

JUDGE KATHLEEN CARDONE
FILED

2007 JAN 11 PM 2:07

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA)
)
)
v.)
)
LUIS POSADA CARRILES)
)
Defendant.)
_____)

No. _____
18 U.S.C. § 1425(a)
18 U.S.C. § 1015(a)
BY [Signature]
DEPUTY

INDICTMENT

E P 07 C R 0087

COUNT ONE

(Naturalization Fraud, 18 U.S.C. § 1425(a))

The Grand Jury charges that:

On or about April 25 and 26, 2006, at El Paso, in the Western District of Texas, the defendant,

LUIS POSADA CARRILES,

knowingly attempted to procure and obtain for himself naturalization as a United States citizen, which was contrary to law, specifically, in violation of Title 18, United States Code, Section 1015(a), in that on or about September 10, 2005, he knowingly subscribed as true under penalty of perjury on his written "Application for Naturalization" (Form N-400), and then on or about April 25 and 26, 2006, he knowingly made under oath during his naturalization interview with, among others, an adjudications officer of the Department of Homeland Security, Bureau of Citizenship and Immigration Services, certain false statements, to wit:

- (a) During his naturalization interview, he stated that, in March 2005, he had traveled from Honduras through Belize, and entered the United States over land near Matamoros, Mexico, and Brownsville, Texas, with the assistance of an unidentified alien smuggler when, in fact, he entered the United States at that time by sea aboard the motor vessel "Santrina";

- (b) During his naturalization interview, he stated that, in March 2005, while traveling in or through Mexico en route to the United States, he was never in Cancun or Isla Mujeres when, in fact, he traveled to Cancun and Isla Mujeres at that time;
- (c) During his naturalization interview, he stated that, in March 2005, while traveling in or through Mexico en route to the United States, he never saw the motor vessel "Santrina" when in fact he boarded that vessel in Mexico at that time and traveled thereon to the United States;
- (d) During his naturalization interview, he stated that, in March 2005, while traveling in or through Mexico en route to the United States, he never saw Santiago Alvarez, Osvaldo Mitat, Ruben Lopez-Castro or Jose Pujol when, in fact, all four of these individuals were with him aboard the motor vessel "Santrina" during his passage aboard that motor vessel from Mexico to the United States at that time;
- (e) During his naturalization interview, he stated that he had never had any type of documentation, passport or identification from the Republic of Guatemala, when, in fact, he had a fraudulent passport issued by that nation bearing his photograph in the name of "Manuel Enrique Castillo Lopez";
- (f) At Part 1 (Your Name) of the N-400, he stated that the only names he had used other than "Luis Clemente Posada Carriles" were "Ramon Medina" and "Franco Rodriguez" when, in fact, he obtained, possessed and used a fraudulent passport issued by the Republic of Guatemala bearing his photograph but in the name "Manuel Enrique Castillo Lopez."

All in violation of Title 18, United States Code, Section 1425(a).

COUNT TWO

(False Statement in Naturalization Proceeding, 18 U.S.C. § 1015(a))

The Grand Jury further charges that:

On or about April 25 and 26, 2006, at El Paso, in the Western District of Texas, the defendant,

LUIS POSADA CARRILES,

did unlawfully and knowingly make a false statement under oath in a case, proceeding and matter relating to, under, and by virtue of a law of the United States relating to naturalization, in that,

while under oath in connection with an Application of Naturalization (Form N-400), the defendant falsely stated to, among others, an adjudications officer of the Department of Homeland Security, Bureau of Citizenship and Immigration Services that, in March 2005, he had traveled from Honduras through Belize, and entered the United States over land near Matamoros, Mexico, and Brownsville, Texas, with the assistance of an unidentified alien smuggler when, in fact, he entered the United States at that time by sea aboard the motor vessel "Santrina"

COUNT THREE

(False Statement in Naturalization Proceeding, 18 U.S.C. § 1015(a))

The Grand Jury further charges that:

On or about April 25 and 26, 2006, at El Paso, in the Western District of Texas, the defendant,

LUIS POSADA CARRILES,

did unlawfully and knowingly make a false statement under oath in a case, proceeding and matter relating to, under, and by virtue of a law of the United States relating to naturalization, in that, while under oath in connection with an Application of Naturalization (Form N-400), the defendant falsely stated to, among others, an adjudications officer of the Department of Homeland Security, Bureau of Citizenship and Immigration Services that, in March 2005, while traveling in or through Mexico en route to the United States, he was never in Cancun or Isla Mujeres when, in fact, he traveled to Cancun and Isla Mujeres at that time.

COUNT FOUR

(False Statement in Naturalization Proceeding, 18 U.S.C. § 1015(a))

The Grand Jury further charges that:

On or about April 25 and 26, 2006, at El Paso, in the Western District of Texas, the defendant,

LUIS POSADA CARRILES,

did unlawfully and knowingly make a false statement under oath in a case, proceeding and matter relating to, under, and by virtue of a law of the United States relating to naturalization, in that, while under oath in connection with an Application of Naturalization (Form N-400), the defendant falsely stated to, among others, an adjudications officer of the Department of Homeland Security, Bureau of Citizenship and Immigration Services that, in March 2005, while traveling in or through Mexico en route to the United States, he never saw the motor vessel "Santrina" when, in fact, he boarded that vessel in Mexico at that time and traveled thereon to the United States.

COUNT FIVE

(False Statement in Naturalization Proceeding, 18 U.S.C. § 1015(a))

The Grand Jury further charges that:

On or about April 25 and 26, 2006, at El Paso, in the Western District of Texas, the defendant,

LUIS POSADA CARRILES,

did unlawfully and knowingly make a false statement under oath in a case, proceeding and matter relating to, under, and by virtue of a law of the United States relating to naturalization, in that, while under oath in connection with an Application of Naturalization (Form N-400), the defendant falsely stated to, among others, an adjudications officer of the Department of Homeland Security, Bureau of Citizenship and Immigration Services that, in March 2005, while

traveling in or through Mexico en route to the United States, he never saw Santiago Alvarez, Ruben Lopez-Castro or Jose Pujol when, in fact, all four of these individuals were with him aboard the motor vessel "Santrina" during his passage aboard that motor vessel from Mexico to the United States at that time.

COUNT SIX

(False Statement in Naturalization Proceeding, 18 U.S.C. § 1015(a))

The Grand Jury further charges that:

On or about April 25 and 26, 2006, at El Paso, in the Western District of Texas, the defendant,

LUIS POSADA CARRILES,

did unlawfully and knowingly make a false statement under oath in a case, proceeding and matter relating to, under, and by virtue of a law of the United States relating to naturalization, in that, while under oath in connection with an Application of Naturalization (Form N-400), the defendant falsely stated to, among others, an adjudications officer of the Department of Homeland Security, Bureau of Citizenship and Immigration Services that he had never had any type of documentation, passport or identification from the Republic of Guatemala, when, in fact, he had a fraudulent passport issued by that nation bearing his photograph in the name of "Manuel Enrique Castillo Lopez."

COUNT SEVEN

(False Statement in Naturalization Proceeding, 18 U.S.C. § 1015(a))

The Grand Jury further charges that:

On or about September 10, 2005, at El Paso, in the Western District of Texas, the

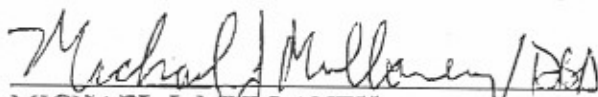
defendant,


LUIS POSADA CARRILES,

did unlawfully and knowingly make a false statement under oath in a case, proceeding and matter relating to, under, and by virtue of a law of the United States relating to naturalization, in that he knowingly subscribed as true under penalty of perjury on his written "Application for Naturalization" (Form N-400) in Part 1 (Your Name) the statement that the only names he had used other than "Luis Clemente Posada Carriles" were "Ramon Medina" and "Franco Rodriguez" when, in fact, he obtained, possessed and used a fraudulent passport issued by the Republic of Guatemala bearing his photograph but in the name "Manuel Enrique Castillo Lopez."

A TRUE BILL

FOREPERSON


MICHAEL J. MULLANEY
ACTING UNITED STATES ATTORNEY


DAVID B. DEITCH
JOHN VAN LONKHUYZEN
PAUL E. AHERN
TRIAL ATTORNEYS, NATIONAL SECURITY DIVISION
UNITED STATES DEPARTMENT OF JUSTICE