

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA

CASE NO. 15789-15-CR-UNGARO

UNITED STATES OF AMERICA

vs.

JOSE PEREZ, Defendant.

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FACTUAL PROFFER IN SUPPORT OF GUILTY PLEA

The United States and Defendant JOSE PEREZ ("PEREZ") agree that had this matter proceeded to trial, the United States would have proven the following facts beyond a reasonable doubt:

1. Beginning in and around June 2016, Homeland Security Investigation ("HSI") agents began investigating a Bolivian Drug Trafficking Organization ("DTO") that was using mules to smuggle cocaine onboard commercial aircraft destined for the United States. On June 19, 2016, law enforcement received information that Bolivian airlines flight number 766, arriving from Viru International Airport in Bolivia would be transporting two suitcases carrying approximately 6 kilograms of cocaine. Once the aircraft landed at Miami International Airport, law enforcement recovered two suitcases containing approximately 5.5 kilograms of cocaine. The cocaine was field-tested and revealed a positive result for cocaine.

2. On June 21, 2016, an HSI Undercover Agent (UCA) was contacted by an unindicted co-conspirator to meet and deliver 2 kilograms of the 5.5 kilograms of cocaine to an unknown individual, later identified as defendant PEREZ. The HSI UCA provided the unindicted co-conspirator with the location of the meeting and a description of the HSI UCA's vehicle. Later that day, law enforcement observed a grey in color Mercedes Benz occupied by PEREZ enter a Staples parking lot located in Miami, Florida. PEREZ located and approached the HSI UCA's vehicle. The HSI UCA

made contact with PEREZ and showed PEREZ one (1) brick of cocaine that had an identifying mark from the original 5.5 kilograms of cocaine load. At that time, the HSI UCA asked PEREZ if this (referring to the one kilogram of cocaine) was PEREZ's "perico" (meaning cocaine). PEREZ claimed ownership and knowledge of the 2 kilograms of cocaine, asked about the type of bags that the cocaine was in, and where they were located. The HSI UCA told PEREZ that two suitcases were in the trunk and advised PEREZ to reverse his vehicle so they could place the bags inside the trunk of PEREZ's vehicle. PEREZ reversed his vehicle and placed the two suitcases in the trunk of his vehicle. Shortly after, PEREZ was arrested and taken into custody.

3. PEREZ was advised of his Miranda warnings and agreed to speak with law enforcement without an attorney present. Post-Miranda, PEREZ admitted to traveling to Miami, Florida in order to pick up the 2 kilograms of cocaine. He further stated that he was going to be paid \$5,000.00 for picking up the 2 kilograms of cocaine. PEREZ advised the agents that he was currently staying in hotel in the Doral area with a co-defendant Josefina Suarez.

4. An examination of the 5.5 kilograms tested positive for the presence of cocaine.

BENJAMIN G. GREENBERG  
ACTING UNITED STATES ATTORNEY