

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

<b>UNITED STATES OF AMERICA</b>	*	<b>CRIMINAL DOCKET NO. 07-348</b>
<b>V.</b>	*	<b>SECTION: "N" (2)</b>
<b>JHONA JAQUES VAZ aka JACK LOUIS GOMIS BERNARD GOMIS</b>	*	

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**FACTUAL BASIS**

\_\_\_\_\_ Should this matter proceed to trial, the United States of America will prove beyond a reasonable doubt, through credible testimony and reliable evidence, the following facts:

An Agent with Immigration and Customs Enforcement (ICE) would testify that on May 4, 2007, **BERNARD GOMIS** was arrested in Louisville, Kentucky for a traffic violation. An ICE agent would further testify that **BERNARD GOMIS** was transferred to ICE on May 7, 2007 and, on this same date, **BERNARD GOMIS** was ordered deported from the United States.

A Confidential Informant ("C.I.") would testify that on or about May 9, 2007, **JHONA JAQUES VAZ ("VAZ")** was contacted to assist in procuring the release of **BERNARD GOMIS** from immigration custody. Prior to this date, **BERNARD GOMIS** contacted **LOUIS GOMIS** to assist in securing his release from ICE custody. Initially, **BERNARD GOMIS** and **LOUIS**

**GOMIS** attempted to get a marriage certificate for **BERNARD GOMIS** to secure his release. After these attempts failed and in furtherance of securing **BERNARD GOMIS'** release, **LOUIS GOMIS** contacted **VAZ**. In furtherance of the conspiracy, **VAZ** contacted a C.I. in the New Orleans area to procure the release of **BERNARD GOMIS** through an "inside" source. The C.I. would testify that he told **VAZ** that he would put him in contact with an Immigration official on the "inside." On May 29, 2007, an undercover ICE agent met with **VAZ** and told **VAZ** that he was taking over **BERNARD GOMIS'** case and that he would arrange for his release in exchange for \$30,000.00. **VAZ** disputed the original price of \$30,000.00 quoted by the Undercover ICE agent and demanded that he be allowed to see **BERNARD GOMIS** and/or that **BERNARD GOMIS** be delivered to New Orleans before any money would be exchanged.

An audio recording from the May 29, 2007 meeting and additional telephone calls and meetings would show that **VAZ** understood that he and others intended to corruptly give money to an Undercover ICE agent to use his position to release **BERNARD GOMIS**. The tape recordings would reflect that **VAZ** stated that he understood how immigration worked and that he knew that laws would have to be broken to secure **BERNARD GOMIS'** release. The ICE agent would testify that the decision to issue a bond or secure the release of a detained alien is an "official act" and that an ICE agent is a "public official" for purposes of 18 U.S.C. 201.

**VAZ** also told the undercover ICE agent that "Louie" in Kentucky would be assisting in securing the money and that it would send it to **VAZ**. **VAZ** and **LOUIS GOMIS** both agreed on a price of \$7,000.00 to be paid to the undercover ICE Agent to procure the release of **BERNARD GOMIS**. In a recorded conversation, **LOUIS GOMIS** told the undercover ICE agent that "I will send it to Jacques, the seven, and, you know, he will give you the seven." Tape recorded

conversations between **LOUIS GOMIS** and the undercover ICE agent would prove that **LOUIS GOMIS** knew that the payment and actions being undertaken were against the law and that they had to keep this quiet. **LOUIS GOMIS** discussed using the undercover ICE agent in the future for when there was a “problem” and that he could bring the undercover ICE agent “a lot of business.” Bank records and video surveillance would prove that on or about July 11, 2007, **LOUIS GOMIS** deposited \$7,200.00 into **VAZ**’s J.P. Morgan Chase checking account.

The ICE agent would further testify that he met with **BERNARD GOMIS** while **BERNARD GOMIS** was in custody. Audio recordings from this meeting would prove that **BERNARD GOMIS** was aware of the conspiracy and informed the undercover ICE agent that **VAZ** had received money to be used for the bribe. **BERNARD GOMIS** told the ICE agent that he knew the bribe was illegal and that he would not tell anyone about the payment. **BERNARD GOMIS** told the undercover ICE agent that he “underst[ood] clearly and very well.” Further, recorded conversations between **BERNARD GOMIS** and **LOUIS GOMIS** would show that **BERNARD GOMIS** knew how the “deal” would go. In addition, **BERNARD GOMIS** spoke with the undercover ICE agent and agreed to keep the deal quiet and not tell anyone.

On July 12, 2007, the undercover ICE agent met with **VAZ** in Metairie, Louisiana. **VAZ** handed the ICE undercover agent \$7,000.00 in one hundred dollar bills for the purpose of securing

**BERNARD GOMIS'** release. **VAZ** also inquired about the procurement of work documents. The ICE undercover agent advised he would charge \$3,000.00 for a one-year immigration work permit.

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BRIAN J. CAPITELLI  
Assistant United States Attorney

DATE

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BERNARD GOMIS  
Defendant

DATE

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VALERIE JUSSELIN, ESQ.  
Attorney for Bernard Gomis\_

DATE