



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

GMP:ASF
F. #2009R01065

*271 Cadman Plaza East
Brooklyn, New York 11201*

August 16, 2018

TO BE FILED UNDER SEAL

The Honorable Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Joaquin Archivaldo Guzman Loera
Criminal Docket No. 09-466 (S-4) (BMC)

Dear Judge Cogan:

The government respectfully submits this reply to the defendant's response to the government's supplemental application for an order permitting deferred disclosure of additional Rule 16 documents and items, filed with the court on August 13, 2018. See Dkt. No. 284.

I. Defense Counsel's Misstatements to the Court at the Status Conference

In his opposition to the government's motion, the defendant yet again seeks to obtain an earlier peek at the government's witness list. He asks this Court to order the government to provide immediate disclosure of materials that the government believes would allow the defendant to identify some of the government's cooperating witnesses, on the express condition that the disclosure would be for "counsel's eyes only." Dkt. No. 284 at 4. The Court should deny this request. Defense counsel's prior conduct—and that of the defendant's previous counsel—demonstrate that a "counsel's eyes only" disclosure would not adequately protect against the serious safety concerns that this Court has repeatedly recognized exist in this case.

During the August 14, 2018 status conference, this Court asked counsel for the government as well as Mr. Balarezo to address the propriety of an "attorney's eyes only" discovery submission. After the government expressed concern that "defense counsel is speculating with the media who some potential witnesses are so that is also creating additional security concerns for us," Tr. of Aug. 14, 2018, Status Conf. at 6, Mr. Balarezo responded to the Court:

Your Honor, number one, I would like to address the issue of the speculation about what potential witnesses are. I can tell you there is no speculation on the defense side. I think the defense has been asked about particular people. The response has been that under the local rules we're not allowed to discuss witnesses or identify witnesses publicly, notwithstanding the fact that the Government has not given us a witness list.

I think we've been asked particularly about one witness in a matter in Chicago who is—it is public, it is publicly docketed that the person is cooperating so there is no speculation.

Id. at 6-7.

This statement to the Court is contradicted, however, by a publicly available interview of Mr. Balarezo. The Spanish-language interview, originally published in the Mexican-based online publication “Valor Tamaulipeco,” and an English translation of that interview, published on the Borderland Beat Forum website, are attached as Exhibit A to this submission. During that interview, Mr. Balarezo had the following exchange with his interviewer:

-How many witnesses do you think the prosecution will present?

-I would say about 60 or 70, if not more, and probably half of them will be protected witnesses, snitches, informants, toads.

-It is said that Jesús Vicente Zambada Niebla would be a key witness of the prosecution. Is your client aware of this?

-Obviously.

-Are you afraid of that?

-Do not.

-What have you said about it?

-My conversations are confidential. Vicente's thing is public; [he] is collaborating with the authorities and we may see it in this case. My client is very aware of who he

is and what he has said in this case up to this point, but we are prepared to face him.

In addition, they have been identified as possible witnesses of the Department of Justice against El Chapo to Edgar Valdez Villarreal [aka] The Barbie, Dámaso López Núñez [aka] The Licensed, his son Dámaso López Serrano [aka] The Mini Licensed, the brothers Pedro and Margarito Flores, among other notable figures of drug trafficking Mexican that are in the power of the US government.

Ex. A.¹

In this interview, and contrary to his assertion in court, Mr. Balarezo does in fact speculate that Vicente Zambada will be a witness against the defendant (“we may see it in this case”). Then, notwithstanding his acknowledgement at the most recent status hearing that the government has “not given us a witness list” and that “under the local rules we’re not allowed to discuss witnesses or identify witnesses publicly,” Tr. of Aug. 14, 2018, Status Conf. at 6, Mr. Balarezo supplies his interviewer with the names of five additional individuals whom he believes may cooperate and testify against his client at trial.² The government will, for obvious reasons, neither confirm nor deny that these six individuals are among the witnesses that the government intends to call at the upcoming trial. But it raises this episode to the Court to demonstrate why an “attorneys’ eyes only” submission will not adequately prevent disclosure and address the serious safety concerns inherent to this case.

¹ “Chapo’s Attorney Gives Interview,” Borderland Beat Forum (Aug. 1, 2018), available at <https://valortamaulipeco.blogspot.com/2018/08/el-casochapo-puros-mito-y-circo-con.html> (last visited Aug. 16, 2018).

² Local Rule 23.1(a) states: “It is the duty of the lawyer . . . not to release . . . non-public information or opinion which a reasonable person would expect to be disseminated by means of public communication, in connection with pending or imminent criminal litigation with which they are associated, if there is a substantial likelihood that such dissemination will interfere with a fair trial or otherwise prejudice the due administration of justice.” Local Rule 23.1(d) provides that statements concerning “the identity, testimony or credibility of prospective witnesses” will “presumptively involve a substantial likelihood that their public dissemination will interfere with a fair trial or otherwise prejudice the due administration of justice.”

II. Previous Defense Counsel's Violation of the Protective Order

Nor is this the first time in this case that the defendant's lawyers have improperly disseminated the identities of persons they believe to be witnesses to the public. As the Court is undoubtedly aware, on September 11, 2017, this Court issued an order denying the defendant's motion to reconsider an earlier order finding that prior counsel had violated the protective order in this case by identifying potential government witnesses in its publicly filed motion to dismiss. Dkt No. 129. In that order, this Court reaffirmed that "disseminating public § 3500 in connection with this case . . . connects the testifying witness with this case, suggesting that he is a potential witness or cooperator, thus raising the most serious security concerns." *Id.* at 3. Mr. Balarezo's statements to the media, in which he publicly named persons as cooperating witnesses in this case, likewise present the "most serious security concerns." Given defense counsel's actions to date—i.e., identifying the names of potential government cooperators to the public and then denying doing so in court—the disclosure of discovery materials that identify the government witnesses more than two months before trial to defense counsel continues to pose a significant security concern.

III. Defense Counsel's Press Conference Statements

The government's confidence in the ability of defense counsel to protect against these "most serious security concerns" was further eroded by counsel's post-hearing press conference on August 14, 2018. During the status conference, the Court denied the defendant's motion to change the venue of the trial, but did so without a detailed explanation as to its grounds. The Court noted, however:

What I've arranged with them is, if you will enter into a nondisclosure agreement with the marshals. And, obviously, the Government will have input into that. They will tell you the particular conditions that will be arranged to alleviate the concerns that you raised, but I am confident they will be entirely alleviated and so there's no need to transfer the venue.

Tr. of Aug. 14, 2018 Status Conf. at 5.

It should have been abundantly clear from the need for the nondisclosure agreement and the Court's lack of a public explanation that the accommodations for the defendant were sensitive in nature and not for public dissemination—especially in light of the fact that the defendant escaped from custody twice while in Mexico and that members of his family continue to run the Sinaloa Cartel and have access to its vast resources. Yet, these clear messages from the Court did not deter Mr. Purpura from making the following observations on the courthouse steps following the hearing:

“We assume that based on the court’s comments, the Marshal Service will house Mr. Joaquin here for the trial days,” Purpura said. “Whether he will return to Manhattan for the weekends, we’re not sure.”

“They’ve done it before, for other proceedings, where they’ll build a facility here,” the lawyer said, referencing Dandenys Muñoz Mosquera’s 1994 trial and conviction before Brooklyn federal Judge Sterling Johnson.

Ex. B.³

While Mr. Purpura neither violated a nondisclosure order nor any other court order, his public speculation regarding the Marshals Service’s plans to house his client—after being told by this Court that he would learn about those plans only upon signing a nondisclosure order—raises significant concerns about what future comments defense counsel may make upon learning the identifies of the government’s cooperating witnesses. Indeed, the government’s concern is reinforced by the Court’s observation when previously rejecting the defendant’s argument for an “attorney’s eyes only” disclosure that defense counsel is unlikely “to be able to make significant use of the materials without consulting the defendant as to their contents and the witnesses they identify.” Dec. 14, 2017 Order, Dkt. No. 176 at 5.

IV. Conclusion

As the government has stated in both public and ex parte filings with this Court, and as this Court has repeatedly found in order after order, this case presents serious safety concerns for the government’s potential witnesses. Given the conduct of both the current and prior lawyers for the defendant, such safety concerns will not be adequately addressed by providing “attorney’s eyes only” disclosure of evidence that likely will disclose the identities of the potential witnesses. “Delayed disclosure, timed according to the relative risk to each witness or category of witnesses, and with sufficient time for defendant to prepare for cross-examination, more appropriately addresses the safety concerns and will permit defense counsel to make full use of the materials.” Dkt. No. 176 at 5. The Court should grant the protective order permitting the government to defer disclosure of the Supplemental Materials to the defendant until

³ “El Chapo won’t be tunneling to court during trial,” New York Post (Aug. 14, 2018), available at <https://nypost.com/2018/08/14/el-chapo-wont-be-tunneling-to-court-during-trial/> (last visited Aug. 16, 2018).

the government's disclosure of 18 U.S.C. § 3500 material for each witness identified in the Supplemental Materials.⁴

In light of the sensitive nature of the content of this response, particularly, the reference to the six potential witnesses in the Borderland Beat article, the government respectfully requests that this reply be filed under seal. Although the government again neither confirms nor denies that it plans on calling any of these six individuals as witnesses at trial, the government does not want to draw additional attention to Mr. Balarezo's comments in a public filing, as it would further enhance the security risk already created by his comments.

Sealing is warranted because of the concerns discussed supra regarding the safety of the witnesses and their families, and the danger posed by disclosing the witnesses' identities and their cooperation with the government; see United States v. Amodeo, 44 F.3d 141, 147 (2d Cir. 1995) (need to protect the integrity of an ongoing investigation, including the safety of witnesses and the identities of cooperating witnesses, and to prevent interference, flight and other obstruction, may be a compelling reason justifying sealing). As the facts set forth herein provide ample support for the "specific, on the record findings" necessary to support sealing, Lugosch

⁴ As the government has previously noted, it will disclose its 3500 material for most cooperating witnesses one month in advance of trial. That disclosure will be pursuant to the Court's protective order. To minimize the security risks, the government expects to disclose publicly the name of each witness at the time that witness takes the stand at trial.

v. Pyramid Co., 435 F.3d 110, 120 (2d. Cir. 2006), the government respectfully requests that the Court permit the government to file this reply under seal.

Respectfully submitted,

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Guzmán's lawyer before the federal court in New York, Eduardo Balarezo, admits in an interview that this is a difficult mission because the defendant - for him "another client who needs help" - faces charges that could lead to a sentence of life imprisonment. In addition, he affirms, the US government and the prosecution are allocating many resources and maneuvering in secret for the judge to take measures against Guzmán. However, he says he is prepared to face the protected witnesses who will testify against him, among whom may be El Vicentillo, La Barbie, El Lic or El Minilic.

Washington.- Eduardo Balarezo refuses to be labeled as a narco-attorney and, although he defends one of the most recognized traffickers in the world, Joaquín Guzmán Loera says in an interview: "I consider Joaquín a client, not El Chapo, the leader of the Sinaloa Cartel, or as a great drug trafficker as the prosecution ", that is to say, the Department of Justice of the United States.

However, he admits that Guzmán "has a very high profile in the media, a profile in the legal business that is very high and I know he comes with a lot of baggage; It's different and a little harder. "

Before assuming the legal defense of Guzmán Loera in New York, Balarezo had already represented in the federal court of the District of Columbia two outstanding figures of Mexican drug trafficking; Alfredo Beltrán Leyva El Mochomo and Zhenli Ye Gon. He lost those two cases. Guzmán Loera is accused in the United States of drug trafficking, money laundering, and homicide, among other crimes for which he could be sentenced to life imprisonment.

Clients of Balarezo knew the legal representatives of the alleged ringleader of one of the factions of the Sinaloa Cartel. To this, says the litigant, "I met him in February of 2017, a month after he was extradited to the United States."

Then they began their formal contacts with Guzmán's wife and sister, Ema Coronel Aispuro and Bernarda, respectively. "They asked me to visit him in New York, I went and the relationship began," he says.

- With whom of the family of Guzmán Loera defined the cost of their fees to defend the Chapo? -he asks.

-Those topics are confidential; the agreement was made with the client, with Joaquín.

-Have you been paid?

-I never enter the case without having received something and I have said many times that I received a part of the payment, not everything.

Avoiding revealing the amount he set in the contract to defend whom the United States government labels as the most powerful and dangerous drug trafficker on the planet, Balarezo only says that he has received "25%" of his fees. Nor does it reveal who directly gives you your money. "I can say it's not Ema, but I can not say who pays me," he says.

He laughs when he adds that the US government spreads myths about his client, such as the fact that the Treasury Department wants to confiscate 14 billion dollars. "They're never going to get them, they've never taken a dime that I know of. But it is something for the circus that has become this case, because it is an incredible number. People will see the figure and think that this man is a millionaire. It's ridiculous," he says.

Because it is a foreign criminal defined as "most significant drug trafficker" in terms of US law, any economic aspect of the Chapo is subject to the jurisdiction of the Office for the Control of Foreign Assets (OFAC, for its acronym in English) of the Treasury Department.

Every last cent handled by or managed by Guzmán is subject to confiscation by the US authorities if it moves in their territory; for that reason Balarezo, before defending his client, obtained a license from the OFAC and must render accounts to him every three months on his emoluments.

"When I go to the bank I have to make my tax returns and the prosecutors who handle the case have access to all this. Everything I have done in relation to the payments in this case is clear and correct," he says.

The "myths" of the prosecution

After several misunderstandings between Guzman's defense and the Justice Department, on Monday, November 5, the trial led by federal

judge Brian Cogan will begin.

Through his lawyer, El Chapo has complained of inhumane treatment because they have him in a small cell, guarded 24 hours a day and separated from the rest of the inmates of the Manhattan federal prison, which according to him already affected his health.

His supporter visits him personally every week, but the rest of the days he serves Chapo, for four or five hours, is a team that Balarezo hired at the special office that opened in New York to address this issue. In this way, he says, "I have daily communication with him through my assistants".

- Guzmán is aware of the case and understands it?

-He understands the case clearly. We have complained that he is suffering psychologically, but we are not saying that he is incompetent. The conditions in which they have it are affecting him a lot; the memory is failing him in the sense that sometimes he does not remember certain things anymore or he asks us or says the same things several times. In the year and peak I know him I have noticed that his mental ability has declined. He is not crazy, he is not incompetent, he is not incoherent; He has knowledge of what is happening and what we face.

The government of the United States argues that Guzmán Loera's conditions of imprisonment correspond to a criminal categorized as highly dangerous. Your advocate ensures that your client knows: "Of course they have it in those conditions because of the leaks that have happened in Mexico. It is understood that the United States government has certain concerns for him, but we have to be realistic: he is not in jail in Mexico; he's not going to buy the guards here either. It is absolutely exaggerated as they have it.

"It's in the middle of the city of Manhattan, on the tenth floor of a jail. Nobody is going to build a tunnel in a 10-story building, nobody will take it out for a laundry cart or a helicopter. It will not happen. "

Another matter that has been kept secret is the reason that the judge prohibited the visits of Ema Coronel to her husband. According to Balarezo, the argument presented by the Department of Justice to obtain this and other measures against the accused was not even made public:

"The judge has made decisions that have greatly affected the case: that he can not see the wife, that the jury is anonymous and is protected, and now (his position before) the motion that we present to move the case from Brooklyn to Manhattan . What could be secret to affect this? I do not know, there have been 10 conversations like that, where we are at a tremendous disadvantage because we do not know what the government has told the judge to decide those things. We can not litigate or protest against them because we do not know what it is about and the judge has said that is correct. "

The federal court in New York only authorized Ema Coronel to talk on the phone with Guzmán. She tries to attend all the hearings in New York accompanied by her twin daughters, because the litigant says "the girls visit him every time they come to the hearings, they give them a visit of one hour. They can not hug him or kiss him, they see him through a window. And everything is monitored, whenever there are agents. It is a ridiculous case: he can not pass messages to third parties. One day he told the girls to say hello to the mother, who loves her, and they cut off the visit because that was a message. "

- Do you communicate with Ema Coronel?

-Yes.

-How often?

-Several times a week. It depends on what needs to be done and what is happening.

The challenges of the trial

Representing Guzmán Loera against the government of the United States, and more in the age of the internet, social networks, narcoseries and narco-verses that are fashionable, is a path to fame and can give you a lot of money and prestige. However, Balarezo maintains that the matter is of the "highest profile", but only that. He adds that even it is expensive: "The expenses have been great; the trips, the people and an office in New York. I already had one, but now I have one in Brooklyn just for this case. "

-This judgment can create a reputation that in the future will attract clients with a similar profile.

- That seems at first sight, because they could say: "Being a lawyer of the Chapo has to be good and I will hire him". But it is not so easy. In the case of Joaquin, many people will testify against him. Also, since I started to represent him, I have rejected three cases.

-Important?

-Enough; They would have given good money. They were three people accused by the United States of drug trafficking. When they looked for me they were somewhere else and now two are here, extradited. I had to reject them because they would have caused me a conflict, since they are going to testify against him. It can not. As for the possibility that the US government is spying on him, given the matter, he says he does not care:

"It is not something that I think and I take it as paranoid, but if they are doing it I would not be surprised. A lawyer friend of mine advised me that when I talk on the phone I never say anything that I do not want to hear in a court afterwards; I always have it in mind. I do not care much because I'm not doing anything wrong or illegal. From time to time, when talking on the phone with someone, I greet the prosecutors just in case. "

- Who else in the Guzmán Loera family talks about the case?

-With his sisters Bernarda and Armida, as well as other people who for various reasons I can not identify, relatives of him.

-Have you traveled to Mexico for those communications?

- No, it's all on the phone. I do not want to be Sean Penn.

-As a lawyer, what expectations do you have in this case?

-It's different for the character, for the amount of evidence that is expected, for the resources that the prosecution and the US government are allocating to reach a conviction of Joaquin. We are very clear that the process and the trial will be very difficult, but we do not enter with the thought that the case is lost. I can not guarantee anything to the client, only that I will do my best and that we must also take into account that a jury will decide if he is guilty or innocent.

"Twelve people, citizens of New York, will decide if the prosecution's evidence is enough to condemn Joaquin or not. What the prosecution says does not interest me. With all respect to the judge, what he has to say about my client does not interest me; I'm not saying that I'm not listening, but that I'm going to address the trial to the jury. It has to be a unanimous decision. If one or two people disagree, they can not condemn it. That's why I'll never get to that point of saying that

I've lost the case. We are going to fight for Joaquin in the trial, to win; it is very possible that we will not succeed, but that's the way it is. "

-How many witnesses do you think the prosecution will present?

-I would say about 60 or 70, if not more, and probably half of them will be protected witnesses, snitches, informants, toads.

-It is said that Jesús Vicente Zambada Niebla would be a key witness of the prosecution. Is your client aware of this?

-Obviously.

- Are you afraid of that?

-Do not.

- What have you said about it?

-My conversations are confidential. Vicente's thing is public; is collaborating with the authorities and we may see it in this case. My client is very aware of who he is and what he has said in this case up to this point, but we are prepared to face him.

In addition, they have been identified as possible witnesses of the Department of Justice against El Chapo to Edgar Valdez Villarreal The Barbie, Dámaso López Núñez The Licensed, his son Dámaso López Serrano The Mini Licensed, the brothers Pedro and Margarito Flores, among other notable figures of drug trafficking Mexican that are in the power of the US government.

- It will be a long trial?

-The prosecution expects it to last about four months, from November to February or perhaps until March, with four days a week of trial. I know the prosecutors, I know how they prepare their cases and that's why I think it will last until the end of March. The jury can take more time to deliberate to decide the sentence. He will not be condemned. If he is sentenced, until the end of the year maybe.

Source.- <https://valortamaulipeco.blogspot.com/2018/08/el-caso-chapo-puros-mito-y-circo-con.html>

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PERIODISMO DIGITAL AL SERVICIO DE LOS GOBERNADOS, NO DE LOS GOBERNANTES...

!!! Porque la Verdad se corrompe tanto con la Mentira como con el Silencio...no la podemos ni debemos callar !!!

MIÉRCOLES, 1 DE AGOSTO DE 2018

EL "CASO CHAPO": PUROS MITO y CIRCO con OLOR a CADENA PERPETUA...y un montón de ex-amigos cómplices dispuestos a ponerle el dedo.



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hapo Guzmán ante la corte federal en Nueva York, Eduardo Balarezo, admite en entrevista que se trata de una misión difícil porque el acusado –para él “un cliente más que necesita ayuda”– enfrenta cargos que podrían derivar en una sentencia de cadena perpetua. Además, afirma, el gobierno estadounidense y la fiscalía están destinando muchos recursos y maniobrando en secreto para que el juez adopte medidas contra Guzmán. Sin embargo, dice estar preparado para encarar a los testigos protegidos que declararán contra él, entre los cuales quizás estén El Vicentillo, La Barbie, El Lic o El Minilic.

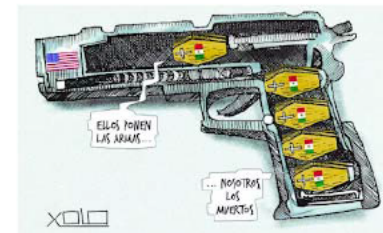
Washington.- Eduardo Balarezo rechaza ser etiquetado como narcoabogado y, aunque defiende a uno de los traficantes más reconocidos en el mundo, Joaquín Guzmán Loera, dice en entrevista: “Yo a Joaquín lo considero un cliente, no El Chapo, el dicho líder del Cártel de Sinaloa, ni como a un gran narcotraficante como lo pinta la fiscalía”, es decir el Departamento de Justicia de Estados Unidos.

Sin embargo, admite que Guzmán “tiene un perfil en los medios muy alto, un perfil en el negocio legal muy alto y sé que viene con mucho bagaje; es diferente y un poco más difícil”.

Antes de asumir la defensa legal de Guzmán Loera en Nueva York, Balarezo ya había representado en la corte federal del Distrito de Columbia a dos figuras sobresalientes del narcotráfico mexicano; Alfredo Beltrán Leyva El Mochomo y

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ENTRADA DESTACADA

CABEZA de VACA "SALIO MAS RATA y MAS INUTIL", CIFRAS de CORRUPCION e INSEGURIDAD "HABLAN y NO HABLAN BIEN"... vientos de cambio arrasan con todo lo que sea dinero.

La inseguridad y la corrupción, dos promesas de mejoría que hizo el llamado "Gobierno de los vientos del cambio" no han avanzado en Tamau...



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AMPARATE EN LINEA...

Zhenli Ye Gon. Perdió esos dos casos. Guzmán Loera es acusado en Estados Unidos de tráfico de drogas, lavado de dinero y homicidio, entre otros delitos por los que podría ser sentenciado a cadena perpetua.

Cientes de Balarezo conocían a los representantes legales del presunto cabecilla de una de las facciones del Cártel de Sinaloa. A éste, dice el litigante, "lo conocí en febrero de 2017, un mes después de que llegó extraditado a Estados Unidos".

Entonces iniciaron sus contactos formales con la esposa y una hermana de Guzmán, Ema Coronel Aispuro y Bernarda, respectivamente. "Me pidieron que lo fuera a visitar a Nueva York, fui y empezó la relación", comenta.

—¿Con quién de la familia de Guzmán Loera definió el costo de sus honorarios para defender al Chapo? —se le pregunta.

—Esos temas son confidenciales; el acuerdo se hizo con el cliente, con Joaquín.

—¿Le han pagado?

—Nunca entro al caso sin haber recibido algo y he dicho muchas veces que he recibido una parte del pago, no todo.

Evitando revelar el monto que fijó en el contrato para defender a quien el gobierno de Estados Unidos cataloga como el narcotraficante más poderoso y peligroso del planeta, Balarezo se limita a decir que hasta el momento ha recibido "25%" de sus honorarios. Tampoco revela quién le entrega directamente su dinero. "Puedo decir que no es Ema, pero no puedo decir quién me paga", comenta.

Se ríe cuando añade que el gobierno estadounidense propaga mitos sobre su cliente, como ese de que el Departamento del Tesoro le quiere decomisar 14 mil millones de dólares. "Nunca los van a obtener, nunca le han quitado ni un centavo que yo sepa. Pero es algo para el circo que se ha vuelto este caso, porque es una cifra increíble. La gente va a ver la cifra y a pensar que este hombre es un millonario. Es ridículo", señala.

Por tratarse de un delincuente extranjero definido como "narcotraficante más significativo" en términos de la ley de Estados Unidos, cualquier aspecto económico del Chapo está sujeto a la jurisdicción de la Oficina para el Control de Bienes Extranjeros (OFAC, por sus siglas en inglés) del Departamento del Tesoro.

Hasta el último centavo manejado por Guzmán o manejado por él está sujeto a confiscación por las autoridades estadounidenses si se mueve en el territorio de éstas; por ello Balarezo, antes de defender a su cliente, obtuvo una licencia de la OFAC y debe rendirle cuentas cada tres meses sobre sus emolumentos.

"Cuando voy al banco tengo que hacer mis declaraciones de impuestos y los fiscales que manejan el caso tienen acceso a todo esto. Todo lo que he hecho en relación con los pagos de este caso está claro y correcto", afirma.

Los "mitos" de la fiscalía

Después de varios desencuentros entre la defensa de Guzmán y el Departamento de Justicia, el lunes 5 de noviembre comenzará el juicio dirigido por el juez federal Brian Cogan.

A través de su abogado, El Chapo se ha quejado de trato inhumano porque lo tienen en una celda pequeña, vigilado las 24 horas y apartado del resto de los internos de la prisión federal de Manhattan, lo que según él ya afectó su salud.

Su defensor lo visita cada semana personalmente, pero el resto de los días quien atiende al Chapo, durante cuatro o cinco horas, es un equipo que Balarezo contrató en la oficina especial que abrió en Nueva York para atender este asunto.

Haz doble click en la imagen...

TRAMITA AMPARO EN LINEA- PJF-

Haz...click en la imagen.

EN REDES SOCIALES...



@VaxTamaulipas

"DEA" LOS MAS BUSCADOS.



!!! RECOMPENSAS PGR !!!

Haz CLICK



CONSULTA SI TU CELULAR ES ROBADO.

De esa forma, comenta, "tengo comunicación diaria con él por medio de mis asistentes".

—¿Guzmán está consciente del caso y lo entiende?

—Él entiende el caso con claridad. Nos hemos quejado de que está sufriendo psicológicamente, pero no estamos diciendo que sea incompetente. Las condiciones en las que lo tienen le están afectando mucho; la memoria sí le está fallando en el sentido de que a veces ya no recuerda ciertas cosas o nos pregunta o dice las mismas cosas varias veces. En el año y pico que lo conozco he notado que ha decaído su habilidad mental. No está loco, no está incompetente, no está incoherente; tiene conocimiento de lo que está pasando y lo que enfrentamos.

El gobierno de Estados Unidos argumenta que las condiciones de reclusión de Guzmán Loera corresponden a un criminal catalogado como de alta peligrosidad. Su defensor asegura que su cliente lo sabe:

"Por supuesto lo tienen en esas condiciones por las fugas que han sucedido en México. Se entiende que el gobierno de Estados Unidos tiene ciertas preocupaciones por él, pero tenemos que ser realistas: no está en una cárcel en México; tampoco va a comprar a los guardias aquí. Es absolutamente exagerado como lo tienen.

"Está en la mitad de la ciudad de Manhattan, en el décimo piso de una cárcel. Nadie va a construir un túnel en un edificio de 10 pisos, nadie lo va a sacar por un carrito de la lavandería ni con un helicóptero. No va a pasar."

Otro asunto que se ha mantenido en secreto es el motivo de que el juez prohibiera las visitas de Ema Coronel a su esposo. Según Balarezo, ni siquiera se hizo público el argumento que presentó el Departamento de Justicia para conseguir esa y otras medidas contra el acusado:

"El juez ha tomado decisiones que han afectado mucho al caso: que él no pueda ver a la esposa, que el jurado sea anónimo y esté protegido, y ahora (su postura ante) la moción que presentamos de pasar el caso de Brooklyn a Manhattan. ¿Qué puede haber que sea secreto para que afecte esto? No sé, ha habido 10 conversaciones así, donde estamos en desventaja tremenda porque no sabemos qué le ha dicho el gobierno al juez para que decida esas cosas. No podemos litigar ni protestar en contra de ellas porque no sabemos de qué se trata y el juez ha dicho que eso es correcto."

La corte federal en Nueva York sólo autorizó que Ema Coronel platicara por teléfono con Guzmán. Ella procura asistir a todas las audiencias en Nueva York acompañada de sus hijas gemelas, pues a decir del litigante "las niñas lo visitan cada vez que vienen a las audiencias, les dan una visita de una hora. No lo pueden abrazar ni besar, lo ven a través de una ventanilla. Y todo esta monitoreado, siempre que van están unos agentes. Es un caso ridículo: él no puede pasar mensajes a terceros. Un día les dijo a las niñas que le saludaran a la mamá, que la quiere, y le cortaron la visita porque ese era un mensaje".

—¿Usted se comunica con Ema Coronel?

—Sí.

—¿Cada cuánto tiempo?

—Varias veces a la semana. Depende de lo que se necesite hacer y de lo que esté pasando.

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LO MAS LEIDO:



GOBIERNO de CABEZA de VACA "CALLA ENESIMO ATORON" al "SIERRA" del CARTEL del GOLFO...y deja libre a sus acompañantes.

Foto.-Archivo/2012/Marina/ Gabriel Montes Sermeño "El Sierra",mando delictivo del

Representar a Guzmán Loera contra el gobierno de Estados Unidos, y más en la era del internet, las redes sociales, las narcoseries y narconovelas que están de moda, es un camino a la fama y puede darle mucho dinero y prestigio. Sin embargo, Balarezo sostiene que el asunto es del "más alto perfil", pero sólo eso.

Añade que incluso le sale caro: "Los gastos han sido grandes; los viajes, la gente y una oficina en Nueva York. Ya tenía una, pero ahora tengo otra en Brooklyn sólo por este caso".

—Este juicio puede crearle una reputación que en el futuro atraiga a clientes con perfil similar.

—Eso parece a primera vista, porque podrían decir: "Al ser abogado del Chapo tiene que ser bueno y voy a contratarlo". Pero no es tan fácil. En el caso de Joaquín van a declarar muchas personas contra él. Además, desde que empecé a representarlo he rechazado tres casos.

—¿Importantes?

—Lo suficiente; hubieran dado buen dinero. Se trataba de tres personas acusadas por Estados Unidos de narcotráfico. Cuando me buscaron estaban en otro sitio y ya dos están aquí, extraditados. Los tuve que rechazar porque me hubieran causado un conflicto, ya que van a declarar en contra de él. No se puede.

En cuanto a la posibilidad de que el gobierno estadounidense lo esté espiando, dado el asunto que lleva, dice que no le preocupa:

"No es algo que piense y lo tome como paranoico, pero si lo están haciendo no me sorprendería. Un abogado amigo mío me aconsejó que cuando hable por teléfono nunca diga nada que no quiera escuchar en una corte después; siempre lo tengo en mente. No me preocupa mucho porque no estoy haciendo nada incorrecto o ilegal. De vez en cuando, al hablar por teléfono con alguien, saludo a los fiscales por si acaso".

—¿Con quién más de la familia Guzmán Loera habla del caso?

—Con sus hermanas Bernarda y Armida, además de otras personas que por varias razones no puedo identificar, familiares de él.

—¿Ha viajado a México para esas comunicaciones?

—No, todo es por teléfono. No quiero ser Sean Penn.

—Como abogado, ¿qué expectativas tiene en este caso?

—Es diferente por el personaje, por la cantidad de pruebas que se esperan, por los recursos que la fiscalía y el gobierno de Estados Unidos están destinando para llegar a una condena de Joaquín. Nosotros estamos bien claros de que el proceso y el juicio van a ser muy difíciles, pero no entramos con el pensamiento de que el caso está perdido. Al cliente no le puedo garantizar nada, sólo que voy a hacer mi mejor esfuerzo y que hay que tomar en cuenta también que un jurado va a decidir si es culpable o inocente.

"Doce personas, ciudadanos de Nueva York, van a decidir si las pruebas de la fiscalía son suficientes para condenar a Joaquín o no. Lo que diga la fiscalía no me interesa. Con todo respeto al juez, lo que él tenga que decir de mi cliente no me interesa; no estoy diciendo que no lo escucho, sino que a quien voy a dirigirme en el juicio es al jurado. Tiene que ser una decisión unánime. Si una o dos personas están en desacuerdo no lo pueden condenar. Por eso nunca voy a llegar a ese punto de decir que ya perdí el caso. Vamos a luchar para Joaquín en el juicio, para ganar; es muy posible que no lo logremos, pero así es."

—¿Cuántos testigos cree usted que vaya a presentar la fiscalía?

Cartel del Golfo en Tamaulipas, detenido p...



FOTO: BALCONEAN al "EJECUTOR" del "SHAGY" JEFE de ESCORTAS de REPRESENTANTE del GOBERNADOR CABEZA de VACA en SUR de

TAMAULIPAS...ya tiene rostro.

Mucho se ha dicho del empoderamiento de las redes sociales como instrumento para desbaratar esas otras redes delincuenciales, con su apor...



MATAN a GENERAL "JEFE de SEGURIDAD" del PROCURADOR de JUSTICIA de TAMAULIPAS...fue acusado en 2015 de abuso sexual.

El General de infantería en retiro Ambrosio Quinto Adrián quien fungiera como "JEFE de SEGURIDAD" del PROCURADOR GENERAL de...



ACUSAN "POLINEGROS" a JEFE de ESTATALES "VENDIDO a los METROS" del CARTEL del GOLFO en REYNOSA...y de ratota no lo bajan.

Responsables por acción y también por omisión, con algunas claras y raras excepciones, Policías Estatales de Tamaulipas bajo la g...



"AQUI NO VA PASAR NADA, SIGAN COMIENDO" DICEN ASALTANTES "PASADOS" en RESTAURANTES de REYNOSA...el lugar donde

todo pasa y cuando pasa no pasa nada. Dos asaltos a mano armada en restaurantes tienen alarmados a los habitantes y a las autoridades en la ciudad. NOTA RELACIONADA: ...



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CAYO en MANOS de la JUSTICIA por "CULPA de SU TIGRE", ESTABA PENDIENTE por HOMICIDIO en N.L...y era exitoso "empresario" en Merida.

Por salvar a su hijo adolescente del ataque de un tigre de bengala, Roberto Lozano cayó en manos de la justicia. El hombre, de 36 años...



CAPO "BIEN FASHION" BUSCABA PASAR DESAPERCIBIDO VISTIENDO LUIS VUITTON, FENDI y HUGO BOSS...de la clase criminal chambeando con "clase".

Para pasar desapercibido y evitar ser detenido por las autoridades, Moyado Esparza recurrió a un implante de cabello y a un bypass gá...

—Diría que unos 60 o 70, si no es que más, y probablemente la mitad de ellos serán testigos protegidos, soplones, informantes, sapos.

—Se dice que Jesús Vicente Zambada Niebla sería un testigo clave de la fiscalía. ¿Su cliente está consciente de esto?

—Obviamente.

—¿Tiene temor a eso?

—No.

—¿Qué le ha dicho al respecto?

—Mis conversaciones son confidenciales. Lo de Vicente es público; está colaborando con las autoridades y es posible que lo veamos en este caso. Mi cliente está muy consciente de quién es y qué ha dicho en este caso hasta este punto, pero estamos preparados para enfrentarnos con él.

Además, se han señalado como posibles testigos del Departamento de Justicia contra El Chapo a Édgar Valdez Villarreal La Barbie, Dámaso López Núñez El Licenciado, su hijo Dámaso López Serrano El Mini Licenciado, los hermanos Pedro y Margarito Flores, entre otras figuras notables del narcotráfico mexicano que se encuentran en poder del gobierno estadounidense.

—¿Será un juicio largo?

—La fiscalía espera que dure unos cuatro meses, de noviembre a febrero o quizás hasta marzo, con cuatro días a la semana de juicio. Conozco a los fiscales, sé cómo preparan sus casos y por eso creo que durará hasta finales de marzo. El jurado se puede tomar más tiempo en deliberar para decidir la sentencia. A él no lo van a condenar. Si es que lo sentencian, hasta fin del año tal vez.

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By Emily Saul

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Judge pushes back start of El Chapo's trial — again

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El Chapo wants to tunnel to court during trial

ruled Tuesday, shooting down the diminutive Mexican drug lord's bid to move his trial to Manhattan so he **could use an underground passageway to get to court** from his lockup in the Metropolitan Correctional Center downtown.

Brooklyn federal Judge Brian Cogan said the notorious Sinaloa Cartel head — who famously tunneled out of a Mexican prison on a motorcycle in 2015 before being recaptured — needn't worry about security.

Cogan on Tuesday said Guzman's estimated four-month trial will unfold under top-secret conditions.

"The concerns are going to be alleviated," Cogan told El Chapo lawyer Eduardo Balarezo, adding that if the attorney agreed to sign a nondisclosure agreement, he would be let in on the top-secret setup being planned for his client.

Outside court, Balarezo and co-counsel William Purpura speculated about Guzman's new prospects, saying it was possible he could even become a resident of the courthouse itself.

"We assume that based on the court's comments, the Marshal Service will house Mr. Joaquin here for the trial days," Purpura said. "Whether he will return to Manhattan for the weekends, we're not sure.

"They've done it before, for other proceedings, where they'll build a facility here," the lawyer said, referencing Dandenys Muñoz Mosquera's 1994 trial and conviction before Brooklyn federal Judge Sterling Johnson. Mosquera was indicted alongside Colombian drug lord Pablo Escobar, though Escobar died before he could be brought to trial.

When asked to clarify if that meant the 61-year-old El Chapo could be the federal courthouse's newest tenant, or if he would be moved to a secure location nearby, Purpura responded: "I would think a facility very close to the courthouse."

Per usual, the runty drug lord spent Tuesday's proceeding staring longingly at his **former-beauty queen wife, Emma Coronel Aispuro**, who sat in the gallery listening to the appearance with a translation headset.

As Guzman gazed, Balarezo repeated previous requests that Cogan **order prosecutors to produce a witness list for the upcoming trial**, saying he was "preparing for this case with two hands tied and one eye closed."

"Witnesses are going to be in danger when they are named in this court," Balarezo said, faced with insinuations from prosecutors that he would hand his client the list. "We don't believe the government has come to the court to say Mr. Guzman has threatened someone, or threatened to kill someone."

"The risk is theoretical," he added.

Cogan didn't rule on the motion, saying he needed more time. He also said he'd release an order later this week about whether allegations of El Chapo's prior

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murderous ways could be used against him at sentencing, should he be convicted.

As Tuesday's proceeding came to a close, the judge begged the defense to reconsider their decision to **not agree on a single piece of evidence** — a move that is expected to prolong the already lengthy trial.

Purpura openly said his camp would consider agreeing to some stipulations, if the government agrees to drop some of the counts against his client.

"Any one of these counts carries a life sentence," the lawyer said of the 17-count indictment on drug-trafficking charges against his client. "He has but one life."

Aispuro followed the hearing with a trip to the courthouse candy shop, where concessionaire Jermaine Mack said she sipped on a Red Bull — while sitting on a dingy cart he uses to transport merchandise.

"I told her 'Mi casa es su casa,'" said Mack, who admitted he had no idea who she was until after the 29-year-old flounced out in her sky-high Louboutin's.

"I was about to ask, 'Ma'am, what are you doing?' " he said, noting that in the two years he's worked the stand he's never had someone sit on his handcart.

"But I left her alone, and I'm glad I did," he chuckled nervously while raising an eyebrow.

After relaxing on his dolly, the onetime pageant royalty even left behind her drink can for him to clean up, Mack said.

El Chapo is due back in court Sept. 10, with **jury selection expected to begin on Nov. 5**.

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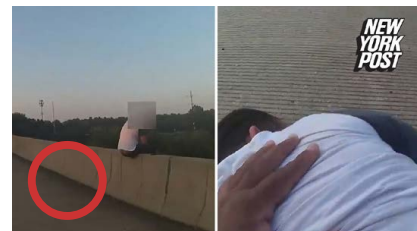
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