

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA,)	CASE NO: B-12-CR-005
)	
Plaintiff,)	CRIMINAL
)	
vs.)	Brownsville, Texas
)	
JUAN ROBERTO RINCON-RINCON,)	Friday, September 21, 2012
)	(8:15 a.m. to 9:28 a.m.)
Defendant.)	(9:55 a.m. to 11:30 a.m.)

TESTIMONY OF RAFAEL CARDENAS VELA DURING MORNING SESSION
OF JURY TRIAL - DAY 3

BEFORE THE HONORABLE HILDA G. TAGLE,
UNITED STATES DISTRICT JUDGE

Appearances:	See Next Page
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1 Brownsville, Texas; Friday, September 21, 2012; 8:15 a.m.

2 (Partial transcript; testimony of Rafael Cardenas-Vela)

3 (Jurors present)

4 THE COURT: Good morning, ladies and gentlemen.

5 Please be seated. Please bring the witness.

6 (Pause)

7 THE COURT: All right. Good morning, sir. Have a
8 seat in the witness chair.

9 (Pause)

10 THE COURT: You may proceed.

11 MR. YOUNG: Thank you, your Honor. Good morning,
12 Mr. Cardenas.

13 THE WITNESS: Good morning.

14 RAFAEL CARDENAS-VELA, GOVERNMENT'S WITNESS, PREVIOUSLY SWORN

15 DIRECT EXAMINATION (RESUMED)

16 BY MR. YOUNG:

17 Q Are you the same Rafael Cardenas-Vela that testified under
18 oath yesterday afternoon?

19 A Yes.

20 Q Okay. And do you realize you're still under oath?

21 A Yes.

22 Q And do you realize the same rules apply in terms of the
23 consequences to you if you lie under oath?

24 A Yes.

25 Q All right. I want to take you back to -- chronologically

1 your activities with the Gulf Cartel.

2 Do you know an individual that -- from certain people
3 go by the nickname of Ape?

4 A Yes.

5 Q And who is the individual you know that people call Apa?

6 A The individual who is called Apa is the boss. For
7 instance, I was in charge of a plaza and the workers who were
8 under me, instead of them calling me boss they called me Apa.

9 Q And do you know based on your experience with the Gulf
10 Cartel if other workers of plaza bosses would call their
11 commander, if you will, or their boss, Apa?

12 A Yes.

13 Q Now with regards to the defendant Juan Rincon who you
14 identified yesterday in court, do you know any nicknames that
15 -- do you know him by any nicknames?

16 A Yes.

17 Q What nicknames do you know him by?

18 A His code is X-5 but we call him by his nickname.

19 Q And if an individual goes by the code name of Ecex
20 (phonetic) or X, what does that designate? Who does he work
21 for or has worked for?

22 A The workers of (indiscernible) Costilla. They're called
23 just X (indiscernible 8:19:03). There's one, there's two,
24 there's three. And Primo, that's what they have to call Junior
25 in code name.

1 Q Now those individuals within the Ecex's group, who would
2 -- how would they refer to Costilla as?

3 A (Speaks Spanish) Apa.

4 (Pause)

5 Q Okay. Now let me ask you to -- you've just testified that
6 you were a plaza boss. I want to take you back to
7 approximately the year 2002. You testified yesterday that you
8 asked Oziel Cardenas if you could become the plaza boss of San
9 Fernando. Tell the jury what was the first thing you did when
10 you got the San Fernando -- or the first things you did to take
11 control of the plaza.

12 A The first thing I did was leave San Fernando
13 (indiscernible) once I got to San Fernando to speak to the
14 group ministerial to see what they would tell me
15 (indiscernible) help me going behalf Oziel that I was his
16 nephew.

17 Q Let me stop you for a second. Did you go to San Fernando
18 by yourself or did you bring people with you?

19 A No, I took people.

20 Q Okay. And for the jury, when we speak of a plaza, is a
21 plaza like a zocolo (phonetic) or a city square or is it
22 something different than that?

23 A That's how we call -- they say a tier (indiscernible) one
24 in charge of Matamoras who is also in charge of Cameron and the
25 one in San Fernando is in charge of Hidalgo. It's the

1 territory, like the (indiscernible) plaza.

2 Q Now you mentioned you went down with some people to San
3 Fernando.

4 Approximately how many people went with you to San
5 Fernando to take control of the town?

6 A There were ten to twenty people.

7 Q And after meeting with the ministerial commandant did you
8 meet with other people?

9 A Yes.

10 Q Who did you meet with?

11 A I had to (indiscernible 8:22:46) happened to meet some
12 people police and also the traffic, the highway federal
13 police, the newspapers, the TV, the mayor, to talk to them
14 because all of them have to work for me.

15 Q Okay. Now let me stop you right there. You said you put
16 people in place in some of these areas. Tell -- or
17 departments. Tell the jury how you did that.

18 A When you become in charge of a plaza, you have to place
19 your own people (indiscernible) ministerial police, highway
20 federal police, preventative, and traffic police, the one in
21 charge of alcohol, nothing goes to the newspaper and press or
22 they don't publish (indiscernible), the television, the mayor
23 so that he doesn't meddle with me.

24 Q All right. Let me stop you there. You say you do this
25 but how do you do it?

1 A I place my own people, the ones who work for me, in charge
2 there.

3 Q And do the bosses of these departments just automatically
4 allow you to do this?

5 A Yes.

6 Q And why is that? Is it because of your relationships or
7 the nature of the Gulf Cartel? How is it that they allow you
8 to do this?

9 A Because that's the way it is over there. The one in
10 charge of that plaza is the one that's going to control the
11 city.

12 Q Now did you meet with criminals also as part of your
13 initial duties with the Gulf Cartel in San Fernando?

14 A Yes. In San Fernando there had never been someone in
15 charge of that plaza. I was the first. There were people who
16 were there to work in drugs who would bring drugs, so I had to
17 speak -- to tell them that from now on I was going to be the
18 boss of that plaza. They had to obey me and that anything with
19 drugs; they had to report to me.

20 Q Let me stop you right there.

21 Are you familiar with the term piso?

22 A Yes.

23 Q What is a piso?

24 A Piso is a person who wants to enter a plaza. He has to
25 pay.

1 Q And is a piso different from apoya?

2 A Yes.

3 Q What is apoya?

4 A Apoya is something that Oziel created for members of the
5 cartel so that we can live on the salary that he pays per week.
6 You invest money to buy drugs at the same price as the cartel;
7 that was the apoya; that's what the apoya -- you invest money
8 to make money.

9 Q Then let me ask you this. With the plaza, are there
10 individuals who help move narcotics for the Gulf Cartel
11 directly and are there also who are independent of the cartel?

12 A Yes.

13 Q And what do the independent drug dealers have to do so
14 that the Gulf Cartel will not go against them?

15 A They have to buy the drugs from us.

16 Q What about -- how does the piso relate to independent
17 smugglers?

18 A Yes.

19 Q How does -- do they have to pay a piso also or no?

20 A Yes. Let's say that a person comes with 1,000 kilos of
21 marijuana. They have to pay \$50 per kilo of marijuana to enter
22 the plaza. If someone else comes with 10, 20 kilos of cocaine,
23 they have to pay \$500 per kilo.

24 Q What about alien smuggling? Is that something that the
25 Gulf Cartel is involved in and you were personally involved in?

1 A Yes.

2 Q How did that work?

3 A Like I told you yesterday, San Fernando is like a passage.
4 You have to pass through there. In order to get to the border
5 you have to go through San Fernando, through Monterrey. A lot
6 of people who are engaged in bringing illegal people just to go
7 through San Fernando they have to pay \$100 just to go through
8 there.

9 Q Do you recall approximate amounts of marijuana that would
10 pass through San Fernando, your plaza, during the growing
11 season and how it would be transported through?

12 A Yes.

13 Q Can you tell the jury approximately, during the growing
14 season, how much marijuana might pass through?

15 A Well, it was a lot of marijuana, a lot of tons.

16 Q Okay. And how would it come through San Fernando?

17 A It would come through in trailers. Since there was a
18 roadblock or checkpoint before, I had to bring them through the
19 dirt roads to go around the checkpoint. The people in charge
20 of the plaza in Matamoras, (indiscernible), and Reynosa, and by
21 Valle Hermosa, and Miguel Aleman, they would call me. "Listen,
22 Junior, I'm bringing 30 tons, 20 tons, help me to cross them
23 through the dirt roads," and I would cross them through the
24 dirt roads with own my people.

25 Q All right. Let me stop you there.

1 If you have a plaza boss from another plaza and they
2 make that phone call to you and they say "I have 20 tons," for
3 instance, or any amount. When you allow it to go through your
4 plaza, do you collect the piso?

5 A No.

6 Q What happened to the piso?

7 A Let's say someone in charge of another plaza called. He
8 says "Hey, Junior, help me cross 20 tons." Those 20 tons are
9 going through (indiscernible) -- going to pay me to bring in
10 those 20 tons so that you don't charge. (Indiscernible). That
11 is fine, okay.

12 Q Let me stop you there.

13 Let's say you are in your plaza and you have someone
14 that wants to bring in say a ton of marijuana through another
15 plaza, does the same thing work or how would that conversation
16 happen?

17 A They just let me know. They have to let me know. I don't
18 charge them and if they're going to Matamoras, Reynosa, I cross
19 them and I take them all the way over there.

20 Q I'm sorry. I may not have asked the question right. Let
21 me say -- the example is, it's one of your people and they call
22 you and say "Hey, I've got 1,000 pounds of marijuana and I need
23 to get it through Reynosa."

24 Do you call the other plaza boss to make those
25 arrangements or what happens?

1 A Oh, yes. If they're going to come through me, they're
2 going to cross in Reynosa, Matamoros. I call the one in charge
3 in Matamoros. This guy, he's coming through me and he wants to
4 go through Matamoros. He is going to pay me to enter so that
5 you know -- just let him know.

6 Q Now let me ask you. What are consequences if someone,
7 whether they're an alien smuggler or a drug smuggler, what are
8 the consequences or what can be the consequences if they don't
9 pay the piso?

10 A If they don't pay the piso the first then you fine him
11 more than what they're supposed to pay to enter or to cross and
12 if for the next time if they do the same thing, they don't pay,
13 they get punished. You don't allow them to cross anymore.

14 Q Do you know what the term -- do you know what a tienditas
15 is?

16 A A tienditas is where they sell drugs there in the streets.

17 Q And are there tienditas in various plazas?

18 A Yes.

19 Q And are the drugs that are sold there, are those drugs
20 meant to cross into the United States or is that for local
21 people in that plaza primarily?

22 A It's to consume locally.

23 Q And are these tienditas, are they -- do they make a lot of
24 money or a little money, or break even?

25 A They make a lot of money.

1 Q Okay. And for example -- why don't you give the jury an
2 example of say one kilo of cocaine.

3 How much might the Gulf Cartel make selling one kilo
4 of cocaine locally in a tienditas?

5 A Selling one kilo of cocaine in a tienditas, you can make
6 50,000 to 80,000 dollars.

7 Q Are you familiar with the term "cutting cocaine"?

8 A Yes.

9 Q Tell the jury what cutting cocaine is.

10 A From one kilo you make another one, you make two.

11 Q How do you do that?

12 A You buy a cut. One is called (indiscernible). You take a
13 kilo of the (indiscernible) and a kilo of cocaine and you blend
14 it together. You mix it, and then you make little bags of the
15 drug to sell.

16 Q Okay. With regards to your bribery payments in your
17 plaza, how much approximately might you pay the city police if
18 you did?

19 A Yes, I did pay. The federal preventive police the one --
20 the one up there, I would pay 100,000 pesos per month to the
21 main boss and then aside from that to the chiefs of groups from
22 30 to 50,000 pesos, and aside from to each people, we would pay
23 them 5,000 pesos per week; that's to the preventive police.

24 The highway federal police you would pay from 100 to
25 150,000 pesos to the main boss per month; aside from that, to

1 the commandant, to the lieutenant of the federal highway
2 police, 50,000 per month.

3 Now to the press, the newspaper people, those would
4 also get paid 20 to 50,000 dollars per month each.

5 Q Let me stop you there.

6 Where is this money coming from?

7 A From the revenues of the marijuana that arrives from the
8 piso, from the illegal aliens who cross through there, from the
9 little drug tienditas.

10 Q The amounts that you're talking about, are these in pesos
11 or dollars?

12 A In pesos.

13 Q Now with regards -- what would you get in return? And I
14 want you to focus on the police officers. What would you get
15 in return for paying this bribery?

16 A They would do whatever I would order them to do. That's
17 why I paid it, so that they would work for me, for them to do
18 whatever I told them to do.

19 Q Okay. Let me give you an example. Let's say that you
20 have 1,000 pounds of marijuana and they're coming through San
21 Fernando.

22 If you were to call up a police commander, what would
23 you tell them about that day if drugs were coming through the
24 city?

25 A If the drug was coming, I would tell him, "Hey, don't go

1 out today. I'm going to be working." I don't want you to go
2 on the street because I'll be working the street and then they
3 would go to their office and they wouldn't come out until I
4 gave them the order.

5 Q Was the police departments in the various plazas that you
6 worked at, starting with San Fernando, were the police
7 departments also a good place to recruit people to come work
8 for you directly?

9 A Yes, almost all of them are corrupt.

10 Q Let me ask you, are there other more national or federal
11 departments in Mexico that you also -- at least some element
12 you corrupted?

13 A Yes.

14 Q What types of entities were those?

15 A The naval, the Mexican army, the federal police, the
16 highway patrol, the siero (phonetic).

17 Q What is a siero?

18 A It's an investigation agency regarding drugs and petty
19 crime.

20 Q All right. Let me stop you there.

21 Everything I'm asking you about with regards to what
22 you did as a plaza boss in San Fernando, and we'll also talk
23 about the other plazas you were in control of, are these the
24 same types of activities that would be done by other plaza
25 bosses separate from you?

1 A Yes.

2 Q Is this what you would call maybe -- I mean is this like a
3 business plan? In other words, these are the things that a
4 plaza boss would do?

5 A Yes.

6 Q What about the politicians? Tell the jury how the Gulf
7 Cartel, you specifically and the Gulf Cartel, might try to
8 influence politicians both in the plaza and within the State of
9 Tamaulipas.

10 A Okay. When you become in charge of a plaza when they are
11 running for mayor you have to pay someone to -- the electives
12 so that they work for you. You fund a campaign and we name the
13 president so that when the president I need to tell him I need
14 you to change this one into police. I need you to change this
15 one into traffic and like that so that he would be -- he would
16 be under my orders.

17 Q Let me stop you there. When you refer to a president is
18 that -- are you talking about the mayor of the town?

19 A Yes.

20 Q How would your corruption also apply to politicians for
21 the State of Tamaulipas, in general?

22 A Let's say like the head of the cartel and the constable,
23 in the Gulf Cartel, it includes the entire State of Tamaulipas,
24 and the same way as you would pick mayors in each plaza that's
25 how we would also place governors.

1 Q Let's get back to your plaza activities and the plaza
2 activities of a given -- you know, any plaza boss.

3 And when you testify, if you talk about a
4 responsibility that you did but that was unique to you and no
5 one else please distinguish that. Otherwise, when I ask you
6 questions about what are you doing let the jury know if that
7 applies to all plaza bosses.

8 A Uh-huh.

9 Q Okay?

10 A Yes.

11 Q Now generally speaking, how does a plaza boss maintain
12 peace and control in the plaza?

13 A That's why you place someone in charge in the police so
14 that there's no problem in the town so that the town would be
15 calm, tranquil. The one responsible for the plaza everything
16 that happens there is like, for instance, me -- I was
17 responsible for them. And so to me it's not beneficial or
18 convenient that there's robberies, deaths, kidnappings, that's
19 why we have to keep the plaza in peace, tranquil, so that
20 there's no problem, so that the army or the naval don't come to
21 us.

22 Q Let me stop you there. Let's say you have a dispute in
23 your plaza between independent drug smugglers.

24 Do you make any efforts to settle that dispute?

25 A Yes.

1 Q And let's use a different example.

2 Are there rival cartels?

3 A Yes.

4 Q Is the Gulf Cartel the only drug trafficking cartel in
5 Mexico?

6 A No.

7 Q Have there been and have you -- are you aware of battles
8 for plazas?

9 A Yes.

10 Q So what would your role be in a plaza for the Gulf Cartel
11 if a rival cartel tried to come into your town?

12 A Not allow them to enter and fight them.

13 Q Let's talk about surveillance in your plaza.

14 Did you use different techniques for surveillance to
15 assist you in maintaining control of the plaza?

16 A Yes.

17 Q Tell the jury what types of surveillance would you use.

18 A I had people following on the streets, at the edges of
19 town, boulevards. You call those guards. Besides that, in
20 town along the main streets where they began and they ended,
21 the exits and entrances, I had cameras so I could see the
22 license plates of cars from other states when (indiscernible).

23 Q Did you have people watching these videos for you or are
24 you the only one watching them?

25 A I had officers viewing all the cameras and the monitors.

1 I had them in the entire city, in the police office, in the
2 city hall, the exits and entrances to the town.

3 Q Let me stop you there.

4 What you're describing in terms of the use of cameras
5 at high traffic areas and in important buildings, was that
6 unique to you only or was that standard procedure for all the
7 plaza bosses to do?

8 A No, all of us in charge of a plaza did that.

9 Q Let's go to the second type of surveillance.

10 What about telephones? Did the Gulf Cartel at each
11 plaza, including you directly, do anything to manipulate
12 telephones to help you in your drug trafficking?

13 A Yes.

14 Q What did you do?

15 A We would download the calls. We had people working in
16 Mexico and I would download the call. I would listen to
17 everything going on. I would listen in hotels, public phones,
18 city hall, police, the press. Everything that they would say I
19 would listen.

20 Q Are you familiar with the term "wiretapping?"

21 A Yes.

22 Q Is that what we're talking about?

23 A Yes.

24 Q Now would you listen to every call by yourself or would a
25 plaza boss, was that part of his responsibility? Could he

1 listen to everything or how did you maintain some sort of
2 supervision over that?

3 A The people who was in charge of that, they were listening
4 to that and they would listen to something that was related
5 against me or the cartel. They would bring me disks. It would
6 say "Look, boss this -- here it is. This person is saying this
7 about you" and then I would listen.

8 Q Was listening to phones at various important places in a
9 plaza, was that unique only to you in your control of your
10 plazas or was that standard practice for plaza bosses through
11 the Gulf Cartel?

12 A No, all of us in charge of a plaza would do that. We had
13 to have -- it's part of -- everyone in charge of a plaza has
14 that so that you can be checking on the plaza so that another
15 cartel doesn't come in or all of that. Someone who wants to
16 betray me or wants to tell the soldiers where I am, all of
17 that, that is what it is used for.

18 Q Okay. Now let me ask you about dancers.

19 Would the Gulf Cartel at various plazas, including
20 you, pay dancers?

21 A Yes.

22 Q All right. Tell the jury what we're talking about.

23 A At the bars where there's women working you choose several
24 women who work there so that they can be telling me everything
25 that goes on there, who goes there to drink, what they're

1 talking about, you know, how people when they're drunk they
2 talk, and talk, and talk. That's how I would learn what the
3 people when they go in there, what they were saying, if they
4 were talking bad about me or someone else.

5 Q Was the use of workers at these bars, was that a helpful
6 part of your intelligence activities?

7 A Yes.

8 Q And again, was this standard practice with the Gulf Cartel
9 or was this an invention by you to use dancers?

10 A All of us do that.

11 Q All right. Let's go back to the apoya. You had mentioned
12 the apoya as being a creation of Oziel Cardenas and that it was
13 a way for workers to invest their salary to make more money.

14 Can you give an example of how the apoya would work?

15 Q Yes. Back then when Oziel was in charge, let's say a kilo
16 of cocaine, once placed on the border that the Cartel had
17 brought, it was worth \$6,000. So if I had \$6,000 with me, I
18 would bring \$6,000 and I'd say I wanted one kilo.

19 Q Let me stop you right there. You mentioned when Oziel was
20 in charge.

21 What year was it that -- what happened to Oziel back
22 several years ago?

23 A (Indiscernible) was created by Oziel at that apoya that
24 (indiscernible) kept on up until the time that I was arrested.

25 Q But you're using the example of when Oziel was in charge.

1 So more or less, what year are we talking about?

2 A Ninety-eight to two thousand three.

3 Q Okay. So your example is you can invest and buy a kilo of
4 coke for approximately 6,5000. Okay?

5 A Six thousand.

6 Q Six thousand, excuse me.

7 So how much profit might you get as it goes north?

8 In other words, how does the apoya profit?

9 A I would invest \$6,000. The kilo would arrive to the
10 border and once at the border it was worth \$11,000. So they
11 would give you the kilo, they would sell it to you. Let's say
12 they sold it for 11,000 then you made 5,000. You invested
13 6,000, you made 5,000.

14 Q Were there times that the apoya, a specific apoya,
15 wouldn't stop at the river? In other words, it would be sold
16 in the United States instead to make more profit?

17 A Yes.

18 Q Okay. And using the example that you've just used, back
19 during Oziel's time, how much might a kilo of cocaine then be
20 sold say for instance in Brownsville instead of right at the
21 border?

22 A At the border it was worth 11,000. If you cross it to
23 this side it was worth 12,500. Crossing the river to this
24 side, if you would take it all the way to Houston it was worth
25 14,500 so you made more.

1 Q And would that price continue to go up the further north
2 or away from the border the kilo went?

3 A Yes.

4 Q After Oziel -- after 2003 in other words when Oziel was no
5 longer in charge or in Mexico of the Gulf Cartel, again, what
6 happened to the apoya? Did it die if you will or did it go
7 forward?

8 A It continued.

9 Q Did you do your own apoyas separate from other plazas?

10 A Yes.

11 Q Was it common for -- in the Gulf Cartel for each of the
12 plaza bosses to do apoya?

13 A Yes. Each one in charge of a plaza, say they have people
14 under him, you do the same for your whole people.

15 Q All right. Now let's talk about recruitment and I'm
16 talking about getting people in place that work for you as a
17 plaza boss and your experiences of the Gulf Cartel in general
18 recruiting people to work for the Gulf Cartel. Okay.

19 What type of people and what type of professions are
20 you looking for when you're trying to recruit someone to work
21 for you within the Gulf Cartel?

22 A We would recruit people from the army who knew about
23 firearms, from the naval, the Mexican army, (indiscernible) and
24 those are the (indiscernible) El Salvador.

25 Q What about police officers?

1 A Yes.

2 Q And the Zetas, the Zetas were created by who?

3 A Oziel.

4 Q And what were the Zetas as a group initially? What type
5 of people were they?

6 A It was a group from the Mexican army. They were gafes.

7 Q Is "gafes" a term for special forces?

8 A Yes. The special forces group from the Mexican army.

9 Q Now after a period of time is it harder to recruit from
10 the military and the police? In other words, do you also have
11 to turn to other types of civilians?

12 A Yes.

13 Q What types of civilians?

14 A We would recruit people that were wandering the streets,
15 young men, criminals who are -- who steal, the ones who have
16 been in jail, those delinquent criminals who have -- those are
17 the men we recruit.

18 Q And did you and other plaza bosses of the Gulf Cartel have
19 some form of a training academy or did you just give a young
20 kid a weapon and say "Follow me"?

21 A Yes, you had a person who would train them.

22 Q And what type of person would train them?

23 A Someone who has either been a gafe or a (indiscernible)
24 who was an instructor who knew about firearms.

25 Q Were the people at the academy paid while they were being

1 trained?

2 A Yes.

3 Q How much approximately might they be paid?

4 A Two thousand pesos per week.

5 Q Okay. What type of training would the trainee go through
6 to prepare him or herself to work in the cartel?

7 A We would recruit men and women. First of all, you would
8 teach them how to use firearms and also we would teach them to
9 be loyal to me because I was their boss. They would teach them
10 -- teach them how to watch out for me or take care of me. We
11 would teach them how to fight in case of a battle with another
12 cartel. They would tell them what to do. Many of them didn't
13 know how to drive and they were taught how to drive. Many of
14 them didn't know how to be in the brush so they were taught how
15 to walk in the brush. They were taught many things, like a
16 soldier.

17 Q Like for instance, would you -- would they go out and
18 practice how to shoot their weapons?

19 A Yes.

20 Q What about caring for their weapons? Was there any
21 instruction on how to clean and take care of their weapons?

22 A Yes.

23 Q Were they taught what to do if one of their partners, for
24 instance, in a fight was shot?

25 A Yes.

1 Q What were they trained to do if one of their partners was
2 shot, if they could?

3 A Let's say in a battle your partner had been injured or
4 killed they had to rescue him and bring him, take them to the
5 -- for treatment.

6 Q Okay. How about communications? Were they taught
7 anything regarding communications?

8 A Yes. Aside they were taught how to handle and use radios,
9 learn the codes for radios. Through the radio you speak
10 everything in code because if they are listening to us they
11 don't know what we were talking about; that's why they are
12 taught that.

13 Q Okay. Let me stop you there.

14 When a member of the Gulf Cartel is traditionally
15 speaking on a phone or a radio whether it's in Matamoras or
16 whether it's in the United States or Mexico, whether it's in a
17 prison or just out on the street, are they taught to talk in
18 code?

19 A Yes.

20 Q And why is that? You said they know they're listening so
21 if you can tell a little bit more to the jury about why is it
22 that you talk in code.

23 A It is because the federal authorities, or the army, or the
24 navy, they have special equipment to listen to you. So then if
25 you speak in codes they don't know your codes; like the reason

1 for that is that they are taught how to speak on the phones,
2 how to speak.

3 Q How long would -- might an academy normally last?

4 A Two to three months.

5 Q Would you run academies shorter than that if you had to?

6 **THE INTERPRETER:** I'm sorry. The interpreter didn't
7 hear your question.

8 Q Would you run an academy for a shorter period of time than
9 that if you had to?

10 A Yes.

11 Q The academy, the functions, the instruction that you're
12 talking about, again, is that specific and unique to you and
13 your plaza or is that specific to all the plazas?

14 A It's something that all the plaza bosses do.

15 Q I want to now ask you some questions about how much it
16 costs you as a plaza boss or any plaza boss, how much it costs
17 to outfit a soldier or at least what you term as a soldier.

18 What is an approximate salary for someone who is
19 working with the Gulf Cartel and I'm talking about as security,
20 as you term it a soldier.

21 A Once a person leaves the academy or their training, when
22 they're ready to work, with equipment it's \$8,000 per person.

23 Q How much would the salary be of that 8,000?

24 A During training they were paid \$2,000 but when they're
25 ready they're paid 4,000 --

1 Q How much would a weapon cost?

2 A -- pesos.

3 Q How much would a weapon cost?

4 A The long arm, the 15, the (indiscernible), people who are
5 engaged in selling firearms, they sell long arms for 2,500.

6 Q And is that 2,500 in pesos or United States for a weapon?

7 A Dollars.

8 Q Are you familiar with the term "cuerno de chiva"?

9 A Yes.

10 Q What is that term?

11 A It's a long arm that is called AK-47, cuerno de chiva.

12 Q What other types of items would you purchase to outfit
13 each particular worker or as you term it soldier with the Gulf
14 Cartel?

15 A His gun, pistol, a bullet proof vest, his uniform, his
16 boots, his helmet, and another vest where they place the
17 magazines. Each soldier is given from eight to ten magazines.

18 Q What other types of weapons would you buy and I'm not
19 talking about for each individual worker but, you know, bigger
20 arms that you would buy or heavier arms that wouldn't go to
21 each individual but that you would have as part of your plaza?

22 A Yes.

23 Q What types of things?

24 A Fifty calibers would be bought, a thousand rounds, of a
25 thousand rounds. There's others with magazines of ten rounds.

1 We would buy grenade --

2 Q Grenade?

3 A Grenade, true grenades.

4 Q Are you familiar with the term, okay, rocket launcher?

5 A Yes, the instrument. Bazookas. I don't know if you have
6 seen those.

7 Q What about cars? Were there any special cars you would
8 also buy to assist the Gulf Cartel?

9 A Yes, bulletproof cars, Suburbans.

10 Q But were there any unique cars beyond just buying a
11 Suburban or something like that for protection?

12 A Bulletproof cars.

13 Q Exactly. I'm sorry, that's what I was getting at.

14 Bulletproof cars. Would you -- would the Gulf
15 Cartel, you specifically, and plaza bosses generally, purchase
16 bulletproof vehicles?

17 A Yes, all of the cars are bulletproof cars.

18 Q And how much, based on your experience, might a
19 bulletproof car cost to purchase in Mexico, just one?

20 A It would vary because Suburbans are more expensive than
21 trucks or cars. A Suburban would be \$160,000. Trucks, 140;
22 cars, 80,000 to 100,000.

23 Q All right. Now let me ask you some questions about how
24 the Gulf Cartel, you specifically, the Gulf Cartel in
25 particular or general, excuse me, would take care of the people

1 who worked for you.

2 What would happen if a worker for the Gulf Cartel got
3 sick or got killed in the line of -- just got killed?

4 A The ones who would get sick would get paid -- we would pay
5 them the doctor, the clinic. They would go home until they
6 recovered and they would get paid a week. The ones who die,
7 the family would continue to be paid but not the full payment.
8 They would get paid half.

9 Q What about the funeral expenses for a worker who was
10 killed?

11 A Also the funeral expenses would get paid.

12 Q What would happen to the family if a worker was in jail or
13 in prison with regards to money?

14 A Also they would get paid half. They would get paid the
15 same but half.

16 Q Does the Gulf Cartel, both you specifically in your plaza,
17 as well as in general, would they regularly employ medical
18 personnel from time to time?

19 A Yes.

20 Q What types of medical personnel are we talking about?

21 A Doctors, nurses, have them ready in case of a battle or
22 (indiscernible) happen.

23 Q What about pharmacies?

24 A Yes.

25 Q Did each plaza boss -- how did you keep account of all

1 this money that's coming and going from families, to bribes, to
2 profits? How do you keep count of it all as a plaza boss?

3 A For each department you have an accountant to handle the
4 money. There's an accountant to pay the people. There is an
5 accountant who's going to be in charge of the cocaine. There's
6 another accountant who's going to be in charge of the
7 marijuana. There's another accountant who's going to be in
8 charge of the revenues or the piso. There's another accountant
9 who is in charge of the tienditas. That's why you put an
10 accountant for everything because I cannot handle everything
11 together.

12 Q Now during your time with the Gulf Cartel, because of
13 internal struggles, also struggles with rival cartels, did
14 plaza bosses change over time?

15 A Yes.

16 Q What would happen to the prior plaza bosses debts for his
17 plaza, for the new plaza boss? Would he inherit those debts or
18 would -- or no?

19 A When a new plaza boss came he would place his own people
20 and from then on let's say I got today to this plaza, my
21 responsibility is from now on until I'm here in this plaza.

22 Q I want to ask you a few questions about the control of
23 local businesses within your plaza as well as what a
24 traditional plaza boss would do in his plaza.

25 What types of local businesses would you control?

1 A The sale of drugs, the tienditas, the same marijuana
2 (indiscernible), illegals, the fees from the deposits in bars,
3 drug stores.

4 Q Are you familiar with a store called (indiscernible
5 9:22:18)?

6 A Yes.

7 Q And how would that relate to the Gulf Cartel?

8 A That's what the little tienditas are called
9 (indiscernible).

10 Q And then what about utilities, and water, and irrigation,
11 and businesses like that in a city? Would you have some sort
12 of control over those or no?

13 A Yes.

14 Q And how would you exert control over these types of
15 companies?

16 A In Mexico on the border at many plazas the people from the
17 federal electric commission, they make arrangements with people
18 so I had to pay electricity. So they have to pay us a fee
19 because they fix the meters so that they are not charged that
20 much electricity.

21 An example, let's say I get a bill for electricity of
22 10,000 pesos per month. The people working for the federal
23 electric commission are in charge of making sure that my
24 electric bill is not for 10,000 but 3,000. My bill is going to
25 come out at 3,000 plus. I'm going to pay them 1,000 for fixing

1 it. So, now -- by now they already collected 1,000 pesos and
2 those 1,000 pesos they have to pay the plaza 500, 500 for them
3 and half for the plaza; that happens with the federal electric
4 commission. With the water utility it's the same thing.

5 Q Let me ask -- okay. Starting in 2002, were you familiar
6 with the various people that were both the head of the Gulf
7 Cartel, the high ranking members of the Gulf Cartel, assistance
8 to those high ranking members, and also plaza bosses of the
9 Gulf Cartel?

10 A Yes.

11 **MR. YOUNG:** Your Honor, at this point, we would ask
12 that the witness be able to step down. We intend to show some
13 photos on a magnetic board as we've addressed outside the
14 presence of the jury for him to go through the history of the
15 Gulf Cartel during various stages.

16 **THE COURT:** Let's take a 20 minute break.

17 Members of the jury, during this recess you are still
18 under my admonishment that you must not form or express any
19 opinion about the facts of this case and cannot do so until it
20 has been submitted to you for your deliberations. Thank you.

21 **THE MARSHAL:** Please rise for the jury.

22 **(Jurors exited courtroom at 9:26 a.m.)**

23 **THE COURT:** Thank you. Please be seated. Well,
24 let's standby but in the future I want the witness also to
25 stand before the jury is taken out. All right. So go ahead

1 and take him back to the cell.

2 (Pause)

3 THE COURT: Are the exhibits that the government is
4 referring to the 24 series A through G?

5 MR. YOUNG: Yes, your Honor. Back here behind us is
6 a large board that's been facing away from the jury, of course.
7 It's a magnetic board and we intend to introduce for
8 demonstrative purposes the photos because many of them will
9 stay the same and then some will change but at each period of
10 that chart, in other words, at each year of, you know, some
11 sort of reference point if you will, then I would present each
12 of those charts and it should reflect the movable chart at that
13 time.

14 THE COURT: All right. Well, what I need for you to
15 do then is to -- I've got copies of what you're referring to
16 but they're not numbered sequentially on what I can see so make
17 sure that that is -- what I have, is numbered in the same
18 sequence that you have got that you've shown Mr. Zayas.

19 MR. YOUNG: Yes, your Honor.

20 THE COURT: All right, thank you.

21 THE MARSHAL: All rise.

22 (A recess was taken at 9:28 a.m.; proceeding resumed at
23 9:55 a.m.)

24 THE CLERK: All rise.

25 //

1 **THE COURT:** Thank you. Please be seated. Please
2 bring in the witness.

3 Mr. Young, you may proceed.

4 **MR. YOUNG:** Thank you, your Honor.

5 **DIRECT EXAMINATION (CONTINUED)**

6 **BY MR. YOUNG:**

7 Q Mr. Cardenas, let me ask you a couple of clarification
8 questions before we begin with the charts. With regards to
9 what you've testified to with the large amounts of marijuana
10 and cocaine that the Gulf Cartel had, both you specifically as
11 well as the cartel in general -- and I'm talking about the
12 period from 2002 until up to your arrest. Was the majority of
13 the cocaine and marijuana -- where was it destined for? Was it
14 to stay in the United Mexican States or was it to go somewhere
15 else?

16 A Most of the drugs comes to the United States.

17 **MR. YOUNG:** With the Court's permission, may I
18 approach the chart, your Honor?

19 **THE COURT:** Yes.

20 **MR. YOUNG:** May I ask if the witness upon questioning
21 could step down for just a minute?

22 **THE COURT:** Yes.

23 **(Counsel and witness approached the chart)**

24 **THE COURT:** I'll ask that at least one of the
25 Marshals be there. Thank you.

1 Mr. Zayas, can you view -- can you see the entirety
2 of this board that has now been --

3 **MR. ZAYAS:** Not quite but the majority of it.

4 **THE COURT:** If you -- I suggest maybe that you might
5 move to the end of the table to make visibility easier.

6 **MR. YOUNG:** Thank you, your Honor.

7 **MR. ZAYAS:** That's better.

8 **THE COURT:** All right, thank you. Go ahead.

9 **MR. YOUNG:** Thank you, your Honor.

10 **BY MR. YOUNG:**

11 Q Mr. Cardenas, I'm going to show you -- have you seen this
12 -- this top picture, have you seen this truck before?

13 A Yes.

14 Q And have we discussed at various times within the Gulf
15 Cartel the relative positions of people that you know were part
16 of the Gulf Cartel?

17 A Yes.

18 Q And have you and myself and the agent worked on certain
19 periods of time from 2002 until 2011 where there were changes
20 within the Gulf Cartel?

21 A Yes.

22 Q Did we talk about every change in the Gulf Cartel or just
23 during certain periods of time?

24 A Yes, each change.

25 Q Were there other changes in different years that we did

1 not discuss or go into?

2 A No. From 2002 to now.

3 Q Well, we'll start with 2002.

4 A Okay.

5 **MR. YOUNG:** And, your Honor, let the record reflect
6 we're over here using our laminated-type photos of individuals
7 that I'm asking the witness to identify on a magnetic board and
8 at the end of each particular year, we will attempt to
9 introduce a chart that will reflect that particular event.

10 **BY MR. YOUNG:**

11 Q Who is this individual right here?

12 A Oziel Cardenas-Guillen, my uncle. He's the boss of the
13 Gulf Cartel.

14 Q And I'm going to ask you to place a picture of
15 Mr. Cardenas-Guillen at an appropriate place on the board
16 denoting his role in 2002. Did Oziel Cardenas in 2002 have
17 people under him that were considered second in command?

18 A Yes.

19 Q Do you recall who they were?

20 A Eduardo Costilla, my Uncle Tony Tormenta and Heriberto-
21 Lazcano-Lazcano.

22 Q Who is this individual right here?

23 A It is Eduardo Costilla.

24 Q Would you please place him at an appropriate place? Who
25 is this individual?

1 **THE COURT:** Excuse me. Mr. Young, in the future,
2 don't publish what you're showing to the witness to the jury --

3 **MR. YOUNG:** I'm sorry --

4 **THE COURT:** -- until after he has testified.

5 **MR. YOUNG:** -- I'm sorry, your Honor.

6 **BY MR. YOUNG:**

7 Q Who is this individual?

8 A Tony Tormenta, my uncle.

9 Q Could you please place him in an appropriate place on this
10 chart? Who is this individual?

11 A Heriberto Lazcano-Lazcano.

12 Q Did your Uncle Tony Tormenta have any individuals who
13 worked directly under him?

14 A Yes.

15 Q Who is this individual?

16 A He's Gama.

17 Q Please point -- put him in an appropriate place. Was
18 there another individual that was second in command -- I'm
19 sorry -- a lieutenant to Tony Tormenta in 19 -- in 2002?

20 A Yes.

21 Q What is that individual's name?

22 A Omar El Barracho.

23 **MR. YOUNG:** For the record, your Honor, we do not
24 have a photo of him. We have a silhouette with the name of the
25 individual.

1 **BY MR. YOUNG:**

2 Q Would you please place the name Barracho with the
3 silhouette in the appropriate place? Did Jorge Eduardo
4 Costilla himself have particular lieutenants?

5 A Yes.

6 Q Who is this individual here?

7 A Tony Alaza-Alir (phonetic), aka El Amarillo.

8 Q Was there another nickname for him as well, known as
9 Amarillo?

10 A Amarillo. Juan Rincon, Roberto Rincon-Rincon also known
11 as El Primo or X5.

12 Q Is that the individual that is the Defendant in this case?

13 A Yes.

14 Q Is that the individual that you identified in court
15 yesterday?

16 A Yes. Wicho, also known as XW.

17 Q Let me show you what has been introduced into evidence as
18 United States Exhibit 8 and ask by looking at it, who this
19 weapon might belong to.

20 A To Wicho, to XW. It's El Flaco Emilio Montes. El Viejo
21 Fox.

22 Q Was this one of the individuals that was at the office
23 when you met with OCL that you saw the defendant back in 2000
24 and -- late 2001 approximately?

25 A Yes. El Guapo. Mario Pelon, X20.

1 Q Was an individual that you knew as -- we don't have a
2 photo of the individual -- let me hold this one for you. This
3 individual?

4 A Coccocho. That one is Guerra X18. That one is Licenciado
5 Galo-Perez. Lizarde.

6 Q Are we missing one there in regards to the lieutenants of
7 Costilla?

8 A Yes.

9 Q Who is that individual?

10 A Hugo Ponce, X1.

11 **MR. YOUNG:** For the record, your Honor. we do not
12 have a photo of Hugo Ponce X Uno. We have a silhouette.

13 **BY MR. YOUNG:**

14 Q Now, let's go to the plaza bosses. Who was the plaza boss
15 of San Fernando?

16 A Me.

17 Q Is this a photo of you?

18 A Yes.

19 Q Who is the plaza boss of Tampico?

20 A J.C.

21 Q Who is this a photo of?

22 A J.C.

23 Q By the way, Mr. Cardenas, are Costilla's lieutenants --
24 are they arranged in a particular order or is this just a
25 collection of them and is not necessarily defined in any way?

1 A No, they were all same.

2 Q Who was the plaza boss of Valle Hermosa?

3 A Paco Banda.

4 **MR. YOUNG:** Your Honor, for the record, we also deny
5 the photo of Paco Banda and there is a silhouette to take this
6 individual's place.

7 **BY MR. YOUNG:**

8 Q Ciudad Victor?

9 A El Pumer.

10 Q Who is this?

11 A Pumer.

12 Q Who was the plaza boss in 2002 in Matamoros?

13 A Gabriel Montes, also known as Sierra, Gabriel Montes
14 Sierra.

15 Q Was there a plaza boss in the control area back in 2010?

16 A No.

17 Q Why is that?

18 A Because control belongs to Matamoros.

19 Q Were there times where authorities of plaza bosses would
20 change over time in the Gulf Cartel?

21 A Yes.

22 Q Who is the plaza boss in Reynosa?

23 **THE INTERPRETER:** Who is?

24 /

25 //

1 **BY MR. YOUNG:**

2 Q Who was -- I'm sorry -- in 2000?

3 A Gollo Saucedo. Gollo.

4 Q The Metro designation, is that a call sign for a
5 particular group?

6 A Yes.

7 Q And what type of a call sign is that? Who was responsible
8 for that call sign?

9 A The Metros were created when Oziel created a group of
10 "Metros" and "Zetas."

11 Q Who is in control of the plaza boss in Rio Bravo in 2002?

12 A El Gordo Lam. El Gordo Lam.

13 Q Miguel Aleman?

14 A Metro Tres, Samuel Flores. Metro Tres, Samuel Flores.

15 Q And, finally, with regards to the plaza bosses, who was in
16 control at Ciudad Mantes?

17 A El Gavilan.

18 **MR. YOUNG:** And, your Honor, for the record, this
19 also -- we do not have a photo of El Gavilan. So there is a
20 silhouette to take its place.

21 **BY MR. YOUNG:**

22 Q Who is this individual?

23 A Cachetes.

24 Q Where would he go?

25 A He's a lieutenant from Lazcano. Miguel Trevino, Zeta 40.

1 Q Where would he go?

2 A He's a Lazcano lieutenant.

3 **THE COURT:** Mr. Young, allow the answer to be
4 translated before you interject another question.

5 **MR. YOUNG:** I'm sorry, your Honor.

6 **BY MR. YOUNG:**

7 Q Where would he go again? I'm sorry.

8 A With Lazcano's lieutenant. Taliban.

9 Q Where would he go?

10 A He's a Lazcano lieutenant. Braulio, also known as
11 El Gonzo, Lazcano's lieutenant.

12 Q Who is this?

13 A Zeta 42, brother of Miguel Trevino.

14 Q Where should he be placed?

15 A Lazcano's lieutenant. El Paiza, Lazcano's lieutenant.

16 Q Is there another person that should be on the board in
17 2002 regarding the Gulf Cartel as a lieutenant of Lazcano?

18 A Yes.

19 Q Who is that?

20 A The Tacataca.

21 **MR. YOUNG:** For the record, your Honor, we do not
22 have a photo of Tacataca. We have a silhouette to take its
23 place.

24 //

25 //

1 **BY MR. YOUNG:**

2 Q Now, Mr. Cardenas, does this approximate -- is this
3 everybody that worked in the Gulf Cartel in 2002?

4 A Yes. There are others that -- since they were not in
5 charge of a plaza, they're not here.

6 Q So my point is, are there other people that work for the
7 Gulf Cartel in Mexico and even in the United States that's not
8 on this board?

9 A Yes.

10 Q Is this designed to reflect the approximate structure of
11 the high level of leadership of the Gulf Cartel in 2002?

12 A Yes.

13 Q And besides being related to Oziel Cardenas-Guillen and
14 Antonio Costilla Cardenas-Guillen, have you personally met
15 every individual on this board?

16 A Yes.

17 Q And have you personally in your activities and your
18 responsibilities -- as a plaza boss starting in San Fernando in
19 2002, have you personally engaged in discussions regarding
20 narcotics trafficking for the Gulf Cartel in an effort to
21 import into the United States large amounts of cocaine and
22 marijuana?

23 A Yes.

24 **THE COURT:** Sir, have a seat in the witness chair.

25 **(Witness returned to witness stand)**

1 **BY MR. YOUNG:**

2 Q Mr. Cardenas, with regards to Cachetes, Number -- up
3 there, the lieutenant, did he have a relative ranked amongst
4 those individuals back in 2002?

5 A Yes.

6 Q What was he?

7 A He was the second one from Lazcano.

8 Q In regards to Zeta Cuarenta, Miguel Angel Trevino-Morales,
9 did he also have a role relative to the other lieutenants?

10 A Yes.

11 Q And what was he?

12 A He was the third, the third one.

13 Q I'm going to hand you what has been marked for
14 identification purposes as United States Exhibit 24A and ask
15 you to compare that to the chart that is on the board. And I'm
16 going to ask you if that -- if this chart in United States
17 Exhibit 24A is a duplicate or an exact copy of what is before
18 the jury except that that chart does include your recent
19 testimony designating Cachetes as second in command and Zeta
20 Cuarenta as third.

21 A Yes.

22 Q And does this chart represent the basic high-level
23 structure of the Gulf Cartel in 2002?

24 A Yes.

25 Q Okay.

1 **MR. YOUNG:** Your Honor, the United States offers
2 United States Exhibit 24A into evidence.

3 **MR. ZAYAS:** Your Honor, I'd like to have opportunity
4 to voir dire the witness.

5 **THE COURT:** For what purpose?

6 **MR. ZAYAS:** To see if his knowledge of Lazcano and
7 his personal knowledge of (indiscernible)

8 **THE COURT:** You can bring it out on cross. Request
9 denied.

10 **MR. YOUNG:** We would offer 24A, your Honor.

11 **THE COURT:** That being the only objection -- the
12 request for voir dire having been denied, that objection to the
13 request being denied is overruled. The exhibit is admitted.

14 **(Government's Exhibit Number 24A was received in evidence)**

15 **MR. YOUNG:** Thank you, your Honor.

16 **BY MR. YOUNG:**

17 Q Mr. Cardenas, can you -- you've discussed what a plaza
18 boss does both specifically with what you've done in general
19 starting in San Fernando and also what plaza bosses would do
20 with the Gulf Cartel. With these lieutenants, both with
21 Costilla, what is defined as Tony Tormenta and your uncle and
22 Lazcano's lieutenants, tell the jury since they're not plaza
23 bosses, what types of things would they do for the people that
24 they were working for?

25 A They are engaged in collecting the pizo or the tolls, to

1 receive the drugs when they arrive, to provide security to the
2 ones they work for, to bring the drugs to the edge of the river
3 so that everything goes well. If the boss sends them off to
4 collect money, to provide security for that -- for the drugs if
5 it's stashed in a house to take care of it, to take care or
6 watch over the money.

7 Q Let me ask you. With each of these lieutenants, did they
8 work by themselves or did they have people that worked under
9 them?

10 A No, each one of them has people working for them.

11 Q On average, how many people might a lieutenant have under
12 his or her command?

13 A Until he has enough to pay whatever they can -- if they
14 have a hundred, a thousand -- if he has enough to pay a
15 thousand, it depends.

16 Q So each of these photos with regards to Costilla, Tony
17 Tormenta, Lieutenant Lazcano -- behind that picture, is it fair
18 to say that there are more people that work directly for that
19 individual?

20 A Yes.

21 Q I want to take you to 2003. What key event happened that
22 changed the Gulf Cartel leadership in 2003?

23 A My Uncle Oziel was caught. He was arrested.

24 **MR. YOUNG:** Your Honor, with the Court's permission,
25 may the witness step down and begin to place photos in various

1 places to reflect the change in 2003?

2 **THE COURT:** Yes.

3 **(Witness approached the chart)**

4 **BY MR. YOUNG:**

5 Q Could you go ahead and take Oziel Cardenas' photo and put
6 that in the appropriate place? Do you recall when Oziel
7 Cardenas approximately by month in 2003 was arrested?

8 A March of 2003.

9 Q Who became the head of the Gulf Cartel after the arrest of
10 Oziel Cardenas?

11 A Eduardo Costilla.

12 Q Will you please place Eduardo Costilla in the appropriate
13 place? And what happened to his lieutenants?

14 A They continued being the same.

15 Q Now, the dates in 2003 -- Oziel was arrested in March. So
16 is this chart designed to reflect approximately the Gulf Cartel
17 leadership after March of 2003?

18 A Yes.

19 Q Were there any other changes to the Gulf Cartel in 2003
20 after the arrest of Oziel Cardenas-Guillen?

21 A Yes.

22 Q What was that?

23 A Costilla control used to belong to Matamoros. Costilla
24 changed that and he made control a plaza and he placed Wicho in
25 charge of control.

1 Q Would you please go ahead and place Wicho in the
2 appropriate plaza? And I just showed you United States Exhibit
3 A which was a weapon and you testified that it looked like it
4 was the weapon of a person named Wicho. Is the individual you
5 have just placed in control of the plaza -- the newly created
6 plaza in control -- is that the Wicho you're referring to that
7 came to mind when you saw that weapon?

8 A Yes.

9 Q And XW, what's the significance of that nickname for
10 Wicho?

11 A Since he belongs to Costilla, the group belonging to
12 Costilla are Xs and he's -- he goes by Wicho. Wicho starts
13 with a W. So he's called XW.

14 Q All right. Was there any changes with Lazcano's
15 lieutenants at least briefly during the year 2003?

16 A Yes.

17 Q What was that?

18 A Braulio went to work for Costilla.

19 Q Would you place the photo of Braulio in the appropriate
20 place? Were there any other changes in plaza bosses in 2003
21 and approximately, if you know?

22 A No.

23 Q You may return to your seat, Mr. Cardenas.

24 **(Witness returned to witness stand)**

25 Q I'm going to show you what has been marked for

1 identification purposes as United States Exhibit 24B and ask
2 you if you recognize this.

3 A Yes.

4 Q And does -- I want you to compare this particular item,
5 United States Exhibit 24B, with the changes you have just made
6 in the structure of the Gulf Cartel in 2003 and ask you, is 24B
7 a fair and accurate duplication of the chart that you have just
8 assisted in that's before the jury?

9 A Yes.

10 **MR. YOUNG:** Your Honor, let the record reflect the
11 United States -- it's been tendered to Defense counsel. So
12 we're offering 24B.

13 **MR. ZAYAS:** Same objection.

14 **THE COURT:** Overruled. Admitted

15 **(Government's Exhibit Number 24B was received in evidence)**

16 **BY MR. YOUNG:**

17 Q Mr. Cardenas, can you describe what happened in the months
18 after the Mexican authorities arrested Oziel Cardenas? You've
19 discussed the changes here but can you in general describe what
20 happened to the cartel after Oziel Cardenas in 2003 was
21 arrested? How did that change the cartel?

22 A The second ones from my Uncle Oziel were Costilla, Tony
23 and Lazcano. Then Oziel gets arrested. Costilla becomes the
24 head of the cartel.

25 Q And what does that -- with Costilla becoming the head of

1 the Gulf Cartel, does that help or limit his lieutenants in
2 their rise in the Gulf Cartel?

3 A Well, no, it helps more.

4 Q All right.

5 A It's going to help more his lieutenants. Since they were
6 his people, it's going to help them more.

7 Q All right. I want to -- now I want to go to the year 2009
8 and ask you what event happened with regards to you in 2009
9 that also helped change the structure of the Gulf Cartel.

10 A In 2009, they changed me to Rio Bravo as the plaza boss of
11 Rio Bravo.

12 **MR. YOUNG:** Your Honor, may I approach, please?

13 **THE COURT:** Yes.

14 **(Counsel approached)**

15 **BY MR. YOUNG:**

16 Q Now, between 2003 and 2009, were there some changes within
17 the Gulf Cartel at this level?

18 A Yes.

19 Q I want you to focus on 2009.

20 **MR. YOUNG:** And with the Court's permission, may the
21 witness again approach the board so he can make appropriate
22 changes?

23 **THE COURT:** Yes.

24 **(Witness approached the chart)**

25 //

1 **BY MR. YOUNG:**

2 Q Okay. You have testified that you went through
3 San Fernando sometime in 2009 to Rio Bravo. Can you go ahead
4 and place your picture over in the Rio Bravo plaza? What other
5 changes happened? Who goes to San Fernando first?

6 A El Guapo. Costilla's lieutenant, he moves to
7 San Fernando.

8 Q What happens to Gordo Lam?

9 A Gordo Lam was arrested here in the United States.

10 Q Okay. What other changes in 2009?

11 A J.C. also was arrested.

12 Q Okay. Would you please place him in the appropriate
13 place? Now, who takes over in Tampico?

14 A Gaby Montes.

15 Q Could you take him from the Matamoros plaza over to
16 Tampico? Who takes over in Matamoros?

17 A At that time, the Matamoros plaza was Beto Fali. He was
18 there from March until October.

19 Q Who is that?

20 A Beto Fali.

21 Q Was there a second in command in Matamoros at that time?

22 A Yes.

23 Q And who is that individual?

24 A Hugo Ponce, X1.

25 Q Would you please place him? What happens to Reynosa in

1 2009?

2 A In Reynosa, Gollo was arrested.

3 Q Will you place Gollo in the appropriate place? Who takes
4 over Reynosa?

5 A Metro Tres.

6 Q Will you please place him in the appropriate place? Is
7 there an individual who also assists Metro Tres as kind of a
8 lieutenant or second-in-command in Reynosa?

9 A Yes.

10 Q Who is that?

11 A Mario Pelon, X20.

12 Q Will you please locate his place and put him in the
13 appropriate place? Who assumes plaza control leadership in
14 Miguel Aleman?

15 A El Gringo.

16 Q And do you have any additional name with Gringo?

17 A El Gringo Mike.

18 **MR. YOUNG:** Your Honor, let the record reflect this
19 is also a placard that we do not have a photo of denoting
20 Gringo Mike.

21 **BY MR. YOUNG:**

22 Q Are there any other changes with regards to Costilla's
23 lieutenants? You can see -- focus your attention on Costilla's
24 lieutenants.

25 A Yes.

1 Q What?

2 A Pumer gets arrested also.

3 Q And who assumes control of the plaza Ciudad Victoria?

4 A El Paiza.

5 Q Any other changes that you see?

6 A El Cachetes was arrested in Guatemala.

7 Q Any other changes?

8 A This one was arrested.

9 Q And what is his name, for the record?

10 A El Gonzo. During 2009 but I do not know which month. I'm
11 sorry. He was killed. There was a battle with naval and he
12 died. And during October of 2009 --

13 Q Anything that happens to Antonio?

14 A This one was arrested.

15 Q And who are you referring to there? I'm sorry.

16 A Tony Galaza was arrested. Also Coccocho was arrested.

17 Q All right. Now, except for the -- was it the arrest or
18 the murder that happened in 2009?

19 A No, it was in 2010.

20 Q Very good. Then in 2009, is this an approximate chart
21 that shows the high-level Gulf Cartel structure?

22 A Yes.

23 Q Mr. Cardenas, I'm going to hand you what's been marked for
24 identification purposes as United States Exhibit 24C and ask if
25 you recognize this.

1 A Yes.

2 Q Drawing your attention to the chart that you helped create
3 in 2009 of the approximate leadership of the Gulf Cartel, does
4 United States Exhibit 24C accurately reflect that chart with
5 regards to those individuals that were still in the Gulf Cartel
6 and were not arrested or deceased?

7 A Yes.

8 **MR. YOUNG:** Your Honor, let the record reflect that
9 the United States is offering what has previously been tendered
10 to the Defense into evidence as United States Exhibit 24C.

11 **MR. ZAYAS:** Same objection.

12 **THE COURT:** Overruled. Admitted.

13 **(Government's Exhibit Number 24C was received in evidence)**

14 **BY MR. YOUNG:**

15 Q I want to take you to March -- beginning in March of 2010.
16 What event happens with regards to elements of the Gulf Cartel
17 in 2010?

18 A During the month of March 2010, that's when the battle
19 with the Zetas begins. The Zetas are divided from the cartel.

20 **MR. YOUNG:** Your Honor, may I approach?

21 **THE COURT:** Yes.

22 **(Counsel approached)**

23 **MR. YOUNG:** May the witness step down again to
24 address the board?

25 **THE COURT:** Yes.

1 **(Witness approached the chart)**

2 **BY MR. YOUNG:**

3 Q Mr. Cardenas, I'm going to ask you to remove from the
4 board those individuals who aligned themselves with the Zetas
5 during this break between the Zetas and the Gulf Cartel.

6 **THE INTERPRETER:** Your Honor, can the question be
7 repeated to the interpreter?

8 **THE COURT:** Please.

9 **BY MR. YOUNG:**

10 Q Mr. Cardenas, I'm going to ask you to remove or take off
11 the photos of those individuals who aligned themselves with the
12 Zetas and broke with the Gulf Cartel in 2010.

13 A Zeta 42, Zeta 40, Taliban, the Tacataca, the chief of the
14 Zetas Lazcano, the Paiza, Paco Banda, Gavilan.

15 Q All right. Then who takes over in Ciudad Mantes, if
16 someone does?

17 A The Zetas were in charge of there.

18 **MR. YOUNG:** Your Honor, we have another placard with
19 a silhouette with the letter Z denoting a Zeta. In other
20 words, there's not a specific individual but it reflects that
21 the Zeta Cartel is in control at this time.

22 **BY MR. YOUNG:**

23 Q What happened in San Fernando? We see that we have Guapo
24 there right now. What happened sometime in this period in
25 2010?

1 A San Fernando was lost and the Zetas won over the territory
2 there.

3 Q What happened to Guapo?

4 A Guapo returns to Costilla again.

5 **MR. YOUNG:** And let the record reflect, your Honor,
6 we are placing a silhouette with letter Z for Zeta to denote
7 Zeta control of San Fernando.

8 **BY MR. YOUNG:**

9 Q What happens in Valle Hermosa? Who takes over in Valle
10 Hermosa?

11 A Paiza.

12 **MR. YOUNG:** Your Honor, we do not have a photo of
13 Paiza. We do have a silhouette to denote as a place saver.

14 **BY MR. YOUNG:**

15 Q What happens in Ciudad Victoria?

16 A Also the Zetas, it was territory for the Zetas.

17 **MR. YOUNG:** Let the record reflect, your Honor, we
18 are using a placard with the letter Z and a silhouette to
19 denote control of Ciudad Victoria to the Zetas.

20 **BY MR. YOUNG:**

21 Q What happens to Gama during this period of time?

22 A From March of 2010 to October, he was in charge of Beto
23 Fali and Hugo Ponce. This one died.

24 Q This one meaning -- I'm sorry.

25 A Beto Fali.

1 Q Will you please place him in the appropriate place? And
2 then who assumes -- what happens to Hugo Ponce?

3 A He goes to work for Costilla.

4 Q Does anyone from Costilla's lieutenants -- I'm sorry.
5 Strike that. Who then takes over in Matamoros?

6 A The control of Matamoros is divided. Half of it, my Tio
7 Tony takes over and the other one is taken over by Costilla.
8 My Uncle Tony places Gama in charge of Matamoros, half of it
9 and Costilla places Juan Rincon on the other half of Matamoros.

10 Q Will you please place those photos to accurately reflect
11 the control of Matamoros? Does this chart in the approximately
12 periods of time of March 2010 to October 2010 -- does this
13 accurately reflect the approximate leadership of the Gulf
14 Cartel during this period of time?

15 A Yes.

16 Q You may return to your seat.

17 **(Witness returned to witness stand)**

18 Q I'm going to hand you what has been previously tendered to
19 the Defense as United States Exhibit 24D and ask if you
20 recognize that.

21 A Yes.

22 Q And does United States Exhibit 24D -- is that a fair and
23 accurate chart -- is this identical to the chart that you just
24 created that shows the approximate high-level leadership of the
25 Gulf Cartel from March to October of 2009?

1 A Yes.

2 MR. YOUNG: Your Honor, let the record reflect the
3 United States is offering what has previously been tendered to
4 Defense United States Exhibit 24D prior to offering into
5 evidence.

6 MR. ZAYAS: Same objection.

7 THE COURT: Overruled. Admitted.

8 (Government's Exhibit Number 24D was received in evidence)

9 BY MR. YOUNG:

10 Q I want to take you to November of 2010, only approximately
11 a month after the chart you just created. What key event
12 happens within the Gulf Cartel that further changes the
13 structure and nature of the high-level leadership within the
14 Cartel?

15 A My Uncle Tony was in a battle with the naval and he was
16 killed.

17 MR. YOUNG: With the Court's permission, may the
18 witness make additional changes to the chart to reflect the --

19 THE COURT: Yes.

20 BY MR. YOUNG:

21 Q All right. Then what happens to Barracho?

22 A Barracho left. They say he left for Belize but he doesn't
23 -- he didn't work for the cartel anymore.

24 Q What further changes happened in the Gulf Cartel?

25 A Paiza was also killed along with my uncle.

1 Q Who takes over in Valle Hermosa?

2 A Guerra.

3 Q Who takes over in -- what happens in Matamoros?

4 A Gama goes to work for Costilla. Wicho goes to be in
5 charge of Matamoros.

6 Q And who becomes the plaza boss in control?

7 A Wicho's brother.

8 Q And do you know his name?

9 A I don't remember.

10 Q Does he have a nickname?

11 A No, I don't remember. That's him. That is Wicho's
12 brother.

13 Q And what happens with Flaco?

14 A Flaco came with Wicho.

15 Q Would you go ahead and place that photo in its proper
16 place? Does Rincon still stay with Wicho in Matamoros and
17 Flaco continues to assist?

18 A Yes. But I put it there because I haven't seen here. The
19 three of them stayed in Matamoros.

20 Q And, again, what triggered this change in leadership?
21 What event triggered this?

22 A Since they killed my Uncle Tony, they had to change
23 everything.

24 Q Take a seat.

25 **(Witness returned to witness stand)**

1 Q I'm going to hand you what has been marked for
2 identification purposes and previously tendered to the Defense
3 as United States Exhibit 24E and ask if you can identify this.

4 A Yes.

5 Q And comparing that to the chart that you've help create
6 here with regards to the approximate leadership of the high-
7 ranking members of the Gulf Cartel in approximately November
8 2010, does 24E fairly and accurately represent the chart that
9 is before the jury?

10 A Yes.

11 **MR. YOUNG:** Your Honor, let the record reflect the
12 United States is offering what has previously been tendered
13 into evidence -- I'm sorry -- tendered to the Defense, 24E.

14 **MR. ZAYAS:** Same objection.

15 **THE COURT:** Overruled. Admitted.

16 **(Government's Exhibit Number 24E was received in evidence)**

17 **BY MR. YOUNG:**

18 Q Now, I want to take you to March 11th of 2011. What event
19 happened in March of 2011 that further changed the structure of
20 the Gulf Cartel?

21 A I went to be in charge of Matamoros.

22 Q And can you explain how you became in charge of Matamoros?

23 A Because Wicho, Juan Rincon and Flaco, they were doing only
24 bad things in that town.

25 Q Was this a power struggle, in other words?

1 A Not exactly, no.

2 Q Well, were you able to assume control of the plaza?

3 A Yes.

4 Q And, again, I'm referring to the town of Matamoros.

5 A Yes.

6 Q Who made the ultimate decision to allow you to take over
7 Matamoros?

8 A Between Metro 3 and me, we agreed because Wicho and Flaco
9 and Rincon were doing bad things. In a month, they stole eight
10 bullet-proof cars full of money. So they made the -- they made
11 Matamoros be in a lot of heat with the government. Since
12 Matamoros is like the base, the main plaza for the Gulf Cartel,
13 it's not convenient -- it's not been official for us for that
14 city to be in such heat.

15 Q Let me stop you there for a second. The vehicles that
16 were stolen, were they armored-car vehicles or bullet-proof
17 vehicles?

18 A Oh, they're armored cars where they carry money.

19 Q And was this money that was stolen, was this cartel money
20 or was this money from individuals or banks or what have you?

21 A It was from the banks.

22 Q So when you had this -- when you came into Matamoros, was
23 there a gun battle or was it a peaceful transition of power?

24 A It was a peaceful one.

25 Q And who made the decision to allow you to assume the

1 leadership of Matamoros?

2 A Between Metro 3 and I, we spoke to Costilla but Costilla
3 didn't want to listen to us. So Metro Tres told me, well, you
4 go in and if you need to, you fight them. Take control and if
5 they want to fight, we'll fight. I came into the control.
6 They didn't fight. I took him out.

7 **MR. YOUNG:** May I approach, your Honor?

8 **THE COURT:** Yes.

9 **(Counsel approached)**

10 **MR. YOUNG:** May the witness step down to make the
11 appropriate changes to reflect this?

12 **THE COURT:** Yes.

13 **(Witness approached the chart)**

14 **BY MR. YOUNG:**

15 Q Okay. Mr. Cardenas, can you go ahead and place your photo
16 in the appropriate place denoting your role in the Gulf Cartel
17 in approximately March of 2011?

18 A Wicho leaves for El Control. When I kicked him out, he
19 went to El Control. Juan Rincon goes back to Costilla and also
20 does El Flaco.

21 Q And did you tell Wicho and Rincon and the other elements
22 that were working for them -- did you give them a deadline on
23 when to leave Matamoros or how did they leave?

24 A Yes.

25 Q And what deadline was that?

1 A Twenty-four hours to leave Matamoros.

2 Q And is there someone who has followed you throughout your
3 career in the Gulf Cartel that becomes second in command to you
4 in Matamoros at this time?

5 A Yes.

6 Q Who is that individual?

7 A Chuy El Cabezón.

8 Q Is this a photo of him?

9 A Yes.

10 Q Who takes over in Rio Bravo?

11 A In Rio Bravo, Mario Pelón.

12 Q You may return to your seat, please.

13 **(Witness returned to witness stand)**

14 Q Mr. Cardenas, I'm now going to hand you what has been
15 marked for identification purposes and previously tendered to
16 the Defense as United States Exhibit 24F and ask you if you
17 recognize this.

18 A Yes.

19 Q And comparing that to the chart that's before the jury
20 that you have helped create, does United States Exhibit 24F
21 accurately depict the chart that is before the jury right now?

22 A Yes.

23 **MR. YOUNG:** Your Honor, let the record reflect the
24 United States is now offering United States Exhibit 24F into
25 evidence. It's been previously tendered to the Defense.

1 **MR. ZAYAS:** Same objection.

2 **THE COURT:** Overruled. Admitted.

3 **(Government's Exhibit Number 24F was received in evidence)**

4 **BY MR. YOUNG:**

5 Q Mr. Cardenas, when were you arrested in the United States?

6 A October 20th of 2011.

7 Q And I want to draw your attention to just previous to you
8 being arrested -- and I want to go to September of 2011.

9 **MR. YOUNG:** May I approach, your Honor?

10 **THE COURT:** Yes.

11 **(Counsel approached)**

12 **BY MR. YOUNG:**

13 Q What significant event occurred in early September 2011
14 that further changed the nature and structure of the high-
15 ranking members of the Gulf Cartel?

16 A On September 2nd or 3rd, they killed Metro Tres in
17 Reynosa.

18 **MR. YOUNG:** Your Honor, may the witness approach the
19 chart to make the appropriate changes?

20 **THE COURT:** Yes.

21 **(Witness approached the chart)**

22 **BY MR. YOUNG:**

23 Q Who takes over in Reynosa?

24 A Mario Pelon goes to take over Reynosa by orders of
25 Costilla but the people from Metro Tres didn't let him take

1 over Reynosa. So then this one here stays in Reynosa but
2 without a plaza.

3 Q And who takes over?

4 A Metro Cuatro.

5 Q Who is this a photo of?

6 A Metro Four or Metro Cuatro.

7 Q Is there another individual that also goes over to Reynosa
8 (indiscernible)

9 A Yes.

10 Q Who is that?

11 A El Gringo Mike.

12 Q Now, is he considered -- any other changes? Who takes
13 over in Rio Bravo?

14 A Roberto Rincon.

15 Q Is that individual in the courtroom today?

16 A Yes.

17 Q Is that the individual you previously identified yesterday
18 as the Defendant Juan Roberto Rincon-Rincon?

19 A Yes.

20 Q Will you please place the photo of the Defendant in the
21 appropriate place as plaza boss of the Rio Bravo area? And who
22 assumes control in Miguel Aleman?

23 A R1.

24 **MR. YOUNG:** Your Honor, this is another placard that
25 does not have a photo. Law enforcement at least currently does

1 not have a photo, certainly not here and it depicts a
2 silhouette with R1 on it.

3 **BY MR. YOUNG:**

4 Q You may sit back down.

5 **(Witness returned to witness stand)**

6 **MR. YOUNG:** May I approach, your Honor?

7 **THE COURT:** Yes.

8 **(Counsel approached)**

9 **BY MR. YOUNG:**

10 Q Mr. Cardenas, I want to show you what has been marked for
11 identification purposes as -- and previously tendered to the
12 Defense as United States Exhibit 24G and ask if you recognize
13 that.

14 A Yes.

15 Q And I want you to compare that to the chart that you
16 helped create regarding the approximate high-level structure of
17 the Gulf Cartel through September of 2004 and ask if you can --
18 if 24G is a fair and accurate copy of the chart before the
19 jury.

20 A Yes.

21 Q Can you look at Reynosa and see if there should be any
22 change with regards to the photos?

23 A Yes.

24 Q Now, are those -- which photos should be moved with
25 regards to Metro, Mario Pelon and Gringo Mike?

1 A Yes, Cuatro, Gringo and Mario Pelon but they're inverted,
2 one on top of the other.

3 Q Could you please point for -- with the Court's permission?
4 Now, with regards to changing those two photos, were Gringo
5 Mike and Mario Pelon working for Metro Cuatro or at least under
6 him?

7 A Yes.

8 Q Thank you.

9 **MR. YOUNG:** Your Honor, let the record reflect the
10 United States is offering into evidence what has previously
11 been tendered to the Defense as United States Exhibit 24G.

12 **MR. ZAYAS:** Same objection, your Honor.

13 **THE COURT:** Overruled. Admitted.

14 **(Government's Exhibit Number 24G was received in evidence)**

15 **BY MR. YOUNG:**

16 Q Were Gringo Mike and Mario Pelon -- were they working for
17 Metro Cuatro or were they working for Costilla at that time?

18 A For Costilla.

19 **MR. YOUNG:** May I approach, your Honor?

20 **THE COURT:** Yes.

21 **(Counsel approached)**

22 **BY MR. YOUNG:**

23 Q I'm going to now hand you what has already been introduced
24 into evidence as United States Exhibit 23A. This is entitled,
25 "Gulf Cartel Structure" by Juan Rincon-Rincon. And I want you

1 to take a look at that and tell me if that is -- if not exactly
2 accurate, is that fairly accurate to the approximate leadership
3 of the cartel when you were arrested?

4 A Here in Miguel Aleman, Gringo Mike was not there. It was
5 R1. In Matamoros was Cabezon. In Valle Hermosa was Guerra.
6 In San Fernando were the Zetas. In Tampico was Gaby. That's
7 right. In Reynosa, Cuatro, and Gringo is missing. In
8 Rio Bravo, it was him and in control was Wicho.

9 Q And the leader, is that correct?

10 A Costilla.

11 Q Having seen this chart, if that information had been given
12 shortly after your arrest for those plazas without maybe being
13 as completely precise, is the information in there pretty
14 accurate?

15 A No.

16 Q Well, with regards to control, was it accurate?

17 A Control?

18 **MR. YOUNG:** May I approach?

19 **THE COURT:** Yes.

20 **(Counsel approached)**

21 **BY MR. YOUNG:**

22 Q Let's put it this way. You did not create this chart?

23 A No.

24 Q Is most of the information here that you see accurate?

25 A Not everything is correct.

1 Q Is much of it though?

2 A Yes.

3 Q Thank you. Okay. I want to take you back to some landing
4 strips. Are you familiar with the use of landing strips by the
5 Gulf Cartel?

6 A Yes.

7 Q And I want to relate those landing strips specifically to
8 your knowledge of them and as well as the participation of this
9 Defendant in assisting in activities at or near landing strips.
10 Tell the jury about landing strips.

11 A When I was in charge in San Fernando, I don't know if you-
12 all remember what I told you yesterday, that before getting to
13 San Fernando, there is a military checkpoint. That checkpoint
14 is very hard. The checking is very hard. So then the drugs
15 have to go through dirt roads or air but sometimes the dirt
16 roads -- you cannot work through them because sometimes there's
17 soldiers in the brush. So then we bring the cocaine in
18 airplanes.

19 Q Okay, let me stop you right there. Where would the
20 cocaine come from to get to the landing strips?

21 A From Tampico.

22 Q And let's go back to the approximate years when this
23 happened.

24 A Since before when my Uncle Oziel was there until I was in
25 San Fernando.

1 Q All right. Let me take you to approximately 2004 up until
2 the time you left in 2009 from San Fernando. How would these
3 planes of cocaine arrive in the San Fernando area? Tell the
4 jury how that would happen.

5 A The one in charge of Tampico would call me. It was J.C.
6 He would call me that we had to land some airplanes there
7 because sometimes they would land in Valle Hermosa or Rio Bravo
8 or Matamoros but there was too many government people.
9 San Fernando was more peaceful. There's several camps --
10 several fields where gringos -- Americans go to hunt and
11 there's some landing strips. So I would ask to borrow them so
12 I could land -- bring down the airplanes. Whenever it couldn't
13 be done during those -- on those fields in private ranches, I
14 would make the landing strips in the dirt.

15 Q How would make the landing strips?

16 A With machinery -- with, like, tractors, I would make the
17 strips.

18 Q What type of planes would be used?

19 A Cessna 210 planes.

20 Q How many people would be in the plane flying from Tampico
21 to the landing strip?

22 A Just the pilot.

23 Q Okay. And how much cocaine would be put in these planes?

24 A Five hundred kilos, just -- only -- that's the most I
25 could carry.

1 Q How much -- how would they be placed in the planes?

2 A In suitcases. Each suitcase would bring 20 kilos.

3 Q Would you use only one landing strip or would you use more
4 than one landing strip?

5 A No, I would use more.

6 Q Why would you use more?

7 A For safety, security. Sometimes close to the ocean I had
8 some and then on the other side, I had others. If on the other
9 side there were too many government people, I would bring them
10 down on the other side.

11 Q And how would the pilots know where to land?

12 A Before showing them the strip, I would send for them.
13 They would come in their truck or in their car. I had a GPS.
14 I would take them where the landing strip was located. He
15 would take -- write down the coordinates and would save them
16 and he'd leave. So then we would agree when he would arrive.
17 Each landing strip had a number, Number 1, 2, 3, 4.

18 Q And how long was the plane flight, approximately, from
19 Tampico to these landing strips?

20 A One hour to an hour and a half.

21 Q And who would you receive a call from in Tampico with
22 regards to when flights would be coming?

23 A They would call me. J.C. would call me, the one in charge
24 of Tampico.

25 Q And who would he receive his orders from with regards to

1 any cocaine that would be flown to San Fernando?

2 **MR. ZAYAS:** Objection, your Honor, calls for
3 information that he does not have personal knowledge of.

4 **THE COURT:** I'm sorry, what?

5 **MR. ZAYAS:** It calls for information he does not have
6 personal knowledge of. It's hearsay --

7 **THE COURT:** Response?

8 **MR. YOUNG:** Based on his level of quasi-leadership
9 with regards to various people here, he would know who the
10 orders -- in other words, chain of command is. He's basically
11 testified to that in the charts.

12 **THE COURT:** Overruled.

13 **BY MR. YOUNG:**

14 Q Who would make the orders and make the decisions with the
15 cocaine to be flown from Tampico to San Fernando?

16 A Costilla.

17 Q Now, if you had a day where you received a phone call from
18 (indiscernible) and you weren't sure about the landing strip,
19 what would you do?

20 A I would tell him that we could not work. Until I knew
21 that everything was calm and tranquil, I would tell him we
22 could not work. If we couldn't work, I would tell him, we
23 cannot work. If we could, I would tell him we could.

24 Q About how many flights a month might there be?

25 A It would vary. Sometimes it would be three a day. Four

1 or five days a week -- the following week, four or five days a
2 week. Sometimes one day a week. Sometimes during the whole
3 week, there was nothing. Sometimes in a month, it was only
4 once.

5 **COURT SECURITY OFFICER ARRIAGA:** Excuse me, your
6 Honor. The jurors need a break.

7 **THE COURT:** All right. Members of the jury, it's
8 11:25. We're going to break early for lunch. If you'll be in
9 recess for an hour and a half. That'll be 1:00 o'clock.
10 During this recess, you are still under my admonishment that
11 you must not form or express any opinion about the facts of
12 this case and cannot do so until it has been submitted to you
13 for your deliberation. Thank you but stand aside, please.

14 The jury is in recess until 1:00 o'clock.

15 **THE CLERK:** Please rise for the jury.

16 **(Jurors exited the courtroom at 11:28 a.m.)**

17 **THE COURT:** Please be seated. Mr. Young, apparently
18 there was mention made of 23A. When you showed it to the
19 witness, the way you referred to it made the -- sound as if you
20 believed that it had been admitted but in reviewing notes, I'm
21 not sure that it was admitted and so if you are going to make
22 any further reference to it, you cannot do so until it has been
23 admitted. So why don't you get together with the case manager
24 to make sure that whatever exhibit you will be asking this
25 witness to testify from without having made an offer that that

1 has already been pre-admitted for some --

2 **MR. ZAYAS:** I believe it was admitted.

3 **THE COURT:** Okay. Well, I'm not sure but if --

4 **MR. ZAYAS:** Oh, I think it was -- 23 was admitted but
5 I'm not sure 23A was admitted. I think it's the same thing,
6 just bigger.

7 **THE COURT:** Okay. Maybe that was it. It's just that
8 the enumeration -- but it has to be precise so that there's no
9 confusion as to what one exhibit was versus another. Thank
10 you.

11 **THE CLERK:** All rise.

12 (A recess was taken at 11:30 a.m.; transcription concluded
13 at 11:30 a.m.; proceeding continued)

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CERTIFICATION

I certify that the foregoing is a correct transcript from the electronic sound recording of the proceedings in the above-entitled matter.

A handwritten signature in blue ink, appearing to read "Toni Hudson", is positioned above a horizontal line.

November 13, 2012

TONI HUDSON, TRANSCRIBER