Miami Herald

CRIME

This suspected drug lord says the feds destroyed evidence proving he was an informant

BY JAY WEAVER
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August 27, 2017 05:36 PM
Updated August 26, 2017 09:47 PM

A highly prized Colombian defendant has accused U.S. law enforcement agencies of destroying Blackberry messages and withholding emails that he claims would show he was working for them as a confidential informant in the federal government's battles against South America's underworld.

Henry De Jesus Lopez Londoño, who was extradited to Miami on a cocaine-trafficking conspiracy charge last year, says the missing text messages and emails would reveal that federal agents authorized him to infiltrate dangerous criminal organizations with specific assignments — and that he wasn't committing crimes on his own.

His lawyers claim he was an "undercover asset" for three federal investigative agencies from the fall of 2008 until the end of 2011, before his arrest the following year in Argentina. Prosecutors counter that the agents' text messages to and from the informant were lost because their Blackberry phones were replaced and cannot be found. They also say there were no emails exchanged between the agents and informant.

Among the smorgasbord of illicit groups that the defendant says he was asked to penetrate: a drug cartel headed by one-time Mexican fugitive Joaquin "El Chapo" Guzman, members of the al-Qaida terrorist network in Colombia and the Russian mob's ties to the Venezuelan military.

Lopez Londoño's attorneys say the federal trafficking indictment should be dismissed because agents with Immigration and Customs Enforcement and the Drug Enforcement Administration violated his due process rights when they destroyed their electronic communications with the informant.

In criminal cases, prosecutors are bound to turn over this type of evidence to defense lawyers as so-called Brady material, which may include potentially "exculpatory" information that supports the innocence of a defendant. In the Miami case, Lopez Londoño's attorneys argue that the agents — along with prosecutors — deliberately sabotaged his planned "public authority defense" asserting that he was only doing what he was told to do by his government handlers.

Elusive drug lord Joaquín "El Chapo" Guzmán gets fingerprinted by authorities after his January 2016 arrest. He had escaped from prison in summer 2015. (Narration in Spanish)

By Mexican Attorney General's Office

His "public authority defense is reduced to a 'he said, she said' between himself and the government where the credibility imbalance is fatal," attorneys Arturo and Ramon Hernandez wrote in a recent motion to dismiss the indictment. "This was, of course, the plan all along."

On Friday, the Hernandezes declined to comment for this story. The U.S. attorney's office also declined. A hearing on the public authority defense issue is set for Sept. 11.

Lopez Londoño, a suspected drug lord known as "Mi Sangre" (My Blood) and a reputed leader of a Colombian paramilitary group called the AUC, is charged with a half-dozen others on a single conspiracy count of importing and distributing more than five kilos of cocaine between October 2006 and February 2012. That period includes the years he was working as a U.S. undercover informant with the code name "Assis."

Lopez Londoño, 46, faces life in prison if convicted at trial this fall. Four of his co-conspirators have already pleaded guilty and are cooperating as witnesses.

In the pre-trial confrontation over evidence, federal prosecutors have called the father-and-son defense team "reckless" and "irresponsible" in their demands for the text messages as well as any emails. They assert that the federal agents who worked with Lopez Londoño didn't destroy the

Blackberry messages; they just don't have them any longer because the mobile devices were discarded. As for any email exchanges, prosecutors say none of the agents ever communicated with the informant via emails.

In court filings, prosecutors acknowledge that Immigration and Customs Enforcement agents communicated with Lopez Londoño by Blackberry messages but the correspondence was lost when they replaced their mobile devices with iPhones in 2012. Prosecutors claim DEA agents never communicated with him that way, only in person.

Prosecutors assert the Blackberry messages were not destroyed in "bad faith," as the defense attorneys claim. More significant, they claim ICE agents don't believe there was any information in the text messages that would clear Lopez Londoño or show they authorized him to commit crimes as part of his undercover work.

"As the United States has repeatedly told defense counsel, no United States law enforcement officer from any agency ever gave [Lopez Londoño] specific authorization to break the law," prosecutors Michael Nadler and Robert Emery wrote in court papers.

The prosecutors added that the information in the Blackberry messages is "not significant." They said those messages contain no information that is "materially different" from the emails exchanged among the federal agents who dealt with Lopez Londoño. Those agents' emails were turned over to the defense team. But the Hernandezes say they lack the full scope of assignments that the agents would have given to the informant in direct emails to him.

As for the emails between the agents and their informant? Prosecutors insist that no federal agents ever communicated by email with Lopez Londoño — not even his main handler, ICE agent Francisco Burrola, who formalized his relationship with the informant during their first meeting in Cartagena, Colombia, in fall 2009. However, evidence appears to contradict the prosecutors' claim.

The defendant's attorneys say their client still possesses a Jan. 15, 2010, email in which the ICE agent passed along a message from Lopez Londoño to an agency supervisor, according to a court motion filed this summer.

Lopez Londoño's lawyers took the strategic step of disclosing their client's once-secret role for the federal agencies soon after he lost his extradition fight in Argentina and was brought to Miami to face the drug-conspiracy charge in November 2016. The Hernandezes are trying to thwart his prosecution under a rare legal strategy, the public authority defense. In court papers, they argue that during the time Lopez Londoño is accused of breaking U.S. drug-trafficking laws, he was merely carrying out his assignments for government agents and therefore cannot be punished for any alleged misconduct.

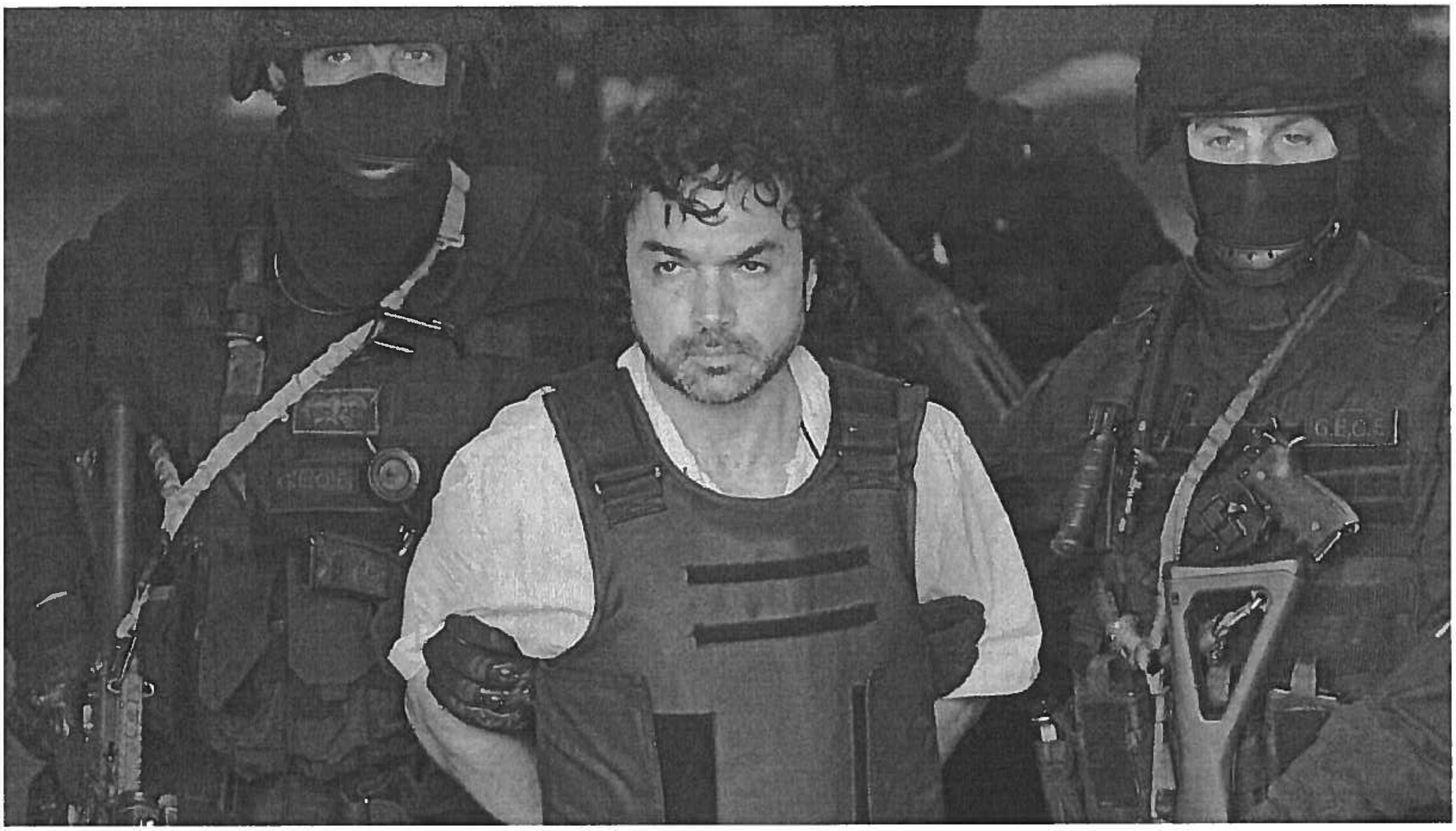
According to his lawyers, Lopez Londoño fled from Colombia to Argentina in 2008 and started working undercover for a series of federal agencies, starting with the Internal Revenue Service, then ICE and the DEA. As their "deep cover mole," the agents required him to return to his homeland to infiltrate drug organizations and other criminal networks — including two members of the terrorist group al-Qaida who wanted to establish a trafficking route to Europe where they had fishing businesses.

In an affidavit, Lopez Londoño said he worked with five ICE agents and later with three DEA agents, while infiltrating and providing information on several targets, including Mexico's "El Chapo" Guzman, the Urabeños drug-trafficking gang and Los Rastrojos organization.

As a confidential informant, Lopez Londoño said he provided "extensive intelligence" on the structure of organizations, cocaine production facilities, drug-trafficking routes, money-laundering activities, and the identities of high-ranking officials "engaged in political corruption" in Colombia, Venezuela and Argentina.

The Hernandezes say the agents and prosecutors have ignored his valuable undercover work — including providing information that led to two seizures of large cocaine loads — and focused instead on his alleged tenure as a leader of the right-wing paramilitary group, the AUC, and its cocaine-trafficking operations more than a decade ago.

Miami Herald



CRIME

Trial for alleged Colombian drug kingpin set for October in Miami

ALFONSO CHARDY
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January 21, 2017 04:08 PM

The highly-anticipated trial against alleged Colombian drug kingpin Henry de Jesús López Londoño, also known as 'Mi Sangre,' or My Blood, will begin at the end of October and might last at least six weeks in downtown's Miami federal, according to an agreement Friday among the presiding judge, the prosecutor and the lead defense lawyer.

U.S. District Judge Joan Lenard set the start of the trial for Oct. 30. Assistant U.S. attorney Robert Emery said it would take the government at least four weeks to present evidence and witnesses, and Lopez Londoño's lead lawyer, Arturo Hernández, said he might need at least two weeks to present his evidence and possible witnesses.

All of these details emerged during the first formal status hearing on the case since López Londoño was extradited from Argentina in November at the request of the United States government. López Londoño, 45, who is in detention, was in the courtroom sitting next to Hernández and his other lawyer, María Domínguez.

Besides the trial date, Emery and Hernández revealed that they have filed motions under seal in the case, but declined to offer details about the filings — though Hernandez said in court that he hopes to decide over the weekend whether to request that they be made public. After the hearing, Hernández told reporters he could not comment on the nature of the motions.

After López Londoño was arraigned in November, Hernández said he planned to file several motions challenging the "constitutionality" of the case, but later told el Nuevo Herald that he could not reveal details of his strategy.

Also during Thursday's status hearing, the prosecution advised Lenard about concerns on a potential conflict of interest that Domínguez might have in handling the case.

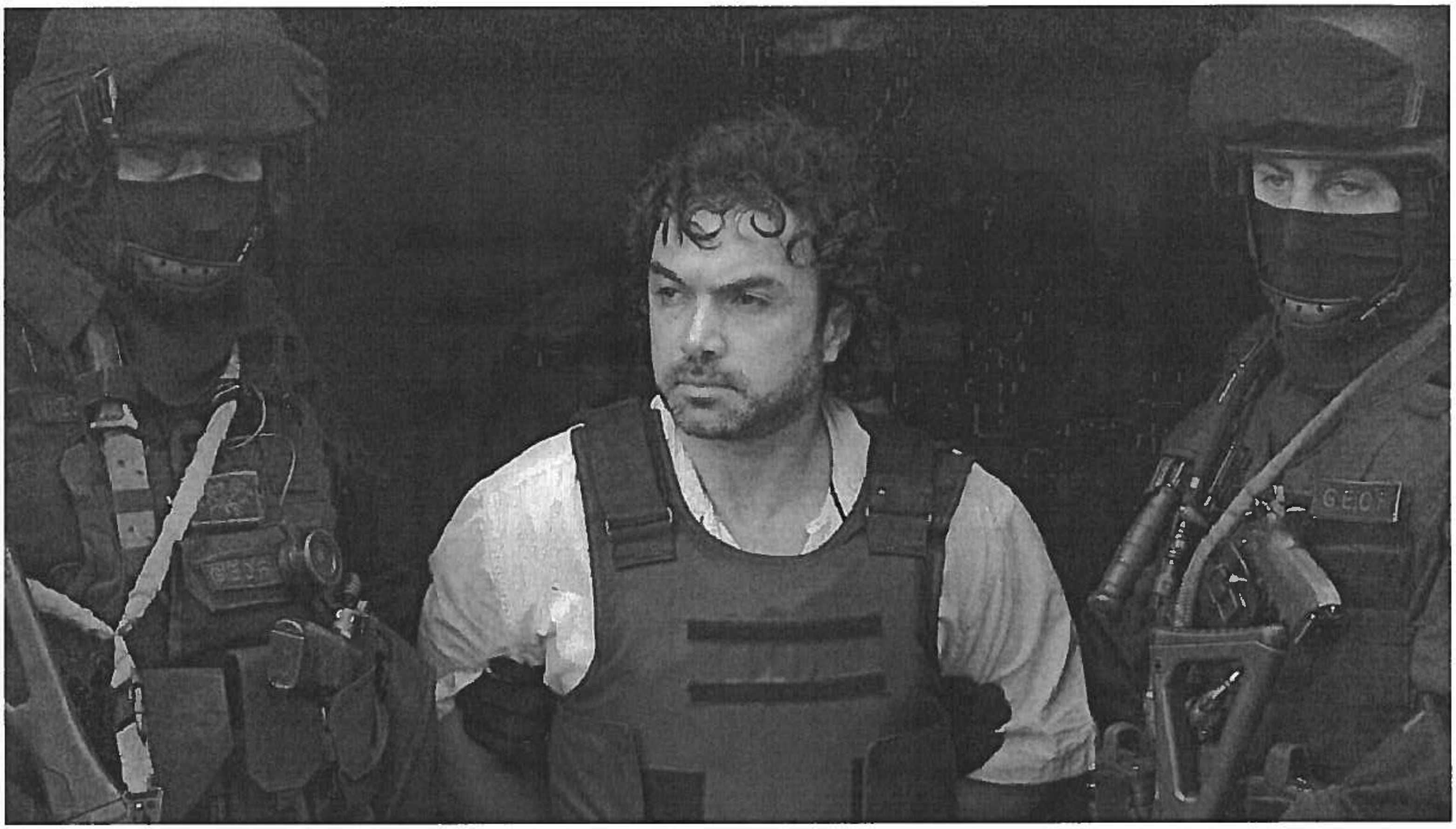
Although no specific details were given, prosecutors indicated that the conflict of interest concern arose from the fact that another Domínguez client might end up being called as a witness in the case against López Londoño.

Dominguez told Lenard she was "convinced" that there was no conflict of interest because her client had "nothing of value" to offer in the López Londoño case.

After the hearing, Hernandez said he could not comment on the Dominguez issue.

López Londoño made his initial appearance the day after he was extradited from Argentina in mid-November. On Nov. 29, he was arraigned, pleaded not guilty and demanded trial to prove his innocence.

COMMENTS



NATION & WORLD

Accused Colombian drug lord says he was secretly working for the feds

BY JAY WEAVER
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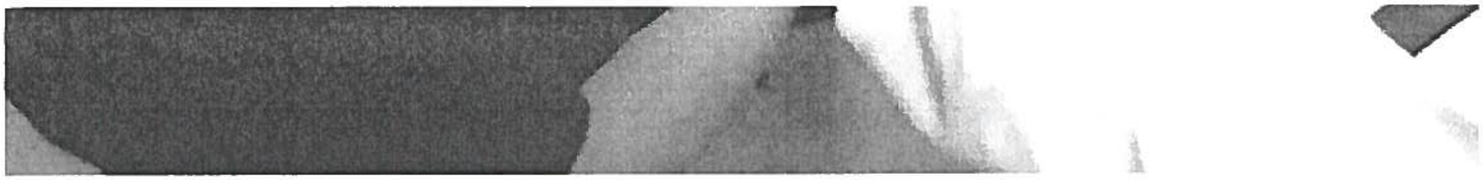
January 26, 2017 07:10 PM
Updated January 27, 2017 03:46 PM

When an elusive cocaine-trafficking suspect was finally extradited to Miami in November, federal prosecutors portrayed Henry De Jesus Lopez Londoño as one of Colombia's most "prolific drug dealers."

But what U.S. authorities did not mention was that Lopez Londoño had been recruited as a confidential informant — or "deep cover mole" — for two federal agencies, his lawyers say in court documents unsealed Thursday.

The defense depicts Lopez Londoño as a coveted government operative who made a deal with the feds and put his life on the line to help the war on drugs — including infiltrating a dangerous drug-trafficking cartel headed by Mexican kingpin Joaquin "El Chapo" Guzman, as well as paramilitary groups and members of the al-Qaida terrorist network in Colombia.

Saying he was promised "favorable treatment" by agents, Lopez Londoño's attorneys contend he provided them with inside information on the organizations, production plants, drug routes and cocaine shipments and claim his tips led to at least two major U.S. seizures. Although he is known in the trafficking underworld as "Mi Sangre" (My Blood), the court filings say, agents called him by his code name, "Assis."



Elusive drug lord Joaquín "El Chapo" Guzmán gets fingerprinted by authorities after his January 2016 arrest. He had escaped from prison in summer 2015. (Narration in Spanish)

By Mexican Attorney General's Office

The filings from his defense team, which had been out of public view until now, claim Lopez Londoño worked formally for U.S. Immigration and Customs Enforcement and the Drug Enforcement Administration as an undercover informant — for a period that covers most of the time he is accused of importing loads of cocaine into the United States.

The U.S. attorney's office in Miami confirmed that Lopez Londoño was once a "confidential source" for ICE between August 2010 and February 2011, in a response also unsealed Thursday. But prosecutors said the DEA "never" formally used him as an informant. Prosecutors also dispute that he helped the feds throughout the time frame of his narco-trafficking indictment.

Lopez Londoño, charged with a half-dozen others on a single conspiracy charge of importing and distributing more than five kilos of cocaine between October 2006 and February 2012, is scheduled for trial in late October of this year. Four of his co-conspirators have already pleaded guilty and are cooperating as witnesses.

His lawyers say he signed agreements with ICE and then the DEA during meetings in Cartagena, Colombia, in 2009 and 2010. The agencies, according to court documents, also promised to provide his family with possible asylum in America — along with "favorable treatment for him once he came to the United States."

As a result of Lopez Londoño's "arrangement with ICE, he undertook infiltration assignments among Colombia's paramilitary organizations, at great personal risk, in order to uncover money laundering, drug and weapons trafficking activities in Colombia during the relevant periods of [his] indictment," his lawyers assert in court documents.

Lopez Londoño's lawyers have taken the strategic step of disclosing his once-secret role for the federal agencies in an effort to thwart his prosecution under a rare legal strategy known as the public authority defense. His lead defense attorney, Arturo V. Hernandez, argues in court papers that during the time his client is accused of breaking U.S. drug-trafficking laws, he was merely carrying out his assignments for government agents and therefore cannot be punished for any alleged misconduct.

Hernandez, who is seeking more government evidence about his client as well as federal grand jury minutes, asserts the indictment is "defective" and that the initial U.S. prosecutor on the case deliberately withheld the defendant's role as a government informant from that jury.

Asked about his client's disclosure on Thursday, Hernandez declined to comment, stating he "would litigate this case through the filed pleadings, not in the press."

An Argentine lawyer who represented Lopez Londoño in his fight against extradition to the United States also criticized U.S. authorities for withholding information about his client's role as an informant for federal drug investigators. The defendant was arrested in Argentina in 2012.

"For four years, Mr. Lopez Londoño fought the U.S. extradition request and the U.S. Government never once informed the Argentine judicial authorities that the defendant had, for a significant period of time, worked for the U.S. Government," attorney Daniel Fedel said in a statement. "Had this been confirmed, Mr. Lopez Londoño would not have been extradited to the U.S."

According to his lawyers, Lopez Londoño fled from Colombia to Argentina in 2008 and started working undercover for a series of federal agencies, requiring him to return to his homeland to infiltrate drug organizations.

They said he returned to Argentina a couple of months before he was indicted by a federal grand jury in February 2012, saying he feared for his life in his native country — not because of the conspiracy case in Miami. Prosecutors, however, said he absconded to Argentina after the indictment was filed in federal court.

Lopez Londoño was a leader of the right-wing Colombian paramilitary group known as the AUC more than a decade ago, according to prosecutors. He later became a boss of the Urabeños gang in northern Colombia.

When police in Argentina arrested him in October 2012, they said Lopez Londoño held passports from seven countries to evade capture, and that he had entered the country with a false passport while posing as a Venezuelan businessman. He sought asylum, but his petition was rejected, and after a fierce legal fight he was extradited to the U.S. four years later.

In his Miami case, Lopez Londoño filed an affidavit in which he said he first made contact with a U.S. agency in 2008 through a member of AUC. Agents with the Treasury Department, he said, wanted him to help investigate large drug trafficking and money laundering organizations in Colombia. He said the following year, he began his infiltration activities.

In 2009, he said he formalized his undercover work in meetings with agents from another U.S. agency, Immigration and Customs Enforcement, in Cartegena. “I became a documented informant for the U.S. law enforcement agents, and signed two separate contracts,” he said in his affidavit unsealed on Thursday.

Lopez Londoño said during that period, he worked with five ICE agents and later with three DEA agents, while infiltrating and providing information on several targets — including the Guzman, Ubarbeños and Los Rastrojos organizations.

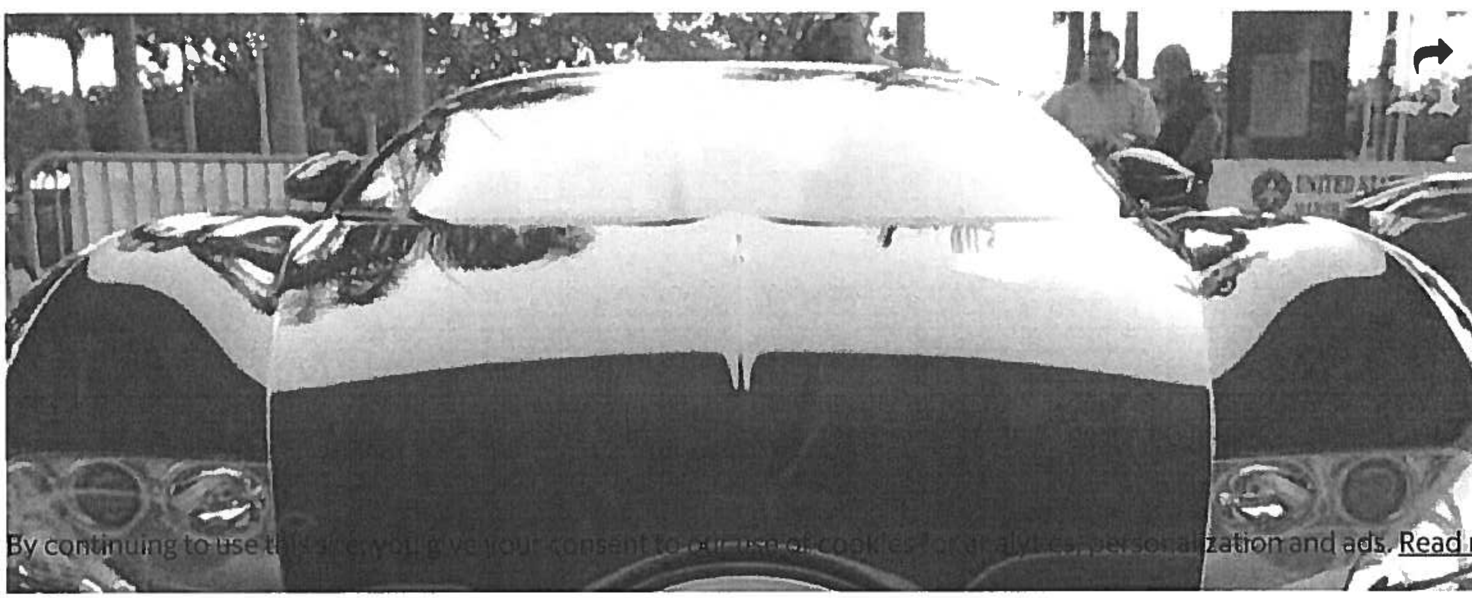
As a confidential informant, Lopez Londoño said he provided “extensive intelligence” on the structure of the organizations, cocaine production facilities, drug-trafficking routes, money-laundering activities, and the identities of high-ranking officials “engaged in political corruption” in Colombia, Venezuela and Argentina.

In addition, he said, “I have provided information that has led to at least two seizures of large quantities of cocaine.”

Lopez Londoño said he also became aware in 2010 of an “internal conflict” between ICE and the DEA agents over who would be supervising his activities as a confidential informant. He said ICE agents told him to stop working with the DEA.

“Due to the close partnership of DEA with the Colombian police, I had ongoing concerns that my activities would become known to the Colombian police that I believed were corrupt and in the pay of the large cartels,” Lopez Londoño said in the affidavit.

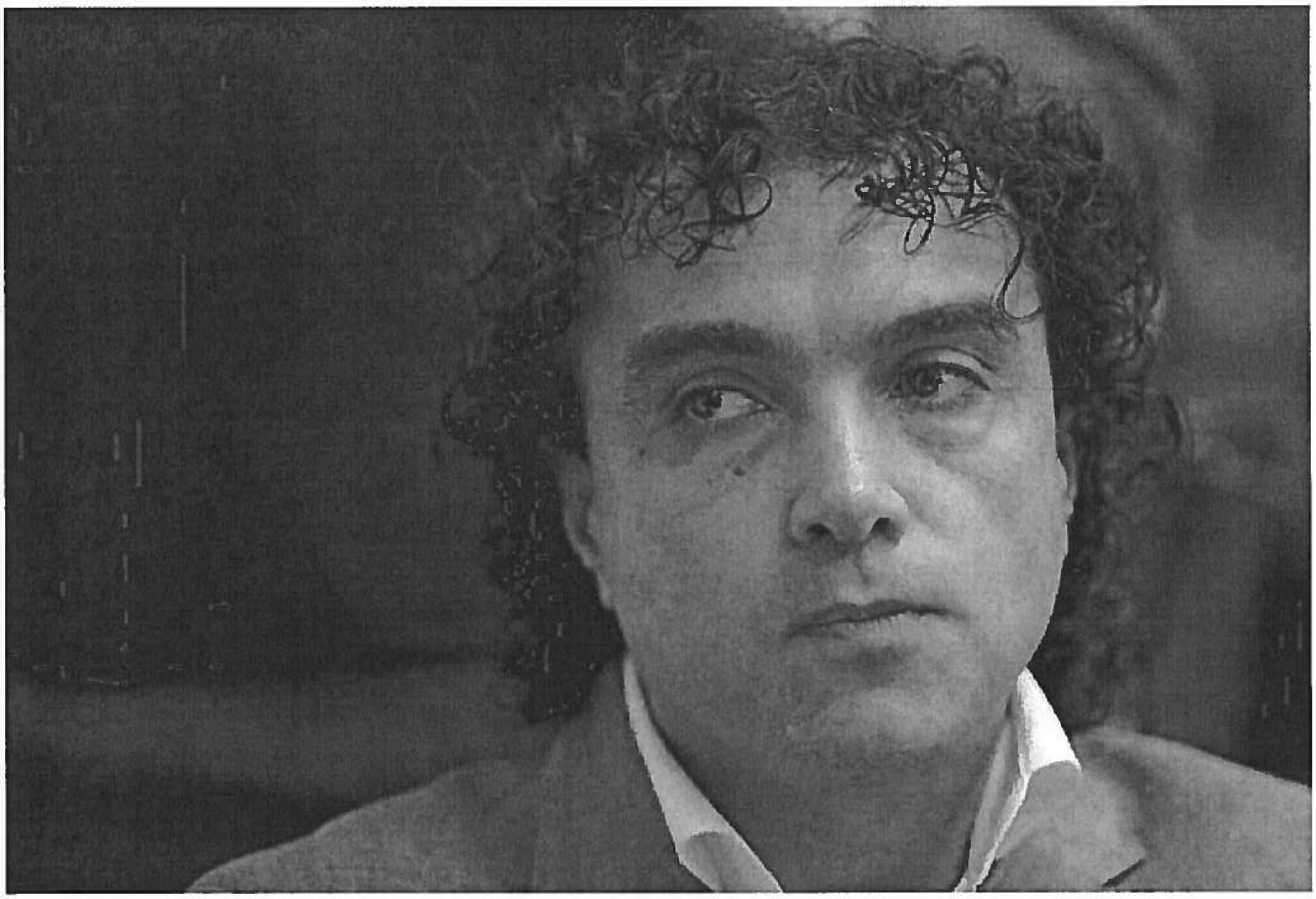
“If my activities on behalf of U.S. law enforcement had been leaked to the criminal cartels I was infiltrating,” he said, “it would have cost me my life and possibly that of my family.”



Federal law enforcement is auctioning off cars so valuable at Marlins Park on Wednesday that it would take Giancarlo Stanton's wealth to buy one. The auction, led by the US Marshall's service, is a group of cars owned by drug kingpin Alvaro Lopez

By McClatchy

Jay Weaver: 305-376-3446, @jayhweaver



In a May 17, 2016, file photo, alleged Colombian drug lord Henry Lopez Londono, also known as "Mi Sangre," or "My Blood," attends his first court audience for his extradition to U.S, in Buenos Aires, Argentina. He was handed to U.S. authorities and is being held in Miami. **Natacha Pisarenko** - AP

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1 message

Ramon Hernandez <rayhernandezesq@gmail.com> Fri, Jul 14, 2017 at 7:51 AM
To: Ramon Hernandez <rayhernandezesq@gmail.com>

Defensa de capo colombiano pide desestimar acusación por 'destrucción de pruebas'

CATALINA RUIZ PARRA

iruiz@elnuevoherald.com

Por considerar que ha habido "una descarada destrucción de las evidencias" que permitirían confirmar que el narcotraficante colombiano Henry de Jesús López Londoño, alias 'Mi sangre', habría sido informante secreto de la DEA y de la Policía de Inmigración y Aduanas (ICE), su defensa le pidió a la Corte Federal de Miami que desestime la acusación en su contra relacionada con el envío de cocaína a los EEUU.

La defensa del ex jefe de la banda criminal 'los Urabeños' ya había asegurado a principios de este año que su cliente "trabajó formalmente" para ICE y la DEA entregando información clave sobre los carteles de droga, plantas de producción, rutas del narcotráfico y embarques de cocaína que venían a los EEUU, a cambio de un "trato favorable" ante la justicia de este país.

En una nueva moción que fue presentada este martes al tribunal federal del Distrito Sur de Florida, el abogado Arturo Hernández culpó a los "fiscales y agentes de la DEA y de ICE de destruir la información" con la que se "comprobaría el apoyo" de López Londoño con las autoridades estadounidenses. El acusado fue arrestado en Argentina en el 2012 y extraditado a los EEUU cuatro años más tarde.

"El gobierno ha admitido que cinco celulares Blackberry usados por agentes federales en las misiones de infiltración de López Londoño, encargadas por ICE y la DEA, fueron destruidos (...) El intercambio de mensajes era la única evidencia que demostraría cuál fue la conducta autorizada por los agentes y qué información les estaba transmitiendo", aseguró en el documento de 18 páginas.

La defensa también señaló que las comunicaciones permitirían establecer que 'Mi sangre' cometió "los actos específicos que el gobierno alega para colaborar" y entregar datos a las autoridades que incluso "pusieron en riesgo su vida".

"Es evidente que esas transcripciones de mensajes mostraban que la propia conducta por la que el gobierno intentaba encarcelarlo había sido ordenada y/o autorizada por ICE y la DEA. Los correos electrónicos demostraban que los agentes federales alentaron al acusado a aprovechar su posición dentro de la banda de 'los Urabenos' para lograr los objetivos de inteligencia del gobierno. En otras palabras, sabían que esos mensajes lo dejarían libre", agregó.

La defensa agregó que en vez en "considerar la evidencia exculpatoria en este caso, decidieron destruirla y en lugar de ser francos con el gran jurado, ocultaron su condición de informante", razones por las cuales hubo una "violación al debido proceso" y por la cual solicitó "desestimar la acusación", así como convocar una audiencia probatoria para discutir estos señalamientos.

De otro lado, la Fiscalía Federal del Distrito Sur de Florida señaló también esta semana que luego de la extradición de varios de los jefes de las Autodefensas Unidas de Colombia (AUC) a los EEUU, en el 2008, 'Mi sangre' "se acercó al gobierno norteamericano para cooperar con la esperanza de limitar su exposición a un juicio" en este país.

El fiscal Robert Emery reconoció que desde agosto del 2010 hasta febrero del 2011, ICE registró a López Londoño como "fuente secreta" para lograr capturar a otros narcotraficantes colombianos a partir de la información otorgada.

Sin embargo, "el gobierno de los EEUU terminó su relación con López Londoño luego de conocer el alcance completo de su historial asesino y su conducta de narcotraficante" y al tiempo que, aseguróo, seguía delinquiendo mientras otorgaba información a las autoridades.

La Fiscalía también señaló que espera contar con varias declaraciones de testigos que declararían sobre otros supuestos actos delictivos en los que López Londoño habría incurrido y que demostrarían que siguió traficando droga mientras cooperaba con las autoridades.

El juicio contra López Londoño, acusado junto a otras seis personas por conspiración para importar y distribuir cocaína entre el 2006 y el 2012, comienza a finales de octubre.

Siga a Catalina Ruiz Parra en Twitter: @catalinaruizp.

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MILITARY

Navy sending new commander to run prison at Guantánamo 2A

AMERICAS

Lack of jail space prompts feds to release Haitian immigrants 13A

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Miami Herald

FEDERAL COURT

Accused Colombian drug lord extradited to face charge in Miami

BY JAY WEAVER
jweaver@miamiherald.com

An accused Colombian drug kingpin who for the past four years has been fighting extradition to the United States was flown by federal authorities to Miami on Thursday to face a cocaine smuggling and distribution charge.

Henry De Jesus Lopez Londoño, charged with a half-dozen other defendants in Miami federal court, was extradited from Argentina where he had fled and was arrested in October 2012. Before his capture, he'd been a leader of the right-wing Colombian paramilitary group known as the AUC.

His defense attorney, Arturo Hernandez, said Lopez Londoño is expected to have his first appearance in Miami federal court Friday.

Lopez Londoño, known as "Mi Sangre" (My Blood), was the head of the Urabenos gang in northern Colombia, according to published reports.

In February 2012, he was indicted by a federal grand jury in Miami on a charge of conspiring to import and distribute multiple kilos of cocaine into the U.S. dating back to 2006. The offense carries up to life in prison.

Four of the six co-conspirators charged in the same indictment have pleaded guilty to obtain shorter prison sentences, ranging from 5 to 14 years.

In Argentina, police said Lopez Londoño held passports from seven countries to evade capture, and that he'd entered the country with a false passport while posing as a Venezuelan businessman. There, his petition seeking asylum was rejected.

Argentine officials said he was taken by helicopter from a prison near Buenos Aires to a nearby airport, where he was put on a plane to the U.S. Thursday morning. Interpol agents, U.S. marshals and Argentine police were involved.

The BBC contributed.

COURTS

Feds accused of destroying emails supporting informant

BY JAY WEAVER
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When a U.S. law enforcement agent met for the first time with his new informant in Colombia in the fall of 2009, he gave him a business card.

It contained not only the official email address of Immigration and Customs Enforcement Agent Francisco Burrola but also his personal one, along with the agent's private password, "Panchito."

The meeting in Cartagena was the start of a textbook undercover relationship between the ICE agent and Henry De Jesus Lopez Londoño, a former leader of a paramilitary organization once embroiled in Colombia's dangerous drug trade. Lopez Londoño says he became the agent's insider as he started reporting on South America's underworld, exchanging more than 50 emails on his private address — frankb_1811@live.com — including initial instructions on criminal targets.

Now, the 46-year-old Lopez Londoño contends he has been betrayed by the U.S. government that adopted him as an informant — and not only because he's in custody in Miami facing trial on a drug-smuggling conspiracy indictment next month. Federal prosecutors and the ICE agent, Burrola, claim the defendant never corresponded by email with him or any other federal agent.

"These emails would have contained the most important communications between the parties, given that ... the scope of the defendant's authorization [as a U.S. informant] would have been set forth at the beginning," defense attorneys Arturo and Ramon Hernandez wrote in a motion filed Wednesday to dismiss the indictment.

To prove federal authorities wrong — that they destroyed email correspondence between the ICE agent and his informant — attorneys for Lopez Londoño have disclosed in court the business card that the agent gave to him in 2009 with his personal email address.

When Lopez Londoño was arrested in Argentina in 2012 in connection with the Miami case, authorities seized the agent's business card from his wallet. But the card was obtained by his defense lawyers before he was extradited to Miami last year — and the defendant kept it as proof of his undercover relationship with the ICE agent.

Attorneys for Lopez Londoño also disclosed a recent polygraph test taken by their client that shows he answered a series of questions about the email exchange with a "99.42 percent probability for truthfulness," according to a court filing.

With trial only weeks away, the defense lawyers want a federal magistrate judge to hold a hearing on Lopez Londoño's bid to have the Miami indictment dismissed. The defendant claims U.S. investigators wrongfully destroyed "exculpatory" emails as well as Blackberry text messages exchanged with the ICE agent and others — correspondence that would show he was only following their directions, not committing crimes on his own. This is the crux of Lopez Londoño's "public authority defense."

"They destroyed the emails to protect their indictment," the defense lawyers wrote in their dismissal motion, accusing the feds of withholding material that could clear their client. "They destroyed the Blackberrys to protect their indictment."

In previous court filings, prosecutors insisted that no federal agents ever communicated by email with Lopez Londoño — not even his main handler, Burrola, who formalized his relationship with the informant during their first meeting in Cartagena in November 2009.

Prosecutors acknowledged that ICE agents communicated with Lopez Londoño by Blackberry messages, but the correspondence was lost when the feds replaced their mobile devices with iPhones in 2012. Prosecutors also claimed that Drug Enforcement Administration agents never communicated with him that way, only in person.

The defense attorneys renewed their dismissal motion after a federal judge on Tuesday refused to accept a plea agreement struck between them and the U.S. attorney's office that would have sent Lopez Londoño to prison for about 17 years. The drug-conspiracy charge carries a maximum penalty of life.

U.S. District Judge Donald Graham said he could not accept the plea deal because prosecutors described Lopez Londoño as a kingpin who imported hundreds of kilos of cocaine into the United States and was involved in drug-related murders in Colombia.

Lopez Londoño, aka "Mi Sangre" (My Blood), who was extradited to Miami last year, will face trial by himself on the conspiracy charge of importing more than five kilos of cocaine into the United States. Lopez Londoño, a one-time leader of a Colombian paramilitary group called the AUC (Autodefensas Unidas de Colombia), was initially charged with a half-dozen others on the single conspiracy charge spanning 2006 to 2012. That period includes the years he was working as a U.S. undercover informant with the code name "Assis."

Defense attorneys for Lopez Londoño asserted the missing emails and text messages would reveal that federal agents authorized him to infiltrate dangerous criminal organizations with specific assignments — and that he wasn't committing crimes on his own. His lawyers claimed he was an "undercover asset" for three federal investigative agencies from the fall of 2008 until the end of 2011, before his arrest the following year in Argentina.

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Juez de Miami presenta cargos de narcotráfico contra colombiano "Mi Sangre"

Agencia EFE

Un juez federal presentó este viernes en Miami (Florida) un cargo criminal relacionado con narcotráfico contra el colombiano Henry de Jesús López Londoño, conocido como "Mi Sangre", quien fue extraditado este jueves de Argentina.

López Londoño, de 45 años, enfrenta el cargo de "conspiración para el tráfico de drogas" entre 2006 y 2012, detalló su abogado Arturo Hernández a la salida de la corte.

Hernández explicó que se trató de una audiencia de rutina en la que se fijó además la audiencia de fianza para el próximo 29 de noviembre, en la que anticipó, su cliente se declarará "no culpable".

"Así como en Argentina se declaró 'no culpable', lo reiterará en una corte de Estados Unidos", manifestó Hernández, quien ha sido su abogado durante un año y a quien ayer lo tomó por "sorpresa" su extradición, aunque la esperaba.

El abogado de "Mi Sangre", a quien las autoridades vinculan como jefe de la banda criminal colombiana Los Urabeños, manifestó que se trataba de un caso "significativo para Colombia".

López Londoño estaba detenido en Argentina desde octubre 2012 y tenía causas pendientes con la Justicia estadounidense por tráfico de estupefacientes y asociación ilícita.

La Fiscalía federal en Florida solicitó en 2012 su extradición a la Justicia argentina y, en septiembre pasado, el Supremo argentino dio vía libre a la repatriación.

El colombiano llegó la tarde del jueves a Fort Lauderdale, al norte de Miami, extraditado por el Gobierno de Argentina, país al que llegó con un pasaporte falso, en el que vivía junto con su familia y donde intentó fugarse de una prisión federal.

Londoño, acusado de traficar con armas y drogas, estaba detenido en la prisión federal de Ezeiza, cuando fue detenido cerca de la localidad bonaerense de Pilar, donde residía.

El colombiano había entrado en Argentina con pasaporte falso, junto a su mujer y su hijo, y sobre él pesaba una petición de búsqueda de la Policía Nacional colombiana, que lo había identificado como uno de los mayores proveedores de cocaína al cartel de Los Zetas, en México.

Hasta su arresto, según el Ministerio de Seguridad argentino, controlaba "la poderosa Oficina del Envigado" y la banda Los Urabeños, "dos de las más grandes organizaciones criminales de Colombia dedicadas al narcotráfico y la extorsión".

SUR DE LA FLORIDA ENERO 19, 2017 4:19 PM

Juicio contra colombiano"Mi Sangre" comenzará en octubre en Miami

ALFONSO CHARDY
achardy@elnuevoherald.com

El muy anticipado juicio contra el presunto narcotraficante colombiano Henry de Jesús López Londoño, más conocido como "Mi Sangre", comenzará en octubre y durará por lo menos seis semanas en una sala de la Corte Federal del *downtown* de Miami, según anunciaron el jueves en el tribunal la jueza, el fiscal y el principal abogado de la defensa.

La jueza Joan Lenard fijó la fecha del juicio para empezar el 30 de octubre, mientras que el fiscal Robert Emery dijo que le tomaría al gobierno por lo menos cuatro semanas en presentar los cargos y testigos contra López Londoño y el abogado del acusado, Arturo Hernández, declaró que necesitaba al menos dos semanas para presentar su evidencia y posibles testigos.

Todos estos detalles surgieron durante la primera audiencia formal sobre el estatus del caso desde que López Londoño, de 45 años, fue extraditado desde Argentina en noviembre último a petición del gobierno de Estados Unidos.

Además de fijarse la fecha del juicio, el fiscal Emery y el abogado defensor revelaron que han presentado mociones bajo sello en el expediente del caso, de las cuales no dieron detalles – aunque Hernández dijo en el tribunal que espera decidir durante el fin de semana si pide que se den a conocer públicamente los documentos.

"

MI CLIENTE NO TIENE NADA DE VALOR PARA EL CASO, ABOGADA DE "MI SANGRE"

María Domínguez

Después de la audiencia, Hernández dijo a los periodistas que no podía hacer ningún comentario sobre la naturaleza de las mociones.

También durante la audiencia, la Fiscalía le informó a la jueza Lenard que tenía preocupaciones por un posible conflicto de interés que podría tener la abogada de la defensa, María Domínguez, en el manejo del caso.

Aunque el fiscal no dio detalles específicos, indicó que el posible conflicto de interés radicaba en que un cliente de Domínguez podría ser testigo de la fiscalía en el caso contra López Londoño.

Domínguez le dijo a la jueza Lenard que estaba "convencida" de que no tenía ningún conflicto de interés porque "mi cliente no tenía nada de valor que ofrecer" en el caso de López Londoño.

Luego, después de la audiencia, Hernández dijo que no podía dar detalles de lo que había dicho Domínguez en la sala de la corte.

JUICIO COMENZARÁ EN OCTUBRE

López Londoño hizo su comparecencia inicial al otro día de llegar en un vuelo desde Buenos Aires donde las autoridades acordaron su extradición. El 29 de noviembre fue instruido de cargos relacionados con el narcotráfico, ante los cuales se declaró inocente y exigió ser enjuiciado para probar su inocencia.

Luego que López Londoño fue instruido de cargos, Hernández dijo ante la corte que esperaba presentar varias mociones desafiando la "constitucionalidad" del caso contra su cliente, pero le dijo después a el Nuevo Herald que no podía revelar detalles de su estrategia por ahora.

El juicio, cuando inicie, atraerá atención de parte de la prensa local, nacional e internacional. El caso es parte de una estrategia más amplia del Departamento de Justicia que junto con las autoridades colombianas anunciaron el proceso contra López Londoño y otros presuntos narcotráficantes colombianos en un comunicado emitido en Bogotá el 23 de junio del 2015.

El comunicado mencionaba el nombre de López Londoño dentro del contexto de acciones más amplias contra las llamadas "bacrim" o bandas criminales de Colombia y el temido Clan Úsuga.

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NATION & WORLD

Accused drug kingpin turned fed informant had cut plea deal. Until Miami judge tossed it

BY JAY WEAVER
jweaver@miamiherald.com

October 10, 2017 06:58 PM

A federal judge on Tuesday rejected a plea agreement that would have sent a high-profile Colombian defendant who worked as a U.S. informant to prison for about 17 years on a drug-smuggling charge that carried up to life behind bars.

U.S. District Judge Donald Graham said he could not accept the plea deal struck between the U.S. attorney's office and defense attorneys for Henry De Jesus Lopez Londoño because prosecutors described him as a kingpin who imported hundreds of kilos of cocaine into the United States and was involved in drug-related murders in Colombia.

"For those reasons, I don't see how I can accept this plea agreement," Graham told both sides in Miami federal court. "I can only think of a few exceptions [to not accepting plea deals] over my 26 years on the bench. But this particular case is quite alarming."

The judge's denial means Lopez Londoño, aka "Mi Sangre" (My Blood), who was extradited to Miami last year, will face trial at the end of October on the conspiracy charge of importing more than five kilos of cocaine into the United States. Both sides, who were negotiating the plea agreement since August, are expected to ask the judge to continue the trial.

Assistant U.S. Attorney Robert Emery told the judge that he heard his "concerns loud and clear," but stressed that he and the defense team took a "snapshot" of the government's case and agreed that the deal was fair.

Defense attorney Arturo Hernandez said the agreement was the "culmination of litigation for many years," arguing it was in the "best interests" of his client and the government.

But the judge wouldn't budge, saying "this is an agreement that I don't feel comfortable accepting."

Before the deal was unveiled, Lopez Londoño's defense team asserted that he did nothing illegal because he was acting as a confidential informant for major U.S. law enforcement agencies during the period of the indictment. Among the smorgasbord of illicit groups that the defendant said he was asked to penetrate: a drug cartel headed by one-time Mexican fugitive Joaquin "El Chapo" Guzman, members of the al-Qaida terrorist network in Colombia and the Russian mob's ties to the Venezuelan military.

Lopez Londoño, a one-time leader of a Colombian paramilitary group called the AUC (Autodefensas Unidas de Colombia), was initially charged with a half-dozen others on the single drug-conspiracy charge spanning 2006 to 2012. That period includes the years he was working as a U.S. undercover informant with the code name "Assis."

In an effort to pressure prosecutors into a deal, Lopez Londoño accused U.S. law enforcement agencies of destroying Blackberry messages and withholding emails that he claimed would show he was working for them as an informant in the federal government's battles against South America's underworld, according to court papers filed in August.

Defense attorneys for Lopez Londoño asserted the missing text messages and emails would reveal that federal agents authorized him to infiltrate dangerous criminal organizations with specific assignments — and that he wasn't committing crimes on his own. His lawyers, Arturo and Ramon Hernandez, claimed he was an "undercover asset" for three federal investigative agencies from the fall of 2008 until the end of 2011, before his arrest the following year in Argentina.

Prosecutors countered that the agents' text messages to and from the informant were lost because their Blackberry phones were replaced and could not be found. They also said there were no emails exchanged between the agents and informant.

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Colombian Drug Lord Bombshell: "I was secretly working for the feds"

January 28, 2017 | Posted by: Francesca Falzarano

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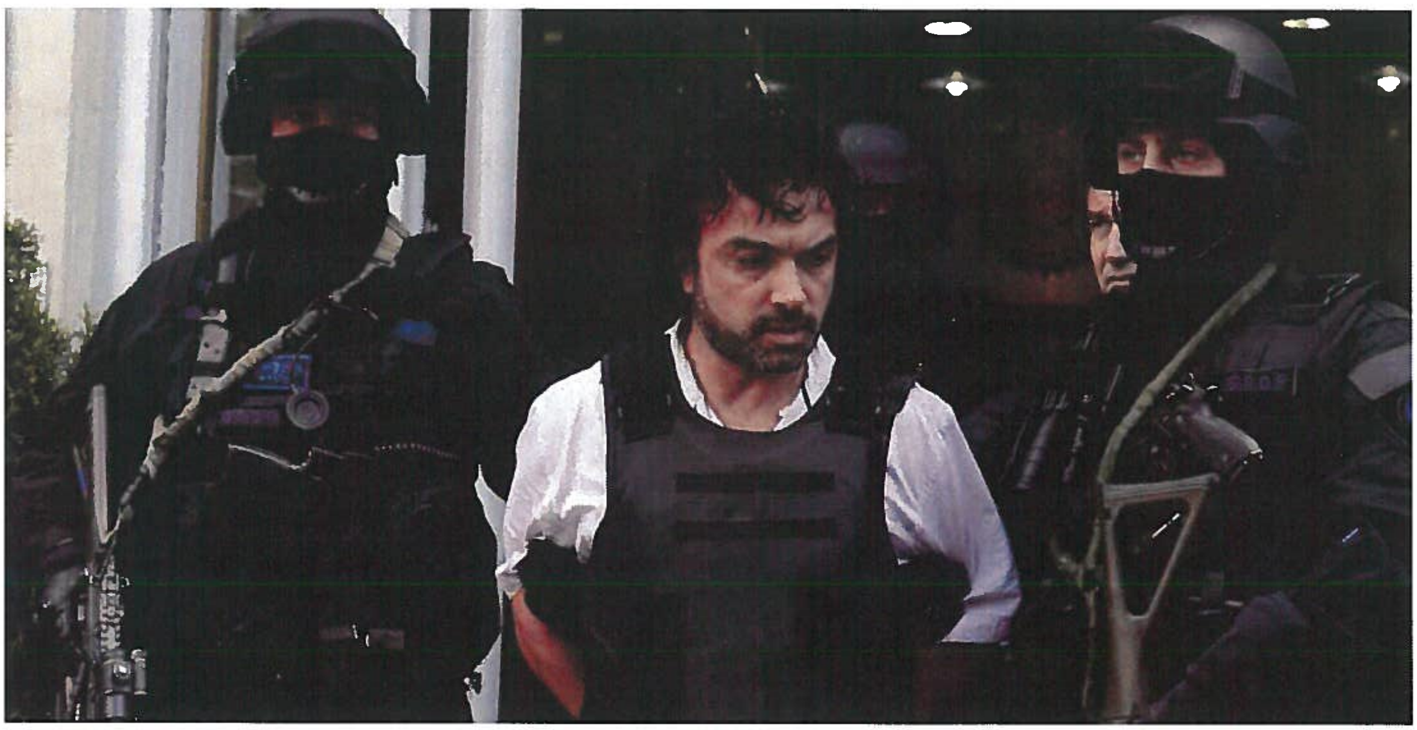


When an elusive Colombian drug lord accused of cocaine-trafficking was extradited to Miami back in November, prosecutors described Henry De Jesus Lopez Londoño also known as 'Mi Sangre' as one the most "prolific drug dealers" in history

However, U.S. authorities failed to mention one little detail.

Lopez Londoño was actually recruited as a confidential informant — or "deep cover mole" — by two federal law enforcement agencies, his attorneys revealed in court documents that were unsealed on Thursday.

In a bombshell, defense attorneys portrayed Lopez Londoño as a coveted operative who made a deal with the feds and put his life on the line to assist with the war on drugs.

He infiltrated the violent Sinaloa drug-trafficking cartel led by Mexican kingpin Joaquin "El Chapo" Guzman, as well as paramilitary organizations and members of Colombia's al-Qaida terrorist network in Colombia.

The Colombian drug lord was arrested in Argentina back in November 2012

Claiming that he was assured "favorable treatment" by agents, Lopez Londoño's attorneys argue that he provided them with inside knowledge of the organizations, production plants, drug paths, and cocaine shipments and maintained that his tips led to at least two major U.S. seizures.

Although he is known in the trafficking underworld as "Mi Sangre" or "My Blood." Agents referred to him by his code name, "Assis."

The filings from his defense claim that Lopez Londoño worked formally for U.S. Immigration and Customs Enforcement and the DEA as an informant — for a period that spans most of the time he is accused of importing shipments of cocaine into the U.S.

The U.S. attorney's office in Miami verified that Lopez Londoño was once a "confidential source" for ICE between 2010 and 2011, in a response also unsealed Thursday.

However, prosecutors said the DEA "never" formally used him as an informant. Prosecutors also dispute that he helped the feds throughout the span of his trafficking indictment, according to a report by The Miami Herald.

Lopez Londoño, who has been charged along with six others on a conspiracy charge of importing and distributing over five kilos of cocaine between 2006 and 2012, is set to go to trial in late October. Four of his co-conspirators have pleaded guilty and are cooperating.

'Mi Sangre' during his extradition to the United States back in November.

His attorneys argue that he signed agreements with ICE and then the DEA during meetings in Cartagena in 2009 and 2010. The agencies also promised to provide his family with potential asylum in U.S. — along with "favorable treatment for him once he came."

As a result of Lopez Londoño's "arrangement with ICE, he undertook infiltration assignments among Colombia's paramilitary organizations, at great personal risk, to uncover money laundering, drug, and weapons trafficking activities in Colombia during the relevant periods of [his] indictment," his attorneys argued in court documents.

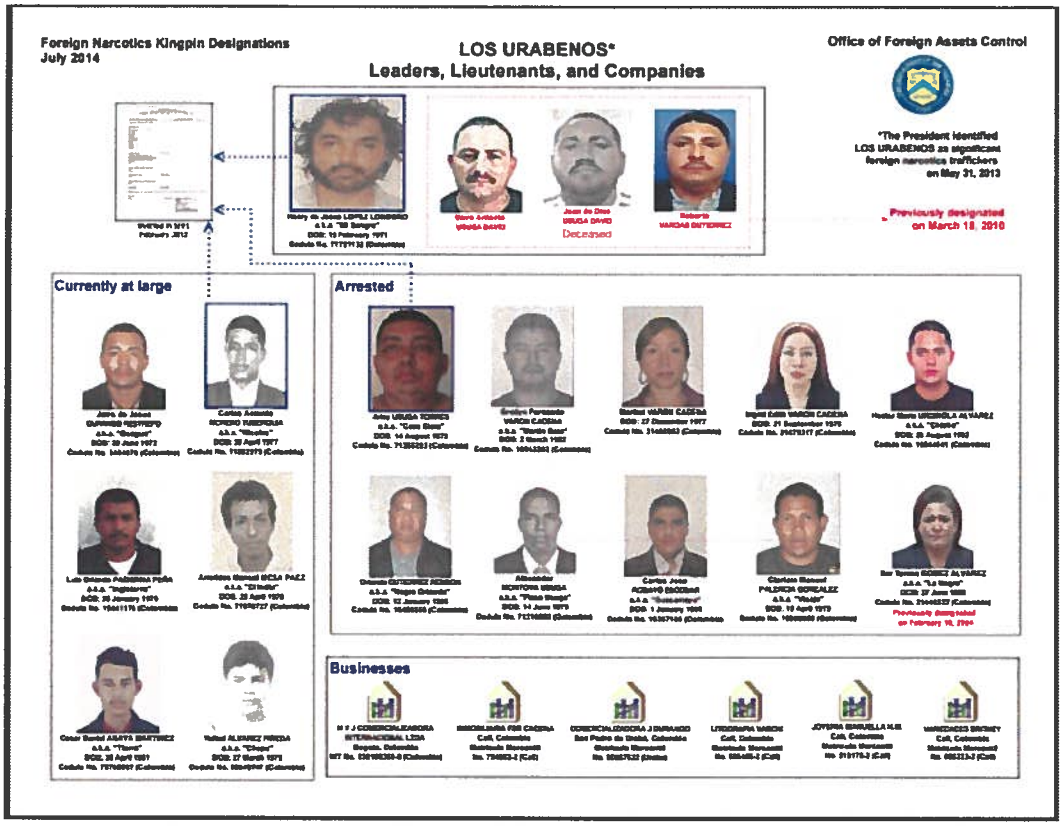
Lopez Londoño's lawyers have taken the decisive step of revealing his once-secret role for the feds to thwart his prosecution under a rare legal strategy identified as the public authority defense.

His lead attorney, Arturo V. Hernandez, argues that during the time his client is accused of breaking U.S. drug-trafficking laws, he was only carrying out his assignments for agents and therefore cannot be punished for any misconduct.

Hernandez asserts the indictment is "defective" and that the first U.S. prosecutor intentionally withheld the defendant's role as a government informant from the jury.

An Argentine attorney who represented Lopez Londoño in his fight against extradition to the U.S. also scrutinized authorities for denying information about his client's role as an informant for federal investigators.

"For four years, Lopez Londoño fought the U.S. extradition and the U.S. Government never once informed Argentine judicial authorities that the defendant had, for a significant period, worked for the U.S. Government," Daniel Fedel, an attorney, said in a statement. "Had this been confirmed, Lopez Londoño would not have been extradited."



According to his legal team, Lopez Londoño fled from Colombia to Argentina back in 2008 and began his undercover work for a string of federal agencies, requiring him to return to his homeland to penetrate drug groups.

They said he came back to Argentina a couple of months before he was indicted in 2012, saying he feared for his life in his native country — not because of the case in Miami. Prosecutors, however, said he fled to Argentina after the indictment was filed.

Lopez Londoño was the head of the right-wing Colombian paramilitary group also known as the AUC over ten years ago, prosecutors revealed. He later became a boss of the Urabeños gang in Colombia.

When authorities in Argentina apprehended him in October 2012, they said Lopez Londoño had passports from seven countries to avoid being captured, and that he had entered the country with a fake passport while pretending as a Venezuelan businessman.

He sought asylum, but his request was denied, and after a fierce legal fight he was extradited four years later.

'MI Sangre' says he also infiltrated the Sinaloa cartel led by recently extradited drug lord Joaquin 'El Chapo' Guzman

In his Miami case, Lopez Londoño filed an affidavit in which he claimed he first had communications with a U.S. agency in 2008 through an AUC member.

Agents with the Treasury Department, he added, wanted him to assist in investigating extensive drug trafficking and money laundering groups in Colombia. He said the next year; he started his work as an informant.

In 2009, he said he formalized his undercover work in meetings with agents with Immigration and Customs Enforcement in Cartegena. "I became a documented informant for U.S. law enforcement, and signed two separate contracts," he stated in the affidavit.

During that period, 'Mi Sangre' worked with five ICE agents and three DEA agents while infiltrating and providing information on several targets — including the Guzman, Ubarbeños and Los Rastrojos groups.

The Colombian drug lord said in 2010, he was informed of an "internal conflict" between ICE and the DEA agents over who would be managing his activities as an informant. He said ICE agents told him to stop reporting to the DEA.

"Due to the partnership of DEA with the Colombian police, I had ongoing concerns that my activities would become known to the Colombian police that I believed were corrupt and in the pay of the large cartels," Lopez Londoño stated.

"If my activities on behalf of U.S. law enforcement had been leaked to the criminal cartels I was infiltrating, it would have cost me my life and possibly that of my family," he added.

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NATION & WORLD JANUARY 26, 2017 7:10 PM

Accused Colombian drug lord says he was secretly working for the feds

1 of 2

BY JAY WEAVER
jweaver@miamiherald.com

When an elusive cocaine-trafficking suspect was finally extradited to Miami in November, federal prosecutors portrayed Henry De Jesus Lopez Londoño as one of Colombia's most "prolific drug dealers."

But what U.S. authorities did not mention was that Lopez Londoño had been recruited as a confidential informant — or "deep cover mole" — for two federal agencies, his lawyers say in court documents unsealed Thursday.

The defense depicts Lopez Londoño as a coveted government operative who made a deal with the feds and put his life on the line to help the war on drugs — including infiltrating a dangerous drug-trafficking cartel headed by Mexican kingpin Joaquin "El Chapo" Guzman, as well as paramilitary groups and members of the al-Qaida terrorist network in Colombia.

Saying he was promised "favorable treatment" by agents, Lopez Londoño's attorneys contend he provided them with inside information on the organizations, production plants, drug routes and cocaine shipments and claim his tips led to at least two major U.S. seizures. Although he is known in the trafficking underworld as "Mi Sangre" (My Blood), the court filings say, agents called him by his code name, "Assis."

Video: 'El Chapo' gets fingerprinted

Elusive drug lord Joaquín "El Chapo" Guzmán gets fingerprinted by authorities after his January 2016 arrest. He had escaped from prison in summer 2015. (Narration in Spanish)

Mexican Attorney General's Office

The filings from his defense team, which had been out of public view until now, claim Lopez Londoño worked formally for U.S. Immigration and Customs Enforcement and the Drug Enforcement Administration as an undercover informant — for a period that covers most of the time he is accused of importing loads of cocaine into the United States.

The U.S. attorney's office in Miami confirmed that Lopez Londoño was once a "confidential source" for ICE between August 2010 and February 2011, in a response also unsealed Thursday. But prosecutors said the DEA "never" formally used him as an informant. Prosecutors also dispute that he helped the feds throughout the time frame of his narco-trafficking indictment.

Lopez Londoño, charged with a half-dozen others on a single conspiracy charge of importing and distributing more than five kilos of cocaine between October 2006 and February 2012, is scheduled for trial in late October of this year. Four of his co-conspirators have already pleaded guilty and are cooperating as witnesses.

His lawyers say he signed agreements with ICE and then the DEA during meetings in Cartagena, Colombia, in 2009 and 2010. The agencies, according to court documents, also promised to provide his family with possible asylum in America — along with "favorable treatment for him once he came to the United States."

As a result of Lopez Londoño's "arrangement with ICE, he undertook infiltration assignments among Colombia's paramilitary organizations, at great personal risk, in order to uncover money laundering, drug and weapons trafficking activities in Colombia during the relevant periods of [his] indictment," his lawyers assert in court documents.

Lopez Londoño's lawyers have taken the strategic step of disclosing his once-secret role for the federal agencies in an effort to thwart his prosecution under a rare legal strategy known as the public authority defense. His lead defense attorney, Arturo V. Hernandez, argues in court papers that during the time his client is accused of breaking U.S. drug-trafficking laws, he was merely carrying out his assignments for government agents and therefore cannot be punished for any alleged misconduct.

Hernandez, who is seeking more government evidence about his client as well as federal grand jury minutes, asserts the indictment is "defective" and that the initial U.S. prosecutor on the case deliberately withheld the defendant's role as a government informant from that jury.

Asked about his client's disclosure on Thursday, Hernandez declined to comment, stating he "would litigate this case through the filed pleadings, not in the press."

An Argentine lawyer who represented Lopez Londoño in his fight against extradition to the United States also criticized U.S. authori withholding information about his client's role as an informant for federal drug investigators. The defendant was arrested in Argenti

"For four years, Mr. Lope Argentin authorities that the defen l said in this been confirmed, Mr.

According to his lawyers, Lopez Londoño fled from Colombia to Argentina in 2008 and started working undercover for a series of federal agencies, requiring him to return to his homeland to infiltrate drug organizations.

They said he returned to Argentina a couple of months before he was indicted by a federal grand jury in February 2012, saying he feared for his life in his native country — not because of the conspiracy case in Miami. Prosecutors, however, said he absconded to Argentina after the indictment was filed in federal court.

Lopez Londoño was a leader of the right-wing Colombian paramilitary group known as the AUC more than a decade ago, according to prosecutors. He later became a boss of the Urabeños gang in northern Colombia.

When police in Argentina arrested him in October 2012, they said Lopez Londoño held passports from seven countries to evade capture, and that he had entered the country with a false passport while posing as a Venezuelan businessman. He sought asylum, but his petition was rejected, and after a fierce legal fight he was extradited to the U.S. four years later.

In his Miami case, Lopez Londoño filed an affidavit in which he said he first made contact with a U.S. agency in 2008 through a member of AUC. Agents with the Treasury Department, he said, wanted him to help investigate large drug trafficking and money laundering organizations in Colombia. He said the following year, he began his infiltration activities.

In 2009, he said he formalized his undercover work in meetings with agents from another U.S. agency, Immigration and Customs Enforcement, in Cartegena. "I became a documented informant for the U.S. law enforcement agents, and signed two separate contracts," he said in his affidavit unsealed on Thursday.

Lopez Londoño said during that period, he worked with five ICE agents and later with three DEA agents, while infiltrating and providing information on several targets — including the Guzman, Ubarbeños and Los Rastrojos organizations.

As a confidential informant, Lopez Londoño said he provided "extensive intelligence" on the structure of the organizations, cocaine production facilities, drug-trafficking routes, money-laundering activities, and the identities of high-ranking officials "engaged in political corruption" in Colombia, Venezuela and Argentina.

In addition, he said, "I have provided information that has led to at least two seizures of large quantities of cocaine."

Lopez Londoño said he also became aware in 2010 of an "internal conflict" between ICE and the DEA agents over who would be supervising his activities as a confidential informant. He said ICE agents told him to stop working with the DEA.

"Due to the close partnership of DEA with the Colombian police, I had ongoing concerns that my activities would become known to the Colombian police that I believed were corrupt and in the pay of the large cartels," Lopez Londoño said in the affidavit.

"If my activities on behalf of U.S. law enforcement had been leaked to the criminal cartels I was infiltrating," he said, "it would have cost me my life and possibly that of my family."

Feds auction high-end cars seized from drug lord

Federal law enforcement is auctioning off cars so valuable at Marlins Park on Wednesday that it would take Giancarlo Stanton's wealth to buy one. The auction, led by the US Marshall's service, is a group of cars owned by drug kingpin Alvaro Lopez Tardon,

Jose Iglesias

Jay Weaver: 305-376-3446, @jayhweaver

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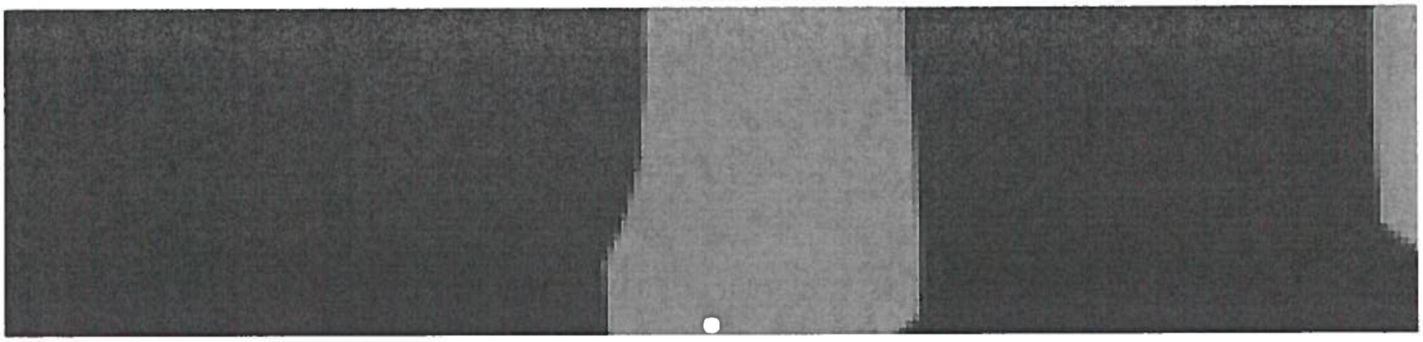

Ecuatoriano detenido exige que cargos en Miami sean desestimados

2014-03-05 09:55 | Ecuatorianos en el Exterior

Afirma que su traslado a Estados Unidos fue ilegal

(Elnuevoherald.com).- Uno de tres latinoamericanos detenidos en un buque de la marina de guerra de Estados Unidos en el Pacífico y traídos a Miami para ser enjuiciados ha pedido a un juez federal que desestime los cargos de narcotráfico contra él bajo la premisa de que su arresto fue ilegal de acuerdo al derecho internacional.

Víctor Medranda, ecuatoriano de 23 años de edad, detenido con dos mexicanos en enero, dice en una moción ante el tribunal federal de Miami que funcionarios estadounidenses no tenían derecho a transportarlo a Estados Unidos para enjuiciamiento, ya que el tráfico de estupefacientes no es un crimen comprendido por la jurisdicción universal.

La moción de Medranda, presentada por su abogado de Miami Arturo V. Hernández, es una de las primeras en desafiar un arresto federal desde que el patrullaje por barcos de Estados Unidos y otros países se intensificó en aguas internacionales del Caribe y el Pacífico en los últimos dos años como parte de una estrategia para interrumpir las rutas del narcotráfico en alta mar. En tres casos en los últimos nueve meses extranjeros capturados en alta mar han sido traídos a Miami para ser procesados por tráfico de drogas.

En los tres casos, grupos de abordaje enviados por la Guardia Costera o capitanes de buques de guerra declararon jurisdicción estadounidense sobre las embarcaciones que habían sido interceptadas por sospecha de transportar drogas, principalmente fardos de cocaína.

En un caso, la embarcación estaba registrada en la Florida, pero en otros dos casos los botes interceptados no estaban registrados en los Estados Unidos.

Un barco de pesca interceptado frente a la costa de Guatemala fue considerado sin bandera y una partida de abordaje detuvo a tres guatemaltecos que se encuentran ahora en Miami para ser enjuiciados.

En el caso Medranda, el ecuatoriano fue detenido por un equipo de abordaje despachado por el USS Rentz, barco de la armada basado en San Diego, junto con dos mexicanos que viajaban a bordo de un bote de pesca a unas 300 millas al sur de la costa mexicana.

El capitán del pesquero afirmó que su bote estaba registrado en México.

Pero las autoridades estadounidenses determinaron que el bote no tenía nacionalidad porque los funcionarios mexicanos que contactaron no pudieron establecer que la embarcación tenía registro en México.

En su moción, el abogado de Medranda sostiene que los cargos deben ser desestimados contra su cliente porque el

Como resultado, dice, el caso no debe proceder en los tribunales debido a que Estados Unidos carece de autorización para enjuiciar a su cliente ya que el crimen no ocurrió ni en suelo estadounidense ni a bordo de una embarcación estadounidense.

Como autoridad legal para su argumento, Hernández citó una opinión del 2012 de la Corte del Onceno Circuito de Apelaciones.

Se desestimó las condenas por tráfico de drogas contra cuatro extranjeros quienes habían sido sentenciados después de que su barco pesquero fuera interceptado por una escampavía de la Guardia Costera estadounidense en aguas territoriales de Panamá.

Los acusados apelaron su condena arguyendo que la ley utilizada para procesarlos –la Ley Marítima Antidrogas– excede la autoridad del Congreso para definir y castigar los delitos contra el derecho internacional. Los jueces de la corte de apelaciones estuvieron de acuerdo y basaron su decisión en que el crimen que se les achacaba no tenía vínculos con Estados Unidos y que el narcotráfico no es crinen de jurisdicción universal.

"Cuando la conducta no tiene conexión con Estados Unidos, tal como la conducta en cuestión en este caso, sólo puede ser castigada como un delito contra el derecho internacional si se sujeta a la jurisdicción universal", escribió la jueza de apelaciones Rosemary Barkett en la opinión sobre el caso panameño.

Dado que el tráfico de drogas no está cubierto por la jurisdicción universal, escribió Hernández en su moción a favor de Medranda, la causa penal contra su cliente - Medranda - debe ser desestimada.

La jueza federal asignada al caso, Joan Lenard, ha ordenado que la fiscalía presente su respuesta a la moción de Medranda para la mitad del mes.

(PAY)

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SOUTH FLORIDA

A once prized U.S. informant, Colombian found guilty of cocaine-smuggling conspiracy

BY JAY WEAVER
jweaver@miamiherald.com

March 14, 2018 12:03 PM
Updated March 14, 2018 06:52 PM

When the former boss of a Colombian paramilitary group became a narco spy for the U.S. government, he knew his life was in danger but hoped the risk would come with a shot at freedom.

And so Henry De Jesus Lopez Londoño began secretly working in 2010 as a confidential informant for federal agents at U.S. Immigration and Customs Enforcement. The high-wire cooperation deal, however, would not last: Lopez Londoño was charged two years later in Miami with conspiring to distribute loads of cocaine and eventually extradited to the United States — portrayed by prosecutors as a violent drug lord.

Lopez Londoño testified at his trafficking trial in Miami federal court that he felt "absolutely betrayed" when he was indicted and arrested in 2012. "When I decided to take that step and infiltrate [Colombian drug organizations], my allegiance was to the United States government and my family," he said, as the 12-person jury took in his words last week.

On Wednesday, after the five-week trial and almost three days of deliberations, the jurors did not sympathize with Lopez Londoño's defense. They found the 47-year-old Colombian, known as "Mi Sangre" (My Blood), guilty of the conspiracy charge. The sole conviction carries up to life in prison. His sentencing hearing is set for May 30.

Lopez Londoño's case offered a rare view of how U.S. agents turned a suspected major drug trafficker into a spy but then cut him off and distanced themselves from him, including destroying critical electronic correspondence with the informant that would have revealed his dangerous tasks in the perennial war on drugs.

In Miami, which still maintains a reputation as the capital of the cocaine cowboy from the 1980s, the informant's prosecution is unusual because normally such government insiders are protected or get sweetheart prison deals — not a trial.

To fight the conspiracy charge, Lopez Londoño's attorneys deployed a public authority defense, exposing him as a U.S. government informant who was acting under the authority of ICE agents. The attorneys argued that he was not breaking the law while he communicated with them on drug-smuggling deals after their first meeting in the fall of 2009.

"He was authorized to negotiate and obtain these kinds of deals to provide intelligence to his handlers" at Immigration and Customs Enforcement, attorney Ramon Hernandez said during closing arguments on Monday. He called the prosecution's cased against Lopez Londoño a "trial by smear."

"The government stabbed my client in the back," his father, attorney Arturo Hernandez, told jurors during his closing argument. "Only you can take that knife out."

Prosecutor Robert Emery said the U.S. government "had high hopes for this defendant," but that was before he went from being a "cooperator to a target" of an international drug-trafficking investigation. "Just for being a confidential informant one time does not give him a pass for his crimes," he said.

Emery, who handled the case with prosecutor Michael Nadler, called Lopez Londoño a "drug trafficker who was double dealing. ... If anyone should have a knife in his back, it's Uncle Sam."

He said that Lopez Londoño was involved in moving tens of thousands of kilos of cocaine into the United States between 2006 and 2012 and ordered assassinations, kidnappings and extortion. He said the defendant was never authorized by federal agents to commit any of those crimes in his undercover role. He also downplayed Lopez Londoño's work as an informant, saying it lasted only several months and that he continued his criminal activities while providing nothing of value.

Several convicted co-conspirators in his case and others testified against Lopez Londoño, who was once a leader of the Autodefensas Unidas de Colombia, or AUC, a right-wing Colombian paramilitary and drug-trafficking group that disbanded more than a decade ago.

The Hernandez defense team not only accused those cooperating witnesses of lying on the witness stand to obtain reduced prison sentences, but noted the prosecution had no hard evidence of their client's involvement in any cocaine shipments to the United States.

The defense also accused federal agents of betraying his client and covering it up by destroying electronic evidence of their relationship as he spied on South America's underworld — including Colombian cocaine syndicates such as the Urabeños, Mexican drug lord Joaquin "El Chapo" Guzman's organization, and members of the al-Qaida terrorist network in South America.

At trial, the Hernandezes said that federal agents destroyed five BlackBerry mobile phones that they used to communicate with him through text messages, as well as email correspondence. The attorneys said the evidence would have shown that Lopez Londoño was taking directions from his handlers so he could infiltrate criminal groups to provide them with intelligence. Prosecutors admitted that the BlackBerry messages were destroyed by ICE agents when they switched to smart phones in 2012, but insisted there was no email correspondence with ICE. Prosecutors also insisted that the Drug Enforcement Administration, whose agents also interacted with Lopez Londoño, never corresponded with him by BlackBerry or emails.

But the defendant's lawyers — in an effort to have the case dismissed before trial after a plea deal was rejected by the presiding judge, Donald Graham —said an ICE agent gave the informant a business card with both his official and personal email addresses, including a private password, "Panchito." The agent, Frank Burrola, gave the business card to Lopez Londoño when they met in Cartagena in 2009.

Lopez Lodoño, whose code name was "Assis," kept a few of the email messages from Burrola.

In closing arguments, his defense team highlighted one of the federal agent's emails that showed he was giving "authority" to the informant to gather evidence on the Urabeños gang and other Colombian traffickers. "Do whatever you have to do. Just get the job done!" Burrola wrote in one email kept by the defendant.

Another ICE agent, Stephen Monks, told Lopez Londoño in a BlackBerry message: "You're doing your job well. I'm happy with your work. Continue the same."

But in the end, the Miami federal jurors rejected the one-time informant's public authority defense. His attorneys, the Hernandezes, said they were "obviously disappointed with the outcome" and would pursue an appeal.

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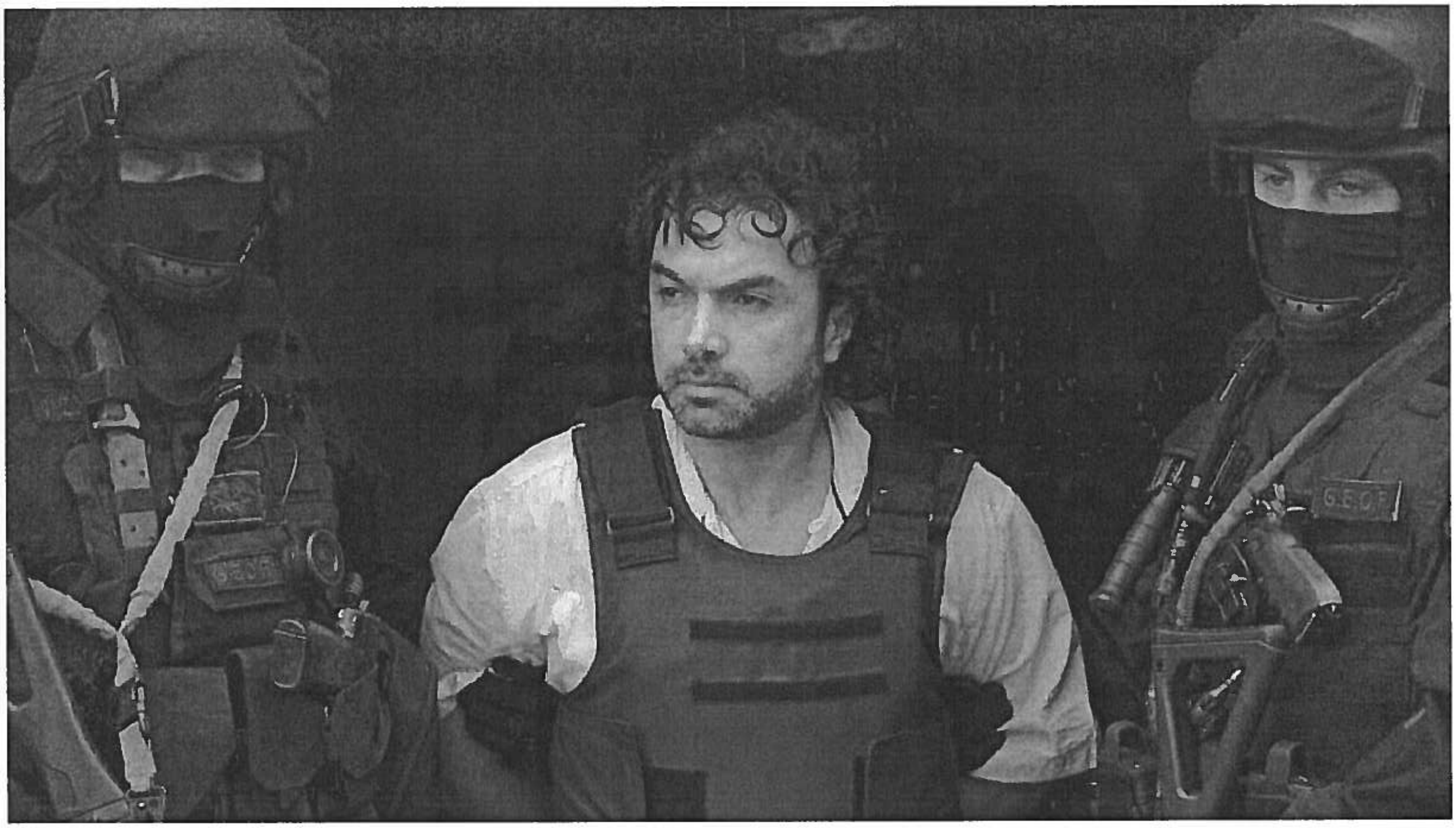

NATION & WORLD

Convicted U.S. informant escapes life term for role in huge Colombian coke ring

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In the end, a convicted Colombian drug lord who spied on Latin America's underworld for the feds caught a slight break as a Miami judge Monday gave him 31 years in prison instead of life.

Henry De Jesus Lopez Londoño, who once headed one of Colombia's cartels before going undercover to inform on Mexican kingpin "El Chapo" and other major traffickers, has already been in custody since his arrest in 2012. So, with credit for that period and future gain time in prison, the 48-year-old Medellin native has 20 years left to serve.

Lopez Londoño received some leeway from U.S. District Judge Donald Graham. He said the amount of cocaine smuggling alleged in the conspiracy — some 60,000 kilos between 2007 and 2012 — was "staggering," but he also questioned the prosecutors' claims that the defendant ordered numerous killings and therefore deserved a life sentence.

Also significant, Graham doubted prosecutors' assertions that Lopez Londoño provided nothing of value as a confidential informant to federal investigators, citing the testimony of an Immigration and Customs Enforcement agent who said he was "very helpful."

"In any other case with this amount of cocaine, a life sentence would be appropriate," Graham said. "But this case is unique."

Lopez Londoño began secretly working in 2010 as a confidential informant for ICE but was charged two years later in Miami with conspiring to distribute loads of cocaine and eventually extradited to the United States. At his lengthy trial earlier this year, Lopez Londoño testified that he felt “absolutely betrayed” when he was indicted and arrested in Argentina.

At the sentencing hearing, prosecutor Robert Emery continued to hammer away at Lopez Londoño's public authority defense, in which he claimed to have committed no wrongdoing because he was merely infiltrating criminal groups such as the powerful Urabeños at the direction of federal investigators. Emery said ICE "never authorized the defendant to send out any loads of cocaine or commit any violence" and that he "was two-timing the United States."

Emery, who prosecuted the case with Michael Nadler, said the judge should fine Lopez Londoño $10 million for his ill-gotten gains, which the judge refused to do for lack of evidence showing how much the defendant personally profited from the cocaine-distribution ring.

Lopez Londoño's defense attorneys, Arturo and Ramon Hernandez, devoted their efforts to avoiding a life sentence for their client. They argued that under the extradition agreement between the United States and Argentina, no life sentence could be imposed. They sought punishment in the 20-year range.

Although the father-and-son legal team plans to appeal Lopez Londoño's conviction on the single conspiracy charge, they expressed relief that he did not receive a life sentence.

To fight the conspiracy charge, Lopez Londoño's attorneys deployed a public authority defense, exposing him as a U.S. government informant who was acting under the direction of ICE agents. The attorneys argued that he was not breaking the law while he communicated with them on drug-smuggling deals after their first meeting in the fall of 2009.

The defense team also accused federal agents of betraying their client and covering it up by destroying BlackBerry mobile phone messages and emails of their correspondence, as Lopez Londoño spied on Colombian cocaine syndicates such as the Urabeños, Mexican drug lord Joaquin "El Chapo" Guzman's organization, and members of the al-Qaida terrorist network in South America.