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**UNITED STATES WILL SEEK THE DEATH PENALTY  
AGAINST 3 ALLEGED MS-13 GANG MEMBERS**

*Defendants Allegedly Committed Murders in Aid of Racketeering in the MS-13 Organization*

**Greenbelt, Maryland** - The United States Attorney's Office today filed notices stating that it will seek the death penalty in the prosecution of Jorge Rigoberto Amador, age 32, Antonio Roberto Argueta, age 25, and Juan Carlos Moriera, age 27, for murder in aid of racketeering and murder resulting from the use of a firearm in relation to a crime of violence, arising from a conspiracy to participate in a racketeering enterprise known as La Mara Salvatrucha, or MS-13, announced United States Attorney for the District of Maryland Rod J. Rosenstein and Assistant Attorney General Alice S. Fisher of the Criminal Division of the U.S. Department of Justice.

United States Attorney Rod J. Rosenstein said, "The decision whether to seek the death penalty for a defendant accused of murder is made by the Attorney General of the United States after carefully considering the defendant's background and the circumstances of the crime."

Ten additional defendants charged in the third superseding indictment filed on March 26, 2007, face a maximum sentence of life in prison for conspiracy to participate in a racketeering enterprise. They are: Israel Ramos Cruz, age 29; Everec Alvarez Chacon, age 29; Nelson Bernal, age 25; Santos Maximo Garcia, age 30; James Guillen, age 20; Israel Ernesto Palacios, age 30; Eris Marchante-Rivas, age 22; Victor Ramirez, age 21; Juan Jimenez-Hernandez, age 22; and Carlos Vasquez Martinez, age 19. In addition, Cruz, Bernal, Garcia, Chacon, Guillen and Palacios face a maximum penalty of life in prison for murder in aid of racketeering and murder resulting from the use of a firearm in relation to a crime of violence. Cruz, Bernal and Garcia also face a maximum penalty of life in prison for witness tampering.

No trial dates for the 13 defendants have been set.

The third superseding indictment alleges that from at least 2001 to April 2006, the defendants conspired to conduct the affairs of the MS-13 enterprise through a pattern of racketeering activity which consisted of multiple acts of murder, kidnapping, robbery, obstruction of justice and witness tampering, including: the murder of a man on January 21, 2005 when two MS-13 gang members shot at a crowd of youths sitting outside an apartment building

in Fairfax, Virginia; numerous assaults on an MS-13 gang member from El Salvador, juvenile females and rival gang members; and the use of deadly weapons and firearms in the commission of numerous murders, attempted murders and assaults.

When a defendant is charged in federal court with a crime potentially subject to the death penalty, the ultimate decision whether to seek the death penalty is made by the Attorney General of the United States. If the Attorney General decides in favor of seeking the death penalty, the United States Attorney files a notice identifying the factors that the government proposes to prove as justifying a sentence of death. The notices filed today specify the factors that may justify the death penalty for these three defendants.

An indictment is not a finding of guilt. A person charged by indictment is presumed innocent unless and until proven guilty in a court of law.

To date, this office has charged 41 gang members with various federal offenses, with 26 defendants charged in this RICO conspiracy case. Twelve MS-13 gang members have been convicted in this RICO conspiracy case.