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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

UNITED STATES OF AMERICA ) Docket No. A 12-CR-210 SS  
)  
vs. ) Austin, Texas  
)  
JOSE TREVINO-MORALES (3) )  
FRANCISCO ANTONIO )  
COLORADO-CESSA (6) )  
FERNANDO SOLIS-GARCIA (7) )  
EUSEVIO MALDONADO-HUITRON(11) )  
JESUS MALDONADO-HUITRON (18) ) April 29, 2013

TRANSCRIPT OF TRIAL TESTIMONY OF JESUS REJON-AGUILAR  
BEFORE THE HONORABLE SAM SPARKS  
Volume 10 of 15

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25 Proceedings reported by computerized stenography, transcript  
produced by computer.

08:36:03 1 MR. GARDNER: Thank you, your Honor. The government  
08:36:04 2 calls Jesus Rejon-Aguilar.

08:36:32 3 (Witness sworn.)

08:36:57 4 THE COURT: Sir, if you'll talk into that microphone,  
08:37:05 5 play like it's not there. You don't have to get too close, just  
08:37:11 6 talk in that direction. And if you'll tell us your full name and  
08:37:15 7 spell your last name, please.

08:37:17 8 THE WITNESS: Jesus Enrique Rejon-Aguilar.

08:37:27 9 THE COURT: Spell your last name.

08:37:29 10 THE WITNESS: R-E-J-O-N.

08:37:37 11 THE COURT: Thank you.

08:37:38 12 JESUS E. REJON-AGUILAR, called by the Government, duly sworn.

08:37:38 13 DIRECT EXAMINATION

08:37:38 14 BY MR. GARDNER:

08:37:39 15 Q. Thank you, your Honor.

08:37:40 16 Good morning, Mr. Rejon. We've met before. Can you  
08:37:42 17 please introduce yourself to the jury and tell them how old you  
08:37:45 18 are?

08:37:52 19 A. Good morning. I'm 37.

08:37:59 20 Q. How, Mr. Rejon, when you and I talked before, I noticed you  
08:38:02 21 cock your head to one side. Do you have a hearing problem?

08:38:13 22 A. Yes.

08:38:15 23 Q. So if there's something that you don't hear, please ask me  
08:38:18 24 or somebody else to repeat the question so we make sure you  
08:38:21 25 understand, please.

08:38:29 1 A. Okay.

08:38:30 2 Q. Where are you currently facing criminal charges?

08:38:39 3 A. In Washington.

08:38:41 4 Q. That's Washington D.C.?

08:38:45 5 A. District of Columbia.

08:38:46 6 Q. And what is your understanding of that charge?

08:38:52 7 A. Conspiracy. For the manufacture and distribution of more

08:39:07 8 than five kilos or kilograms of cocaine, and the manufacturing

08:39:13 9 and distribution of over a thousand kilos of marihuana.

08:39:15 10 Q. And have you pled guilty to that charge?

08:39:20 11 A. That's right.

08:39:21 12 Q. And have you been sentenced on that charge?

08:39:36 13 A. No. I've pled guilty to ten to life. I still have not been

08:39:42 14 sentenced.

08:39:43 15 Q. And has anybody made you any promises with what your

08:39:48 16 sentence may be?

08:39:51 17 A. No.

08:39:52 18 Q. And what is your hope for testifying here today? What do

08:39:56 19 you hope to get out of it?

08:40:05 20 A. That the judge is going to sentence me, take that into

08:40:08 21 account when he sentences me.

08:40:10 22 Q. And when were you arrested?

08:40:19 23 A. July 5, 2011.

08:40:22 24 Q. And where were you arrested?

08:40:26 25 A. Mexico City.

08:40:28 1 Q. So you were extradited to the U.S.?

08:40:33 2 A. That's correct.

08:40:34 3 Q. And do you have any charges pending in Mexico right now?

08:40:41 4 A. That's correct.

08:40:42 5 Q. And what are those charges?

08:40:53 6 A. Organized crime, carrying a prohibited weapon that's only

08:41:02 7 allowed for the military, prohibited -- having access to

08:41:07 8 prohibited munitions that are only allowed for the military.

08:41:10 9 Q. And have you testified previously in the United States?

08:41:18 10 A. That's correct.

08:41:19 11 Q. And was that in the District of Columbia?

08:41:24 12 A. That's correct.

08:41:25 13 Q. And who was the person on trial in that case?

08:41:36 14 A. Aurelio Cano-Flores.

08:41:39 15 Q. Did he also go by a name of "Yankee"?

08:41:43 16 A. That's correct.

08:41:46 17 Q. I want to talk a little bit about your history. Did you at

08:41:50 18 some point join the Mexican military?

08:42:00 19 A. That's correct.

08:42:01 20 Q. And do you recall when that was?

08:42:07 21 A. '93 to '99.

08:42:11 22 Q. And did you eventually become part of what is known as the

08:42:16 23 GAFEs or Mexican Special Forces?

08:42:22 24 A. That's correct.

08:42:23 25 Q. And what kind of training have you had or did you have as a

08:42:27 1 member of the GAFEs?

08:42:51 2 A. The ones I remember as I was training to be a sniper,  
08:43:04 3 breaching building -- breaching, mountain climbing, antiterrorism  
08:43:08 4 activities, urban warfare, survival techniques in any area,  
08:43:14 5 sniper. Those are the ones I remember.

08:43:17 6 Q. And what does GAFE stand for?

08:43:29 7 THE INTERPRETER: Interpreter's going to ask for  
08:43:31 8 clarification.

08:43:39 9 A. The special force -- the group of -- that's moved both on  
08:43:43 10 air and land of the Special Forces unit.

08:43:45 11 Q. (BY MR. GARDNER) Is that similar to the Green Berets or  
08:43:48 12 Special Forces in the United States?

08:43:55 13 A. Yes.

08:43:57 14 Q. And what type of operations did you perform while a member  
08:44:01 15 of the Mexican military?

08:44:10 16 A. In one incursion.

08:44:13 17 Q. I'm sorry. Could you repeat that answer for us?

08:44:19 18 A. It's an incursion.

08:44:22 19 Q. Did you work any counter-narcotics operations?

08:44:31 20 A. That's correct.

08:44:32 21 Q. Could you please describe for the jury what type of  
08:44:35 22 counter-narcotics operations you conducted?

08:45:03 23 A. I was commissioned over at the federal judicial police for  
08:45:06 24 two years. That was from '97 to '99. I was in the  
08:45:12 25 anti-narcotics fight.

08:45:15 1 Q. And what was the highest rank you achieved while a member of  
08:45:18 2 the Mexican military?

08:45:25 3 A. Corporal Special Forces.

08:45:27 4 Q. At some point, did you desert?

08:45:32 5 A. Deserted in '99.

08:45:40 6 Q. And why did you desert?

08:45:43 7 A. I was going to be prosecuted, so I deserted.

08:45:48 8 Q. Why were you going to be prosecuted?

08:46:01 9 A. The offense that was going to be charged was corruption.

08:46:08 10 Q. And after you deserted, what did you do then?

08:46:17 11 A. I went to Tamaulipas to look for work.

08:46:19 12 Q. And did you find work with the Gulf cartel?

08:46:27 13 A. That's correct.

08:46:28 14 Q. And when was that?

08:46:29 15 A. In '99.

08:46:34 16 Q. And when you joined the Gulf cartel, what did you do for  
08:46:38 17 them?

08:46:52 18 A. I joined them as one of the escorts or bodyguards for  
08:46:58 19 officials.

08:47:01 20 Q. And at that time did the Gulf cartel have a group called the  
08:47:04 21 Zetas?

08:47:13 22 A. That's correct.

08:47:14 23 Q. And what did the Zetas do for the Gulf cartel?

08:47:32 24 A. We did everything that involved being escorts or bodyguards,  
08:47:37 25 protecting different officials and officers.

08:47:42 1 Q. Where did the name Zetas come from?

08:47:58 2 A. That was assigned to us by Osiel.

08:48:02 3 Q. Is that Osiel Cardenas-Guillen?

08:48:05 4 A. That's correct.

08:48:06 5 Q. And who was he at that time?

08:48:12 6 A. He was the leader of the Gulf cartel.

08:48:20 7 Q. And other than your name, Mr. Rejon, do you have any

08:48:28 8 nicknames?

08:48:32 9 A. I do.

08:48:32 10 Q. And what are those?

08:48:34 11 A. "Mamito," the gentleman, the guy with the glasses, Zeta "7."

08:48:54 12 Q. And how are the numbers assigned?

08:49:12 13 A. At first, the numbers were assigned in accordance with how

08:49:18 14 -- the order in which you join the armed group.

08:49:21 15 Q. So, for example, you were the seventh person to join the

08:49:24 16 armed group? Would that be correct?

08:49:33 17 A. That's right.

08:49:33 18 Q. So when you were performing functions as a bodyguard for

08:49:37 19 Osiel Cardenas, was he shipping drugs to the United States?

08:49:51 20 A. That's right.

08:49:52 21 Q. And during that period, was there a time when you, as part

08:49:56 22 of the Gulf cartel, took part in fighting other rival cartels?

08:50:11 23 A. That's right.

08:50:12 24 Q. And which cartels were those?

08:50:18 25 A. With the Sinaloa cartel.

08:50:21 1 Q. And did you take part in any armed battles with them?

08:50:29 2 A. I did.

08:50:30 3 Q. On how many occasions?

08:50:39 4 A. I don't remember, but it was more than ten.

08:50:43 5 Q. Now, do you know an individual named Alejandro

08:50:53 6 Morales-Betancourt?

08:50:57 7 A. I do.

08:50:58 8 Q. And how do you know him, sir?

08:51:09 9 A. We first were members of the same group within the armed

08:51:14 10 forces, and then, we belonged to the same cartel.

08:51:16 11 Q. And was there some point where Mr. Betancourt began

08:51:21 12 cooperating with the Mexican government?

08:51:28 13 A. That's right.

08:51:30 14 Q. And did the Gulf cartel issue orders to kill Mr. Betancourt

08:51:35 15 or any of his family members?

08:51:43 16 A. That's right.

08:51:44 17 Q. And did you end up killing any of the Betancourt family?

08:51:53 18 A. No.

08:51:54 19 Q. Why not?

08:52:01 20 A. I was assigned to kill the wife, but I don't know. I didn't

08:52:11 21 think she was at fault for anything that had happened.

08:52:14 22 Q. And were you punished for that?

08:52:18 23 A. I was.

08:52:18 24 Q. And what happened?

08:52:19 25 A. My hands were handcuffed for a while.

08:52:36 1 Q. Now, as a member of the Gulf cartel, did you pay bribes to  
08:52:40 2 the police forces in Mexico?

08:52:49 3 A. I did.

08:52:49 4 Q. And what would the police do in exchange for those bribes?

08:53:18 5 A. Provided services, information, pick up people we weren't  
08:53:23 6 able to.

08:53:29 7 Q. Did you also provide bribes to the Mexican military?

08:53:37 8 A. I did.

08:53:38 9 Q. And what would the Mexican military do in exchange for those  
08:53:41 10 bribes?

08:54:05 11 A. Helped us fight the opposing group to our cartel. That's  
08:54:11 12 it.

08:54:13 13 Q. And at some point, were you responsible for the movement of  
08:54:18 14 drugs through Gulf cartel territory?

08:54:31 15 A. That's right.

08:54:32 16 Q. And were other cartels or other groups allowed to move drugs  
08:54:37 17 through Gulf cartel territory?

08:54:48 18 A. No.

08:54:49 19 Q. Were people required to pay a tax on drugs being moved  
08:54:53 20 through the Gulf cartel territory?

08:55:03 21 A. That's right.

08:55:04 22 Q. And if people refused or did not pay the tax, what would  
08:55:07 23 happen to them?

08:55:28 24 A. They were kidnapped and then, orders were given, whether  
08:55:33 25 they had to be killed or what had to be done.

08:55:37 1 Q. While working for the Gulf cartel, did you kill people?

08:55:45 2 A. I did.

08:55:45 3 Q. Approximately how many people do you think you've killed for

08:55:48 4 the Gulf cartel?

08:55:55 5 A. Twenty people.

08:55:57 6 Q. Did you kill these people yourself, or were you given orders

08:56:00 7 to kill them?

08:56:05 8 A. I was ordered to kill them.

08:56:08 9 Q. And did you kidnap any folks while working for the Gulf

08:56:17 10 cartel?

08:56:17 11 A. I did.

08:56:17 12 Q. Approximately how many people would you say you kidnapped

08:56:21 13 while working for the Gulf cartel?

08:56:31 14 A. Ten or 15 people.

08:56:33 15 Q. Now, why would these people be killed or kidnapped?

08:56:43 16 A. For trafficking drugs without permission.

08:56:47 17 Q. Now, during your time as a member of the Gulf cartel, did

08:56:50 18 you ever meet an individual named Miguel Trevino?

08:57:00 19 A. I did.

08:57:02 20 Q. 335A, please. Do you recognize this individual, Mr. Rejon?

08:57:14 21 A. I do.

08:57:15 22 Q. And who do you recognize that person as?

08:57:21 23 A. Miguel Angel Morales-Trevino, Zeta "40."

08:57:27 24 Q. And during your time together in the Gulf cartel, what was

08:57:33 25 "Cuarenta's" role?

08:57:41 1 A. He was the second one command of the armed branch of the  
08:57:51 2 Zetas.

08:57:52 3 Q. Second-in-command to who? Who was the leader?

08:57:57 4 A. Heriberto Lazcano-Lazcano.

08:58:02 5 Q. So as second-in-command, did "40" give you orders to carry  
08:58:07 6 out?

08:58:14 7 A. That's right.

08:58:22 8 Q. Do you recognize this individual, Mr. Rejon?

08:58:28 9 A. I do.

08:58:29 10 Q. And who do you recognize that as?

08:58:37 11 A. Oscar Omar Trevino.

08:58:42 12 Q. And did he have a nickname?

08:58:47 13 A. He did.

08:58:49 14 Q. And was that "Z 42"?

08:58:54 15 A. That's right.

08:58:55 16 Q. And what was "Z 42's" role in the Gulf cartel?

08:59:16 17 A. He was the supervisor for all the sectors or plazas that we  
08:59:22 18 had at the national level and the movement of drugs into the  
08:59:28 19 United States.

08:59:28 20 Q. And do you know if Miguel Angel Trevino and Oscar Omar  
08:59:33 21 Trevino are related?

08:59:42 22 A. They're brothers.

08:59:44 23 Q. And during your time in the Gulf cartel, what interaction  
08:59:47 24 did you have with "40" and "42"?

08:59:51 25 A. Both work and friendship.

09:00:11 1 Q. How often were you around them on a weekly or monthly basis?

09:00:32 2 A. For about two years, we saw each other daily.

09:00:36 3 Q. Some point, did the Gulf -- or the Zetas split from the Gulf

09:00:48 4 cartel?

09:00:48 5 A. That's right.

09:00:49 6 Q. And when was this?

09:00:53 7 A. 2010.

09:00:55 8 Q. And why did the Zetas split from the Gulf?

09:01:07 9 A. The break came because of disagreements.

09:01:12 10 Q. And was there battles between the Gulf and the Zetas at that

09:01:21 11 point?

09:01:21 12 A. That's right.

09:01:24 13 Q. And which side did you choose, the Zetas or the Gulf?

09:01:32 14 A. Zetas.

09:01:34 15 Q. So what became your role in the Zeta cartel?

09:01:53 16 A. I became the supervisor at the national level of all the

09:01:58 17 plazas or sectors we had.

09:02:01 18 Q. And what was "40's" role in the new Zeta cartel?

09:02:22 19 A. He was a second-in-command for the armed branch, and he

09:02:30 20 supervised the people and the weaponry for the war.

09:02:33 21 Q. Was that the war with the Gulf cartel?

09:02:36 22 A. That's right.

09:02:40 23 Q. And during your time with the Zetas from 2010 until you were

09:02:43 24 arrested in 2011, did you kill people for the Zetas?

09:02:57 25 A. I did.

09:02:58 1 Q. And approximately how many people did you kill while a  
09:03:01 2 member of the Zetas?  
09:03:03 3 A. Some ten.  
09:03:15 4 Q. Were these killings that you did personally, or would you  
09:03:19 5 order other people to kill on your behalf?  
09:03:30 6 A. No. There were other people.  
09:03:34 7 Q. Now, at this time was the Zetas cartel moving cocaine into  
09:03:40 8 the United States?  
09:03:49 9 A. That's right.  
09:03:50 10 Q. Approximately how much cocaine would you estimate that you  
09:03:55 11 or the Zetas moved into the United States in a year's timeframe?  
09:04:09 12 A. Some 40 tons of cocaine or more.  
09:04:29 13 Q. And how much money did the Zetas make in any given year,  
09:04:35 14 approximately?  
09:04:52 15 A. \$350 million. About.  
09:04:56 16 Q. And what type of expenses did the Zetas have that they had  
09:05:01 17 to pay from that \$350 million?  
09:05:16 18 A. The expenses of the war. That's it.  
09:05:18 19 Q. Was that the war with the Gulf cartel?  
09:05:23 20 A. That's right.  
09:05:27 21 Q. Mr. Rejon, I'm showing you Government's Exhibit 314. Do you  
09:05:32 22 recognize that, sir?  
09:05:37 23 A. I do.  
09:05:41 24 Q. And do you recognize Miguel and Omar Trevino and Miguel  
09:05:45 25 Trevino's wife in that picture?

09:05:52 1 A. I do.

09:05:53 2 Q. Your Honor, we offer Government's Exhibit 314.

09:06:05 3 THE COURT: It's admitted.

09:06:09 4 Q. (BY MR. GARDNER) Showing you Government's Exhibit 314, Mr.  
09:06:12 5 Rejon. Mr. Rejon, would you look on this screen for me up here?  
09:07:01 6 Who is this person right here?

09:07:08 7 A. Miguel Angel Morales-Trevino.

09:07:12 8 Q. And this person right here?

09:07:15 9 A. Omar Morales-Trevino.

09:07:17 10 Q. And do you know the name of this woman?

09:07:23 11 A. I know her as Juanita, Miguel's wife.

09:07:27 12 Q. Could you zoom out for me? And could you zoom in on this  
09:07:34 13 one? Have you ever met this individual, sir?

09:07:41 14 A. No.

09:07:56 15 Q. While a member of the Zeta or Gulf cartel, were you ever  
09:07:59 16 involved in the racing and buying of quarter horses?

09:08:14 17 A. I did.

09:08:14 18 Q. Okay. And when did you start becoming interested in quarter  
09:08:22 19 horses?

09:08:22 20 A. About 2004.

09:08:26 21 Q. Why did you become interested in quarter horses?

09:08:34 22 A. It was like a hobby.

09:08:36 23 Q. Was it an expensive hobby?

09:08:41 24 A. That's right.

09:08:42 25 Q. And how many horses do you think you had before you got

09:08:45 1 arrested?

09:08:55 2 A. Approximately, some 350 horses.

09:09:00 3 Q. And when you were racing and buying quarter horses, did you

09:09:06 4 look for any particular bloodlines?

09:09:28 5 A. Runaway Dash, Freedom Dash, Corona Cartel.

09:09:37 6 Q. And why did you seek out those particular bloodlines?

09:09:47 7 A. Those are the ones that tend to produce faster horses.

09:09:53 8 Q. Do you know this individual, sir?

09:10:03 9 A. I do.

09:10:04 10 Q. And who do you know him as?

09:10:08 11 A. Ramiro Villarreal.

09:10:10 12 Q. Your Honor, for the record, that's Exhibit 419.

09:10:16 13 Did Mr. Villarreal have a nickname?

09:10:32 14 A. I knew him as Ramiro.

09:10:34 15 Q. And when did you meet Ramiro?

09:10:45 16 A. About 2005.

09:10:47 17 Q. And what would Ramiro Villarreal do for you?

09:10:55 18 A. Bought quarter horses for me.

09:10:57 19 Q. And where was that?

09:11:04 20 A. He would buy them here in the United States.

09:11:06 21 Q. Would he buy them from private sellers or at auctions?

09:11:17 22 A. Auctions and private sellers.

09:11:21 23 Q. So with respect to the auctions, could you tell the jury how

09:11:24 24 you would identify a horse, how you would get those instructions

09:11:27 25 to Ramiro, and how that horse would be paid for?

09:12:01 1 A. The auctions have books. They have these books where the  
09:12:15 2 horses come and they're numbered, and then, you provide the  
09:12:20 3 number to him and for the number of the numbers of the ones you  
09:12:25 4 want. And then, for the payments, Ramiro was paid in cash, and  
09:12:28 5 he would make the deposits.

09:12:30 6 Q. Why wouldn't you buy the horses yourself?

09:12:37 7 A. I couldn't pay at an auction in cash.

09:12:45 8 Q. Because you would have been arrested in the U.S.?

09:12:49 9 A. That's right.

09:12:52 10 Q. Do you know a person nicknamed "Pili"?

09:12:59 11 A. I do.

09:13:00 12 Q. Showing you Government's Exhibit 11F. And I'm pointing to a  
09:13:07 13 man in a blue shirt. Do you recognize that individual?

09:13:12 14 A. Yes.

09:13:15 15 Q. And that individual right there?

09:13:16 16 A. I do.

09:13:17 17 Q. Is that the person you recognize as "Pili"?

09:13:23 18 A. That's right.

09:13:24 19 Q. Your Honor, introduce Government's Exhibit 11F.

09:13:34 20 THE COURT: Received.

09:13:36 21 Q. (BY MR. GARDNER) Mr. Rejon, I'm pointing at the screen. Who  
09:13:49 22 is this individual?

09:13:52 23 A. Ramiro Villarreal.

09:13:55 24 Q. And this individual next to him?

09:13:58 25 A. That's "La Pili."

09:14:01 1 Q. What did you know "Pili" to do?

09:14:09 2 A. He helped Ramiro in the purchase of quarter horses.

09:14:13 3 Q. Do you know how he helped Ramiro in the purchase of quarter  
09:14:49 4 horses?

09:14:49 5 A. He helped Ramiro check out the colts, check them out to make  
09:14:53 6 sure they didn't have -- that they weren't hurt during the  
09:14:56 7 auction, and to pick up the payments.

09:15:06 8 Q. Now, at some point, did "40" or "42" become interested in  
09:15:09 9 quarter horses?

09:15:15 10 A. That's right.

09:15:17 11 Q. All right. And why did they become interested in quarter  
09:15:24 12 horses?

09:15:24 13 A. At first, like a hobby.

09:15:28 14 Q. And when did they become interested in quarter horses?

09:15:40 15 A. Approximately, about 2007, 2008.

09:15:44 16 Q. I'm showing you Government's Exhibit 11F again. Are you  
09:15:51 17 familiar with this horse, Tempting Dash?

09:15:57 18 A. I do.

09:15:58 19 Q. Do you know where Ramiro bought that horse?

09:16:10 20 A. No. I don't remember the auction, but it was here in the  
09:16:14 21 U.S.

09:16:15 22 Q. And who gave him orders to buy that horse?

09:16:33 23 A. At first, I was the one that told him to buy it for me.

09:16:36 24 Q. And why did you want him to buy this particular horse?

09:16:48 25 A. Because of the bloodline.

09:16:50 1 Q. And so, when you say you first gave him orders to buy that  
09:16:54 2 horse, did you end up with that horse?

09:17:00 3 A. No.

09:17:09 4 Q. Who ended up with that horse?

09:17:15 5 A. Miguel Angel Morales-Trevino.

09:17:17 6 Q. Can you please tell the jury why that horse went to "40"  
09:17:22 7 instead of you when you gave the orders to buy that horse?

09:17:55 8 A. I had talked to Ramiro, asked for him to buy that at  
09:18:09 9 auction, and after I finished talking to him, he said yes, yes,  
09:18:12 10 he would; but then, after that, he talked to "40" and told him  
09:18:17 11 that he'd buy the colt for me, he was going to get for me, and he  
09:18:23 12 said no, that he wanted it and he ended up with the colt.

09:18:26 13 Q. So when Tempting Dash is racing on October 24th of 2009, is  
09:18:34 14 Ramiro Villarreal the owner of that horse?

09:18:39 15 A. Yes.

09:18:50 16 Q. Is he the true owner of that horse?

09:18:57 17 A. He wasn't the true owner of the horse.

09:19:00 18 Q. Was the true owner "40"?

09:19:04 19 A. That's right.

09:19:07 20 Q. Now, Mr. Rejon, I'm showing you Government's Exhibit 381A.  
09:19:14 21 Are those your initials right there, sir?

09:19:17 22 A. That's right.

09:19:23 23 Q. And have you had a chance to listen to the phone calls on  
09:19:27 24 this disc?

09:19:33 25 A. That's right.

09:19:34 1 Q. And are the calls in English or in Spanish?

09:19:39 2 A. Spanish.

09:19:40 3 Q. And whose voices do you recognize on that disc?

09:19:49 4 A. Ramiro's voice, Omar Morales-Trevino, the guy in charge in  
09:20:12 5 Monterrey, I don't know his name, and "La Pili."

09:20:15 6 Q. I'm showing you Government's Exhibit 381B, which are the  
09:20:18 7 transcripts already admitted. Did you have an opportunity to go  
09:20:24 8 over those transcripts?

09:20:25 9 A. I did.

09:20:35 10 Q. And were you able to make corrections based on your  
09:20:37 11 knowledge of these individuals?

09:20:44 12 A. I did.

09:20:45 13 Q. And are those corrections reflected in the transcripts?

09:20:54 14 A. They do.

09:20:55 15 Q. Your Honor, I offer Government's Exhibit 381A. 381B is  
09:21:01 16 already admitted.

09:21:04 17 MR. DEGEURIN: Excuse me, your Honor, I have a motion  
09:21:06 18 in limine, number one, regarding this. Number two, I want to  
09:21:11 19 review what corrections this man made.

09:21:15 20 MR. GARDNER: Your Honor, those transcripts with the  
09:21:17 21 corrections and additions have been supplied to Mr. DeGeurin as  
09:21:20 22 of last week. They've been certified by both Ms. Helmerichs and  
09:21:24 23 the court transcriber. You've had them in e-mail for over a  
09:21:27 24 week.

09:21:28 25 MR. DEGEURIN: I thought they were translated by an

09:21:31 1 official translator, not by --

09:21:35 2 MR. GARDNER: They were.

09:21:35 3 MR. DEGEURIN: That new testimony may be. But I do  
09:21:37 4 have a motion in limine if we could address at the bench.

09:21:48 5 (At the bench, on the record.)

09:22:05 6 MR. DEGEURIN: Your Honor, there's one part of here I  
09:22:09 7 think that's not probative.

09:22:09 8 THE COURT: Be sure and speak up enough.

09:22:15 9 MR. DEGEURIN: One part in here I've marked that's not  
09:22:16 10 probative. I think it's prejudicial and I think it should be  
09:22:20 11 left out.

09:22:25 12 THE COURT: Let the record show that counsel has handed  
09:22:28 13 me a transcript of two pages and --

09:22:35 14 MR. SANCHEZ: There's an identifying number on the top.

09:22:37 15 MR. GARDNER: Session number on the front, your Honor.

09:22:37 16 THE COURT: No. I understand that. But the  
09:22:44 17 transcription of two pages.

09:23:31 18 MR. GARDNER: Okay. Should be "FV" for female voice.

09:24:09 19 THE COURT: What's the date of this?

09:24:15 20 MR. GARDNER: Call was in 2009, your Honor.

09:24:18 21 THE COURT: December 10. Okay. What's the objection?

09:24:24 22 MR. DEGEURIN: It's really not probative. I guess the  
09:24:28 23 female was talking about something about money for a lawyer.  
09:24:29 24 It's not relevant to me.

09:24:29 25 THE COURT: She said she spoke to an attorney.

09:24:35 1 MR. DEGEURIN: But I mean, they're also talking about  
09:24:37 2 paying an attorney. I just don't think it's -- probably not any  
09:24:43 3 admissible.

09:24:43 4 THE COURT: I'm looking at what you've got outlined and  
09:24:45 5 it says, quote, I spoke to an attorney and I said to him, listen,  
09:24:53 6 what if it's like this or like that. No reason to, he said, if  
09:24:58 7 you have put it in someone else's name, then yes, he said.

09:25:05 8 Whatever it is, the objection's overruled. This is a transcript  
09:25:12 9 December 10th, 2009. It says on the sheet.

09:25:34 10 Q. (BY MR. GARDNER) Mr. Rejon, who is the speakers on the phone  
09:25:42 11 calls?

09:25:54 12 A. Ramiro Villarreal, Oscar Omar Morales-Trevino, "La Pili" and  
09:26:20 13 the guy in charge in Monterrey.

09:26:23 14 Q. Your Honor, at this time, may I begin publishing the calls?

09:26:26 15 THE COURT: You may.

09:26:27 16 Q. (BY MR. GARDNER) Start with call No. 735.

09:26:38 17 (Audio file played.)

09:30:08 18 Mr. Rejon, this call is dated October 21st, 2009, four  
09:30:15 19 days before Tempting Dash won the Dash For Cash. Who is speaking  
09:30:20 20 on that call?

09:30:39 21 A. Ramiro Villarreal. The other voice, I don't recognize it.

09:30:43 22 Q. And on that call, it says, \$500 for each gate and \$4,000 for  
09:30:48 23 the boss. How can bribing a gate starter help your horse win a  
09:30:53 24 race?

09:30:55 25 MS. WILLIAMS: Objection. Foundation.

09:30:58 1 MR. GARDNER: I can lay the foundation.

09:31:00 2 Q. (BY MR. GARDNER) Have you ever bribed someone at a horse  
09:31:03 3 race before, Mr. Rejon?

09:31:12 4 A. In Mexico, yes.

09:31:14 5 Q. Have you ever fixed a horse race in Mexico?

09:31:25 6 A. I have.

09:31:27 7 Q. Have you ever used the gate starters to gain an advantage  
09:31:34 8 over the other horses?

09:31:45 9 A. It's done differently in Mexico.

09:31:52 10 Q. And are you familiar with how bribes are given to gate  
09:31:56 11 starters in the U.S. to help a horse win?

09:32:09 12 A. I am.

09:32:10 13 Q. And have you had discussions with "40" about bribing various  
09:32:13 14 horse races in the United States?

09:32:20 15 A. I have.

09:32:21 16 Q. So how can bribing a gate starter help your horse win?

09:32:25 17 MS. WILLIAMS: Again, your Honor, lack of foundation.  
09:32:27 18 Just said it's done differently in the United States.

09:32:30 19 THE COURT: Objection is overruled. The witness may  
09:32:33 20 answer.

09:32:43 21 A. The starters, the ones that handle the ones that place the  
09:33:17 22 horses in the position right at the gate for them to start. So  
09:33:21 23 if you pull the horse, his head as it comes out of the gate, that  
09:33:26 24 can cause them to all go one way or to run into each other, which  
09:33:29 25 changes the results of the gate -- of the race. Those people are

09:33:36 1 hired -- in the U.S. are hired by the track.

09:33:38 2 Q. And so, what does bribing the supervisor of those gate  
09:33:43 3 starters do?

09:34:07 4 A. For that person to be within, inside the same circle, the  
09:34:11 5 same group, he's the one that gives the orders to the starters.

09:34:20 6 Q. Your Honor, I call 881, for the record, also on October 21st  
09:34:23 7 of 2009.

09:34:27 8 (Audio file played.)

09:36:11 9 Q. The last sentence there -- let me ask you this first. Who's  
09:36:15 10 talking in this call?

09:36:25 11 A. Ramiro Villarreal and Oscar Omar Morales-Trevino.

09:36:28 12 Q. And lists a number of other horses there. Does that refer  
09:36:32 13 to the gates that the other horses are starting from?

09:36:39 14 A. That's right.

09:36:40 15 Q. And the last word in there -- or the last sentence was  
09:36:44 16 talking about the son of a bitch better hang on to Hueso. Who is  
09:36:50 17 Hueso?

09:36:57 18 A. Tempting Dash.

09:36:59 19 Q. Was that the name it had in Mexico?

09:37:03 20 A. That's right.

09:37:04 21 Q. Call No. 888, also on October 21st of 2009.

09:37:14 22 THE COURT: What number was that?

09:37:16 23 MR. GARDNER: 888, your Honor.

09:37:19 24 THE COURT: For the record, 381's in evidence.

09:37:22 25 MR. GARDNER: Thank you, your Honor.

09:37:25 1 (Audio file played.)

09:37:37 2 Q. (BY MR. GARDNER) Who's speaking on this call?

09:38:20 3 A. Ramiro Villarreal and Oscar Omar Morales-Trevino.

09:38:26 4 Q. And when they're talking about operation Hueso is finished,

09:38:30 5 what are they referring to?

09:38:39 6 A. The deal they were making for the starters.

09:38:42 7 Q. Call 891, also on October 21st, 2009.

09:38:56 8 (Audio file played.)

09:39:15 9 Q. Again, who are the speakers on that call, Mr. Rejon?

09:39:20 10 A. Ramiro Villarreal and Oscar Omar Morales-Trevino.

09:39:26 11 Q. And again, are they talking about Tempting Dash in that

09:39:30 12 call, as well?

09:39:34 13 A. That's right.

09:39:36 14 Q. Call 1020, please, also on October 21st of 2009.

09:39:47 15 (Audio file played.)

09:44:07 16 Q. Mr. Rejon, who is speaking in this call?

09:44:10 17 A. Ramiro Villarreal and Oscar Omar Morales-Trevino.

09:44:18 18 Q. Now, earlier in the call, there's a line there that "42"

09:44:22 19 says, what's up with "Chevo"? How is he? Do you know "Chevo"

09:44:29 20 Huitron?

09:44:32 21 A. No.

09:44:40 22 Q. Have you never met him?

09:44:43 23 A. No.

09:44:44 24 Q. Have you heard "40" and "42" talk about "Chevo" Huitron?

09:44:52 25 A. Yes.

09:44:52 1 Q. And what have they said about "Chevo" Huitron?

09:45:04 2 A. That he's their horse trainer for their horses.

09:45:09 3 Q. Now, there's also discussions in here before this line where

09:45:12 4 it says, once the jolts are applied and they're talking about

09:45:15 5 batteries. Do you know what they're referring to when they're

09:45:18 6 talking about batteries when the jolts are applied?

09:45:42 7 A. They're talking about the fact that the hands, they apply

09:45:46 8 some jolts so that the horse will run faster so nothing will stop

09:45:51 9 them.

09:45:51 10 Q. When you say the hand, were these the hands of the jockey?

09:45:57 11 A. That's right.

09:45:58 12 Q. And where does the jockey hold the batteries?

09:46:15 13 A. They place them either somewhere on their wrist or they

09:46:17 14 carry them between their fingers.

09:46:19 15 Q. And what happens to the batteries after the race?

09:46:26 16 A. They're tossed.

09:46:27 17 Q. While on the track?

09:46:31 18 A. That's right.

09:46:33 19 Q. Now, there's another line in there where "42" is asking

09:46:37 20 Ramiro to do something with his fingers in the picture. Do you

09:46:41 21 know what that refers to?

09:46:56 22 A. The greeting. Send him a greeting.

09:46:57 23 Q. What kind of greeting?

09:47:04 24 A. Like saying hi.

09:47:06 25 Q. Could we go to call 2230, dated October 24th, 2009?

09:47:20 1 THE COURT: Twenty-two what?

09:47:22 2 MR. GARDNER: 2230, your Honor.

09:47:27 3 (Audio file played.)

09:47:37 4 Q. (BY MR. GARDNER) Who's talking on that call, Mr. Rejon?

09:48:49 5 A. Ramiro Villarreal and "El Flaco," the guy in charge in

09:48:55 6 Monterrey.

09:48:56 7 Q. And they talk about a new track record, is that for the win

09:49:02 8 of Tempting Dash?

09:49:10 9 A. That's right.

09:49:11 10 Q. Again, the call is dated October 24th. Is that the same

09:49:15 11 date that Tempting Dash won the Dash For Cash futurity?

09:49:28 12 A. That's right.

09:49:29 13 Q. And when he says, tell the boss about the track record, who

09:49:33 14 is Ramiro referring to that's the boss?

09:49:39 15 A. Miguel Morales-Trevino.

09:49:49 16 Q. And, sir, were you present or had a discussion with "40"

09:49:54 17 regarding the fixing of a race with Mr. Piloto?

09:50:10 18 A. That's right.

09:50:11 19 Q. And could you tell the jury what discussion you had with

09:50:15 20 "40" about the amount of bribes and what the bribes were to be

09:50:18 21 used for?

09:50:49 22 A. All the payments that he made, including the ten percents,

09:50:56 23 the bribes, everything, was more than half a million dollars.

09:50:59 24 The bribes were for the starters and to have it be a faster

09:51:05 25 track.

09:51:06 1 Q. When you say have it to be a faster track, could you explain  
09:51:09 2 what you mean by that?

09:51:19 3 A. That track is more -- is compacted.

09:51:24 4 Q. Is it harder?

09:51:27 5 A. That's right.

09:51:28 6 Q. And what effect does the hard packing of the track have on  
09:51:32 7 the horse?

09:51:57 8 A. For horses that can't go the distance, when you pack down  
09:52:01 9 the track, it helps them to go to the distance some 40 to 50  
09:52:07 10 yards more.

09:52:07 11 Q. Mr. Rejon, I'm going to show you Government's Exhibit 406.  
09:52:13 12 Have you seen this photo before, sir?

09:52:18 13 A. I have.

09:52:19 14 Q. And is this the starting of the All American Futurity with  
09:52:23 15 Mr. Piloto?

09:52:29 16 A. That's right.

09:52:31 17 Q. Your Honor, I'll offer Government's Exhibit 406 for  
09:52:34 18 demonstrative purposes. Your Honor, may I have one moment?

09:52:50 19 THE COURT: 406 for demonstrative purposes is admitted.

09:53:04 20 MR. GARDNER: Your Honor, I apologize. My IT  
09:53:06 21 specialist told me that she marked that one as 423. I will  
09:53:12 22 change that to 423.

09:53:13 23 THE COURT: 423 is admitted.

09:53:19 24 Q. (BY MR. GARDNER) Could we publish? Mr. Rejon, this horse  
09:53:40 25 here is Mr. Piloto?

09:53:48 1 A. Yes. The one coming out of gate nine.

09:54:01 2 Q. Mr. Rejon, when you look at the feet, what do you see with  
09:54:05 3 respect to the hard packing that you discussed earlier?

09:54:16 4 A. If you look at the hoofs of the horses, the penetration of  
09:54:31 5 the -- the way they break the surface, it's much less.

09:54:34 6 Q. And when you say it's much less, are you just referring to  
09:54:38 7 Mr. Piloto's track or all horses?

09:54:46 8 A. All the horses.

09:54:48 9 Q. Mr. Rejon, you see these horses banging into one another,  
09:54:56 10 and you also see these horses banging into one another. What  
09:55:00 11 effect does that have on the horses' lungs when they knock into  
09:55:04 12 each other?

09:55:05 13 MS. WILLIAMS: Your Honor, this man's not an expert.  
09:55:09 14 He has no foundation to answer that question.

09:55:13 15 THE COURT: Is that an objection?

09:55:15 16 MS. WILLIAMS: That is an objection.

09:55:16 17 THE COURT: And I'll sustain it.

09:55:18 18 Q. (BY MR. GARDNER) Have you ever directed any of your horses  
09:55:22 19 to run into other horses?

09:55:28 20 A. That's right.

09:55:29 21 Q. Does that help you gain an advantage in a horse race?

09:55:37 22 A. It does.

09:55:38 23 Q. And how does that help you gain an advantage in a horse  
09:55:41 24 race?

09:55:43 25 A. When a horse starts a race, he's holding his breath, he's

09:56:08 1 trying to retain his breath so that he can let it out as it goes.

09:56:11 2 When they hit one another, it knocks the wind out, and it takes

09:56:14 3 even a millisecond for them to get to breathe in again, to get

09:56:18 4 the air again. That gives an advantage to the other horse.

09:56:24 5 Q. Give me 335E. Do you recognize this person, Mr. Rejon?

09:56:35 6 A. I do.

09:56:36 7 Q. And how do you recognize him?

09:56:40 8 A. Carlos Nayen.

09:56:42 9 Q. And what did Carlos Nayen do for "40"?

09:56:50 10 A. Trained the horses.

09:56:52 11 Q. Where? In Mexico or in the United States?

09:56:58 12 A. In Mexico and then, afterwards, he came to the U.S.

09:57:03 13 Q. May I call have 1061, dated October 21st of 2009?

09:57:23 14 (Audio file played.)

09:59:05 15 Q. Do you know a "Pancho" Colorado?

09:59:08 16 A. I do.

09:59:09 17 Q. Do you see him in the courtroom here today?

09:59:12 18 A. I do.

09:59:14 19 Q. Is this the individual standing back here in the blue tie?

09:59:20 20 A. That's right.

09:59:24 21 Q. And how do you know "Pancho" Colorado?

09:59:41 22 A. Met him about 2007. 2006, 2007.

09:59:50 23 Q. And how did you meet "Pancho" Colorado?

09:59:56 24 A. He was with a friend, a friend of mine at an apartment that

10:00:11 25 had Miguel Aleman.

10:00:13 1 Q. And do you know an individual named Efrain Torres?

10:00:19 2 A. That's right.

10:00:19 3 Q. And was he also called "Zeta 14"?

10:00:24 4 A. That's right.

10:00:26 5 Q. Do you know "Pancho" Colorado had a relationship with Efrain

10:00:31 6 Torres?

10:00:36 7 A. They were compadres.

10:00:41 8 Q. And so, what did "Pancho" Colorado do for Efrain Torres?

10:00:46 9 A. They had -- he helped him. He helped him with the company,

10:01:09 10 the company that "Pancho" Colorado had.

10:01:11 11 Q. And when you say "he," are you referring to Efrain Torres?

10:01:17 12 A. That's right.

10:01:19 13 Q. Were you present at a meeting after the death of Efrain

10:01:24 14 Torres where "Pancho" Colorado was also present?

10:01:45 15 A. That's right.

10:01:46 16 Q. And where was that meeting?

10:01:49 17 A. It was at a ranch that's located on the Tuxpan-Poza Rica

10:02:06 18 highway.

10:02:06 19 Q. And whose ranch was this?

10:02:10 20 A. Francisco Colorado's.

10:02:14 21 Q. Could you please explain to the jury how close the ranch

10:02:17 22 house is to the road?

10:02:31 23 A. Some hundred meters.

10:02:33 24 Q. And are there any other structures or buildings behind the

10:02:37 25 ranch house?

10:02:39 1 A. There's some houses, there's some stables. They're further  
10:03:03 2 back. There's some corrals or pens where you keep sheep, and  
10:03:11 3 then, you go down to the river.

10:03:13 4 Q. And other than sheep, what other type of animals were  
10:03:16 5 present on that ranch?

10:03:25 6 A. Quarter horses.

10:03:26 7 Q. Any other animals?

10:03:28 8 A. No.

10:03:32 9 THE COURT: Mark your spot.

10:03:33 10 MR. GARDNER: Thank you, your Honor.

10:03:34 11 THE COURT: Members of the jury, I'll give you your  
10:03:36 12 morning break. You'll have time to use the facility, stretch.  
10:03:41 13 Be ready to come back in 15 minutes.

10:04:12 14 (Jury not present.)

10:04:14 15 THE COURT: Recess for 15 minutes.

10:18:34 16 (Recess.)

10:18:54 17 THE COURT: We have an agricultural comment before we  
10:18:56 18 start.

10:18:57 19 MR. GARDNER: I've been informed.

10:19:02 20 THE INTERPRETER: The interpreter screwed up.

10:19:05 21 (Jury present.)

10:20:14 22 THE COURT: Ladies and gentlemen, the interpreter  
10:20:17 23 wishes to do a correction. You've got to realize that she is a  
10:20:21 24 city person.

10:20:25 25 THE INTERPRETER: Your Honor, for the record, when the

10:20:27 1 interpreter said sheep, it should have been calves.

10:20:30 2 THE COURT: Okay.

10:20:33 3 THE INTERPRETER: Different animal.

10:20:33 4 THE COURT: All right. Let's proceed.

10:20:36 5 Q. (BY MR. GARDNER) Mr. Rejon, based on that correction by the  
10:20:40 6 translator, what type of cattle or calves did "Pancho" Colorado  
10:20:46 7 have on his ranch?

10:21:01 8 A. I don't know the breed. I know it's cattle. It was calves  
10:21:17 9 and it was bulls.

10:21:22 10 Q. And, sir, when you mentioned that "Z 14" helped "Pancho"  
10:21:29 11 Colorado's company, do you know the name of that company?

10:21:39 12 A. I think it's Petro Servicios.

10:21:50 13 Q. And do you know what activities the company did?

10:21:55 14 A. Some kind of mediation or cleanup for Pemex.

10:22:08 15 Q. Now, were you aware that "Pancho" Colorado was interested in  
10:22:17 16 quarter horses?

10:22:29 17 A. Yes.

10:22:32 18 Q. Could we play the next call, please?

10:22:36 19 (Audio file played.)

10:24:10 20 Q. Now, early on in that call, they talk about Heritage Place  
10:24:14 21 book. Is that the auction book you were referring to earlier?

10:24:17 22 A. Yes.

10:24:26 23 Q. And on the highlighted section here and above, there's a  
10:24:30 24 number of numbers. Do you know what those numbers refer to?

10:24:49 25 A. That's the number that the horse has on its hindquarters

10:24:55 1 when it goes to auction.

10:24:57 2 Q. Please finish.

10:25:02 3 (Audio file played.)

10:26:04 4 Q. Mr. Rejon, was there any other "Pancho" and Carlitos buying  
10:26:09 5 horses along with the Zetas?

10:26:20 6 A. No.

10:26:21 7 Q. So the only ones you knew were "Pancho" Colorado and Carlos  
10:26:33 8 Nayen?

10:26:33 9 A. That's right.

10:26:35 10 Q. Please play call 2601, dated October 31st of 2009.

10:26:48 11 (Audio file played.)

10:27:59 12 Q. In this call, they referred to a small Corona. What's a  
10:28:03 13 small Corona?

10:28:14 14 A. That's the line of the horse, the horse is Corona Czech.

10:28:20 15 Q. And there's a horse there named Ahedrez. Do you know whose  
10:28:26 16 horse that is?

10:28:29 17 A. I do.

10:28:30 18 Q. And whose horse is that?

10:28:34 19 A. Miguel Angel Morales-Trevino.

10:28:37 20 Q. Did you ever participate with "40" in match races?

10:28:50 21 A. I did.

10:28:51 22 Q. And was "Pancho" Colorado present at these races?

10:28:55 23 A. That's right, at some.

10:29:02 24 Q. And when I say match races, were these private races or are  
10:29:07 25 they open to the public?

10:29:08 1 A. Both, private and public.

10:29:19 2 Q. And on the private races, who was present at those?

10:29:44 3 A. "40," "42," I was, at some of them, "Pancho" Colorado,

10:29:53 4 Carlos Nayen.

10:29:54 5 Q. And did "Pancho" Colorado ever race against any of "40's"

10:29:59 6 horses?

10:29:59 7 A. He did.

10:30:05 8 Q. And did they bet on these races?

10:30:08 9 A. Did.

10:30:11 10 Q. And what type of amounts would they bet?

10:30:13 11 A. Depended, 50, 30, \$40,000. Maximum would be 100,000.

10:30:34 12 Q. And did you ever provide one of your horses to "Pancho"

10:30:38 13 Colorado to race?

10:30:43 14 A. I did.

10:30:48 15 Q. And could you describe that occasion for the jury, please?

10:31:11 16 A. It was a race that was done in Laredo, Tamaulipas, and it

10:31:25 17 was a 300-yard race. "Pancho" Colorado didn't have a horse that

10:31:31 18 would run that, and so, I loaned him El Igual so he could have a

10:31:39 19 horse.

10:31:39 20 Q. And El Igual, is that the name of your horse?

10:31:42 21 A. That's right.

10:31:44 22 Q. And who won that race?

10:31:53 23 A. I won that race through Maradas with the horse -- or runoffs

10:32:11 24 with the horse that's called El Tolemec.

10:32:13 25 Q. And was "40" or "42" present at that particular match race?

10:32:28 1 A. No. Seems like they weren't.

10:32:32 2 Q. Did "Pancho" Colorado ever buy horses for "40" or "42"?

10:32:39 3 A. That's right.

10:32:46 4 Q. And do you know how that would work in terms of which horse

10:32:51 5 was picked and how it was paid for?

10:32:53 6 A. The horses were picked from the auction books, and the

10:33:23 7 payments would be provided to "Pancho" Colorado in Veracruz

10:33:27 8 through the company accountant.

10:33:30 9 Q. And how did "40" reimburse "Pancho" Colorado for the

10:33:36 10 purchase of horses?

10:33:47 11 A. In cash.

10:33:48 12 Q. And was this what "40" told you, or did you see that

10:33:53 13 personally?

10:33:59 14 A. "Cuarenta" would talk to me about it.

10:34:02 15 Q. Do you know on how many occasions "Pancho" Colorado

10:34:05 16 purchased horses for "40"?

10:34:07 17 A. Couple of occasions.

10:34:16 18 Q. And do you know the timeframe or the year in which this

10:34:21 19 occurred?

10:34:31 20 A. I don't remember the exact year.

10:34:33 21 Q. Could we play call 3460, dated September 6, 2009?

10:34:43 22 (Audio file played.)

10:36:28 23 Q. Mr. Rejon, who's talking in this call?

10:36:33 24 A. That's Ramiro Villarreal and "La Pili."

10:36:37 25 Q. And earlier on, it said, so what did he say this morning,

10:36:41 1 comma, the guy with glasses. Who, again, is the guy with  
10:36:48 2 glasses?

10:36:52 3 A. That's me.

10:36:53 4 Q. And later on, it says that you were really upset. Do you  
10:36:58 5 know what the substance of this call is about?

10:37:09 6 A. I do.

10:37:09 7 Q. And what is that, sir?

10:37:12 8 A. The deal is that I had asked Ramiro Villarreal to buy me a  
10:37:41 9 horse, and we had agreed and he had said yes, but Miguel Angel  
10:37:47 10 Morales-Trevino called him and said no, that horse is for me.

10:37:51 11 Q. Do you know what happened to Ramiro Villarreal?

10:37:57 12 A. I do.

10:37:58 13 Q. What happened to Mr. Villarreal?

10:38:00 14 A. He was killed in a car wreck.

10:38:08 15 Q. And was that car wreck an accident, or was it directed by  
10:38:12 16 somebody from the Zetas?

10:38:25 17 A. It was ordered by someone in the Zetas.

10:38:27 18 Q. And who was that, sir?

10:38:30 19 A. Miguel Angel Morales-Trevino.

10:38:33 20 Q. And why did "40" want to kill Ramiro Villarreal?

10:38:41 21 A. Because he knew a lot about the horse business and "40" had  
10:39:03 22 a lot invested in the insemination and the horses, the deer, the  
10:39:10 23 cattle. Ramiro knew it all.

10:39:13 24 Q. And so, why did the knowledge that Ramiro Villarreal have  
10:39:17 25 cause "40" to kill him?

10:39:47 1 A. He could have been arrested and if he was arrested, he could  
10:39:51 2 testify. He knew all the names of the horses. He knew about all  
10:39:56 3 the embryos, the inseminations, the deer, the cattle, the horses.  
10:40:00 4 He could bring down his whole business.

10:40:03 5 Q. Could we please play call 4386? Your Honor, 4386 is dated  
10:40:10 6 December 10th of 2009.

10:40:16 7 (Audio file played.)

10:42:55 8 Q. In that particular call, it talks about changing the name of  
10:43:00 9 a horse. Have you ever had any discussions with "40" about  
10:43:08 10 putting Tempting Dash into Jose Trevino brother's name?

10:43:20 11 A. I heard that conversation. I was there present in that  
10:43:33 12 conversation.

10:43:33 13 Q. And when they talk about the brother being clean --

10:43:41 14 MS. WILLIAMS: Objection. Hearsay.

10:43:43 15 Q. (BY MR. GARDNER) And when "40" talks about the brother being  
10:43:45 16 clean, what does he mean by that?

10:44:01 17 A. That the brother had no relationship at all with drugs.  
10:44:05 18 That he was a person that didn't do anything illegal.

10:44:09 19 Q. And so, why did "40" feel it was important to put the horse  
10:44:13 20 in his brother's name?

10:44:14 21 MS. WILLIAMS: Object to speculation.

10:44:17 22 Q. (BY MR. GARDNER) Did "40" tell you why it was important to  
10:44:20 23 put that horse in his brother Jose Trevino's name?

10:44:31 24 A. Yeah. They were going to change the name because when  
10:44:58 25 Capicopa was going to run --

10:45:00 1 MS. WILLIAMS: Objection, your Honor. Hearsay. If I  
10:45:01 2 understood him to say he didn't have this conversation, that he  
10:45:04 3 overheard -- that someone told him about this conversation.

10:45:06 4 MR. GARDNER: I believe he said he was present at the  
10:45:07 5 conversation with "40."

10:45:09 6 THE COURT: Well, let's ask the -- re-ask his  
10:45:14 7 knowledge.

10:45:15 8 Q. (BY MR. GARDNER) What did "40" tell you about why he wanted  
10:45:18 9 to put Tempting Dash into his clean brother's name?

10:45:52 10 A. He wanted to put it in his brother's name because the horse  
10:45:56 11 was going to run in Dash For Cash, and if he won the Dash For  
10:46:02 12 Cash, his value would increase and that way, the money would --  
10:46:05 13 they would be able to get the money, and the money would stay  
10:46:07 14 within the family.

10:46:08 15 Q. Could we finish the call, please?

10:46:18 16 (Audio file played.)

10:46:43 17 Q. And again, Mr. Rejon, who is talking in this call?

10:46:49 18 A. Ramiro Villarreal and "La Pili."

10:46:57 19 Q. Could you please play call 4296, dated December 12, 2009?

10:47:09 20 (Audio file played.)

10:48:44 21 Q. Who's speaking in this call, Mr. Rejon?

10:48:48 22 A. Ramiro Villarreal and I don't know. I don't know that other  
10:48:54 23 person.

10:48:55 24 Q. When Mr. Villarreal is saying, I'll talk to the other one's  
10:48:59 25 brother, do you know who he's referring to?

10:49:10 1 A. No.

10:49:14 2 Q. Do you know if "40" or "42" used "Chevo" to train any other

10:49:19 3 horses of theirs?

10:49:20 4 A. I knew he had horses, horses that were "42's" and "40's,"

10:49:48 5 but I don't know how many.

10:49:51 6 Q. Do you know an individual by the name of Alejandro Barradas?

10:49:59 7 A. That's right.

10:49:59 8 Q. And how do you know him?

10:50:12 9 A. We are -- we were partners in quarter horses.

10:50:16 10 Q. And do you know what happened to Alejandro Barradas?

10:50:24 11 A. He was killed.

10:50:28 12 Q. And are you familiar with his company Grupo Aduanero

10:50:35 13 Integral?

10:50:36 14 A. No.

10:50:38 15 Q. Do you know why Alejandro Barradas was killed?

10:50:45 16 A. Yes.

10:50:46 17 Q. And why was that?

10:50:50 18 A. My understanding is that he'd been asked to --

10:51:15 19 MS. WILLIAMS: Objection, your Honor. Speculation, my

10:51:17 20 understanding is.

10:51:20 21 Q. (BY MR. GARDNER) How did you come to learn that Alejandro

10:51:23 22 Barradas had been killed? Who told you that?

10:51:35 23 A. I found out through the person in charge in Veracruz through

10:51:46 24 Lucio Lucky.

10:51:49 25 Q. And was Lucky a Zeta?

10:51:52 1 A. That's right.

10:51:53 2 Q. And what did Lucky tell you with respect to the death of  
10:51:57 3 Alejandro Barradas?

10:51:58 4 MS. WILLIAMS: Object to hearsay.

10:51:59 5 THE COURT: Sustained.

10:52:05 6 Q. (BY MR. GARDNER) When was the last time you saw Alejandro  
10:52:07 7 Barradas?

10:52:23 8 A. It was in Laredo and it was approximately in 2009.

10:52:28 9 Q. So you know a Jose Luis Canales?

10:52:32 10 A. I know someone who's a Canales. I don't know if his first  
10:52:45 11 name's Jose Luis.

10:52:47 12 Q. And this Canales that you know, what do you know that he did  
10:52:50 13 for a living?

10:52:52 14 A. Sale of calves.

10:53:02 15 Q. Do you know where he sold calves or cows? What city?

10:53:10 16 A. No.

10:53:13 17 Q. Showing you Government's Exhibit 364OKT. Do you recognize  
10:53:23 18 that photo?

10:53:25 19 A. Yes.

10:53:26 20 Q. And who is it?

10:53:27 21 A. That's me.

10:53:29 22 Q. And is that your photo taken upon your arrest?

10:53:34 23 A. That's right.

10:53:35 24 Q. Your Honor, we offer Government's Exhibit 364 OKT.

10:53:51 25 MR. DEGEURIN: No objection, your Honor.

10:53:53 1 THE COURT: 364, I couldn't -- double T?

10:53:58 2 MR. GARDNER: 364 OKT, your Honor.

10:54:06 3 THE COURT: All right. That's received.

10:54:10 4 Q. (BY MR. GARDNER) That's a little hard to see, Mr. Rejon, but  
10:54:14 5 again, is that you upon your arrest?

10:54:20 6 A. That's right.

10:54:30 7 Q. Why don't you or other Zetas keep all your money in Mexico  
10:54:35 8 instead of bringing it into the United States?

10:54:47 9 A. Can you repeat that question? I didn't understand it.

10:54:49 10 Q. Why don't you just keep all your cash in Mexico?

10:55:02 11 A. I don't understand.

10:55:04 12 Q. I guess my question is, why don't you keep your cash in  
10:55:08 13 Mexico instead of spending it on horses in the United States?

10:55:38 14 A. It's just that it's invested, be it in horses, be it in  
10:55:43 15 properties. It's that you have to clean it up because it comes  
10:55:48 16 from drug trafficking, so you can't spend it, you can't put it in  
10:55:52 17 a bank, so you just have to hold it.

10:55:56 18 Q. What is "40's" favorite band?

10:56:05 19 A. La Banda El Recodo.

10:56:09 20 Q. That's all I have, your Honor.

10:56:14 21 THE COURT: Ms. Williams.

10:56:20 22 CROSS-EXAMINATION

10:56:20 23 BY MS. WILLIAMS:

10:56:24 24 Q. What happened to your horses?

10:56:30 25 A. They were stolen.

10:56:32 1 Q. By?

10:56:33 2 A. By the Gulf.

10:56:37 3 Q. By the Gulf cartel?

10:56:41 4 A. That's right. Some of them.

10:56:44 5 Q. And the others?

10:56:54 6 A. I had some mares and some horses here in the U.S. I don't

10:56:59 7 know where they ended up.

10:56:59 8 Q. Isn't it true that you believe that Miguel Trevino-Morales

10:57:03 9 turned you in to the Mexican police?

10:57:13 10 A. That I can't -- I don't know who turned me in.

10:57:16 11 Q. I know you don't know, but isn't that what you believe?

10:57:24 12 A. Yes.

10:57:26 13 Q. And you think he took all your horses?

10:57:33 14 A. No.

10:57:35 15 Q. I'm going to ask you about this call where you talk about

10:57:43 16 Ramiro Villarreal having his picture taken. Do you remember

10:57:45 17 listening to this call? The one about the whistling?

10:58:09 18 A. Who whistles?

10:58:13 19 Q. You listened to a call about five minutes ago, ten minutes

10:58:16 20 ago, where you said that Ramiro Villarreal was talking to Omar

10:58:21 21 Trevino-Morales.

10:58:33 22 A. That's right.

10:58:35 23 Q. And you've continually referred to Omar Trevino-Morales and

10:58:42 24 Miguel Trevino-Morales by their entire name during your

10:58:49 25 testimony.

10:58:56 1 A. That's right.

10:58:57 2 Q. Why do you do that?

10:58:59 3 A. Because I spent a lot of time with them.

10:59:04 4 Q. So you call them by their whole name?

10:59:07 5 A. No.

10:59:15 6 Q. All right. I want to ask you about this call, it's dated

10:59:20 7 October the 21st, 2009. Ramiro says he's going to Dallas and

10:59:26 8 he's going to have his picture taken. Do you remember that?

10:59:45 9 A. Yes.

10:59:45 10 Q. And then, Omar says, say hi, do it like that with your

10:59:49 11 finger. Do you remember that?

10:59:50 12 A. That's right.

10:59:57 13 Q. Not the middle one?

10:59:59 14 A. That's right.

11:00:02 15 Q. And then, he starts whistling and then, he -- again, he

11:00:06 16 says, do like, you know, with your finger. Do you remember that?

11:00:15 17 A. Yes.

11:00:16 18 Q. And you told the prosecutor that meant do some sign, right?

11:00:25 19 A. That's right.

11:00:26 20 Q. All right. This is section No. 2145, dated also October the

11:00:54 21 24th, 2009. I'd ask you to listen to this phone call.

11:01:04 22 (Audio file played.)

11:01:59 23 Q. All right. Who's on this phone call?

11:02:01 24 A. I can't hear that recording so well. I don't know who it

11:02:09 25 is.

11:02:10 1 Q. All right. Let's play the rest -- well.

11:02:19 2 (Audio file played.)

11:02:41 3 Q. Did you understand that part?

11:02:46 4 A. It's confusing. Not much.

11:02:49 5 Q. So this isn't one of the calls that you've gone over with

11:02:52 6 the prosecutor?

11:03:02 7 A. Yeah, but if you notice, it's a call that's not -- that the

11:03:12 8 reproduction is not so good.

11:03:15 9 Q. Do you recognize Ramiro Villarreal on this call?

11:03:22 10 A. Could you play it a little longer, please?

11:03:26 11 Q. I will in a minute.

11:03:27 12 Do you recognize Ramiro Villarreal's voice on this

11:03:30 13 tape?

11:03:39 14 A. I don't remember, but if it's there, of course.

11:03:42 15 Q. I'm not asking you if you remember this call. I'm asking

11:03:45 16 you to listen to it and tell me if you can identify a voice.

11:03:48 17 You've listened to a number of calls that the government played.

11:03:51 18 You didn't have any trouble identifying who the voices were on

11:03:54 19 that call, right?

11:04:08 20 A. Okay. Play the call and I'll recognize the voice.

11:04:15 21 (Audio file played.)

11:05:16 22 Q. Do you recognize Ramiro Villarreal's voice on this phone

11:05:21 23 call?

11:05:22 24 A. Yes.

11:05:23 25 Q. And he's talking to somebody named Joe?

11:05:28 1 A. I don't know who he's talking to.

11:05:32 2 Q. He's talking to somebody?

11:05:33 3 A. Yes.

11:05:35 4 Q. And the first thing that happens is that this other person  
11:05:41 5 congratulates Ramiro and says it's an amazing horse?

11:05:47 6 A. That's right.

11:05:53 7 Q. And then, the other guy asked Ramiro, is the one that won,  
11:05:57 8 is it the boss's.

11:05:59 9 MR. GARDNER: Excuse me, your Honor, can we perhaps get  
11:06:01 10 a translation of that call, instead of Ms. Williams testifying as  
11:06:04 11 to what the call says? Improper form of the question, your  
11:06:12 12 Honor.

11:06:14 13 THE COURT: Members of the jury, I'm going to put you  
11:06:15 14 in the jury room.

11:06:52 15 (Jury not present.)

11:07:02 16 THE COURT: One of the most significant reasons that I  
11:07:09 17 required and requested and the government complied to give all of  
11:07:16 18 the recordings to counsel was so that counsel could go through  
11:07:22 19 that to decide which amount or, if any, they wanted to present.  
11:07:29 20 And then, I entered an order that, of course, required anybody to  
11:07:38 21 give notice if there was going to be a problem with the  
11:07:41 22 translation.

11:07:44 23 Now, I'll admit, it never dawned on me that in the  
11:07:47 24 middle of the trial, the defendants would come up without any  
11:07:53 25 translations and then, attempt to translate in the courtroom,

11:07:59 1 when there were translators completely available for literally  
11:08:05 2 months, but at least a month or at least weeks before this trial  
11:08:10 3 where you could have gotten translations. And now we're caught  
11:08:13 4 in a situation where you're doing the translation and the  
11:08:18 5 government's objecting.

11:08:26 6 Have you given any notice whatsoever of the portions of  
11:08:34 7 the recordings that you were going to use?

11:08:41 8 MS. WILLIAMS: I have this one call, your Honor. I  
11:08:43 9 didn't realize I was going to use it until this witness started  
11:08:46 10 testifying. I have a non-certified translation that I got from  
11:08:55 11 the government. That's what I'm using.

11:08:59 12 THE COURT: Okay. So you're using the first  
11:09:02 13 translation that the government gave you.

11:09:04 14 MS. WILLIAMS: Yes, your Honor.

11:09:04 15 THE COURT: Well, then, I'll overrule the objection.  
11:09:07 16 But if there's going to be any further ones that there's no  
11:09:10 17 notice on, I want you to give notice immediately to the United  
11:09:14 18 States attorney so that they can not have to have this objection,  
11:09:19 19 if we have to, and bring the jury, take them out and will make an  
11:09:23 20 individual determination on each recording. And you're entitled  
11:09:28 21 to show, if you wish, that there had been a change, if there has  
11:09:38 22 been a change, or whatnot. But they're using basically the  
11:09:43 23 discovery that the government provided and that's -- there's not  
11:09:46 24 anything wrong with that. Bring the jury.

11:09:48 25 MR. GARDNER: Your Honor, I don't have a problem with

11:09:49 1 that as long as we could introduce that line-sheet translation  
11:09:52 2 that Ms. Williams is talking about.

11:09:54 3 THE COURT: I'm sorry. I didn't.

11:09:56 4 MR. GARDNER: What she's referring to are what we call  
11:09:58 5 the line-sheet translations. If we could introduce that so that  
11:10:01 6 at least the jury could see that translation, refer to that.

11:10:04 7 THE COURT: Well, when you get the witness back, if you  
11:10:06 8 wish to, you can.

11:10:07 9 MR. GARDNER: All right.

11:10:11 10 MR. DEGEURIN: Your Honor, while the jury is still out,  
11:10:18 11 we've been requesting Giglio and Brady material pertaining to  
11:10:23 12 this witness and others. This witness has been interviewed  
11:10:28 13 multiple --

11:10:29 14 THE COURT: Do we need to have the witness leave the  
11:10:32 15 room?

11:10:33 16 MR. DEGEURIN: Possibly. Yes. Yes, we do. Thank you,  
11:10:36 17 Judge.

11:10:37 18 THE COURT: All right. If you'll take the witness out.  
11:11:02 19 Let the record reflect that Mr. Rejon has left the  
11:11:15 20 courtroom.

11:11:16 21 MR. DEGEURIN: Thank you, Judge.

11:11:17 22 I have a good-faith belief that there were reports  
11:11:21 23 written, notations made concerning his -- this witness' eleven or  
11:11:29 24 twelve debriefings. We have none of those at this time. To  
11:11:36 25 effectively cross-examine him, I believe I need -- certainly

11:11:42 1 should request, the Court could order, I believe, that those be  
11:11:45 2 given to us, the notes of what he has said about us and about his  
11:11:50 3 debriefings. We know that he's been shown multiple photographs  
11:11:56 4 in books, but we don't know what he said about those photographs  
11:11:59 5 in the books.

11:12:01 6 We know that he was arrested in Mexico under some sort  
11:12:05 7 of agreement. We don't know what it is. That he comes to the  
11:12:10 8 states, released from custody from Mexico. So I'm requesting  
11:12:14 9 that we have those before we are made to -- or before the  
11:12:19 10 opportunity to cross-examine him.

11:12:25 11 MR. GARDNER: Your Honor, the government's complied  
11:12:27 12 with both its Brady and Giglio obligations. We provided all this  
11:12:31 13 in a letter to Mr. DeGeurin. I'm sorry if I'm sounding like a  
11:12:34 14 broken record on this, your Honor, but right now, Mr. DeGeurin is  
11:12:38 15 bringing this up and this could have been brought up months ago.  
11:12:42 16 He has early discovery on this particular witness in terms of his  
11:12:46 17 previous trial transcript, his proffer letters, his plea  
11:12:49 18 agreements, and the other acts that the government elicited on  
11:12:52 19 direct examination in terms of his murders, his other charges in  
11:12:55 20 Mexico. I don't have any documents from Mexico.

11:12:59 21 The government's complied with its obligations fully.  
11:13:02 22 If he's asking about Jencks, the agent who's conducting the  
11:13:05 23 debriefs is not here to testify. Those are his statements, not  
11:13:09 24 Mr. Rejon's statements.

11:13:12 25 MR. DEGEURIN: And the most specific I can be, Judge,

11:13:17 1 to give you an example, we have an indication that the witness  
11:13:23 2 was shown photographs, photo book and asked about these different  
11:13:29 3 people. We've been told -- we have belief that Mr. Colorado's  
11:13:35 4 photograph is in those books, and we don't have the report about  
11:13:39 5 what he -- whether he identified him or not. That's important  
11:13:46 6 information to know to effectively cross-examine the man when he  
11:13:51 7 walks in the courtroom and identifies Mr. Colorado.

11:14:00 8 And I'm not intending to offend Mr. Gardner at all.  
11:14:06 9 We've been told that there would debriefings, but we weren't  
11:14:09 10 given the debriefings.

11:14:10 11 THE COURT: I've also been told on multiple occasions  
11:14:15 12 that all of these materials have sat without inspection except in  
11:14:19 13 a limited way by one lawyer, Ms. Williams.

11:14:25 14 MR. DEGEURIN: No, no. Well, I mean -- that's not  
11:14:27 15 true.

11:14:28 16 THE COURT: And it just may not be the Giglio or  
11:14:31 17 whatever has been given you. But you can't -- if you know who  
11:14:38 18 that person is rather than just trying to make gold out of straw,  
11:14:45 19 counsel, subpoena. I'm not going to try the lawsuit for you. I  
11:14:51 20 don't -- I can't make papers appear when the government tells me  
11:14:55 21 there aren't any, and everything has been submitted to you.

11:14:58 22 MR. DEGEURIN: I don't think he's saying there aren't  
11:15:00 23 any. I don't think he says they submitted them to me. I think  
11:15:03 24 what he's saying is, I'm not going to go and get his Giglio  
11:15:08 25 material.

11:15:08 1 THE COURT: Well --

11:15:10 2 MR. DEGEURIN: And we're not told he's going to testify  
11:15:14 3 until the Friday before trial, and we don't know when he's going  
11:15:17 4 to testify till now. We've been really busy. We've been moving  
11:15:22 5 this case really fast because we're working till 10:00 every  
11:15:25 6 night. So it's not -- Judge --

11:15:25 7 THE COURT: You may be working during the trial because  
11:15:28 8 we are taking full days of testimony, but this case has been  
11:15:31 9 pending a long time, and you've had most of the discovery a long  
11:15:37 10 time.

11:15:40 11 Do you have anything specific before I bring the jury  
11:15:42 12 back in?

11:15:43 13 MR. DEGEURIN: Yes. I'd like to have the reports  
11:15:47 14 generated by the agents of the eleven debriefings of this  
11:15:52 15 witness. I'd like to have the photo book that they -- and the  
11:15:57 16 photographs that they showed him for pretrial identification  
11:16:02 17 procedure. I think it was done -- part of it was done on an  
11:16:06 18 airplane, part of it was done in Washington, D.C. That's all I  
11:16:10 19 know. I don't know the agent's name, but I do know there were  
11:16:15 20 eleven times that they talked to him and we have no reports of  
11:16:18 21 any of those interviews.

11:16:22 22 THE COURT: And the government takes the position  
11:16:24 23 they're Jencks material and that whoever is making those reports  
11:16:28 24 is not going to testify. He also is representing they're not  
11:16:32 25 Giglio materials.

11:16:35 1 MR. DEGEURIN: But we don't know. We can't just  
11:16:38 2 assume, without seeing what they are, whether they're --

11:16:42 3 THE COURT: You're going to make the determination now  
11:16:44 4 on what's Giglio or not?

11:16:46 5 MR. DEGEURIN: No, no. The content of his debriefings  
11:16:50 6 about his testimony is very important.

11:16:52 7 THE COURT: Well, it is. And I've been amazed sitting  
11:16:54 8 here and not hearing many objections. Ms. Williams has done a  
11:16:58 9 good job on making her objections. I don't believe any other  
11:17:01 10 lawyer's made a single objection, as we've gone through all of  
11:17:03 11 this stuff, whether it's relevant or not. So I don't know  
11:17:08 12 exactly what you're talking about. And I don't know how you  
11:17:11 13 could get any more information other than what the government has  
11:17:14 14 brought out on this fella's character. But that's just argument  
11:17:18 15 to the jury on credibility.

11:17:22 16 MR. DEGEURIN: I think the Brady request is specific.  
11:17:27 17 The man has been shown photographs of my client.

11:17:29 18 THE COURT: I've heard you, counsel. I'm bringing the  
11:17:31 19 jury back in. We're proceeding. Right in the middle of this  
11:17:33 20 trial, I'm not going to keep this jury. They're already asking  
11:17:36 21 how long they're going to serve. Bring them in.

11:17:39 22 (Jury present.)

11:19:17 23 THE COURT: Ms. Williams, you may proceed.

11:19:36 24 MS. WILLIAMS: I'll offer Defendant's JT-9.

11:19:39 25 MR. GARDNER: No objection, your Honor.

11:19:42 1 THE COURT: JT-9 is received.

11:19:46 2 Q. (BY MS. WILLIAMS) So on this call, this other person who you  
11:20:01 3 don't know asked Ramiro if the horse that won is the boss's. Do  
11:20:17 4 you remember that?

11:20:20 5 A. Yes.

11:20:21 6 Q. And then, Ramiro says, no, it's not, it's another person's.

11:20:30 7 A. That's right.

11:20:31 8 Q. And the horse they're talking about is Tempting Dash, right?  
11:20:40 9 Because this is the day that Tempting Dash won the Dash For Cash,  
11:20:54 10 October 24, 2009, correct?

11:20:59 11 A. That's right.

11:21:02 12 Q. Now, you've testified quite a bit when the government's  
11:21:06 13 asking you questions about how races are fixed and how things can  
11:21:10 14 be done in the United States to change the results of races. Do  
11:21:16 15 you remember doing that?

11:21:24 16 A. That's right.

11:21:31 17 Q. Have you ever even been to a horse race in the United  
11:21:38 18 States?

11:21:38 19 A. No.

11:21:41 20 Q. I want to see if I understand what you've told this jury  
11:21:52 21 about this Tempting Dash race. You told them that you believe  
11:22:03 22 that somebody, Miguel or Omar, somebody with some other people  
11:22:08 23 paid some people in Dallas to fix this race. Right?

11:22:27 24 A. That's right.

11:22:28 25 Q. And they did that by holding back other horses so that they

11:22:32 1 would run slower so that, in theory, Tempting Dash could win this  
11:22:38 2 race; is that right?

11:22:51 3 A. No.

11:22:53 4 Q. That's not what you said?

11:22:57 5 A. I didn't say that.

11:22:58 6 Q. You didn't say that -- you didn't tell this prosecutor and  
11:23:02 7 this jury that the horses' heads would be held so that they would  
11:23:06 8 run into each other so they would slow down?

11:23:25 9 A. Yes.

11:23:26 10 Q. So you did say that there was some sort of conspiracy to  
11:23:32 11 take care of these horses and make them run slower so that  
11:23:35 12 Tempting Dash could win?

11:23:50 13 A. That's right.

11:23:52 14 Q. The problem with that theory is what happened when Tempting  
11:24:00 15 Dash ran on October the 24th, 2009?

11:24:03 16 MR. GARDNER: Your Honor, I'm going to say that's  
11:24:06 17 argumentative, especially the first part of that question.

11:24:08 18 MS. WILLIAMS: I'll rephrase.

11:24:09 19 Q. (BY MS. WILLIAMS) What happened when Tempting Dash ran the  
11:24:11 20 race on October 24, 2009?

11:24:22 21 A. He set another record.

11:24:23 22 Q. He set a record, right? He ran the fastest time that any  
11:24:27 23 horse had ever run on that track for that race. True?

11:24:38 24 A. That's right.

11:24:40 25 Q. Are you wanted in Mexico for any of these murders?

11:25:08 1 A. No.

11:25:09 2 Q. I want to see if I have your history straight. First, how  
11:25:23 3 old were you when you joined the Mexican military?

11:25:30 4 A. Sixteen.

11:25:31 5 Q. So you're 16 years old and you join the military and you're  
11:25:36 6 trained as a sniper, and you're supposed to be protecting the  
11:25:38 7 citizens of your country, right?

11:25:43 8 MR. GARDNER: Your Honor, I'm going to object to this  
11:25:45 9 as argumentive, as well.

11:25:49 10 THE COURT: Well, let's just proceed.

11:25:56 11 Q. (BY MS. WILLIAMS) Were you trained to protect the citizens  
11:25:59 12 of Mexico as a member of the Mexican military?

11:26:12 13 A. That's right.

11:26:14 14 Q. And after that, you became corrupt. You were accused of  
11:26:19 15 corruption.

11:26:25 16 A. That's right.

11:26:25 17 Q. And you turned your back on the citizens of Mexico and you  
11:26:29 18 became, yeah, a hit man, right?

11:26:49 19 A. That's right.

11:26:50 20 Q. In 1999, you deserted from the military and you became --  
11:26:55 21 you started working against your country with the Gulf cartel.

11:27:19 22 A. I started working in drug trafficking.

11:27:23 23 Q. Did you or did you not say you were working for the Gulf  
11:27:30 24 cartel?

11:27:30 25 A. I did.

11:27:34 1 Q. And then, you deserted the Gulf cartel and you started  
11:27:38 2 working for Zetas.

11:27:50 3 A. No.

11:27:54 4 Q. You're a citizen of Mexico?

11:27:58 5 A. That's right.

11:28:03 6 Q. You started working for the Gulf cartel and the Zetas were  
11:28:11 7 working with the Gulf cartel, correct?

11:28:20 8 A. Correct.

11:28:22 9 Q. And at some point, the Gulf cartel and the Zetas started  
11:28:25 10 working against each other?

11:28:35 11 A. That's right.

11:28:36 12 Q. And which side did you pick?

11:28:38 13 A. The armed Zeta group.

11:28:47 14 Q. So what I said a while ago that you left the Gulf cartel and  
11:28:52 15 started working for the Zetas, and you said no, that wasn't true,  
11:28:55 16 was it?

11:29:17 17 A. I did not leave the Gulf cartel. I had always been a member  
11:29:33 18 of the Zetas, which was the armed branch. I have never -- so I  
11:29:37 19 was never part -- although I was part of the same cell which  
11:29:40 20 consisted in the cartel, the Gulf cartel, I've always been a  
11:29:45 21 Zeta, and when the break occurred, I was not a part of their  
11:29:52 22 personnel.

11:29:54 23 Q. So now, you get arrested in Mexico after you've killed  
11:30:00 24 people, correct?

11:30:17 25 A. I am arrested. I'm arrested for organized crime.

11:30:20 1 Q. Yes. But you've also killed people. Yes?

11:30:30 2 A. Correct.

11:30:31 3 Q. And kidnapped people?

11:30:33 4 A. Correct.

11:30:34 5 Q. And tortured people?

11:30:38 6 A. Correct.

11:30:39 7 Q. And now that you're in the United States, you've discovered

11:30:48 8 that you can testify against people.

11:31:00 9 A. That's right.

11:31:01 10 Q. And you've spent the last several years talking to agents to

11:31:06 11 see who you can testify for, against?

11:31:18 12 A. Correct.

11:31:19 13 Q. So that hopefully instead of getting a life sentence, you

11:31:24 14 might get something less than a life sentence; is that right?

11:31:35 15 A. Correct.

11:31:37 16 Q. And do you have some understanding or some agreement with

11:31:41 17 somebody that after you finish doing your time, you get to stay

11:31:44 18 in the United States?

11:31:54 19 A. No.

11:32:01 20 Q. I want to see if I have this right about Jose Trevino.

11:32:25 21 Miguel told you that Jose Trevino didn't have anything to do with

11:32:31 22 their business; isn't that right?

11:32:41 23 A. Correct.

11:32:42 24 Q. And he told you that he wouldn't do anything illegal.

11:32:56 25 A. Correct.

11:32:58 1 Q. But then, things get a little sticky because then you tell  
11:33:09 2 the prosecutor and the jury that --

11:33:11 3 THE COURT: Counsel, let's ask questions. I'm going to  
11:33:14 4 give you plenty of time to argue.

11:33:18 5 MS. WILLIAMS: Thank you, your Honor.

11:33:19 6 Q. (BY MS. WILLIAMS) You tell the jury that Miguel wanted to  
11:33:25 7 put this horse Tempting Dash in Jose's name in case it won a  
11:33:30 8 bunch of money.

11:33:44 9 A. Correct.

11:33:51 10 Q. But this is a \$25,000 horse. It's a cheap horse?

11:34:03 11 MR. GARDNER: Your Honor, is there a question here?  
11:34:05 12 Form of the question.

11:34:05 13 THE COURT: There's a good argument there. Counsel,  
11:34:07 14 that's twice. Ask questions, not make statements.

11:34:12 15 Q. (BY MS. WILLIAMS) In the scale of horses, of race horses, is  
11:34:20 16 \$25,000 a lot to pay or a little bit to pay?

11:34:35 17 A. Depends on who's paying it.

11:34:39 18 Q. I don't have anything further. I pass the witness.

11:34:57 19 THE COURT: Okay. Mr. DeGeurin.

11:34:59 20 MR. DEGEURIN: Yes, your Honor.

11:35:17 21 CROSS-EXAMINATION

11:35:17 22 BY MR. DEGEURIN:

11:35:36 23 Q. Would you recognize your initials if you saw them?

11:35:41 24 A. Yes.

11:35:43 25 Q. Do you see your initials anywhere on those eleven entries?

11:35:58 1 A. Yes.

11:36:04 2 Q. I'm going to establish a few things, if I can, through you,  
11:36:10 3 sir.

11:36:12 4 You were arrested in Mexico, you say, for the crime of  
11:36:15 5 corruption, correct?

11:36:27 6 A. Organized crime.

11:36:29 7 Q. Organized crime. And that was in June of what year?

11:36:40 8 A. July 2011.

11:36:42 9 Q. Were you arrested in June, also, 2007?

11:36:51 10 A. No.

11:36:52 11 Q. So you were arrested in July of 2007, best of your  
11:36:56 12 recollection, and how long was it before you were on an airplane  
11:37:02 13 flying to the United States?

11:37:17 14 A. I was arrested July 2011.

11:37:23 15 Q. I said 7. That was my mistake.

11:37:28 16 July 2011, you were arrested in Mexico. How long --  
11:37:34 17 what day on July -- in July?

11:37:50 18 A. I was presented -- formally presented on July 5th.

11:37:58 19 Q. Formally presented, I guess, means apprehended?

11:38:07 20 A. No. No. I'd been picked up five days before that, four  
11:38:21 21 days before that.

11:38:25 22 Q. Were you in a prison somewhere? Jail? Prison?

11:38:39 23 A. I couldn't see. I was blindfolded.

11:38:43 24 Q. You were blindfolded by the Mexican police?

11:38:47 25 A. Correct.

11:38:49 1 Q. And how many days were you blindfolded?

11:38:57 2 A. The entire time until I was presented on TV.

11:39:02 3 Q. And you were actually -- was it a YouTube or was it on TV?

11:39:09 4 A. What -- when you see that recording that comes out on the

11:39:24 5 TV, it was just -- that was made just a few minutes before I

11:39:30 6 actually came out on TV.

11:39:34 7 Q. All right. And so, it's your -- you were arrested four or

11:39:42 8 five days before that?

11:39:49 9 A. Correct.

11:39:50 10 Q. And you remained blindfolded for four or five days before

11:39:56 11 they put you on TV?

11:40:02 12 A. Correct.

11:40:03 13 Q. Are you -- do you contend that the statement that you made

11:40:11 14 in Mexico on TV was a coerced statement?

11:40:26 15 A. Correct.

11:40:27 16 Q. Well, those were your words, not mine originally; isn't that

11:40:31 17 correct? The word you were coerced?

11:40:41 18 A. That's correct. And in fact, even if for a Mexican court,

11:41:02 19 that statement is invalid, given that there was no representation

11:41:05 20 from the prosecutor's office there.

11:41:13 21 Q. Did you actually go to court in Mexico?

11:41:20 22 A. Correct.

11:41:21 23 Q. And when was it between your arrest and the time that you

11:41:26 24 were on an airplane come into the United States? When did you go

11:41:32 25 to court? I don't have those days.

11:41:32 1 THE COURT: I understand, but you've given him two  
11:41:39 2 different questions.

11:41:40 3 MR. DEGEURIN: Oh.

11:41:41 4 THE COURT: Just make them one at a time, and I think  
11:41:44 5 you'll do better. How long after your arrest were you flown into  
11:41:49 6 the United States?

11:42:10 7 THE WITNESS: I was brought in the 13th or the 12th of  
11:42:22 8 September of 2013 -- 2012, sorry.

11:43:52 9 Q. (BY MR. DEGEURIN) When you were arrested in Mexico, what  
11:43:55 10 were the circumstances? I mean, what brought you to the  
11:43:59 11 attention of the Mexican authorities?

11:44:17 12 A. I don't know.

11:44:19 13 Q. You were arrested in a car, a house, or on an airplane?

11:44:29 14 A. In an apartment.

11:44:30 15 Q. Your own apartment?

11:44:32 16 A. No.

11:44:33 17 Q. Someone else's?

11:44:35 18 A. Correct. An ex-military person.

11:44:44 19 Q. Was he arrested, also?

11:44:50 20 A. He was arrested later.

11:44:52 21 Q. Okay. Were you accused or were you thought to -- strike  
11:45:04 22 that.

11:45:04 23 Were you believed to be involved in the killing of any  
11:45:11 24 United States officer, law enforcement officer?

11:45:32 25 A. Correct.

11:45:33 1 Q. And which United States law enforcement officer were you  
11:45:37 2 believed to be involved in killing?

11:45:51 3 A. I don't know.

11:45:55 4 Q. The Mexican authorities, after you told them, were aware of  
11:46:06 5 you killing 30 human beings before you got on a plane to go to  
11:46:14 6 the United States, correct?

11:46:30 7 A. Let me see. Can you repeat that question? I didn't  
11:46:33 8 understand that.

11:46:33 9 Q. How many people did you tell the Mexican authorities that  
11:46:36 10 you had murdered?

11:46:46 11 A. No.

11:46:49 12 Q. How many did you tell the Mexican authorities that you had  
11:46:53 13 been involved with in kidnapping human beings?

11:47:05 14 A. Not a one.

11:47:07 15 Q. All right. Did they ask you about kidnapping human beings  
11:47:13 16 or killing, murdering or -- one at a time. Did they ask you  
11:47:19 17 about killing, torturing, kidnapping human beings while you were  
11:47:27 18 in custody in Mexico?

11:47:42 19 A. Correct.

11:47:44 20 Q. Was the answer "Yes"?

11:47:49 21 A. Yes. That's what you asked.

11:47:53 22 Q. And was your confession to those murders -- did you confess  
11:48:01 23 to those murders?

11:48:11 24 A. No.

11:48:12 25 Q. All right. So you denied them when they asked you about

11:48:15 1 them?

11:48:19 2 A. Correct.

11:48:20 3 Q. So when did you first confess to the 30 or more murders?

11:48:33 4 A. Here in the United States.

11:48:36 5 Q. All right. Now, I want to get back to the different times

11:48:40 6 that you've talked to people that leads up to you confessing to

11:48:48 7 the 30 murders, okay?

11:49:01 8 A. All right.

11:49:01 9 Q. I'm going to show you some documents. Unfortunately,

11:49:17 10 they're in English. However, you've identified your initials, is

11:49:26 11 that correct, on the last page?

11:49:28 12 A. Correct.

11:49:32 13 Q. By looking at the last page, I know you can't -- would have

11:49:39 14 difficulty with the English. But by looking at the last page,

11:49:45 15 would this refresh your memory? If it does of the different

11:49:50 16 dates that you spoke to law enforcement officers of the United

11:50:18 17 States?

11:50:18 18 A. Correct.

11:50:23 19 Q. Did you -- do you remember the call date that you were in

11:50:28 20 the airplane flying to the United States?

11:50:46 21 A. I don't remember, but it was 14th, 15th, 12th of September.

11:50:50 22 Q. And on that airplane, do you recall being interrogated by

11:50:59 23 law enforcement officers?

11:51:00 24 A. Correct.

11:51:06 25 Q. And you were shown photographs of people and asked if you

11:51:15 1 could say something about those people.

11:51:25 2 A. No.

11:51:26 3 Q. Were you ever shown any photographs?

11:51:32 4 A. Yes. I'd been shown photographs.

11:51:35 5 Q. And are you saying you just did not see those photographs on  
11:51:38 6 the airplane?

11:51:43 7 A. That's correct.

11:51:44 8 Q. No photographs were shown on the airplane?

11:51:49 9 A. No.

11:51:50 10 Q. Do you recall what the subject matter was of your  
11:51:53 11 interrogation on the plane?

11:52:05 12 A. Don't remember a lot, but there were questions about me  
11:52:09 13 personally.

11:52:11 14 Q. And was that being recorded?

11:52:17 15 A. No.

11:52:19 16 Q. But there were agents taking notes?

11:52:25 17 A. I don't remember.

11:52:27 18 Q. Okay. Now, looking at the documents up there before you,  
11:52:33 19 can you tell us the first date -- if it reminds you, the first  
11:52:39 20 day of your initial meeting with the agents?

11:53:05 21 A. 16th of September of 2012.

11:53:09 22 Q. Now, it's important if you can remember the names of the  
11:53:16 23 agents because I'm going to have to try to subpoena them to  
11:53:22 24 court. Do you remember who you met with on September --

11:53:24 25 MR. GARDNER: Your Honor, this is improper. He has the

11:53:26 1 names of the agents --

11:53:27 2 THE COURT: Ah, ah, ah.

11:53:30 3 MR. DEGEURIN: I don't.

11:53:30 4 THE COURT: Members of the jury, you are not to  
11:53:31 5 consider in any way, shape or form the statement just made by  
11:53:34 6 counsel. But I will let you go to lunch. Remember the  
11:53:37 7 instructions. Please follow the instructions. Be ready to  
11:53:41 8 return at 1:20.

11:54:16 9 (Jury not present.)

11:54:27 10 THE COURT: You may continue. It will be throughout  
11:54:33 11 the noon hour. We will not have lunch. We will have the record  
11:54:36 12 made.

11:54:42 13 MR. DEGEURIN: Your Honor, I --

11:54:43 14 THE COURT: It's not going to take you long to find out  
11:54:45 15 he doesn't know the name, but go ahead.

11:54:47 16 Q. (BY MR. DEGEURIN) Do you know the names of the agents?

11:54:58 17 A. Yes.

11:55:00 18 Q. What are they?

11:55:13 19 A. The male prosecutor, his name is Shawn. The female  
11:55:48 20 prosecutor, I don't remember her name. It's a DEA agent, his  
11:55:59 21 name is -- at this moment, I don't remember his name.

11:56:05 22 Q. Were you shown photographs to see if you could identify  
11:56:09 23 them?

11:56:12 24 MR. GARDNER: I'm sorry, your Honor, is he talking  
11:56:14 25 about other individuals or --

11:56:15 1 THE COURT: The question literally is, were you shown  
11:56:17 2 the agents' photographs?

11:56:19 3 MR. DEGEURIN: Oh, I'm sorry.

11:56:20 4 THE COURT: Let's rephrase. I don't think you meant  
11:56:23 5 that.

11:56:23 6 MR. DEGEURIN: No.

11:56:24 7 Q. (BY MR. DEGEURIN) Were you shown photographs by the agents  
11:56:27 8 or the prosecutors and asked to identify them?

11:56:41 9 A. Correct.

11:56:43 10 Q. On how many occasions was that done, were the photographs  
11:56:52 11 shown to you?

11:57:15 12 A. You know, I don't know if I could talk about that. It was a  
11:57:18 13 lot of photographs because it was from 1999 from when I started  
11:57:23 14 being a member of the cartel. I couldn't tell you. I don't know  
11:57:27 15 if I could tell you now. I know a lot of people.

11:57:31 16 Q. I don't mean to name all the people. How many times did  
11:57:36 17 they -- let me break it down.

11:57:39 18 Did they show you a book of photographs like this?

11:58:00 19 A. It was by computer or photographs from a book.

11:58:05 20 Q. Okay. How many times was that done, whether by a computer  
11:58:17 21 or by book?

11:58:30 22 A. Every time I see them, I'm shown photographs, asked if I  
11:58:33 23 know a person.

11:58:40 24 MR. DEGEURIN: Your Honor, I think that that's  
11:58:41 25 sufficient.

11:58:41 1 THE COURT: Do you have any further questions of the  
11:58:43 2 witness? Let's don't make any statements in front of the  
11:58:49 3 witness.

11:58:54 4 Q. (BY MR. DEGEURIN) Were any of your meetings with the agents  
11:59:01 5 that you initialed up there, were any of those meetings  
11:59:06 6 pertaining to laundering money in the United States?

11:59:33 7 A. Yes.

11:59:34 8 Q. Were you ever shown any of your statements -- I mean, any of  
11:59:43 9 your reports of your interviews?

11:59:56 10 A. My attorney has them.

12:00:00 11 Q. And were you ever -- did any prosecutor ever go over with  
12:00:08 12 you your -- the reports of your interviews after you got to the  
12:00:21 13 United States?

12:00:21 14 A. They have -- yes. They've reviewed information.

12:00:38 15 Q. And would ask you if their report is correct about what you  
12:00:44 16 said?

12:00:48 17 A. Yeah. I've been asked what is it I know and that's what I  
12:01:04 18 say. That's it.

12:01:08 19 MR. DEGEURIN: Okay, your Honor. I think I've -- yes.  
12:01:12 20 No further questions.

12:01:14 21 THE COURT: You may take the witness to lunch.

12:01:45 22 All right. Anything further before we leave?

12:01:53 23 MR. ESPER: Nothing, your Honor.

12:01:54 24 MR. MAYR: Nothing, your Honor.

12:01:55 25 MR. GARDNER: No, sir.

12:01:56 1 THE COURT: All right. I'll have counsel up here. And  
12:01:59 2 we're in recess till 1:20.

12:02:12 3 (At the bench, on the record.)

12:02:25 4 THE COURT: I just think that it's shameful that none  
12:02:29 5 of you asked if Frank Perez is representing him.

12:02:34 6 MR. WOMACK: Sir, I didn't get a chance to ask.

12:02:37 7 MR. ESPER: I was going to ask that question when I got  
12:02:38 8 up.

12:02:39 9 THE COURT: In light of just what happened, none of you  
12:02:41 10 said it. All right. 1:20.

13:16:36 11 (Lunch recess.)

13:22:35 12 THE COURT: During the noon hour, I received from the  
13:22:38 13 clerk the specific request for Brady and Giglio materials on  
13:22:46 14 behalf of Colorado-Cessa by counsel, near the third week of  
13:22:51 15 trial. Hopefully the last week but at certainly next to last  
13:22:56 16 week for sure. The government has represented in open court and  
13:23:04 17 in pleadings that all the Brady and Giglio materials that they  
13:23:11 18 need are Brady or Giglio materials have been turned over.

13:23:20 19 I have no specific information or evidence before me  
13:23:23 20 that that is incorrect. In the 22 years I've been here, the  
13:23:30 21 United States Attorney, at my request, has practiced an open  
13:23:35 22 file. I've never had any problems with Brady or Giglio  
13:23:39 23 materials. In all of these years, I have had motions and have  
13:23:47 24 viewed materials, but I've never ascertained that the government  
13:23:50 25 was incorrect in those specific cases where the evidence was

13:23:56 1 available for inspection.

13:24:00 2 Counsel is, of course, assuming, probably correctly,  
13:24:08 3 that on most, if not all, of the interviews of the witnesses  
13:24:14 4 that's still here, Mr. Rejon, that some sort of notes would be --  
13:24:19 5 would have been made. It's probably true, but there's no  
13:24:24 6 indication before this court that they are Brady nor Giglio  
13:24:29 7 materials. I don't have them. I have not reviewed them. But  
13:24:33 8 representation of the government that stands in open court and in  
13:24:38 9 writing is sufficient for the Court, particularly when it comes  
13:24:43 10 so late and there is no basis of it. The record is made.

13:24:51 11 Now, bring the jury in. It's a request to the  
13:24:58 12 government, I assume, but an order by me, which I will not enter.

13:25:34 13 MR. DEGEURIN: It's my understanding, your Honor, that  
13:25:35 14 Mr. Gardner has not seen those reports that I was requesting. Of  
13:25:43 15 course, I haven't seen them either.

13:25:44 16 THE COURT: Well, you requested them.

13:25:49 17 MR. DEGEURIN: I'm sorry?

13:25:50 18 THE COURT: You've requested it. It's what your  
13:25:54 19 pleading says you're requesting.

13:26:04 20 (Jury present.)

13:26:46 21 THE COURT: Members of the jury, during the noon hour,  
13:26:47 22 did anyone attempt to talk to you about this case?

13:26:49 23 JURORS: No.

13:26:49 24 THE COURT: Have you talked to anybody about the case?

13:26:52 25 JURORS: No.

13:26:52 1 THE COURT: And have you learned anything at all about  
13:26:54 2 the case, outside the presence of each other in this courtroom?

13:26:57 3 JURORS: No.

13:26:58 4 THE COURT: All right. Show negative responses to all  
13:27:01 5 questions by all jurors.

13:27:07 6 Mr. DeGeurin, you may continue.

13:27:18 7 MR. DEGEURIN: I'd take full advantage, but there's no  
13:27:21 8 witness.

13:27:21 9 THE COURT: Well, then, your questions should be short.

13:27:29 10 MR. DEGEURIN: As would be the answer.

13:27:44 11 THE COURT: Mr. Rejon, you understand that you're still  
13:27:47 12 under oath to tell the truth?

13:27:51 13 THE WITNESS: Correct.

13:27:52 14 THE COURT: You may proceed.

13:27:55 15 Q. (BY MR. DEGEURIN) Do you go by Rejon or Rejon-Aguilar?

13:28:16 16 A. Since I got here, I've always been referred to as Rejon or  
13:28:20 17 Rejon-Aguilar. Before that, I have never been called by my real  
13:28:25 18 name.

13:28:28 19 Q. What name did you have that was not your real name?

13:28:34 20 A. "Mamito."

13:28:38 21 Q. You also -- you listed the different nicknames that you have  
13:28:45 22 been called by. "Mamito" is one of them. One name that you left  
13:28:50 23 out was "Brujo."

13:29:06 24 A. Yes.

13:29:08 25 Q. And "Brujo" means witch -- I don't know how this is going to

13:29:13 1 translate. "Brujo" means like a witch, correct?

13:29:24 2 A. Yes.

13:29:27 3 Q. Mysterious, magical, that sort of description goes with the  
13:29:35 4 name "Brujo"?

13:29:44 5 A. Yes.

13:29:47 6 Q. Powers that are mysterious? Powers that you possess?

13:30:02 7 A. That's what the word implies.

13:30:05 8 Q. The ability to be responsible for 30 murders and not let it  
13:30:11 9 affect your outward personality.

13:30:31 10 A. I don't understand your question.

13:30:35 11 THE COURT: It's not a question yet.

13:30:42 12 Q. (BY MR. DEGEURIN) Well, let's talk about the picture of  
13:30:46 13 yourself that you gave to other people, first of all, okay?

13:30:59 14 A. Okay.

13:31:00 15 Q. You were a -- you own horses, correct?

13:31:14 16 A. That's right.

13:31:15 17 Q. Many horses?

13:31:19 18 A. That's right.

13:31:21 19 Q. And those horses belong to you and your family?

13:31:30 20 A. Correct.

13:31:31 21 Q. Those horses did not belong to Miguel Angel Trevino, or Omar  
13:31:38 22 Trevino, or anybody else. They were your horses; isn't that  
13:31:41 23 correct?

13:31:52 24 A. I had some in partnership with Barradas.

13:31:58 25 Q. And those that you had in partnership with Barradas, if I'm

13:32:03 1 pronouncing it correctly, were horses that you and Barradas owned  
13:32:08 2 together?

13:32:16 3 A. That's right.

13:32:16 4 Q. As you said, it was a hobby of yours to try to have fast  
13:32:24 5 race horses.

13:32:32 6 A. Correct.

13:32:33 7 Q. And when you were endeavoring in this hobby of being known  
13:32:41 8 as a person who knew a lot about and who was developing good  
13:32:50 9 horses, you were not -- that was your private business or your  
13:32:59 10 private hobby; isn't that correct?

13:33:09 11 A. That's right.

13:33:21 12 Q. And did you have property somewhere that you were keeping  
13:33:24 13 your horses on?

13:33:31 14 A. That's right.

13:33:32 15 Q. And where was that?

13:33:33 16 A. Miguel Aleman, Mexico.

13:33:37 17 Q. And did that property belong to you?

13:33:41 18 A. That's right.

13:33:46 19 Q. And did you hire people to help you manage the horses and  
13:33:50 20 help you train the horses?

13:33:58 21 A. Correct.

13:33:59 22 Q. And in the process of building up to, I believe you said,  
13:34:04 23 250 horses, you got to know other people in the horse -- had the  
13:34:11 24 interest in horses; isn't that correct?

13:34:23 25 A. Correct.

13:34:24 1 Q. That was truly an interest of yours, aside and apart from  
13:34:31 2 your obligations as a member of Los Zetas?

13:34:49 3 A. Correct.

13:34:50 4 Q. In fact, you were interested in horses or had an avid  
13:34:56 5 interest in horses for a long period of time, didn't you?

13:35:11 6 A. Correct.

13:35:11 7 Q. And when you ran into other people at either races or match  
13:35:18 8 races, even -- well, when you ran into other people at the ranch  
13:35:25 9 -- races in Mexico, you could talk to other people about your  
13:35:30 10 knowledge of horses, correct?

13:35:45 11 A. Correct.

13:35:46 12 Q. But you didn't tell people, if you cross me, if you end up  
13:35:56 13 competing with me on a horse race, I could have you killed. You  
13:36:00 14 didn't tell people that, did you?

13:36:17 15 A. No.

13:36:19 16 Q. In fact, you set aside your obligations of being a hit man.  
13:36:28 17 The other part of your life was you enjoyed horses and you got  
13:36:33 18 good at it.

13:36:45 19 A. That's correct.

13:36:46 20 Q. And Miguel Angel Trevino, who was, I guess, your boss,  
13:36:57 21 developed an interest in horses after you did, didn't he?

13:37:01 22 A. That's right.

13:37:12 23 Q. And you've probably explained to Miguel Angel Trevino that  
13:37:23 24 the horse race business is very complicated; is that correct?

13:37:38 25 A. That's correct.

13:37:39 1 Q. When you were buying your horses and trying to develop a  
13:37:44 2 good breed line of horses, you believed it would be necessary to  
13:37:50 3 find experts in the field of bloodlines, and you asked him for  
13:37:57 4 advice; is that correct?

13:38:17 5 A. Yes.

13:38:18 6 Q. And we don't have the time for you to list all of the people  
13:38:23 7 that you met, along the way, that also had horses in hopes of  
13:38:32 8 developing a fast horse, but one of the people that you learned  
13:38:36 9 about was Francisco Colorado.

13:38:57 10 A. Yes.

13:38:58 11 Q. And you learned that he had a fascination with horses and  
13:39:04 12 had a lot of horses of his own that were very good; isn't that  
13:39:09 13 true?

13:39:21 14 A. That's correct.

13:39:23 15 Q. You knew him as a person who had a business that made a lot  
13:39:32 16 of money in the environmental remediation side of the oil  
13:39:40 17 business with Pemex. That's what you knew about Mr. Francisco  
13:39:48 18 Colorado in the beginning, correct?

13:40:05 19 A. No.

13:40:09 20 Q. You, over a period of time, you realized Miguel Angel  
13:40:16 21 Trevino was going to start having horses like you had. Did you  
13:40:23 22 have a conversation with Miguel Angel Trevino about him having  
13:40:27 23 horses and you having horses that would be competing with him?

13:40:53 24 A. That's logical, but I never had that conversation with him.

13:41:03 25 Q. Did you have horses that were faster than Miguel Trevino's

13:41:07 1 horses?

13:41:16 2 A. In Mexico.

13:41:17 3 Q. Yes. In fact, most of your business with the horses, your

13:41:25 4 hobby with the horses was in Mexico, correct?

13:41:41 5 A. In Mexico. And I also ran horses in the United States.

13:41:46 6 Q. And who -- you didn't go to the United States yourself to

13:41:50 7 the races, did you?

13:41:57 8 A. No. I watched them on TV.

13:42:00 9 Q. Okay. And did you have somebody else take your horses, have

13:42:06 10 them run in the United States?

13:42:13 11 A. That's correct.

13:42:15 12 Q. And that, once again, was part of your hobby was to hope

13:42:21 13 that your horse would run and win a race in the United States.

13:42:35 14 A. Of course.

13:42:36 15 Q. So when did the split happen between your horses -- well,

13:42:43 16 strike that.

13:42:44 17           The horses that you were buying and selling and  
13:42:49 18 training and running a few of them in the United States, those  
13:42:54 19 were separate and apart from Miguel Trevino's horses; is that  
13:42:58 20 correct?

13:43:11 21 A. That's correct.

13:43:14 22 Q. Now, we spoke -- did you ever own any horses with Miguel  
13:43:20 23 Trevino?

13:43:32 24 A. Yes.

13:43:33 25 Q. And did he buy horses from you, or did you sell horses to

13:43:38 1 him, or did you buy them together?

13:43:40 2 A. Horses were bought by the same people.

13:43:59 3 Q. So you were using the same person that Miguel was using to

13:44:03 4 buy the horses?

13:44:10 5 A. That's correct.

13:44:13 6 Q. But you tried to keep an accounting as to which horses were

13:44:16 7 yours and which horses were Miguel's?

13:44:26 8 A. That's correct.

13:44:29 9 Q. I want to go back, just a moment, to the law enforcement

13:44:38 10 officers in the United States that you were involved in in one of

13:44:48 11 them being murdered, we talked about right before lunch. That

13:44:55 12 was in -- outside of San Luis Potosi, wasn't it?

13:45:15 13 A. That's correct.

13:45:16 14 Q. And was that area, San Luis Potosi, was that an area that

13:45:22 15 you had some sort of control over?

13:45:39 16 A. When that occurred, no.

13:45:43 17 Q. And this is the incident that some of us had heard about

13:45:50 18 where two ICE agents --

13:45:55 19 MR. GARDNER: Your Honor, we object to the form of the

13:45:57 20 question. It's not a question.

13:45:59 21 MR. DEGEURIN: I haven't finished.

13:46:00 22 THE COURT: Let's try --

13:46:01 23 MR. DEGEURIN: Sometimes the inflection at the end

13:46:04 24 makes it a question and I don't have to end it with a "right" or

13:46:08 25 something at the end and so --

13:46:11 1 THE COURT: Well, you're starting to testify, counsel.  
13:46:15 2 That's the problem. Just ask questions.

13:46:18 3 Q. (BY MR. DEGEURIN) Was this the incident that where two  
13:46:24 4 agents were in a car on the highway and Zetas stopped them,  
13:46:34 5 killed one and wounded the other in the car?

13:46:53 6 A. I don't understand your question.

13:46:55 7 Q. Was the incident that you were referring to that you were  
13:46:59 8 involved in the killing of U.S. law enforcement officers, is that  
13:47:05 9 the same incident or a different one than the one where the two  
13:47:12 10 ICE agents where one was killed and one was wounded in a car  
13:47:16 11 outside of San Luis -- in the state of San Luis Potosi?

13:47:47 12 A. That I remember? I've never testified that I've been  
13:47:50 13 involved in the death of two agents.

13:47:52 14 Q. But you know the incident I'm talking about, don't you?

13:48:00 15 A. Correct.

13:48:01 16 Q. And you were questioned about those -- that murder and that  
13:48:06 17 attempted murder, weren't you?

13:48:18 18 A. That's correct.

13:48:20 19 Q. And you were questioned about that by law enforcement  
13:48:24 20 officers of the United States, weren't you?

13:48:32 21 A. That's correct.

13:48:33 22 Q. And you knew that those agents were -- one was murdered and  
13:48:38 23 one was wounded by members of the Los Zetas organization?

13:48:52 24 A. That's correct.

13:48:56 25 Q. And, of course, you were a member of Los Zetas at the time,

13:49:04 1 weren't you?

13:49:05 2 A. That's correct.

13:49:09 3 Q. Have you been charged with that murder here in the United  
13:49:20 4 States?

13:49:20 5 A. No.

13:49:21 6 Q. And you're not going to be, are you?

13:49:26 7 A. No.

13:49:28 8 Q. And how did you explain it to the agents that you should not  
13:49:33 9 be charged with that murder?

13:49:48 10 A. I just told them what the facts were, what had happened.  
13:49:55 11 And they're the ones that do all the investigations, and they  
13:49:57 12 know if you're telling the truth or you're lying.

13:50:02 13 Q. So the truth is, your organization killed that one agent,  
13:50:08 14 the one that you were high up in the organization. You're not  
13:50:11 15 charged, though, with the murder?

13:50:27 16 A. That's correct.

13:50:30 17 Q. Were there any Mexican investigators, law enforcement  
13:50:39 18 investigators present when you told the United States  
13:50:47 19 investigators you were involved in over 30 murders in Mexico?

13:50:52 20 MR. GARDNER: Your Honor, at this point, I'm going to  
13:50:54 21 object to asked about answered. Mr. DeGeurin went over this  
13:50:58 22 before the lunch break. It's getting repetitive.

13:51:01 23 MR. DEGEURIN: I'm asking if there's any Mexican --

13:51:03 24 THE COURT: You can ask him that. He's been asked  
13:51:06 25 about it several times, but that question, that particular

13:51:09 1 question had not.

13:51:26 2 A. No.

13:51:27 3 Q. (BY MR. DEGEURIN) Are you charged with murder in either the  
13:51:38 4 United States or your country of Mexico?

13:51:42 5 MR. GARDNER: Your Honor, we'd object to asked and  
13:51:44 6 answered.

13:51:44 7 THE COURT: And I sustain that objection. It's been  
13:51:47 8 asked and answered before twice.

13:51:50 9 Q. (BY MR. DEGEURIN) Do you have an agreement that your  
13:51:52 10 confessions to these murders in the United States will not be  
13:51:55 11 given to the Mexican government?

13:52:04 12 THE COURT: What murders in the United States are you  
13:52:06 13 referring to?

13:52:07 14 MR. DEGEURIN: Do you have an agreement with the United  
13:52:11 15 States that the information about the murders in Mexico will not  
13:52:15 16 be given?

13:52:15 17 THE COURT: Then I suggest you ask that question.

13:52:17 18 Q. (BY MR. DEGEURIN) Let me restate it.

13:52:21 19 Do you have an agreement with the United States that  
13:52:28 20 the murders in Mexico that you had told them about, that that  
13:52:34 21 information will not be given to the Mexican government?

13:52:58 22 A. No.

13:52:59 23 Q. Do you have an agreement -- what's your understanding of  
13:53:04 24 what will happen to you when you're through testifying in the  
13:53:21 25 United States?

13:53:21 1 A. I'm going to be sentenced and I don't know what's going to  
13:53:30 2 happen.

13:53:34 3 Q. What is your understanding is going to happen when you're  
13:53:38 4 through here, whether or not you go back to Mexico?

13:53:46 5 MR. GARDNER: Your Honor, I'm going to object that's  
13:53:48 6 been asked and answered by Ms. Williams. It's the same questions  
13:53:50 7 she asked.

13:53:51 8 THE COURT: It is the same exact question --

13:53:53 9 MR. DEGEURIN: Well, if it is, then I'll withdraw it.

13:53:54 10 THE COURT: -- by a different lawyer. No. I'll let  
13:53:56 11 you proceed.

13:53:58 12 MR. DEGEURIN: I didn't get a clear answer in my own  
13:54:00 13 head what was asked before.

13:54:01 14 THE COURT: All right.

13:54:04 15 Q. (BY MR. DEGEURIN) Let me put it differently. What is your  
13:54:07 16 hopes with regard to whether or not you're sent back to Mexico to  
13:54:12 17 answer for the 30 or more murders?

13:54:43 18 A. I don't know that they're going to send the information to  
13:54:51 19 Mexico about those 30 homicides. That's not what I'm charged  
13:54:56 20 with in Mexico.

13:54:57 21 Q. That's not what?

13:54:58 22 A. It's not what I'm charged with in Mexico.

13:55:04 23 Q. Is it true that you, yourself, individually -- I'm talking  
13:55:18 24 about you, maybe your family -- made about \$50 million in your  
13:55:26 25 Zeta business? You, yourself?

13:55:43 1 A. That's correct.

13:55:45 2 Q. And of that \$50 million that you made, where is it today?

13:56:05 3 A. It's part of the war, some took -- had got some of that

13:56:10 4 money, and that's how it went.

13:56:12 5 Q. I'm sorry. Who got the money?

13:56:15 6 A. Some of the money was by the people who had the merchandise.

13:56:38 7 Some of it was taken from the businesses I had. Some of it from

13:56:42 8 cocaine. So some of it was to -- went to those people and some

13:56:46 9 of it, I kept.

13:56:47 10 Q. Okay. So how much did you in the end, after all is said and

13:56:53 11 done, how much did you keep?

13:57:03 12 A. I don't know. Maybe two million, three million. Don't

13:57:07 13 know. I never did an accounting.

13:57:09 14 Q. And where is that two or three million now?

13:57:19 15 A. Put away in a safe.

13:57:23 16 Q. And did you tell the government about where you put that

13:57:27 17 money away?

13:57:32 18 A. Yes.

13:57:33 19 Q. To your knowledge, do you still have that money stashed

13:57:40 20 away?

13:57:46 21 A. Yes.

13:57:47 22 Q. Do you mind telling me where it is?

13:58:00 23 A. I don't have a reason to tell you where that money is.

13:58:05 24 Q. I didn't mean that I was going to go get it myself.

13:58:11 25 THE COURT: Let's stay with questions.

13:58:29 1 Q. (BY MR. DEGEURIN) I don't suspect that you want to dwell on  
13:58:37 2 it, but before these people were murdered, were they tortured you  
13:58:42 3 were involved with?

13:59:00 4 A. Before the agents were killed? I don't understand.

13:59:03 5 Q. No. I'm talking about the other 30 or more people.

13:59:14 6 A. Some.

13:59:18 7 Q. And were you physically present when they were being  
13:59:23 8 tortured?

13:59:24 9 A. That's correct.

13:59:30 10 Q. Both women and children -- women and men?

13:59:41 11 A. No. All men.

13:59:44 12 Q. Were some women killed?

13:59:50 13 A. Yes.

14:00:05 14 Q. One moment. To clear up something that has come up in the  
14:00:37 15 court, could be confusing to some. I'm going to ask you, is  
14:00:44 16 there a Comandante Carlitos that's not the same person as Carlos  
14:01:08 17 Nayen?

14:01:08 18 A. That's correct.

14:01:12 19 Q. So each time that we see the word or name Carlitos, it could  
14:01:17 20 be either Carlitos, the one -- Carlos Nayen or it could be the  
14:01:23 21 other Carlitos?

14:01:36 22 A. Are you talking about when you see it written down regarding  
14:01:39 23 the horses?

14:01:39 24 Q. Well, didn't Carlitos, Comandante Carlitos also have horses?

14:01:55 25 A. He did have horses.

14:01:58 1 Q. Now, Carlos Nayen is a person you knew to have a particular  
14:02:07 2 expertise in horses; is that correct?

14:02:21 3 A. That's correct.

14:02:23 4 Q. Was he pretty well-known among people in the horse circles  
14:02:28 5 as having that expertise in Mexico?

14:02:41 6 A. Can you repeat that question again, please?

14:02:43 7 Q. Was he well-known in Mexico as having that expertise among  
14:02:46 8 people that were involved in horses, quarter horses?

14:03:03 9 A. Yes.

14:03:04 10 Q. And did Mr. Nayen manage horses for -- well, strike that.  
14:03:19 11 I'm sorry.

14:03:20 12 Did Nayen manage any of your horses?

14:03:31 13 A. Yes.

14:03:32 14 Q. Those are your private horses, correct?

14:03:39 15 A. That's correct.

14:03:40 16 Q. And did Mr. Nayen have horses of his own?

14:03:48 17 A. Yes.

14:03:49 18 Q. And he also managed some horses that Miguel Trevino had.

14:04:04 19 A. That's correct.

14:04:11 20 Q. Ramiro Villarreal was the person you identified the  
14:04:55 21 photograph of. Was that person a businessman who had horses as a  
14:05:03 22 hobby, or was he only a horse person?

14:05:34 23 A. He was dedicated to horses and he had one or two horses.

14:05:40 24 Q. Of his own?

14:05:41 25 A. Yes.

14:05:47 1 Q. Did Mr. Villarreal help you in your horse business?

14:05:58 2 A. He bought horses.

14:05:59 3 Q. For you or helped you buy them?

14:06:06 4 A. He would help buy them for me.

14:06:09 5 Q. Once again, those were horses that were not part of Miguel  
14:06:13 6 Trevino's horses, correct?

14:06:20 7 A. No.

14:06:20 8 Q. Thank you. Thank you for your patience, Judge. I have no  
14:06:30 9 further questions.

14:06:31 10 THE COURT: Mr. Womack.

14:06:32 11 MR. WOMACK: No questions, your Honor.

14:06:34 12 THE COURT: Mr. Esper.

14:06:36 13 MR. ESPER: Yes, your Honor.

14:06:38 14 CROSS-EXAMINATION

14:06:38 15 BY MR. ESPER:

14:06:43 16 Q. Mr. Rejon, you said that Miguel Trevino had Ramiro  
14:06:51 17 Villarreal killed, but made it look like it was an accident,  
14:06:55 18 correct?

14:07:03 19 A. That's correct.

14:07:04 20 Q. And do you know -- and if you don't, simply say so -- why he  
14:07:09 21 had him killed?

14:07:20 22 A. Because he knew all of his business.

14:07:22 23 Q. Okay. You and Miguel and Omar Trevino, whenever you would  
14:07:31 24 buy horses in the United States, you would use Ramiro Villarreal  
14:07:34 25 to buy the horses, correct?

14:07:46 1 A. That's correct.

14:07:48 2 Q. And the reason you had him buy the horses was because you  
14:07:54 3 didn't want people in the United States knowing that you, Miguel  
14:08:00 4 Trevino, or Omar Trevino were the real owners, right?

14:08:19 5 A. That's correct.

14:08:20 6 Q. Okay. So whenever you said Tempting Dash was owned by  
14:08:25 7 Ramiro Villarreal, but he wasn't the real owner, nobody knew that  
14:08:31 8 other than Miguel Trevino, Omar Trevino, and you. That's right,  
14:08:37 9 correct?

14:08:56 10 A. Other people knew.

14:08:57 11 Q. When you say other people, people in Mexico knew, correct?

14:09:07 12 A. That's correct.

14:09:08 13 Q. You didn't want and Miguel Trevino didn't want people in the  
14:09:13 14 United States knowing that he was the real owner of that horse or  
14:09:17 15 that you were owners of certain horses, correct?

14:09:39 16 A. Except the trainers and the people that take care of the  
14:09:41 17 horse, they know who the horses belong to.

14:09:44 18 Q. Okay. And how do you know who they -- how do you know that?  
14:09:48 19 Did one of the trainers tell you that?

14:10:10 20 A. One of them. One of them that's always with the horses,  
14:10:13 21 trains the horses, Carlos Nayan, he knew the horses were Miguel  
14:10:20 22 Angel Morales-Trevino's.

14:10:22 23 Q. Okay. Carlos Nayan knew that Miguel Trevino was the owner  
14:10:26 24 of those horses, correct?

14:10:33 25 A. That's correct.

14:10:33 1 Q. You've never met "Chevo" Huitron, have you?

14:10:38 2 A. Never.

14:10:39 3 Q. And you've never seen him with Miguel Trevino or Omar

14:10:43 4 Trevino, have you?

14:10:49 5 A. That's correct.

14:10:50 6 Q. And whenever Miguel Trevino or Omar Trevino told you that

14:10:56 7 "Chevo" Huitron trained their horses, that's what they're saying,  
14:11:00 8 correct?

14:11:10 9 A. That's right.

14:11:12 10 Q. And those are the same horses that are owned or bought by

14:11:18 11 Ramiro Villarreal, right?

14:11:33 12 A. Ramiro Villarreal bought them. He wasn't the owner, but he

14:11:39 13 bought them.

14:11:40 14 Q. You knew and Miguel Trevino and Omar Trevino knew Ramiro

14:11:46 15 Villarreal was not the owner, but people in the United States

14:11:51 16 didn't know that?

14:11:52 17 MR. GARDNER: Your Honor, I'm going to object to the  
14:11:54 18 form of that question.

14:12:09 19 A. No.

14:12:11 20 Q. (BY MR. ESPER) Okay. And when Miguel Trevino suspected

14:12:17 21 Ramiro Villarreal of cooperating with the government, he was

14:12:19 22 afraid that Ramiro Villarreal was going to start telling people

14:12:24 23 in the United States about everything that he was buying here,

14:12:33 24 correct?

14:12:48 25 A. I don't know if he was cooperating, but he did know

14:12:59 1 everything about his businesses. He knew about the horses, about  
14:13:02 2 what he was buying here, and the other things he had.

14:13:04 3 Q. He was afraid -- and he told you this -- that he didn't want  
14:13:09 4 Ramiro Villarreal bringing him down by telling -- because he knew  
14:13:13 5 so much about his horses?

14:13:30 6 A. That's right.

14:13:33 7 Q. Now, since you were arrested about a few months after Ramiro  
14:13:41 8 Villarreal was killed, although it made it look like an accident,  
14:13:46 9 correct?

14:13:58 10 A. That's correct.

14:13:59 11 Q. May I have just one moment, your Honor?

14:14:06 12 THE COURT: You may.

14:14:09 13 Q. (BY MR. ESPER) Whenever -- you said that Miguel Trevino and  
14:14:14 14 Omar Trevino, they mentioned "Chevo" Huitron as being a horse  
14:14:19 15 trainer, right?

14:14:30 16 A. That's right.

14:14:31 17 Q. And they never told you that they suspected him of being  
14:14:36 18 involved in illegal activity, did they?

14:14:48 19 A. That's right.

14:14:48 20 Q. That's all I have. Thank you.

14:14:52 21 THE COURT: Mr. Mayr?

14:14:54 22 MR. MAYR: Your Honor, I have no questions for this  
14:14:56 23 witness.

14:14:57 24 THE COURT: Redirect?

14:14:59 25 MR. GARDNER: May I have one moment, your Honor?

14:15:01 1 THE COURT: Yes.

14:15:14 2 RE-DIRECT EXAMINATION

14:15:14 3 BY MR. GARDNER:

14:15:17 4 Q. Mr. Rejon, I'm going to show you Government's Exhibit 426.

14:15:22 5 It's part of a document that Mr. DeGeurin showed you earlier. Do  
14:15:25 6 you recognize that page, page 4?

14:15:28 7 A. Yes.

14:15:40 8 Q. Now, this document's in English, but is that your signature  
14:15:44 9 here on page 3?

14:15:50 10 A. That's correct.

14:15:50 11 Q. Is this the signature of your attorney?

14:15:55 12 A. That's correct.

14:15:56 13 Q. Does your attorney speak Spanish?

14:15:58 14 A. That's correct.

14:16:00 15 Q. And did he explain this entire document to you?

14:16:05 16 A. That's correct.

14:16:06 17 Q. And it also has a signature of the U.S. Attorneys in the  
14:16:11 18 Washington, D.C. area, correct?

14:16:19 19 A. Yes.

14:16:20 20 Q. Your Honor, we offer Government's Exhibit 426. It's the  
14:16:23 21 proffer letter signed by the U.S. government and Mr. Rejon.

14:16:30 22 MR. DEGEURIN: May I see? I don't have an objection,  
14:17:09 23 Judge.

14:17:12 24 THE COURT: 426 is received.

14:17:16 25 Q. (BY MR. GARDNER) Now, Mr. Rejon, Mr. DeGeurin asked you

14:17:19 1 whether or not you were a brujo. Do you remember that question?

14:17:30 2 A. Yes.

14:17:31 3 Q. What religion do you practice?

14:17:39 4 A. I practice Yoruba.

14:17:41 5 Q. If you will, could you briefly tell the jury what that  
14:17:44 6 religion consists of?

14:17:51 7 A. It's a Lucumi faith that comes from Africa. It came through  
14:18:12 8 Cuba with the slaves, and it incorporated or took parts from the  
14:18:27 9 Catholic -- Roman Catholic faith. It's also known as santeria.

14:18:34 10 Q. And does part of your religious practice include animal  
14:18:38 11 sacrifices for various reasons?

14:18:46 12 A. That's correct.

14:18:48 13 Q. Would you ever see "Pancho" Colorado with any cigars?

14:18:53 14 MR. DEGEURIN: Excuse me, I didn't hear that, and I  
14:18:55 15 think I have an objection.

14:19:01 16 MR. GARDNER: Asked him if he ever saw "Pancho"  
14:19:03 17 Colorado with any cigars.

14:19:06 18 MR. DEGEURIN: I'll withdraw the objection.

14:19:11 19 Q. (BY MR. GARDNER) You may answer that question.

14:19:17 20 A. That's right.

14:19:18 21 Q. Would "Pancho" Colorado ever give you any cigars?

14:19:24 22 A. That's right.

14:19:25 23 Q. And why would he give you cigars?

14:19:28 24 MR. DEGEURIN: Excuse me, your Honor, I'm going to  
14:19:30 25 object to trying to limit -- all the rules limit to the response

14:19:35 1 to cross.

14:19:35 2 THE COURT: Pardon?

14:19:39 3 MR. DEGEURIN: It's going beyond -- the way I would be  
14:19:43 4 limited if I'm trying to go beyond what he's asking.

14:19:46 5 THE COURT: Well, I understand the rules, but I also  
14:19:50 6 heard a lot of questions. I'll overrule it. He may answer and  
14:19:55 7 you may respond.

14:20:00 8 Q. (BY MR. GARDNER) I'm sorry. And why would he give you  
14:20:02 9 cigars?

14:20:06 10 A. Because of my faith.

14:20:08 11 Q. Did you ever perform the santeria ritual at the request of  
14:20:12 12 "Pancho" Colorado?

14:20:31 13 A. I didn't, but I sent people to do a cleansing or an Ebo is  
14:20:38 14 what we call it.

14:20:39 15 Q. And that was at the request of "Pancho" Colorado?

14:20:42 16 A. That's correct.

14:20:44 17 Q. And one question I forgot to ask you. How much does Banda  
14:20:51 18 El Recodo cost you to hire?

14:21:00 19 A. For some hours, \$250,000.

14:21:09 20 Q. That's all I have, your Honor.

14:21:16 21 MS. WILLIAMS: No further questions.

14:21:19 22 RE-CROSS EXAMINATION

14:21:19 23 BY MR. DEGEURIN:

14:21:29 24 Q. I'm not familiar with that religion, but does it justify  
14:21:36 25 killing other human beings?

14:21:45 1 A. No.

14:21:47 2 Q. Okay. I pass the witness.

14:21:52 3 MR. WOMACK: No questions.

14:21:53 4 THE COURT: Mr. Esper.

14:21:53 5 MR. ESPER: No, your Honor, I don't have any.

14:21:55 6 THE COURT: Mr. Mayr.

14:21:56 7 MR. MAYR: No.

14:21:57 8 MR. GARDNER: I have nothing further, your Honor.

14:21:58 9 THE COURT: May the witness be excused, counsel?

14:22:01 10 MR. FINN: Judge, subject to recall, please.

14:22:03 11 MR. DEGEURIN: You know, we've still got that issue

14:22:08 12 lingering with the -- other than that.

14:22:12 13 THE COURT: Well, I have an idea we know where he's

14:22:15 14 going to be. Excuse the witness.

15 (End of requested portion.)

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UNITED STATES DISTRICT COURT)  
WESTERN DISTRICT OF TEXAS )

I, LILY I. REZNIK, Official Court Reporter, United States District Court, Western District of Texas, do certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

I certify that the transcript fees and format comply with those prescribed by the Court and Judicial Conference of the United States.

WITNESS MY OFFICIAL HAND this the 7th day of January, 2014.

/s/Lily I. Reznik  
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