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July 30, 2007

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MS-13 LEADER SENTENCED TO LIFE IN PRISON

MS-13 Racketeering Activity Included Five Murders in Maryland and One in Virginia

Greenbelt, Maryland - U.S. District Judge Deborah K. Chasanow sentenced Henry Zelaya, age 21, today to life in prison following his conviction at trial by a federal jury of conspiracy to participate in a racketeering enterprise involving murder, robbery, obstruction of justice and witness tampering, announced United States Attorney for the District of Maryland Rod J. Rosenstein.

United States Attorney Rod J. Rosenstein said, "Joining MS-13 is a ticket to federal prison. The RICO statute is a powerful tool that allows us to prosecute gang members in federal court for the activities of the criminal organization they chose to join."

Special Agent in Charge Gregory K. Gant of the Bureau of Alcohol, Tobacco, Firearms and Explosives stated, "Strength in numbers no longer refers to MS-13 and its many gang members who victimize our communities. Rather this strength now refers to the power of justice when each violent offender receives a significant and lengthy sentence."

A federal jury convicted Zelaya and co-defendants Jose Hipolito Cruz Diaz, age 28, of Lanham, Maryland and Omar Vasquez, age 29, on April 27, 2007 after a seven week trial. According to trial testimony, the defendants were MS-13 leaders who conspired from at least 2001 to April 2006 to operate an MS-13 enterprise in Prince George's and Montgomery Counties through a pattern of racketeering activity which included five murders in Maryland and one in Virginia; the use of deadly weapons including firearms, baseball bats, machetes, bottles or knives in the commission of numerous murders, attempted murders and assaults; assaults on an MS-13 gang member from El Salvador, juvenile females and rival gang members; kidnaping, robbery, obstruction of justice and witness tampering.

Trial testimony showed that Zelaya, leader of the MS-13 Teclas Locos Salvatruchos (TLS) clique, murdered Noel Gudiel, a rival gang member, on April 20, 2003 in Langley Park, Maryland. Zelaya and other MS-13 members sexually assaulted two juvenile females at a "skipping party" on May 12, 2003. Zelaya and MS-13 member Walter Noel Barahona assaulted a rival gang member on October 21, 2003. While in prison, Zelaya wrote letters to the TLS clique and other MS-13 gang members in which he: advised how the gang should operate while

he was incarcerated; incited the gang members to continue engaging in violent acts; discussed how the gang should handle the leadership of his clique while he was incarcerated, including instructing an MS-13 member to make contact with other MS-13 members in El Salvador; and advised Barahona that a victim of a prior act of violence had not yet identified Barahona as a perpetrator of the crime.

Judge Chasanow scheduled sentencing for Vasquez on August 6, 2007 at 2:00 p.m., and for Diaz on August 10, 2007 at 2:00 p.m. Each defendant faces a maximum sentence of life in prison for conspiracy to participate in a racketeering enterprise. Walter Noel Barahona, age 21, of Hyattsville, Maryland pleaded guilty in April, 2007 to the racketeering conspiracy arising from his participation in a stabbing and assaults, and Judge Chasanow sentenced him to 14 years in prison.

To date, this office has charged 42 gang members with various federal offenses, with 30 defendants charged in this RICO conspiracy case. Fourteen MS-13 gang members have been convicted thus far in this RICO conspiracy case. Edgar Alberto Ayala, age 29, of Suitland, Maryland and Oscar Ramos Velasquez, age 22, of Baltimore, were convicted at trial by a federal jury in November 2006 of the racketeering conspiracy. Velasquez was sentenced on July 23, 2007 to 37 years in prison and Ayala was sentenced to 35 years in prison on June 1, 2007. Nine defendants, all of Maryland, have pleaded guilty.

United States Attorney Rod J. Rosenstein praised the RAGE Task Force, the Bureau of Alcohol, Tobacco, Firearms and Explosives; the Prince George's County Police Department; the Federal Bureau of Investigation; U.S. Immigration and Customs Enforcement; the Montgomery County Department of Police; the Howard County Police Department; the Maryland National Capital Park Police; the Maryland State Police; and the Fairfax County, Virginia Police Department.

Mr. Rosenstein thanked the Prince George's County State's Attorney Glenn F. Ivey, Montgomery County State's Attorney John McCarthy, and Fairfax County, Virginia, Commonwealth's Attorney Robert F. Horan, Jr., for the assistance that they and their offices provided.

Mr. Rosenstein commended Assistant U.S. Attorneys James Trusty and Chan Park, and Trial Attorney David Jaffe, a prosecutor for the Justice Department's Gang Squad, who are prosecuting the case.