHRASE IT, YOUR HONOR.

19 BY MR. [REDACTED]

20 Q BEFORE 1988, DID YOU KNOW JUAN JOSE BERNABE RAMIREZ?

21 A NO, SIR.

22 Q I WANT TO DIRECT YOUR ATTENTION TO ABOUT SEPTEMBER OF 1987.

23 NOW, YOU CLAIMED BEFORE THAT YOU WERE DEALING  
24 MARIJUANA WITH HECTOR CERVANTES?

25 A YES, SIR.

1 Q FROM JANUARY TO SEPTEMBER 87?

2 A FIRST OF ALL, I WANT TO CLARIFY THAT WE DID TWO OR THREE  
3 BUSINESS DEALINGS AT THE BEGINNING AND THEN WE STOPPED SEEING  
4 EACH OTHER FOR A FEW MONTHS AND THEN WE SAW EACH OTHER AGAIN.

5 Q THE FIRST THREE BUSINESS DEALINGS IN 87 WERE FOR MARIJUANA?

6 A YES, SIR.

7 Q DO YOU REMEMBER THE DATES OF THOSE THREE MARIJUANA  
8 TRANSACTIONS?

9 A NO, SIR, I DON'T REMEMBER THEM EXACTLY; BUT I REMEMBER THAT  
10 IT WAS ON THREE OCCASIONS THAT WE WENT TO THE BORDER.

11 Q YOU TRAVELED TO THE BORDER. WHICH BORDER DID YOU TRAVEL TO  
12 WITH HECTOR CERVANTES?

13 A WE WENT FIRST OF ALL TO NUEVO LAREDO CAMINITA.

14 Q WERE THERE OTHER OCCASIONS WHEN YOU WENT TO THE BORDER WITH  
15 HECTOR CERVANTES?

16 A YES, IN PIEDRAS NEGRAS, COAHUILA.

17 Q WAS THERE A THIRD TIME, TOO?

18 A WELL, ON THE THIRD OCCASION, WE RETURNED TO PIEDRAS NEGRAS,  
19 COAHUILA.

20 Q THESE FIRST THREE MARIJUANA DEALS WITH CERVANTES, WHAT WAS  
21 THE AMOUNT OF MARIJUANA?

22 A YES. THE FIRST TIME, I DON'T REMEMBER THE EXACT AMOUNT,  
23 BUT I BROUGHT ABOUT TEN KILOS OF MARIJUANA. AND HE HAD, FROM  
24 THOSE LITTLE PACKAGES OF CARDBOARD OF MARIJUANA THAT HE HAD,  
25 BETWEEN ONE TO TWO, TWO-AND-A-HALF KILOS.

1 Q NOW DURING THIS TIME, THESE FIRST THREE MARIJUANA -- THESE  
2 ALLEGED MARIJUANA DEALS WITH CERVANTES, DO YOU KNOW WHAT  
3 CERVANTES'S EMPLOYMENT WAS, MR. MACIAS?

4 A YES.

5 Q WHAT?

6 A HE WOULD HELP ME WITH THE SUITCASES. HE WOULD LOAD UP THE  
7 SUITCASES INTO THE BUSES FOR ME.

8 Q FORGET THE MARIJUANA. I'M ASKING IF YOU KNEW WHAT HIS  
9 LEGITIMATE EMPLOYMENT WAS AT THIS TIME IN 87.

10 MR. [REDACTED] OBJECTION. THAT ASSUMES A FACT NOT IN  
11 EVIDENCE, YOUR HONOR, THAT HE HAS LEGITIMATE EMPLOYMENT.

12 MR. [REDACTED] WHETHER THE WITNESS KNOWS, YOUR HONOR.

13 THE COURT: RESTATE YOUR QUESTION.

14 BY MR. [REDACTED]

15 Q DO YOU KNOW IF CERVANTES HAD A LEGITIMATE JOB IN 1987,  
16 MR. MACIAS?

17 A NO.

18 Q ALL HE DID WAS DEAL MARIJUANA WITH YOU; RIGHT?

19 A WHEN I FIRST MET HIM, HE WAS ONLY SELLING THOSE LITTLE  
20 CARDBOARD PACKAGES OF MARIJUANA.

21 Q WOULD THAT BE AT THAT SAME STREET CORNER WHEN YOU FIRST MET  
22 HIM?

23 A YES, WHERE THE OTHER YOUNG MAN INTRODUCED HIM TO ME.

24 Q NOW, IN SEPTEMBER OF 1987, THAT'S THE LAST TIME YOU SAW  
25 CERVANTES?



21-75

1 A YES, SIR.

2 Q NOW ARE YOU SAYING HE RIPPED YOU OFF OF SOMETHING?

3 A YES, BECAUSE HE TRIED TO, IN OTHER WORDS, STEAL FROM ME AN  
4 AMOUNT OF MONEY I HAD GIVEN HIM.

5 Q HOW MUCH MONEY, MR. MACIAS?

6 THE COURT: WAIT FOR THE ANSWER TO BE FINISHED.

7 MR. [REDACTED] I APOLOGIZE, YOUR HONOR.

8 THE WITNESS: IT WAS 5 MILLION MEXICAN PESOS.

9 BY MR. [REDACTED]

10 Q IF YOU RECALL, DO YOU REMEMBER WHAT THE AMERICAN CONVERSION  
11 RATE FOR 5 MILLION PESOS WOULD BE IN SEPTEMBER OF 1987,  
12 APPROXIMATELY?

13 A I DON'T REMEMBER EXACTLY WHAT IT WAS.

14 Q SO WHEN HE ALLEGEDLY STOLE THIS MONEY FROM YOU, YOU FOUND  
15 HIM?

16 A WELL, HE HID IN A HOTEL.

17 Q DO YOU FIND HIM AT THE HOTEL?

18 A YES, BECAUSE A HALF BROTHER OF HIS --

19 MR. [REDACTED] YOUR HONOR, MAY I -- MOTION TO STRIKE.  
20 THE ANSWER IS YES OR NO.

21 MR. [REDACTED] YOUR HONOR --

22 THE COURT: THE MOTION IS GRANTED BEYOND THE WORD  
23 "YES."

24 BY MR. [REDACTED]

25 Q AND YOU FOUND HIM AT THIS HOTEL; RIGHT?

1 A YES.

2 Q AND YOU BEAT HIM UP TO GET YOUR MONEY BACK?

3 A YES.

4 Q HOW TALL ARE YOU, MR. MACIAS?

5 A MAY I STAND UP SO YOU CAN SEE ME, MR. MEDRANO?

6 Q DO YOU KNOW YOUR APPROXIMATE HEIGHT IN FEET?

7 A WELL, ABOUT FIVE SEVEN.

8 Q AND YOUR APPROXIMATE WEIGHT AS OF RIGHT NOW, IF YOU KNOW?

9 A WELL, ABOUT 172 POUNDS, 175.

10 Q AND DID YOU BEAT HIM UP JUST WITH YOUR FISTS OR WHAT?

11 A YES. WITH THE HANDS.

12 Q NOW, YOU HAD ALSO YOUR 9 MILLIMETER BLACK PANTHER PISTOL

13 WITH YOU; RIGHT?

14 A NO. MY BROTHER-IN-LAW WAS CARRYING THE BLACK PANTHER 9

15 MILLIMETER GUN.

16 Q SO YOUR BROTHER-IN-LAW WAS WITH YOU WHEN WERE YOU BEATING

17 UP CERVANTES?

18 A YES.

19 Q DID YOU HIT HIM WITH THE GUN, TOO?

20 A NO.

21 Q DID YOU HURT HIM?

22 MR. [REDACTED] OBJECTION. RELEVANCE AND MATERIALITY.

23 THE COURT: OVERRULED.

24 THE WITNESS: WHO?

25 BY MR. [REDACTED]

1 Q CERVANTES, WHO YOU BEAT UP?

2 A NO. I DIDN'T HURT HIM. AT THAT POINT, WE TOLD HIM TO COME  
3 OVER SO HE COULD GIVE ME THE MONEY BACK.

4 Q AND YOU GOT YOUR MONEY BACK; RIGHT?

5 A HE DIDN'T RETURN IT ALL BACK TO ME, BECAUSE HE HAD SPENT --  
6 HE HAD SPENT 500,000 PESOS, BECAUSE HE HAD BOUGHT COCAINE.

7 Q SO YOU ONLY GOT BACK HALF A MILLION PESOS?

8 A NO. HE RETURNED FOUR AND-A-HALF MILLION PESOS.

9 Q AND HE STILL OWED YOU THE HALF MILLION PESOS; CORRECT?

10 A NO, BECAUSE I TOOK AWAY FROM HIM A BRACELET THAT HE HAD AND  
11 I TOOK AWAY FROM HIM A .357 CALIBER GUN AND A .32 CALIBER GUN.

12 Q SO THAT MADE YOU EVEN; CORRECT?

13 A WELL, YES.

14 Q LET ME TAKE YOU NOW TO FEBRUARY 9 OF THIS YEAR, MR. MACIAS.

15 NOW, DO YOU REMEMBER WHEN SOME D.E.A. AGENTS TOOK YOU  
16 UP TO A HIGHER FLOOR IN THIS COURTHOUSE?

17 A YES, SIR.

18 Q DO YOU REMEMBER THEY IDENTIFIED THEMSELVES AS D.E.A.  
19 AGENTS?

20 A YES. ONE OF THEM DID.

21 Q MR. MACIAS, EVERYTHING YOU JUST TESTIFIED TO THE JURY ABOUT  
22 WHAT THEY TOLD YOU, NOT ALL OF THAT IS RIGHT OR TRUE, NOT ALL  
23 OF THAT IS CORRECT OR TRUE, IS IT?

24 MR. [REDACTED] OBJECTION. COMPOUND QUESTION.

25 THE COURT: OVERRULED.

(26)  
26)

**TAB 26**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 21 - Pgs: 100 - 103**

1 A I COULDN'T TELL YOU EXACTLY WHAT THE AMOUNT OF PEOPLE WAS,  
2 BUT IT WAS OVER 50 PEOPLE.

3 Q AND HOW ABOUT ON 6-SOUTH; THE SAME AMOUNT?

4 A THE SAME.

5 Q AND MOST OF THE PEOPLE AT M.D.C. ARE PEOPLE WHO ARE ACCUSED  
6 OF CRIMES WHO ARE NOT CONVICTED; IS THAT RIGHT?

7 MR. [REDACTED] OBJECTION. LACK OF FOUNDATION.

8 THE COURT: SUSTAINED.

9 BY MR. [REDACTED]

10 Q DO YOU KNOW WHAT KIND OF FACILITY THE M.D.C. IS?

11 A WELL, THAT IT IS A DETENTION CENTER.

12 Q OKAY. I'D LIKE TO SPEAK A MOMENT WITH YOU ABOUT HECTOR  
13 CERVANTES SANTOS.

14 A YES, SIR.

15 Q YOU TESTIFIED ABOUT THREE DEALS YOU DID WITH MR. CERVANTES,  
16 AND THEN YOU STOPPED DOING BUSINESS WITH HIM FOR A WHILE.

17 DID YOU START DOING BUSINESS WITH HIM AGAIN?

18 A YES, SIR.

19 Q COULD YOU DESCRIBE FOR US THE NATURE OF THE BUSINESS, THE  
20 TYPE OF BUSINESS, WHAT YOU DID AND WHAT MR. CERVANTES DID?

21 A AFTERWARDS, I BEGAN TO -- WHEN I MET HIM, HE TOOK ME TO A  
22 PERSON THAT HE KNEW -- THAT HE KNEW THAT IS IN A TOWN CLOSE TO  
23 SYULA, AND THAT MAN SOLD MARIJUANA. AND WE BOUGHT 15 KILOS OF  
24 MARIJUANA.

25 Q THIS IS WHEN YOU RESTARTED DOING BUSINESS WITH HIM; IS THAT

1 CORRECT?

2 A YES.

3 Q AND WHAT DID YOU DO WITH THE 15 KILOS?

4 THE INTERPRETER: I DIDN'T HEAR YOU.

5 BY MR. [REDACTED]

6 Q WHAT DID YOU DO WITH THE 15 KEYS?

7 A WE TOOK THEM TO THE BORDER.

8 Q AND WHAT HAPPENED TO THEM AT THE BORDER?

9 A I SOLD THEM.

10 Q WAS MR. CERVANTES WITH YOU?

11 A YES, BECAUSE HE IS THE ONE THAT CARRIED THE SUITCASE ON THE  
12 BUS WITH THE MARIJUANA.

13 Q WHAT WAS THE BUSINESS ARRANGEMENT BETWEEN THE TWO OF YOU IN  
14 TERMS OF HOW MUCH WAS INVESTED AND HOW THE PROFITS WERE TO BE  
15 SPLIT?

16 A WELL, WE DID NOT COME TO AN AGREEMENT BUT I -- ON THAT  
17 OCCASION, I GAVE HIM \$1,000.

18 Q AMERICAN?

19 A YES, SIR.

20 Q WHAT BORDER DID YOU GO TO?

21 A TO PIEDRAS NEGRAS, COAHUILA.

22 Q AND WERE THE 15 KILOS SOLD ALL TO THE SAME PERSON?

23 A YES.

24 Q DID MR. CERVANTES FIND THE PERSON TO SELL THEM TO OR DID  
25 ANOTHER PERSON?

21-102

1 A I FOUND THEM. I FOUND THE PERSON.

2 Q NOW, DID YOU DO ANY MORE MARIJUANA BUSINESS WITH MR.  
3 CERVANTES AFTER THAT?

4 A WE WERE GOING TO CARRY OUT ANOTHER ONE. IT IS ONLY THAT  
5 THAT IS WHEN HE TRIED TO STEAL MY MONEY.

6 Q HOW DID IT COME ABOUT THAT HE HAD 5 MILLION PESOS OF YOURS?

7 A I -- DURING THE TIME, I HAD A DISAGREEMENT WITH MY WIFE,  
8 AND I GAVE HIM THE MONEY TO KEEP SO THAT HIS WIFE WOULD KEEP  
9 IT.

10 Q WAS THAT MONEY GOING TO BE USED FOR ANOTHER BUSINESS DEAL?

11 A YES.

12 Q TO BUY SOME MORE KILOS OF MARIJUANA AND SELL THEM; RIGHT?

13 A YES.

14 Q THE TIME YOU JUST TOLD US ABOUT, WITH THE 15 KILOS AT THE  
15 BORDER, DO YOU KNOW APPROXIMATELY WHAT MONTH THAT WAS?

16 A THAT WAS ABOUT THE END OF AUGUST -- NO, ABOUT THE END OF  
17 AUGUST OR BEGINNING OF SEPTEMBER, WHEN WE WENT TO DO THAT.

18 Q AND THEN THE 5 MILLION PESOS, HOW LONG DID MR. CERVANTES  
19 HAVE THEM IN HIS POSSESSION BEFORE YOU FOUND OUT THEY WERE  
20 MISSING? OR HOW DID IT COME ABOUT THAT YOU KNEW THEY WERE  
21 MISSING?

22 A WE HAD AGREED TO LEAVE THE FOLLOWING DAY, TOWARD SYULA, TO  
23 BUY THE MARIJUANA. AND THEN I STARTED TO LOOK FOR HIM AND I  
24 DIDN'T FIND HIM DURING THAT WHOLE DAY.

25 AND THE FOLLOWING DAY, I RAN INTO A HALF BROTHER OF

21-103

1 HIS AND I ASKED HIM, "WHERE IS HECTOR?" AND HE SAID THAT HE  
2 WAS AT A HOTEL; HE WAS THERE WITH SOME WOMEN, PARTYING AT THAT  
3 HOTEL.

4 Q DOES HECTOR CERVANTES SANTOS HAVE A NICKNAME?

5 A YES.

6 Q WHAT IS IT?

7 A EL PUERCO, THE PIG.

8 Q COULD YOU PHYSICALLY DESCRIBE THE MAN YOU KNOW AS HECTOR  
9 CERVANTES SANTOS?

10 A YES.

11 Q PLEASE DO.

12 A HE IS LIKE ONE OF THOSE THAT HAS THAT ILLNESS OF MONGOLISM;  
13 AND HE COMBS HIS HAIR LIKE THIS. TOWARD THE BACK. HE IS A BIG  
14 BUILD. HE'S WHITE.

15 Q IS HE TALLER THAN YOU, SHORTER THAN YOU, OR ABOUT THE  
16 SIZE --

17 THE INTERPRETER: EXCUSE ME. HE MEANS LIGHT-SKINNED.

18 MR. [REDACTED] LIGHT-SKINNED.

19 THE INTERPRETER: LIGHT-SKINNED.

20 THE WITNESS: I THINK HE'S JUST A LITTLE BIT TALLER  
21 THAN ME.

22 BY MR. [REDACTED]

23 Q AND HE'S A LOT LIGHTER THAN YOU; IS HE NOT?

24 A YES. HE'S HEAVY. (AS STATED.)

25 Q WHEN WERE YOU ABOUT TO BE RELEASED FROM TERMINAL ISLAND,



(27)

27

**TAB 27**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 23 - Pgs: 140 - 145**

23-140

1 Q. WERE YOU, SIR, BEFORE THE GRAND JURY ON NOVEMBER 30, 1990?

2 A. YES, SIR, I WAS.

3 Q. AGAIN, YOU TESTIFIED UNDER OATH?

4 A. YES, SIR, I DID.

5 Q. I WILL READ FROM PAGE 2 DASH 26, LINES 10 THROUGH 12:

6 "QUESTION: OTHER THAN YOURSELF, WHO MET WITH CI-2 AT  
7 OR AROUND THE DAY BEFORE THANKSGIVING OF LAST YEAR?

8 "ANSWER: MYSELF AND SPECIAL AGENT DELBERT SALAZAR."

9 NOW, CI-2 WAS CERVANTES SANTOS, WAS IT NOT, SIR?

10 A. I BELIEVE SO; YES, SIR.

11 Q. HOW LONG WAS THE MEETING?

12 A. THE MEETING ON THAT DAY LASTED ABOUT 30 MINUTES.

13 Q. DO YOU REMEMBER HOW MANY DAYS BEFORE THANKSGIVING THE  
14 MEETING WAS?

15 A. I BELIEVE IT WAS ON THE 23RD, SIR.

16 Q. AND WHERE DID THE MEETING TAKE PLACE?

17 A. IN A HOTEL ROOM HERE IN LOS ANGELES.

18 Q. DID YOU TAKE ANY NOTES OF THE MEETING?

19 A. NO, SIR, I DID NOT.

20 Q. IS IT TRUE, SIR, AT THIS MEETING, A FEW DAYS BEFORE  
21 THANKSGIVING OF '89, THERE WAS A QUESTION-AND-ANSWER SECTION  
22 ABOUT WHAT MR. CERVANTES KNEW ABOUT ZUNO ARCE AND THE CAMARENA  
23 SITUATION?

24 A. THAT'S TRUE.

25 Q. DO YOU TAKE ANY NOTES OF THE MEETING AT ALL?

23-141

1 A. NO, SIR. I CHOSE NOT TO.

2 Q. DID AGENT SALAZAR, TO YOUR KNOWLEDGE, TAKE ANY NOTES OF  
3 THE MEETING?

4 A. I DON'T BELIEVE SO, SIR.

5 Q. AFTER THIS MEETING CONCLUDED, DID YOU HAVE ANOTHER  
6 CONVERSATION WITH CERVANTES SANTOS THAT DAY?

7 A. I DON'T RECALL. WE MIGHT HAVE.

8 Q. WELL, DID YOU OR DIDN'T YOU, SIR?

9 A. I STATED I DON'T RECALL, COUNSELOR.

10 I BELIEVE WE ONLY MET ONE TIME THAT DAY WITH HIM. I  
11 DON'T RECALL MEETING AGAIN.

12 Q. THAT WAS ON THE 23RD AT HIS HOTEL ROOM?

13 A. I BELIEVE SO, SIR.

14 Q. YOU MET WITH HIM THEN AGAIN THE NEXT DAY WITH MR. SALAZAR?

15 A. I BELIEVE SO, YES. THE FOLLOWING DAY I BELIEVE WE MET  
16 AGAIN, YES, SIR.

17 Q. AND WHERE WAS THAT MEETING, SIR?

18 A. IF WE DID -- AND I'M TRYING TO REMEMBER THAT FAR BACK --  
19 IT WOULD HAVE BEEN AGAIN AT THE SAME HOTEL ROOM, THE SAME HOTEL  
20 ROOM.

21 Q. AND APPROXIMATELY HOW LONG THAT DAY DID YOU AND AGENT  
22 SALAZAR MEET WITH CERVANTES SANTOS?

23 A. I WOULD SAY NO MORE THAN AN HOUR.

24 Q. AND DO YOU HAVE YOUR NOTES OF THAT MEETING?

25 A. NO NOTES WERE MADE, I BELIEVE, SIR.

23-142

1 Q. AGAIN, YOU AND AGENT SALAZAR, TO THE BEST OF YOUR  
2 KNOWLEDGE, CHOSE FOR WHATEVER REASON NOT TO TAKE NOTES; IS THAT  
3 CORRECT?

4 A. YES, SIR.

5 Q. IS IT CORRECT THAT THERE WERE NO REPORTS MADE IN WRITING  
6 OF THE NOVEMBER 23RD MEETING, THAT IS THE MEETING THE DAY  
7 BEFORE, THAT'S CORRECT, IS IT NOT, SIR?

8 A. I DON'T KNOW IF I REMEMBER RIGHT THIS MINUTE IF A REPORT  
9 WAS WRITTEN. I DON'T RECALL ONE.

10 I DON'T BELIEVE WE CHOSE TO WRITE A REPORT AT THAT  
11 POINT.

12 Q. AND IT'S TRUE ALSO YOU DIDN'T -- EITHER YOU OR AGENT  
13 SALAZAR, TO YOUR KNOWLEDGE, CHOSE TO WRITE A REPORT ON NOVEMBER  
14 24TH EITHER, DID YOU?

15 A. NO, I DON'T BELIEVE WE WROTE A REPORT, SIR, OF THOSE  
16 MEETINGS.

17 Q. NOW, AFTER THIS ONE-HOUR MEETING, OR HOWEVER LONG IT WAS,  
18 DID YOU AGAIN MEET WITH MR. CERVANTES THAT DAY?

19 A. NO, SIR.

20 Q. DID YOU MEET WITH MR. CERVANTES AGAIN BEFORE HE -- STRIKE  
21 THAT.

22 DID THERE COME A TIME WHEN MR. CERVANTES RETURNED TO  
23 MEXICO?

24 A. YES, SIR, HE DID.

25 Q. DID THERE COME A TIME ON THIS OCCASION, NOVEMBER 23RD OR

23-143

1 24TH OF LAST YEAR, WHEN YOU AGAIN MET WITH MR. CERVANTES BEFORE  
2 HE RETURNED TO MEXICO?

3 A. NO, SIR, I DON'T RECALL ANY OF THOSE MEETINGS.

4 Q. BEFORE MR. CERVANTES LEFT, YOU GAVE HIM SOME CASH, DID YOU  
5 NOT?

6 A. I BELIEVE WE PAID HIM SOME MONEY, YES, SIR.

7 Q. \$2,000?

8 A. I BELIEVE SO, YES, SIR.

9 Q. IN CASH?

10 A. YES, SIR.

11 Q. NOW THERE -- THERE CAME A TIME, SIR, DID THERE NOT, WHEN  
12 MR. CERVANTES RETURNED TO THE UNITED STATES ABOUT 2:00 A.M. ON  
13 NOVEMBER 30 OF 1989?

14 A. YES, SIR.

15 Q. AND WAS THAT BY PRE-ARRANGEMENT WITH YOU?

16 A. YES, SIR.

17 Q. AND YOU AND AGENT SALAZAR WENT TO THE AIRPORT AT  
18 APPROXIMATELY 2:00 A.M. ON THE 30TH AND PICKED HIM UP; IS THAT  
19 CORRECT, SIR?

20 A. YES, SIR.

21 Q. AND YOU SPOKE WITH HIM ON THAT OCCASION ALONG WITH MR.  
22 SALAZAR ON THE WAY FROM THE AIRPORT TO WHEREVER YOU TOOK HIM;  
23 IS THAT CORRECT?

24 A. YES, WE TALKED WITH HIM, SIR.

25 Q. AND YOU BROUGHT MR. CERVANTES FROM THE AIRPORT TO A

23-144

1 DOWNTOWN HOTEL ROOM; IS THAT CORRECT?

2 A. YES, SIR.

3 Q. NOW, IN ADDITION TO SPEAKING WITH HIM ON THE WAY IN FROM  
4 THE AIRPORT, DID YOU SPEAK TO HIM AGAIN WITH AGENT SALAZAR  
5 AGAIN THE NEXT DAY?

6 A. YES, SIR.

7 Q. AND IS IT CORRECT, SIR, THAT YOU AND AGENT SALAZAR ASKED  
8 HIM TO TELL YOU WHENEVER IT WAS THAT HE SAW MR. ZUNO THAT IN  
9 ANY WAY HAD ANYTHING TO DO WITH MR. ZUNO'S ALLEGED INVOLVEMENT  
10 OF ENRIQUE CAMARENA'S KIDNAPPING; IS THAT CORRECT, SIR?

11 A. WOULD YOU REPEAT THAT QUESTION, SIR.

12 Q. YES, SIR.

13 A. PLEASE.

14 Q. YES, SIR.

15 IS IT CORRECT THAT YOU AND MR. SALAZAR, IN YOUR  
16 MEETINGS WITH MR. CERVANTES ON NOVEMBER 30, ASKED HIM TO TELL  
17 YOU WHATEVER HE KNEW ABOUT MR. ZUNO THAT IN ANY WAY HAD TO DO  
18 WITH THE INVOLVEMENT OF MR. ZUNO IN THE ENRIQUE CAMARENA  
19 KIDNAPPING?

20 A. YES, SIR.

21 Q. NOW, ON THIS SAME DATE, NOVEMBER 30, THERE CAME A TIME  
22 SOMETIME DURING THE DAY WHEN YOU BROUGHT MR. CERVANTES TO THE  
23 UNITED STATES ATTORNEY'S OFFICE FOR A MEETING WITH THE  
24 ASSISTANTS THAT WERE WORKING ON THIS MATTER?

25 A. YES, SIR.

23-145

1 Q. WAS THAT MR. MEDRANO OR MR. MEDRANO AND MR. CARLTON?

2 A. YES, SIR.

3 Q. AND IS IT TRUE THAT AT THAT MEETING, THE ASSISTANTS  
4 WORKING ON THIS MATTER SAID TO CERVANTES SANTOS IN SUBSTANCE,  
5 "TELL ME EVERYTHING YOU REMEMBER, EVERYTHING YOU KNOW ABOUT  
6 ZUNO'S INVOLVEMENT IN THE CAMARENA KIDNAPPING"; IS THAT THE  
7 SUBSTANCE OF WHAT THEY SAID TO HIM AT THAT TIME?

8 A. YES, SIR.

9 Q. IN SHORT, DURING THAT DAY MR. CERVANTES WAS ENCOURAGED TO  
10 TELL YOU ALL THAT HE KNEW ABOUT MR. ZUNO'S INVOLVEMENT IN THE  
11 CAMARENA CASE; IS THAT CORRECT?

12 A. YES, SIR.

13 Q. IS IT ALSO TRUE THAT OVER THIS SERIES OF DISCUSSIONS THAT  
14 YOU AND AGENT SALAZAR HAD WITH MR. CERVANTES ON NOVEMBER 30,  
15 AND THE U.S. ATTORNEY'S REPRESENTATIVES HAD IN YOUR PRESENCE  
16 WITH MR. CERVANTES ON NOVEMBER 30, THAT THE ONLY MEETING HE  
17 MENTIONED WHERE HE CLAIMED MR. ZUNO WAS PRESENT WHERE THE  
18 KIDNAPPING OF ENRIQUE CAMARENA WAS DISCUSSED WAS A FEBRUARY  
19 1985 MEETING; IS THAT CORRECT, SIR?

20 A. THAT'S NOT CORRECT, SIR.

21 HE TOLD US THAT --

22 Q. EXCUSE ME; EXCUSE ME.

23 A. THAT IS NOT CORRECT, SIR.

24 Q. ALL RIGHT.

25 I ASKED YOU, SIR -- YOU TOLD US YOU WERE QUESTIONED

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**TAB 28**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 23 - Pgs: 162 - 163**

28



1 MR. [REDACTED] NO, YOUR HONOR.

2 COUNSEL HAS NOT FILED A MOTION TO GET IT IN.

3 THERE HAS BEEN NO BRIEFING RAISED.

4 MR. [REDACTED] I DON'T BELIEVE THERE'S A BRIFF  
5 NECESSARY.

6 THE COURT: I'LL RULE ON IT IN DUE COURSE.

7 MR. [REDACTED] I'M SORRY?

8 THE COURT: I'LL RULE ON IT IN DUE COURSE.

9 MR. S [REDACTED] OKAY.

10 THE CLERK: PLEASE RISE.

11 THIS COURT IS NOW IN RECESS.

12 (A RECESS WAS TAKEN.)

13

14 AFTER THE RECESS

15

16 (JURY PRESENT.)

17 THE COURT: YOU MAY CONTINUE.

18 MR. [REDACTED] THANK YOU, YOUR HONOR.

19 BY MR. [REDACTED]

20 Q. MR. BERRELLEZ, I'VE TAKEN THE LIBERTY OF PLACING BEFORE  
21 YOU WHAT HAS BEEN MARKED TRIPLE S, TRIPLE U AND TRIPLE W, SIR.

22 DO YOU HAVE THOSE DOCUMENTS IN FRONT OF YOU?

23 A. YES, SIR.

24 Q. JUST FOR PURPOSES OF IDENTIFICATION, TRIPLE S IS A REPORT  
25 PREPARED WHICH INDICATES NOVEMBER 30, D.E.A. 6?

23-163

1 A. YES, SIR, IT IS.

2 Q. AND TRIPLE U PREPARED JANUARY 3RD OF THE JANUARY 2ND  
3 MEETING?

4 A. YES, SIR, IT IS.

5 Q. AND TRIPLE W, JANUARY 16TH OF A JANUARY 11TH MEETING; IS  
6 THAT CORRECT?

7 A. THAT'S ALL CORRECT, SIR.

8 Q. AND IS IT TRUE, SIR, THAT THOSE THREE REPORTS, THE D.E.A.  
9 REPORTS THAT ARE IN FRONT OF YOU, WERE ALL THE REPORTS PREPARED  
10 OF ANY KIND, TO YOUR KNOWLEDGE, OF YOUR MEETINGS WITH MR.  
11 CERVANTES?

12 A. YES, SIR, THAT'S TRUE.

13 Q. AND EACH OF THOSE REPORTS WAS PREPARED BY SPECIAL AGENT  
14 DELBERT SALAZAR UNDER YOUR INSTRUCTIONS; IS THAT NOT CORRECT,  
15 SIR?

16 A. YES, SIR.

17 Q. AND YOU REVIEWED THE REPORTS AND APPROVED THEM AS CORRECT;  
18 IS THAT TRUE, SIR?

19 A. YES, SIR.

20 Q. AND UNDER -- STRIKE THAT.

21 AND ON EACH OF THE REPORTS AT THE BOTTOM, THERE'S A  
22 SECTION OR A BOX THAT HAS THE WORD "APPROVED" AND YOUR NAME IS  
23 IN IT?

24 A. YES, SIR.

25 Q. NOW, IS IT TRUE, SIR, THAT THE FIRST TIME THE GOVERNMENT

(29)

**TAB 29**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 24 - Pgs: 97 - 100**

29 }

DIRECT EXAMINATION +

BY MR. [REDACTED]

Q. GOOD MORNING, SIR.

A. GOOD MORNING, SIR.

Q. DO YOU RECALL THE TESTIMONY OF HECTOR CERVANTES SANTOS THAT HE MADE A DEAL WITH THE D.E.A. TO GET \$3,000 A MONTH?

A. NO, I DON'T RECALL THAT, SIR.

Q. WAS THAT YOUR ARRANGEMENT WITH HECTOR CERVANTES SANTOS?

A. NO, SIR.

Q. WHAT IS THE ARRANGEMENT AS TO HOW MUCH HE'S PAID?

A. THERE IS ONLY THAT HE WOULD BE PAID EXPENSE MONEYS TO SUBSIST.

Q. FOR HOW LONG WILL THAT GO ON?

A. FOR AS LONG AS HIS LIFE IS IN DANGER, SIR.

Q. WHO MAKES THE DETERMINATION IF HIS LIFE IS IN DANGER? YOU?

A. MYSELF AND OTHER PEOPLE ABOVE ME, SIR.

Q. OTHER PEOPLE ABOVE YOU?

A. YES, SIR.

Q. WHO WOULD THAT BE?

A. MY SUPERVISORS.

Q. YOU ARE NOT THE HEAD OF OPERATION LEYENDA AS SUCH, ARE YOU?

A. I AM THE SUPERVISOR OF OPERATION LEYENDA.

Q. YOU ARE THE GROUP SUPERVISOR; IS THAT RIGHT?

24-98

1 A. THAT'S RIGHT.

2 Q. THAT'S HOW YOU SIGNED YOUR REPORTS, HECTOR BERRELLEZ G/S,  
3 CORRECT?

4 A. YES, SIR.

5 Q. THAT MEANS GROUP SUPERVISOR, CORRECT?

6 A. YES, SIR.

7 Q. THAT MEANS THAT THERE'S SOMEBODY OR IS IT -- DOES THAT  
8 MEAN THAT THERE IS SOMEBODY ABOVE YOU IN OPERATION LEYENDA?

9 A. NO, SIR.

10 Q. YOU'RE IT; IS THAT RIGHT?

11 A. WELL, I HAVE SUPERVISORS, I'M NOT IT, BUT ASSIGNED TO  
12 LEYENDA? NO, SIR.

13 I AM THE SUPERVISOR IN CHARGE OF THE TASK FORCE  
14 KNOWN AS LEYENDA, BUT I DO REPORT TO A LOT OF PEOPLE ABOVE ME,  
15 SIR.

16 Q. ALL RIGHT.

17 WHO WOULD BE YOUR DIRECT SUPERVISOR?

18 A. WELL, I HAVE TWO.

19 I REPORT TO THE LOS ANGELES DIVISIONAL ASAC,  
20 ASSISTANT SPECIAL AGENT IN CHARGE, MR. JOHN MARSH AND I ALSO  
21 REPORT TO SENIOR INSPECTOR GEORGE CASNAVET (PHONETIC) IN  
22 WASHINGTON, D.C.

23 Q. HOW MANY PEOPLE -- I'M SORRY. GO AHEAD.

24 A. THOSE ARE MY IMMEDIATE BUT THERE'S MORE ABOVE -- ABOVE  
25 THEM, SIR.

1 Q. WELL, THE D.E.A. IS PART OF THE JUSTICE DEPARTMENT; IS  
2 THAT RIGHT?

3 A. YES, SIR.

4 Q. HOW FAR REMOVED ARE YOU PROGRAM THE ATTORNEY GENERAL OF  
5 THE UNITED STATES? HOW MANY LAWERS DO WE HAVE TO GO THROUGH?

6 MR. [REDACTED]: OBJECT TO THE RELEVANCE, YOUR HONOR.

7 THE COURT: SUSTAINED.

8 BY MR. [REDACTED]

9 Q. WELL, DOES THE ATTORNEY GENERAL OF THE UNITED STATES  
10 PARTICIPATE IN THE DECISION AS TO HOW LONG HECTOR CERVANTES  
11 SANTOS REMAINS ON THE PAYROLL?

12 A. DOES THE ATTORNEY GENERAL?

13 Q. YES. TO YOUR KNOWLEDGE.

14 A. HE ORDERED IT.

15 I GUESS I WOULD FOLLOW HIS INSTRUCTIONS, BUT I DON'T  
16 KNOW THAT HE DOES, SIR.

17 Q. WELL, WITH THE CONNECTION -- WHO IS IT THAT YOU MAKE THAT  
18 DECISION WITH OR WILL MAKE THAT DECISION WITH AS TO HOW LONG  
19 HE KEEPS GETTING PAID?

20 A. WELL, I GUESS THAT I WOULD BE THE PERSON MAKING THE  
21 DECISION BUT AT SOME POINT IS LONGER IF HIS LIFE IS NOT IN  
22 DANGER THAT MAYBE THESE SUBSISTENCE PAYMENTS WOULD END.

23 Q. HE'S GETTING ROUGHLY \$6,000 A MONTH, ISN'T HE?

24 A. HE'S BEING PAID I BELIEVE 3,000, AND ON OCCASION MORE  
25 DEPENDING ON THE SITUATIONS THAT ARISE, SIR.

24-100

1 Q. WELL, IT'S TRUE, ISN'T IT, THAT IN THE MONTH OF DECEMBER  
2 1989, HE RECEIVED \$8,640?

3 A. RELOCATION; TO RELOCATE.

4 Q. DID HE RECEIVE THAT AMOUNT OF MONEY?

5 A. TO RELOCATE, YES, SIR.

6 Q. DID HE THEN RELOCATE IN JANUARY?

7 A. HE RELOCATED NUMEROUS TIMES, SIR.

8 Q. SO HE GOT 6,000 IN JANUARY TO HELP HIM RELOCATE AS WELL;  
9 IS THAT YOUR RECOLLECTION?

10 A. MY RECOLLECTION IS THAT HE MOVED ON NUMEROUS OCCASIONS  
11 JUST FOR SECURITY CONCERNS AND HE WAS GIVEN -- HE WAS GIVEN  
12 FUNDS TO PAY FIRST AND LAST MONTHS DIFFERENT LOCATION, PLUS AT  
13 ONE TIME HE WAS TAKEN OUT OF HIS HOUSE DUE TO SECURITY  
14 CONCERNS, PLACED IN A HOTEL ROOM, AT WHICH TIME HOTEL BILLS  
15 WERE PAID FOR HIM AS LONG -- ALSO ALONG WITH PAYING RENT AND  
16 UTILITIES AND TELEPHONE AND EVERYTHING ELSE AT A HOUSE, SIR.

17 Q. SO WHILE HE WAS IN A HOTEL, YOU GAVE HIM MONEY TO KEEP  
18 HIS HOUSE UP; IS THAT RIGHT?

19 A. NOT JUST TO KEEP HIS HOUSE UP, SIR.

20 WHEN HE CAME -- HE DIDN'T HAVE -- HE AND HIS FAMILY  
21 HAD ONLY THE CLOSING ON THEIR BACK.

22 THEY HAD NO UTENSILS, THEY HAD NOTHING, SO THE  
23 MONEYS WERE TO FEED HIS FAMILY, CLOTH HIS CHILDREN AND ALSO  
24 PAY FOR ALL THESE MOVES THAT WE WERE PUTTING THEM THROUGH  
25 BECAUSE WE WERE CONCERNED WITH HIS SAFETY, SIR.

(30)

**TAB 30**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 24 - Pgs: 113 - 116**

30)



24-113

1 THE COURT: SUSTAINED.

2 MR. [REDACTED]: I BEG TO DIFFER IT WAS COVERED AT A  
3 DIFFERENT PROCEEDING.

4 THE COURT: WELL, I'LL PERMIT THE ANSWER.

5 THE WITNESS: YES, SIR, I HEARD TESTIMONY THAT IT  
6 WAS SHOWN TO HIM.

7 BY MR. [REDACTED]:

8 Q. YOU WERE PRESENT WHEN THAT WAS SHOWN TO HIM, WERE YOU  
9 NOT?

10 A. IT BELIEVE SO, YES, SIR.

11 Q. ON HOW MANY OCCASION DID HE SEE THAT -- THOSE TWO  
12 PICTURES OF MR. MATTA?

13 A. MR. CERVANTES?

14 Q. YES, SIR.

15 A. I ONLY RECALL ONCE.

16 Q. HOW MANY TIMES DID YOU WORK WITH MR. [REDACTED] IF YOU DID  
17 AT ALL, IN HELPING PREPARE MR. CERVANTES SANTOS'S TESTIMONY?

18 MR. [REDACTED] OBJECTION; THIS WAS COVERED, YOUR  
19 HONOR, IN PRIOR TESTIMONY.

20 THE COURT: I DON'T RECALL IT.

21 YOU MAY ANSWER.

22 THE WITNESS: A COUPLE TWO OR THREE OCCASIONS I'VE  
23 ASSISTED MR. [REDACTED]

24 BY MR. [REDACTED]

25 Q. INCLUDING SHORTLY BEFORE HE TOOK THE WITNESS STAND; IS

1 THAT RIGHT?

2 A. I DON'T RECALL HOW SHORTLY BEFORE HE TOOK THE WITNESS  
3 STAND, SIR.

4 Q. AND HE WAS SHOWN A PICTURE ON THAT OCCASION, WAS HE NOT?

5 A. I BELIEVE SO, YES, SIR.

6 Q. YOUR MEETING WITH MR. CERVANTES, YOUR FIRST CONTACT WITH  
7 MR. CERVANTES HERE IN LOS ANGELES WAS ON THE 23RD OF  
8 NOVEMBER; IS THAT RIGHT?

9 A. YES, SIR.

10 Q. DO YOU RECALL WHAT TIME OF DAY IT WAS?

11 A. I BELIEVE IT WAS AROUND NOON TIME, SIR.

12 Q. AND I BELIEVE YOU'RE GOING TO -- DO YOU WANT TO FINISH  
13 YOUR ANSWER?

14 THE COURT: HE HAS ANSWERED THE QUESTION.

15 BY MR. [REDACTED]

16 Q. I BELIEVE YOU RESPONDED TO THE QUESTION BY MR. MEDVENE  
17 WAS THAT YOUR RECOLLECTION WAS THAT THAT MEETING LASTED  
18 APPROXIMATELY 30 MINUTES; IS THAT RIGHT?

19 A. YES, SIR.

20 Q. BUT, IN FACT, THE MEETING LASTED MORE LIKE A COUPLE OF  
21 HOURS, DIDN'T IT?

22 A. I DON'T RECALL IT LASTING THAT LONG, SIR.

23 Q. DO YOU RECALL GIVING TESTIMONY IN A PRIOR PROCEEDING IN  
24 THIS CASE WHERE WERE YOU ASKED THE FOLLOWING QUESTIONS AND  
25 YOU GAVE THE FOLLOWING ANSWERSM.

1 IT'S AT PAGE 10-251 OF THE TRIAL TRANSCRIPT.

2 MR. [REDACTED]: YOUR HONOR, I'LL OBJECT IF HE'S  
3 READING TESTIMONY AT THIS TRIAL.

4 MR. S [REDACTED]: I'M NOT.

5 THE COURT: OVERRULED.

6 BY MR. [REDACTED]

7 Q. THE QUESTION HAD TO DO WITH YOUR FIRST CONTACT WITH MR.  
8 CERVANTES ON NOVEMBER 23RD:

9 "QUESTION: HOW LONG WAS YOUR DISCUSSION  
10 WITH HIM THEN?

11 "ANSWER: HOW LONG DID I WHAT, SIR?

12 "QUESTION: WAS YOUR DISCUSSION WITH HIM AT  
13 THAT TIME?

14 "ANSWER: ON THE FIRST OCCASION?

15 "QUESTION: YES, SIR.

16 "ANSWER: PROBABLY A COUPLE OF OF HOURS,  
17 SIR."

18 DO YOU RECALL BEING ASKED THOSE QUESTIONS AND  
19 GIVING THOSE ANSWERS?

20 A. NO, SIR, I DON'T.

21 Q. DID YOU SEE THE TRIAL TRANSCRIPT -- THE TRANSCRIPT OF  
22 PROCEEDINGS?

23 A. NO, SIR, I DON'T.

24 Q. YOU CO-SIGNED A REPORT OF THAT INITIAL MEETING WITH MR.  
25 CERVANTES SANTOS, DID YOU NOT?

1 A. YES, SIR, I DID.

2 Q. I'M SORRY. I'LL WITHDRAW THAT.

3 YOU DIDN'T -- NO REPORT WAS WRITTEN ABOUT THAT  
4 INITIAL MEETING WITH MR. CERVANTES SANTOS, WAS IT?

5 MR. [REDACTED] OBJECTION. THIS HAS BEEN COVERED IN  
6 CROSS-EXAMINATION, YOUR HONOR.

7 THE COURT: SUSTAINED.

8 BY MR. [REDACTED]

9 Q. ON THE NOVEMBER 30TH, WHICH IS THE NEXT TIME YOU SPEAK  
10 TO HIM, A REPORT WAS ALSO WRITTEN; ISN'T THAT RIGHT?

11 THE COURT: THAT'S BEEN COVERED, TOO.

12 MR. [REDACTED] I'LL UNDERSTAND THAT.

13 BY MR. [REDACTED]

14 Q. THAT REPORT WAS ENTITLED "INITIAL DEBRIEFING OF MR.  
15 CERVANTES SANTOS," WAS IT NOT?

16 A. YES, SIR.

17 Q. IS THAT BECAUSE YOU GOT NO INFORMATION FROM HIM ON THE  
18 23RD THAT YOU COULD CHARACTERIZE AS A DEBRIEFING?

19 A. NO, SIR. THAT IS NOT CORRECT.

20 Q. YOU DID GET INFORMATION FROM HIM ON THE 23RD; IS THAT  
21 RIGHT?

22 A. YES, SIR, I DID.

23 Q. WHEN YOU BECAME THE HEAD OF OPERATION LEYENDA, YOU  
24 REVIEWED THE CASE FILE, DID YOU NOT?

25 A. YES, SIR, I DID.

(31)

**TAB 31**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 24 - Pgs: 125 - 130**

(31)

24-125

1 DAYS, I HAVE TALKED TO HIM BUT, NO, NOT ALL DAY, SIR.

2 Q. AND EACH TIME YOU SPOKE TO HIM HE GAVE YOU SOME  
3 INFORMATION; IS THAT RIGHT?

4 A. PIECES, YES, SIR.

5 Q. WERE -- WAS ANOTHER AGENT PRESENT DURING ALL OF THESE  
6 OCCASIONS?

7 A. IT IS MY PRACTICE NEVER TO TALK TO A WITNESS BY MYSELF.  
8 I ALWAYS HAD SOMEBODY WITH ME, YES, SIR.

9 Q. CAN YOU ACCOUNT FOR THE FACT THAT THERE ARE ONLY THREE  
10 D.E.A.-6 REPORTS OF INFORMATION OBTAINED FROM HECTOR  
11 CERVANTES SANTOS GIVEN FROM WHAT YOU TOLD US?

12 A. YES, I CAN.

13 MR. [REDACTED] OBJECTION; ARGUMENTATIVE, YOUR HONOR.

14 THE COURT: OVERRULED.

15 THE WITNESS: YES, I CAN.

16 THERE ARE NUMEROUS REASONS WHY THERE WAS ONLY THREE  
17 REPORTS WRITTEN.

18 ONE OF THE REASONS WAS BECAUSE WHEN MR. CERVANTES  
19 FIRST CAME UP, HE WAS VERY AFRAID AND HE ASKED ME IF I WAS  
20 GOING TO ARREST HIM AND I TOLD HIM THEN THAT, NO, THAT I WAS  
21 NOT GOING TO ARREST HIM IF HE WAS HONEST WITH ME AND IF HE  
22 TOLD ME THE TRUTH.

23 HE WAS VERY RELUCTANT AT FIRST TO TELL ME  
24 EVERYTHING, AND HE TOLD ME THAT HE WAS BECAUSE HE HAD  
25 RELATIVES IN MEXICO AND THAT HE FEARED FOR THEIR SAFETY.

1 I MADE IT A POINT NOT TO FRIGHTEN HIM MORE BY USING  
2 A TAPE RECORDER TO TAKE HIS STATEMENT DOWN AND I MADE IT A  
3 POINT NOT TO FURTHER FRIGHTEN THIS MAN INITIALLY BY SITTING  
4 DOWN AND TAKING COPIOUS NOTES.

5 SO, THEREFORE, I DIDN'T SIT DOWN AND QUESTION HIM  
6 IN THE TYPE OF QUESTION AND ANSWER TYPE OF ATMOSPHERE.

7 WHAT I TOLD HIM WAS, "YOU TALK TO ME AND YOU TELL  
8 ME WITH WHAT YOUR COMFORTABLE TELLING ME. WE WILL MEET MORE  
9 THAN ONCE."

10 AND I TOLD HIM MAYBE IT WOULD HELP IF WE WOULD  
11 BRING YOUR FAMILY OUT HERE SO THAT YOU WOULD FEEL MORE  
12 COMFORTABLE.

13 AT THE TIME HIS CONCERN WAS THAT HE WOULD BE  
14 ARRESTED BY ME FOR INVESTIGATIVE PURPOSES.

15 I EXPLAINED TO MR. CERVANTES THAT IN THE UNITED  
16 STATES WE DON'T ARREST WITHOUT PROBABLE CAUSE THAT HE, IN  
17 FACT, HAD COMMITTED HAD A CRIME; THAT IN THAT THIS COUNTRY WE  
18 DO NOT ARREST FOR PURPOSES OF INVESTIGATION.

19 I TOLD HIM THAT HE COULD TELL ME WHATEVER HE FELT  
20 COMFORTABLE TELLING ME AND THAT AS WE GOT TO KNOW EACH OTHER  
21 BETTER, MAYBE A TRUST WOULD BE DEVELOPED WHERE HE WOULD AT  
22 ONE POINT FEEL COMFORTABLE IN TELLING ME THE TRUTH.

23 I TOLD HIM THAT IT WAS ALL RIGHT CONSIDERING THE  
24 CIRCUMSTANCES; THAT HE TELL ME WHAT HE FELT COMFORTABLE  
25 TELLING ME ONLY AT THAT TIME AND I DIDN'T WANT TO PUSH HIM

24-127

1 BECAUSE I ALSO REALIZED THE DIFFICULT SITUATION HE WAS IN  
2 HAVING HIS CHILDREN AND WIFE IN MEXICO.

3 SO, THEREFORE --

4 BY MR. [REDACTED]

5 Q. YOU ALSO REALIZED THAT WHAT HE REALLY WANTED TO DO WAS  
6 COME TO THE U.S., DIDN'T YOU?

7 A. YES, SIR.

8 Q. WERE YOU AWARE OF THE CIRCUMSTANCES UNDER WHICH HE HAD  
9 LOST HIS JOB AT THE TIME?

10 A. YES, SIR. HE TOLD ME THAT HE HAD LEFT --

11 Q. YES OR NO.

12 A. YES, HE TOLD ME HE HAD LEFT --

13 Q. YES OR NO.

14 YOU WERE AWARE OR YOU WERE NOT AWARE?

15 MR. [REDACTED] HE'S TRYING TO DIRECT THE WITNESS'S  
16 RESPONSE.

17 MR. [REDACTED] I'D LIKE HIM TO ANSWER THE QUESTION.

18 THE COURT: THE QUESTION IS IRRELEVANT WHETHER HE  
19 WAS AWARE.

20 BY MR. [REDACTED]

21 Q. WELL --

22 A. WELL, I'M NOT DONE YET, SIR.

23 Q. THAT YOU KNOW -- THAT'S OKAY.

24 MR. [REDACTED] THE UNITED STATES ATTORNEYS CAN  
25 CROSS-EXAMINE YOU IF THEY WANT YOU TO GET THE FULL



24-128

1 EXPLANATION IN.

2 THE WITNESS: WELL, I'M NOT DONE, SIR, YOU KNOW,  
3 WITH MY ANSWER.

4 THE COURT: WHICH ANSWER?

5 THE WITNESS: HE ASKED ME WHY WE ONLY WROTE THE  
6 REPORTS, YOUR HONOR.

7 THE COURT: YOU MAY FINISH.

8 MR. [REDACTED] THE WITNESS IS GIVING ME A NARRATIVE  
9 WHICH IS NOT EXACTLY RELATIVE TO THE QUESTION.

10 THE COURT: WELL, IT IS RESPONSIVE.

11 YOU MAY FINISH YOUR ANSWER.

12 THE WITNESS: AND BEING THAT I WAS WORKED IN MEXICO  
13 MYSELF AND I WAS FAMILIAR WITH THE DANGEROUS SITUATIONS DOWN  
14 THERE, AND I WAS AWARE THAT NUMEROUS -- WE HAD LOST NUMEROUS  
15 INFORMANTS IN MEXICO.

16 MR. [REDACTED]: NOW, I MOVE TO STRIKE THE ANSWER, YOUR  
17 HONOR.

18 THE COURT: DENIED.

19 THE WITNESS: I TOLD HIM THAT AS WE GOT TO KNOW  
20 EACH OTHER BETTER AND AS WE GOT TO TRUST EACH OTHER IN THE  
21 COURSE OF DIFFERENT MEETINGS, THAT I WOULD HOPE THAT SOMETIME  
22 SOON HE WOULD TELL ME EVERYTHING HE KNEW ABOUT THIS MURDER  
23 BECAUSE WAS IT WAS IMPORTANT TO THIS GOVERNMENT AS WE WERE  
24 DEALING WITH THE MURDER OF A U.S. GOVERNMENT AGENT THAT DIED  
25 PERFORMING HIS DUTIES IN THAT COUNTRY.

24-129

1 BY MR. [REDACTED]:

2 Q. YOU TOLD HIM WAS IMPORTANT TO THIS GOVERNMENT; IS THAT  
3 RIGHT?

4 A. YES, SIR, I DID.

5 Q. YOU WERE SPEAKING AS A REPRESENTATIVE IN THE SENSE OF  
6 THE UNITED STATES, CORRECT?

7 A. AND I STILL BELIEVE THAT IT'S IMPORTANT TO THIS  
8 GOVERNMENT, SIR.

9 Q. IN FACT, THIS IS PROBABLY THE BIGGEST CASE OF IMPORTANCE  
10 TO THE GOVERNMENT THAT'S GOING ON RIGHT NOW?

11 MR. [REDACTED] OBJECTION; IRRELEVANT.

12 THE COURT: SUSTAINED.

13 BY MR. [REDACTED]

14 Q. IS IT FAIR TO SAY THAT IT'S THE BIGGEST CASE OF  
15 IMPORTANCE, QUITE UNDERSTANDABLY, TO THE D.E.A. AND ALL OF  
16 ITS AGENTS?

17 THE [REDACTED] OBJECT TO THE RELEVANCE.

18 THE COURT: HE MAY ANSWER THAT.

19 THE WITNESS: IT IS VERY IMPORTANT FOR US TO SOLVE  
20 THIS CRIME AND TO BRING TO JUSTICE THOSE INVOLVED, SO THAT  
21 HOPEFULLY ANOTHER ONE OF OUR AGENTS WOULD NOT SUFFER WHAT  
22 AGENT CAMARENA SUFFERED, SIR.

23 BY MR. [REDACTED]

24 Q. IS IT ALSO PART OF YOUR MISSION THAT IF SOMEONE IS  
25 ACCUSED OF A CRIME, BUT THERE IS NOT SUFFICIENT EVIDENCE,

24-130

1 THAT YOU WANT THAT PERSON FOUND NOT GUILTY?

2 A. YES, I DO, SIR.

3 Q. THANK YOU.

4 THE SECOND TIME THAT YOU MET MR. CERVANTES SANTOS  
5 ON NOVEMBER 30TH, AGENT SALAZAR WAS WITH YOU DURING THAT  
6 INTERVIEW; IS THAT CORRECT?

7 A. YES, SIR, HE WAS.

8 Q. WAS AGENT SALAZAR THERE THE ENTIRE TIME OF THE  
9 INTERVIEW?

10 A. YES, SIR, I BELIEVE HE WAS.

11 Q. BY THE WAY, IN SOME OF THESE INTERVIEWS WHERE YOU DIDN'T  
12 WANT TO TAKE NOTES, THERE WAS NOTHING TO PREVENT YOU FROM  
13 GOING BACK TO THE OFFICE AND WRITING DOWN NOTES LATER, WAS  
14 THERE?

15 MR. [REDACTED]: OBJECTION; IRRELEVANT, YOUR HONOR.

16 THE COURT: OVERRULED.

17 THE WITNESS: THESE WERE THE NOTES THAT WERE  
18 GENERATED BACK AT THE OFFICE, THE REPORTS, SIR.

19 BY MR. [REDACTED]

20 Q. SO THAT YOU ONLY HAD THREE MEETINGS THAT RESULTED IN  
21 REPORTS?

22 MR. [REDACTED] ASKED AND ANSWERED, YOUR HONOR.

23 THE COURT: SUSTAINED.

24 BY MR. [REDACTED]

25 Q. AT YOUR INTERVIEW WITH MR. CERVANTES SANTOS OF JANUARY

(32)

**TAB 32**  
**1990 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Vol. 24 - Pgs: 206 - 207**

32

1 Q. TO YOUR KNOWLEDGE DID MR. CERVANTES READ ANY OF THE  
2 REPORTS THAT YOU PREPARED?

3 A. NO, SIR, HE DID NOT.

4 MR. [REDACTED] MAY I HAVE JUST A MOMENT, YOUR HONOR?  
5 NOTHING FURTHER, YOUR HONOR.

6 FURTHER REDIRECT EXAMINATION +

7 BY MR. [REDACTED]

8 Q. THOSE THREE INTERVIEWS WERE NOT THE ONLY TIMES THAT YOU  
9 SPOKE TO HECTOR CERVANTES SANTOS AND GOT INFORMATION FROM  
10 HIM, WERE THEY?

11 A. NO, SIR.

12 Q. AND YET THESE ARE THE ONLY THREE REPORTS THAT YOU  
13 PREPARED; IS THAT CORRECT?

14 A. IN REGARD TO MR. CERVANTES, YES.

15 Q. YES, THAT'S CORRECT. THOSE ARE THE ONLY THREE, RIGHT?

16 A. YES, SIR.

17 Q. EVEN THOUGH THERE WERE NUMEROUS OTHER MEETINGS WHERE  
18 INFORMATION WAS DEVELOPED AND GIVEN TO YOU BY MR. CERVANTES,  
19 CORRECT?

20 MR. [REDACTED] OBJECTION, YOUR HONOR, AS VAGUE AND  
21 AMBIGUOUS AS TO WHETHER THE INFORMATION RELATES TO THIS CASE.

22 THE COURT: I ASSUME THAT YOU MEAN FOR THIS CASE.

23 MR. [REDACTED] OF COURSE.

24 THE WITNESS: NUMEROUS MEETINGS? NO.

25 BY MR. [REDACTED]

24-207

1 Q. MANY? A LOT? HOW MANY?

2 A. PERSONALLY, I'VE HAD QUITE A FEW MEETINGS WITH MR.  
3 CERVANTES, NOT NECESSARILY FOR HIS DISSEMINATION OF  
4 INFORMATION FOR US.

5 Q. WOULD IT BE FAIR TO SAY, HOWEVER, THAT THERE ARE MORE  
6 THAN THREE -- THERE WERE MORE THAN THREE OCCASIONS WHERE YOU  
7 IMPARTED INFORMATION THAT WAS OF RELEVANCE IN THIS CASE?

8 A. YES, SIR.

9 Q. WOULD IT BE FAIR TO SAY THERE WERE MAYBE A DOZEN MORE  
10 OCCASIONS WHEN HE IMPARTED INFORMATION RELEVANT TO THIS CASE?

11 A. IN MY PRESENCE?

12 Q. YES.

13 A. POSSIBLY.

14 Q. I'LL ACCEPT IT AS AN ESTIMATE.

15 IS THAT A REASONABLE ESTIMATE?

16 A. REASONABLE ESTIMATE, YES.

17 Q. ALL RIGHT.

18 AND THERE ARE NO RECORDS PREPARED BY YOU, OR TO  
19 YOUR KNOWLEDGE, ANY OTHER AGENT CONCERNING THOSE CASES; IS  
20 THAT RIGHT?

21 A. THAT'S CORRECT.

22 Q. IN ANY INTERVIEW WITH MR. CERVANTES SANTOS, WHEN  
23 INFORMATION WAS PROVIDED ABOUT THIS CASE, DID ANYBODY EVER  
24 TAKES NOTES, EVER?

25 MR. [REDACTED] I'LL OBJECT; LACK OF FOUNDATION.

(33)

**TAB 33**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pg: 100**

(33)

1 A Special Agent Camarena was instructed to write a  
2 memorandum to the agent in charge, through me, which he  
3 did, and we sent it forward.

4 Q Are you familiar with the Hotel Las Americas in  
5 Guadalajara?

6 A Yes, sir, I am.

7 Q Did you travel to that location on March 30th of 1984?

8 A Yes, sir, I did.

9 Q Why did you do that?

10 A I just was -- wanted to go see who was there.

11 Q In your mind, was this hotel associated with any  
12 subjects of the investigation in the office?

13 A It was owned by Miguel Angel Felix-Gallardo.

14 Q Is that why you went there?

15 A Yes, it is.

16 Q While you were there, did you see anything of  
17 significance to your investigation?

18 A I spent a few minutes in the bar, a discotheque bar  
19 there, and when I was leaving, as I was walking across the  
20 driveway to return to where I had parked my car, a black  
21 Grand Marquis, two-door, drove through the driveway, almost  
22 in front of me, and parked in the parking lot.

23 Two gentlemen -- the doors were opened and two  
24 gentlemen got out carrying submachine guns, and I knew both  
25 of the men. They held the seats forward and two older men



(34)

**TAB 34**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 117 - 120**

34)

1 Moving to 1986, did you meet with an individual  
2 named Ruben Zuno-Arce at some point during 1986?

3 A Yes, sir, I did.

4 Q Do you recall when?

5 A I believe it was September 26th.

6 Q Where did this meeting occur?

7 A At a place called Jim's Restaurant on Blanco Road and  
8 Interstate Highway Loop 14 in San Antonio, Texas.

9 Q Was anyone else present during this meeting?

10 A Yes, sir.

11 Q Who?

12 A An ex D.E.A. agent named Art Rodriguez.

13 Q Looking around the courtroom today, do you see here  
14 the Ruben Zuno-Arce with whom you met on that day?

15 A Yes, sir, I do.

16 Q And where?

17 A He is seated at the table in the gray suit.

18 THE COURT: Indicating Mr. Zuno-Arce.

19 MR. [REDACTED] Your Honor, at this time, may I move  
20 the admission of Exhibits 12A through C, the letter, the  
21 envelope and English translation.

22 THE COURT: They may be admitted.

23 (Exhibits 12-A through 12-C received in evidence.)

24 BY MR. [REDACTED]:

25 Q During the course of this meeting, did Mr. Zuno give a

1 statement to you?

2 A Yes, sir.

3 Q And what was the subject of this meeting?

4 A The ownership or -- the ownership of the house  
5 located -- house and property located at 881 Lope de Vega  
6 in Guadalajara.

7 Q Now, at this time were you actively involved in the  
8 Camarena investigation?

9 A It's my opinion, yes.

10 Q Pardon me?

11 A It's my opinion, yes.

12 Q What was it that Mr. Zuno told you about 881 Lope de  
13 Vega?

14 A That he had acquired the house or the property, I  
15 believe, at the time of his marriage or about the time of  
16 his marriage, and had constructed a dwelling on it, had  
17 lived there for a number of years, had left the house to  
18 live in San Antonio, Texas for a number of years, and then  
19 sold the house. There was more to it than that. That's  
20 basically it.

21 Q Did he say when he had left or ceased living in  
22 Guadalajara?

23 A I believe he said he left there in 1978.

24 Q Did he say when he returned?

25 A It seems to me that he said he came back to stay in

1 the house a few times in 1984, so I --

2 Q What did he tell you about selling the house?

3 A That he had been contacted by a Dr. Sanchez-Barba, who  
4 wanted to buy the house. That they made a gentleman's  
5 agreement to sell it, and then followed that up with a  
6 formal transaction. I believe the first part of January he  
7 was paid for -- he was paid with two checks, by two checks  
8 for the house.

9 Q Do you recall the amount that he told you he was paid?

10 A Seventy million pesos.

11 Q And these checks were from who?

12 A From Ruben Sanchez-Barba and his brother Jesus --

13 Q Do you recall the --

14 A Jesus Sanchez-Barba.

15 Q And did he tell you what happened in relation to the  
16 sale after the receipt of these checks?

17 A They turned the house over. That he was asked to  
18 remove most of the furniture, but to leave, I believe,  
19 leave the dining room set and some rustic living room  
20 furniture.

21 Q Did Mr. Zuno talk about the telephone at 881 Lope de  
22 Vega?

23 A It was probably in answer to a question. I do not  
24 recall, but he told me the name of the person who the  
25 telephone had been registered to.

1 Q Who was that?

2 A Man named Romero Nuno.

3 Q Now, I'd ask you to look in the book at what has been  
4 marked as Exhibits 158-A and B, if you would.

5 A Yes, sir.

6 Q Do you recognize 158-A?

7 A Yes, sir.

8 Q What is that?

9 A It is a handwritten statement, written by Jose Ruben  
10 Zuno-Arce in my presence, and in the presence of Special  
11 Agent Rodriguez on that date, or ex Special Agent  
12 Rodriguez.

13 Q That statement is in Spanish?

14 A Yes, it is.

15 Q And what is 158-B?

16 A It is a translation of that statement.

17 Q Have you had an opportunity to compare the English  
18 translation with the Spanish original?

19 A Yes, I have.

20 Q Is that a fair and accurate translation?

21 A Yes, it is.

22 Q I should ask you at this point, are you fluent in  
23 Spanish?

24 A Almost.

25 Q How much of your career has been spent on the Mexican

(35)

**TAB 35**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pg: 457**

35

1 Q All right. Now --

2 A I'm sorry, sir. Not at that particular point either.

3 Q Well, at what date did it come into effect?

4 A It finally came to a date in October, and we had a  
5 problem with the aircraft.

6 Q In October of 1984, were you involved in an  
7 investigation in the State of Chihuahua?

8 A In October, sir?

9 Q October 1984?

10 A No, sir.

11 Q Did you receive information at that point about  
12 marijuana growing in the State of Chihuahua?

13 A I did, sir.

14 Q And where was this information obtained?

15 A Three independent sources from informants that  
16 provided us information to our two domestic offices and one  
17 in Mexico.

18 Q What was the nature of this information?

19 A That there were large fields of marijuana under  
20 cultivation in the State of Chihuahua, with the excess of  
21 maybe eight to ten thousand workers cultivating fields.

22 Q Did you attempt to corroborate this information?

23 A I did, sir.

24 Q What was done?

25 A We dispatched a couple of D.E.A. agents stationed out

(36)

**TAB 36**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pg: 525**

36



1 A About 30 people.

2 Q In this program, do you receive subsistence monthly?

3 A Yes, I do.

4 Q Approximately how much?

5 A About \$1,600.

6 Q To be used for what purpose?

7 A For subsistence, you know, for every day expenses.

8 Q Why did you join that program?

9 A Excuse me?

10 Q Why did you join the program?

11 A Well, because I thought, you know --

12 MR. [REDACTED] Objection; relevance.

13 THE COURT: Sustained.

14 BY MR. [REDACTED]

15 Q And finally, are you familiar with a hotel called the  
16 Las Americas Hotel?

17 A Yes, I am.

18 Q Where is that located?

19 A Las Americas is located on a big street in  
20 Guadalajara, that's called Lopez Mateos.

21 Q Is that owned by Felix-Gallardo?

22 A That was my understanding.

23 Q And did Mr. Felix-Gallardo own other hotels in  
24 Guadalajara?

25 MR. [REDACTED]: Objection; relevance.

(37)

**TAB 37**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 602 - 604**

37)

1 A That's a Mexican word, corporation. It means  
2 agencies, police agencies.

3 Q So each of these times you were ordered to go to a  
4 particular place?

5 A Yes. Go to a particular place, wait for a convoy,  
6 form into the convoy ahead and behind it, turn on our red  
7 lights and sometimes our sirens, and escort it to -- back  
8 to the City of Guadalajara.

9 Q On these four occasions, where were you ordered to go?

10 A We went once to a ranch called Puayna (phonetic),  
11 which is outside the City of Guadalajara. We went twice to  
12 Meca, which is in the Valley of Meca, about 25 miles from  
13 Guadalajara. And we went once to the top of Mascota area.

14 Q Where is Mascota?

15 A Mascota is in the hills on the way to the coast. You  
16 have to go on an unpaved highway and you reach -- it's a  
17 hill town.

18 Q Directing your attention to that Mascota trip, when  
19 did that occur?

20 A That occurred sometime in 1983, the latter part of  
21 1983, I would assume. I don't -- I didn't note down the  
22 date.

23 Q Specifically, what was it that you did in relation to  
24 that trip?

25 A We drove to a point outside the City of Mascota. We

1 set up a roadblock on the road where we were. We waited  
2 there for two or three hours. We were contacted on the  
3 radio by Mr. Fonseca's brother, who was heading up the  
4 convoy, saying, "We are on our way, stand by on the side of  
5 the road, and when we go by, form up." And as they went by  
6 we formed up ahead of them and behind them and escorted  
7 them.

8 Q What was it that you escorted?

9 A Well, it was a truck with a tarp over it. I don't  
10 know what was in the truck. I assume -- I don't know.

11 Q What kind of a truck?

12 A It was a stake bed truck that was pretty heavily  
13 loaded. It was sagging in the back. I can't tell you the  
14 contents because I don't know.

15 Q And where did it go? Where did this truck go?

16 A We escorted it back to Guadalajara.

17 Q Did you encounter any roadblocks on the way?

18 A We encountered an army roadblock just before the  
19 junction of the road with the main highway to Nogales.

20 Q Do you know where this truck came from?

21 A I assumed it came from Mascota. We were right outside  
22 the city.

23 Q Was the same procedure followed each time?

24 A Yes, more or less that was the procedure, except for  
25 once at Pueyna. Pueyna was a ranch. There was a ranch

1     their owned by Mr. Fonseca, and we drove right in and we  
2     didn't have to wait for the convoy to come out. We drove  
3     right in and waited around there until they were ready to  
4     go.

5     Q     Did you ever see what these trucks were loaded with?

6     A     Well, I didn't. Did I ever see it? No, I didn't. I  
7     saw it later, after it had been unloaded, but I didn't see  
8     it while it was on the truck.

9     Q     What did you see later, then?

10    A     It was marijuana.

11    Q     Now, do you know who the source of this load on the  
12    Mascota trip was?

13    A     I only know what I was told. I don't know. I don't  
14    have any --

15    Q     And what were you told?

16           MR. [REDACTED]: Objection --

17           MR. [REDACTED] Objection; hearsay.

18           THE COURT: Sustained.

19    BY MR. [REDACTED]

20    Q     During the time that you worked for Ernesto Fonseca,  
21    did you become familiar with his various residences?

22    A     Yes, I did.

23    Q     He had a number of these residences in the Guadalajara  
24    area?

25    A     He had 20 or 30 houses in Guadalajara.

(38)

**TAB 38**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pg: 608**

1 A They would -- they normally frequented each other when  
2 they were all together in the same city. They were not  
3 always all together in the same city, but when they were  
4 all together, they always frequented each other as far as  
5 coming over. But, you know, they paid a ritual visit to  
6 each other when they were in town.

7 And sometimes they would meet together and make,  
8 what I took to be business decisions, because they would go  
9 off by themselves and closet themselves, and then come out  
10 and announce the decisions having to do with the  
11 organization or transporting something from one place to  
12 another, or dispositions as far as the organization was  
13 concerned.

14 Q Where did most of these meetings take place that you  
15 saw?

16 A Most of them that I saw where at the three houses, La  
17 Bajadita, Cuarzo and Las Fuentes.

18 Q Are you familiar with the Hotel Las Americas?

19 A Yes, I am.

20 Q And how is it that you are familiar with that  
21 location?

22 A That hotel was owned by Miguel Felix. The chief of  
23 the Homicide Bureau, the State Judicial Police was  
24 quartered there. Mr. Barba -- Javier Barba, who was also a  
25 member of Mr. Fonseca's retinue, and later on a partner,

(39)

**TAB 39**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 621 - 625**

39)



1 knowledge?

2 A They just referred to him. They did not -- I wasn't  
3 able to observe what his relationship -- I never met him.  
4 He lived up in the northern part of the country and I never  
5 saw him in Guadalajara.

6 Q Ruben Zuno, do you know him?

7 A Yes, I do.

8 Q When did you first meet him?

9 A I first saw him and his brothers -- we weren't  
10 presented formally, but they were together in the same  
11 room, and probably in 1972 or 1973. His father helped me a  
12 great deal when I first went to Guadalajara. I met his  
13 father when I was giving some conferences at a press club  
14 in Guadalajara, and I met his entire family then. I met  
15 Ruben Zuno then. I saw him over the years many times.

16 Q When is the last time that you saw him in Mexico?

17 A The last time was at a coming out party for Alciia  
18 Sanchez-Flores in 1989, I think, at the Temple Del Sol in  
19 Guadalajara.

20 Q Do you see Ruben Zuno in court today?

21 A Yes, he is sitting over there.

22 THE COURT: Indicating the --

23 THE WITNESS: He has got a gray sweater on.

24 BY MR. [REDACTED]

25 Q Mr. Harrison, let me direct your attention to November

1 of 1983. Did you attend a party during that month at the  
2 house located at Circunvalacion Sur 113 in Colonia La  
3 Fuentes?

4 A Yes, I did. I'm not sure of the date. I -- it was  
5 around that time, but I attended a party there, yes.

6 Q Was Ernesto Fonseca living in the house at the time?

7 A No, he was not. He had already moved out.

8 Q What was it -- well, were you asked to do something at  
9 the house on the day of the party?

10 A Mr. Fonseca's sent me there in the afternoon to bring  
11 the beer and to bring some supplies there, and also to look  
12 over the security arrangements. I had installed the  
13 security system at that house, and he wanted me to look it  
14 over because they were going to have the party there that  
15 night. And make some adjustments to the electrical  
16 installation, and I got there around 3:00 o'clock in the  
17 afternoon.

18 Q How long did you stay there?

19 A I stayed there until the next day. I left around  
20 12:00 o'clock that night, and I came back, and I helped  
21 clean up the next day around 5:00 o'clock in the afternoon.  
22 The party went all day and all night.

23 Q An what was your function there during the party?

24 A I was working for Mr. Fonseca and doing whatever he  
25 asked me to do.

1 Q Do you recall what the occasion for this party was?

2 A Well, as far as -- I recall what I was told by Mr.  
3 Fonseca, that it was the Dia of Rafael, and it was there  
4 for the Saints Day for Rafael Caro-Quintero, and Ernesto  
5 also called himself Ernesto Rafael, and he celebrated his  
6 Saint's Day on the same day as Rafael Caro-Quintero.

7 Q How many people do you estimate were present during  
8 this party?

9 A There were a lot of the people. There were 175, 200  
10 people. There was a lot of people there.

11 Q Were most of the major traffickers there?

12 A Many of the major traffickers were there. The  
13 comandantes of the Federal Judicial -- yes, many of the  
14 major traffickers where there.

15 Q Were any law enforcement personnel there?

16 A The major law enforcement officers for all the federal  
17 agencies and state agencies, and the State of Jalisco and  
18 the country of Mexico were there. Those that were  
19 stationed in the State of Jalisco or in the City of  
20 Guadalajara, yes, they were there.

21 Q Did you see Ruben Zuno there?

22 A I saw Mr. Zuno appear there, yes.

23 Q What was it that you saw?

24 A Mr. Caro-Quintero was -- they had purchased some  
25 stallions, some horses, from a famous Mexican singer, and

1 these horses had been taught to dance. And there was a  
2 band in the corner of the backyard. It was a big backyard.  
3 And Mr. Caro was up on top of one of these horses making it  
4 dance and smoking a big base cigarette, base cocaine  
5 cigarette.

6 And at one point he turned the horse over to the  
7 horse trainer of the Mexican singer who had brought the  
8 horses to deliver them to him, and got down, and about the  
9 same time I saw Mr. Zuno appear off to his right and go  
10 over to him and they embraced.

11 Q Is the term "abrazo" familiar to you?

12 A Yes.

13 Q What does that mean?

14 A Well, it has a number of meanings. Among our group,  
15 it was the way we normally greeted each other. But it also  
16 is a traditional, general greeting, especially at parties,  
17 and especially if it's somebody's birthday party, that's  
18 the way you would greet them.

19 It's kind of, you know, you put your hands around  
20 them, and then you slap them on the back and shake hands.

21 Q Do you recall anything that Mr. Zuno was wearing?

22 A He was wearing a type of cowboy outfit. It was not an  
23 exaggerated cowboy, but a Western-style outfit with piping  
24 on the shoulders and on the sleeves. He had on a cowboy  
25 hat and boots.

1 Q And did you see Zuno at any of Fonseca's residences on  
2 any other occasion?

3 A Ruben came to Mr. Fonseca's house on Cuarzo Street one  
4 time while I worked there.

5 Q Do you recall about when that was?

6 A It was after having seen him at the house in  
7 Circunvalacion, and before the -- before I left that house  
8 in January. I think it was shortly after I saw him at the  
9 house at Circunvalacion. I remember being surprised to see  
10 him there at the house at Circunvalacion. I had not known  
11 that he knew these people. I was surprised to see him  
12 there. I was also surprised to seem him when -- it was  
13 part of the same surprise. I kept saying to myself, "What  
14 is he doing here."

15 Q What did you see him do there?

16 A He went into Mr. Fonseca's office and spoke with him,  
17 or went into his office and they shut the door. I don't  
18 know what they did.

19 Q Did you see him leave?

20 A Yes, I did.

21 Q How long did he stay in the office?

22 A Forty-five minutes to an hour.

23 Q During the time that you were working for Ernesto  
24 Fonseca, did you see any law enforcement personnel at his  
25 residences?

(40)

(40)

**TAB 40**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 628 - 631**

1 Q I'd like you to look at a photograph in front of you  
2 marked 13-A.

3 A Uh-huh.

4 Q Did you recognize that?

5 A This is a house on Lope de Vega, I believe.

6 Q You may put it down.

7 Are you familiar with that house?

8 A I only went by there a couple of times, but, yes, I'm  
9 familiar with it.

10 Q And on one of these occasions, did something unusual  
11 happen?

12 A On one of the occasions, we were going -- I was going  
13 with another person to another place, and we were driving  
14 by there, and Rafa Caro-Quintero was broadcasting. The  
15 signal was so strong that I shut the repeater off and went  
16 to simplex, which means that I turned my radio to just be  
17 radio-to-radio to see if our signal was really that strong  
18 in that area or if somebody was close. If it had been that  
19 strong in that area, I would have been extremely happy that  
20 it was a very strong signal.

21 When the signal became still so strong, I lowered  
22 the radio to the floor to ground the antenna because that's  
23 the way to figure out how far away they are, by where the  
24 signal starts to fade.

25 A signal that is within a 30 or 40 foot radius of

1 you will come right through the case of the radio, you  
2 don't -- even if you have no antenna at all.

3 I had the radio all the way down on the floor of  
4 the truck we were in and it was still coming in so strong  
5 that I could tell that the person who was broadcasting was  
6 broadcasting right close to me, within a 30 or 40 foot  
7 radius. We were driving past that house.

8 Q You were right in front of that house as this  
9 occurred?

10 A Going past it.

11 Q And who was it you heard broadcasting?

12 A Rafael Caro-Quintero.

13 Q Do you know when this occurred?

14 A This was probably January or February of 1984.

15 Q Did you ever return to that house?

16 A I was sent back to that house later on, yes.

17 Q And what was the occasion?

18 A Mr. Barba and Gabriel Gonzalez, who was the head of  
19 the Homicide Bureau of the State Judicial Police, were at  
20 the Hotel Las Americas, and I had gone there that day to  
21 sweep the lines, and Mr. Barba and Mr. -- and Gabriel said,  
22 "We want you to go over and look at the gate."

23 I want to say something. In earlier testimony, I  
24 said gate because in Spanish that's "puerta", and when I  
25 first testified I really didn't -- I wasn't translating



1 very well. I hadn't spoken English in a number of years.  
2 Puerta really means garage door. They said, "Go over and  
3 look at the garage door."

4 Q What else was said about this house when these  
5 instructions were given?

6 A They said it was Rafa's house, to go over to Rafa's  
7 house and look at the garage door, and did I remember where  
8 it was because the person that had been with me that day  
9 told them that we had gone -- we had driven by that house.

10 Q So did you go to house?

11 A Yes, I did.

12 Q What happened there?

13 A I knocked on the gate, not the garage door, and a  
14 person came out. I said, "I'm here to look at the gate --  
15 the garage door, the puerta."

16 He said, "There's nobody here. You can't come in  
17 right now."

18 I said, "Well, they sent me over here," and he  
19 said, "Well, there's nobody here. The patron is not here.  
20 You will have to come back later."

21 Q Those the only two occasions you've been attending?

22 A The only two occasions..

23 Q Do you know an individual named Miguel Vielma?

24 A Yes.

25 Q Who is that?

1 A Comandante Miguelantes Vielma was a comandante of the  
2 Direccion de Federal Security Directorate. I had known him  
3 for many years. His last post was chief of the D.F.S.  
4 detachment in the City of Zacatecas.

5 Q Did you ever see him in the company of Ernesto  
6 Fonseca?

7 A Yes.

8 Q Do you recall the date at which you went to Lope de  
9 Vega in relation to the door, fixing the door, the gate?

10 A It was two or three weeks after we had driven by  
11 there. It was -- I couldn't tell you the exact date, but  
12 it was March. It could have been as late as April or -- I  
13 didn't note the date down or anything.

14 Q You're not certain of the date?

15 A I'm not certain. It was after we had gone -- driven  
16 by there, and it was close enough in time that they  
17 remembered that Juan had been with me that day, told them  
18 that we had driven by that house.

19 Q Now, you've mentioned that Miguel Vielma was  
20 in -- you saw him in the presence of Fonseca. How many  
21 times?

22 A All the time. He was always with Mr. Fonseca. He was  
23 always in Mr. Fonseca's presence, and many things that I  
24 had to do with the organization and Mr. Fonseca, I took up  
25 with Mr. Vielma who lived closed to me. He lived about six

(41)

41

**TAB 41**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 680 - 697**

1 Q September, \$3,500?

2 A Yes, sir.

3 Q How about October?

4 A I get \$3,500 a month. I don't know. It's not on  
5 here.

6 Q You received \$3,500 in October and November and  
7 December of this year?

8 A Yes.

9 Q You mentioned on Friday being asked to go look at a  
10 gate at 881 Lope de Vega.

11 When was that?

12 A It was shortly after we had driven by that house. I  
13 don't remember the exact date. I don't -- I didn't note it  
14 down, but I can't think -- it was -- what can I tell you?  
15 It was somewhere around the end of 1983, the first part of  
16 1984. I was -- in my own mind, I'd situate it somewhere  
17 around January or February of 1984.

18 Q Did you previously say under oath that it was in  
19 August?

20 A That it was what?

21 Q In August?

22 A I may have. I may have given a range of dates. I'm  
23 not -- I don't want to say that I'm sure on the date,  
24 because I really am not.

25 Q You said the other day it was approximately January or

1 February?

2 A As more -- as much as I can think about it, every time  
3 I testified to this, and every time it comes up, I try to  
4 situate dates. I didn't take it down. I tried to relate  
5 it with other things that happened and figure out a better  
6 date. Maybe I'm not very good at it. I can assure you  
7 that it happened.

8 Q That's what we are here to find out, Mr. Harrison.

9 A Well, I --

10 Q Mr. Harrison, did you know that Mr. Zuno did not live  
11 at the house at Lope de Vega in January or February of  
12 1984?

13 A Did I know it when? In 1984? In 1984, I had no idea  
14 whether Mr. Zuno lived there or not. I didn't --

15 Q All right, sir.

16 A Mr. Zuno didn't cross my mind in 1984.

17 Q Now, did you knock on the gate when you came up to the  
18 house?

19 A Yeah, I knocked on the gate. As I say, I said on  
20 Friday, Mr. [REDACTED] --

21 Q Excuse me, sir --

22 A -- I just -- we're not going to be able to understand  
23 each other in these questions. I mistranslated. "Puerta"  
24 in Spanish means door, gate, and garage door. I was  
25 speaking -- when I was told to go there, I understood it to

1 be the garage door. I knocked on the side gate and the  
2 person came out of it.

3 So I don't want to mix it up. I just -- there are  
4 not three words in Spanish for those three types of doors.  
5 I mistranslated. I hadn't spoken English in a long time  
6 and --

7 Q What did you knock on, the garage door?

8 A No, a gate that's in front of the front door.

9 Q Isn't it true, sir, that there is no gate in front of  
10 the front door?

11 A Well, I'm not sure if it was in front of the front  
12 door --

13 Q Excuse me.

14 A I knocked on what you -- on what you normally knock on  
15 for the people to come out. I saw the guy come out of the  
16 house.

17 MR. [REDACTED] May I approach the witness, Your  
18 Honor, just for purposes of --

19 BY MR. [REDACTED]:

20 Q Well, next to you Mr. Harrison --

21 THE COURT: What is it?

22 MR. [REDACTED] I want to show him -- I want to  
23 exhibit to the jury --

24 THE COURT: The exhibit in front of him?

25 MR. [REDACTED]: Yes, sir. I put it next to him.

1 It's a picture.

2 THE COURT: Do you see the picture there?

3 All right. You may approach.

4 BY MR. [REDACTED]

5 Q Mr. Harrison --

6 MR. [REDACTED]: May I stand here for just a moment,  
7 Your Honor?

8 MR. [REDACTED] Could we have an exhibit number,  
9 Your Honor?

10 MR. [REDACTED]: Yes, sir. 13-A.

11 BY MR. [REDACTED]:

12 Q Is 13-A a picture of 881 Lope de Vega?

13 A Yes, it is.

14 Q Isn't it true, Mr. Harrison, that the gate or garage  
15 door that you said you knocked on, it would make no sense  
16 to knock on it because nobody lives in the garage?

17 MR. [REDACTED]: Objection. Speculative. Ambiguous.

18 THE COURT: Sustained.

19 THE WITNESS: You want to know, sir --

20 THE COURT: Just a moment.

21 THE WITNESS: -- I knocked here (indicating).

22 THE COURT: Just a moment. You have another  
23 question?

24 MR. [REDACTED] Yes, sir.

25 BY MR. [REDACTED]

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1 Q Are you saying, Mr. Harrison, that you knocked  
2 where you pointed, and I'll put an "X" there?

3 THE COURT: Let the witness put the "X".

4 BY MR. [REDACTED]

5 Q Will you put an "X" there, sir. Right by the gate.

6 A Right around here (indicating). In front of the door.  
7 Where you stand in front of the front door.

8 Q You said on the gate, so will you put it by the gate  
9 where you -- okay.

10 MR. [REDACTED] Your Honor, may I approach so I can  
11 see what has been marked?

12 THE COURT: Well, I'm about to send him back, so  
13 you don't need to. You can see it later.

14 BY MR. [REDACTED]

15 Q Mr. Harrison, isn't the gate that you claim that you  
16 knocked on about 20 feet in front of the door?

17 A It's the next thing -- well, which door are you  
18 talking about?

19 Q Isn't there just a small gate about four feet high  
20 that you would open and then walk up to the front door,  
21 which is 20 feet in, and you're going to knock, you would  
22 knock on the front door, but if you were --

23 A No way. No way.

24 Q All right, sir --

25 A Number one, for --

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1 Q Excuse me --

2 A -- in Mexico you don't do that; and number two, at Mr.  
3 caro-Quintero's house, if you think he lives here, you  
4 don't do that either. There's no way. I had some kind of  
5 coin and I banged on the gate, I banged on the metal part  
6 of the fence.

7 Q Does the 13-A accurately depict, sir --

8 A Yes, it does.

9 Q -- the four-foot gate, three-and-a-half, four-foot  
10 gate, that you can open to walk to the front door. Is it  
11 accurately depicted in that picture, sir?

12 A Well, it's there, yes. That's the area.

13 Q Is this picture an accurate picture, sir?

14 A Yes. I think so, yes.

15 Q Okay. Now, you made some reference Friday,  
16 Mr. Harrison, about a radio transmission?

17 A Yes, sir.

18 Q When was that that you overheard allegedly this radio  
19 transmission?

20 A That would have also been in the same time frame as  
21 when I was sent over, because I was -- it was shortly  
22 before the incident where I was sent over to see the garage  
23 door.

24 Q And again, so in the January-February '84 timeframe?

25 A That's where I have it situated in my mind.

1 Q As you told us, you didn't know if Mr. Zuno was then  
2 living permanently in Mascota or not; isn't that correct?

3 A That is correct.

4 Q Do you know whether at that time Serjio Velasco-Virgiri  
5 and his family were actually renting the 881 Lope de Vega  
6 house?

7 A I don't know Serjio Velasco.

8 Q You have no knowledge one way or the other if he was  
9 renting the house?

10 A No.

11 Q How did you happen to be in the vicinity of 881 Lope  
12 de Vega on this particular occasion?

13 A Which occasion, sir?

14 Q The occasion when you claim that you overheard some  
15 transmission?

16 A We were driving past Jardines Del Bosque to get into  
17 downtown, get into the downtown area.

18 Q Now, what side of the street is 881 Lope de Vega on?

19 A It's on the --

20 MR. [REDACTED]: Objection. Ambiguous.

21 THE WITNESS: Depends on which way you are going.

22 BY MR. [REDACTED]

23 Q Well, which way --

24 THE COURT: It wouldn't depend on which way you  
25 were going, on what -- if it's on the north side, it's on

1 the north side. If it's on the east side, it's on the east  
2 side. Whether you're going either way.

3 THE WITNESS: Well, I could only situate on the  
4 left or the right. And the truth is, I don't know north  
5 and south. I'm not very good at that.

6 BY MR. [REDACTED]

7 Q Well, how did you approach the house? In which  
8 direction were you driving?

9 A We were driving on Sol. We were driving on Sol  
10 Street, S-O-L, and we happened to go pass that house. I  
11 think it's on the corner or near the corner. And I just  
12 got a remark that that's, you know --

13 Q Did you go pass the front of the house?

14 A I think we went pass just part -- a portion of it. We  
15 may have driven in front of it. I don't really remember.

16 Q Did you or didn't you?

17 A I was concentrating on the radio, not on the house. I  
18 was bringing this radio up and down. I had the antenna  
19 down on the floor. We were driving pass. You'll have to  
20 excuse me, but I really didn't -- I don't have a

21 photographic picture in my mind of how we did it. We just  
22 happened to be going by there.

23 Q Are you saying now you don't recall if you went past  
24 the front of the house or not?

25 A We went past the house. I assume we went past the

1 front of the house. But as we were moving right in front  
2 of that house, I had the radio down on the floor.

3 As I testified on Friday, the signal was so strong  
4 that what I wanted to do was to ground the antenna --

5 Q Excuse me.

6 A -- when you bend over in the seat, you don't really  
7 see a lot out of the window.

8 Q Did I hear you correctly -- I don't mean to  
9 misstate -- did you say as you drove past the front of the  
10 house you did this?

11 A I believe we drove past the house, yes.

12 Q Now, when you drive down El Sol, you don't go pass the  
13 front of the house, do you?

14 A If you turn onto Lope de Vega, yes.

15 Q Well, I thought you told us before you drove down El  
16 Sol. Now are you telling us you drove down El Sol and you  
17 turned on Lope de Vega?

18 A I'm not sure whether we turned or not. I don't want  
19 to lie to you. But I don't want to give you a false  
20 impression of what we were doing. I wasn't driving. It  
21 wasn't my car. I was more concentrating on the radio.  
22 I've only seen this house twice in my life. I never went  
23 back. I didn't know whose house it was, as a matter of  
24 fact, until much later.

25 Q Where did you start from that day when you claim you

1   went by the house?

2   A    We started on Mariano Otero.  On the street of Mariano  
3   Otero.

4   Q    And your destination was where?

5   A    We were going into the downtown area.  We were going  
6   over to -- close to the American Consulate.

7   Q    Were you starting from a house?

8   A    We started out from the house on Cuarzo.

9   Q    I'm sorry?

10   A    We started out from the house on Cuarzo, yes.

11   Q    From Ernesto Fonseca's house?

12   A    Yes.

13   Q    Going downtown to the American Consulate?

14   A    Going straight over.

15   Q    Okay.  Were you using a hand held radio?

16   A    Yes, sir.

17   Q    Is that susceptible to distortion?

18   A    Yes, sir.

19   Q    What type of antenna did you have on the radio that  
20   you claimed you received the transmission on?

21   A    I had a quarter inch -- quarter wave rubber duck  
22   antenna.

23   Q    What frequency was the radio receiving on?

24   A    At that particular time it was receiving on 148350.

25   Q    Were there any repeater sites in the area?

1 A Oh, yes.

2 Q Where was the closest repeater site?

3 A The closest repeater site was in the telephone  
4 building about four blocks away from the American Consulate  
5 in Guadalajara.

6 Q Were there any transmitters in the area?

7 A Well, there are -- the Guadalajara is supersaturated  
8 with VHF transmitters. I'm sure there were plenty.

9 Q And there was a VHF system, a VHF band?

10 A Yes. That is the VHF band. That's the very high  
11 frequency band, FM Band, and the city is saturated with  
12 those.

13 Q And those bands are sufficiently wide so they pick up  
14 other signals; isn't that correct?

15 A The band width of the radio frequencies that are  
16 assigned are five kilohertz. They do pick up adjacent  
17 channel and even beat frequency where two frequencies come  
18 together and create a third. They pick up interference all  
19 the time.

20 Q There were lots of houses in that area; weren't there?

21 A Oh, yes, sir.

22 Q Now, you didn't make any determination that there were  
23 no other sources of transmission, did you, cause that  
24 wasn't your particular interest at that time?

25 A It was to quick, number one. It all happened really

1 quick. We were driving by a place. I'm bending over  
2 putting the radio on the floor.

3 What I can tell you is, I took it off the repeater  
4 and put it on the normal radio-to-radio frequency. And  
5 that type of frequency comes in through the radio case and  
6 will override any interference. You'd have to have a  
7 20,000 watt transmitter on one side, and even if you were  
8 just one kilicycle up, you still would not get interference  
9 if you have a -- if you were just standing right in front  
10 of a radio, it is so strong that even if you took the  
11 antenna off, you'd still receive it because the radio's  
12 receiving the frequency through the case. It's  
13 disregarding the antenna. I mean, it has nothing.

14 That's why you ground the antenna to see how  
15 strong it is.

16 Q Do you recall now, eight years later, whatever it is,  
17 what Mr. Quintero was saying on the phone?

18 A Oh, yes. That I recall very well.

19 Q What was he saying?

20 A He was bawling out -- see, there was a friend of mine  
21 who had gotten in trouble with him and he had been sent in  
22 exile to a ranch, this Ranch Pueyna [phonetic], owned by  
23 Ernesto Fonseca. And this man's name was Mario. He had  
24 come back into the Guadalajara area.

25 And Mr. Caro got on him right way and said,

1 "What are you doing? Why did you leave the ranch? What  
2 are you doing back here? I told you to stay there."

3 Q Did you see Caro-Quintero on that occasion?

4 A No.

5 Q Did you see him broadcasting?

6 A No.

7 Q On September 20, 1989, didn't you have a conversation  
8 with D.E.A. Agents Martinez and Morales?

9 A I assume so, yes.

10 Q Didn't you tell them on that occasion that you saw  
11 Caro-Quintero?

12 A I would never have said that. No, I didn't.

13 Q Didn't you tell them you saw him dispatching out of  
14 the house?

15 A No.

16 Q If you said that, it was in error?

17 A Totally. I never saw him. I'm not saying that I ever  
18 saw Mr. Caro-Quintero in that house. I don't want to say  
19 that. That would be a lie.

20 Q But what you --

21 A I think that Mr. Caro-Quintero was broadcasting from  
22 that house, even though the radio could just as well have  
23 been behind me as in front of me. I don't want to give  
24 anybody the false impression here. There's -- I don't have  
25 X-ray eyes. I couldn't say that he was definitely in that



1 house. All I know is that he was broadcasting in an area  
2 within 40 or 50 feet in a circle around me.

3 Q All right.

4 A That could have been behind and on the side just as  
5 well.

6 Q You are saying under oath here that you never told the  
7 D.E.A. agents that you saw him actually dispatching on that  
8 occasion?

9 A No... I never told anybody that, and I wouldn't have  
10 said that.

11 Q All right, sir.

12 Now, directing you to the area of your testimony  
13 Friday when you made reference to a party, about 175 to 200  
14 people?

15 A Yes, sir.

16 Q How many years ago was that when you have memory of  
17 the people that were there?

18 A Well, I would assume it was 1983. This is 1992. I  
19 would suppose that makes it nine years.

20 Q Now, did Ernesto Fonesca order you to go to that  
21 party?

22 A Yes, sir.

23 Q And what time did you get there?

24 A I got there that afternoon about three or four  
25 o'clock, I think. I had to bring some supplies.

1 Q And when was that? What day?

2 A It was -- I can't tell you the exact day. I  
3 understood it was De La Saint Rafael, which would have been  
4 the Saint Day of Saint Rafael in Mexico.

5 Q How many hours were you at the party?

6 A I was there from that afternoon continuously. I left  
7 around, I guess, 11:30 or 12:00 o'clock to go to the  
8 repeater site. I came back around 1:00 o'clock in the  
9 morning, and I was there until the next day -- or the  
10 afternoon of the next day or the midday of the next day.

11 Q Now, from the time you got there about three or four  
12 o'clock until, let's say, about eight o'clock in the  
13 evening, what were you doing? Were you busy or just  
14 sitting around or --

15 A I was busy all afternoon. I brought the beer. I was  
16 helping Mr. Fonseca's brother-in-law make pork rinds. I  
17 was doing everything. I had a lot of work to do there,  
18 yes.

19 Q Fair to say that during the hours you were there, you  
20 were very active, moving around, doing a variety of things?

21 A Yes.

22 Q Did you make any notes eight, nine years ago of who  
23 was at the party?

24 A No, sir, I did not.

25 Q Since the party eight, nine years ago, did you make

any notes of who was there?

A No, sir.

Q Is it correct, sir, that you did not see Mr. Zuno allegedly arrive?

A Well, let me --

Q Excuse me, sir. My question is: Did you see him arrive?

A You don't -- just a minute. What does "arrive" mean? I didn't see you arrive. I saw you come into the courtroom today, but I don't know what time you drove up in your car.

Q Arrive, sir --

A Let's get it straight in our minds, okay.

Q All right. Sir, let me try to be helpful --

A I saw him here for the first time in my field of vision. I assumed he had arrived --

THE COURT: Just a moment. It might be a better question to ask whether he knows how long Mr. Zuno had been there at the time he first saw him.

BY MR. [REDACTED]:

Q Do you know how long Mr. Zuno had been there before you first saw him?

A No, I did not.

Q You did not see him come in, allegedly come in to the party, did you?

A Well, I didn't see him pass the front gate. I saw

1 him --

2 Q Excuse me, sir --

3 A I saw him appear there, yes. He appeared.

4 Q I read from your testimony under oath in June of '90,  
5 14-43, Lines 5 and 6:

6 "Question:. Did you see him come in?

7 "Answer: No, I did not?"

8 A That's true. I didn't.

9 Q Now, is it true, sir, that you also, after this brief  
10 incident you described, you also didn't see Mr. Zuno later  
11 in the afternoon?

12 A That's true also.

13 Q You were surprised Mr. Zuno was at the party?

14 A Yes, I was.

15 Q You didn't think he knew Caro-Quintero; isn't that  
16 true?

17 A I was just wondering what he was doing there. I  
18 didn't -- you know, a meeting of two worlds.

19 Q Now, you claimed you had this long relationship with  
20 his family. You claim that; is that right?

21 A Well --

22 Q Strike that. Let me ask you another question.

23 A You're characterizing the relationship. I had a  
24 relationship with his family, yes.

25 Q You hadn't seen Mr. Zuno for a period of time before

1 this alleged incident --

2 A That is correct.

3 Q -- when you briefly saw him at the party?

4 A That's true.

5 Q Did you go up and say hello to him?

6 A No. I was there as a servant.

7 Q Now, you also made reference Friday to Ernesto  
8 Fonseca's house?

9 A Yes, sir.

10 Q You claim that in all of the times you were there,  
11 worked there, lived there, whatever, there was one occasion  
12 you saw Mr. Zuno; right?

13 A Yes, sir.

14 Q What was the address of that house where you claim you  
15 saw Mr. Zuno?

16 A I don't know the address. I couldn't tell you. It  
17 was at the corner of Cuarzo and Obsidiana. The number  
18 address, I don't know.

19 Q I'm sorry. It was on the corner of where?

20 A Cuarzo and Obsidiana. I don't know the number. The  
21 number of the street I don't know. I believe the number  
22 was on Obsidiana, if I'm not -- the number was on the front  
23 door that we never used. We didn't enter from that side.  
24 We didn't enter from that street.

25 Q Excuse me one second, sir.

(42)

**TAB 42**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 782 - 801**

42

1 A It's because there was some problems in Ernesto  
2 Fonseca's family itself. Cesar Fonseca with Antonio  
3 Fonseca and some of their other half brothers. They were  
4 all fighting. And I would tell them to calm down and to  
5 think about Ernesto Fonseca; that how was it possible they  
6 could be fighting among themselves and their own family.

7 Then after that, the half brothers of the Cesar  
8 Fonseca with whom he had the problem went out on the street  
9 and they confronted the municipal police of Guadalajara.  
10 And two of Cesar Fonseca's half brothers died in the  
11 confrontation.

12 And Ernesto Fonseca sent for me to explain to him  
13 what had happened there among his family. I explained they  
14 were fighting among themselves, but I calmed them down.

15 He said I had to stay with him then because  
16 otherwise afterwards El Gueron and the doctor were going to  
17 kill me.

18 But Ernesto Fonseca would quiet them down.

19 Q You made a reference to "the doctor". Who were you  
20 referring to?

21 A Half brother of Ernesto Fonseca Carrillo. His name is  
22 Antonio Fonseca.

23 Q Was "the doctor" his nickname?

24 A Yes.

25 Q And eventually did you come to work for Ernesto

1 Fonseca?

2 A Yes.

3 Q Are you familiar with the location known as the Rancho  
4 La Rose?

5 A Yes.

6 Q Have you ever been there?

7 A At a party.

8 Q About when did this party take place?

9 A In the month of August of 1984.

10 Q How was it you came to be at this party?

11 A It was because Mr. Ernesto Fonseca, since I worked his  
12 security, we would go wherever he'd go. So then we went to  
13 the Rancho del la Rosa. We arrived there during the  
14 morning hours to prepare a party because Ernesto Fonseca  
15 was going to marry a lady by the name of Rosado.

16 Q What were your duties as this party?

17 A I would be at the entrance to the dance hall and  
18 guarding the gentleman to make sure that nothing would  
19 happen to him. And at the same time control some cognac  
20 bottles, bottles of cognac, to make sure that no one would  
21 take them and so that there would be enough drinks to go  
22 around.

23 Q Now, did you stand at the entrance to the dance hall  
24 on the first day of this party?

25 A Yes, sir.



1 Q Did you see the guests enter the dance hall?

2 A Yes.

3 Q Now the among the traffickers that you were familiar  
4 with at the time, who did you see enter this dance hall?

5 A Rafael Caro-Quintero, with his people, his guards,  
6 Paco Tejeda; Almado Rattan, Miguel Flores, the phantom.  
7 And other people whose names I don't remember from Rafael's  
8 group.

9 Also Manuel Salcido-Uzueta, the Cochiloco. Serjio  
10 Salcido-Uzueta. Javier Barba. Abelardo, the engineer.  
11 Emilio Quintero-Payan. And other drugs traffickers, more,  
12 additional.

13 Q Did you see other individuals go into the dance hall  
14 as well, besides these traffickers?

15 A Yes.

16 Q Who was it you saw?

17 A Ruben Zuno-Arce, Enrique Alvarez del Castillo, Miguel  
18 Aldana, Javier Garcia-Paniagua, Carlos Aceves-Fernandez,  
19 Serjio Espino-Verdin, Juan Gilberto Hernandez-Parra, Jaime  
20 Alberto-Ramirez, Carlos Aceves, El Negro, Gabriel  
21 Gonzalez-Gonzalez, and other people.

22 Q Now you mentioned Ruben Zuno-Arce, had you seen him  
23 before this occasion?

24 A Yes.

25 Q Can you look around the courtroom today and see if you

1 see in this courtroom the person you know as Ruben  
2 Zuno-Arce. If you would then point to him.

3 A The gentleman in the middle over there with the  
4 headset.

5 THE COURT: Indicating Mr. Zuno.

6 By MR. [REDACTED]

7 Q Now, you mentioned the name Enrique Alvarez del  
8 Castillo, who was he?

9 A At that time he was governor of the state of Jalisco.

10 Q What did you see him do?

11 A He was toasting with all the group of drug traffickers  
12 and all the people there at the party.

13 Q And defendant Zuno, what did you see him do?

14 A He was also greeting people, talking with them,  
15 toasting with them, and going along with the rhythm of the  
16 party.

17 Q Jaime Alberto-Ramirez, do you know who he was?

18 A Yes.

19 Q Who was that?

20 A He was the attorney general for the state of Jalisco.

21 Q Carlos Aceves?

22 A He was the then director of the Jalisco State Judicial  
23 Police.

24 Q Javier Garcia-Paniagua?

25 A He was a politician from right there in Mexico. He

1 had been head of the D.F.S.

2 Q Now how long did these individuals stay at this party?

3 A More or less approximately to the middle of the night.

4 Q Did you see them leave?

5 A Yes.

6 Q How long did this party continue?

7 A It went on through the night and through the next day.

8 Q And did you stay at the party during this entire time?

9 A Yes.

10 Q Let me draw your attention to late August of 1984.

11 Did you attend a meeting at which some maps were discussed?

12 MR. [REDACTED] Objection, leading and suggestive.

13 THE COURT: The objection is sustained.

14 BY MR. [REDACTED]

15 Q After this party at Rancho La Rosa did you attend a  
16 meeting at the La Bajadita house?

17 A Yes.

18 Q About when was that?

19 A Around the end of the month of August of 1984.

20 Q And how did this meeting take place, can you describe  
21 it?

22 A Yes. It was at Ernesto Fonseca's house. The house  
23 called La Bajadita. We were there, and Ernesto Fonseca  
24 came out of his room and they called some other people to  
25 say that the gentleman was already waiting for him.

1           And Abelardo, the engineer arrived, Javier Barba,  
2           Jorge Fonseca know as El Gueron, Jorge Garma, the agent  
3           Juan Gilberto-Parra from the Federal Judicial Police and  
4           two other additional people.

5           Q     Where did you see these people?

6           A     Down there at the Bajadita, there is an office which  
7           is underneath the house, and they were all around Ernesto  
8           Fonseca showing some maps that they had.

9           Q     Where were you?

10          A     I was right down at the bottom of the stairs inside  
11          the office itself.

12          Q     Doing what?

13          A     I was there for whatever Ramiro-Razo asked me to do,  
14          to bring them anything they wanted, and also to avoid my  
15          other colleagues for Ernesto Fonseca to come there.

16          Q     So what did you see these individuals doing?

17          A     There was some handmade maps that were passed around.  
18          And there was some handmade maps where there was a drawing,  
19          a sketch where there was marijuana plantings of which some  
20          were to be destroyed and others were to be left standing  
21          for harvest.

22          Q     Is this what you overheard them discussing?

23          A     Yes.

24          Q     How long did this meeting last?

25          A     About 30 minutes.

1 Q And when this meeting was over did you see what  
2 everyone there did, where they went?

3 A Each person took the map that he had been given to  
4 take them to each office to which each person corresponded.

5 Q What do you mean by that?

6 A Jorge Garma took a map for the 15th military zone for  
7 General Santoya. Juan Gilberto-Parra took another one for  
8 the Judicial Federal Police for the helicopter section.  
9 Another map was taken for the governor Enrique Alvarez del  
10 Castillo to give it to Pablo Aleman-Diaz who was the 7th  
11 Colonel in charge of the anti riot police for the state of  
12 Jalisco. And another to Javier Barba for recognizing of  
13 the fields that were to be destroyed and the fields that  
14 were to be left standing.

15 All of that for the purpose so that when a police  
16 agency would find or a public servant security agent would  
17 find they would first notify their superiors. They would  
18 give the order regarding which of the fields were to be  
19 destroyed and which were to be left standing.

20 Q Now, I'd ask you to look at what has been marked as  
21 Exhibit 121A and B if you would.

22 A Yes.

23 Q Do you recognize those photographs?

24 A Yes.

25 Q What are they?

1 A Here is the Bajadita house.

2 Q Indicating 121B?

3 A Yes.

4 Q Thank you. You can put those down.

5 121A, what do you recognize that as?

6 A This house is a continuation of the house at La  
7 Bajadita.

8 MR. [REDACTED] Your Honor, move the admission of  
9 these photographs.

10 THE COURT: They may be admitted.

11 (Exhibits 121A and 121B received in evidence)

12 BY MR. [REDACTED]

13 Q After this meeting that took place at La Bajadita that  
14 you just described what did you do?

15 A They ordered me to go to Javier Barba and Jorge  
16 Fonseca, El Gueron and Serjio Valencio, and I, Jorge Godoy,  
17 to the area of Talpa, Mascota.

18 Q Where is Talpa in relation to Guadalajara?

19 A It's towards the shore, south in Jalisco.

20 Q You were to proceed from Talpa to somewhere else?

21 MR. [REDACTED] Objection; leading and suggestive.

22 THE COURT: Overruled.

23 THE WITNESS: To Mascota.

24 BY MR. [REDACTED]

25 Q What did you do on this journey?

1 A We arrived at a field before the City of Mascota which  
2 is to the right. We got out of the van we were in and  
3 Javier Barba ordered us to leave the rifles in the van.  
4 And there we walked to a large marijuana field.

5 Javier Barba asked the gentleman who were there  
6 whether Ruben Zuno was around. And they told Barba wait a  
7 minute. They were going to find --

8 MR. [REDACTED] Objection; hearsay, Your Honor.

9 THE COURT: Overruled.

10 THE WITNESS: Then a few minutes later Ruben Zuno  
11 showed up and he greeted Javier Barba and Jorge Fonseca.  
12 They greeted each other. He said, "How are you. The  
13 gentleman sends his greetings."

14 And Javier Barba said to Mr. Zuno that, "Here are  
15 the maps. Everything that's going to be destroyed and  
16 everything that is going to be left as it is."

17 And Mr. Zuno answered him to, "Not worry. That  
18 he, himself, was going to check the fields which were to be  
19 destroyed and which were to be left standing."

20 The gentleman greeted me. After Mr. Zuno was  
21 going to call Ernesto Fonseca.

22 BY MR. [REDACTED]

23 Q Does the name El Senor mean anything to you?

24 A As the gentleman we were referring to, Ernesto  
25 Fonseca.

1 Q So when you use that term "El Senor," you are  
2 referring to Fonseca?

3 A Yes, sir.

4 Q How long did this meeting in the field take place or  
5 last?

6 A About 30 minutes.

7 Q And what did you do then?

8 A From there I went back to where the group of my  
9 colleagues was. And they remained conversing, talking, and  
10 I don't know what they have said.

11 Q Did you go somewhere else from Mascota?

12 A To the City of Guadalajara.

13 Q Now during the course of this trip that you just  
14 described, did you see any other marijuana fields besides  
15 this one?

16 A No -- yes, besides that I already seen some other  
17 fields in the area of Talpa, Puente Grande, and Tomatlan.

18 Q Did you notice any difference in the way that some of  
19 these fields were maintained?

20 MR. [REDACTED]: Lack of foundation.

21 THE COURT: What is the objection?

22 MR. [REDACTED] Lack of foundation.

23 THE COURT: Well, sustained.

24 The question is very vague and ambiguous as well.

25 BY MR. [REDACTED]



1 Q Did these fields appear to be as well-tended as the  
2 field that Mr. Zuno was in?

3 MR. [REDACTED]: Objection, leading and suggestive.

4 THE COURT: And irrelevant.

5 The objection is sustained. Also calls for a  
6 conclusion.

7 BY MR. [REDACTED]

8 Q Did you see any fields that were to be destroyed?

9 A Yes.

10 Q How did those fields look?

11 A The ones that were to be destroyed we could see that  
12 they had just thrown down the seeds and allowed the plants  
13 to grow. They weren't cared for like the other fields.  
14 They were not being worked on by the farmers like the  
15 others. And some of them appeared to be neglected, while  
16 others looked proper, where the plants were growing.  
17 properly.

18 Q After returning from this trip what did you do?

19 A We went to La Bajadita.

20 Q Now, I'd like you to look at what has been marked as  
21 Exhibit 170.

22 A Yes.

23 Q Do you recognize that?

24 A Yes.

25 Q What is that?

1 A It's a common bank which is on the Avenue of Lopez  
2 Mateos and Plaza del Sol.

3 Q Did you ever go there?

4 A Yes.

5 Q When?

6 A Around the beginning of September of 1984.

7 Q How was it you went to that bank then?

8 A It was because we were at the Bajadita and Samuel  
9 Ramirez-Razo asked me to go with him and he had two  
10 suitcases in his hands. He gave me a suitcase. And we got  
11 into a Mustang, a red Mustang he had. Then we headed to  
12 the bank and we went to the second floor. And there Samuel  
13 Ramirez-Razo took out a deposit/withdrawal slip from his  
14 pocket.

15 Q How could you tell this was a withdrawal slip?

16 A Because Samuel Ramirez-Razo took it out in my presence  
17 and I saw that it was signed by Ernesto Fonseca-Carrillo.  
18 And he gave that same slip to the bank manager and said  
19 that it was correct, that there was no problem, and from  
20 there we went to the bank vault.

21 Q What happens there?

22 A They started to take out rolls of \$50 bills, and  
23 twenties and fifties.

24 Q Is this American currency?

25 A Yes, dollars, sir.

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1 Q Where were you?

2 A I was there at the door to the vault.

3 Q What was it you saw from there?

4 A I saw that the secretary was taking the packs of bills  
5 and putting them in a little counting machine. And then  
6 she would take them out and put them together again and  
7 give them to Samuel Ramirez and we're putting them all  
8 inside the suitcases.

9 Q What happened then?

10 A And Samuel saw that I was seeing that since I was  
11 there and it seemed like a lot of money. Samuel turned and  
12 saw me. And he said, "Please go outside and wait for me in  
13 the bank lobby."

14 About a 30 minute period went by, then Samuel came  
15 out of the vault with the two suitcases. And he gave one  
16 to me. And the suitcase felt heavy.

17 From there we went down and we got into the red  
18 Mustang.

19 Q Where did you go next?

20 A And from there we went to the Jalisco State Government  
21 City Hall.

22 Q Now, I would ask that you look at what has been marked  
23 as Exhibit 130.

24 A Yes.

25 Q Do you recognize that?

1 A Yes. That is the government palace. On the second  
2 floor is the office of Governor Enrique Alvarez del  
3 Castillo.

4 MR. [REDACTED] Move the admission of Exhibit 170  
5 the bank photograph and Exhibit 130.

6 THE COURT: They may be admitted.

7 (Exhibits 130 and 170 received in evidence)

8 BY MR. [REDACTED]

9 Q When you got to the governor's mansion, what happened?

10 A We arrived and parked in the governor's exclusive  
11 parking spot. And then a guard who was there guarding the  
12 parking lot said that we couldn't park there; that was  
13 exclusively for the governor, for his vehicles.

14 So Samuel Razo took out his credential from the  
15 home office and he said, "Look, we are from the home office  
16 and the governor is expecting us. We won't be long."

17 Then the guard allowed us to park there. And  
18 after that, we went into the building and we went up to the  
19 upper floor, and went into the governor's office.

20 Q And let me stop you there for a minute, Mr. Godoy.

21 THE INTERPRETER: I hadn't finished the  
22 translation.

23 And there in front of the office there is a  
24 reception area with a secretary.

25 BY MR. [REDACTED]

1 Q Did Samuel have a credential from the secretary of  
2 Gobernacion?

3 A Yes, from the Federal home office.

4 Q Now, when you got to the governor's office on the  
5 second floor, what happened?

6 A Then Enrique Alvarez told the secretary that he would  
7 like to see the governor. And the secretary got on the  
8 intercom.

9 Q Did you say Enrique Alvarez said he would like to see  
10 the governor?

11 A No. Samuel Ramirez-Razo wanted to see the governor  
12 Enrique Alvarez del Castillo. Then the secretary called  
13 him and said, "Okay. You can go in."

14 Q Did you announce who you were?

15 A Yes. We were going there from El Senor.

16 And the governor, Enrique Alvarez del Castillo,  
17 said, "That's fine. I've been waiting for them."

18 And when we went into the office, Samuel  
19 Ramirez-Razo took the other bag from me and then he said,  
20 "Sir, this is from El Senor."

21 "Tell him thank you very much, greet him on my  
22 behalf and later on I will call him."

23 And then from there Samuel made a -- he turned  
24 around and both of us left quickly. And then we left in  
25 the red Mustang towards La Bajadita. And I, being curious,

1 asked him how much money is that?

2 He said, "You couldn't imagine. And what you've  
3 just seen, don't tell anybody."

4 Q About when did this happen?

5 A More or less in September of 1984.

6 Q Did you make another money delivery after this one?

7 A About one or two weeks later.

8 Q How did this next delivery take place?

9 A We were at the Bajadita house and Ernesto Fonseca was  
10 there and the D.F.S. agent whose sur name was Molina and  
11 Samuel Ramirez-Razo, Javier Barba, and Abelardo, the  
12 engineer, and I was outside of the room, the door was  
13 opened, and Samuel Ramirez-Razo and Molina came out with  
14 two suitcases. Samuel Ramirez-Razo asked Molina, "Who do  
15 you want to take from the whole group?" And he pointed to  
16 me, Godoy.

17 Q Had you seen these suitcases before?

18 A I'd seen them two or three days before, sir.

19 Q How was it that you had seen them previously?

20 A Because they called some people to come and clean the  
21 carpets. And since there was nobody there, El Senor was  
22 not there, the others weren't there, Samuel had left me  
23 there to guard the place, to make sure that nothing would  
24 be taken by the carpet cleaners.

25 When we went into the room in the area of the

1 closet in the bathroom, they had to move everything to  
2 clean the carpets and those two suitcases were there in the  
3 closet. And I was going to grab them to move them but I  
4 felt they were quite heavy. I left them there, but out of  
5 my curiosity I opened them to see what they were. And  
6 there I saw that they were packages of money from here,  
7 from the United States. They were dollars.

8 Q Now when Molina asked you to go with him, did you feel  
9 these suitcases again? Did you pick them up?

10 A Yes. I took one of the suitcase and Molina was  
11 carrying the other one.

12 Q How did the suitcase feel when you picked it up?

13 A Heavy.

14 Q So what did you and Molina do?

15 A We went with Samuel Ramirez-Razo in the vehicle  
16 belonging to Ernesto Fonseca to the Guadalajara, Jalisco  
17 Airport.

18 Q What did you do when you got there?

19 A There was already a mini jet there. The engines were  
20 heated and running and ready to takeoff.

21 Q What did this jet look like?

22 A It was a new turbo mini jet. It was beige color with  
23 strips of red and kind of a darkish brown.

24 Q Did you meet anybody else at the airport?

25 A Yes, Miguel Flores and the phantom were already there.

1 Rafael Quintero's peoples. Then Miguel Flores said to me,  
2 "My, kid,, do you know where we are going?"

3 I said, "I don't know."

4 He said, "Well, we are going to the number one  
5 military camp."

6 I said, "You must be kidding. Why are we going to  
7 go there?"

8 But then we did board the plane, and there were  
9 another two suitcases the same size as the ones we were  
10 carrying. Then we headed flying towards Mexico City. We  
11 must have been flying for about 30, 35 minutes. And, in  
12 fact, we were coming down at the number one military camp  
13 which is in the southern area of the City of Mexico.

14 Q When you landed were you met by anybody?

15 A Yes. There were four military people when the door to  
16 the plane opened.

17 Q And then what happened?

18 A Then we got out with fear, myself, each of us with a  
19 bag.

20 Q Where did you go?

21 A We went into the military base facilities into the  
22 offices and another of the military people went into an  
23 office and then he came out. And he said, "The general is  
24 waiting for you."

25 So then we went in and we saw the general, and



1 Molina said to the general, "Here, this is from the Senors  
2 from over in Guadalajara."

3 Q Now when you refer "the general," do you know the name  
4 of that individual?

5 A Yes. He was number one, Juan Arevalo-Gardoqui.

6 Q Would you look at what has been marked as Exhibit 131.  
7 Do you recognize that photograph?

8 A Yes. Yes. That is Juan Arevalo-Gardoqui, the  
9 general.

10 MR. [REDACTED]: Move the admission of 131, Your  
11 Honor.

12 THE COURT: It may be admitted.

13 (Exhibit 131 received in evidence)

14 BY MR. [REDACTED]

15 Q What happened next?

16 A They were drinking together and the general offered us  
17 a drink, and Manuel Valencia said that we had orders from  
18 the Senors that we have to go right back.

19 Q And --

20 A And the general said, "No, the person in charge here  
21 is me."

22 Q What happened then?

23 A See, then later on we said goodbye to him and rushed  
24 back to the plane. The plane never even stopped its  
25 engines. And we went out. It already turned around ready

1 to get on the strip and takeoff.

2 Q Now, did you know who Juan Arevalo-Gardoqui was at the  
3 time?

4 A Yes, sir.

5 Q How did you know that?

6 A Because I seen him on the media. He would be  
7 introduced as the Mexican General of the Army.

8 Q Do you know an individual Humberto Alvarez-Machain?

9 A Yes.

10 Q How is it you know him?

11 A He was introduced to me in Guadalajara. The person  
12 who introduced him to me was El Cava, Cesar  
13 Fonseca-Carrillo.

14 Q When did this occur?

15 A It was in the year of 1984, in the middle of the year  
16 of 1984 when I had been commissioned to Cesar Fonseca-  
17 Carrillo.

18 Q Can you describe this incident?

19 A Cesar Ernesto-Fonseca invited me to come and see a  
20 house that he was building over at the university  
21 neighborhood. Then when we got there and we were standing  
22 outside the lot, he said, "Hold on. I'm going to call Dr.  
23 Alvarez."

24 Then he rang the bell and the doctor came out.  
25 And greeted and he introduced him to me. Just said, "This

(43)

**TAB 43**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 809 - 825**

43

1 LOS ANGELES, CALIFORNIA; TUESDAY, DECEMBER 8, 1992;

2 (9:30 AM)

3 (Jury in)

4 THE COURT: Good morning.

5 THE COURTROOM: Good morning.

6 THE COURT: Proceed, Counsel.

7 MR. [REDACTED] Just for the record, I don't believe  
8 that Exhibit 27A, the D.F.S. credential, was admitted. I  
9 would move its admission at this time.

10 THE COURT: It may be admitted.

11 (Exhibit 27A received in evidence)

12 DIRECT EXAMINATION (Continued)

13 BY MR. [REDACTED]:

14 Q Mr. Godoy, I believe in front of you are two  
15 photographs that have been marked Exhibits 133A and B.  
16 Would you please look at those.

17 A Yes.

18 Q Do you recognize those photographs?

19 A Yes.

20 Q What are they?

21 A It is the American Motors Hotel.

22 Q Where is that located?

23 A On Lopez Mateos Avenue, almost to the corner of  
24 Mariano Otero. It's across from Plaza del Sol.

25 Q You can put the top photograph 133A on the ground next

1 to you, if you would.

2 Have you ever attended a meeting at that location?

3 A Yes.

4 Q When did that occur?

5 A It was in the year of 1984 between September and  
6 October.

7 Q Did anybody else go with you to that meeting?

8 A Yes.

9 Q Who went with you?

10 A Ernesto Fonseca-Carrillo; Samuel Ramirez-Razo; Javier  
11 Barba; Eleseo Vasquez-Velasco; Antonio Vasquez-Velasco;  
12 Juan Bernabe; Rene Lopez; Ernesto Piliado Garza; Abelardo,  
13 the engineer, with the group of the sleeping ones; Ezequiel  
14 Godinez, known as El Primo, the cousin. Roberto Zepeda,  
15 Jose Guadalupe Valencia, Jose Guadalupe Torres-Hernandez  
16 and Jorge Fonseca-Uribe, El Gueron, Antonio Campos, and  
17 some other colleagues.

18 Q Did you go there in automobiles?

19 A In several automobiles.

20 Q Now, which automobile did Ernesto Fonseca travel in?

21 A In a beige, armored Grand Marquis.

22 Q Did you travel in that vehicle?

23 A No. I was in a black Carry-All Ford. Ramiro Perez,  
24 my colleague, was driving, and I was on the right side.

25 Q Which automobile went first?

1 A Fonseca Carrillo's Grand Marquis.

2 Q When you arrived at the hotel what did all of these  
3 automobiles do?

4 A We stopped before the entrance on the side street to  
5 Lopez Mateos Avenue.

6 Q What happened then?

7 A Ernesto Fonseca got out and I got out of the van to  
8 follow him and to provide security for him. Then there in  
9 the medium there was another person waiting.

10 Q What happened at that point?

11 A He interviewed the person, and the person was Jorge  
12 Garma. He is a Mexican army lieutenant colonel.

13 Q Where were you at this point?

14 A Two meters away guarding, watching out for Ernesto  
15 Fonseca.

16 Q Where were all of these other people who went with  
17 you?

18 A Samuel Ramirez-Razo ordered that we open up in a  
19 circle to protect all the points in the area.

20 Q Now, while Fonseca was talking to Jorge Garma could  
21 you hear what they are saying?

22 A Yes.

23 Q What did you hear?

24 A They greeted each other. And Jorge Garma said to the  
25 man, the gentleman, that the generals were about to arrive.

1 And Ernesto Fonseca said, "That's fine, please bring them."

2 Then later Fonseca made an about turn and I  
3 followed him.

4 Q Where did you go?

5 A We went into the facilities for parking at the  
6 American Motors Hotel.

7 MR. [REDACTED] Your Honor, may I ask permission for  
8 the witness to hold up the photographs of the hotel and  
9 indicate to the jury where they went.

10 THE COURT: No.

11 BY MR. [REDACTED]

12 Q When you went into the parking area what happened  
13 there?

14 A Mr. Felix Gallardo came out, and he spoke with Ernesto  
15 Fonseca and said that he had the rooms ready; and after  
16 that we went into the rooms in the hotel.

17 Q What rooms?

18 A There in back the suites, suites and a bedroom.

19 Q Now, what floor were these rooms on, the suite?

20 A The same area as the parking.

21 Q That's the first level?

22 A Yes.

23 Q How many doors were there into this suite?

24 A One door goes into the main room and the other one  
25 into the bedroom, the adjacent room. Once you go in, half

way along the wall that divides the rooms, there is another  
door.

Q So when you walked into the suites which door did you  
enter there?

A Through the left side, the main one.

Q How many doors were there into this suite?

A Can you repeat the question.

Q How many doors into this suite were there?

A There were two doors, the main ones and another door  
half way down.

Q As you walked into this suite through the left door  
what did you see?

A First I saw like the living room, reception area, and  
in the middle there was a bar and in the back a large  
bedroom and to the rear, to the right, the door to the  
bathroom.

Q Was there another room in this suite?

A Yes.

Q How did you get into that room?

A As you went into the suite, to the right side there  
was a door that communicated to the adjacent bedroom to the  
right.

Q Now when Ernesto Fonseca walked into this suite what  
did you do?

A Samuel Ramirez-Razo asked me to help him get some



1 things out of the Grand Marquis automobile.

2 Q What did he want you to help him with?

3 A To get some bottles of Cognac, cocaine, some  
4 cigarettes.

5 Q Did anyone else help you?

6 A Ramiro Perez-Arrellano. And then after that we went  
7 into the bedroom.

8 Q Which bedroom?

9 A To the main suite and I put the cognac, the bottles of  
10 cognac, on the bar and then I continued to the contiguous  
11 bedroom.

12 Q Now what did you see when you returned to the other  
13 bedroom?

14 A Vasquez-Velasco, the Freeland, was in there and the  
15 Italian.

16 Q What were they doing?

17 A And Ramiro Perez-Arrellano they were already preparing  
18 base cigarettes.

19 Q What was your job?

20 A I had to be watching to make sure none of the guys  
21 approached, and at the same time taking some chairs from  
22 the room into the adjacent room, and Samuel Ramirez had  
23 told me to put up ice buckets with ice and glasses for the  
24 people they were awaiting.

25 Q Now did you see anyone else in this main room at any

1 time?

2 A Yes.

3 Q Who?

4 A I saw Rafael Caro-Quintero arrive, along with Paco  
5 Tajeda, Juan Jose Contreras-Subias, Miguel Juarez-Medina,  
6 the Phantom. The phantom is a different person. And Amado  
7 Beltran. Manuel Salcido-Uzueta.

8 Q Is that Cochiloco?

9 A Yes.

10 A Sergio Salcido-Uzueta, and General Arevalo Gardoqui.

11 Q Let me stop you there for a moment, Mr. Godoy.

12 At the time that you knew Caro-Quintero did he  
13 have a mustache?

14 A Yes.

15 Q I would ask you to look at just below that photograph  
16 of the hotel, at what has been marked as Exhibit 173.

17 A Yes.

18 Q Do you recognize that photograph?

19 A Yes.

20 Q Who is that?

21 A Rafael Caro-Quintero.

22 MR. [REDACTED]: Move the admission of 173, Your  
23 Honor.

24 THE COURT: It may be admitted.

25 (Exhibit 173 received in evidence)

1 BY MR. [REDACTED]

2 Q Where were you when Arevalo Gardoqui arrived?

3 A I was at the entrance to the other contiguous room.

4 Q Did he arrive with anyone else?

5 A With General Santoyo-Feria, Jorge Garma, and some  
6 other military people.

7 Q Did you see anyone else arrive?

8 A Yes. Ruben Zuno-Arce with Miguel Aldana.

9 Q I would ask you to look at what has been marked  
10 Exhibit 109.

11 A That's Mr. Miguel Aldana-Ibarra. He was at that time  
12 Interpol Chief.

13 Q And did you see anyone else arrive?

14 A Mr. Enrique Alvarez del Castillo, with Benjamin Ochoa,  
15 Mr. Manuel Bartlett-Diaz, with Sergio Espino-Verdin.

16 Q Mr. Godoy, would you look at what has been marked as  
17 Exhibit 129.

18 A That's Mr. Enrique Alvarez del Castillo.

19 MR. [REDACTED] Move the admission of 129 and also  
20 109.

21 THE COURT: All right. They may be admitted.

22 (Exhibit 109 and 129 received in evidence)

23 BY MR. [REDACTED]

24 Q Now, you mentioned an individual named Manuel  
25 Bartlett-Diaz?

1 A Yes. He was then minister of the home office or  
2 office of the interior.

3 Q How did you recognize him?

4 A Because previously we had seen him on the TV news and  
5 in the newspapers.

6 Q I'd ask you to look at what has been marked Exhibit  
7 134, if you would.

8 A That's the gentleman Manuel Bartlett-Diaz.

9 MR. [REDACTED]: Move the admission of 134, Your  
10 Honor.

11 THE COURT: It may be admitted.

12 (Exhibit 134 received in evidence)

13 BY MR. [REDACTED]

14 Q What else did you see?

15 A Another person who was known as the black one, El  
16 Negro.

17 Q I would ask you to look at what has been marked as  
18 Exhibit 106. Do you recognize that exhibit?

19 A Yes.

20 Q Who is that?

21 A El Negro.

22 MR. [REDACTED]: Move the admission of 106.

23 THE COURT: It may be admitted.

24 (Exhibit 106 received in evidence)

25 BY MR. [REDACTED]

1 Q Were you able to hear what these people said while  
2 they were in the room?

3 A Yes.

4 Q And what was your job at this point?

5 A I was supposed to be taking care of everybody.

6 Q Where did you situate yourself?

7 A By the door in the middle which interconnects the two  
8 rooms.

9 Q Did all of these people have a meeting?

10 A Yes, inside and there were others outside.

11 Q Do you recall anything that was said at this meeting?

12 A The drug traffickers started to argue and to ask  
13 Ernesto Fonseca-Carrillo and Rafael Caro and they were  
14 asking Miguel Aldana what was going on with the D.E.A.  
15 agent, why they were losing so many fields, and they  
16 weren't respecting all of that money that they were giving  
17 them.

18 They said to Aldana, "Have you already talked to  
19 the D.E.A. person?"

20 And Aldana answered that he had gone to speak with  
21 him, but that he didn't want to accept the deal. He didn't  
22 want any deal with the drug traffickers..

23 And then Ruben Zuno-Arce said that if the D.E.A.  
24 agent didn't want to take anything or didn't want any deal  
25 then it was time to drop him.

1 Q Excuse me, Mr. Godoy. What did you understand that to  
2 mean?

3 A That would be to kidnap him and to kill him.

4 Q Now, did you hear anything else that was said at this  
5 meeting?

6 A Mr. Manuel Bartlett-Diaz, he was telling the drug  
7 traffickers that a solution would have to be made, found  
8 very soon, because he was going to be politically affected.

9 And Mr. Enrique Alvarez del Castillo, as governor  
10 of the State of Jalisco, said that the solution had to be  
11 quick, otherwise they were going to discover all the  
12 support he was giving to the drug traffickers in the State  
13 of Jalisco.

14 And Mr. Arevalo Gardoqui said, "I can't do  
15 anything. I have to do what my job is. I had to continue  
16 to destroy the fields because I had a lot of pressure from  
17 the United States and from the D.E.A. people here.

18 Manuel Bartlett-Diaz then spoke again, and he said  
19 that the solution would have to be quick because they were  
20 going to discover that he was signing the interior  
21 department credentials that the drug traffickers were  
22 carrying. And that if this came to light, it was going to  
23 affect his candidacy to the government of Mexico.

24 Q At some point did you leave these rooms?

25 A Yes, because the situation in there was getting very

1 hot. They were all arguing and getting together to  
2 conspire.

3 And Samuel Ramirez-Razo and then he saw me there  
4 and then he asked me to go outside and to check on all of  
5 the guards and all of their positions to make sure they  
6 maintained them and they remained alert.

7 Q Did you do that?

8 A Yes, I did.

9 Q And did you speak with anyone out there?

10 A Yes, I did. I greeted the director of the judicial  
11 police, Mr. Carlos Aceves and Commander Gabriel  
12 Gonzales-Gonzales, and the special address state  
13 prosecutors, Edgar Levi Gallardo, Armando Cuellar, Jorge  
14 Larios. They asked me what is going on inside. And I told  
15 them that the money wasn't sufficient for the protection of  
16 the fields.

17 Q At some point, Mr. Godoy, did you see the people who  
18 were inside this meeting leave?

19 A Yes.

20 Q How long, approximately, did that meeting last?

21 A Between 45 minutes and an hour until I left.

22 Q Had you ever heard of the D.E.A. at the time of this  
23 meeting?

24 A No.

25 THE COURT: You've answered the question.

1 BY MR. [REDACTED]:

2 Q Did you make any efforts to find out what it was?

3 A Yes. I asked Samuel Ramirez-Razo.

4 Q Did he tell you what it was?

5 A Yes. I asked him what is the D.E.A., and Samuel  
6 Ramirez-Razo answered that it was an agency to combat drugs  
7 similar to the F.B.I. and the C.I.A., as an example.

8 Q Now, did you ever attend or see another meeting at  
9 which the D.E.A. was discussed?

10 A Yes.

11 Q And when was the next such meeting?

12 A At one of Ernesto Fonseca's houses.

13 Q And how can you identify this house?

14 A It was near Mar-Mara and Jardines Del Country.

15 Q I'd ask you to look at what has been marked Exhibit  
16 135.

17 A Yes.

18 Q Do you recognize that?

19 A Yes. That's the Mar-Mara house.

20 Q The one you've just described?

21 A Yes.

22 Q What happened at this house?

23 A We had already been there for about two days, and  
24 Rafael Caro-Quintero had arrived that day, and Javier Barba  
25 and Abelardo, the engineer.



1 Q May I ask when was this in relation to the meeting at  
2 the hotel?

3 A About two weeks.

4 Q Afterwards?

5 A Yes.

6 Q So what happened?

7 A Then when all the drug traffickers were there meeting.  
8 They ordered us to go into the rooms or into the kitchen  
9 because some people were going to arrive whom they didn't  
10 want us to see.

11 Q Where did you go then?

12 A To the kitchen.

13 Q Even though you were in the kitchen were you able to  
14 see other parts of the house?

15 A Yes. I could see the entry from the right side, and  
16 to the left I can see the living room and the study.

17 Q How was it you were able to see these places from the  
18 kitchen?

19 A In the kitchen there is a swinging door with a round  
20 glass window. And through there I could see to one side  
21 and to another.

22 Q Now were there any other people in the kitchen with  
23 you?

24 A Yes.

25 Q Who?

000200

1 A Ernesto Piliado-Garza, Juan Bernabe, Rene Lopez,  
2 Guadalupe Lopez-Hernandez, the petunia, and some other  
3 colleagues.

4 Q And you mentioned there was a living room and a study.  
5 What was the configuration of those rooms?

6 A To the left is a living room and adjacent to that the  
7 study. But the whole area is together connected by granite  
8 passageway.

9 Q While you were in the kitchen did you see anyone else  
10 arrive at the house?

11 A Several other people arrive.

12 Q Who?

13 A Enrique Alvarez del Castillo, Mr. Ruben Zuno, Carlos  
14 Hernandez, and Commander Gabriel Gonzales-Gonzales,  
15 Commander Jose Maria Carlos-Ochoa, Francisco Ramos-Ramos,  
16 and the special dressed public prosecutors, and Edgar Levi  
17 Gallardo, Armando Cuellar-Lopez, and Jorge Larios-Valencia,  
18 and other people I don't remember.

19 Q Where did these people go, if you could tell?

20 A To the area of the living room.

21 Q While they were there and you were in the kitchen  
22 could you overhear anything that was said in the living  
23 room?

24 A Yes.

25 Q What was it you heard?

000201

1 A Rafael Caro-Quintero asked Enrique Alvarez del  
2 Castillo whether they already had all the information about  
3 the D.E.A. And Alvarez del Castillo answered, "I already  
4 have my people working."

5 Caro-Quintero got angry. He got very angry and  
6 said, "Give me all of the information about these people  
7 very soon so I can solve this problem with these D.E.A.  
8 people."

9 And the governor seemed to be affected and Rafael  
10 continued to pressure him, asking him for all the data.

11 And Mr. Zuno said, "Calm down, Rafael. Can't you  
12 see that the governor is already getting us all of the  
13 information. This operation has to be done properly and  
14 calm, and it has to be properly planned so that everything  
15 works out properly."

16 And then after that, Ernesto Fonseca, seeing how  
17 the situation had gotten so heated up, he said to Samuel  
18 Ramirez-Razo, "Please hand me the present that we have for  
19 the governor." It was an AK47. It was gold colored and  
20 engraved.

21 Q Had you ever seen this gun before?

22 A Etched.

23 Q Had you ever seen this gun before?

24 A Yes.

25 Q When?

1 A When the brother-in-law of Ernesto Fonseca had  
2 delivered that weapon to Ernesto Fonseca at another time,  
3 because the brother-in-law was in charge of plating them in  
4 gold and in silver and doing the engraving. And Ernesto  
5 Fonseca saw this too pacify the situation. He gave that  
6 present to the governor.

7 At that time when he was handing it to him, Rafael  
8 Caro-Quintero went into the kitchen. Then when we saw him  
9 returning, we retreated from the kitchen so that he  
10 wouldn't see that we were there seeing what was going on.

11 And Rafael came in very angry. He said, and he  
12 was shouting saying, "I don't want to become famous. This  
13 is going to be a very difficult fight. And I'd rather you  
14 guys become the famous ones because I'm under a lot of  
15 pressure."

16 Q What happened then?

17 A Then we noticed that all the people who had been there  
18 were leaving, and Enrique Alvarez del Castillo put on the  
19 AK47 on his right side, and then he left there.

20 And then when all of the people had left and only  
21 the drug traffickers were left, Rafael Caro left and went  
22 towards the living room where the group of drug traffickers  
23 were. And after that I went out to the parking area.  
24 Then I don't know anything else about what happened inside  
25 there.

000203

(44)

**TAB 44**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 827 - 841**

(44)

1 Godoy."

2 He said, "Well, get in touch with him. It's  
3 urgent because the El Bufalo has already gone down. The  
4 army has already arrived. They made many arrests."

5 And the phantom had managed to leave, and that's  
6 the way he managed to speak on the phone. Later I got on  
7 the walkie-talkie to Sammy, and I asked him to call me on  
8 the phone to the aqueduct camp and he did.

9 Then when he called me I told him about the  
10 Phantom calling from the Bufalo in Chihuahua. And I said  
11 it was worth nothing.

12 Q Now, Mr. Godoy, let me draw your attention to what has  
13 been marked Exhibit 172.

14 A Yes.

15 Q Do you recognize that?

16 A It's the Quinta at Tonalá. It belongs to Javier  
17 Barba.

18 Q Did you ever attend a meeting at that location in  
19 relation to the D.E.A.?

20 A Yes.

21 Q When did that occur?

22 A Around the end of October of 1984.

23 Q And did any other people go with you to that location?

24 A Yes.

25 Q Who?

1 A Ernesto Fonseca; Samuel Ramirez-Razo; Ramiro  
2 Perez-Arrellano; Rene Lopez; Jose Guadalupe Valencia; Jorge  
3 Fonseca-Urbe, El Gueron; Roberto Zepeda; Rene  
4 Lopez-Romero; Juan Bernabe; and El Primo; Antonio  
5 Vasquez-Velasco, the Freelander; and several other  
6 colleagues.

7 Q How many cars went to this location?

8 A We were in three cars, vehicles.

9 Q Now when you got to this location how did you enter  
10 it?

11 A We went through a side entry to the Quinta.

12 Q Let me stop you there. Would you please look at what  
13 has been marked as Exhibit 137.

14 A Yes.

15 Q And do you recognize that?

16 A Yes. It's La Quinta de Tonalá belonging to Javier  
17 Barba.

18 MR. [REDACTED]: Your Honor, I would move the  
19 admission of this exhibit and the prior one, 137 and 172.

20 THE COURT: They may be admitted.

21 (Exhibits 137 and 172 received in evidence)

22 MR. [REDACTED] May the witness step down from the  
23 stand for a moment to indicate various places on the  
24 photograph that he may be talking about.

25 THE COURT: Yes.

1 BY MR. [REDACTED]

2 Q Mr. Godoy, would you please step over to the  
3 photograph.

4 Could you please indicate with your hand what this  
5 property consists of.

6 A This is the main entry from Tonalá Avenue  
7 (indicating). This is the side entry to the left  
8 (indicating), and we went in here through this large door.  
9 Here he had cattle. He had Brahma bulls. And at that  
10 time this area was in construction. Ernesto Fonseca with  
11 his Grand Marquis car stopped here. And we in the  
12 Carry-Alls, the one I was going in, the black one, we  
13 stopped here on this left side (indicating), and the other  
14 Carry-All van stopped behind us.

15 Ernesto Fonseca and Samuel got out. Here at the  
16 entrance Javier Barba was already waiting with Vasquez  
17 Velasco, the Freelander, and the Italian. After that they  
18 greeted one another, and I personally greeted Javier Barba  
19 and the Freelander.

20 At that time, the doors were still opened because,  
21 as I said, they were building there and then another Grand  
22 Marquis came in and it stopped behind the Senor's car.

23 Mr. Ruben Zuno-Arce came out of the rear Grand  
24 Marquis with Miguel Aldana and after that they greeted one  
25 another. And they headed along the left side here

000207



1 (indicating).

2 And Samuel Ramirez-Razo ordered the other people  
3 in the group to go to the game room. There were pool  
4 tables there and also little toy football games. And there  
5 was a large bar with many drinks.

6 And Samuel Ramirez asked me to help him with a  
7 briefcase. Then we walked behind the group of Javier Barba  
8 and Ernesto Fonseca, Ruben Zuno-Arce and Miguel Aldana.

9 Here is the room where Javier Barba slept  
10 (indicating). And right next to it there is a large room,  
11 and next to it another room. And then there was another  
12 room there where you could play handball, a handball court.

13 Q Mr. Godoy, you can return to the seat now.

14 Now what was it you did when you entered this  
15 house?

16 A I went to Samuel Ramirez-Razo carrying a briefcase.  
17 We went through the living room and into the adjacent room.

18 Q What was in this briefcase?

19 A Cocaine and cigarettes and a modica for preparing  
20 base.

21 Q What is "base"?

22 A Base is a cocaine derivative, derivative which you mix  
23 with a cigarette, with tobacco, and it is smoked.

24 Q So what happened next?

25 A Samuel Ramirez-Razo asked me to remain there with

1 vasquez Velasco, the Freelandier.

2 Q Where was it he asked you to remain?

3 A To a room that was adjacent to the living room.

4 Q What were you suppose to do there?

5 A I was going to be guarding the cocaine to make sure  
6 that no one stole it, with Vasquez Velasco and the Italian.

7 And then Samuel Ramirez went out into the living  
8 room. Then I noticed for a couple of minutes that they  
9 were in there preparing the cigarettes and since before the  
10 Italian and I had -- there had been some friction between  
11 the Italian and myself before.

12 Q What happened?

13 A The Italian said, "What the fuck are you doing here?  
14 That's Javier Barba's house." He said, "Get out of here."

15 Q What did you do?

16 A Then I picked up the briefcase with the cocaine and  
17 said, "Excuse me," and left.

18 Then I went into the living room where Samuel  
19 Ramirez-Razo and Ernesto Fonseca were and Ruben Zuno, then  
20 after I was inside the room, I saw Mr. Bartlett-Diaz and  
21 Sergio Espino-Verdin and Enrique Alvarez del Castillo.

22 Q Then what happened?

23 A There they were arguing about what had happened with  
24 the people from the D.E.A.

25 Q What were you doing?

000209

1 A Samuel ordered me -- while I told Samuel that the  
2 Italian had thrown me out of the room. He said, "Stay here  
3 at the door to make sure that the other guys don't  
4 approach."

5 And in the middle there is a garden and there was  
6 a gardener there who was cutting the grass and he didn't  
7 want him to approach either so that he wouldn't listen to  
8 what they were talking about.

9 At that time I heard Rafael Caro-Quintero, he  
10 said, "What is happening with that dick of the D.E.A.? Why  
11 hadn't he gotten all of the data, all of the information."

12 Q Who was he talking to?

13 A Miguel Aldana. The whole group that was present there  
14 was talking.

15 Q Did you hear anything else?

16 A I heard Ruben Zuno say, "That fucking Gringo. What is  
17 he doing here in Mexico? It's not his fucking country. We  
18 have to pick him up."

19 And also Enrique Alvarez del Castillo was arguing  
20 for a prompt solution. At that time everybody was getting  
21 high drinking and smoking base cigarettes.

22 The Italian went out and bought a pack of  
23 cigarettes and he said, "What the fuck are you doing here?"  
24 He said, "Go away from here."

25 Q He was talking to you?

1 A Yes. And Samuel Ramirez-Razo heard that. He says,  
2 "you better go there where the guys are and tell them to  
3 just remain there alert."

4 So then I went over to the game room where they  
5 were playing pool and I saw the guys there and they said,  
6 "What is going on?" I told them the same thing about the  
7 D.E.A.

8 Q How long did you stay there?

9 A We were there for about 40 minutes.

10 Q And did you see anybody leave?

11 A All of the politicians who arrived left. From the  
12 game room they have some large windows and from there you  
13 have perfect vision to see outside.

14 Q Did you attend any other meetings at which the D.E.A.  
15 was discussed?

16 A Yes.

17 Q When was the next occasion?

18 A At the beginning of the month of December.

19 Q And did anyone else go with you to this meeting?

20 A Yes. We were at one of Ernesto Fonseca's houses over  
21 by the Loma Bonita Apartments, and then Samuel and Ernesto  
22 Fonseca came out and said, "Godoy, come along with us."  
23 And the rest of the groups in the vans.

24 So then I got into the Grand Marquis with them and  
25 we left. Then at that time Samuel on the walkie-talkie was

1 talking with -- he was asking where was the meeting to be?  
2 was it going to be at the Tonalá estate?

3 And he said, "No, it's going to be at the office,  
4 before you arrive at the Tonalá estate."

5 Then heading along the road towards Tonalá, Samuel  
6 pulled over and stopped and he said to the others guys and  
7 the other cars to wait right there and to be very alert and  
8 ready and from there we left.

9 Then we arrived at a large gate, and Samuel  
10 Ramirez hit the horn and then someone who was wearing a  
11 little cap opened up the big doors and he had a rifle and a  
12 pistol and we went inside.

13 Q Let me stop you there for a moment. I'd ask you to  
14 look at a photograph that's been marked 139A. Do you  
15 recognize that?

16 A Yes. That's the office. It's there on the street of  
17 Felice Avenue (phonetic) and the highway to Tonalá.

18 Q That's the house, the location you've just been  
19 describing?

20 A Yes. It was Javier Barba's house.

21 Q All right. And I'd like you to look at the photograph  
22 that has been marked 164. Do you recognize that  
23 individual?

24 A Yes. He has a sunken forehead. He was the person who  
25 opened the door to us.

1 Q Had you known him before this occasion?

2 A Yes.

3 Q How so?

4 A He was on the anti riot detail facing our office.  
5 once we had a problem at a restaurant, he and I.

6 Q Now, I'd also like you to look at what has been marked  
7 as Exhibit 171. Does that photograph mean anything to you?

8 A Yes.

9 Q What does it depict?

10 A The office and the Quinta.

11 MR. [REDACTED] Move the admission of this  
12 photograph, Your Honor, and ask permission for the witness  
13 to step down from the stand and indicate to the jury where  
14 on this photograph the office is and where the Quinta is.

15 THE COURT: You may do so.

16 THE WITNESS: This is the highway to Tonalá.  
17 And this is the Felice Avenue. This is the office which is  
18 a block away from the Quinta. Both belong to Javier Barba.

19 BY MR. [REDACTED]:

20 Q You may return to the stand.

21 After you entered the gate at this location, what  
22 did you do?

23 A The Senor got out and Samuel Ramirez and I, too,  
24 behind them. Then we entered towards the house and Samuel  
25 Razo with his hand indicated that I should wait. And I

1 stopped at the entrance. And at that time I heard that  
2 another car was sounding its horn at the door. They opened  
3 up and another white Grand Marquis with darkened windows  
4 came. And Benjamin Locheo was driving.

5 And on the other side Enrique Alvarez del  
6 Castillo, the governor, quickly alighted.

7 Q And what happened that you saw?

8 A He came out and ran in very fast or almost running and  
9 shouting.

10 Q Where were you?

11 A There at the door, I had to move to one side so he  
12 could go in.

13 Q Was anyone in this room that he was entering?

14 A There were quite a few people there already.

15 Q Anyone you can recall?

16 A Ralph Caro-Quintero, Mr. Ruben Zuno, Miguel Aldana,  
17 Manuel Salcido-Uzueta, Juan Gilberto Hernandez-Parra,  
18 Miguel Aldana, and other people who were inside there.

19 Q Were you able to hear what Enrique Alvarez del  
20 Castillo said as he went past you?

21 A He went in shouting: Couldn't they handle that  
22 fucking Gringo? If not, that he would have to do  
23 everything.

24 Q Did you hear anything else?

25 A He was addressing rather Rafael Caro-Quintero. And

1 Rafael answered, "You can see, sir, that we are already  
2 working. You already saw that we shot at a D.E.A. car and  
3 it escaped."

4 Q What else happened, if anything?

5 A Then after that Ruben Zuno-Arce, because then there  
6 was more discussion, and Miguel Aldana what asking what was  
7 happening with the information, why didn't they have the  
8 information.

9 THE COURT: Question.

10 BY MR. [REDACTED]

11 Q Did anyone else say anything that you heard?

12 A Then at that point they were all kind of high and they  
13 all wanted to pick up the people from the D.E.A., and I  
14 preferred to get away from there, everything was heating up  
15 quite a bit. They were very nervous, very angry.

16 Then Ernesto Fonseca and Samuel Ramirez-Razo came  
17 out and we got into the Grand Marquis and we left, and we  
18 went over to where our colleagues were standing and then on  
19 the walkie-talkies he said "follow us." Then we went up to  
20 the central market.

21 Q Now, Mr. Godoy, at some point did you stop working for  
22 the Fonseca organization?

23 A Yes.

24 Q About when was that?

25 A At the beginning of the month of December, more or



1 less right after that meeting.

2 Q What was it that you did?

3 A I left them and went to the town of San Juan de Los  
4 Lagos.

5 Q Did you have medical problems?

6 A Yes, my back.

7 Q What were you doing about those?

8 A We were at the Loma Bonita apartments and Dr. Altonio  
9 Fonseca saw that I was hurting. He took me to a doctor to  
10 check me out and to after that take medicine.

11 Q Now, how long did you stay in San Juan de Los Lagos?

12 A Through Christmas and New Years.

13 Q And then where did you go?

14 A I returned to my home in Guadalajara.

15 Q And how long did you stay there?

16 A Almost the whole month of January.

17 Q Did there come a time when you got back in touch with  
18 the Fonseca group?

19 A Yes.

20 Q Why?

21 A Cause I needed money. I had no means of support any  
22 more.

23 Q What was it that you did to get back in touch with  
24 them?

25 A I called Ernesto Piliado-Garza, and I asked them if

1 they had given their Christmas and New Years' money. He  
2 said they had. He said if you like, why don't you come  
3 over and we'll talk to Senor and see if they give you  
4 something, since I needed money for my chiropractic  
5 treatments for my back.

6 Q So did you go back?

7 A Yes. Around the end of January of 1985.

8 Q Did you meet with Ernesto Fonseca at that time?

9 A That day I did, in the morning.

10 Q What did he tell you to do?

11 A I just arrived and greeted and he greeted me and he  
12 said he'll be with me in a moment. And then I went out to  
13 the parking area at the Loma Bonita apartments. Then after  
14 that they came out and Ernesto Rafael and Samuel  
15 Ramirez-Razo.

16 Q When you refer to Ernesto Rafael is that Ernesto  
17 Fonseca?

18 A Yes. His whole name is Ernesto Rafael  
19 Fonseca-Carrillo.

20 Q And then what happened?

21 A They ordered us into the cars and that we should  
22 follow them. So we left the Loma Bonita apartments and  
23 headed along Lopez Matoes to arrive at the La Langosta  
24 Restaurant.

25 Q I'd ask you to look at what has been marked as Exhibit

1 138. Do you recognize that photograph?

2 A Those are Loma Bonita.

3 Q I'd like you to look at Exhibit 140A.

4 A That's La Langosta.

5 Q Had you ever been to this restaurant on prior  
6 occasions?

7 A Yes. I had gone to pick up seafood for Ernesto  
8 Fonseca and after that we had gone there to eat there with  
9 Ernesto Fonseca.

10 Q When you arrived on this occasion that you are  
11 describing, what happened?

12 A We arrived and went inside; and as we entered, Ernesto  
13 Fonseca went over to the right side table and he said that  
14 all of us could have something to eat and something to  
15 drink. And Ernesto asked the person in charge of the  
16 restaurant whether Caro had arrived. He said he'd be there  
17 presently.

18 Then a little while Rafael Caro showed up with all  
19 of his retinue of guards.

20 Q And where were you while this was happening?

21 A I was at the bar by the entrance.

22 Q What kind of doors did this restaurant have?

23 A The short, swinging doors, the ones that open out to  
24 the side.

25 Q Did you see anyone else arrive while you were there?

1 A Javier Barba with Eleseo Vasquez-Velasco, the  
2 Freelander.

3 Q Do you know an individual named Javier  
4 Vasquez-Velasco?

5 A He was from that same Freelander group.

6 Q Was he present also?

7 A Yes.

8 Q What else happened?

9 A After that, Ruben Zuno arrived with another person. I  
10 don't remember who it was.

11 Q What did he do?

12 A Then he sat down there with Ernesto Fonseca, Rafael  
13 Caro-Quintero and Javier Barba and Eleseo Vasquez-Velasco,  
14 and Mr. Zuno was serving them. He was bringing them some  
15 Pacifico beers.

16 Q And Eliseo Vasquez did he do something at this point?

17 A Yes. He very cordially greeted with Zuno.

18 THE COURT: We will take our morning recess at  
19 this time.

20 (Recess had)

21 THE COURT: Proceed.

22 BY MR. [REDACTED]

23 Q Mr. Godoy, after this meeting at the La Langosta  
24 Restaurant did you return to your house?

25 A Yes.

(45)

**TAB 45**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 846 - 849**

(45)

1 with him. We were all very coward. And then eventually he  
2 was talking to each one of us, him and Javier Barba, to ask  
3 us if there was one who was pointing the finger inside.

4 And they asked me who among the group of my  
5 colleagues was the one. And if I point to someone, he was  
6 going to order him to be killed.

7 And what Ernesto Fonseca wanted to do is for us to  
8 fight among the group because he was so an angry that none  
9 of us wanted to go with him to fight against the D.E.A.  
10 agents.

11 Q Mr. Godoy, at some point did you and the group go to  
12 Puerto Vallarta?

13 A Yes, beginning of April 1985.

14 Q Where did you stay there?

15 A In a house that belonged to Candalario Ramos. And in  
16 front of the Sheraton.

17 Q At any point during the time that you went back  
18 finally to Ernesto Fonseca's group did you see him  
19 listening to any tapes?

20 A Yes. Except that at the time he saw us, we would  
21 approach him, he would turn off the recorder. Eventually  
22 at Puerto Vallarta at the house where we were at the  
23 gentleman was rather drunk, and I had to go to his bedroom  
24 to take a lamp, and I managed to hear what the cassette was  
25 saying. It was the voice of Espino-Verdin and Agent

1 Enrique Camarena.

2 The agent was telling him, "Please, don't torture  
3 me any more. Let me go and there won't be any problem."

4 And Espino-Verdin would tell him, "Nothing else is  
5 going to happen to you. We are going to let you go home."  
6 But you could also hear the moaning as if he was being  
7 beaten. And he was asking them with a broken voice to  
8 please not torture him any more.

9 MR. [REDACTED]: Objection, Your Honor, the  
10 transcription speaks for itself.

11 THE COURT: Well --

12 MR. [REDACTED]: We will move on, Your Honor.

13 THE COURT: Yes.

14 BY MR. [REDACTED]

15 Q How many times did you hear these tapes, Mr. Godoy?

16 A I had heard them before but only like whispering and  
17 at that time in Puerto Vallarta was when I managed to hear  
18 that portion that I just explained.

19 Q Were you arrested in Puerto Vallarta?

20 A Yes.

21 Q Was the rest of the group arrested as well?

22 A Yes, but one was missing. He had escaped from there.

23 Q Who was that?

24 A Rene Lopez-Romero.

25 Q How was it that you and the group came to be arrested

1 in Puerto Vallarta?

2 A It was because other colleagues were drunk and they  
3 had some problems with other people in Puerto Vallarta.  
4 Then the Federal Security who was with us Rafael Ruiz  
5 Velasco, Jorge Salazar and Eleseo Martinez, went to see the  
6 colleagues that had had a fight and took them home. Then  
7 we found ourselves surrounded by the agents of Federal  
8 Security and by the army.

9 Q At that point everyone was arrested?

10 A Yes. They made us turn ourselves in. Ernesto Fonseca  
11 said that everything was arranged, to give ourselves in,  
12 not to worry.

13 Q Now were charges filed against you to your knowledge?

14 A Three charges.

15 Q What were those?

16 A Carry guns, deleterious conduct, and import of  
17 prohibited weapons.

18 Q Were you put in prison?

19 A Yes.

20 Q When were you released?

21 A Around September 1987.

22 Q Were any of these charges dismissed at that time?

23 A Only carrying weapons and I was released on bail.

24 Q Now, did you get a job after you were released from  
25 prison?



1 A Brother-in-law and myself set up a restaurant.

2 Q How long did you have that job?

3 A Until the middle of 1991.

4 Q When did you come to the United States?

5 A End of August 1991.

6 Q Do you have an agreement with the government?

7 A They granted me immunity, protection for my family  
8 because it's logical in Mexico they wanted to kill me.

9 Also immigration because what I am doing now is being taken  
10 in Mexico as our governors over there they do whatever they  
11 please. And in Mexico it is prohibited that a person --

12 MR. [REDACTED] Move to strike as non responsive.

13 THE COURT: Sustained. State another question.

14 BY MR. [REDACTED]:

15 Q Are you receiving any money from the government?

16 A Yes.

17 Q How much?

18 A \$3,000.

19 Q How often?

20 A Every month.

21 Q Do you have any understanding as to how long that will  
22 continue?

23 A No, I don't know.

24 MR. [REDACTED]: May I have just a moment, Your

25 Honor. (Pause). Nothing further at this time. Thank you.

(46)

**TAB 46**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 853 - 858**

(46)

1 A No.

2 Q You were arrested in Puerto Vallarta about April 5th  
3 of 1985; is that correct?

4 A Yes.

5 Q And you were questioned at that time about your  
6 knowledge of the Enrique Camarena kidnapping; isn't that  
7 correct?

8 A No.

9 Q Weren't you asked questions, sir, at that time about  
10 whether or not you had any knowledge about how the  
11 kidnapping came about?

12 A No.

13 Q At or about April of 1985, didn't you give a statement  
14 to the Mexican authorities at the time of your arrest?

15 A They made me sign a paper blindfolded, and they would  
16 just put my fingers on the pages where I was supposed to  
17 sign.

18 Q I place before you, sir --

19 MR. [REDACTED] I'm sorry. Ms. Reporter, could you  
20 please place in front of the witness --

21 THE COURT: You may hand it to the clerk.

22 MR. [REDACTED] Yes, sir. May I approach?

23 THE COURT: Have you marked that for  
24 identification?

25 MR. [REDACTED]: It's been marked, sir. It's marked

1 as 404.

2 (Exhibit 404 marked for identification)

3 BY MR. [REDACTED]:

4 Q I place before you, sir, what has been marked as 404,  
5 and I direct your attention to the page and pages that I  
6 have in front of you. You see in the upper right-hand  
7 corner 6511?

8 A Yes.

9 Q Now, is this the statement that you claim was placed  
10 in front of you when you were blindfolded and you signed  
11 it?

12 A I don't know, because I never saw it, sir.

13 Q Do you remember being asked certain questions, Mr.  
14 Godoy, during the time of your arrest?

15 A Well, you see, since I was blindfolded and they were  
16 giving us a beating, torturing us, I lost consciousness,  
17 sir.

18 Q Well --

19 A They told me if I didn't sign those papers they would  
20 torture me again.

21 Q You remember now signing the papers?

22 A Yes.

23 Q Now, when you were questioned at that time, you told  
24 the people that were questioning you that you had worked as  
25 a bodyguard for Ernesto Fonseca; is that correct?

1 A They placed some papers in front of us.

2 Q My question to you, sir, is: Did you tell whoever  
3 questioned you, before any papers were placed in front of  
4 you, that you worked as a bodyguard for Ernesto Fonseca?

5 A I don't remember if they asked me, sir, because my  
6 state was not very well at that time.

7 Q Would you look at the statement and the top three or  
8 four or five lines, or wherever you want to look at, and  
9 see if that refreshes you that you told the questioners  
10 that you had worked as a bodyguard for Ernesto Fonseca?

11 MR. [REDACTED] Objection. Lack of foundation, Your  
12 Honor. The witness hasn't seen the document. He doesn't  
13 remember what happened.

14 THE COURT: He may answer.

15 THE WITNESS: I don't remember, sir.

16 BY MR. [REDACTED]

17 Q Did you work as a Federal Judicial Police Officer for  
18 the State of Jalisco, sir?

19 A Yes.

20 Q During the month of July of 1984, were you dismissed  
21 from the police organization?

22 A We didn't show up there anymore.

23 Q Does that refresh you that you made that statement to  
24 whoever was questioning you, Mr. Godoy?

25 A Could you repeat the question, please.

1 Q Yes, sir. Let me ask another question, sir.

2 While you were working for the police, did you  
3 receive certain orders from Comandante Gabriel  
4 Gonzalez-Gonzalez to accompany Ernesto Fonseca on two  
5 occasions?

6 A No.

7 Q Didn't you tell us yesterday, sir, that you received  
8 certain orders to accompany Mr. Fonseca before you went to  
9 work for him full time?

10 A It was from Commander Jose Maria Carlos-Ochoa.

11 Q So Commander Ochoa gave you orders to go and work on  
12 two occasions for Ernesto Fonseca?

13 A Yes.

14 Q That was before you went to work for Fonseca on a  
15 permanent basis after you were dismissed from the police;  
16 is that correct?

17 A Can you repeat that again, please.

18 Q There were two occasions where you did this work for  
19 Ernesto Fonseca --

20 THE COURT: He's already answered that question.

21 MR. [REDACTED] All right, sir.

22 BY MR. [REDACTED]

23 Q Now, does that refresh you, sir, that you told these  
24 things to whoever was questioning you in April of '85?

25 A No, sir, because the people were beating me up, and

1 the various agents were asking me questions all at one  
2 time.

3 Q Well, were they beating you up, asking you to say that  
4 you were involved in the kidnapping?

5 A That was not to say because they killed Gabriel  
6 Gonzalez-Gonzalez. Gabriel Gonzalez-Gonzalez was pointing  
7 to the agents that we were all soiled, and that was the  
8 cause of the death given to Gonzalez-Gonzalez.

9 And they told me if I wanted to have the same  
10 thing happen to me that Gabriel Gonzalez-Gonzalez, then I  
11 knew what to say.

12 Q Well, what did you understand them to mean when they  
13 said you knew what to say?

14 A That I didn't have to say anything, sir, because if I  
15 were to say something and pointed a finger at someone, they  
16 were going to kill me the way they killed Gabriel  
17 Gonzalez-Gonzalez.

18 Q So they were beating you and asking you questions in  
19 the hopes that you wouldn't say anything; is that what you  
20 are saying?

21 A That's right, sir.

22 Q Did you say, "If you don't want me to say anything,  
23 why are you beating me?"

24 A That's right.

25 Q And what did they say?

1 A They went and took me to the building at Lope de  
2 Vega -- Lopez in Mexico.

3 Q Now, did you tell them on that occasion that you were  
4 a cocaine addict during this period of time, '84, '85?

5 A No. And we underwent tests there.

6 Q You did not say you were a cocaine addict?

7 THE COURT: He just answered. He just answered  
8 that question.

9 BY MR. [REDACTED]:

10 Q You took cocaine during 1984, didn't you, sir?

11 MR. [REDACTED]: Objection. Relevance.

12 THE COURT: Overruled.

13 THE WITNESS: No.

14 BY MR. [REDACTED]

15 Q Would you look, sir, about 20 lines up from the bottom  
16 of the page and see if that refreshes your recollection of  
17 was there any discussion about cocaine and your taking  
18 cocaine. I just approximate it. It's about 30 lines up.

19 MR. [REDACTED] Objection, Your Honor. The witness  
20 has not indicated that his memory needs to be refreshed.  
21 He denies that he --

22 THE COURT: The objection is sustained.

23 MR. [REDACTED] All right, sir.

24 BY MR. [REDACTED]

25 Q Did you tell the questioners at the time that because



(47)

**TAB 47**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 861 - 863**

47)

1 Q Yes, sir.

2 You've never told these questioners that Ruben  
3 Zuno had anything of any kind to do with the planning;  
4 isn't that true?

5 A Of no person.

6 Q My question is: Isn't it true that you did not tell  
7 them Ruben Zuno had anything of any kind to do with the  
8 kidnapping; is that correct, sir?

9 A I didn't say that.

10 Q You did not mention Ruben Zuno in any way, did you, as  
11 being involved in any way, did you, sir?

12 A Nor him nor the other politicians, sir.

13 Q How much did you earn with Ernesto Fonseca? How much  
14 money did he pay you when you were working for him?

15 A I don't know, sir.

16 Q You had a pretty good memory the last couple days.  
17 You don't remember what Mr. Fonseca paid you?

18 A Sometimes they would give us, and sometimes they  
19 wouldn't give us anything, sir.

20 Q Well, how much did he pay you in 1984?

21 A Sometimes they could give us a hundred dollars and  
22 sometimes they would give us \$50, and sometimes they  
23 wouldn't give us anything. Sometimes we had to request it.

24 Q What would you say you earned for the year 1984 from  
25 Mr. Fonseca? How much in U.S. dollars?

1 MR. [REDACTED] Objection. Lack of foundation as to  
2 the exchange rate.

3 THE COURT: Sustained.

4 BY MR. [REDACTED]

5 Q Do you know what the exchange rate is between the  
6 Mexican peso and the U.S. dollar in 1984?

7 A It devaluated many times, sir. I don't remember it.

8 Q How much were you paid in pesos by Mr. Fonseca's in  
9 1984?

10 A The maximum they ever gave me was 100,000 pesos, sir.

11 Q You were released from custody in 1986?

12 A No.

13 Q When in 1987 were you released?

14 A In September.

15 Q What did you make in all of 1988, earnings?

16 A Over there, sir, I only earned for the expenses of my  
17 family.

18 Q Well, in 1988, could you tell me the total amount of  
19 money that you earned?

20 A Must have been some 500,000 pesos.

21 Q You earned from the D.E.A. in one year, from August 30  
22 of '89 to August of -- excuse me -- you earned -- you first  
23 went to the D.E.A. in August of '91?

24 A Yes, at the end.

25 Q And you earned in one year from the D.E.A. about

1 \$60,000 U.S.; isn't that right?

2 A I didn't know that, sir.

3 Q You do know you earned more than you ever made in your  
4 life, don't you?

5 A Possibly.

6 Q Not possibly. You earned more than by many times then  
7 you ever made in your life; isn't that true, Mr. Godoy?

8 MR. [REDACTED]: Objection. Argumentative.

9 THE COURT: Sustained.

10 MR. [REDACTED] Is this a convenient time for a  
11 break, Your Honor.

12 THE COURT: We will take our noon recess at this  
13 time. Let me remind the jury not to discuss this case with  
14 each other or anyone else, not to form or express any  
15 opinion or conclusion about this case, not to read, watch,  
16 or hear anything about this case, and to avoid any and all  
17 contact with any people here in the courtroom that are  
18 involved in this trial. That means any contact, however  
19 trivial or slight, just avoid it, please.

20 Now, you may be excused.

21 THE CLERK: Please rise.

22 (Luncheon recess had)

23

24

25

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**TAB 48**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pg: 865**

48 )

1 I'm going to give this to the juror at the end of the day.

2 Summon the jury, please.

3 (Jury in.)

4 THE COURT: You may continue your  
5 cross-examination.

6 MR. [REDACTED] Thank you, Your Honor.

7 CROSS-EXAMINATION (Continued)

8 BY MR. [REDACTED]

9 Q Mr. Godoy, during the time you worked for Ernesto  
10 Fonseca, you knew him to be involved in the sale and  
11 trafficking of drugs; is that correct?

12 A Yes.

13 Q And the bribing of public officials?

14 A Yes, I did recognize so. Yes.

15 Q And you assisted him in every way he asked to  
16 accomplish those things; isn't that correct?

17 A Yes.

18 Q And you did that because you were getting paid and you  
19 did what you felt you had to do to get money?

20 A First, it was because he told me to from the office.  
21 Secondly, that if I didn't do it, they were going to kill  
22 me, just as they had killed other agents of the Judicial  
23 Police.

24 Q In your questioning by the Mexican authorities in  
25 April of 1985, you told the questioner, did you not, that

(49)

**TAB 49**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 869 - 870**

49

1 people around, and there were lots of words flying, and I  
2 didn't really understand.

3 Q But at that time, your statement was read to you;  
4 isn't that correct, Mr. Godoy?

5 A I recanted the statement and I said that it had been  
6 coerced.

7 Q Did you say at that time or any other time in court,  
8 that you had information about any kidnapping meetings?

9 A When they took me out there to make a statement, I  
10 never said that, because my preparatory statement was in  
11 the month of January of 1987, and the attorneys they had  
12 defending us just told us to sign.

13 Q Now, you were charged and convicted of certain  
14 criminal offenses when you were arrested with Mr. Fonseca;  
15 is that correct?

16 A Yes.

17 Q In July of 1991, some years later, is it true that you  
18 robbed a bank and a medical van?

19 THE INTERPRETER: And a what? A medical truck?

20 MR. [REDACTED] Medical van.

21 THE WITNESS: No, sir.

22 BY MR. [REDACTED]

23 Q Weren't you, to your knowledge, charged in Mexico in  
24 1991 for robbery?

25 A I was accused of several crimes, and they also forced



1 me to sign the statements. And it was the Federal  
2 Judicial Police themselves who had been pressuring me so  
3 that I would give them information, that I would tell them  
4 what I knew about the D.E.A. From there they took me to  
5 Guanajuato, and from Guanajuato I was requested to appear  
6 before the Attorney General of Jalisco.

7 Q Did you flee Mexico in July of 1991?

8 A I didn't flee. I was exonerated of the charges.

9 Q Did you leave Mexico in July of 1991?

10 A In July of '91?

11 Q Yes.

12 A In July of '91 was when I was in jail.

13 Q When did you first speak with anyone from the D.E.A.  
14 in this matter?

15 A Around the middle of August.

16 THE COURT: What year?

17 THE WITNESS: Of 1991.

18 BY MR. [REDACTED]:

19 Q Now, did you have a job in Mexico at that time?

20 A I was still working the restaurant, the hamburger and  
21 pizza restaurant in San Juan de Los Lagos.

22 Q You've told us that you knew for some years that Mr.  
23 Zuno had been charged with planning the kidnapping.

24 Did you call the D.E.A. in July of 1991 or did  
25 they contact you?

(50)

**TAB 50**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 909 - 914**

50

(Jury in.)

THE COURT: You may proceed.

BY MR. [REDACTED]

Q Mr. Godoy, did you tell the D.E.A. on April 7th of 1992, that the Las Americas meeting occurred around October or November of 1984?

A Yes.

Q Incidentally, the Mascota trip that you had talked about earlier, where you left at noon, about what time did you get from Mascota?

A The same, noon, sir.

Q You left around noon and what time did you return?

THE COURT: You mean arrived?

BY MR. [REDACTED]

Q Arrived back in Guadalajara?

A Around 10:00, 11:00 p.m.

Q Okay. Getting back to Las Americas meeting, is it your best recollection that the meeting occurred in November of 1984?

A It was from September to October, sir.

Q Were you incorrect when you told the D.E.A. it was October or November of 1984?

A Yes.

Q The second meeting that you testified about, the meeting at Ernesto Fonseca's home, you told the D.E.A. that

1 occurred in the latter part of November of 1984; is that  
2 correct?

3 A Yes.

4 Q Was that correct when you told them that?

5 A It was approximately.

6 Q The third meeting at Tonalá, you told the D.E.A. was  
7 late November or early December of 1984; is that right?

8 A Approximately.

9 Q And that was correct?

10 A More or less it was those dates.

11 Q And the last meeting, what we call the office meeting,  
12 you told the D.E.A. that was sometime later in December of  
13 '84?

14 A More or less it was at the beginning.

15 Q Of December of '84?

16 A Yes.

17 Q Isn't it true, sir, that you were not working for  
18 Ernesto Fonseca, according to your testimony today, in  
19 November or December or 1984 or January of 1985?

20 A Approximately.

21 Q And when were you home, as you told us you were,  
22 because of your bad back, during that period you did not  
23 work for Ernesto Fonseca, did you?

24 A No.

25 Q How long after the meeting at Tonalá did the meeting

1 at the office take place?

2 A It was sequentially, sir, maybe a week, a week and a  
3 half.

4 Q What differences were discussed in the meeting you  
5 claimed occurred a week later than was discussed a week  
6 earlier?

7 MR. [REDACTED] Objection. Calls for a narrative  
8 response, Your Honor. It's an ambiguous question.

9 THE COURT: Well, the witness may identify any  
10 differences that he observed in the one meeting from  
11 another with respect to what was discussed.

12 THE WITNESS: It was the same subject, the D.E.A.  
13 agent, sir.

14 BY MR. [REDACTED]

15 Q But could you observe from what was said, that you  
16 claim you heard if there was this fourth meeting, why it  
17 was necessary, what was it you claimed said that was  
18 different than what was said at the third meeting?

19 MR. CARLTON: Ambiguous. Speculation.

20 THE COURT: Sustained.

21 BY MR. [REDACTED]

22 Q Is it correct, sir, at this so-called office meeting,  
23 the last meeting that you say occurred in December, that  
24 Mr. Aldana said that he was -- strike that.

25 That Mr. Aldana said that he was trying to get the

1 information on who the D.E.A. agent was?

2 A Yes.

3 Q And Ernesto Fonseca, was he also saying he was trying  
4 to get the information on who the agent was?

5 A Could you repeat the question, please.

6 Q I will repeat it.

7 Did Alvarez del Castillo, according to you, say  
8 that he was working on getting the information who the  
9 agent was?

10 A No.

11 Q Did you tell the D.E.A. that Mr. Zuno said to  
12 Mr. Aldana, "Why haven't you provided them with details?"  
13 And Aldana said he had people working on trying to find out  
14 who the agent was?

15 MR. [REDACTED] Objection. Misstates the report, if  
16 that is what you are reading from.

17 THE COURT: Well, I don't know if that's what he's  
18 reading. That was the question. The witness may answer.

19 THE WITNESS: Would you repeat it again, please.

20 BY MR. [REDACTED]

21 Q Yes. And I direct your attention, sir, to --

22 THE COURT: Just ask the question.

23 MR. [REDACTED] Yes, sir.

24 BY MR. [REDACTED]

25 Q Did you tell the D.E.A. that Mr. Zuno was directing

1 his conversation to Mr. Aldana and said, "You, too, Aldana,  
2 why haven't you provided them with the correct details,"  
3 and that Aldana replied he already had some of his people  
4 working on trying to find who the agent was?

5 THE COURT: The question is: Did you make that  
6 statement to the D.E.A.?

7 THE WITNESS: Yes.

8 BY MR. [REDACTED]

9 Q And was that a truthful statement of what you claim  
10 you heard?

11 A Yes.

12 Q Now, again on that third meeting, the one on Tonalá,  
13 again was the general subject of that meeting trying to  
14 identify who this D.E.A. agent was so he could be  
15 kidnapped?

16 A Yes.

17 Q And you told the D.E.A., did you not, that at that --  
18 at this third meeting at Tonalá, it was agreed by everybody  
19 that the D.E.A. agent should be identified and located so  
20 he could then be kidnapped?

21 A Yes.

22 Q That was correct what you claim you heard?

23 A Yes.

24 Q At the second meeting, the meeting at Ernesto  
25 Fonseca's house, did you tell the D.E.A. that Caro-Quintero

1 said that it was his understanding Alvarez del Castillo's  
2 people where to identify and locate the agent so that  
3 Quintero and Fonseca could pick him up?

4 A Yes.

5 Q And was that said?

6 A Yes.

7 Q And Alvarez del Castillo said he was attempting to  
8 identify who the agent was?

9 A Yes.

10 Q And Caro-Quintero told Alvarez del Castillo they  
11 needed the identification of the agent to locate him and  
12 pick him up?

13 A Yes.

14 Q Sir, isn't it correct that at the first meeting,  
15 before any of these meetings took place, where there was  
16 discussion about who the agent was so we can pick him up,  
17 at the first meeting didn't Mr. Aldana, according to you,  
18 say, "I know who the agent is because I tried to bribe him  
19 and he wouldn't accept my bribe"?

20 A Yes. And Aldana was just making fun of everybody  
21 there.

22 Q So you are saying Mr. Aldana said at the first meeting  
23 he knew who the agent was because he tried to bribe him,  
24 and then it is your testimony that the next three meetings  
25 everybody's talking about who is the agent?



(51)

**TAB 51**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pg: 918**

51

1 MR. [REDACTED]: It has been identified.

2 THE COURT: Well, it if has, then the record  
3 already shows that.

4 MR. [REDACTED] Okay, sir.

5 THE COURT: All right.

6 CROSS-EXAMINATION

7 BY MR. [REDACTED]

8 Q Mr. Godoy, when this unnamed person contacted you in  
9 July of 1991, was that before or after you had been  
10 arrested for armed robbery?

11 A After.

12 Q Were you in jail when he called you, he or she called  
13 you?

14 A I had been released, sir.

15 Q And at that time, in addition to the money and the  
16 work permit that this person told you was available to you  
17 and would be given to you by the U.S. government if you  
18 cooperated, did they also tell you about immunity for your  
19 activities as a member of the drug trafficking Cartel?

20 A Could you repeat that, please.

21 Q This person told you that money was available if you  
22 would cooperate; true?

23 A No --

24 THE COURT: Counsel, why don't you just ask a  
25 question instead of reciting what's already been testified

**TAB 52**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pg: 923**

(52)

52 }

1 you had to clear things up?

2 A When I was released from the jail in Guadalajara, sir.

3 Q Something happened in the jail in Guadalajara that  
4 made you come to this moral decision?

5 A When I got picked up, they tortured me a lot, sir.  
6 And asking me what I know about him, and what else I knew  
7 about the traffickers in Mexico. And since I didn't reply  
8 anything of that nature, that's why they beat me up and  
9 they locked me up, sir.

10 Q And in 1991, they beat you up, and in 1985 they beat  
11 you up when you made this statement?

12 Was it a common practice of Mexican police to just  
13 beat up everybody they arrested, to your knowledge?

14 A Depending on the case, sir.

15 Q When you were a police officer twice, did you beat up  
16 people who you arrested?

17 MR. [REDACTED]: Objection, Your Honor. Irrelevant.

18 THE COURT: Sustained.

19 BY MR. [REDACTED]:

20 Q At any time in your entire life, have you ever earned  
21 the equivalent of \$3,000 American dollars per month?

22 A No.

23 Q And to get this \$3,000 a month from the government, do  
24 you have to do any kind of work, other than testifying in  
25 this case?

(53)

**TAB 53**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 979 - 986**

(53)

1 A Yes.

2 Q Until what year were you in the State Judicial Police?

3 A Until '84.

4 Q Now after your initial assignment in Guadalajara were  
5 you sent to another location?

6 A Within the same agency?

7 Q Correct.

8 A Yes.

9 Q Where did you go?

10 A I went to the town of Tamaulipas, Jalisco.

11 Q Is that close to Guadalajara?

12 A Yes. Approximately three hours.

13 Q After Tamaulipas were you transferred to another  
14 location?

15 A To Mascota, Jalisco.

16 Q Do you recall approximately when it was that you were  
17 transferred to Mascota?

18 A Around April more or less.

19 Q Of what year, sir?

20 A '84.

21 Q Now when you were in Mascota did you know or had you  
22 heard of a man by the name of Ruben Zuno-Arce?

23 A Yes.

24 Q Did you ever actually see him in Mascota?

25 A Yes.

1 Q With the Court's permission, if I could ask the  
2 witness to stand.

3 Can you tell my if you see Ruben Zuno-Arce in the  
4 courtroom, sir.

5 A Yes.

6 Q Can you point at him and describe what he is wearing.

7 A The gentleman who is wearing the sweater.

8 THE COURT: There are two gentlemen wearing  
9 sweaters there.

10 THE WITNESS: The one with the headset.

11 THE COURT: And glasses?

12 THE WITNESS: Yes.

13 THE COURT: Indicating Mr. Zuno.

14 BY MR. [REDACTED]

15 Q I'd like to direct your attention to '84 when you  
16 worked in Mascota. At any point, Mr. Lopez, were you ever  
17 involved in the investigation of the transportation of  
18 marijuana?

19 MR. [REDACTED] Objection; relevance, Your Honor.

20 THE COURT: Overruled.

21 THE WITNESS: What was that again?

22 BY MR. [REDACTED]

23 Q When you were in Mascota were you ever involved in any  
24 investigation of the transportation of marijuana?

25 A Yes.

1 Q Can you tell me how this came about?

2 MR. [REDACTED]: Objection; calls for a narrative.

3 THE COURT: The objection is sustained.

4 BY MR. [REDACTED]

5 Q As part of your investigation what exactly did you do?

6 MR. [REDACTED]: Objection. Calls for hearsay and  
7 narrative, Your Honor.

8 THE COURT: Overruled. The witness may answer.

9 THE WITNESS: Can I answer?

10 THE COURT: Yes.

11 THE WITNESS: Actually, one time we did make an  
12 investigation. It was a person who was bringing in that  
13 narcotic, marijuana. We detained that person.

14 THE COURT: Well, I think you better ask another  
15 question.

16 BY MR. [REDACTED]

17 Q Based on the detention of that man, did you take any  
18 action after that?

19 MR. [REDACTED]: Objection; relevance and  
20 materiality, and calls for hearsay.

21 THE COURT: The Court will take the morning recess  
22 at this time. The jury will be excused.

23 (Recess had)

24 BY MR. [REDACTED]

25 Q Mr. Lopez, after you detained this person with



1 marijuana did you interview that person?

2 A Yes, we did the investigation with him.

3 Q On the basis of the interview what were the next steps  
4 taken by you and other agents?

5 A This person told us --

6 MR. [REDACTED] Objection; hearsay, what that person  
7 told them, Your Honor.

8 THE COURT: Sustained.

9 BY MR. [REDACTED]:

10 Q Mr. Lopez, just tell me what you did after you  
11 interviewed that man.

12 A We established a lookout from the road block at Talpa.

13 Q Was anyone with you when you set up this road block?

14 A Yes, the group from the judicial police and the group  
15 from the rural.

16 Q Approximately how many agents from each agency were  
17 there?

18 A There was approximately from ten to 12.

19 Q Now, would you tell us what happened at this road  
20 block, Mr. Lopez?

21 A Well, on guard on that road block, the person we had  
22 detained previously had told us --

23 THE COURT: Never mind what he told you.

24 BY MR. [REDACTED]

25 Q Just say what happened at this point.

1 THE COURT: Do not say what anyone told you.

2 THE WITNESS: Yes.

3 A vehicle was stopped.

4 BY MR. [REDACTED]

5 Q What kind of vehicle was it?

6 A A dual-tired, stake bed truck.

7 Q Was anyone in that truck when you stopped it?

8 A Two persons that were in the cab.

9 Q What happened next?

10 A Then a pickup came by.

11 Q Now, Mr. Lopez, at any point did you have a chance to  
12 examine what was inside that large truck?

13 A Yes. When we raised the tarp we saw that it had  
14 marijuana.

15 Q Approximately how much marijuana was in that truck?

16 A Approximately a thousand kilos.

17 Q Now you mentioned another truck arrived?

18 A Yes.

19 Q Who was in that truck, Mr. Lopez?

20 A There were two persons there.

21 Q Were you able to recognize any of those two people?

22 A It was Ruben Zuno-Arce.

23 Q Do you know who the second man was?

24 A No, I didn't know him by name.

25 Q Who was driving that truck?

1 A Ruben Zuno-Arce.

2 Q What kind of truck was that that he was driving?

3 A It was a pickup, white.

4 Q Who was in command of your men, the State Judicial  
5 Police, at the road block?

6 A Alenta Flores (phonetic).

7 Q Can you tell me what happened when Zuno's truck  
8 arrived?

9 MR. [REDACTED] Objection; calls for a narrative,  
10 Your Honor.

11 THE COURT: Overruled.

12 THE WITNESS: What was the question?

13 BY MR. [REDACTED]

14 Q Tell me what happened when Zuno's truck arrived?

15 A Zuno talked to the commander of the judicial, Alenta  
16 Flores, and with the commander of rural.

17 Q Do you know the rural commander's name?

18 A No.

19 Q What happened?

20 A Then says Alenta Flores, our commander, ordered us --

21 MR. [REDACTED] Objection, Your Honor, hearsay.

22 THE COURT: Overruled.

23 THE WITNESS: Alenta Flores, our commander,  
24 ordered us to just let go of the vehicle, of the dual  
25 tires. Alenta Flores telling us that belongs to the

1 chief, referring to Zuno.

2 BY MR. [REDACTED]

3 Q Did he let the truck go?

4 MR. [REDACTED]: Renew the objection. Move to  
5 strike.

6 THE COURT: Well, the last answer of the witness  
7 is ordered stricken and the jury will disregard it.

8 Restate the question.

9 Last question was: Did you let the truck go?

10 BY MR. [REDACTED]:

11 Q The truck filled with marijuana?

12 A Yes.

13 Q Was Zuno also allowed to leave that road block?

14 A Yes.

15 Q Did you make arrests at the road block?

16 A No.

17 Q Mr. Lopez, after your assignment to Mascota were you  
18 assigned to a different location after that?

19 A Yes.

20 Q Where were you sent to?

21 A Yahalica, Jalisco.

22 Q Mr. Lopez, at any time were you discharged from the  
23 State Judicial Police?

24 A Yes.

25 Q Approximately when, sir?

1 A The beginning of September in '84.

2 Q And why were you discharged, Mr. Lopez?

3 A Because of investigation that took place.

4 My partner killed somebody in a confrontation,  
5 bullet confrontation

6 Q After that incident were you discharged?

7 A Yes.

8 Q Now, sir, you are familiar with a man by the name of  
9 Ernesto Fonseca-Carrillo?

10 A Yes.

11 Q When did you first meet Fonseca?

12 A The last days of September in '84.

13 Q Who introduced you to him?

14 A Commander Gabriel Gonzalez-Gonzalez.

15 Q Where were you when you were introduced to Fonseca?

16 A We were in one of the houses of Ernesto Fonseca.

17 Q Did this house have a name?

18 A They called it El Campamento.

19 Q Where was it located, Mr. Lopez?

20 A In Tepatitlan.

21 Q If I can ask you to look right in front of you. There  
22 should be Government Exhibit 105.

23 A Yes.

24 Q Do you recognize what that is?

25 A Yes.

(54)

**TAB 54**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pg: 990**

54

1 A AR 15.

2 Q What did you end up doing with the guns once you  
3 arrived at Fonseca's house?

4 A We cleaned all the weapons because they were full of  
5 grease.

6 Q Mr. Lopez, as you continued working for Fonseca in  
7 '84, did you come to meet the other people that worked for  
8 Fonseca?

9 A Yes.

10 Q Were any people that worked for Fonseca with the State  
11 Judicial Police?

12 A Yes.

13 Q Can you identify some of those people, please.

14 A Yes.

15 Q Go ahead.

16 A Do you want the names?

17 Q Please.

18 A Ernesto Piliado-Garza, Victor Manuel Lopez-Razon,  
19 Victor Ruzo, Torres Lepe, Juan Jose-Bernabe, Jorge  
20 Godoy-Lopez, Ramon Lira, Hector Lopez-Razon.

21 Do you also want the names of the commanders?

22 Q Yes, sir, I would.

23 A Gabriel Gonzalez-Gonzalez, Jose Maria Carlos-Ochoa,  
24 Francisco Ramos, Benjamin Ochoa.

25 Q Mr. Lopez, did you meet anyone by the name of Jorge

(55)

**TAB 55**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 993 - 1010**

55)



1 A For two or three months he paid us monthly. Then he  
2 didn't have a date.

3 Q And when you were paid, how much did you usually  
4 receive?

5 A Sometimes we get 50, 80. It would vary.

6 Q Now did Mr. Fonseca have more than one residence in  
7 the Guadalajara area?

8 A Yes.

9 Q Approximately how many did he have?

10 THE COURT: Counsel, this is all cumulative.

11 MR. [REDACTED] I will move on, Your Honor. Thank  
12 you.

13 BY MR. [REDACTED]

14 Q Still directing your attention to the fall of '84,  
15 Mr. Lopez, are you familiar with a hotel that's called the  
16 Las Americas Hotel?

17 A Yes.

18 Q Did you ever have an opportunity to go there with  
19 Fonseca?

20 A Yes.

21 Q Government's Exhibits 133A and 133B, Your Honor.

22 Mr. Lopez, can you look at those two photographs  
23 and tell me if you recognize them.

24 A Yes.

25 Q What are they, sir?

1 A It is the Las Americas Hotel.

2 Q When you went to this hotel with Fonseca did other  
3 bodyguards go as well?

4 A Yes.

5 Q Now would you tell me what happens when you arrive at  
6 the hotel with Fonseca?

7 A When we got to the hotel, by orders of Samuel  
8 Ramirez-Razo, we stopped and he ordered us to park at the  
9 entrance.

10 Q The entrance to the hotel?

11 A Yes.

12 Q While you were there did you see anyone else arrive at  
13 the Las Americas Hotel?

14 A Yes.

15 Q Who, sir?

16 A It was General Gardoqui.

17 Q Was anyone with him?

18 A There were two other military agents.

19 Q Were any of those three people in a uniform?

20 A The three of them, except they weren't wearing their  
21 caps.

22 Q Did you see anyone else arrive from your position at  
23 the front?

24 A Yes. We saw federal agents arrive.

25 Q Do you recall their names?

1 A One of them.

2 Q What is that?

3 A Juan Gilberto Hernandez-Parra.

4 Q What happens next then?

5 A Then by orders of Samuel Ramirez-Razo he told us to

6 guard on one side of the hotel on Lopez-Mateos.

7 Q Did you in fact do that?

8 A Yes.

9 Q And did you maintain a security position at the side

10 of the hotel?

11 A Yes.

12 Q For how long, sir?

13 A For about two hours, more or less.

14 Q Were other bodyguards with you?

15 A Yes.

16 Q Are all of you armed?

17 A Yes.

18 Q What is the next thing that happens?

19 A Then by orders of Samuel Ramirez-Razo he ordered us to

20 leave, to go to the entrance of the hotel once again.

21 Q And did you do that?

22 A Yes.

23 Q From your position are you able to observe the front

24 of the hotel?

25 A Yes.

1 Q Can you tell me what you saw from that vantage point?

2 A Well, we could see several persons exiting the hotel.

3 Q Were these persons from different agencies?

4 A Yes, several agencies of the government.

5 Q Well, did you see anyone there from the military?

6 A Yes.

7 Q Who, please.

8 A General Gardoqui.

9 Q If I can ask the agent to put Exhibit 131 in front of  
10 you. Do you recognize that photograph, sir?

11 A Yes.

12 Q Who is that?

13 A General Gardoqui.

14 Q Did you see any other besides General Gardoqui from  
15 your vantage point?

16 A There was Jorge Garma and Dionisio Santoyo.

17 Q Who was Dionisio Santoyo in 1984?

18 A He was from the 15th military zone.

19 Q Was he in charge of that military zone?

20 A Yes.

21 Q When you see these people what are they doing exactly?

22 A They were exiting the hotel.

23 Q Now, did you see anyone exit from that hotel  
24 affiliated with the Mexican Federal Judicial Police?

25 MR. [REDACTED]: Objection as to who entered and

1 exited the hotel; relevance.

2 THE COURT: This is admissibility. You may argue  
3 the relevance. The objection is overruled.

4 BY MR. [REDACTED]:

5 Q Did you see anyone from the Mexican Federal Judicial  
6 Police leave that hotel?

7 A Yes.

8 Q Who sir?

9 A Juan Gilberto Hernandez-Parra, Miguel Aldana, Manuel  
10 Ibarra, Alfonso Vasquez, Armando Pavon-Reyes,  
11 Espino-Verdin.

12 Q If I can ask the agent to put Exhibit 118 in front of  
13 you.

14 Can you identify that person?

15 A Yes.

16 Q Who is it that?

17 A Juan Gilberto Hernandez-Parra.

18 Q 109?

19 A Yes.

20 Q Who is that?

21 A Miguel Aldana.

22 Q 108, please.

23 A Manuel Ibarra.

24 Q 119, please.

25 A Espino-Verdin.

1 Q 17?

2 A Armando Pavon-Reyes.

3 Q Mr. Lopez, who else did you see exit from that hotel?

4 A I saw some politicians exit.

5 Q Can you identify them, please.

6 A Like Enrique Alvarez del Castillo, Manuel  
7 Bartlett-Diaz, Ruben Zuno-Arce, Carlos Fernandez.

8 Q Agent, if I can ask you to put 134 in front of Mr.  
9 Lopez.

10 Can you identify that individual, sir.

11 A Yes.

12 Q Who is it?

13 A Manuel Bartlett-Diaz.

14 Q And 129?

15 A Enrique Alvarez del Castillo.

16 Q Mr. Lopez, who else did you see exit from that hotel?

17 A People from the State's D.A. office.

18 Q Could you identify them, sir.

19 A Yes. Edgar Gallardo, Armando Pueya (phonetic), Jorge  
20 Larios. That's it.

21 Q Anyone affiliated with the D.F.S.?

22 A From the directerate?

23 Q Yes.

24 A Espino-Verdin, Jorge Salazar, Eleseo Soto, Ruiz  
25 Velasco.

1 Q Did you see any state comandantes exit from that  
2 hotel?

3 A Yes.

4 Q Who was that?

5 A Gabriel Gonzalez-Gonzalez, Benjamin Ochoa.

6 Q Finally, Mr. Lopez, did you observe any traffickers  
7 exit from that hotel?

8 A Yes.

9 Q Could you identify those for us?

10 A Yes. There was Rafael Caro-Quintero, Felix Gallardo,  
11 Manuel and his brother Sergio Salsito, Javier Barba, Jorge  
12 Fonseca.

13 Q Did you see Ernesto Fonseca walk out of that hotel?

14 A No. When we approached the entrance he was already  
15 outside.

16 Q Now, while this is happening are there bodyguards in  
17 that area?

18 A Yes.

19 Q Are the bodyguards armed?

20 A Yes.

21 Q After this, sir, did Fonseca leave the vicinity of the  
22 Las Americas Hotel?

23 A Yes.

24 Q And did you leave with Fonseca?

25 A Yes.

1 Q How about the rest of his bodyguards?

2 A They also did.

3 Q And where did you go to?

4 A Ernesto Fonseca's house.

5 Q Now, still directing your attention to the fall of  
6 1984. Are you familiar with a residence located on a  
7 street of Mar-Mara?

8 A Yes.

9 Q Sir, at any time when you were present was there a  
10 meeting held at this Mar-Mara house?

11 A Yes.

12 Q If I can have the agent show Government Exhibit 135 to  
13 the witness.

14 Do you recognize that photograph, sir?

15 A Yes.

16 Q What is it?

17 A That's Ernesto's house on Mar-Mara Street.

18 Q And if I could have the agent put Exhibit 173 in front  
19 of the witness.

20 Do you recognize who that is, sir?

21 A Yes.

22 Q Who is it?

23 A Caro-Quintero.

24 Q 122, Agent.

25 Who is that?



- 1 A Javier Barba.
- 2 Q 104?
- 3 A Felix Gallardo.
- 4 Q Finally, 123.
- 5 A Manuel Salcido, El Cochi Loco.
- 6 Q Now let me take you back to Mar-Mara.
- 7 When you were there on that particular day at this meeting
- 8 was Fonseca present as well?
- 9 A Yes.
- 10 Q Now what happens on this day, Mr. Lopez?
- 11 A First of all, Ernesto Fonseca ordered food and drinks.
- 12 Then by orders of Samuel Ramirez-Razo he told all the
- 13 personnel, all the bodyguards, to go to the kitchen because
- 14 important people were about to arrive. And they didn't
- 15 want us to be seen.
- 16 Q Did you in fact go to the kitchen?
- 17 A Yes.
- 18 Q Did the other bodyguards also go to the kitchen?
- 19 A Yes.
- 20 Q Now, from the location in the kitchen can one see in
- 21 the direction into the other parts of the house?
- 22 A Yes, through a window.
- 23 Q Through a window in the door?
- 24 A Yes.
- 25 Q At any time, sir, do you observe when people start

1 arriving at the house?

2 A Yes.

3 Q Did any politicians arrive?

4 A Yes.

5 Q Who?

6 A Enrique Alvarez del Castillo, Ruben Zuno-Arce, Carlos  
7 Fernandez.

8 Q Did you see anyone else arrive from any other agency?

9 A Yes, from the state.

10 Q Who did you observe?

11 A D.A. people.

12 Q Who was that?

13 A Edgar Gallardo, Armando Pavon-Reyes, Jorge Larios.

14 Q Any military people arrive?

15 A Jorge Garma, and another person with a military  
16 uniform.

17 Q Did you see any state comandantes arrive at the house?

18 A Yes.

19 Q Who?

20 A Gabriel Gonzalez-Gonzalez, Jose Maria Carlos-Ochoa,  
21 Benjamin Ochoa, Francisco Ramos.

22 Q Mr. Lopez, did you see any traffickers arrive at this  
23 residence?

24 A Yes.

25 Q Who?

1 A Felix Gallardo, Rafael Caro-Quintero, Fernandez,  
2 Javier Barba, Sergio Salcido, Jorge Fonseca; that's all.

3 Q Was Samuel Ramirez-Razo present as well?

4 A Yes.

5 Q Now, tell me what happens next?

6 A Well, once all of these important people arrived they  
7 went into the study. Then Samuel Ramirez-Razo came into  
8 the kitchen and ordered Romero and Roberto Mantano to go  
9 with him.

10 Then Samuel Ramirez-Razo returned back to the  
11 kitchen and he ordered us, Guadalupe Hernandez and myself,  
12 to go take ashtrays to the study room.

13 Q Did you in fact do that?

14 A Yes.

15 Q With Guadalupe Hernandez?

16 A Guadalupe Hernandez and myself.

17 Q Does Guadalupe Hernandez go by any other name, Mr.  
18 Lopez?

19 A We use to call La Petunia.

20 Q So what did you and La Petunia then do?

21 A We took ashtrays to the study room.

22 Q When you were in the study did you see there all of  
23 these people that you just mentioned?

24 A Yes.

25 Q What do you do with the ashtrays?

1 A We left them on the table and we went out.

2 Q What is the next thing that happens?

3 A Then we went back to the kitchen and through the  
4 window that the door had we saw Caro-Quintero come out of  
5 the study.

6 Q You saw or heard Caro-Quintero?

7 MR. [REDACTED]: He said he saw Caro-Quintero come  
8 out of the study.

9 BY MR. [REDACTED]

10 Q I'm sorry. Did you see Caro-Quintero?

11 THE COURT: He's already answered that question.

12 BY MR. [REDACTED]

13 Q Did you hear anything?

14 A Yes.

15 Q And is Caro-Quintero by himself?

16 A No. Caro-Quintero came out of the study and right  
17 behind him came Enrique Alvarez del Castillo. And I heard  
18 Caro-Quintero telling Alvarez del Castillo, "What happened  
19 to that person that we put you in charge of?"

20 Alvarez del Castillo replied to Caro-Quintero, "We  
21 already have all the information. That person is located  
22 already."

23 Then Caro-Quintero said -- no. I'm sorry. At  
24 that time Ruben Zuno came out. Ruben Zuno told  
25 Caro-Quintero, "There is no problem. Everything is going

1 to come out all right. All the information, we are doing  
2 it correctly."

3 Rafael Caro-Quintero told Enrique --

4 Q The names are wrong.

5 A Rafael Caro-Quintero told Enrique Alvarez del Castillo  
6 and to Ruben Zuno, "You had your time with that job. You  
7 should have already located the DEA person."

8 Ruben Zuno told Caro-Quintero, "There is no  
9 problem. Everything is coming out just fine. Everything  
10 is going to be all right."

11 Q Who is it that said that?

12 A Ruben Zuno-Arce.

13 Q At any point, Mr. Lopez, do you leave the kitchen?

14 A We went to the living room of that house.

15 Q What happens in the living room?

16 A Samuel Ramirez-Razo was in the living room. And he  
17 was making a remark to us and Valencia-Saratos. He was  
18 telling him, "The brother-in-law of my compadre hasn't  
19 come." Compadre he was referring to Mr. Fonseca.

20 He said, "The brother-in-law of my compadre hasn't  
21 come in with the errand."

22 Q What happened after that?

23 A Javier Barba came out of the study and called Samuel  
24 Ramirez-Razo. Javier Barba and Samuel Ramirez-Razo went  
25 into the study.

1 Q At any point did you observe anything?

2 A We then saw that all of these people who were in the  
3 study started to exit. And while on the door of the study  
4 room Samuel Ramirez-Razo told Ernesto Fonseca, "Compadre,  
5 have you given him the present?"

6 Ernesto Fonseca told Samuel Ramirez-Razo, "No,  
7 bring it to me."

8 Samuel Ramirez-Razo took out of the study a long  
9 rifle.

10 Q What kind of rifle?

11 A AK 47.

12 Q What color was this rifle?

13 A It was gold plated.

14 Q What does he do with the rifle?

15 A Samuel Ramirez-Razo gave it to Ernesto Fonseca.

16 Ernesto Fonseca gave it to Alvarez del Castillo telling  
17 him, "We hope you like it."

18 Q Did you hear any other conversation?

19 A Samuel Ramirez-Razo told Ernesto Fonseca, "Compadre,  
20 have you told him that the person is going to be moved?"

21 Enrique Alvarez del Castillo replied, "Yes, we are  
22 aware of that."

23 Q Still directing your attention to the fall of 1984,  
24 Mr. Lopez, do you recall being at the El Campamento?

25 A Yes.

1 Q Did any incident occur at that residence when you were  
2 present?

3 MR. [REDACTED]: Objection, vague.

4 THE WITNESS: Yes.

5 THE COURT: Well, I assume the witness will say  
6 yes or no and then we will get more specific.

7 THE WITNESS: Yes.

8 BY MR. [REDACTED]

9 Q When was that, sir?

10 A Ernesto Fonseca sent some of his bodyguards to detain  
11 a couple. In other words, this was a male and a female.

12 Q Where was this couple taken to?

13 A To Ernesto Fonseca's house called Campamento.

14 Q When you arrived at El Campamento was that couple  
15 already there?

16 A Yes.

17 Q Now at any point are any of those two people  
18 questioned?

19 A Yes.

20 Q By who?

21 A By Samuel Ramirez-Razo.

22 Q Why was that man being questioned?

23 A Because Ernesto Fonseca's wife had said that that  
24 couple were annoying her residence.

25 Q So does Razo question one of these people?

1 A Yes, the man.

2 Q What else does he do?

3 A When questioning him he started torturing him.

4 MR. [REDACTED] Objection; relevance, materiality,  
5 Your Honor. Nothing to do with Mr. Zuno.

6 THE COURT: Overruled.

7 BY MR. [REDACTED]

8 Q Now, sir, at any time do you intervene in that  
9 interrogation?

10 A Yes.

11 Q What exactly did you do?

12 A Well, I told Samuel Ramirez-Razo why was he torturing  
13 him so much. If he planed to kill him, why torture him. I  
14 told him he better rather shoot him instead of making him  
15 suffer so much.

16 Q Did you intervene?

17 A Yes.

18 Q And what did you do?

19 A I took away -- this man had a plastic bag over his  
20 head.

21 Q What did you do with that bag?

22 A I tore the plastic bag.

23 MR. [REDACTED] Would this be a good moment to  
24 break?

25 THE COURT: We will adjourn at this time, ladies



1 and gentlemen and reconvene at 1:30. Please keep in mind  
2 the admonition of the Court about not discussing this case  
3 or about exposing yourself to any publicity regarding the  
4 case.

5 (Luncheon recess had.)

6 \* \* \* \* \*

7 I, [REDACTED], CSR, do hereby certify that  
8 the foregoing transcript is true and correct.

9  
10  
11 [REDACTED]  
12 [REDACTED]

628.13

DATE

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UNITED STATES OF AMERICA  
CENTRAL DISTRICT OF CALIFORNIA  
THE HON. EDWARD RAFEEDIE, JUDGE PRESIDING  
THE UNITED STATES OF AMERICA, )  
Plaintiff, )  
vs. ) NO. CR-87-422-(G)-ER  
RAFAEL CARO-QUINTERO, )  
RUBEN ZUNO-ARCE, )  
HUMBERTO ALVAREZ-MACHAIN, )  
Defendants. )

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
December 9, 1992  
AFTERNOON SESSION

APPEARANCES:

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[REDACTED], CSR 2409  
Official Federal Reporter  
[REDACTED]

(56)

**TAB 56**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 1012 - 1056**

56)

1 LOS ANGELES, CALIFORNIA; WEDNESDAY, DECEMBER 9, 1992, 1:30 PM

2 RENE LOPEZ ROMERO,

3 having been previously sworn, resumed the stand and testified  
4 further as follows:

5 (Jury present.)

6 THE COURT: Do we have any further questions for  
7 this witness?

8 MR. [REDACTED] Your Honor, with the court's  
9 permission, at the first recess we'll provide to Madam Clerk  
10 the exhibits referenced by this witness and at this time  
11 we'll seek the admission of the exhibits described thus far  
12 by this witness.

13 THE COURT: Just proceed with the examination.

14 MR. [REDACTED] Very Well, Your Honor.

15 DIRECT EXAMINATION (Continued)

16  
17 BY MR. [REDACTED]

18 Q. Mr. Lopez, with Agent Kuehl's assistance, could I ask  
19 you you to look at exhibit 7, I believe.

20 Can you tell me what that is, sir?

21 A. That is Ernesto's house called El Campamento.

22 Q. Thank you. Now, sir, are you familiar with the  
23 residence that is referred to as La Oficina?

24 A. Yes.

25 Q. Directing your attention to the fall of 1984, did you

1 ever accompany Fonseca in the direction of that residence?

2 A. Yes.

3 Q. Where did you start from before you went to La Oficina?

4 A. We went up, out of the house of Ernesto Fonseca.

5 Q. And when Fonseca left, was he accompanied by other  
6 bodyguards as well?

7 A. Yes.

8 Q. Now, where did you leave to? Where did you go to?

9 A. We went to the crossroads, Tonala/Puente Grande.

10 Q. What happened there, sir?

11 A. There we met with another vehicle.

12 Q. And who was in that vehicle, if you recall?

13 A. Ernesto Piliado and his group.

14 Q. What happens at that intersection?

15 A. At that intersection Samuel Ramirez Razo ordered for the  
16 bodyguards to remain in the carryall. And to be on the alert  
17 on that intersection.

18 Q. Did Razo and Fonseca leave?

19 A. Razo, Fonseca and also Jorge Godoy.

20 Q. Did the rest of your bodyguards remain at that  
21 intersection?

22 A. Yes, only Piliado's group left with Ernesto Fonesca  
23 Carrillo.

24 Q. In what direction did Fonseca go to?

25 A. They went toward the town of Tonala.

000261

1 Q. How long did you and the remaining bodyguards stay at  
2 your intersection location?

3 A. For approximately two hours.

4 Q. At any point did Fonseca and his people rejoin you?

5 A. Yes.

6 Q. And what direction did Fonseca come from when he  
7 rejoined you?

8 A. From the town of Tonalá.

9 Q. And thereafter where did you go with Fonseca?

10 A. From there we went to the Venus Hotel, which is owned by  
11 Ernesto Fonseca.

12 Q. Now, Mr. Lopez, still directing your attention to the  
13 fall of 1984, at any point did you ever accompany Fonseca to  
14 another residence in the Tonalá?

15 A. Yes, to a ranch of, Javier Barba.

16 MR. [REDACTED]: If I can ask Agent Kuehl to put 172  
17 in front of you.

18 Q. Do you recognize what that is, sir?

19 A. That's the entrance to the ranch of Javier Barba.

20 MR. [REDACTED] Move the admission of 172, Your  
21 Honor.

22 THE COURT: It may be admitted.

23 (Received in Evidence, Exhibit 172.)

24 Q. BY MR. [REDACTED]: Did another bodyguard also accompany  
25 Fonseca to that Tonalá residence?

000262

1 A. Yes.

2 Q. Now, Mr. Lopez, at this ranch were there animals at this  
3 ranch?

4 A. Yes, they had some wild animals and -- in cages. And  
5 they had a feeding lot for bulls.

6 Q. After you arrived at this residence at Tonalá, what did  
7 you end up doing?

8 A. We went to play pool.

9 Q. Where exactly?

10 A. Inside the same residence, in front of the living  
11 quarters.

12 Q. Did some of the other bodyguards as well -- play pool as  
13 well?

14 A. Some of them did.

15 Q. Now, was Jorge Godoy with you playing pool?

16 A. No.

17 Q. Where was Godoy?

18 A. He went into the house.

19 Q. Afterwards, sir, did you end up leaving this residence  
20 at Tonalá?

21 A. Yes.

22 Q. And did you leave with Fonseca?

23 A. Yes.

24 Q. Now if I can direct your attention, sir, are you  
25 familiar with a residence located on Hidalgo Avenue or

000263

1 street?

2 A. Yes.

3 Q. And if I can direct your attention to early February of  
4 1985, were you present at Hidalgo at or about that time?

5 A. Yes.

6 Q. Was Fonseca there?

7 A. Yes.

8 MR. [REDACTED] If I can ask 146 to be put in front  
9 of the witness.

10 Q. Do you recognize what that is, sir?

11 A. That's the residence of Avenida Hidalgo belongs to  
12 Ernesto Fonseca.

13 MR. [REDACTED] Seek its admission, Your Honor.

14 THE COURT: It may be admitted.

15 (Received in Evidence, Exhibit No. 146.)

16 Q. BY MR. [REDACTED]: Sir, while you were at that house, at  
17 any point do the other people begin arriving at the Hidalgo  
18 house?

19 A. Yes.

20 Q. People from different agencies?

21 A. Different government agencies.

22 Q. Can you tell me who you saw from what agencies?

23 A. From the military, Arrevalo Gardoqui, Dionisio Santoyo,  
24 Jorge Garma. That's it.

25 Q. Anyone from the Federal Policia there ?

000264



1 A. Also from the Federal Police.

2 Q. Who, Mr. Lopez?

3 A. Juan Gilberto Hernandez Parra, Migeul Aldana, Manuel  
4 Ibarra, Alfonso Vasquez. Sergio Espino Verdin, Armando Pavon  
5 Reyes. That's all.

6 Q. Did you see any persons arrive who were politicians?

7 A. Yes.

8 Q. Who?

9 A. Enrique Alvarez Del Castillo, Manuel Valles Diaz, Ruben  
10 Zuno Arce, Carlos Acevez Fernandez.

11 Q. Were there any state prosecutors you saw arrive?

12 A. From the state DA's office?

13 Q. Correct.

14 A. Yes. From the DA's office, Edgar Levy Gallardo, Armando  
15 Cuellar, Jorge Larios.

16 Q. Were there traffickers that you saw arrive as well, sir?

17 A. Yes.

18 Q. Who?

19 A. Rafael Caro-Quintero. Ernesto Fonseca was also there.  
20 Felix Gollardo, Manuel Salcido, Sergio Salcido, Avelardo  
21 Fernandez, Javier Barba, Jorge Fonseca. That's all.

22 Q. And was Samuel Razo there as well?

23 A. Yes.

24 Q. When these people initially arrived, where did they --  
25 where did they get together or gather?

000265

1 A. First of all they got together in the living room of the  
2 house.

3 Q. Okay. At any point did any of the people leave the  
4 living room?

5 A. Yes. All of these important people went to the bedroom  
6 of Ernesto Fonseca.

7 Q. All of these people or some of them?

8 MR. [REDACTED]: Asked and answered.

9 THE COURT: Sustained.

10 Q. BY MR. [REDACTED] Can you tell me who you saw go to that  
11 bedroom.

12 MR. [REDACTED] Asked and answered. He said all of  
13 these people went. He just identified 30 or more people.

14 MR. [REDACTED] The response is ambiguous, Your  
15 Honor, I just want to clarify it.

16 THE COURT: It's not ambiguous.

17 What is it you want to ask the witness? To name  
18 the people that went in there?

19 MR. [REDACTED]: Yes, Your Honor.

20 THE COURT: He has named them.

21 MR. [REDACTED] Very well.

22 Q. Do you recall, sir, how long these people met in that  
23 bedroom?

24 A. More or less an hour and a half, two hours.

25 Q. Incidentally, is this a large bedroom?

00021

1 A. Yes.

2 Q. What happened after that meeting ended in the bedroom?

3 A. Afterwards they went out and remained in the living  
4 room.

5 Q. At any point did you see any of these individuals leave  
6 this residence of, uh -- this particular residence?

7 A. Yes.

8 Q. Who?

9 A. Like Arevalo Gardoqui, Dionisio Santoyo. Jorge Garma  
10 just let them out when the DA's -- people from the DA's  
11 office left.

12 Q. Go ahead, I'm sorry.

13 A. Edgar levy Gallardo, Armando Cuellar, Jorge Larios.

14 Q. Did you ever see Ruben Zuno leave the residence?

15 A. Yes, Ruben Zuno, and Enrique Alvarez del Castillo.

16 Q. I'd like to direct your attention now, Mr. Lopez, to the  
17 date of February 7, 1985. You're familiar with the residence  
18 located at 881 Lope de Vega?

19 A. Yes.

20 Q. On February 7th, did have you a chance to go to Lope de  
21 Vega?

22 A. Yes.

23 Q. With Ernesto Fonseca?

24 A. Yes.

25 Q. Where did you depart from before you went to Lope de

000267

1 Vega?

2 A. From Ernesto Fonseca's house.

3 Q. Do you recall -- well, strike that.

4 Approximately how many vehicles did you take to go  
5 from Fonseca's house to Lope de Vega?

6 A. Four vehicles.

7 Q. When you left Fonseca's residence, did you know where  
8 you were going?

9 A. No. Ernesto Fonseca just told us we were going to run  
10 an errand.

11 Q. When you arrived at Lope de Vega, had you ever been at  
12 that residence before?

13 A. No.

14 Q. Indeed, had you ever even heard of the residence before  
15 February 7th?

16 A. No.

17 Q. If I can ask you to look at government exhibit 13-A.  
18 Can you tell me what that is?

19 A. That's the front part of Lope de Vega.

20 MR. [REDACTED] Thank you, Agent Kuehl.

21 Q. When your group arrived, where were the vehicles put at  
22 Lope de Vega?

23 A. In the back area, close to the courts.

24 Q. What kind of courts?

25 A. There was a basketball court. Ping-pong. There were

000268

1 several.

2 Q. When you arrived at 881 Lope de Vega with Fonseca, was  
3 anyone else already present at that house?

4 A. Yes.

5 Q. Who?

6 A. Ernesto Piliardo Garza was there. Victor Manuel Lopez  
7 Razon, Manuel Ruvalcaba, El Tatano, Rafael Caro-Quintero, El  
8 Fantasma, La Changa.

9 Q. Are you familiar with someone --

10 A. Several people.

11 Q. Okay. Are you familiar with someone by the name of El  
12 Batman?

13 A. Sometimes we would get him mixed up, they would call him  
14 -- we would call him El Fantasma or El Batman, but it was  
15 the same person.

16 Q. Mr. Lopez, when you arrived at this residence, where did  
17 Fonseca go?

18 A. He met in the garden close to a pool and an umbrella  
19 that they had there. He met with the other traffic-- drug  
20 traffickers.

21 Q. What is the next thing that happens?

22 A. Once they had met with the drug traffickers there, all  
23 of the bodyguards were in the patio on one side of them.

24 Q. At any point, Mr. Lopez, does someone arrive at this  
25 house?

000269

1 A. Yes. A person about 30 years old, blonde, who later on  
2 I found out it was an employee of the American Consulate.

3 Q. What happens with this -- when this consulate employee  
4 arrived at the house?

5 A. When this person arrived to the house, met with Samuel  
6 Ramirez Razo, because Samuel Ramirez Razo was also there in  
7 the patio, this person from the consulate told Samuel Ramirez  
8 Razo that the information he had given to him, that they were  
9 correct. That the information was correct. The information  
10 was precise.

11 Q. What's the next thing that happens, Mr. Lopez?

12 A. Then Samuel Ramirez Razo and this person from the  
13 consulate went toward where the drug traffickers were meeting  
14 there next to the umbrella and the pool and Samuel Ramirez  
15 Razo told Rafael Caro-Quintero that the information that they  
16 had been given was correct, everything was fine.

17 Then Ernesto Fonseca replied and told Samuel  
18 Ramirez Razo, "Well, okay, form the operation, Comrade."

19 Q. What's the next thing that happens then, Mr. Lopez?

20 A. Then after, Avelardo Fernandez and Javier Barba met with  
21 Samuel Ramirez Razo because among the three of them they each  
22 started selecting their group to perform the operation.

23 Q. Now, who are the individuals that will be selecting  
24 people for the operation?

25 A. Samuel Ramirez Razo selected Torres Lepe, myself, and

000270

1 the person from the consulate. Javier Barba, he selected  
2 from his group the brothers we called Los Tierras Libres,  
3 freelanders, Eliseo and Antonio.

4 He also selected the El Italiano and another one  
5 named El Nino.

6 Q. Okay.

7 A. Avelardo Fernandez selected three persons whose name I  
8 don't remember but we used to call them Los Dormidos.

9 Q. Now, at any point do you or others depart from 881 Lope  
10 de Vega?

11 A. Yes.

12 Q. How many vehicles are taken?

13 A. Four.

14 Q. What were they?

15 A. A van carryall. A Gran Marquis. An Atlantic. An LTD  
16 Ford.

17 Q. Ramirez Razo, what vehicle did he get into?

18 A. On the Atlantic.

19 Q. Anyone with him in that car?

20 A. The person from the consulate and Torres Lepe.

21 Q. And did the remaining individuals get into the remaining  
22 three vehicles?

23 A. Yes. I took the LTD.

24 Q. Now, do these vehicles leave together from Lope de Vega?

25 A. Well, when we left, we were going to take different

000271

1 routes.

2 Q. So what happens next, Mr. Lopez?

3 A. Then we left toward Avenida Chapultepec.

4 Q. So what happens?

5 A. On one of the side streets Samuel Ramirez Razo stopped  
6 his Atlantic. I stopped behind him with my LTD.

7 Q. Samuel Ramirez Razo ordered me to leave the LTD parked  
8 on that street.

9 Q. Did you do so?

10 A. Yes.

11 Q. And then what happened to you after that?

12 A. I got on the Atlantic.

13 Q. With Ramirez Razo?

14 A. Yes.

15 Q. Who is driving the Atlantic?

16 A. Samuel Ramirez Razo.

17 Q. Now where did your vehicle proceed to then, Mr. Lopez?

18 A. We went on Avenida Chapultepec towards La Libertad  
19 Street.

20 Q. And ultimately where did you arrive?

21 A. We continued on La Libertad until we got to Progreso.

22 Q. Did you end up parking the car at any position?

23 THE COURT: Are you going somewhere with this,  
24 counsel? Let's get to the point.

25 [REDACTED] Very well.

00027



1 Q. What building did you arrive at, Mr. Lopez?

2 A. We parked in front of the building of the American  
3 Consulate.

4 Q. Now tell us what happens when you're parked near the  
5 consulate.

6 A. Samuel Ramirez Razo ordered me to get off. I opened the  
7 door and I got off but I did not move from the vehicle. From  
8 that place we could see Javier Barba. He was towards the  
9 east, parked.

10 Then the person that was with him from the  
11 consulate told Samuel Ramirez Razo, "Look, the person will be  
12 coming out on Progreso Street or through the door of La  
13 Libertad Street." But then the person from the consulate  
14 emphasized to Samuel Ramirez Razo that he was sure he would  
15 be coming out from the door of La Libertad Street.

16 Q. What is the next thing that happens?

17 A. Then Samuel Ramirez Razo ordered me to stand on the  
18 sidewalk away from the vehicle. And a few minutes later a  
19 person exited the American Consulate exactly through the door  
20 of Libertad Street. Then the person from the consulate that  
21 was with Samuel Ramirez Razo told him, "Look, that is the  
22 person."

23 The person who was exiting the consulate crossed  
24 Libertad Street. Samuel Ramirez Razo got out of the Atlantic  
25 telling me, "Come," signaling with his hand. Just at the

00027

1 time as the person from the consulate arrived to the  
2 sidewalk, Samuel Ramirez Razo confronted him.

3 Q. At that very moment where are you in relation to Razo  
4 and the man that has been intercepted?

5 A. I was about two, three meters from them.

6 MR. [REDACTED] Now if I can ask Agent Kuehl to show  
7 government exhibit 5 to the witness.

8 Q. Do you recognize that man, sir?

9 A. Yes. That is the person who exited the American  
10 Consulate.

11 Q. And did you later learn his name?

12 A. Enrique Camarena Salazar.

13 Q. Now what happened once Camarena is intercepted?

14 A. Samuel Ramirez Razo, showing him a credential from the  
15 federal directorate, told Enrique Camarena, "The commander  
16 wants to see you." Then Enrique Camarena replied to Samuel  
17 Ramirez Razo, "When the commander wants to see us, he  
18 sends --" and he just let him get that far.

19 Samuel Ramirez Razo took out his gun, and with the  
20 credential and the gun, he just let him talk that far.

21 Samuel Ramirez Razo shut his credentials, placed  
22 his left hand on the right shoulder of Camarena, I put my  
23 right hand on the left shoulder of Camarena --

24 Q. Where --

25 A. -- and we headed him to the Atlantic.

000274

1 Q. Now, this entire time, where is the consulate employee?

2 A. He remained in the Atlantic.

3 Q. What happens when Camarena is taken back to the  
4 Atlantic?

5 A. We placed him in the back seat. I went through the  
6 right door in to the back, Camarena came in, and then Samuel  
7 Ramirez Razo.

8 Q. So was Camarena between the two of you in the back?

9 A. Between Samuel Ramirez Razo and myself, he was sitting  
10 in the middle.

11 Q. Okay. Did anyone sit in the front of the Atlantic?

12 A. The person -- the person from the consulate sat in the  
13 driver's seat.

14 Q. Was there anyone in the front passenger seat?

15 A. There was Torres Lepe.

16 Q. Okay. Now what happens once everyone is in the  
17 Atlantic, Mr. Lopez?

18 A. Afterwards Samuel Ramirez Razo told Camarena to duck  
19 down. Samuel Ramirez Razo placed his shoulder on Camarena's  
20 head. Samuel Ramirez Razo got hold of his walkie-talkie and  
21 informed the other colleagues who were there in the  
22 operation, "We're taking the person. Let's go."

23 Q. Did your vehicle then leave the vicinity of the U.S.  
24 Embassy?

25 A. Yes.

000275

1 Q. Where did you go to, Mr. Lopez?

2 THE COURT: Now you said U.S. Embassy. Is that  
3 what you meant?

4 MR. [REDACTED] I misspoke, Your Honor. Excuse me.

5 Q. The consulate building.

6 A. American Consulate.

7 Q. Did you leave that area?

8 A. Yes. We went over toward Lope de Vega.

9 Q. When you arrived at Lope de Vega, where was the Atlantic  
10 put?

11 A. Inside the house of Lope de Vega, in the garden.

12 Q. Through what gate did you enter Lope de Vega?

13 A. On the side gate of the house.

14 Q. Now, what happens once the Atlantic is inside the Lope  
15 de Vega area?

16 A. Later El Italiano, who was there -- in other words, all  
17 of the -- all of us who were in the operation were already  
18 there. We got out of our vehicles. El Italiano brought to  
19 Samuel Ramirez Razo a bag with bandages.

20 Samuel Ramirez Razo did not get Camarena out of  
21 the back seat, he just got out; in other words, Samuel  
22 Ramirez Razo got out of the vehicle and started to blindfold  
23 Camarena.

24 Q. With these bandages?

25 A. Yes.

000276

1 Q. And when you returned to Lope de Vega, were many of  
2 these previously mentioned people still in that patio area?

3 A. Yes.

4 Q. Did that include Caro and Fonseca?

5 A. Yes.

6 Q. What's the next thing that happens, Mr. Lopez?

7 A. Once Camarena was blindfolded, Samuel Ramirez Razo  
8 directed him, because obviously he couldn't see at this time,  
9 and took him to the umbrella where the drug traffickers were  
10 meeting, had gathered.

11 Q. And then?

12 A. Then he walked towards where the drug traffickers were  
13 and Samuel Ramirez Razo told Rafael Caro-Quintero, "Didn't  
14 you say it couldn't be done, Compa? Except you don't have  
15 any confidence," no faith, one of those words he used, "to  
16 see that we are able to."

17 Rafael Caro-Quintero while embracing Enrique  
18 Camarena, told him, "I told you I was going to have you in my  
19 hands, you son of a bitch."

20 Q. Where -- strike that.

21 Is Camarena taken anywhere within the Lope de Vega  
22 residence?

23 A. Yes. Rafael Caro-Quintero took him to the bedroom. We  
24 call that bedroom the maid's bedroom.

25 [REDACTED]: Your Honor, may I have Agent Kuehl

000277

1 put up the diagram just briefly.

2 THE COURT: Yes.

3 (Pause in proceedings.)

4 [REDACTED]: With the court's permission, may I  
5 have Mr. Lopez just point to where --

6 THE COURT: Yes.

7 Q. BY [REDACTED]: Mr. Lopez.

8 A. Can I stand up?

9 THE COURT: You may step down and point.

10 Q. BY [REDACTED] Mr. Lopez, could you point on that  
11 diagram where Camarena was taken to by Caro-Quintero?

12 A. This part here.

13 Q. Okay. You can sit down.

14 THE COURT: Indicate where the witness pointed.

15 [REDACTED]: I'm sorry, Your Honor. He pointed  
16 to the portion of the diagram referenced as "guest room."

17 Thank you.

18 Q. Mr. Lopez, after Camarena was walked -- or, taken into  
19 that room that you just described, did you ever enter that  
20 room?

21 A. Yes.

22 Q. When you enter the room, can you tell us who you find  
23 inside?

24 A. When I went into that bedroom, Jorge Fonseca was there,  
25 Pedro, the one we called El Urco, and El Fantasma.

000278

1 Q. Was Camarena in that room?

2 A. Yes. He was seated at the bed.

3 Q. Is he still blindfolded?

4 A. Yes.

5 Q. At any point in your presence, Mr. Lopez, is Enrique  
6 Camarena questioned?

7 A. Yes. Jorge Fonseca started questioning him there.

8 Q. Can you tell us what you heard, please.

9 A. Jorge Fonseca grabbed Enrique Camarena from his right  
10 arm and made him kneel down. Jorge Fonseca said to Enrique  
11 Camarena, "What's your name?"

12 Enrique Camarena replied, "Enrique Camarena  
13 Salazar."

14 Jorge Fonseca asked him what was his line of  
15 business or who was he. Enrique Camarena told him he was a  
16 DEA agent.

17 Jorge Fonseca asked him, "Okay, explain to me  
18 what does DEA mean?"

19 Enrique Camarena told him, "DEA means it's an  
20 agency against narcotics from the United States."

21 Then Jorge Fonseca told Enrique, "How many of you  
22 are there? How many are here? Where is your office?"

23 Enrique Camarena told him, "There's several of  
24 us. And we don't have a set office because we are sent from  
25 one place to the other."

00279



1           Then Jorge Fonseca kicked him -- gave a hard kick  
2 on the chest to Enrique Camarena that even knocked him down  
3 to the floor, telling him, "You are going to tell me, son of  
4 a bitch."

5           Then Pedro, "El Urco," was behind Enrique Camarena  
6 and Pedro grabbed him and just raised him, brusquely pushed  
7 him.

8 Q.   So that he was back on his knees?

9 A.   Yes. So he would go back to his position.

10 Q.   What happened next, Mr. Lopez?

11 A.   Then Enrique Camarena told Jorge Fonseca, "Hey, Jorge,"  
12 he told him, "I want to talk to Rafael Caro-Quintero." He  
13 said, "I know that he and I can understand each other. I can  
14 give him the information he needs."

15           Jorge Fonseca said to Enrique, "Who told you that  
16 Rafael Caro-Quintero was here?"

17           Enrique repeated that he could give him the  
18 information, that Caro-Quintero and himself understood each  
19 other well. And Enrique told him he could be better used  
20 alive than dead.

1 Q.   At any time, sir, are Camarena's hands tied in your  
2 presence?

3 A.   Yes.

4 Q.   Who did that?

5 A.   Jorge Fonseca ordered Pedro, he told him, "Tie his

000280



1 hands." Then El Fantasma went to the bedroom -- I mean, the  
2 bathroom of that bedroom and took out some curtain cords. In  
3 between El Fantasma and Pedro, they tied Enrique Camarena's  
4 hands in the back.

5 Q. At any point in that room are any articles of clothing  
6 of Camarena removed?

7 A. Yes. Pedro removed Enrique Camarena's shirt.

8 Then Jorge Fonseca was smoking a cigarette and  
9 Enrique Camarena asked if he could have a few puffs or if he  
10 could have a cigarette, something like that he said. Then  
11 Jorge Fonseca told Enrique, "Where do you want it, you son of  
12 a bitch?" and burning him several occasions in all parts of  
13 the body with the cigarette.

14 Then the spark would go off. He would puff it  
15 again to revive the spark and continued burning Enrique with  
16 his cigarette.

17 Q. Mr. Lopez, what did you do after observing this?

18 A. I told El Gueron, "Hey, Gueron" -- we used to call Jorge  
19 Fonseca 'El Gueron' -- "why are you beating this person so  
20 much? He is telling you -- he's answering everything right."

21 Q. What was --

22 A. I told him, "I don't know why you're doing all this  
23 mess."

24 Q. What was Gueron's response?

25 A. Then El Gueron turned to me and said, "Why are you

000281

1 getting into this, you son of a bitch?" And Gueron told me,  
2 "You better get out of here."

3 And then I went out of the bedroom.

4 Q. Where did you go to, Mr. Lopez?

5 A. I went there to the patio of the house.

6 Q. Did you speak to anyone in the patio?

7 A. There I met Ernesto Piliado, who had been my leader  
8 group in the judicial of the state, and I told him, I told  
9 Ernesto Piliado, "You know what? Jorge Fonseca is beating up  
10 this person too much."

11 Then Ernesto Piliado went to see Ernesto Fonseca  
12 and Piliado told Ernesto Fonseca, "Sir, why don't you allow  
13 me and my group to investigate the DEA agent?" He said that  
14 El Gueron was beating him up too much. And Ernesto Fonseca  
15 didn't like this at all.

16 Ernesto Fonseca talked to Samuel Ramirez Razo and  
17 told Samuel Ramirez Razo and Ernesto Piliado to go to see  
18 what was going on in the bedroom with the DEA agent. And to  
19 take him out because we were going to take him with us.

20 Q. So did Piliado and Samuel Ramirez Razo go anywhere then?

21 A. They went in to the bedroom where Enrique Camarena was.

22 Q. Approximately how long were they in that bedroom?

23 A. For a few minutes.

24 Q. Could you hear anything from that bedroom when they were  
25 in there?

000282

1 A. No.

2 Q. What happens next, Mr. Lopez?

3 A. After Ernesto Piliado and Samuel Ramirez Razo came out,  
4 Ernesto Piliado told me that they had already tied his hands  
5 and his feet and they were giving him Tehuacanes.

6 Q. What is Tehuacanes, sir?

7 A. In other words, that's the natural, umm, drink.

8 Q. Is it a mineral water?

9 A. Mineral water, yes.

10 Q. And what is that used for?

11 A. We use it in Mexico for some investigations.

12 Q. And how is it used?

13 A. It's like a soda pop. It's got gas. And you shake it  
14 and with the gas pressure, you place it in the nose. And the  
15 person is tied up, so he's receiving everything through the  
16 nose.

17 Q. Mr. Lopez, is Fonseca also advised by Piliado of what he  
18 had observed in the bedroom?

19 A. Yes.

20 Q. What happens next?

21 A. Then Rafael Caro-Quintero was coming out of the bedroom  
22 and Ernesto Fonseca told Caro-Quintero, "We're going to take  
23 the person." Rafael Caro-Quintero said to Ernesto, "Wait,  
24 wait, Compadre, nothing's happening."

25 Then Rafael Caro-Quintero took Ernesto Fonseca

0000283

1 towards the kitchen of the house.

2 Q. Did anyone go with those two to the house?

3 A. He was -- they were being followed by Samuel Ramirez  
4 Razo.

5 Q. Now, those three men, do they go into the house? Where  
6 do they go exactly in relation to the house?

7 A. They were at the door toward the kitchen.

8 Q. Could you see them from your location?

9 A. Yes. We were in the patio and we didn't remove our  
10 vision from Ernesto Fonseca.

11 Q. Now, were all three men talking?

12 A. Yes.

13 Q. Were they arguing?

14 A. You could see them gesturing but you couldn't hear.

15 Q. What happens next, Mr. Lopez?

16 A. Then the three of them came back to the umbrella -  
17 Ernesto Fonseca, Samuel Ramirez Razo and Rafael Caro-Quintero  
18 - and when they were halfway, I saw that from the kitchen  
19 or the living room Alvarez Machain was coming out.

20 Q. Now where did you see him?

21 A. Well, from the door where they were there arguing. And  
22 he went in again.

23 Q. Now, with the court's permission, if I can ask the  
24 witness to stand.

25 Do you see Dr. Alvarez in this courtroom,

000284

1 Mr. Lopez?

2 A. Yes. It's the gentleman with the blue sweater.

3 THE COURT: Indicating the defendant Machain --  
4 Alvarez, rather.

5 Be seated, please.

6 Q. BY [REDACTED]: Now, are you familiar with a man by the  
7 name of La Changa?

8 A. Yes.

9 Q. When all this is going on, do you see La Changa at Lope  
10 de Vega?

11 A. Yes.

12 Q. Tell me what happens.

13 A. La Changa approached Samuel Ramirez Razo and told him  
14 that Ruben Zuno Arce --

15 [REDACTED] Excuse me. Objection; hearsay.  
16 Talking about some third party conversation.

17 [REDACTED] It's co-conspirator's statement.

18 [REDACTED] Some enforcer, allegedly.

19 THE COURT: The objection is overruled.

20 Q. BY [REDACTED]: Tell us what La Changa said.

21 A. La Changa approached Samuel Ramirez Razo and told him  
22 that there was also other important people who wanted to know  
23 if they were going to give ground to this person - in other  
24 words, if they were going to kill him - so he could talk to  
25 them in order to interrogate him.

000285

1 Samuel Ramirez Razo responded to La Changa, "I  
2 don't know anything about that, ask Rafael Caro-Quintero."

3 Q. Now, Mr. Lopez, as all this is transpiring, how would  
4 you describe Ernesto Fonseca's demeanor?

5 A. Well, he was worried, nervous. Yes, you could see that  
6 he was worried, nervous.

7 Q. At any time, Mr. Lopez, do you see the arrival of anyone  
8 else at Lope de Vega?

9 A. Yes. The Bodyguards of Rafael Caro-Quintero came in  
10 with a person. He was also blindfolded.

11 Q. Where was this person taken to?

12 A. To another bedroom, right next to where they had  
13 Camarena.

14 [REDACTED]: And with the court's permission, may  
15 I just have Mr. Lopez indicate where he was taken to, Your  
16 Honor?

17 THE COURT: Yes.

18 Q. [REDACTED]: Mr. Lopez, can you stand for a moment  
19 and indicate where this other man was taken to.

20 A. This area here more or less.

21 [REDACTED]: Pointing, Your Honor, again to the  
22 guest room area on diagram exhibit 81.

23 THE COURT: All right.

24 Q. BY [REDACTED]: Did you know who this man was,  
25 Mr. Lopez?

000286

1 A. No.

2 Q. Were you later advised who he was?

3 A. Yes.

4 Q. Who was it?

5 A. That it was Enrique Camarena Salazar's pilot.

6 Q. When that man is taken to that guest room area, do you  
7 ever go back into that room again?

8 A. No. Just when we were about to leave, we heard that  
9 person moan as if he was being --

10 [REDACTED] Objection; relevance.

11 THE COURT: Overruled.

12 [REDACTED]: I didn't hear the answer.

13 THE WITNESS: When we were about to leave that  
14 place, through the window you could hear that person moaning  
15 as if he was being beaten.

16 Q. BY [REDACTED]: Mr. Lopez, at any point does Ernesto  
17 Fonseca depart from 881 Lope de Vega?

18 A. Yes. We left the area.

19 Q. Did other guards of Fonseca leave as well?

20 A. Yes, also.

21 Q. Where did you go to?

22 A. We went to Ernesto Fonseca's house.

23 Q. How long were you at that house?

24 A. We were there approximately four -- four hours.

25 Q. Incidentally, what time did you arrive at Fonseca's

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1 house?

2 A. We must have arrived at 5:00, 6:00 p.m.

3 Q. At any point -- well, strike that.

4 What happens next, sir, now that you're at this  
5 residence of Fonseca?

6 A. He went into his bedroom and we stayed there around the  
7 house.

8 Q. At any point did Fonseca ever leave that house?

9 A. Yes.

10 Q. Approximately what time?

11 A. It must have been around 6:00, 7:00 more or less.

12 Q. Did Fonseca leave with his bodyguards?

13 A. Yes.

14 Q. Did Fonseca tell you where he was going?

15 A. No. That we were just going to run an errand.

16 Q. At the point that he is leaving, how would you describe  
17 Fonseca's demeanor?

18 A. Well, you could see that he was nervous. Yes, he looked  
19 nervous.

20 Q. When you arrived -- strike that.

21 Did you go to 881 Lope de Vega with Fonseca?

22 A. Yes.

23 Q. Were people present already when you got there?

24 A. Yes.

25 Q. Upon arrival, where did Fonseca go?

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1 A. He went into the living room of the house.

2 Q. Did anyone go with him?

3 A. Samuel Ramirez Razo and Commander Gabriel Gonzalez.

4 Q. When he is inside the house, where did you stay?

5 A. There in the patio with the other bodyguards.

6 Q. What happened next?

7 A. Then Samuel Ramirez Razo came out to the patio and told  
8 Ramiro Perez Arrellano to go with him.

9 Q. Where did they go?

0 A. They went in the house, to the living room.

1 Q. What happens next?

2 A. Next, a few minutes later, Samuel Ramirez Razo came out  
3 again and order Guadalupe Fernandez and myself to take ash  
4 trays to the living room.

5 Q. Did you do that, Mr. Lopez?

6 A. Yes. We went to the kitchen, picked up some ash trays  
and took them to the living room.

7 Q. Now when you entered the living room, were people  
already present in that room?

8 A. Yes.

9 Q. Were pe- -- sorry.

Were there people from different agencies there?

A. Yes. From different government agencies.

Q. Was anyone from the military there?

A. There was Arevalo Gardoqui, Vinicia Santoya. A general

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1 or commander from the State of Zacatecas by the name of  
2 Salas. Jorge Guarma.

3 Q. Were there any politicians in that room when you walked  
4 in?

5 A. Yes.

6 Q. Who?

7 A. Manuel Bartlett Diaz, Enrique Alvarez del Castillo,  
8 Ruben Zuno Arce, Carlos Arcevez Fernandez.

9 Q. Any federal agents?

10 A. Yes.

11 Q. Who?

12 A. Juan Gilberto-Hernandez Parra, Migeul Aldana, Manuel  
13 Ibarra, Armando Pavon Reyes, Alfonso Vasquez, Sergio Espino  
14 Verdin.

15 Q. Were the state prosecutors present in the living room as  
16 well?

17 A. DA people from the state. Edgar Levy Gallardo, Armando  
18 Cuellar, Jorge Larios.

19 Q. Tell me what traffickers, if any, were in that living  
20 room.

21 A. There was Ernesto Fonseca, Rafael Caro-Quintero, Felix  
22 Gallardo, Manuel Salcido, Sergio Salcido, Avelardo Fernandez,  
23 Javier Barba, Jorge Fonseca.

24 Q. Finally, were there any representatives of the DFS  
25 there?

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1 A. Yes.

2 Q. And their names, if you recall.

3 A. There was Jorge Salazar, Eliseo Soto Martinez, Ruiz  
4 Velasco, "El Ruso," "El Nino," "El Chava." That's all.

5 Q. Mr. Lopez, when you walked into that living room with  
6 the ash trays, did you see Dr. Alvarez Machain there?

7 [REDACTED]: Objection; leading.

8 THE COURT: Overruled.

9 THE WITNESS: Yes. When I went into the kitchen.

10 Q. BY [REDACTED]: My question is, though, did you see him  
11 in the living room?

12 A. Yes.

13 Q. Now, after -- strike that.

14 Just one moment, Your Honor.

15 Your Honor, might this be a good place to break or  
16 would you like me to continue?

17 THE COURT: No. Just continue and I'll let you  
18 know.

19 [REDACTED] Very well.

20 Q. When you were in that living room, Mr. Lopez, did you  
21 overhear any conversation?

22 A. When I went to put in the ash trays, because we would  
23 pick up the dirty ash trays and put down some clean ones, you  
24 could hear a remark that Ruben Zuno was telling to the drug  
25 traffickers. "The same way you guys heard" -- excuse me.

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1 "The way that we had told you guys that the DEA  
2 was going to get rid of the drug trafficker in Jalisco, we  
3 wanted you to hear it from his mouth." In other words,  
4 referring to the DEA agent.

5 Q. So that --

6 A. Then we went out of the living room, we returned back to  
7 the patio.

8 Q. What did you do next, Mr. Lopez?

9 A. A few minutes later Samuel Ramirez Razo came out again  
10 and he ordered us again, Guadalupe Fernandez and myself, to  
11 go and take ash trays back into the living room.

12 Q. Now, at any point did you have a chance to go back into  
13 the kitchen?

14 A. Yes. Because we would take the dirty ash trays to the  
15 kitchen and we would pick up clean ones.

16 Q. So what happens after you receive this order from  
17 Ramirez Razo?

18 A. We went in, took clean ash trays to the living room.  
19 And while we were picking up the dirty ash trays, we could  
20 hear Arevalo Gardoqui also making remarks with the drug  
21 traffickers.

22 Q. What did he say?

23 A. Arevalo Gardoqui said that he wanted the bodies to be  
24 properly buried. He wanted the job to be done right, to hide  
25 them well where they couldn't be found.

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1           The court will take its afternoon recess at this  
2 time. The jury may be excused.

3           THE CLERK: Please rise.

4           (Jury excused at 2:45 p.m. )

5           THE COURT: You may step down.

6           THE CLERK: You may be seated.

7           THE COURT: Now, counsel, you wanted to take up  
8 something with the court. You, counsel.

9           [REDACTED]: Yes. Yes, Your Honor, I wanted to.

10          THE COURT: By the way, let me ask you, we do not  
11 take up things that will interrupt the testimony to the jury,  
12 so you have to anticipate these things and bring them up at  
13 the recess.

14          [REDACTED]: Well --

15          THE COURT: Fortunately we were able to reach the  
16 recess before the matter.

17          [REDACTED] I anticipated we would, Your Honor,  
18 because Mr. Medvene has his cross as well.

19          THE COURT: All right. Now what is it?

20          [REDACTED] Your Honor, during my cross-  
21 examination I wanted to make sure I could appropriately  
22 mention something in front of the jury and that is that in my  
23 cross-examination I intend to make reference to the timing of  
24 certain statements that this witness had made to the DEA;  
25 specifically that much of the information that he gave to the

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1 DEA came 14 days after the Supreme Court decided Dr. Alvarez  
2 Machain's case.

3 I intend to argue to the jury that the timing of  
4 this new improved information that he gave to the DEA and  
5 coming on the heels of the Supreme Court's decision, is  
6 suspicious and calls it, the information, into question,  
7 credibility. But before I mentioned the Supreme Court  
8 decision, I wanted to make sure that I could appropriately  
9 say that.

10 [REDACTED] Your Honor, just briefly. The  
11 problem with that, Your Honor, is, as you know, both in this  
12 trial and the past trial, the way these witnesses are  
13 interviewed is this information of which Mr. Rubin is  
14 alluding to, although dated perhaps after the Supreme Court  
15 decision on the DEA-6, would have been elicited from the  
16 interview before that date.

17 Now, if he starts doing that, we are compelled in  
18 our rebuttal case, perhaps, then to put on witnesses to  
19 establish that this information, in fact, was elicited prior  
20 to the Supreme Court resolution.

21 The second point, Your Honor, is it doesn't help  
22 one way or the other. It's sort of a tangential issue that  
23 doesn't add -- doesn't benefit the jury.

24 [REDACTED]: Excuse me, Your Honor, the --

25 THE COURT: Well, just a moment. I really don't

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1 think the Supreme Court decision has anything to do with this  
2 case. Now to the extent that the evidence shows some  
3 coincidence in timing of other events, you can deal with  
4 that.

5 Are you talking about arguing this or asking the  
6 witness about his knowledge of the Supreme Court decision?

7 [REDACTED]: Well, it depends how his questions  
8 come out, because I don't know what the government agents may  
9 have said to them or what dates they said to him or did they  
10 mention something to him at meeting time.

11 THE COURT: You may ask him what was said to him.

12 [REDACTED] But it seems to me, Your Honor, the  
13 date of this -- the first time in any DEA-6 this witness  
14 mentions any cleaning of the syringes, the DEA-6 is dated  
15 June 29th. That is 14 days after the Supreme Court decision.  
16 That strikes me as highly --

17 THE COURT: You may go into that. You may  
18 indicate what the dates were but I don't see any relevance in  
19 introducing the Supreme Court decision into it.

20 [REDACTED] Fine.

21 THE COURT: I want to stay away from that.

22 [REDACTED]: May I raise something else with the  
23 court at this juncture? To get a sense --

24 THE COURT: Are you finished with what you had?

25 [REDACTED]: Yes, Your Honor.

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1 THE COURT: All right.

2 [REDACTED]: To get a sense of what limitations,  
3 if any, the court will impose on defense counsel's cross-  
4 examination, the court may be aware - and certainly the  
5 defense counsel are because we provided it to them in Giglio  
6 information - the fact that this witness has knowledge of the  
7 disappearance and ultimate murder of four Jehova Witnesses in  
8 December 1984. Now, this witness did not harm anybody but  
9 was present when other interrogators were questioning these  
0 American individuals.

1 Now, I don't know what the court --

2 THE COURT: What is your point?

3 [REDACTED]: Well, my point, Your Honor, is we  
4 have evidence, and it would be part of our theory of the  
5 case, that not only the disappearance and murder of the four  
6 missionaries but the murders of Radelat and Walker and an  
7 abundance of other crimes of violence, Your Honor, were a  
8 result of the crooks, the traffickers, confusing civilians  
9 for DEA agents. That's why Radelat and Walker were  
0 murdered. And, unfortunately, why the four American Jehova  
1 Witnesses were murdered.

2 I would hope, too, Your Honor, the cross-  
3 examination on this issue would be somewhat circumscribed  
4 because to the extent the defense counsel opens the door  
5 dramatically, it's our position that we should be allowed to

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1 put on other evidence to establish there were not only this  
2 but other retaliatory acts.

3 THE COURT: Well, how would that affect the  
4 credibility of this witness? Presumably this would be  
5 impeachment testimony of this witness.

6 [REDACTED] And I agree with that, Your Honor.

7 THE COURT: How would the putting on evidence of  
8 other murders affect that? It does not rehabilitate the  
9 witness, does it?

10 [REDACTED] Because as opposing counsel is very  
11 good at is through the form of the questions and the limiting  
12 fashion of his questions, to not bring out the fact that the  
13 people were confused with DEA, that's why they were  
14 murdered. If I know opposing counsel, they'll dance around  
15 that subject heavily and suggest that this person was  
16 involved in those crimes.

17 THE COURT: Just a moment. You're exhibiting the  
18 same sort of paranoia we heard from defense counsel yesterday.  
19 Let's wait until the questions are asked.

20 [REDACTED] Very Well, Your Honor, I just want --

21 THE COURT: I think it's appropriate to question  
22 the witness about his participation, isn't it? And if he  
23 omits anything that needs to be clarified, you may ask the  
24 witness about it.

25 [REDACTED] Well, Your Honor.

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1 THE COURT: I don't want to get this jury or this  
2 court involved in dealing with other crimes committed by this  
3 organization or --

4 [REDACTED]: Uh-huh.

5 THE COURT: -- Radelat and Walker or the four  
6 missionaries.

7 [REDACTED] Exactly. Well, the question is the  
8 403 detail.

9 THE COURT: Maybe we should hear from Mr. Medvene  
10 as to what his intentions are.

11 [REDACTED] My intention is to go into it. The  
12 prosecutor went into it. In his questioning of this witness,  
13 the prosecutor specifically asked this witness if he were  
14 present when the people were kidnapped and he elicited from  
15 this witness that --

16 [REDACTED]: No.

17 [REDACTED] -- there were these two people that  
18 were kidnapped. But, at any rate, it seems to us we're  
19 permitted to go into it.

20 THE COURT: To what? Elicit details? You're not  
21 permitted to elicit details. You can't do that even for a  
22 witness who has been convicted of a felony.

23 [REDACTED]: Your Honor.

24 [REDACTED]: Your Honor, by the way, the incident  
25 referenced by Mr. [REDACTED] was a Mexican couple, it has

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[REDACTED], U.S. COURT REPORTER

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1 nothing to do with these four Americans. I want to clarify  
2 that.

3 [REDACTED]: You mean the prosecutor is putting  
4 on an incident of torture, and this guy could kill this  
5 Mexican couple, and he thinks that's relevant, but we can't  
6 ask the person his involvement in kidnapping the four Latter  
7 Day Saints?

8 [REDACTED]: Your Honor, the relevance --

9 [REDACTED]: What relevance does it have to bring  
10 in two Mexican citizens and they were kidnapped? They  
11 brought that in, we didn't bring that in. In fact, we  
12 objected to it and you overruled it.

13 THE COURT: What is the relevance of it?

14 [REDACTED]: The relevance, Your Honor, is part  
15 of an MO, or method of operation, for interrogators, among  
16 other things, besides beating someone up, was the use of bags  
17 for suffocation. The court is well aware, I hope, by now  
18 that we find at Lope de Vega approximately six to eight  
19 plastic cleaners bags with the fingerprints of Dr. Machain.  
20 That is the reason it was elicited, Your Honor, for no other  
21 reason; that's the reason it's relevant. And, of course, you  
22 are aware that Dr. Machain --

23 THE COURT: Well, you may examine this witness on  
24 his direct testimony that he gave. You may include evidence  
25 about his involvements or knowledge of this, these events,

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1 but I am not going to have a run-away inquiry.

2 [REDACTED]: No, sir.

3 THE COURT: In great detail or anything else.

4 [REDACTED]: No, sir. I just intended to ask  
5 maybe three or four questions in that area about what he did  
6 and where he was and did he participate.

7 [REDACTED]: Your Honor, I should point out that  
8 some detail, I think, is relevant in this sense: This  
9 witness has said in the Camarena episodes, has given the  
10 totally self-serving testimony that, "I really had nothing to  
11 do with the kidnapping, I was just there. I really had  
12 nothing to do with the beating but I was watching it, I was  
13 just there." And he is just there doing nothing.

14 THE COURT: What is the point here?

15 [REDACTED]: The point is that I think we can go  
16 into the kidnapping of the missionaries to see if he is going  
17 to give the same kind of testimony and to argue that this  
18 can't be true, that he is just there for that thing.

19 THE COURT: You heard the limitation that I placed  
20 on that. You may inquire about it but I am not going to  
21 allow a lot of detail.

22 [REDACTED]: Very well, Your Honor.

23 [REDACTED]: Thank you, Your Honor.

24 THE CLERK: Please rise.

25 Court stands in recess.

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(Recess from 2:57 p.m. To 3:10 p.m.)

(Proceedings held in jury's presence.)

THE COURT: Any further questions for this witness?

[REDACTED]: Yes, Your Honor.

THE COURT: Proceed.

Q. BY [REDACTED] Mr. Lopez, after seeing Machain in the kitchen, did you ever go back to the living room?

A. I went back to the patio again.

Q. After that did you have a chance to go back to the living room?

A. Yes, a few minutes later.

Q. For what purpose?

A. For what purpose? Samuel Ramirez Razo came out again. He went out to the patio, and once again he ordered Guadalupe Fernandez and myself. At that time he was smoking a base cigarette and he offered it to everyone. Only Samuel Ramirez Raza gave it a few puffs. Then Samuel Ramirez Razo order Guadalupe Fernandez and myself to go back again to the living room to take clean ash trays.

Q. Did you go back to the living room?

A. Yes.

Q. When you were in that living room, did you ever overhear any other conversation, Mr. Lopez?

A. We heard a conversation from Manuel Bartlett Diaz.

1 Q. What did you hear?

2 A. Manuel Bartlett Diaz was telling Rafael Caro-Quintero,  
3 "Just the same way that this problem was resolved, we're  
4 going to resolve all the others and there's not going to be  
5 any problems."

6 Rafael Caro-Quintero replied to Manuel Bartlett,  
7 "Don't worry, Compa, you're going to go as far as we want  
8 you to. We need you up there. Just tell us what you need  
9 and we'll give it to you."

0 Q. Who was that that said that?

1 [REDACTED] Objection, Your Honor.

2 THE COURT: Overruled.

3 THE WITNESS: Caro-Quintero told that to Manuel  
4 Bartlett Diaz.

5 Q. BY [REDACTED]: Mr. Lopez, when Bartlett spoke, did  
6 people have difficulty understanding him?

7 [REDACTED] Objection; calls for conclusion.

8 THE COURT: Sustained.

9 Q. BY [REDACTED]: At any point, Mr. Lopez, did you exit  
10 the living room again?

A. Yes. We went back to the patio again.

Q. Subsequently at any point does anyone start leaving 881  
Lope de Vega?

A. Yes, people started leaving there.

Q. Do you recall approximately what time they started



1 leaving?

2 A. Around 11:00, more or less.

3 Q. When these people left, were they carrying anything?

4 A. Yes, several of them were carrying briefcases and we  
5 knew those briefcases, when they were carried, they contained  
6 money.

7 Q. Now --

8 [REDACTED] Objection; calls for speculation.

9 THE COURT: Overruled.

10 Q. BY [REDACTED]: At any point does Fonseca leave 881  
11 Lope de Vega?

12 A. Yes.

13 Q. Approximately what time?

14 A. That was early in the morning, 1:00 or 2:00 a.m.

15 Q. Where did Fonseca go to?

16 A. He went to his house.

17 Q. Which house was that?

18 A. On Hidalgo Avenue.

19 Q. Did Fonseca stay at that residence at Hidalgo that  
20 evening?

21 A. Yes, he spend the rest of the morning there.

22 Q. So now are we at the morning of February 8?

23 A. Yes.

24 Q. Did you and the other bodyguards also stay at Hidalgo?

25 A. Yes.

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**TAB 57**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 1058 - 1059**

57

1 parked the vehicles. Ernesto Fonseca got out of his Gran  
2 Marquis and went into the house off Lope de Vega. Then  
3 Samuel Ramirez Razo went in, also into the house. But he  
4 came out shortly thereafter.

5 Samuel Ramirez Razo came out smoking a base  
6 cigarette and he leaned on the Gran Marquis of Ernesto  
7 Fonseca. We, the bodyguards, approached Samuel Ramirez Razo  
8 and also there were bodyguards of Rafael Caro-Quintero, El  
9 Fantasma and La Changa. El Fantasma was making a comment to  
10 Samuel Ramirez Razo, telling him that they had gone too far  
11 and pointing to La Changa.

12 El Fantasma told Samuel Ramirez Razo, "This son of  
13 a bitch, he went too far. With a bar he hit him on his head  
14 and stuck it."

15 Then Ernesto Fonseca came out very quickly from  
16 the house at Lope de Vega, followed by Javier Baldivar.

17 Q. Now when Fonseca exits the house, was he still angry?

18 A. Yes. He came out even more angry.

19 Q. What does he do?

20 A. Javier Baldivar followed after Mr. Fonseca and Javier  
21 Baldivar told Mr. Fonseca, "Wait a minute Comrade." Ernesto  
22 Fonseca replied to Javier Baldivar, "You're going to take  
23 care of that mess, sons of bitches."

24 Q. Fonseca, after that, did he leave Lope de Vega?

25 A. Yes. He got into his Gran Marquis and sped away.

1 Q. Did you and the other bodyguards follow him?

2 A. Yes.

3 Q. And where did Fonseca go to?

4 A. Once again to his house at Avenida Hidalgo.

5 Q. I'd like to direct your attention to the latter part of  
6 February of 1985, Mr. Lopez. Are you familiar with the  
7 residence called the Loma Bonita Apartments?

8 A. Yes.

9 Q. At this date were you at those apartments with Fonseca?

10 A. Yes.

11 Q. And were other bodyguards of Fonseca there?

12 A. Yes.

13 Q. At any point, Mr. Lopez, did you have to leave the Loma  
14 Bonita Apartments?

15 A. Yes. Because I had a problem at my house with my  
16 family.

17 Q. What was the problem?

18 A. Well, I had talked on the phone with my wife and she  
19 told me she was having some problems with some gang members  
20 that would gather in the neighborhood and would bother the  
21 family during every night.

22 Q. Did you decide to rejoin your family then?

23 A. I mentioned this to Samuel Ramirez Razo. I told him --  
24 I mentioned the problem that I had with my family. Samuel  
25 Ramirez Razo told me that at that time I couldn't leave

(58)

**TAB 58**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 1062 - 1063**

(58)

1 A. Yes.

2 Q. And you stopped working for Fonseca?

3 A. No, because I heard through the media they had been  
4 arrested.

5 Q. But you were no longer working for them?

6 A. No.

7 [REDACTED]: One moment, Your Honor.

8 (Pause in proceedings.)

9 Q. When was it, Mr. Lopez, that you arrived in Los Angeles  
10 from Mexico?

11 A. Well, I arrived the beginning of '92, the first month  
12 of '92.

13 Q. Did you arrive with your family?

14 A. Yes.

15 Q. And have you been in Southern California since then?

16 A. What was that?

17 Q. Have you been in Southern California since you arrived  
18 in January?

19 A. Yes.

20 [REDACTED]: May I just have one moment, Your  
21 Honor? Just about done.

22 (Pause in proceedings.)

23 Q. BY [REDACTED]: Mr. Lopez, after arriving in Los  
24 Angeles, were you given immunity for your testimony?

25 A. Yes.

1 Q. Are you currently receiving money from the United  
2 States?

3 A. Just to eat with my family.

4 Q. And how much are you getting?

5 A. They're giving me three dollars -- \$3,000 a month.

6 [REDACTED]: One moment, Your Honor.

7 (Pause in proceedings.)

8 [REDACTED]: That concludes direct, Your Honor.

9 THE COURT: You may cross-examine the witness.

10

CROSS-EXAMINATION

11

12

BY [REDACTED]

13

Q. When did you last see Jorge Godoy?

14

A. I don't remember exactly which month.

15

Q. See him this month?

16

A. No.

17

Q. You know he testified yesterday, don't you?

18

[REDACTED] Objection; relevance, Your Honor.

19

THE COURT: Sustained. Strike that.

20

You may answer.

21

Do you understand the question?

22

THE WITNESS: Could you repeat it, please.

23

Q. BY [REDACTED] You know he testified yesterday, don't  
24 you?

25

A. Through the media.

(59)

**TAB 59**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 1069 - 1071**

59

1 A. What did you say, sir?

2 Q. If Mr. Fonseca said kidnap somebody or take them or do  
3 something to them, you would do it because you wanted to earn  
4 your salary, you needed money?

5 A. Fonseca never gave me orders to arrest or kidnap anybody  
6 except Enrique Camarena.

7 Q. Now, when these two folks that were bothering  
8 Mr. Fonseca came to the house, you said, "Kill them," didn't  
9 you?

10 A. No. Because Samuel Reyes Razo was giving him an awful  
11 torture.

12 Q. Didn't you say "Why torture, just let him die"?

13 A. He was suffering.

14 THE INTERPRETER: Excuse, me counsel.

15 Q. BY [REDACTED]: Didn't you tell us this morning that  
16 you said, "Let's not torture them, let's kill them both"?  
17 Isn't that what you said?

18 A. No, I didn't simply say that. But since he was  
19 torturing him so much and, with the torture, he was going to  
20 be killed....

21 Q. So you said it would be easier to kill him.

22 A. Not easier, but torturing a person like that and killing  
23 them with suffering....

24 Q. I understand. So it would be better to kill them to  
25 take them out of their suffering. Was that it, Mr. Romero?



1 A. Well, actually, if he is torturing him and he is going  
2 to kill him anyways, why make him suffer.

3 Q. So in order to spare these two people that were walking  
4 down the street, this man and woman, in order to spare them  
5 some pain, you suggested that they be killed?

6 [REDACTED]: This is asked and answered, Your  
7 Honor.

8 THE COURT: Sustained.

9 Q. BY [REDACTED]: You did say "Kill them," though, didn't  
10 did you, sir?

11 [REDACTED]: Asked and answered, Your Honor.

12 THE COURT: Sustained.

13 Q. BY [REDACTED]: Now, you were involved in the holding  
14 of four Jehova's Witness missionaries in early December of  
15 1984; isn't that correct, sir?

16 A. Yes.

17 Q. That's two men and two women.

18 A. Yes.

19 Q. And you were involved in having them undress and be  
20 tortured; isn't that so?

21 A. Well, no. I was involved not even in the detention;  
22 because when we got there, they had already been detained.

23 Q. But you were there when they ordered the women into a  
24 room and were ordered to undress and were tortured; isn't  
25 that so?

1 [REDACTED]: Your Honor, I object to this line of  
2 questioning.

3 THE COURT: Overruled.

4 THE WITNESS: Yes, I saw them be undressed.

5 Q. BY [REDACTED]: And tortured.

6 A. Well, yes, they did torture them and, uh....

7 Q. You are not a stranger to torture, because when Enrique  
8 Camarena was being tortured, you sat down and had a meal of  
9 beef tongue; didn't you tell us that, sir?

10 [REDACTED]: Objection; argumentative and  
11 compound.

12 THE COURT: Yes. Sustained.

13 Q. BY [REDACTED]: Now after the torture, Mr. Romero,  
14 people were lined up by the side of the grave and killed and  
15 put in one grave; isn't that right, sir?

16 A. I saw the grave but I didn't see when they were shot; I  
17 just heard.

18 Q. And did you get your paycheck from Mr. Fonseca that  
19 month for your work for him?

20 A. Well, he didn't have a date to pay us.

21 Q. How much did you get from Mr. Fonseca each month there  
22 in '84 for -- and '85 for being involved in these kinds of  
23 things you're telling us about?

24 A. I didn't have an exact amount. Sometimes he would give  
25 us 50, 80, 30.

(60)

**TAB 60**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 1074 - 1075**

60

1 Q. -- that you told us about, you received about \$500?

2 A. A little less.

3 Q. And now, am I correct, you're receiving \$3,000 a month?

4 A. Yes.

5 Q. Now, you said after Mr. Fonseca was arrested, you  
6 escaped. Is that correct?

7 A. Yes.

8 Q. And are you still an escapee in Mexico?

9 A. Escapee? I've never been called that.

10 Q. Well, did you ever turn yourself in in Mexico and say,  
11 "Here I am. I know that I'm -- that you want to arrest me"?

12 A. Well, no, because it was never mentioned I was going to  
13 be arrested.

14 Q. Now, you also, while a Jalisco state policeman, accepted  
15 a bribe, didn't you?

16 A. What are you referring to?

17 Q. Referring to a payment of -- a payment that you received  
18 so you wouldn't -- strike that.

19 I'm talking about a payment that you received when  
20 you were a policeman so you would violate your oath of trust.

21 A. But that payment I --

22 I really don't understand your question.

23 Q. Didn't you -- didn't you receive a payment from somebody  
24 from whom you had confiscated a weapon? They gave you some  
25 money so you'd forget about it?

1 A. Oh, yes.

2 Q. So you knew you were violating an oath at that time but  
3 you violated the oath because you wanted the money?

4 A. I wouldn't call it an oath because we don't go through  
5 an oath when we are going to join a corporation.

6 Q. You took money and you accepted a bribe in violation of  
7 your duties; isn't that correct?

8 A. Yes.

9 Q. Now, isn't it true, sir, that if you took money from  
10 Mr. Fonseca for the things you said and you accepted a bribe,  
11 you would tell untruths for money?

12 A. Well, no. Why should I lie? That was the only problem  
13 that I had with the judicial of the state.

14 Q. If you'd murder and maim for money, you'd lie for money,  
15 wouldn't you?

16 [REDACTED]: Objection, Your Honor. There is no  
17 evidence.

18 THE COURT: You're arguing with the witness,  
19 counsel.

20 Q. BY [REDACTED] Now after, after you escaped from  
21 Puerto Vallarta, where did you go?

22 A. I went to Guadalajara Jalisco.

23 Q. And did you work there?

24 A. No.

25 Q. Were you in Guadalajara Jalisco the remainder of the

(61)

**TAB 61**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 1078 - 1079**

(61)

1 I mentioned an exact amount.

2 Q. Doesn't have to be exact, just approximate.

3 A. Well, let's say some, uh, (pause) \$2,000 a month.

4 Q. Huh?

5 A. \$2,000 a month.

6 Q. You're saying from \$300 --

7 THE COURT: Well, he said what he said.

8 Q. BY [REDACTED]: So you made \$2,000 a month when?

9 A. During the time that I was in business.

10 Q. Uh-huh. Now, were you charged, Mr. Lopez, with obstruc-  
11 tion of justice when you were in the state police force?

12 A. Accused of what?

13 Q. Charged with obstruction of justice.

14 (Discussion between [REDACTED] and  
15 [REDACTED] sotto voce.)

16 Q. BY [REDACTED]: "Abuso de proceso."

17 A. I do not understand the words. I do not understand the  
18 phrase.

19 Q. Were you -- was a criminal charge filed against you in  
20 connection with a shooting of a state police colleague?

21 A. For me? That I shot?

22 Q. A state police colleague that was shot. Were you  
23 charged with some offense in Mexico in connection with that?

24 A. Oh, about the problem of my friend, my colleague? When  
25 he shot a person, when he confronted fire with a person?

1 Q. Now, were you charged with an offense in connection with  
2 that, charged with violating your duty?

3 A. Yes. "Abuso de autoridad."

4 Q. Were you ever questioned by the Mexican authorities in  
5 connection with the kidnapping of Enrique Camarena?

6 A. No.

7 Q. To your knowledge, was there ever any -- strike that.

8 Did you know that Mr. Godoy had been questioned?

9 [REDACTED] Objection, Your Honor; relevance,  
10 lack of personal knowledge.

11 THE COURT: Sustained.

12 Q. BY [REDACTED] You knew that DEA was looking for any  
13 one that had information about the participants in the  
14 Enrique Camarena kidnapping as early as 1985; isn't that  
15 correct, sir?

16 A. No.

17 Q. Did you know an offer had been made for any one that had  
18 information about who planned the kidnapping?

19 A. No.

20 Q. You knew that Ruben Zuno Arce had been charged with  
21 planning the kidnapping; isn't that true?

22 A. That Ruben Zuno Arce had what?

23 Q. Had been charged with being a participant in the  
24 planning. Is that true?

25 A. I heard it on the news when he was detained for the



(62)

**TAB 62**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pg: 1091**

62

1 Q. Did they tell you whether or not you would be arrested  
2 when you came here?

3 A. No. We didn't talk about an arrest.

4 Q. When did you first find out you weren't going to be  
5 arrested?

6 A. Not till the present time, I have not found out.

7 Q. When did you first find out you were going to get paid?

8 A. About a month -- During the first days that I arrived  
9 here.

10 Q. You were told that you would be paid \$3,000 a month?

11 A. Yes.

12 Q. You were told that you'd be able to stay permanently in  
13 the United States?

14 A. They haven't talked to me about that.

15 Q. Is it your understanding that you can stay as long as  
16 the DEA says it's okay for you to stay?

17 A. Well, yes; until they tell me.

18 Q. So if they tell you, you can stay; and if they tell you  
19 to go, you have to leave this country, that's your under-  
20 standing; right?

21 A. Well, actually, yes.

22 Q. And you get your \$3,000 a month until DEA decides you  
23 don't get \$3,000 a month any more; isn't that right?

24 A. Well, they haven't said anything about that, only that  
25 they were going to pay \$3,000 a month.

(63)

**TAB 63**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 1107 - 1124**

63

1 [REDACTED]: May I consult with Mr. Medvene for a  
2 moment, Your Honor?

3 [REDACTED]: Yes.

4 (Pause in proceedings.)

5 [REDACTED]: The parties have stipulated, Your  
6 Honor, that March 5th was the initial debriefing of this  
7 witness.

8 THE COURT: Very well.

9 Q. BY MR. [REDACTED]: Now, you told us yesterday, sir, you  
10 first came to this country in January of 1992. What did you  
11 do between January and March 5th?

12 MR. [REDACTED]: Objection; misstates. He indicated  
13 he came in February.

14 THE COURT: Well.

15 [REDACTED]: The record will be what it is. I  
16 don't --

17 THE COURT: Yes. The testimony is what it was.

18 Are you asking him what he did between the time he  
19 arrived here and March 5th?

20 [REDACTED]: Yes, sir.

21 THE COURT: That is the question.

22 Mr. Interpreter.

23 THE INTERPRETER: Pardon me, Your Honor?

24 Q. BY MR. [REDACTED] The question is, sir, what did you do  
25 between the time you first arrived in the United States and

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[REDACTED] U.S. COURT REPORTER

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1 March 5th?

2 A. What I did was that I was interviewed by the agents of  
3 the DEA. I started to give them information.

4 Q. Now, on March 5th, the initial debriefing, you told them  
5 that you were with the Jalisco state police until the middle  
6 of 1984. Is that correct?

7 A. Yes.

8 Q. And that while with the Jalisco state police, you worked  
9 with Comandante Gonzalez-Gonzalez and Antonio Ochoa.

10 A. Yes.

11 Q. And after you left Jalisco state police, you became a  
12 bodyguard for Mexican drug lord Ernesto Fonseca; is that  
13 correct?

14 A. Yes.

15 Q. And at the initial meeting, you didn't give any further  
16 details. Is that correct?

17 A. The only thing I said there.

18 Q. Was what I said the only thing you said at that meeting?

19 A. What meeting are you referring to?

20 Q. At your initial meeting with the DEA representatives,  
21 the total of what you said is what you've just told us; is  
22 that correct?

23 A. Yes. What was said yesterday.

24 Q. Sir, my question is -- and you're free to look at  
25 exhibit 406, what's marked as 6558, and have the interpreter

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1 read it to you if you want, but the totality of what you said  
2 to the DEA representatives at this first meeting on March 5th  
3 was just what you've just told us; is that correct, sir?

4 A. Well, since I was debriefed on several occasions, I don't  
5 know if it was exactly on that date that I told them that.

6 Q. Is it your best memory that what you told them on that  
7 occasion was no more or no less than what you've just told us?

8 MR. [REDACTED] Objection; vague and ambiguous.

9 THE COURT: Very confusing, that question.

10 MR. [REDACTED]: Okay.

11 THE COURT: I think you should move on here, counsel.  
12 We're not getting anywhere.

13 Q. BY MR. [REDACTED]: Now, is it correct, sir, that April  
14 15th of 1992 was the first occasion where you tell the DEA  
15 representatives of anything about a meeting at the Las  
16 Americas Hotel, and if you'd like to refresh your  
17 recollection, I direct you --

18 THE COURT: Well, he can't.

19 MR. [REDACTED]: I'm sorry, Your Honor.

20 THE COURT: Let him answer the question.

21 Q. BY MR. [REDACTED] Was that the first time?

22 A. I don't know if, in fact, it was at that meeting; that I  
23 spoke to that meeting.

24 Q. Would you look, sir, for purposes of refreshing your  
25 recollection, to the exhibit in front of you, page 6528, and

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[REDACTED], U.S. COURT REPORTER

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1 please read -- and we'll have the interpreter go over for you  
2 the first three lines where there's reference to a date and a  
3 meeting.

4 (Pause in proceedings for reading in Spanish.)

5 A. Yes, in fact, that is.

6 Q. What is?

7 A. Exactly. Exactly? I don't know if it was exactly on  
8 that date.

9 Q. Is it also correct, sir, that it was that date, some 40  
10 days after you first spoke with the DEA, that you first  
11 mentioned the meeting at Ernesto Fonseca's house where there  
12 was some reference to an AK-47?

13 A. Well, at different times that I would see the agents, I  
14 would give them information, I would say, about everything.

15 Q. My question, sir, is it correct that it was on that  
16 occasion some 40 days after you met the agents that you for  
17 the first time recounted anything about this alleged meeting  
18 at Ernesto Fonseca's house?

19 A. I don't know exactly if it may have been 40 days later  
20 or 8 days later because I saw those agents many times.

21 Q. I direct your attention, sir, to the same exhibit, page  
22 6531, for purposes of refreshing your recollection and ask  
23 the interpreter to read under date, Date Prepared, what date  
24 it says, and also make reference to the synopsis of three or  
25 four sentences talking about the Ernesto Fonseca meeting.

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1 THE INTERPRETER: Excuse me, counsel, what do you  
2 want me to read?

3 MR. [REDACTED]: I want you to read the synopsis  
4 where it talks about the meeting and the date the report was  
5 prepared. I'd like you to read that to him to see if that  
6 refreshes his recollection. Where it says Date Prepared,  
7 April 15th.

8 THE INTERPRETER: On 6531?

9 MR. [REDACTED] On 6531.

10 THE INTERPRETER: Where does it say "Date  
11 Prepared"?

12 MR. [REDACTED] I'm sorry.

13 May I approach, Your Honor?

14 Date Prepared. Synopsis.

15 THE INTERPRETER: Oh. Up to where? Up to the end  
16 of that sentence?

17 MR. [REDACTED]: Yes.

18 (Pause in proceedings for reading in Spanish.)

19 THE WITNESS: Yes. That is true, I told them  
20 about that. But I don't remember the exact date.

21 Q. BY MR. [REDACTED] And is it true, sir, that the first  
22 time you made any reference to the meeting at 114 Tonalá and  
23 people there was also about 40 days after you first met the  
24 DEA on April 15th?

25 A. I also let them know about a meeting that occurred at

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[REDACTED], U.S. COURT REPORTER

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1 that house.

2 Q. And sometime after that you first told them about this  
3 alleged Mariachi meeting; is that true?

4 A. The thing is on different occasions I would tell them  
5 everything, whenever I would see them.

6 Q. My question is: Is it true that that was about a month  
7 and a half after you first started talking to them that you  
8 told them about this alleged Mariachi meeting?

9 A. Well, no, I don't remember that because I would speak --  
10 I would give them all of the information on different  
11 occasions.

12 Q. You knew, didn't you, sir, that from the first time you  
13 met the agents on March 5th, they wanted you to provide all  
14 the information that you had about the kidnapping; isn't that  
15 correct?

16 A. That they prohibited me?

17 Q. Didn't the agents the first time that they met you way  
18 back in early March, say, "Please tell us everything you know  
19 about the kidnapping and anybody that was at any meetings or  
20 any information you have about the kidnapping"?

21 A. From the very beginning when I arrived, they asked me to  
22 give them information about everything.

23 Q. Now, is it true, sir -- we're now talking about the  
24 Mariachi meeting. You mentioned you didn't remember the  
25 date. Could you look, to refresh your recollection, at page

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1 6536 and would you look at Date Prepared, sir, April 16th,  
2 and under 10, Report Re Debriefing of Mariachi Meeting.

3 Does that refresh your recollection that that's  
4 the first time you told the agents anything about that  
5 alleged meeting?

6 (Pause in proceedings for reading in Spanish.)

7 THE WITNESS: Yes, I did tell them about that.

8 Q. BY MR. [REDACTED] At that time?

9 A. I don't remember the date, I don't remember the day.

10 Q. Is it your best recollection it was about that time?

11 A. No. We would speak about different meetings and  
12 different events.

13 Q. Is it true, sir, that it was some 35 days after you  
14 first started talking to the DEA representatives that you  
15 made any claim that Ruben Zuno was at 881 Lope de Vega on  
16 February 7th?

17 MR. [REDACTED] Objection to the form of the  
18 question, Your Honor. The witness indicates he doesn't  
19 recall the date.

20 THE COURT: He has indicated that.

21 MR. [REDACTED]: Different question, Your Honor.

22 THE COURT: Well, ask the witness if he remembers  
23 when he first told them the information.

24 Q. BY MR. [REDACTED] Did you, sir, on April 9th tell the  
25 agents for the first time that you saw Ruben Zuno at 881 Lope

000315

1 de Vega on February 7, 1985?

2 A. From when I first arrived, I started giving them infor-  
3 mation about everything and about everybody who had arrived.

4 Q. Would you please look at the document marked 6514.

5 Under Date Prepared, April 9th, and under item 10, debriefing  
6 of events at 881 Lope de Vega.

7 If you could interpret that.

8 And does that refresh you that that's  
9 approximately the time that you first told the agents that  
10 you saw Ruben Zuno on February 7th?

11 THE INTERPRETER: Is that where it says 3; counsel?

12 MR. [REDACTED] I'm sorry.

13 THE INTERPRETER: Where am I supposed to read?

14 MR. [REDACTED] April 9. The date under 8 and 10,  
15 Debriefing.

16 THE COURT: All right, counsel, you don't need to  
17 approach here.

18 MR. [REDACTED] Under item 8 up at the top,  
19 Mr. Interpreter, on the right-hand side, three lines down.  
20 See, it says Date Prepared.

21 THE INTERPRETER: Okay, it says Date Prepared.

22 And then what?

23 MR. [REDACTED] Three lines down it says Report Re  
24 Debriefing Events. It says 10.

25 Up at the top, sir.

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1 THE INTERPRETER: I see it starts with Bodyguards,  
2 I don't know --

3 MR. [REDACTED] Sir, up at the top. Item No. D, the  
4 top of the page.

5 THE INTERPRETER: I don't know what you're asking  
6 for.

7 MR. [REDACTED]: You see where it says item 8, sir?

8 THE INTERPRETER: No, I don't.

9 MR. [REDACTED] You just read Date Prepared.

10 THE INTERPRETER: Yes.

11 MR. [REDACTED] Under that is item 9.

12 May I approach, Your Honor, it will just take one  
13 second?

14 THE COURT: All right. .

15 (Mr. [REDACTED] turns page of report.)

16 THE INTERPRETER: Sorry.

17 (Pause in proceedings for reading in Spanish.)

18 THE COURT: What is your question?

19 MR. [REDACTED] Oh.

20 Q. My question is, does that refresh you that the first  
21 time that you claimed to the DEA agents that Mr. Zuno was at  
22 881 Lope de Vega on February 7th was some 35 days after you  
23 first started talking to him?

24 A. From the very first day that I arrived here, I started  
25 giving them information about everything and everyone.

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1 Q. Did you give them the information about 881 Lope de Vega  
2 on or about April 9th of 1992?

3 A. I don't remember the exact date but I did give them that  
4 information.

5 Q. Does that document refresh your recollection?

6 A. Well, no, since I spoke to them on several occasions, it  
7 really doesn't.

8 Q. Could you explain, sir, to us how you're able to  
9 remember with such precision --

10 THE COURT: Counsel, that sounds like an argument.

11 MR. [REDACTED] Objection as to form.

12 THE COURT: Not a question.

13 MR. [REDACTED] It was going to be a question.

14 THE COURT: It's an argument. You can argue it  
15 when the time comes.

16 Q. BY MR. [REDACTED] You'd made some reference yesterday to  
17 a man who said the DEA might be able to help you with your  
18 problem. When did you first tell this individual you had a  
19 problem?

20 A. Well, he knew about it from the news and since he knew  
21 me, then all the names came to light.

22 Q. He knew your problem was you were involved in the  
23 kidnapping of Enrique Camarena?

24 A. Exactly. Because all of that was published and all  
25 those names came out of the media.

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1 Q. Now, how long prior to the time that -- strike that.

2 How long before the time that he called you and  
3 told you that DEA might be able to help you with your problem  
4 had you last seen or spoken to this individual?

5 MR. [REDACTED]: Objection; vague and ambiguous, Your  
6 Honor, compound.

7 THE COURT: Sustained. And you went into this  
8 yesterday and I'm not going to have repetition.

9 MR. [REDACTED] Fine.

10 Q. Were you ever assigned, sir, to Mascota in the course of  
11 your work for the state judicial police?

12 THE INTERPRETER: Where, counsel?

13 Q. BY MR. [REDACTED] Mascota.

14 A. Yes.

15 Q. And when was this?

16 A. Approximately it must have been around April of '84.

17 Q. And how long were you assigned to Mascota?

18 A. About three months.

19 Q. And while there, were you in the course of your official  
20 duties involved in a road block where you were stopping  
21 vehicles that might have marijuana?

22 A. Well, it wasn't really a road block. We set up  
23 surveillance on the crossroad from Mascota to Talpa.

24 Q. And as a police officer, you realized it would be  
25 important to get all the details of any one that you found

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1 that had marijuana; isn't that correct?

2 A. Exactly.

3 Q. And the ordinary practice of a police officer would be  
4 to collect these details and write them down in a report;  
5 isn't that true?

6 A. That's true. That's what one should do.

7 Q. And what one ordinarily would do would be to write down  
8 the kind of car that was involved.

9 A. Well; the proper thing to do is to detain that vehicle,  
10 to detain those drivers and to detain the individuals and  
11 everybody responsible.

12 Q. Now, in the course of making your report, you would put  
13 down the license number of the car involved; is that correct?

14 A. Yes.

15 Q. The make of the car?

16 A. All of the features on the vehicle and the person.

17 Q. Now, what was the license number of the state bed truck  
18 that you claimed you saw?

19 A. Well, since no vehicle and no persons were detained at  
20 that time, no data was gathered either.

21 Q. So you didn't write down license number, make or model  
22 of car?

23 THE COURT: Counsel. He's just answered that  
24 question. No data, he said.

25 Q. BY MR. [REDACTED] Did you make any notes yourself to help

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[REDACTED], U.S. COURT REPORTER

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1 refresh you about the incident that occurred so many years ago?

2 THE COURT: You mean at that time?

3 MR. [REDACTED]: At that time.

4 THE WITNESS: About that incident?

5 Q. BY MR. [REDACTED] Yes. Any notes?

6 A. No. Because, as I said before, since no vehicle or  
7 persons or anyone were detained, no data were gathered.

8 Q. Since that time, during the eight years, have you  
9 written anything down to help refresh you on that incident  
10 and who you saw or if it happened?

11 A. Well, no, it's only in my memory.

12 Q. Now, during the three months in Mascota, who else, if  
13 anyone, did you stop on the road and arrest for transporting  
14 marijuana?

15 A. Before that incident at the crossroads, one person was  
16 stopped.

17 Q. What was his name?

18 A. I don't recall.

19 Q. What was he driving?

20 A. He was driving a pickup.

21 Q. Do you know the license of it?

22 A. No.

23 Q. Do you remember any other incident where you stopped  
24 anybody that was driving a car or truck with marijuana?

25 A. The only outstanding incidents that occurred there were

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1 when he stopped that person with the marijuana and then the  
2 incident with the truck at the crossing of Talpa Mascota.

3 Q. How about Yahualica? You went to work there after  
4 Mascota?

5 A. Yes.

6 Q. Did you prepare any reports showing you stopped anyone  
7 that was involved in transporting marijuana?

8 A. No. Not at the town of Yahualica.

9 Q. You told us yesterday about a meeting at the Las  
10 Americas Hotel.

11 A. Yes.

12 Q. When was that meeting?

13 A. Well, more or less around the end of October or  
14 beginning of November of '84.

15 Q. Now, was your function at that meeting to be a guard?

16 A. Yes.

17 Q. You had your gun?

18 A. Yes.

19 Q. And is it correct that your general function for  
20 Mr. Fonseca was to be a guard?

21 A. Yes, that is so.

22 Q. And isn't it also true that as a guard, you spent all  
23 your time outside the hotel?

24 A. We were outside the hotel.

25 Q. And you were outside the hotel the whole time that you

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1 claim this meeting was going on; isn't that correct?

2 A. Yes.

3 Q. And how many guards were there with guns like yourself  
4 that were outside the hotel guarding?

5 A. Well, there were many. The whole hotel was surrounded  
6 by bodyguards.

7 Q. How many?

8 A. From what I saw, approximately 20 of what I saw.

9 Q. You were one of these 20 guards guarding the outside of  
10 the hotel; is that it?

11 A. Yes.

12 Q. And there are all these military and police people  
13 inside the hotel that you'd told us about yesterday; is that  
14 correct?

15 A. I saw them leave there.

16 Q. Now, what were you guarding all these military and  
17 police people against, you and these 19 other guards that  
18 were outside with your guns?

19 A. Well, the truth is, what we could say, that the security  
20 was, well, just simply an order or mandate from Ernesto  
21 Fonseca.

22 Q. Well, did you know, sir, as you and the 20 other people  
23 with guns were outside the hotel, what you were guarding all  
24 these military and police that were inside the hotel from?

25 A. Well, at one time it was said that on those occasions we

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1 would be protecting them against other drug traffickers.

2 Q. So you had -- strike that.

3 Are you saying that you had some of the --

4 THE COURT: Well, he said what he said. No need  
5 to rephrase it. Ask your next question.

6 Q. BY MR. [REDACTED] Well, what drug traffickers were you  
7 protecting all the drug traffickers that were in the meeting  
8 against?

9 A. Well, at one time it was commented that they had enemies  
10 who were drug traffickers.

11 Q. Now, is it correct, sir, that when you first saw these  
12 people come out to get their cars after this meeting, your  
13 job was to be looking around for other drug traffickers who  
14 might be coming to attack these drug traffickers?

15 A. Well, my real job, the truth is, was to protect Ernesto  
16 Fonseca.

17 Q. So your job wasn't to record each and every person that  
18 was coming out of the hotel to get in their car. That wasn't  
19 your job, to see who that was, was it?

20 A. No.

21 Q. Would you say you have a photographic memory?

22 MR. [REDACTED] Objection to the question, Your Honor.

23 THE COURT: Overruled.

24 THE WITNESS: What's the question?

25 Q. BY MR. [REDACTED] Would you characterize your memory as a

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[REDACTED] U.S. COURT REPORTER

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1 photographic memory?

2 A. (Pause.) Well, thanks to the good Lord, I've always had  
3 a good memory.

4 Q. Are you saying that you were able in the split seconds  
5 it would take somebody to walk out of --

6 THE COURT: Counsel.

7 MR. [REDACTED] Objection.

8 THE COURT: Restate that question, if you have a  
9 question.

10 Q. BY MR. [REDACTED]: Is it correct, sir, that the amount of  
11 time it would take somebody to walk out of the hotel and get  
12 into their car would be a matter of a few seconds?

13 A. Well, let's talk about minutes.

14 Q. And in connection with protecting Mr. Fonseca, you were  
15 able to make a mental note of some 30 people coming out of  
16 the hotel. Is that correct?

17 MR. [REDACTED] Argumentative form of the question.

18 THE COURT: Sustained.

19 Q. BY MR. [REDACTED] Were you able to recall all the people  
20 that came out of the hotel in those moments it took them to  
21 come out of the hotel and get in their car?

22 A. That is a fact. Those and other people. Because they  
23 were people we saw every day.

24 Q. You saw them every day and so for that reason you were  
25 able to remember all 30 people that came out of the hotel

000325

[REDACTED] U.S. COURT REPORTER

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1 that particular meeting; is that correct?

2 A. That is a fact, yes.

3 Q. You made reference to the Hidalgo residence that was a  
4 -- or Hidalgo..

5 THE INTERPRETER: Is that Hidalgo?

6 MR. [REDACTED] Yes, sir.

7 THE WITNESS: Yes.

8 Q. BY MR. [REDACTED] There's some meeting where you make  
9 reference to Mariachi's; is that correct?

10 A. Yes.

11 Q. Did you know that Mr. Godoy first claimed he attended  
12 any meetings some seven months after he first started talking  
13 to the DEA in about April of 1992?

14 MR. [REDACTED]: Objection. Speculation.

15 THE COURT: Objection is sustained.

16 Q. BY MR. [REDACTED] You have spoken to Mr. Godoy since  
17 you've been in this country, haven't you?

18 MR. [REDACTED] Asked and answered.

19 THE COURT: Sustained.

20 Q. BY MR. [REDACTED]: At the Hidalgo residence meeting, was  
21 your job again providing security --

22 A. Yes.

23 Q. -- and standing outside the residence?

24 A. Whether I was providing security outside the residence?

25 Q. You were providing security outside the residence,

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**TAB 64**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 1128 - 1133**

64 }

MR. [REDACTED]: We didn't go through the payments, I believe, Your Honor. I might have gone through it but I don't think I went through --

THE COURT: You did. Ask your next question.

Q. BY MR. [REDACTED]: Do you remember in the last three weeks talking to anybody about the facts that you were going to be questioned about?

A. No, nobody told me what questions I was going to be asked or what I had to say. I gave them information.

Q. Did you -- when you were at the Lope de Vega house, did you listen to any of the interrogation of Enrique Camarena?

A. Yes.

Q. And the interrogation was being tape recorded, to your knowledge, wasn't it?

A. I didn't notice that. Whether they'd written or anything. The thing is, I didn't see if they were taking notes or recording.

Q. But the drug traffickers let you go into the room and sit and watch the interrogation; is that right?

A. Yes. Nobody asked for anything there.

Q. Were you changing ash trays there, going in because a lot of people were smoking?

A. Yes.

Q. How many times were you in and out of the interrogation room because you had to change the ash trays?

000330

1 A. In the room where they had the meeting?

2 Q. Well, you told us you were in the interrogation room. How  
3 many times were you in and out of that room changing ash trays?

4 A. The interrogation room? I don't understand.

5 Q. You've told us you were in the interrogation room when  
6 Mr. --

7 THE COURT: Counsel, restate that. The room where  
8 the agent was?

9 Q. BY MR. [REDACTED] The room where the agent was being  
0 questioned, how many times were you in and out of that room  
1 changing the ash trays of people?

2 A. No, no, no. The room where they had the agent? There  
3 was no meeting, they were interrogating him there. Ernesto  
4 Fonseca and two of his people.

5 THE COURT: Well, the question is how many times  
6 was he in that room? How many times had he left and came back?

7 THE WITNESS: Once.

8 Q. BY MR. [REDACTED]: Now, no one said, in substance, did  
9 they, sir, that "We know from our own means the DEA is going  
0 to stop drug trafficking in Jalisco but we want you to hear  
1 it from the agent's own mouth"? No one said that, did they?

2 A. Well, at that time, no, no. I don't understand.

3 Q. Did you hear anyone say, "We know from our own means the  
4 DEA is going to stop drug trafficking in Jalisco, but I want  
5 you to hear it from his own mouth"?

000331



1 A. Ruben Zuno said that.

2 Q. And he said that to Caro-Quintero?

3 A. To several drug traffickers that he had close to him at  
4 the meeting.

5 Q. And didn't Caro-Quintero say, "Well, what are you  
6 talking about? I know it's Enrique Camarena because he  
7 arrested Manuel Chavez, my lieutenant, in May of 1984"?

8 MR. [REDACTED] Objection. This is argumentative,  
9 it's compound, it's vague and ambiguous.

10 THE COURT: The objection is sustained.

11 Q. BY MR. [REDACTED] Was there any discussion by Caro  
12 Quintero about he knew who Enrique Camarena was as of May of  
13 1984?

14 A. Well, I didn't find out about that, about whether Rafael  
15 Caro-Quintero knew who Enrique Camarena was.

16 Q. Now, at the time of the meeting at Mr. Fonseca's house  
17 that you say occurred in about November of 1984 -- (Pause.)  
18 Excuse me. At the meeting at Mr. Fonseca's house, yes. Was  
19 the topic of that meeting finding out who the DEA agent was  
20 so he could be identified and then kidnapped?

21 MR. [REDACTED]: Your Honor, objection. Which  
22 meeting? What timeframe? There's many.

23 THE COURT: Sustained.

24 Q. BY MR. [REDACTED] At the meeting at Ernesto Fonseca's  
25 house that you say was held in November of 1984.

000332

1 MR. [REDACTED]: Objection.

2 THE COURT: What is the question now?

3 MR. [REDACTED] The witness said --

4 THE COURT: Are you asking the witness what was  
5 discussed at that meeting?

6 MR. [REDACTED] Yes. I'm asking him if the topic of  
7 conversation there was the identification of the DEA agent  
8 who was causing problems so he could be picked up and  
9 kidnapped.

10 MR. [REDACTED] Objection, Your Honor. Counsel is  
11 reading from the report. The witness' testimony is fall of  
12 '84. It's still unclear.

13 THE COURT: Your question is? Again, counsel,  
14 restate your question. Identify the meeting that you're  
15 talking about.

16 Q. BY MR. [REDACTED] You claim that --

17 THE COURT: And try to be concise, you know.  
18 These convoluted questions are what I think are creating some  
19 of the problems. Short questions are better than long ones.

20 MR. [REDACTED] Yes, sir.

21 Q. Were you at a meeting in 1984 at the residence of  
22 Ernesto Fonseca?

23 A. Yes.

24 Q. And at that meeting was the general topic of conversation  
25 finding out who the DEA agent was so he could be kidnapped?

0000333

1 A. Well, only Rafael Caro-Quintero told Enrique Alvarez del  
2 Castillo what was happening with that person that they had  
3 put him in charge of.

4 Q. The did Caro-Quintero tell Enrique Castillo that they  
5 should be the ones to identify the DEA agent?

6 A. That is a fact, that the politicians and the government  
7 should -- that is, that Caro-Quintero said to Enrique Alvarez  
8 that they were the ones who had to do the job. That he didn't  
9 want to become famous that they should make themselves famous.

10 Q. My question is, sir, did Caro-Quintero tell Enrique  
11 Alvarez del Castillo they should identify who the agent is?

12 A. Yes.

13 Q. And did Caro-Quintero, according to you, say, "Huh, we  
14 are trying to find out who he is"?

15 A. No. Enrique Camarena said that they had all the data  
16 and they had all of -- the person located.

17 MR. [REDACTED] Your Honor.

18 Q. BY MR. [REDACTED] Did you just tell us, sir, that you  
19 said that Rafael Caro-Quintero told del Castillo that they  
20 ought to try to find out who the agent is?

21 A. Yes, Caro-Quintero said that to Alvarez Castillo.  
22 Alvarez Castillo said yes they had all of the data, they had  
23 all of it located but they wanted to make sure that all of  
24 the data were correct. Alvarez Castillo had apparently sent  
25 all of his people to investigate that; that they were only

0000334

1 missing, to make sure -- for the politicians to make sure  
2 that those data were correct, to then give them to the drug  
3 traffickers.

4 That's when Caro-Quintero said that they had to do  
5 that job. That they didn't want for them to make him famous,  
6 that they should make themselves famous.

7 Q. Well, was the discussion at the meeting, "We have to  
8 find out who the agent is"? Or was it discussion, "We  
9 already know who the agent is"?

10 MR. [REDACTED] Objection. This is asked and  
11 answered, Your Honor.

12 THE COURT: Sustained.

13 Q. BY MR. [REDACTED] Did you hear at any of these other  
14 meetings you attended anybody talk about, "If we know who the  
15 agent is, why are we having meeting after meeting after  
16 meeting discussing who is the agent"?

17 MR. [REDACTED] Objection, improper question.

18 THE COURT: Sustained.

19 Q. BY MR. [REDACTED] Did you hear any discussion at any of  
20 these other meetings about, "Why don't we get on with the  
21 kidnapping if we know who the agent is"?

22 MR. [REDACTED] This is argumentative, Your Honor.

23 THE COURT: Sustained.

24 Q. BY MR. [REDACTED]: Did you hear anyone identify the agent  
25 as Enrique Camarena?

0000335

**TAB 65**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pg: 1153**

(65)

(65)

1 Q. In fact,, your job was to protect -- as you said, your  
2 job was to protect Ernesto Fonseca; true?

3 A. Yes.

4 Q. And, sir, if someone had tried to arrest or kill Ernesto  
5 Fonseca, you were prepared to kill that person in defense of  
6 him, were you not?

7 A. If he ordered me, yes.

8 Q. And what kind of weapon did you carry when you were  
9 protecting Ernesto Fonseca?

10 A. A .38 super.

11 Q. Did you have other weapons that you had access to if you  
12 needed to use them, such as AK 47's or AR 15's?

13 A. AK-47 or AR-15. They had all sorts of weapons there.

14 Q. Did you ever use those weapons?

15 A. No.

16 Q. By the way, were there, other than the three incidents  
17 of kidnap and torture and murder that you were involved in  
18 that you've already testified to, were there any others that  
19 you were involved in in the seven months that you worked for  
20 Ernesto Fonseca?

21 A. No.

22 Q. Now, I'd like to turn your attention to the interviews  
23 with the government agents when you came to the United States.  
24 Now, in your first interview on March 5th, 1992, you never  
25 even mentioned Dr. Humberto Alvarez Machain; isn't that correct?

000336

(66)

**TAB 66**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 1161 - 1171**

(66)

THE COURT: Sustained.

Q. BY MR. [REDACTED] Sir, in your own mind do you believe that the government would have given you immunity, \$3,000 a month, a work permit, permission to live in the United States if you had told them that these defendants were not involved?

MR. [REDACTED] Objection; calls for speculation.

MR. [REDACTED]: I asked about in his own mind.

THE COURT: The objection is sustained. It's an argumentative question.

Q. BY MR. [REDACTED] Now, did you know an individual named Raul Lopez Alvarez?

A. Yes.

Q. Was he present at the Lope de Vega on February 7th or February 8th?

A. 7-8. Yes.

Q. And had you heard what had happened to him -- well, strike that. What was his position? Well, let me rephrase it. I'll strike that.

He had a job similar to yours, didn't he, with Fonseca?

A. He was an agent of the judicial of the state.

Q. Well, he helped Fonseca, did he not?

A. He offered protection to Fonseca Carrillo.

Q. Was he involved in the kidnapping of Agent Camarena as you were?

000342

[REDACTED], U.S. COURT REPORTER

001161



1 A. No.

2 Q. Now, Mr. Lopez, how much education do you have?

3 A. I went to the third grade in high school.

4 Q. How many years of schooling is that, third grade in high  
5 school?

6 A. It's six and three, nine.

7 Q. And during these events in 1985 that you described in  
8 such detail, did you take any notes about what was going on?

9 A. No.

10 Q. And when you were interviewed by the DEA agents, did  
11 they help you jog your memory of these events that happened  
12 so many years ago?

13 A. No. I gave them the information.

14 Q. Now, so far under the deal that you have with the  
15 government, you've earned about \$30,000 -- you've been paid  
16 about \$30,000; is that correct?

17 A. Well, exactly, I have not counted what they've given  
18 me. I carry no sort of, well, accounting of what they have  
19 given to me.

20 (Discussion between Mr. R [REDACTED] and the  
21 prosecutors sotto voce.)

22 [REDACTED] Your Honor, parties will stipulate  
23 that he's received \$30,000.

24 THE COURT: Very well.

25 You may accept that as a fact.

000343

[REDACTED], U.S. COURT REPORTER

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Q. BY MR. [REDACTED] Mr. Lopez, how many years -- based on what you were earning, your average earnings when you were working in Mexico, how many years would it take you to earn the equivalent of 30,000 American dollars in Mexico?

MR. [REDACTED] Objection, Your Honor; relevance.

THE COURT: Sustained.

Q. BY MR. [REDACTED] Now going to the events of February 7th and February 8th of 1985. Could you turn your attention to those? Do you know an individual named Ramon Lira?

A. Yes.

Q. And what was his position or how do you know him?

A. He was also an agent of the judicial of the state.

Q. Was he one of Mr. Fonseca's bodyguards?

A. Rather he would help Ernesto Fonseca.

Q. And he participated in the abduction of Enrique Camarena?

A. In the abduction? No.

Q. Was he present at Lope de Vega that you saw on the days you were there?

A. Yes.

Q. Was he -- were you near him and did he stay near you during those days?

A. Well, we were there in the house.

Q. Now, you said that a consulate employee came to the house and had discussions about the DEA agent; is that correct?

000344

[REDACTED], U.S. COURT REPORTER

001163

1 A. Yes. That's right. But I want to emphasize that I  
2 didn't know specifically that he was an employee.

3 Q. Well, they said they were from the consulate?

4 A. Yes. That that person came from there. But I don't  
5 know what was his position there.

6 Q. It was your understanding, however, from what you heard,  
7 that that person did have some position in the United States  
8 Consulate?

9 A. Well, yes.

10 Q. Now, could you describe -- how tall was this --

11 This person had blond hair, you say. Was it man  
12 or a woman?

13 A. It was a man.

14 Q. And how tall was this man?

15 A. Well, about 180, I believe.

16 THE COURT: 180?

17 Q. BY MR. [REDACTED] Is that in centimeters?

18 A. Meter and centimeters.

19 Q. And how much did the person weigh?

20 A. Well, he was thin. I couldn't tell you exactly how much  
21 he weighed.

22 Q. Less than 150 pounds?

23 A. What's the equivalent of a pound to a kilo?

24 Q. Okay. That would be less than -- (Pause.) Less than 60  
25 kilos.

000345

1 A. I believe more or less.

2 Q. Is the person an American or a Mexican?

3 A. Well, he spoke Spanish very well but I don't know if he  
4 was an American or Mexican.

5 Q. Now -- and this is the person who during the kidnapping  
6 actually fingered Enrique Camarena, said "That's him"; is  
7 that correct?

8 A. Yes.

9 Q. And during your interviews that you had with the govern-  
10 ment, did the government ever show you the photographs --  
11 show you photographs of all the employees of the U.S.  
12 Consulate in Guadalajara at that time?

13 A. That who showed me what?

14 Q. During your interviews when you were giving all the  
15 information to the government this year, did any of the  
16 agents show you a set of photographs of the people who worked  
17 at the consulate so that they could try and identify who this  
18 person was?

19 A. Well, at one time they showed me an album of  
20 photographs.

21 Q. But to your knowledge, you don't have any knowledge  
22 whether they showed you any photographs of the consulate  
23 employees, do you?

24 A. Well, no. There were several photographs.

25 Q. Did you ever identify -- were you ever able to identify

000346

the person from any of the photographs?

A. No. On the photographs they had there, he wasn't there.

Q. He was there?

THE COURT: He was not.

██████████ I'm sorry.

Q. He was not there?

A. No.

Q. And during the interviews, did the agents ever ask you to describe or identify this person more than in the kind of detail that I just asked you?

A. No. The same details. How tall he was, the color of his skin.

Q. Now, going back to the events of February 7th and February 8th, what time of the day did you arrive at Lope de Vega?

A. It must have been about 10:30, I believe.

THE COURT: In the morning or afternoon?

THE WITNESS: In the morning.

THE COURT: Or evening?

Q. BY ██████████: Now, when you saw -- when you say you saw Dr. Machain when you were at the patio in the house, what time was it then?

A. It must have been, umm, 3:00, 3:30.

Q. Isn't it true, Mr. Lopez, that in no statement that you ever gave prior to testifying today did you ever say that you

000347

1 had seen Dr. Machain while you were on the patio?

2 A. Yes, I saw Dr. Machain for the first time when I was in  
3 the patio.

4 Q. Sir, my question to you was: Isn't it true that you  
5 never said that to any agent at any meeting prior to  
6 testifying today?

7 THE COURT: You mean yesterday.

8 [REDACTED] Excuse me. Yesterday.

9 Q. Prior to testifying yesterday.

10 A. What was that again? I didn't understand your question.

11 THE COURT: Well, the question is: Did you tell  
12 the agents before you came to court here that you had seen  
13 Dr. Machain when you were in the patio?

14 THE WITNESS: Yes. During the interviews that I  
15 had with them, I told them all that.

16 Q. BY MR. [REDACTED]: Now, when you saw Dr. Machain, what was  
17 he wearing?

18 A. Well, exactly, I don't remember, because I saw him from  
19 the patio to the kitchen.

20 Q. When you saw him later in the evening, what was he  
21 wearing?

22 A. He was wearing dark clothing.

23 Q. Anything else that you can remember?

24 A. Well, when I saw him in the kitchen, he had his medical  
25 bag, black.

000348

Q. And is that all -- and is that all that you can remember about what he was wearing?

A. Yes. Regarding his clothing, yes.

Q. During those two days, what kind of vehicles did you see at Lope de Vega? And by that I mean the makes and models.

A. I saw Gran Marquis, carry-all van, Atlantic. That's all.

Q. Did you ever see any trucks there?

A. Trucks?

Q. Yeah. Did you ever see any trucks there?

A. Pickup?

Q. Any kind of trucks.

A. Well, a truck we called the pickup.

Q. Did you ever see any ambulances or anything like that there?

A. No.

Q. Now, during the evening when you were testifying about overhearing these conversations in the living room, am I correct that you changed the ash trays three different times?

A. In Lope de Vega?

Q. Yes. Three different times you changed them?

A. Yes.

Q. And during what period of time did you change these ash trays three times?

THE COURT: Well.

Q. BY MR. [REDACTED] Was it within an hour, within two hours,

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within three hours?

A. Well, it was hours but I don't remember how many between.

Q. What kind of ash trays were these?

A. Well, glass ash trays, crystal.

Q. And did you see Dr. Machain smoking?

A. I don't remember.

Q. And were people during the day smoking crack cocaine?

A. They would smoke it all the day, every time they had a meeting.

Q. And who did you see smoking crack cocaine?

A. Several persons.

Q. Do you remember any names?

A. No. Specifically, Samuel Ramirez Razo, Ernesto Fonseca, Felix Gallardo, Javier Barba, Avelardo Fernandez. In other words, there were several who would smoke that.

Q. Was Bartlett Diaz smoking crack cocaine?

A. (Pause.) I don't remember but I do remember he was drinking wine.

Q. Was the governor of Jalisco, Enrique Alvarez del Castillo, smoking crack cocaine?

A. I don't remember if he was smoking but I did see him drinking wine.

Q. Now, when you allegedly saw Dr. Machain cleaning the syringes, he was using water; is that correct?

A. Yes.

000350



Q. And was this the water from the sink, the tap water that he was cleaning them out with?

A. Yeah, he had the water running, yes.

Q. And how many syringes was he cleaning at the time?

A. Well, the ones I saw, uh, on one side of the rack.

Q. How many?

A. There were several.

Q. More than 10?

A. Well, I think, I couldn't tell you exactly the amount. There were six, eight, I don't.....

Q. Were they big syringes, little syringes? Describe them.

A. The syringes that I've seen, the regular ones, I don't know about big ones or little ones.

Q. Are you able to describe them in any way?

A. Well, they were disposable. Well, syringes, like plastic.

Q. Now, did you ever -- what time did you go to sleep that night?

THE COURT: What night are you referring to?

Q. BY [REDACTED] Excuse me. The night of February 7th.

A. We retired at dawn.

Q. And did you ever see Dr. Machain leave?

A. No.

Q. When you looked at the syringes that he was supposedly cleaning, were there any needles with them?

A. Yes, the syringes had needles.

000351

1 Q. And how big were the needles?

2 A. I just saw when he was cleaning, just squirting water  
3 with one.

4 Q. How long was the needle?

5 A. Well, I can't -- I can't really tell in centimeters very  
6 well.

7 Q. When he finished cleaning the syringes, did he put them  
8 back in bags or was he just in the process of cleaning them  
9 at the time?

10 A. I just saw him cleaning them.

11 [REDACTED]: May I have a moment, Your Honor?

12 (Pause in proceedings.)

13 Q. BY [REDACTED]: Now later on you talk about a meeting  
14 where you picked up the telephone and heard Ernesto Fonseca  
15 talking. Is that correct?

16 A. I heard Rafael Caro-Quintero, not Ernesto Fonseca.

17 Q. I'm sorry. But you picked up the telephone. What I'm  
18 saying, you did pick up the telephone.

19 A. Yes. At Ernesto Fonseca's house.

20 Q. And was Mr. Fonseca there when you picked up the  
21 telephone?

22 A. Yes. It could be heard that he also picked it up.

23 Q. And isn't it true that the bodyguards were always sent  
24 away when business was being discussed among the bosses?

25 A. At times.

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(67)

**TAB 67**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pg: 1174**

(67)

1 the topics.

2 Q. Mr. Lopez, let me take you to the Mexican couple incident.

3 Did you kidnap that couple?

4 MR. [REDACTED] Objection.

5 MR. [REDACTED] Objection; asked and answered.

6 THE COURT: Yes, sustained.

7 Q. BY [REDACTED]: Were they at that house when you got  
8 there?

9 MR. [REDACTED]: Objection.

10 MR. [REDACTED] Objection. We can't go into detail.

11 MR. [REDACTED]: And it was asked and answered.

12 THE COURT: The objection is sustained.

13 Q. BY MR. [REDACTED]: Did you interrogate those people?

14 MR. [REDACTED] Objection. Asked and answered and no  
15 details.

16 THE COURT: Overruled.

17 THE WITNESS: The man, I did.

18 Q. BY MR. [REDACTED]: Did you kill that couple?

19 A. No.

20 Q. Do you know what happened to the couple?

21 A. No, I don't know what that couple's fate may have been.

22 Q. If four Jehova's Witnesses, did you kill those people?

23 A. No, sir. In my life I have never killed anybody. In  
24 spite of the fact that if Ernesto had ordered me to do so, I  
25 may have done so; but I never killed anybody.

(68)

**TAB 68**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pg: 1392**

(68)

1 Q. I'm asking you if you discussed on April 7 with  
2 Mr. Gadoy a meeting at Fonseca's house?

3 A. If it's possible? Yes, it's possible.

4 Q. Okay. I direct you to page 6506 for purposes of  
5 refreshing your recollection.

6 A. Yes, sir.

7 Q. Does that refresh your recollection that on April 7th  
8 you discussed with Mr. Gadoy a meeting at Mr. Fonseca's  
9 house?

10 A. That's correct.

11 Q. And Mr. Gadoy claimed that this meeting happened after  
12 the Los Americas meeting; is that correct, sir?

13 A. Well, about the same time, both. Says October/November  
14 and then it says November.

15 Q. Doesn't he say here, sir, didn't he say the Los Americas  
16 meeting was in October or November and the Mr. Fonseca  
17 meeting was the latter part of November?

18 A. That's correct.

19 Q. And didn't he tell you with this meeting later in time  
20 at Mr. Fonseca's house, didn't he claim that Caro-Quintero --  
21 Strike that.

22 Didn't he tell you that Alvarez del Castillo had  
23 inquired of Caro-Quintero and Ernesto Fonseca as to what  
24 progress they had made in locating the DEA agent? Didn't he  
25 tell you that? And I direct you, sir, to page 6507, the

(69)

**TAB 69**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pg: 1421**

(69)

1 Q And how long have you known Mr. Zuno?

2 A Approximately 20 years.

3 Q Where do you and Mr. Zuno have your permanent  
4 residence, ma'am?

5 A In Mascota, Jalisco.

6 Q And how long have you and Mr. Zuno been permanent  
7 residents of Mascota, Jalisco?

8 A Ever since mid-1982.

9 Q And when you and Mr. Zuno became permanent residents  
10 of Mascota in 1982, where did you live, ma'am?

11 A With my mother, at my mother's house.

12 Q And is that in Mascota?

13 A Yes.

14 Q And how long did you and Mr. Zuno live with your  
15 mother?

16 A Approximately three years.

17 Q Were any of your children born while you were living  
18 with your mother?

19 MR. [REDACTED]: Relevance, Your Honor.

20 THE COURT: Sustained.

21 BY MR. [REDACTED]

22 Q How many bedrooms in your mother's house?

23 MR. [REDACTED]: Objection; relevance.

24 THE COURT: Sustained.

25 BY MR. E [REDACTED]



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**TAB 70**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 1514 - 1515**

70

1 Q. Mr. Zuno, you've heard the name Caro-Quintero in the  
2 course of this trial, haven't you?

3 A. Thousands of times.

4 Q. And you heard in the press and on television in the  
5 80's, didn't you?

6 A. There was a huge scandal when he was arrested in the  
7 press, on radio, on TV, everywhere.

8 Q. Mr. Zuno, did you ever see Rafael Caro-Quintero at any  
9 party where he was riding on a horse, dancing horse, any kind  
10 of a horse?

11 A. Never.

12 Q. Mr. Zuno, you've heard the name Ernesto Fonseca Carrillo  
13 in the course of this trial, haven't you?

14 A. I've also heard it many, many times.

15 Q. And you heard he had multiple houses; is that correct?

16 A. That's right.

17 Q. Mr. Zuno, were you ever in any of Ernesto Fonseca's  
18 houses at any time?

19 A. Never, never.

20 Q. Mr. Zuno, in December of 1984 and precisely on or about  
21 December 23d of 1984, did you go inside the house at Lope de  
22 Vega?

23 A. That was the last time that I went into that house. It  
24 was December 23d, 1984. That was the last time.

25 Q. And why did you go into the house at Lope de Vega on

1 December 23rd, 1984?

2 A. Because the day before that I had come to a verbal  
3 agreement on the sale with Dr. Ruben Sanchez Barba. And he  
4 had asked me to take out all of the furniture. The little  
5 bit that was left there, that was all very torn down,  
6 destroyed, with the exception of a dining room table with  
7 chairs. And a living room set, which was a sofa and two  
8 chairs, but it didn't have any cushions, it was just wood.  
9 And he asked me to take everything out that was in there.

10 And so on the 23d, I hired a truck and we came  
11 over and took everything out of the house and I never went  
12 back again into the house.

13 Q. And did you know the buyer of Lope de Vega, who I think  
14 you said is Ruben Sanchez Barba, did you know him before he  
15 purchased the house at Lope de Vega?

16 A. No, I didn't know he existed.

17 Q. And one name that I forgot to ask you. Do you  
18 personally know another person Javier Barba Hernandez?

19 A. No, I didn't know him.

20 Q. And, Mr. Zuno, were you ever present -- you heard the  
21 testimony of witness Jorge Gadoy in this courtroom, didn't  
22 you?

23 A. That's right.

24 Q. Mr. Zuno, were you ever present at any of the incidents  
25 or meetings that Jorge Gadoy testified about in this courtroom?

**TAB 71**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 1521 - 1536**

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71)

1 A. Two with Marie Endecato, Jose Victor who is nine years  
2 old, Maria Ester is six years old. And with my first wife, I  
3 have three -- three daughters and three sons.

4 Q. And do any of these other children own ranches besides  
5 El Porvenir?

6 MR. [REDACTED]: Your Honor, objection; relevance,  
7 materiality. We've sort of allowed this.

8 THE COURT: No. Overruled.

9 THE WITNESS: No. No one else.

10 Q. BY MR. [REDACTED] Do any of them own properties in  
11 Guadalajara?

12 A. Pepe lives in a house that he rents. Ruth Libertad  
13 lives in her house.

14 THE COURT: If the answer is no, the answer is no.

15 THE WITNESS: No.

16 Q. BY MR. [REDACTED]: Have you ever heard of a Rancho Moréno  
17 in Nueva Rosita?

18 A. Never.

19 Q. Now let's talk about the property at 881 Lope de Vega.  
20 When did you acquire that property?

21 A. That property was gifted to me by my mother and my  
22 father and it was made out -- it looks like a sale. I began  
23 to build a house there in 1969 and I finished building it in  
24 1970 and then I moved. I moved in there with my ex-wife and  
25 my six children.

1 Q. Now, when you first acquired this property, it was  
2 acquired by you and your wife as community property, wasn't it?

3 MR. [REDACTED]: Objection; relevance, Your Honor.

4 THE COURT: Sustained.

5 Q. BY MR. [REDACTED] Before you could sell the house in  
6 1985, you had to acquire that house in your own name as an  
7 individual, didn't you?

8 MR. [REDACTED] Objection; relevance again.

9 THE COURT: Overruled.

10 THE WITNESS: Yes. Because I had already divorced  
11 my wife.

12 Q. BY MR. [REDACTED] And prior to that, prior to some point  
13 when you acquired it in your own name, you had owned it as  
14 community property; correct?

15 MR. [REDACTED]: Objection as before, relevance and  
16 materiality.

17 THE COURT: Well, I think it is relevant now. He  
18 may answer.

19 THE WITNESS: Everything that I acquired within  
20 the time of my marriage was held in community property  
21 because we were married under the law of community property.

22 Q. BY MR. [REDACTED]: And how was it you put this property,  
23 881 Lope de Vega, in your name as an individual?

24 MR. [REDACTED]: Objection; relevance. The court  
25 has previously ruled on this point.

1 THE COURT: Overruled.

2 THE WITNESS: Can you repeat that again?

3 Q. BY MR. [REDACTED] How was it that you were able to put it  
4 in your own name?

5 A. Because in the divorce decree it stated in there which  
6 properties were to remain as holdings of my wife and which  
7 properties I was to keep.

8 Q. And this property wasn't finally registered in your name  
9 until June of 1985, was it?

10 MR. [REDACTED] Objection; relevance, materiality,  
11 assumes facts not in evidence.

12 THE COURT: Overruled.

13 THE WITNESS: That plot was always registered to  
14 my name. The procedure that was carried out in front of the  
15 notary public was that the house should be registered under  
16 my own name due to the divorce decree and that a copy of the  
17 sales contract should be attached to that. The divorce was  
18 final in 1977.

19 Q. BY MR. [REDACTED] Because this house could not be sold by  
20 you until it was registered in your own name; isn't that  
21 correct?

22 A. No. The house was already registered under my name.

23 Q. By what date?

24 A. When my father turned over the deed to me.

25 Q. In your name as community property; correct?

1 A. That's right. But it was already registered under my  
2 name.

3 Q. And before you could sell it in January of 1985, you  
4 were required to have it reregistered in your name as an  
5 individual; correct?

6 MR. [REDACTED] Assumes facts not in evidence as  
7 to the dates.

8 THE COURT: He is not assuming any facts. He is  
9 asking the witness.

10 MR. [REDACTED] He is just characterizing the  
11 witness' testimony, Your Honor.

12 THE COURT: No, he's not referring to his  
13 testimony. Simply asking him a question.

14 The witness may answer if he knows.

15 THE WITNESS: Yes.

16 Q. BY MR. [REDACTED] And do you know when that process was  
17 completed?

18 A. No, I don't remember.

19 MR. [REDACTED] Your Honor, may I have something  
20 presented to the witness?

21 THE COURT: Yes.

22 MS. [REDACTED]: Can we see it?

23 MR. [REDACTED] Let us see.

24 MR. [REDACTED] May I approach the clerk?

25 THE COURT: Yes.



1 (Discussion held off the record between  
2 Mr. Carlton and defense attorneys.)

3 MR. [REDACTED] Your Honor, I think this exhibit has  
4 already come before you some time ago and you've already ruled.

5 THE COURT: Let's take our afternoon recess at  
6 this time.

7 THE CLERK: Please rise.

8 (Jury excused at 2:30.)

9 THE CLERK: You may be seated.

10 THE INTERPRETER: Your Honor, the witness is  
11 asking if --

12 THE COURT: You may step down.

13 MR. [REDACTED]: If the court please -- if the court  
14 please, this issue was previously before you. The issue was  
15 and it was raised in --

16 THE COURT: I remember.

17 MR. [REDACTED] -- a, I believe, limine motion.

18 THE COURT: I remember the issue.

9 MR. [REDACTED] And the question was --

0 THE COURT: That was before this witness  
1 testified. That was whether or not that could be presented  
2 in and of itself as an exhibit in this case. Now these are  
3 supposedly the official deeds to the property and the  
4 documents surrounding the transfer of the properties. Don't  
5 you think they're entitled to ask this witness about it?

1 MR. MEDVENE: No. Because the critical point that  
2 Your Honor focused on was the relevance of it. And Your  
3 Honor determined that it would be improper for the government  
4 to make any argument because of these deeds; that the sale of  
5 the house had anything to do with Caro-Quintero, unless the  
6 government had some evidence that Caro-Quintero was some way  
7 involved in the purchase.

8 The whole issue was depending on the dates of the  
9 deeds. The government wants to show a late date on the deed,  
10 even though the money was transferred January 11th and the  
11 keys were transferred. And then the issue was could they  
12 argue from that that maybe there wasn't a sale? And, Your  
13 Honor, in effect, asked the government, do you have any  
14 evidence from which to make that argument? And they said, no  
15 and it was for that reason you kept it out. For that reason  
16 we didn't bring up witnesses on the painting of the house  
17 after the transfer.

18 THE COURT: All right.

19 MR. [REDACTED]: And whatever --

20 THE COURT: You made your point.

21 MR. [REDACTED] I'm sorry.

22 THE COURT: That's enough.

23 What do you say to that?

24 MR. [REDACTED]: Your Honor, I think that we should  
25 be entitled to explore the witness' understanding of the

1 transactions and the actions that he took in furtherance of  
2 it. And that's what we're doing at this point. There's some  
3 signatures and various things of his that I'd like to get  
4 into and see how he was involved.

5 THE COURT: The witness may be asked about the  
6 exhibit.

7 Now you filed something under seal yesterday.

8 MR. CARLTON: Mr. Medrano can address that.

9 MR. [REDACTED] Yes. Yes, that's correct, Your  
10 Honor.

11 THE COURT: Asking the court to determine whether  
12 you have to disclose this.

13 MR. [REDACTED]: We felt it's not required to, Your  
14 Honor, but to err on the side of caution, we thought we'd at  
15 least submit it to you. It is our --

16 THE COURT: Is it true that that information was  
17 obtained on April 24th, 1991? That is the date the agent  
18 obtained it?

19 MR. [REDACTED] There is two parts to it. April  
20 of '91 there's a limited --

21 THE COURT: September.

22 MR. [REDACTED]: Or whatever the date. Well, there's  
23 two interviews done.

24 THE COURT: Two interviews and they're both in 1991.

25 MR. [REDACTED] And one is in April, I believe, Your

1 Honor.

2 THE COURT: Well, you're saying this just came  
3 into your knowledge on the 10th of this month.

4 MR. [REDACTED]: The second part. The second FBI.

5 THE COURT: What about the first part?

6 MR. [REDACTED]: Well, the first part we knew of,  
7 Your Honor, but there's nothing in that is disclosable in any  
8 way, so it was a moot issue. So it was only with the second  
9 interview in September that we thought we'd at least advise  
10 you of it, because it's our sense that it's irrelevant and  
11 it's not disclosable under any theory. But begin, to err on  
12 the side of caution we felt it was our obligation to at least  
13 apprise you of it, Your Honor.

14 THE COURT: Well, I'm looking at it and I'll make  
15 a ruling on it shortly.

16 MR. [REDACTED]: Very well, Your Honor.

17 Incidentally, Your Honor, of course it's all moot  
18 now in light of your ruling yesterday with regard to the  
19 doctor. That's what it pertained to.

20 THE COURT: Well, some of it does.

21 MR. [REDACTED]: Entirely, Your Honor. You'll see  
22 when you read it.

23 THE COURT: I have read it. It does not entirely  
24 relate to him only.

25 MR. [REDACTED]: Very well.

1 THE COURT: When did you have that information, by  
2 the way, that related to the doctor?

3 MR. [REDACTED] There's the April DEA-6 of '91, we  
4 had that.

5 THE COURT: You had it since then?

6 MR. [REDACTED] Yes, of course, Your Honor, because  
7 that's what the date on the DEA-6 says.

8 THE COURT: And how is it that you just now  
9 submitted it to the court?

10 MR. [REDACTED] Because the second information that  
11 surfaced Thursday night, once we got out of court Thursday  
12 afternoon, that's the portion that concerned us and that's  
13 why we wanted you to have that, Your Honor. It's the second  
14 portion that is even arguably -- it's not disclosable under  
15 any theory but it's the second -- the FBI report that we just  
16 learned of late Thursday night, as can you tell from our  
17 pleading.

18 THE COURT: How is it that you just learned of it  
19 Thursday night? That it related to an interview done  
20 September 9, 1992.

21 MR. [REDACTED] That's when we were apprised of it,  
22 myself and [REDACTED], Your Honor, that's correct.

23 MR. [REDACTED] Your Honor, we learned of this  
24 through the Department of Justice in Washington, D.C. That  
25 interview in September was conducted by the FBI, another

1 agency, unrelated to this investigation and it was only  
2 through this round-about process that word of that interview  
3 in September got back to us on the 10th, or whenever,  
4 whatever day it is.

5 MR. [REDACTED] Thursday night.

6 THE COURT: Well, Thursday night. You didn't file  
7 it until yesterday.

8 MR. [REDACTED]: Your Honor, we had -- that's  
9 correct. We got it Thursday night. We drafted the pleading  
10 and then we filed it with you Monday morning along with the  
11 Rule 29 papers, both at 8:00 o'clock in the morning.

12 MR. [REDACTED]: We would ask formally on the record  
13 to see it, Your Honor. We would also --

14 THE COURT: What?

15 MR. [REDACTED] We would ask to see the information,  
16 what it is.

17 THE COURT: Well, that's the question, whether  
18 you're entitled to see it.

19 [REDACTED]: We would also ask Your Honor to ask  
20 them why, if it wasn't received for so long a period of time,  
21 if they know why it was received at the time they received it  
22 just at this point in the trial, that it just happened or --  
23 because that may go to what knowledge was or what information  
24 they had and why they had it at a particular time.

25 You know, why did it just come at that time right

1 in the middle of the trial. It sounds curious.

2 THE CLERK: Please rise.

3 (Recessed at 2:37 p.m.)

4 (Jury present at 2:55 p.m.)

5 THE COURT: You may continue.

6 MR. [REDACTED] Your Honor, may I ask the court to  
7 present this to the witness?

8 THE COURT: Yes.

9 THE CLERK: (Hands document to witness.)

10 Q. BY MR. [REDACTED] Mr. Zuno, would you please look at that  
11 document and in particular at the page that's marked with the  
12 small yellow piece of paper.

13 A. There's two.

14 Q. I believe that the page has marked has "133" at the  
15 upper-right-hand corner. Do you recognize that document?

16 A. Yes.

17 Q. What is it?

18 A. It was a request made to the civil registry of real  
19 estate, or property registration, to include a notation on  
20 the sales contract that was granted to me by my mother,  
21 Mrs. Carmen V' Zuno for the property on which I later  
22 constructed the house at 881 Lope de Vega.

23 Q. And this document was signed by you on June 3d of 1985;  
24 correct?

25 A. Yes, sir.



1 Q. And this was all in relation to the process you had  
2 started of getting this house into your name as an individual.

3 A. That's right.

4 Q. And the deed that registered this house in your name as  
5 an individual wasn't registered until June 4th of 1985,  
6 correct?

7 THE INTERPRETER: Your Honor, I think I  
8 mistranslated the last question.

9 THE COURT: Restate the question.

10 THE INTERPRETER: The previous question, the one  
11 before this one.

12 THE COURT: Do you remember what that was? Let me  
13 have the reporter read it.

14 (Record read.)

15 THE INTERPRETER: I misinterpreted, Your Honor.

16 THE COURT: Will you interpret it correctly now.

17 THE INTERPRETER: Yes.

18 (Spanish speaking.)

19 THE WITNESS: No. What happened is that when I  
20 sold the house to Dr. Sanchez Barba, as it appears here  
21 below, and that I signed that on the 11th of January and from  
22 that point on I no longer had any responsibility and the  
23 notary public continued taking care of the process of  
24 registering that property to Dr. Ruben Sanchez Barba.

25 And then my notary told me that my divorce decree



1 had not been registered in the public registry of properties  
2 and so we figured out that it was based on -- it was due to  
3 negligence on the part of my attorney who handled my divorce  
4 because he was supposed to have completed all of those  
5 procedures. We found out about that when he tried to register  
6 the property because they told him that "Mr. Zuno appears  
7 here as being married and you say that he's single." And so  
8 this official request was filed so that I could -- so that  
9 the house could be registered to the person that I had  
10 officially sold it to.

11 I also want to clear something else up. In Mexico  
12 during the time of President Lopez Portillo, he signed a  
13 decree. He signed a decree stating that the buyer, after he  
14 got the signature of the seller, the buyer was the one in  
15 charge of carrying out all of the procedures and doing  
16 everything to get the property registered. The buyer, not  
17 the seller.

18 Q. BY MR. [REDACTED] But you signed that page number 133 on  
19 June 3d, 1985; correct?

20 A. Yes. To correct the negligence on the part of my  
21 attorney who handled my divorce.

22 Q. Now, how much were you paid for this property?

23 A. 70 million pesos.

24 Q. Isn't it correct that you received 4,597,000 pesos?

25 A. No. I was paid 70 million pesos. I was handed the

1 money in two checks. One check was for 34 1/2 million  
2 pesos. That was signed by Ruben Sanchez Barba on the day  
3 that we consummated the sale. And the other one was made out  
4 by his brother, it was for 35 1/2 million pesos. He didn't  
5 have enough money, so they made out another check. They  
6 handed them both to me. I was paid 70 million pesos.

7 Q. Now, you had a deed drawn up to reflect this sale,  
8 didn't you?

9 A. No. From that point on, it's in the hands of the  
10 buyer. The buyer gets together with the notary public and  
11 they come to some agreement to record and assess value of the  
12 property. And that's something they do between them so that  
13 the buyer won't have to pay taxes on the property. That was  
14 up to the buyer.

15 Q. So are you saying that you never appeared before the  
16 notary public Francisco Marquez Hernandez in Ameca in January  
17 of 1985 to complete this sale?

18 A. No, I never said that.

19 Q. And if the deed -- if the deed says that, it's incorrect?

20 MR. [REDACTED]: Objection. Question is vague and  
21 ambiguous as to what the deed is saying.

22 THE COURT: Overruled.

23 You may answer.

24 THE WITNESS: What page?

25 [REDACTED] That's not what I'm talking about,

1 not that deed.

2 It's the deed concerning your sale to Ruben  
3 Sanchez Barba --

4 THE COURT: Well, counsel, I do sustain the  
5 objection to that question. The witness has testified to  
6 his -- the money that he sold the property for and you're  
7 asking him a hypothetical question.

8 MR. [REDACTED] Very well, Your Honor.

9 Q. How was it that you came to sell this property to Ruben  
10 Sanchez Barba?

11 A. I was handed the house back on the 30th of May of 1984  
12 from Sergio Virgen, Selio Velasco Vihap who I had rented the  
13 house out to.

14 Q. You testified you never knew Ruben Sanchez Barba before  
15 this?

16 A. Yes, but I haven't finished answering the last question.  
17 You asked me a question and I haven't finished answering the  
18 whole question. Please allow me to finish the whole answer.

19 He turned over the house to me on the 30th of May  
20 and the house was in bad disrepair. I didn't have any money  
21 to make repairs to it to either be able to rent it out or to  
22 sell it outright, and so one day while I was at Mascota,  
23 Mr. Jose Martin Barba called me up - that was on the 18th of  
24 December of 1984 - and he asked me whether I wanted to sell  
25 the house that was semi-empty. And I told him that, yes, I

1 was interested in selling the house.

2 He told me that he had a cousin who bought and  
3 sold the properties, homes, and that he wanted to buy it from  
4 me. And so I told him -- Well, he asked me when could I go  
5 personally to Guadalajara and I told him that I needed to be  
6 in Guadalajara on the 22d of December because I was going to  
7 pick up the gifts for the -- toys for my children and the  
8 gifts for my wife and my mother-in-law. And to buy the  
9 guajoloto, the turkey, for the Christmas dinner.

10 And so we agreed to meet at 10:00 o'clock in the  
11 morning outside of the house. And I got there on the 22d and  
12 Jose Martin Barba was there and he said to me, this is Dr.  
13 Jose Sanchez Barba, my cousin, and I greeted him. And at  
14 that point Jose Sanchez Barbara arrived. That was his  
15 brother. I didn't know him, either. And then Ruben said to  
16 me, "I am the brother of Inocenio Sanchez Barba," who's a man  
17 who's very well-known in Guadalajara.

18 MR. [REDACTED]: Your Honor, I think he's answered  
19 the question.

20 THE COURT: I think you answered the question.  
21 But when you ask a question "How did you come to buy or sell  
22 this property" that invites a narrative answer. So be more  
23 specific.

24 Q: BY MR. [REDACTED] Did you know Jose Martin Barba before  
25 this?

(72)

**TAB 72**  
**1992 REPORTER'S TRANSCRIPT OF PROCEEDINGS**  
**Pgs: 1625 - 1631**

72)

1 evidence nor is it the law, but counsel is permitted some  
2 latitude.

3 MR. [REDACTED] If you where to go up or down in a  
4 decision for a family member on the word of Godoy and  
5 Romero, would you believe them, because that's what this is  
6 about?

7 Now, I want to go right to the meetings, and I  
8 want to talk about various things, but the first thing I'd  
9 like to talk about are the meetings and why they are  
10 improbable, is the heart of the meetings, the very heart,  
11 the context of the meetings. It's tough when this stuff is  
12 coming in fast, but think what the meetings where about.  
13 You got four meetings. The guts of the meetings was the  
14 first meeting Aldana says he's attempted to bribe the  
15 D.E.A. agent, and the D.E.A. agent refused. And Zuno  
16 allegedly says kill him. And Bartlett says we need a rapid  
17 solution. That's what the prosecutor just told you.

18 A couple of things about that before we get to the  
19 second meeting. The key thing about it, the reason we  
20 don't have to go further, if you think about it logically  
21 is, Aldana says he's attempted to bribe the agent, and it  
22 was unsuccessful. What does that mean? That means he  
23 knows who the agent is. If he tried to bribe the agent, he  
24 knows who the agent is, because he says the agent refused.

25 Now, if he tried to bribe the agent and the agent

1 refused, he can see it's tough to lie. You can memorize 30  
2 names and read them off to you while you're changing  
3 ashtrays. You can get that rattled off and it's  
4 impressive. But you tell a long enough story, it's going  
5 to be found out. We're going to tell you a bunch of ways,  
6 before we talk what kind of despicable human beings these  
7 two people are.

8 "I tried to bribe the agent and it was  
9 unsuccessful."

10 Let's go to the second meeting. Caro asked  
11 Castillo -- let's go by the prosecutor's version of this --  
12 Caro wants to know where the information is. Castillo is  
13 working on it. Zuno allegedly says, "You know, they're  
14 getting it." What information? They already have the  
15 information, according to this witness, of who the agent  
16 is. Caro asked Castillo allegedly, according to this man,  
17 if he had the information on the agent. Castillo says, "We  
18 first have to identify him." Caro says, "We have to  
19 identify him so we can pick him up."

20 Now is there any way -- let's listen to the  
21 prosecutor, because their burden is heavy, very heavy.  
22 Let's listen for him -- I'm not talking to you about the  
23 pearl gun and the revolver -- telling you about if they  
24 attempted to bribe the agent at the first meeting, and he  
25 refused, how come Caro's saying at the second meeting,

1 "Where is the information?" And Castillo saying, "You have  
2 to identify him." And Caro says, "We have to know who he  
3 is before he's going to be picked up." Let see if he  
4 explains that to you.

5 Does that make any sense, that there could -- the  
6 man made up the meetings. One of them didn't talk about  
7 them for eight months until after the D.E.A. was talking to  
8 him. Eight months. Another man, 30 to 45 days, and we'll  
9 talk about that.

10 So the second meeting, after knowing who the agent  
11 is, allegedly, on this guy's story, in the first meeting,  
12 they're saying who is he.

13 Let's go to the third meeting. The third meeting,  
14 remember we got this from Officer Leyva, the witness Godoy  
15 says everybody agreed. It was agreed by all that the agent  
16 should be identified and located as soon as possible.  
17 Well, what do you mean "identify and locate as soon  
18 possible"? You already know who he was. Mr. Aldana  
19 already knew who he was. He said he tried to bribe him.  
20 So how could the general topic of the meeting be he should  
21 be identified and located? That did not happen.

22 Listen for the prosecutor's explanation of how  
23 they know who he is at the first meeting, and at the third  
24 meeting everybody's agreed we have to identify him.

25 And go to the fourth meeting. Caro's working on



1 who the agent is, and Fonseca says, "We haven't located the  
2 right person yet." Two points off of that. Two important  
3 points. One, the same point, but what's that about? If  
4 you know who the agent is, how come Fonseca is saying "we  
5 haven't found him yet," and Caro's working on who the agent  
6 is. The first point.

7 Okay. The second point. Second point. Up here  
8 he has Caro asking Castillo, the governor, to find out who  
9 the agent is. That's his job, the governor's, I guess, in  
10 the second meeting and the third meeting.

11 In the fourth meeting he forgets his story, and  
12 now we have Caro, and not the governor, working on who the  
13 agent is.

14 Now, it just doesn't make any sense. The heart --  
15 the heart of the whole story, ladies and gentlemen, is that  
16 they had these meetings. You know, why did they have them?  
17 You know, what was said? What was said? They say what was  
18 discussed was, you know, all of these meetings about  
19 getting the D.E.A. agent. But the heart of the story,  
20 stricken away everything, everything you got is, you know,  
21 is it credible? Can you believe it?

22 And here Aldana says he knows him, he tried to  
23 bribe him, and at all these other meetings they're saying  
24 "let's find out who he is," and then they're changing who's  
25 to find out. What's the explanation? Does that make any

1 sense of any kind?

2 Also, putting that to the side for a minute, even  
3 if you take them at what he said, he has Aldana all of a  
4 sudden changing ashtrays. You know, he's over here, Zuno  
5 says kill him, he remembers that seven years later. If  
6 they know who he is and they attempted to bribe him, you  
7 know, I mean, we're dealing with the worse. I mean, what  
8 are you dealing with here?

9 I mean, we're dealing with witnesses who tell you  
10 that some poor couple comes to the house, and they torture  
11 them and kill them. The Latter-Day Saints comes to the  
12 house, they torture and kill him. Boom. What are we  
13 dealing with?

14 How come the agent is still alive if they know who  
15 he is and they attempted to bribe him, and Zuno allegedly  
16 says kill him? When? In September, October, November?  
17 And he's still alive, they don't get it done until  
18 February. Is that the way these kind of people act, or do  
19 they act spontaneously?

20 But the basic point, the first point, no logic to  
21 it. And you know something else, why they kind of dance,  
22 and they were stuck with their reports. They had a dance  
23 because through Jaime Kuykendall, their first witness, the  
24 head of the Guadalajara office, if you remember way back,  
25 the first witness of the case, he talked about Zacatecas.

1 And you remember he talked about a meeting pre-Zacatecas  
2 with Ibarra, where he was there and Enrique Camarena was  
3 there.

4 And do you remember he told you that they were  
5 going to be talking about Zacatecas -- they talked about  
6 Zacatecas and talked about raiding Zacatecas. And Enrique  
7 Camarena was there, so Ibarra, who theoretically is one of  
8 these politicians who's involved in all of these meetings,  
9 where they're talking about who's the agent causing us all  
10 the problems, Ibarra knows it back in May of '84.

11 Remember back. It's hard. But if you put it all  
12 together, Ibarra knows it back in '84.

13 Think to yourselves about: Did Kuykendall have  
14 Ibarra at a meeting where they went, him and Enrique  
15 Camarena, and told him about the Zacatecas raid? The same  
16 raid the prosecutor argues is one of the raids that caused  
17 the bad people to kidnap Camarena. Well, Ibarra knew it  
18 back then.

19 And remember the next witness, Guadalupe Gamez,  
20 the one that infiltrated the Zacatecas operation. Remember  
21 the man that put Camarena in a undercover capacity, and was  
22 working with Chavez.

23 Now, what happens with Gamez, right-hand man of  
24 Quintero? Gamez is arrested. Arrested and flown on the  
25 same plane with Enrique Camarena, and Camarena's no longer

1 undercover, and he knows -- and Caro, he knows Enrique  
2 Camarena is a D.E.A. agent. And then he goes to Zacatecas,  
3 Chavez does, the Quintero foreman, and again he sees and  
4 there's no obstructions, and we get it from Kuykendall,  
5 that he clearly knew Camarena was the one allegedly causing  
6 the Cartel all of this problem.

7 So who's kidding who? They knew it was Enrique  
8 Camarena. They being Quintero through Chavez. They being  
9 Ibarra because he was there at the meeting. And you  
10 remember Kuykendall says Aldana -- remember he went up in a  
11 helicopter with him at Zacatecas. Aldana was there and  
12 Aldana also saw Camarena, and he saw him as a D.E.A. agent.  
13 So they knew from May, Enrique Camarena was the man.

14 But putting all that aside, you see the  
15 implausibility here of the core, of the guts, of their  
16 claim that there's a meeting. They know who he is, and  
17 then they don't know who he is. That's the case really. I  
18 mean, that's really the case. I mean, are you going to  
19 bet -- are you going to bet your life on these people  
20 without going further on that kind of story? Hopefully it  
21 doesn't work that way here.

22 Now, what else do we have? First thing, the first  
23 time these people come forward is seven years later.  
24 Nothing to indicate they told anybody in Mexico or anybody  
25 in the United States one word about this alleged atrocity,

(73)

**TAB 73**  
**EXHIBIT 152.155**

(73)

20

CASE NO. CR 87-422(G)-ER  
UNITED STATES OF AMERICA  
VS. RAFAEL CARO-QUINTERO, ET AL.  
PLAINTIFF'S EXHIBIT 152  
DATE \_\_\_\_\_ IDEN.  
DATE \_\_\_\_\_ EVID.  
BY \_\_\_\_\_  
AO 386 Deputy Clerk FBI LOM

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1

2264

TRANSCRIPTION OF CASSETTE TAPE MARKED 'COPIA 2'

Interrogator = I.  
Camarena = C.

- 1- I. Let's see, what is that house like?
- 2- C. It is on Topacio (street)...
- 3- I. Topacio?
- 4- C. Yes...
- 5- I. Which is..(unintelligible)..?
- 6- C. I can tell you how to get there...
- 7- I. Let's see, tell me...
- 8- C. You go along Mariano Otero (street)...
- 9- I. Yes...
- 10- C. One, two, three, the third traffic light, right?
- 11- I. Yes..
- 12- C. On the side lane you turn to the left, I don't know what the development is called (unintelligible) Sanchez, Manuel Ocampo or, you reach Manolo's which is on Mariano Otero...you..go, I think it is Topacio street..you reach the traffic circle..and exactly the...about two or three blocks from the circle..there is a house on the corner...it has..it has a stone wall...high and fenced...
- 13- I. Whose is this house?
- 14- C. It belongs to Ernesto...
- 15- I. Ernesto,s...um...what street was that..?
- 16- C. Topacio...
- 17- I. You don't know the number..?

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18- C. I don't remember...

19- I. I'm going to tell you how easy it is, why beat you?

20- C. Well, I am remembering...

21- I. Umm...

22- C. You know what..can I tell you something?

23- I. Tell me...

24- C. Even though one might not want to, one remembers with the beating you have just given me...and as I am remembering I will tell everything I know...

25- I. Let's see, remember another...

26- C. Well, when they arrested Juan Jose Quintero...(unintelligible)...

27- I. Um..hum..

28- C. When they arrested him and he arrived at the house he did not have any money...they started to beat him up there and...(unintelligible) that they gave you a chance..oh..oh..I am saying this to you because..well, don't hurt my family please...

29- I. No one is going to hurt your family...forget about that...they are not to blame for anything...(pause)..you just keep on remembering, that is all..eh?..I am not going hit you or anything..okay?

30- C. I am going to get comfortable...

31- I. Another location ahead?

32- C. Possibly?...this..these we have not located ourselves...

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2266

- 3
- 33- I. Let's see...
- 34- C. But look...I will try and tell you so that you know how it  
was that we knew nothing about this...
- 35- I. Let's see, tell me...
- 36- C. There are some persons...some masons from Santa Anita..who  
were engaged to go and build a wall at a farm..that is there  
in Santa Anita...I don't know where, exactly..right?
- 37- I. Uh..huh...
- 38- C. It is going...passing the Santa Anita Club on the right hand  
side...uh..these masons went to complain...I think...to the  
Municipal President (mayor of the town), right?
- 39- I. Uh...
- ( 40- C. The Municipal President is a friend of Mr. Kuykendall...  
and he spoke to him and gave him the information...as (un-  
intelligible) I did not say anything to him, it is not  
possible for me (unintelligible) with him...
- 41- I. (Unintelligible)...
- 42- C. Passing the Golf Club...(sneeze)
- 43- I. And that is a ranch there...or what is it?
- 44- C. It is a ranch, sort of a large farm...
- 45- I. Whose is it?
- 46- C. It ~~is~~ Miguel Angel's...
- 47- I. Why not (unintelligible) the ranch..?
- 48- C. Because he was always armed and I did not know who he was...
- 49- I. And you have this one located..?

000472

4

50- C. For the same reason that one has not been located, due to  
fear, right?...I am not going to go over there, therefore  
let them say that I don't know...

51- I. Do you play golf there at Santa Anita...?

52- C. Yes...

53- I. Do you live there?

54- C. No, I do not live there, I live (unintelligible)...

55- I. Do any of you live in Santa Anita...?

56- C. One of the ones that have just arrived...

57- I. Who?

58- C. Victor Wallace...

59- I. Wallace...?...where does he live...?

60- C. I know how to get to the house, the number I don't know...

But it is registered at the entrance...(unintelligible)

61- I. What is the house like...?

62- C. It is small, white...when you enter you turn  
(unintelligible) from the street...you pass something like a  
drain where water passes from the hills, because there is a  
lake there...and it is the first house passing this on the  
left.. (pause)... after the water course...

63- I. Let's see, more or less where is the house?

64- C. Look...ah..you know Santa Anita?...so that I can explain to  
you...?

65- I. Let's see, tell me more or less...

66- C. You enter...right?

- 5
- 67- I. Yes...
- 8- C. Turn to the right before entering the Club...and you keep to the right all the time, keeping to the right...you pass... passing various bumps...and there, there is a sort of small traffic circle, you keep to the right all the time, and after turning round that circle...it is about half a kilometer from there...and passing that drain where the water comes out to the lake...it is the first house on the left...
- 69- I. He is not sold to anybody...?
- 70- C. No...he has just arrived...I mean he does not have any... (UI)...
- 71- I. And where has he come from...?
- 72- C. He came from Calexico...
- 73- I. And he also has done nothing, no?
- 74- C. No, he is new...
- 75- I. What is so strange to me is that you don't do anything...
- 76- C. Well, didn't I tell you that it is due to fear...that...I told you that...they do not let me carry my gun here...
- 77- I. Let's see, remember another one...uh...another location... give me one for Rafael...
- 78- C. Of Rafael...well, hardly...I mean..you have already asked me everything...
- 79- I. Yes...
- 80- C. No..no..I don't have anything...
- 81- I. Try and remember...of Ernesto...

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- 6
- 92- C. Of Ernesto...well I have already told you (UI) you see..
- 83- I. Take your time...think...the one you say goes around with him...like...Samuel...you don't know where he lives..?
- 84- C. I know he has an apartment over there at Cangrejo, behind the (UI) I don't know the number there..of the apartment..
- 85- I. Another location for him?
- 86- C. For Samuel..?
- 87- I. Yes...try to remember...
- 88- C. Well, no...
- 89- I. Some report on him..?
- 90- C. Well, only the one that Jesus Alvarez gave me...
- 91- I. And before that?
- ( 2- C. The report?...the report that Jesus Alvarez gave me that Samuel was the one who had shot up the agent's car.(UI)..
- 93- I. What did he say..?
- 94- C. That this Samuel had shot up the agent's car...
- 95- I. But no report that there is somewhere...
- 96- C. Oh, Samuel..?
- 97- I. Yes...that you can remember...
- 98- C. We do not know the surname...it is the first time that it appears in our (UI)..that I know that (UI) the reason for this he threatened him because they shot up his car..that Samuel was coming and Rogelio was following him (UI).
- 99- I. Lock...(throat clearing) I am going to behave better with you...softly...eh?

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- 7
- 100- C. Please...
- 101- I. Give me a person of those who go around with Rafael...see if we can look for him...
- 102- C. There is an administrator...this was told to me directly by Lic. Garcia Bueno, right?
- 103- I. Yes...
- 104- C. There is a brother of Quintero who throws himself (UI)...
- 105- I. Yes...
- 106- C. (UI) I only have some (UI) who lived there...and none (UI) as much (UI) they were just seen and that is all...
- 107- I. And that person goes around with him...?
- 108- C. Ha...I don't know...you remember that I said that he was had gone around (UI) he was the owner of the (UI)...
- ( 09- I. Don't you remember about the case...?
- 110- C. Pardon?
- 111- I. Don't you remember about the case, where it is...?
- 112- C. The house I told you about of Rafael...in the other commentary...that (UI)...in the direction of the (UI)...
- 113- I. But of one of those guys that go around with him...see if we can take him out and see if we can...
- 114- C. Well I don't know anybody...as I say, because of the same fear, I tell you...well I am giving you everything I know..
- 115- I. Yes..yes...I understand you...
- 116- C. I am afraid...well of inventing something and then...
- 117- I. I also for that reason am behaving well with you...

2271

- 8.
- 118- C. And later on you investigate and then..right?
- 119- I. For that reason I am not now going to do anything to you,  
or anything..
- 120- C. Ohh...oh...oh..uh...(groaning)...
- 121- I. Eh..okay?...remember some report..some...something that you  
have heard somewhere...eh?
- 122- C. Who knows...? (very weak)..
- 123- I. There must be something...something must be there...you know  
that something must be there...right?
- 124- C. Now..I know why...I can't get comfort...
- 125- I. Remember...I am going to give you time...eh? (pause) some-  
one of those who go around with him..therefore..eh?
- 126- C. Don't hit me any more...
- 127- I. No...no one will hit you...
- 128- C. Well, no (UI)..
- 129- I. No, it is that..it is...because you can't see...you are ner-  
vous, but forget that, eh?...I am behaving well with you..yes  
...?...eh?
- 130- C. I am very grateful to you...
- 131- I. Just give me more...a location of some guy of those that go  
around with him...that you have heard of somewhere...
- 132- C. Well the only location that I have is that of Mr. Vargas  
Salazar, information that I received in July or August...
- 133- I. And does he go around with Rafael? (tape pause)..
- 134- I. He does not go around with Ernesto, you say.?

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- 9
- 135- C. There is...(pause)
- 136- I. Relax well...eh?...no one is going to hit you...or anything.
- 137- C. (UI).
- 138- I. Some bum of those who go around with him often..eh?...something that you have heard...or some report..or something...
- 139- C. (UI)
- 140- I. Remember..remember..I am going to give you time...
- 141- C. (UI) that of Rafael, but he never wanted to give us the frequencies...only because I learned through (UI) and with two radios he wanted to take away (UI) the Caro, right?...but I don't know...he never wanted to give us the frequencies of Rafael...and the frequencies he put, he says that it is not (UI)...
- 142- I. Are you afraid of Rafael?
- 143- C. That is not true...
- 144- I. Then with who do you say?
- 145- C. Pardon?
- 146- I. With who do you say?
- 147- C. To finish with (UI) yes, well..I am supposing, right, as he (UI) allow a break with him, but never, we never did it with him...
- 148- I. ~~But one~~ of those that goes around with him...
- 149- C. I do not know...
- 150- I. He never has (UI)...
- 151- C. I don't know...(tape pause).....in Mexicali they say there

10

2273

is a person who helps him, right?... Pass the...the mari-  
juana...

- 152- I. Who is it?
- 153- C. Ah...(pause)...I am trying to remember, but no...
- 154- I. Yes...remember...I give you your time...
- 155- C. Rene Verdugo..I think...(pause)...I am trying...
- 156- I. Try...you...you...you try...(long pause) (throat clearing)...  
(tape pause)...
- 157- I. What do you say he is called?
- 158- C. Manuel Sanchez...
- 159- I. Manuel Sanchez what?
- 160- C. I don't know the other surname...
- 161- I. And he goes around with the other...what did you say?
- 162- C. They go around together all the time...
- 163- I. That Rene, what is he like...?
- 164- C. I don't know him...
- 165- I. And Manuel...?
- 166- C. I don't know him either...
- 167- I. You don't know him either...?
- 168- C. No...it is from some reports that were sent from Calexico...
- 169- I. You don't have his location..?
- 170- C. No...
- 171- I. No..?
- 172- C. They...the only thing I know..is that they live in Mexicali.
- 173- I. They are the ones that pass (marihuana) for that guy...

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- 11
- 174- C. Well, they help him pass it, right?
- 175- I. Uh..huh..
- 176- C. It is my understanding that (background noise - someone brushing their teeth) they are in charge of passing the merchandise...from Mexicali...to...through Calexico...
- 177- I. And you do not remember any guys who go around with him..?
- 178- C. No...I am telling you this...
- 179- I. Yes...yes...
- 180- C. That I wish that I had...I would give them to you, sir..if I had any of Rafael's I would give them to you..I mean..it would not be worth lying to you...because you are going to check up on something which is not true...and you would give me another beating...right? I want you to understand that Cuch...that I don't want to lie to you..I don't want to invent anything that is not true...
- 181- I. No...this I am asking you for a stop (coughing) right now I am going to stop...
- 182- C. (voice overlap) right now I told the man who was here in the room....
- 183- I. Yes, I know....
- 184- C. That I remembered another business that Ernesto has...
- 185- I. Yes...(coughing)...
- 186- C. It ~~is~~ the restaurant "Isao"...a restaurant...a Japanese restaurant which is over on Avenida de los Arcos...
- 187- I. Is that Ernesto's?
- 188- C. They say that it is Ernesto's...and then another restaurant

000480

12

that I remember...another business ...this one they say  
is in partnership with Ernesto and Manuel Salcido...it is  
called "La Langosta"...which is there close to Plaza del  
Sol...of the hotel...

189- I. The restaurant...what is it of?...this "La Langosta"?

190- C. It is a seafood restaurant...

191- I. And this Manuel what...?

192- C. Pardon?

193- I. This Manuel...?

194- C. Salcido....

195- I. And who else...?

196- C. And to Ernesto Fonseca..

197- I. Some...some business of Rafa..?

198- C. No...not him...the only...the business that I told you about,  
sir, that I...that Jesus Ramirez told me about is that he  
had just bought the Ford dealership...the one I have already  
told you about...right?

199- I. Um...hum...

200- C. That is the only business of his I know of...  
(new interrogator)

201- I. Whose is it? the "Isac" restaurant...?

202- C. It belongs to Ernesto Fonseca...  
(previous interrogator returns)

203- I. Let's see, give me people that go around with Caro...

204- C. What?

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227b

13

205- I. Give me people that go around with Caro...  
206- C. I don't know anyone, Commander...  
207- I. And I will stop...  
208- C. If I knew I would tell you, sir...(background noises-  
someone blowing their nose)...I tell you that I am here with  
fear..I tell you...and you know that one gets into (voice  
overlap)  
209- I. I am helping you...yes?  
210- C. I know...I appreciate it...thank you...  
211- I. Eh?  
212- C. I appreciate it..  
213- I. You just stop me and I will give you another stop..  
214- C. If...if I knew someone who goes around with him...all the  
time...look...something else that I remembered just now..  
right?...this Jesus Alvarez...before going to Colima, I spoke  
to him...and he told me that he had the name of a person who  
is...Ouch...Ouch...who knows where Rafael is all the time  
but he did not want to give us the name because he wanted a.  
he wanted money..right?...and I said to him..well I..there  
is no money in the office to give you...and he went off  
annoyed...but he did say that if...this person knows where  
he is...he had the location...the address of this person..  
that this person...he did not give me the name...that he  
knew at all times where Rafael is...but as I say...he did  
not give me the name...he went off annoyed...that last time  
that he went he needed money to go to Colima, and he was

14

2277

- ( given only \$200.00 dollars...(throat clearing)...
- 215- I. And he is one of the people that goes around with...with all the time...?
- 216- C. The person that he did not give me the name of, Commander, if I knew the name I would give it to you, sir...you know that...
- 217- I. Didn't he give you some...some sign?
- 218- C. Nothing...nothing...!...didn't I tell you that he got angry because he was only given 200 dollars...he wanted more money... it is...because they don't give him money for the protection of the candidate for Governor of Colima...he has to finance the security...and needs money...and as we only gave him 200 dollars he went off disgusted... and no, no, no he did not give us that information...
- 219- I. That administrator you mentioned...would you know where he is...?
- 220- C. "El Leon"?
- 221- I. Yes...
- 222- C. Well I think so, sir...but I do not know how to locate him..
- 223- I. You don't know where he lives...? (sound of dripping water)
- 224- C. If you will let me go to the office I can get the data, right?...
- 225- I. You have them in the office...?
- 226- C. I imagine that they are filed there, but I don't remember at the moment, sir...(background noise of water dripping or run-

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15

ning) (pause)

227- I. Let's see, a house of his...where can that bastard be...?

228- C. I wish I could give you something, sir...(pause)

229- I. Rest a while more...and remember...

230- C. Well, I tell you everything I remember, sir..

231- I. Eh..?

232- C. Yes...I will tell you...ah..I have now remembered the..the street that I was saying that runs parallel to Cusuhtemec...

233- I. Yes...

234- C. The one that is by the Hyatt, right?

235- I. Yes...

236- C. Chimalpopoca...

237- I. Yes...

238- C. That there...they told us..well..there, as I told you, it was when Rogelio Knapp and this other agent from Mexico, Miguel Acuna...and Miguel was...was arriving there..and there was another car behind him..and this car was the one that followed them and stopped them...that is why I know about that..right?...and I was not there...

239- I. And who does the house belong to..?

240- C. ~~That~~ that it was..they were the offices of Miguel Angel...

241- I. ~~And~~ does not have offices..?

242- C. I do not know of any offices of his...

243- I. Try to remember to see if..if you saw something somewhere..?

244- C. Don't make me dizzy...

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~~2279~~  
2279

- ( 245- I. I am not going to make you dizzy...eh?...just try to remember...to see if..to see if I can look for the bum...
- 246- C. Yes..I know...
- 247- I. Okay?
- 248- C. What I remember I will say, sir...
- 249- I. Or any of the bastards that go around with him...
- 250- C. I tell you that this Chuy Alvarez should know, sir...because he did not want to give us that information..more than that, he said that...what he did say was that this person has a radio with which he can communicate with Rafael at any time...
- 251- I. Who?
- ( 252- C. The person who gave us the data..the one who wanted more money, right?
- 253- I. Who has the radio..?
- 254- C. Well of the frequencies he uses (background noise)..that Rafael uses, that frequency was never given to us by Ingeniero Aceves...
- 255- I. Try to remember some...some bastard of those that go around with him...
- 256- C. (overlap) well I tell you, sir...
- 257- I. Eh?...take your time and remember...
- 258- C. I will tell you...
- 259- I. Yes...about something you have heard there...
- ( 260- C. I will tell you, sir...

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17

- ( 261- I. Hm...
- 262- C. I am remembering little things in this way...but every time  
I remember I am telling you...
- 263- I. Yes...that's good...I am helping you...eh?...eh?...
- 264- C. Yes...
- 265- I. You continue behaving well...and I will too...
- 266- C. I cooperate with you, sir...
- 267- I. That's good...say no more...okay?
- 268- C. Yes...
- 269- I. Done...
- 270- C. Done...
- 271- I. Remember another one and tell me in a while...(overlap)
- 272- C. What I remember I will tell you...
- ( 273- I. Okay!...eh? (background noise)
- 274- C. In (UI) it is good, but I say...I don't know...
- 275- I. You don't know?... (make noises, crackling)...
- 276- C. I don't know them by memory...I write them down and then I..  
or may be I have them in the things I have in the..that I  
had in...in the pocket of..in the pocket of my shirt..but..  
as I say...only by seeing them, right?...seeing them..that is  
they are of...they are five numbers...they are two numbers,  
one after the other...
- 277- I. Do you remember about some bastard that goes around there  
with..with Caro..eh?
- 278- C. I wish I could give you a name...I would give it to you now.

000486

2281

- 18
- 279- I. Just try to remember...
- 280- C. As I say, sir...
- 281- I. Eh?...take your time...
- 282- C. As I say, one is working here with fear, sir, and one, well  
will not go around...
- 283- I. No one will hit you now...
- 284- C. No one...no one will go around pursuing these persons, with  
what, sir?
- 285- I. Take your time...(pause) (tape pause)...(background noise)
- 286- I. Where?
- 287- C. Forty six...like going towards Zacatecas...there is one..no.  
no, I don't know the names of the streets..I think I could  
find them..about two years ago I went there..it is a simple  
house...
- 288- I. The Periferico...?
- 289- C. No..no, it is not on the Periferico, it is in..do you know  
where the...where they had the Zapopan fair..do you know  
where?
- 290- I. It is in Zapopan..?
- 291- C. Yes...
- 292- I. No..I don't know where the fair was...
- 293- C. Well it is in that direction..it is..you go on the highway  
going towards Zacatecas...
- 294- I. Yes..
- 295- C. And you turn to the left at the Periferico..the..I think it



15

2282

is the first paved entrance..from there..one or two blocks to the right and then to the left..as I say..It's a long time since I went..I think I could find the place, right?

296- I. Is it going out on the highway?

297- C. No, it is by the highway, sir, it is a development that there is there...

298- I. A new development...?

299- C. No, it is not new...

300- I. You take the highway to Zacatecas...

301- C. At the Periferico you turn to the left (speaking with difficulty)...

302- I. The highway, right?

303- C. Well, it is the Periferico...

304- I. You reach the Zacatecas exit, and turn on the Periferico...

305- C. Yes...

306- I. I continue on the Periferico?

307- C. Yes...until you reach..it is about one kilometer..turning to the right..I think it is the street..that goes to where.. where they had the Zapopan fair..one or two blocks..there you turn to the right..and I remember that we turned to the left....

308- I. What..what is the house like..?

309- C. It is a bluish colored house..

310- I. Does it have one floor..?

311- C. Um..hum...

2283

- 312- I. Does it have a garden in front or not...?
- 313- C. No..it has a sort of parking area for cars..and it had one of those metallic fences...
- 314- I. Does it have a garage for cars?
- 315- C. Yes...
- 316- I. For how many..?
- 317- C. For one...
- 318- I. For one?
- 319- C. This (UI) development where all the houses look alike...
- 320- I. Is there another blue house there? (overlap) or is it the only one?
- 321- C. I could not tell you , sir...
- 322- I. And does he still live there?
- 323- C. I don't know if he lives there...
- 324- I. And is he married..? you say?
- 325- C. He is a bachelor...
- 326- I. And he lives there alone..?
- 327- C. I think so...

(74)

**TAB 74**  
**EXHIBIT 153**

74)

20

CASE NO. CR 87-422(G)-ER

UNITED STATES OF AMERICA

VS. RAFAEL CARO-QUINTERO, ET AL.

PLAINTIFF'S EXHIBIT 153

  
DATE \_\_\_\_\_ EVID.

BY \_\_\_\_\_

AO 386

Deputy Clerk

FPI LOM

000490

Camarena = C.

Interrogator = I.

- 1- C. That is the person I told you about, Jesus Ramirez, who says that Javier Barba is one of the ones who is coming up, he is very...
- 2- I. Jesus Ramirez has passed you a lot of information, and you have only seen him twice....
- 3- C. Yes, sir...
- 4- I. You are not lying..?
- 5- C. No, because look, sir, remember that I told you that he worked with Rogelio, Roger Knapp, and I have seen him on two occasions, but as I do not I go only as a witness, to see what he says...Right?  
But I have not dealt with him...I have never paid him a nickel...
- 6- I. Say something about this...what type of information does Jesus Ramirez provide to you...?
- 7- C. That he is one of the ones who is coming up, that he works for Ernesto, that he is one of the ones we have to see....
- 8- I. Yes...?
- 9- C. Yes...
- 10- I. How far had the investigation gone with him..? What help can you provide us in order to locate him..?
- 11- C. Why...? He lives right near Commander Espindola....
- 12- I. Where does Commander Espindola live..?
- 13- C. On Paseo del Prado, Commander Espindola lives at number 3021...
- 14- I. Lies!!!!
- 15- C. No, no, sir....
- 16- I. That is not true!!
- 17- C. That is what was told us by Jesus....

- 1 I. Well, you jerk, he would have disappeared....
- 19-C. No, no, Commander...please...
- 20-I. Give me facts!
- 21-C. That is what Jesus Ramirez told us, sir...
- 22-I. What information....?
- 23-C. That he lived there....
- 24-I. Omit that...go ahead...
- 25-C. That he lived next to Commander Espindola, he only knew that he was very active.....that he was not showing anything any more, that he used to go around in luxury cars before, but now he was going around in an old car so as not to attract attention...but that he was very voracious and very daring, and that he is one of the ones who will rise very rapidly because he does not care who he flattens, who he kills and all that...
- 26 I. Why do they classify him in this way...? What do they know of him to.... to....
- 27-C. Only what Jesus Ramirez is saying....
- 28-I. How far have they gone with the investigation of this (Lic.) lawyer...?
- 29-C. Only where he lives....that is all we know...
- 30-I. How far have you gone in checking him out...?
- 31-C. I have not even gone to look at the house, sir...
- 32-I. Who has gone?...of your co-workers...?
- 33-C. No one... I, as I tell you know the house because on one occasion I went to visit Commander Espindola at his home....
- (Note: voice in the background: 'back to the same thing!')
- No, well....
- 34-I. And does this guy have people with him...?
- 35-C. I do not know ....sir...

1. What....and regarding his brother, how did you find out that he had died?
- 7- C. In the newspaper....
- 3- I. And did you go to check at the funeral...?
- 9- C. No...no sir...why should I lie to you...we did not go...
- 0- I. Are you sure you did not go..?
- 1- C. Yes, sir...I never, no...no.I don't go to those because of the same problems, sir, that we....
- 2- I. Don't tell me about your problems, speak of the information you can give us, you can provide us to finish with this bunch of jerks....
- 2- C. Yes, sir. (very weak) what more can I tell you, sir...?
- 3- I. Since when have you known about this Licenciado Javier Barba...?
- 4- C. The one who mentioned him was Licenciado Garcia Bueno...
- 5- I. What friendship does he have with you? What relationship does Garcia Bueno have to you?
- 6- C. He gave us information, sir...:
- 7- I. What kind of information...? Is he an informer also...? does he cooperate with you?
- 8- C. Yes, sir, he cooperated, because he was shot up...
- 9- I. He died..?
- 0- C. No, he is in the hospital, very grave...(background voice: They are all very grave...)
- 1- I. Where did they shoot him?
- 2- C. Here, at Manolo's on Niños Heroes...
- 3- I. And who shot him..?
- 4- C. Licenciado Humberto Zandas...
- 5- I. Aren't they asking you about Lic. Barba...?
- 6- C. Oh, well you asked me who...

2001

- 57 I. Lic. Barba...?
- 58- C. The only thing I know about Lic. Barba is that he lives...
- 59- I. I'm telling you that...this Licenciado who is injured, what did he inform regarding Lic. Barba...?
- 60- C. It was he who told me that he worked with Ernesto...
- 61- I. What more did he tell you..?
- 62- C. That he works with Ernesto, that he is an engineer..and for that...
- 63- I. Nooo!
- 64- C. No,pardon me, sir, I tell you this because he is an engineer, is that not true..? Because it came from this person, if he is a lawyer then it is possible that I am mistaken...
- 65- I. The Licenciado (lawyer) whose brother was killed...
- 66- C. Yes,...yes...yes...
- 67- I. How did you find out that they had killed his brother..?
- 68- C. Because it came out in the newspaper, sir...
- 69- I. Why did you read it and concentrate on that..?
- 70- C. Well look, sir, one of the things that we do every day is...(voice overlap)...
- 71- I. Why did you read it and concentrate on that...?
- 72- C. Because we already knew the name of Lic. Barba...you see?
- 73- I. What name?
- 74- C. Well, that it was Barba...Javier Barba..?
- 75- I. Yes...
- 76- C. OK, and we knew he was working with Ernesto, and one of the things that we check at the office every day is the newspaper, specially the police section to see if a name comes out that we know...
- 77- I. And who passed you the information on Javier Barba..?
- 78- C. Lic. García Bueno...



- 79- I. Who else..?
- 80- C. And...this Jesus Ramirez...
- 81- I. What did Jesus Ramirez tell you..?
- 82- C. Well, that he is one of the ones who is coming up...he told us this a week ago...two weeks ago, the last time we saw each other in the Tapatio
- 83- I. When he talked to you did he speak of Samuel..?
- 84- C. No...Jesus Alvarez spoke to me of Samuel..there are two Jesuses...
- 85- I. Two Jesus Alvarez's..?
- 86- C. No, no, no, there is one Je...two Jesuses...one Jesus Ramirez and one Jesus Alvarez...
- 87- I. Then this Samuel has a relationship to this Lic. Barba...?
- 88- C. I could not tell you...I do not know...I do not know this person...
- 89- I. Or relations with \_\_\_\_\_ person..?
- 90- C. I did not understand you question.. (background voices: no, yes, not me now, no, no,...)
- 91- I. Lic. Barba by you....(unintelligible)
- 92- C. Look! The reason we were interested in this Samuel was because Jesus Alvarez was the one who told us that he was the one that had shot up Rogelio's car...
- 93- I. What more did he say..?
- 94- C. That he had an apartment over in Cangrejo...
- 95- I. Yes, you already told me that!
- 96- C. Yes, well, that is what I am telling you, sir...
- 97- I. And, and you...(recording cut)
- 98- C. We do not have...(recording cut)
- 99- I. You already told me what he has done...
- 100- C. Oh..bas...(exclamation)

- 101- I. (another interrogator): Well look...No, no, don't be stupid...what...  
who has... ?
- 102- C. (speaking with difficulty) who goes around with (breathing hard) or who  
helps Ernesto Fonseca...
- 103- I. And what else..?
- 104- C. (again breathing hard and speaking with difficulty) that he is one of  
the ones who is rising at this time...
- 105- I. And what do you know about him...? what has he done..?
- 106- C. I say, I... I do not know him...things he has done, sir...  
(background voices: unintelligible)
- 107- I. You don't know anything about him..?
- 108- C. No, sir, I don't...I want you to understand sir, that I have my transfe:  
I was going and we are given six months to introduce to the new people  
those like Chuy Alvarez, like Jesus Ramirez, you see...
- 109- I. Who told you about Lic. Barba..?
- 110- C. Lic. Barba, who told me about him was Lic. Garcia Bueno, who worked  
with Ernesto, Jesus Ramirez told me that he is one of the ones who is  
coming up a lot, that he is very voracious, that...that he is going to  
make a way to rise up...to be one of the largest here in Guadalajara...
- 111- I. And his location..?
- 112- C. That he lives next to Commander Espindola on Paseo del Prado...
- 113- I. Where does Garcia Bueno live..?
- 114- C. Garcia Bueno? the lawyer..?
- 115- I. Yes...
- 116- C. He is in hospital...at Scripps...
- 117- I. Where..?
- 118- C. In La Jolla....
- 119- I. And the location of Samuel..? does he have...?

#13635

- 120- C. Only an apartment there by Cangrejo street which backs onto the Suchial, but I do not know the number...
- 121- I. Any other location..?
- 122- C. It is...the only one I have, sir...
- 123- I. Are you sure...?
- 124- C. I swear it, sir...Oh ...I don't want...I will repeat again, sir, the business of Rafael was handled by the Hermosillo office, we did not handle it...so I don't have data on that, sir...the only data was what I gave you, that was given to us by Jesus Alvarez, where he lived, that is the house there at Cuauhtemoc and Chosil, by the Pra...Ruben Darfo.
- 125- I. But you do know him...no..?
- 126- C. I have never seen him personally, we do not even have a photograph of him...
- 127- I. Then how can you recognize him..?
- 128- C. Ha...I...I...cannot, in the office there is no photograph of him, sir... There is no photograph of Ernesto either, the only one there is is an old photograph of Miguel Angel...you see...(voice overlap)...
- 129- I. Then why are you giving us data on Rafael at this time? his description?
- 130- C. Ah, because it is the description that Chuy Alvarez gave us, sir, Jesus Alvarez...
- 131- I. Let's see...give it to me again....
- 132- C. He is a person of about thirty three, thirty four years of age...about one eighty five; one eighty six tall, he is heavy, has a light complexion, light brown hair, that he is big, stocky, right?...he is from the state of Sinaloa, near to Badirajuato...
- 133- I. From what part..?
- 134- C. No..I do not know the name of the Ranch, sir...

000197

2071

3. . (New interrogator) To Emilio what?
- 36C. Quintero...
- 37I. Yes, do you have a photograph of him..?
- 38C. No,...s ..the only photograph we have...uh..when an "Alarma" came out when he was arrested in '79...
- 39I. Yes....?
- 40C. That is the only photograph....
- 41I. And who is it who put the finger on that farm of Mr. Ernesto..?
- 42C. The one over on the periferico...?
- 43I. Yes...
- 44C. That was Garcia Bueno...
- 45I. Who is Garcia Bueno...?
- 46C. A lawyer who was shot....Cesarío García Bueno...
- 47I. Ah..hah...
- 48C. A lawyer they shot up in...
- 49I.. Where...?
- 50C. In Manolo's, that restaurant that they have over by Niños Heroes...  
(voice overlap)
- 151I. Listen,...who is it that put the finger on Rafael..?
- 152C. (speaking with difficulty) on Quintero...? here the only person who has given us information on Rafael is Jesus Alvarez and...Jesus Ramirez.
- 153I. Do you have the home address of Jesus Ramirez..?
- 154C. No, sir...he gets in touch with the office from time to time when....the last time that...(voice overlap)
- 155I. What is he like?
156. Sir...he is a boy of twenty three or twenty four years of age...
- 157I. Oh, yes...? (recorder stop-start).

000198

- 58- C. Ah...ah...ahh
- 59- I. Look,...just behave well and you will go home....
- 60- C. Uh...yes...but please man....
- 61- I. And...and...and what domicile has been located...?
- 62- C. Ah...for Rafael...?
- 63- I. Yes...
- 64- C. Look...he...he...he had the location of the sister's boutique...
- 65- I. Yes.. and what else..?
- 66- C. I don't know if he is the fiancé of the sister..or..?
- 67- I. Yes...
- 68- C. I do not know....
- 69- I. Ah...hah...
- 70- C. I think...I remember...that the sister has a boutique, I think her name  
is Manuela...
- 71- I. Yes....
- 72- C. I am not sure....
- 73- I. Yes...
- 74- C. That it is a boutique that she has just bought...?
- 75- I. Yes....
- 76- C. That is in front of Plaza del Sol, pardon me, Plaza Mexico...
- 77- I. Ah, hah....
- 78- C. That she is the sister... I say...
- 79- I. Of...of...where does she live..?
- 80- C. I do not know...he did not say...he did not know...
- 81- I. He does know...
- 82- C. No, no, no, look...the other, now...that he is saying where she lives.  
I have been told, I have passed by there...that her mother lives at...

what is the name of that street...the one that passes there by the Governor... (pause)....

183- I. Eh...I don't know...

184- C. You know... the street of...let me remember...Manuel Acuña...after passing Yaqui...after passing the next street....

185- I. Yes....

186- C. On the right hand side... number 2626 or 2636 or 26 something like that you see... and exact...I know how to get to the house and which it is..

187- I. What color is the house..?

188- C. Ah...I do not know...it has a fence...a wall...right..?

189- I. Whose is it..?

190- C. Uh...of hollow brick...I have seen a black Mustang outside..parked...

191- I. But some locations of the (unintelligible)

192- C. Look...

193- I. Look...help us...

194- C. No, no, I...sir..what more...hu...ha..with the beating you have given me...Do you think that I am going to lie to you..?.um...the only location we had was the one Jesus Alvarez provided us...that was the house of Cuauhtemoc...

195- I. (another voice) Moctezuma..?

196- C. Yes...Chosil..right?...and the other is on Pablo Neruda...Ruben Dario, pardon me...that this house had been bought from this person who was the owner of the Country Ford dealership...

197- I. Yes...

198- C. No, I do not remember the name of this person...and who recently bought the...Ford Dealership agency...apart from this I do not have another location...sir...

109- I. Well, it all came out well, eh..? (talking to someone else)...(another voice)...yes..according to that...

(Recorder stop-start) music (background noises--people talking)

Ask him if they gave him money...?

200- I. (New interrogator) Yes..?

201- C. I never paid him money...as I say, the last time, the last two times that...(voice overlap)...

202- I. Who paid him..?

203- C. I have not been there when he was paid...the last time...two times that I saw him...he was not given any money...

204- I. But how did you do it...how did you make contact with that friend (compadre)??

205- C. He called and offered...

206- I. Oh...he offered..?

207- C. Yes...

208- I. And..?

209- C. He called and had some information he wanted to give us...

210- I. Ah..huh...

211- C. I tell you...he did not speak to me...when he called..he spoke to Rogelio...

212- I. Yes..? and what did he say..? what had happened to him..?

213- C. He said that later on...

214- I. Yes.. and what did he say..?

215- C. Say...what of the shooting..?

216- I. What happened to him..?

217- C. In the shooting..?

218- I. Yes..?

219- C. Well, that he was making a call in a public telephone...

- 220- I. Yes...?
- 221- C. In the street...and a car passed and fired some shots at him...
- 222- I. Just like that...?
- 223- C. Yes...no, he said he did not know who they were...
- 224- I. Oh, and what else did he say....?
- 225- C. Well,...about Javier Barba...that...
- 226- I. Yes...?
- 227- C. That he wants to rise...?
- 228- I. Yes...?
- 229- C. That...I don't know how to tell you to describe him...you know... but he says that he is envious...and that he...doesn't give a damn...and he wants to rise to be the biggest trafficker...
- 230- I. And...and..what else did he comment on any other person...?
- 231- C. On that day...?
- 232- I. Yes...?
- 233- C. Well...um...he told us that the...the sister of Rafael had a boutique over at calle Mexico...in front of Plaza Mexico...
- 234- I. Yes...
- 235- C. I think that it is Manuela...I am not sure...
- 236- I. Yes...
- 237- C. And, what he spoke most about that day was...well he told me about the restaurant...you know...?
- 238- I. Yes...
- 239- C. That he is going to open a restaurant where they will have nothing but quail....
- 240- I. Uh..huh..
- 241- C. But that he needed an incubator for...I think for the quail eggs..Right
- 242- I. Yes...?



- 243- C. And he asked us...or asked us to enquire to see how much it cost...  
to see if he could bring it down and all that...
- 244- I. Uh..huh...so...what else did he say? about Caro..what did he say..?
- 245- C. About Rafael Caro...?
- 246- I. Yes...
- 247- C. That he did not know where he was...
- 248- I. That he did not know where he was..?
- 249- C. No...
- 250- I. (New interrogator)... But you say that he is a friend of the family..?
- 251- C. Oh!!! you bastard..Oh!!
- 252- I. Eh?
- 253- C. It..I understood...I say, that is what he gave us to believe..you see..  
that he knew the family because I believe he was courting one of the  
sisters...
- 254- I. (New voice) Oh..yes...?
- 255- C. Yes... but I am not sure....
- 256- I. Yes....
- 257- C. That...that...Rogelio commented to me... (return to interrogator)
- 258- I. Listen...if the bastard has given you so many locations why haven't  
you gone after him..?
- 259- C. Look...as I explained to the Commander, we have laws in the United  
States...
- 260- I. Yes...
- 261- C. That we cannot participate actively in any investigation...that..well..  
we do not have authority to arrest persons in Mexico...we are not...  
who knows... we are not agents from here...you see...?
- 262- I. Yes...

- 2 - C. We are agents of the United States, here we are prohibited from taking part in arrests also...
- 264- I. Yes...and then who carries them out...?
- 265- C. Well, when there is information it is passed to the Commander...
- 266- I. To which...?
- 267- C. The one whose turn it is who is here..you see..? and we give him the information... and if he wants to continue the investigation...well he decides....
- 268- I. Yes....
- 269- C. Hah...lately there has been no information...you won't believe me, but there are no...I'm telling you that we are being reprimanded from Washington because according to them we are not working here...
- 270- I. Uh..huh...
- 271- C. As I say, well...who is going to do the work if they have one unarmed..
- 272- I. Yes.... (new voice) You do not have permission..?
- 273- C. What...?
- 274- I. You do not have permission...?
- 275- C. No one has permission, as I tell you...to carry arms...(tape pause or break)
- 276- C. It is on Manuel Acuña, it is 2636, it is two six or 2666, probably...I am not sure...I know which the house is...
- 277- I. Have you placed a stake-out there..? (surveillance)
- 278- C. No, you see... you won't believe this but it is very dangerous for us to conduct surveillance, as I say...we are unarmed...
- 279- I. There is...(unintelligible)...
- 280- C. And then...I would not take the risk...you know...a stake-out without anything...and then being alone...?

2298

- 8 .. Do you know the famous Manuela...?
- 82 C. No, I have never seen her....
- 83 I. With the information passed to you...why didn't you go and check..?
- 84 C. I went by the place where the boutique was, but we only passed by....  
(background voice:"what a good thing").
- 85 I. And, didn't they give you a description of this girl...?
- 86 C. No, I don't, I don't know her...he only said that she was a sister...  
of Jose....
- 87 I. But he did not locate her..?
- 88 C. Eh?
- 89 I. Did he locate her for you..?
- 90 C. The place..?
- 91 I. Her...?
- 92 C. No..uh..uh..since he left the Tapatio we haven't, I tell you, we have not  
seen him since...
- 93 I. And when you pass by the house of the...the mother of this friend (com-  
padre)...?
- 94 C. No, no, I say, I passed by only once...no, no, as I say, who is going  
to take the risk, as I say of setting up surveillance, and make a lot  
of passes by there if one does not have an arm (firearm) and one is alone..
- 95 I. What has happened is that you have not wanted to pass on the information  
to Mexico...directly...
- 96 C. What do you say..?
- 97 I. Eh...? You are selling yourself to these guys..?
- 98 C. No...I tell you...
- 99 -. That is how the report arrived...
- 300 C. No....(pause)...

000505

- 301- I. Listen, don't you have the locations of the domiciles of....on the part of this, engineer, this Barba...?
- 302- C. I don't understand....?
- 303- I. Yes, the one that you said a while ago that sold houses to....
- 304- C. Who handled properties for...for Fonseca....
- 305- I. Who handled properties..?
- 306- C. Yes... but the only one that I know of...is that hotel he bought...no. I do not remember the name of the hotel but it is at Gonzalez and Celaya before getting to the traffic circle....there where the...those Ganaderos are....
- 307- I. Yes....
- 308- C. On the right hand side....
- 309- I. Ah...(throat clearing) what other places do you know of his...?
- 310- C. Not a one...um...yes, look, like a hotel, do you know it? it is a hotel or condominiums, right? on Vallarta after crossing Americas...
- 311- I. Whose is it?
- 312- C. Ernesto's, ...ah, look, wait, wait...I think the hotel is called "Venu"
- 313- I. Yes...
- 314- C. Yes... it is the one that is there, going out to the highway...no the highway by Gonzalez Gallo....
- 315- I. And properties of...of this...Rafael..?
- 316- C. No, the only...well, that is the other thing that this Ramirez told us that he also knows that he had just purchased the Country Ford...the automobile dealership which is there on Lopez...I mean on Americas... it is the only business that I know he has...
- 317- I. And it is his property..?
- ( 3- C. That he had just bought it.. (pause)..

- 19- I. This informant of yours has not told you of any other property..?
- 20- C. No, they are the only ones I remember right now... .
- 21- I. Try and remember about another one...
- 22- C. I told you those....I don't know if they are condominiums or apartments...there by....by Vallarta avenue, after passing Mexico (avenue)...  
no, after passing Americas...
- 23- I. Are these all the properties you know of..?
- 24- C. Yes...sir....(pause)
- 25- I. Is that true..?
- 26- C. I can't remember any others...
- 27- I. Not long ago other companions went....and others that I was not in the room....
- 28- C. I do not understand...?
- 29- I. At the ranch....
- 30- C. I don't... I do not know the ranch...they showed me some photographs of commander Lorrabaqui...some photographs that were taken at a ranch... which is near...over by Puente Grande, but I do not, I do not know the place...I have never gone over there...
- 31- I. You don't know what it is called..?
- 32- C. The Ranch....?
- 33- I. Um...?
- 34- C. I have read it there but I do not remember right now...
- 35- I. Are you sure that that came out...?
- 36- C. I beg you pardon...?
- 37- I. Are you sure that that one came out...?
- 38- C. I do not know if in the newspaper...or the Federal Agents told me...
- 39- I. You see how you are lying to me...?
- 40- C. No, no, why, why, would I be telling lies about that..?

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- 341- C. Do you believe...you are going to give me...I do not like...nobody likes to get beaten up...because, as I go remembering so I am telling you.....(pause)
- 342- I. Don't you know the properties that he handles all the properties...that you don't have them located...?
- 343- C. The properties....that he handles...?
- 344- I. Of that Rafael and Ernesto...?
- 345- C. No....
- 346- I. That Barba handles...?
- 347- C. Well...exactly, the...the...businesses or places, I do not know them... right...?...I say...that was what was men(mentioned)...what Lic. Garcia Bueno...that he handled the affairs of Ernesto Fonseca...
- 348- I. But they do have them located...or not?
- ( )- C. No...
- 350- I. Then how do you know about the hotel...how do you know about that....?
- 351- C. That (cough) the hotel...I think it is called "Venus", no? which is over on Gonzalez Gallo....the head of the office is a friend of Mr. Oli...Oliveros...Ontiveros...?
- 352- I. Of which office..?
- 353- C. The head of my office....James...
- 354- I. Yes...
- 355- C. He is a friend of Mt. Ontiveros or Oliveros, I am not sure...who was the previous owner....
- 356- I. You, through him learned that it belonged to...this Ernesto...
- 357- C. That he had sold it to Ernesto...
- 358- I. Ontiveros, what is he called..?
- ( )- C. No, No I do not know what the other surname is, or if it is Ontiveros or Oliveros....

000508

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- 360- I. Then your commander is a friend of his...?
- 1- C. Oh, yes, of Ontiveros....will you give me another cigarette, please?
- 362- I. Yes...
- 363- C. (recorder on-off) and a half...
- 364- I. Yes....
- 365- C. Rogelio is the one who dealt with him....
- 366- I. (New interrogator) This commander...did he just come forward and speak
- 367- C. He offered himself...
- 368- I. Yes...
- 369- C. A..hah..they made a date, and saw each other somewhere and talked...
- 370- I. And...what did they talk about...?
- 371- C. At that time about some plantations that there were over in Sonora...
- 372- I. Yes....
- 373- C. He gave them the location more or less...right?
- 374- I. Yes...
- 375- C. Not exactly...but as...
- 376- I. Where...in what city..?
- 377- C. Close to Ciudad Juarez...no, ...Obregon...
- 378- I. Oh...when was this...?
- 379- C. I think it was in '83...
- 380- I. What did you say the one who put them (in contact) was called..?
- 381- C. Jesus Ramirez.... (pause)
- 382- I. And over there at the airport, apart from the locations of Miguel....  
those planes that Miguel has...don't you have other planes located..?
- 383- C. I think, I only know those two...that is...I said that one that had  
American registration, I understand that he sold it...
- 384- I. But haven't they given you Ernesto's planes...?

2303

- 385- C. So, I don't know.
- 386- I. Oh...? the other one, the other one this Rafael?
- 3 C. They say that he has a Jet...
- 388- I. Who...?
- 389- C. Rafael...
- 390- I. A jet...?
- 391- C. Yes...
- 392- I. And you don't know if...if he is here...?
- 393- C. I do not know...
- 394- I. Does he have the jet here...?
- 395- C. Yes...it is in...in the hangar following the...the Cessna(hangar)...
- 396- I. What is the color of that plane..?
- 397- C. White with brown stripes, with stripes giving it an orange color...
- 398- I. You have seen this plane..?
- 399- C. I did see it once...
- 400- I. And have you seen him in it..?
- 401- C. (very weak) No, sir...
- 402- I. Who have you seen there..?
- 403- C. Well, I saw when the plane passed, right, it was there in the hangar of the Proco...(Office of the Attorney General) and the plane passed..uh...
- 404- I. Were there people in the plane...?
- 405- C. (speaking with difficulty) I don't know...I could not tell you..ah...  
can I get in a comfortable position..?
- 406- I. Yes...well aren't you an investigator..?
- 407- C. Ouch...ouch...
- 408- I. Eh...?
- 409- C. Ouch...ouch...



- 410- I. And you don't know if there were any people in the plane...?
- 411- C. No...I Don't know...look...Ouch...well...I saw the plane go into the hangar...you see...but I did not follow it because of fear...also...
- 412- I. But what did you see from afar?
- 413- C. Only the pilot...
- 414- I. Was he alone, then?
- 415- C. Well I only saw the pilot....I saw it land and then went to the hangar...
- 416- I. And Ernesto's?
- 417- C. His planes...?
- 418- I. Yes...
- 419- C. No, I do not know of any...
- 420- I. Who else...who else of these has aircraft...?
- 421- C. They are the only ones I know of...
- 422- I. Those of Miguel and Rafael Caro..?
- 423- C. There were three of them before....
- (End of Side # 1)
- (Beginning of side #2)
- 424- I. This pilot...who had the...the jet of Rafael...what is he like..?
- 425- C. Well, he was sitting down, sir, in the plane when it passed...and well, I saw the plane...but him...I did not pay attention to him, you see..?
- 426- I. Is it a long time since you saw him..?
- 427- C. About two or three months...
- 428- I. And the pilots of this...of um...Miguel..?
- 429- C. Ouch...
- 430- I. Do you know him..?
- 431- C. Personally...? no, no...

- ( 2- I. Who are they...?
- 433- C. No, no, I don't know....
- 434- I. You do know who they are...?
- 435- C. There is a man who....in the reports I saw...I...I am trying to remember  
(several unintelligible words)...
- 436- I. Who else is there?
- 437- C. What?
- 438- I. Who else...?
- 439- C. Of pilots...?
- 440- I. Um..humm...
- 441- C. The...the men that I tell you...
- 442- I. There must be more...if there are three planes....you believe that only  
one pilot...?
- ( 443- C. I imagine so...
- 444- I. Is that so...?
- 445- C. But I don't, I don't know them....
- 446- I. You have not looked in the airport...have you...?
- 447- C. That I can remember...another...another name of another pilot...(pause)
- 448- I. And the pilot of the jet?
- 449- C. Of the jet?
- 450- I. He is not in the reports...?
- 451- C. That I can remember, no, sir...
- 452- I. Regarding the property that Ernesto has over at....some stables that  
you spoke of...?
- 453- C. No, not him...(tape pause---Recorder on-off)
- ( 4- I. What is it like there...?
- 455- C. It is..uh...well, I have entered the stable, you see...?

- 456- I. Yes...
- 457- C. I have never entered further down...
- 458- I. In what part, more or less, is the house..?
- 459- C. Going..passing the periferico...going to Tepic on the highway, where it is divided...it is the first turn...where you can make a "u" turn, before getting to the Pemex station...
- 460- I. And, which way from there...?
- 461- C. What..?
- 462- I. Which way from there?
- 463- C. Well you enter in, and go down as it is a drop, right, turn on a flat.. which I was told remained at the first block, you turn to the left, and then one block more and turn again to the left and that it was on this little street, but I never looked...
- 464- I. And, how long ago did you go there?
- 465- C. What?
- 466- I. How long ago did you go there..?
- 467- C. Uh...about one year ago...  
(voice in background: EH!)
- 468- C. Listen, about one year ago...I took my son to see the horses...they were...in that sport where they jump the horses...fences...
- 469- I. Um..hum...
- 470- C. That was when I was there...
- 471- I. Isn't Ernesto there in that house...?
- 472- C. (unintelligible)
- 473- I. You haven't placed a surveillance there...
- 474- C. What did you say..?

2701

- 475- I. And you haven't carried out surveillance there....?
- 476- C. No...I tell you that without a gun, we are not allowed to carry a gun...  
it is suicide to set up surveillance...
- 477- I. And can't you check up in some other manner..?
- 478- C. Well the person who gave me the information was the one that they shot  
up and he was the only one who had told me about that....
- 479- I. Are there more people that might have gone over there..?
- 480- C. No...
- 481- I. Hasn't that house been reported..?
- 482- C. No, I never reported it...
- 483- I. But doesn't the commander know about it...?
- 484- C. I beg you pardon...?
- 485- I. Doesn't the commander know..?
- 486- C. I don't know...I don't remember if I told him...
- 487- I. Then who did they pass information to about this house...?
- 488- C. That was given to me by Lic. Garcia Bueno...
- 489- I. Only to you...?
- 490- C. Yes...
- 491- I. And you did not pass on the information..?
- 492- C. No, I never the (unintelligible)
- 493- I. Apart from that, those cases...which other ones do you know about...?
- 494- C. If I say....
- 495- I. Apart from the ones you have told me about...
- 496- C. That is the only (unintelligible) that I remember...
- 497- I. Try to remember another...
- 498- C. I am trying....
- 499- I. Try....

(tape pause) (Camarena in very low voice)

- 00- C. Cuauhtemoc and Tepeyac, behind a seafood restaurant that was an antenna or something like that...
- 01- I. About fifty meters high...? (another voice)
- 02- C. About that...
- 03- I. What is the antenna for? for Radio?
- 04- C. Ouch...(very low) it seems to be for radio...Ouch...
- 505- I. Whose is that house?
- 506- C. It belongs to Ernesto....
- 507- I. Ernesto...?
- (Recorder on-off)
- 508- C. It was on Plan de San Luis...where the family used to live, right? the family of...
- 5 - I. Of who? of Rafael?
- 510- C. (unintelligible)
- 511- I. How long ago was that..?
- 512- C. Umm...two...three years ago when Commander Gerardo Serrano was here...
- 513- I. What is the name of the street?
- 514- C. Plan de San Luis...
- 515- I. But Don?...more or less where is it?
- 516- C. Eh? Prolongacion de Lopez Mateos...ouch...for traffic, where the traffic circle of Americas and Lopez Mateos is, you go one block on Circunvalacion and then it is the first street, there is a traffic circle...ouch...
- 517- I. Yes, go on...
- 518- C. Oh...Oh... Oh... (as if in pain)
- 519- I. We are not going to beat you...we are not going to do anything...we are

2347

only talking, well...Okay...?

(voices in the background to Camarena: Put your hands up...like that...  
see if it gives strength)

520- I. Let's see, go on...where is it , more or less..?

521- C. I said, then you take the traffic circle of...this one of Lopez Mateos  
and Americas, one block away there is another circle, this, there is a  
restaurant that is called...I think it is Guamuchil....turning to the  
right, and that is Plan de San Luis, it is a long block and you turn  
to the right from Circunvalción, Plan de San Luis is on you left..about  
half way up the block, I think the address is 1060 or 1020 or 1061,  
something like that,...

522- I. Who gave you this information...?

523- C. That is...Jesus Ramirez...

524- I. He is the only one who gives you information...?

525- C. He is the only one who has provided us with it, apart from...Jesus Al-  
varez...I think...I do not know if you think that there are a lot of  
people working, there is almost nobody, all of them are afraid...

526- I. Of those who have told you that they are afraid?

527- C. What?

528- I. What have they told you? Don't you talk to them..?

529- C. (unintelligible)...well yes...

530- I. (New voice) Well tell us about Chuy Ramirez...

531- C. Yes....

532- I. Does he say that he is not afraid..?

533- C. Well I imagine that he must be afraid...because he is doing it, and I  
don't know why, because he is hardly paid any money...

534- I. How much do you pay him, more or less?

- 535- C. Ahh...pardon, ah...ahh...ah...can I settle myself?
- 536- I. Yes...settle yourself well...
- 537- C. Ahh!...Ouch!!...ouch!! Jesus Ramirez showed me that house...on Paseo del Bosque...
- 538- I. Paseo del Bosque..?
- 539- C. I think that is the name of the street...
- 540- I. Yes...where is it..?
- 541- C. In Colina de San Javier...
- 542- I. What is the name of that street?
- 543- C. Paseo del Bosque...
- 544- I. Paseo del Bosque..?
- 545- C. Yes...
- 546- I. And that street who is it..?
- 547- C. What..?
- 548- I. Whose is it..? Who does that house belong to..?
- 549- C. Jesus said it belonged to Rafael...that he lived there at one time...
- 550- I. He does not live there now...?
- 551- C. No, sir, he moved....
- 552- I. On which side is Colima..?
- 553- C. Do you...do you know which Pablo Neruda is..?
- 554- I. Yes....
- 555- C. And Ruben Dario,...there are some giants there..?
- 556- I. Yes...
- 557- C. If one goes upwards up a hill and then reaches a circle...that is Acueducto, sir...I don't remember exactly, one turns there to the right, it is about six, to eight blocks downwards... one turns to the left on Paseo del Bosque...Ouch...and the house is on the left hand side...in the

first block...

558- I. And haven't you carried out any investigations at this time...?

559- C. No...as I say, I was asking for a transfer because things are very tough here...

560- I. Then you are doing nothing, now...

561- C. No...well, as I was saying, I was preparing myself to leave...the 25th of February they were coming to pack my things, over at the house...

562- I. Let's see, another location that you remember, just like that..?

563- C. Oh...wait..pardon...Oh..ah...

564- I. Eh...?

565- C. Ohh...oh...I am going to settle myself...eh?

566- I. Settle yourself well, but give me another location....

567- C. Ahh..ouch...

( 3- I. Remember well...

569- C. Ohhhhh!...yes,...yes...oh...oh...(weakly) that it is that one...I believe that it is by Paseo del Prado, I am not sure of the street, I know how to get there....

570- I. Whereabouts is the house, more or less...?

571- C. Over there...in the same direction...where I told you of Pablo Neruda and...and...Ruben Dario...going upwards to the hill, one block before getting to the traffic circle you turn to the right...that...well it is the second house because before there was an empty lot there, now they are building there...it is the second house brick color, it has some sort of aluminum doors, but it...

572- I. Whose is this one, then?

573- C. It belongs to Juan José Quintero....

( - I. And, apart from all these people you have named, do you know any more?



2312

- 575- C. No, sir...
- 576- I. Eh..?
- 577- C. No, sir...
- 578- I. Are you sure...?
- 579- C. Very sure...if I remember I will tell you the rest....
- 580- I. For example...this Juan Esparragoza...
- 581- C. I don't know anything about him...
- 582- I. What do you know about him..?
- 583- C. That he only had a house there close to the Consulate, about three blocks away, but they did not find it...street or address..oh..oh..ouch ouch...
- 584- I. And about Manuel Salcido..?
- 585- C. He...I do not know...the only thing I know of the man, his brother Sergio has a discotheque at the exit...over by Vallarta...over there in front of Tios.
- 586- I. What discotheque..?
- 587- C. I do not remember the name...it is on the left hand side...
- 588- I. By Vallarta...
- 589- C. Yes...Vallarta avenue...ah....
- 590- I. Whose is it...?
- 591- C. Ouch!!! eeeow...what..?
- 592- I. Whose is that..?
- 593- C. It is Sergio... the brother of Manuel...oh...oh...oh...ahhh...oh...ahh... Couldn't I ask you to have my ribs bandaged, please...?
- 594- I. Well, I have treated you well...eh..right? ...now..let's see...now... you are going to tell me well...
- 595- C. Well, I think that that is all of them, sir...
- 596- I. All of them?

2313

- 597- C. Yes,....I think so...
- 598- I. Um...which ones have you told me about...?
- 599- C. Look, I told you...about the one at ...Cuauhtemoc...
- 600- I. Yes...
- 601- C. You know which one I mean...? right?
- 602- I. Yes, I know...you have repeated it many times...
- 603- C. Well yes, well, they are the ones you asked me about...the house at Pablo Neruda...Ruben Dario...Oh!!! ...Oh!!! pardon...Oh...
- 604- I. I am not going to hit you...
- 605- C. No, it was that I am getting sharp pains...
- 606- I. Let's see, continue telling me which ones....
- 607- C. (unintelligible) Ruben Dario and Turin, this...the one at..eh...Plan de San Luis...the Ford Dealership and the one which is by Paseo del Bosque, four...four (unintelligible)...
- 608- I. Which other one, let's see...remember... try and remember, yes..I am not going to hit you but try to remember...Okay..?
- 609- C. Okay...
- 610- I. Look how he is, see..? (as if speaking to another person) (recorder on-off)...
- 611- C. I was given a telephone (number) once...
- 612- I. Whose..?
- 613- C. Of Jesus Alvarez, at one time...which was a house where a brother of Rafael lived...I remember well the telephone was 41-94-98-95 more or less and the address was on Rio Plata, but I never, never found the address...we got hold of the telephone bill..right?
- 614- I. Yes...
- 615- C. But there was no address 2555 Rio Plata, but we never found the address or the house...

2317

- 616- I. How is it possible that you did not find the address...?
- 617- C. Yes, because look, sir....
- 618- I. You found the receipt...
- 619- C. Yes...look. sir...um...there from the Ford Dealership...
- 620- I. Yes....
- 621- C. Going along Americas...going until (you get to) Zapopan...it is the first street, but it has a...a different name...another..of a river...that one of Rio Plata we never found...I mean...I never found it....
- 622- I. And how did you get that telephone bill..?
- 623- C. From Mr. Cardenas...
- 624- I. He gave it to you...?
- 625- C. Yes...
- 626- I. Did he give you any others...?
- 627- C. Well, you see, as I told you....he is a Commander, right?
- 628- I. Uh..huh...
- 629- C. We receive requests for telephones from other investigations in the United States, and when they ask for a telephone...they don't explain why..Right?...only that this one...that this tele...this...any telephone number (unintelligible) comes out in an investigation, and if it is in Guadalajara or in the areas we handle....they write a report...(voice overlap)...
- 630- I. Look! did they request that telephone from over there..?
- 631- C. No, sir, this one was given to me by Jesus Alvarez...
- 632- I. Any other receipt Jesus may have given you..? that you remember..?
- 633- C. No, sir, it is the only telephone...
- 634- I. It is the only telephone bill?
- 635- C. It is the only telephone he gave me...he gave me a telephone also of th

house at...at Cuauhtemoc...but I don't remember the number, sir...

636- I. He gave you the telephone bill too?

637- C. Yes...

638- I. Any other receipt that you remember..?

639- C. A receipt from the Hotel de las Americas, sir... but I don't remember the number...as I say, as I am now about to leave...the one who is in charge of this investigation is agent Wallace...

640- I. Hmm...then this Alvarez passes information to all of them...?

641- C. Yes..., what he knows...

642- I. Does he know all of them..?

643- C. I don't know if he knows all of them by sight...but he has people who work with him...as I explained...

644- I. And they work with them..?

645- C. No sir,...I don't think so, sir...I think they are ex-agents of the Directorate of Public Security there from Zapopan...

646- I. The people of the other one...?

647- C. Pardon?

648- I. You don't...know any of those agents?

649- C. I have never had any dealings with them...the only one I have dealt with is Jesus Alvarez...

650- I. Any businesses of theirs that you know of...?

651- C. Of whose, pardon?

652- I. Of Rafael?

653- C. The only one I know of is the one Jesus told us about that he had just purchased the Ford Dealership...that is all...(unintelligible)...

654- I. He must have some old business, no?

655- C. No business of his has ever come out....

2316

- 656- I. And Ernesto does not have other businesses.
- 657- C. The only ones...ah...are the...the hotel, and the...the Hotel Venus, the one I tell you is at the exit of Gonzalez Gallo and one that is over by Vallarta...this on the left going on Vallarta...after passing Americas...
- 658- I. What other traffickers do you know about apart from those you have named?
- 659- C. Well, that's about all...here the ones of Guadalajara...
- 660- I. Ah...(cough) any other one you have located..?
- 661- C. At this time, Commander I do not remember...
- 662- I. Let's see...remember, I am treating you well...
- 663- C. Yes, sir....
- 664- I. Eh...any recent report..? Haven't you done anything recently...?
- 665- C. No, sir, ...look, I..I will explain...for more than a year I have not... for almost a year I have not made a case...
- 666- I. Then what is it that you are doing there at the office..?
- 667- C. Only preparing to leave, sir...
- 668- I. Are you sure?
- 669- C. Yes, sir...that is what...(unintelligible)
- 670- I. What have you seen in the office...what have you checked?
- 671- C. I did not understand your question...
- 672- I. Yes, that is why I am asking you for more names...any other name? some other report lately..?
- 673- C. No, sir, ~~as~~ I say, at this time I am giving attention in the office to the business of Miguel Angel, as I explained...we had nothing to do with the business of Chihuahua...what is being concentrated on...as they have...look! do you remember that I told you that we are only four

~~agents and there is one here from New York...?~~ #12662

2311

- 174- I. Yes...
- 17( C. Well, two of them fly the aircraft, the planes every day, to see if they can find plantations...ah...they go to the airport at seven in the morning and don't return until about twelve or one to the office... Agent Wallace is the one who is working on the investigation of Miguel Angel Felix Gallardo...he spends every day there in the office listening to the radio...and he assists Mr. Kuykendall...I am preparing for.. as I told you, they had given me my transfer...and now for some time they had told me that...I should prepare to leave...
- 576- I. So you have not done anything now..?
- 677- C. No, I have not(unintelligible).
- 678- I. Where do you say that Juan lives...?
- 679- C. Juan, José Quintero..?
- 680- I. Esparragoza?
- 681- C. The only information this man has given us is that he has a house close to the Consulate, about three blocks away, but the person was not able to tell us in what...in what direction...
- 682- I. Do you know him..?
- 683- C. Only through his photograph...
- 684- I. Where do you have his photograph..?
- 685- C. At the office...
- 686- I. What other location do you have of him..?
- 687- C. Of Esparragoza..?
- 688- I. Yes...
- 689- C. This is the only one I know of...and as I say, I don't know where it is.

- 690- I. You must have heard of another somewhere.
- 691- C. No, sir, hardly...we never hear until the end of the job...
- 692- I. (throat clearing)so the business of Chihuahua is not, they have now left it out...?
- 693- C. We have..yes, sir...as I explain to you again...we did not have anything to do with that matter...?
- 694- I. Then, what were you doing here..?
- 695- C. I say...those two agents, the one from New York and the other one, are flying the aircraft, right? the planes in order to try and find...find plantations...huh...they have found practically nothing because they have small planes and you can't see well out of these planes...
- 696- I. Then are you getting money out of there..?
- 697- C. From where...sir..?
- 698- I. From the Chihuahua case...?
- 699- C. I don't know...nobody that I know of...
- 700- I. Then why are they closing the case..?
- 701- C. Closing what, sir..?
- 702- I. That case...?
- 703- C. Let me explain, sir...that...we only pass on information to the Federal Agents of the Federal Judicial (Police)...right? when there is information, in their turn of work, deal with it..oh..and then, after a seizure has been made...then..ah then the reports arrive..from the office in Hermosillo...but I explain to you once more...we had nothing to do with this matter...
- 704- I. I am not asking you if you had anything to do..eh...why did they close the file...?
- 705- C. They closed the file firstly because it was a matter that the office in Hermosillo worked on...(pause) as I explained, sir, that was the

jus...Chihuahua is dealt with by the office in Hermosillo...

706- I. Why...? didn't they say that Rafael was somewhere around here?

707- C. Pardon...?

708- I. Didn't they say that Rafael was somewhere around here?

709- C. That is what Jesus Alvarez said, but he did not put...but he did not say where...

710- I. And you pretended to be the forgetful ones...?

711- C. I don't understand your question...

712- I. Hmmm....

713- C. I did not understand your question...

714- I. You did not investigate...?

715- C. No, sir...

716- I. Then, what work do you do...?

717- C. Well...um...depending, to make cases, right, sir...get information on where there is merchandise, but we do not do it...we do not have the people to give us that information....

718- I. Then is Rafael giving you money..?

719- C. No, sir, to me no, sir...

720- I. Then why don't you know anything about him..?

721- C. Because, sir, the only thing I know is about the houses, those locations that Mr. Juan Alvarez gave me, right, look, I have passed by Cuauhtemoc but,...no, no, not in other matters, right?, when I say other matters, I mean that I go from one place to another, but, no, to conduct surveillance over there at the house, I have never, sir...for the same reason.. that, well...I am afraid...

722- I. Then no one was investigating that...?

723- C. Rafael...? no, sir...



- 2 I. Then, Miguel is the only one who is being investigated..?
- 25- C. He is the one that...is being investigated, sir...neither is Ernesto being investigated, sir...
- 26- I. Why...?
- 27- C. We do not have people who will give us information about him...apart from those I have already told you about....
- 28- I. Then, if you have the locations of these others, why haven't you reported them..?
- 29- C. Who, sir...?
- 730- I. Ernesto Fonseca and Rafael Caro.....?
- 731- C. That I have not...I have not reported them, sir, because, for the same reason, that I don't...I did not want trouble...I just wanted to get out of here...
- 732- I. What is your work then, as I have said...?
- 733- C. Well, that of intelligence...answering the telephones...when they ask for...
- 734- I. It is that he is giving you money, is that not true..?
- 735- C. No, sir, no, sir, I was explaining...to the Commander that...the DEA did not deposit my cheque...and my cheques were bouncing...my salary...
- 736- I. Give me a good location for Rafael...
- 737- C. I don't have one, please! What can I say if I don't have one...?
- 738- I. Of Ernesto..?
- 739- C. Well, Ernesto...the...those houses...but where he is...no, no, no,... what I want to say is, that we do not go out on the street to find them, because it is very dangerous....
- 740- I. And, don't you have information, more or less, where they are...?
- 741- C. No, sir...I...um...have information on the houses, but where they are, no

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- 743- I. How is it possible that they could have gotten lost...?
- 744- C. I don't understand, sir....
- 745- I. How many people do you say that they have with them...?
- 746- C. We are four here....and one....
- 747- I. No, them?
- 748- C. Ernesto?
- 749- I. Yes...
- 750- C. Well, Chuy Alvarez says that he has a number of armed men...right?
- 751- I. About how many...?
- 752- C. About twenty or thirty...
- 753- I. And Rafael?
- 754- C. Rafael has fifty, seventy, more or less....
- 755- I. And do you think that this will not be noticed...?

CERTIFICATE OF SERVICE

I, \_\_\_\_\_, declare:

That I am a citizen of the United States and a resident or employed in Los Angeles County, California; that my business address is Office of United States Attorney, United States Courthouse, 312 North Spring Street, Los Angeles, California 90012; that I am over the age of 18 years, and am not a party to the above-entitled action;

That I am employed by the United States Attorney for the Central District of California who is a member of the bar of the United States District Court for the Central District of California, at whose direction the service by mail described in this Certificate was made; that on January 16, 1998, I caused to be deposited in the United States mails in Los Angeles, California, in the above-entitled action, in an envelope bearing the requisite postage, a copy of: APPENDIX OF TRIAL TRANSCRIPT REFERENCES FILED IN SUPPORT OF GOVERNMENT'S OPPOSITION TO DEFENDANT'S MOTION FOR NEW TRIAL

addressed to: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

at his last known address, at which place there is a delivery service by United States mail.

This certificate is executed on January 16, 1998 at Los Angeles, California.

I certify under penalty of perjury that the foregoing is true and correct.

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