

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, SA Dowling J. Lugardo, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since June 2022. Previously, I was a Police Officer with the Puerto Rico Police Bureau (PRPB) from October 2009 to June 2022, and was a Task Force Agent with the FBI, from September 2019 to June 2022. Throughout my career, I have conducted a multitude of investigations relating to violent crimes and major offenses such as gang related crimes, drug trafficking, and others. My training and experience have included investigation of cases involving computer, cellular telephones, and other electronic devices. I have received training and gained experience in interviewing and interrogation techniques, arrest warrant procedures, search warrant applications, and the execution of searches and seizure warrants.
2. Your affiant is “an investigative or law enforcement officer of the United States” within the meaning of Section 2510 (7) of Title 18, United States Code. Your affiant is therefore, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for, the offenses enumerated in Section 2516 of Title 18, United States Code.
3. Because of the information provided to me by other agents and officers, and my personal observation, I am familiar with the facts and circumstances of this investigation. Because

of the limited purpose of this affidavit, I have not recited each and every fact known to me as a result of this investigation.

4. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

PROBABLE CAUSE

5. On November 17, 2022, the Customs and Border Protection (CBP) Air and Marine Operations (AMO) located in Cabo Rojo, Puerto Rico conducted a maritime interdiction operation on the southwest of Puerto Rico (PR), approximately 14 nautical miles from Cabo Rojo, PR. The area is known to CBP as a smuggling location where traffickers offload large shipments of narcotics and U.S. currency.
6. At approximately 3:40 am, Caribbean Air and Marine Operation Center (CAMOC) alerted CBP/AMO that they were monitoring a vessel, which was heading south away from PR. CAMOC continued monitoring the vessel and at approximately 6:00 am, the same vessel was located at 20 nautical miles from PR. Three Marine Interdiction Agents (MIAs) performed an initial contact with the vessel and sent the location of the vessel (hereinafter TARGET VESSEL). At approximately 8:11 am, a notification was received that there was a shooting and assistance was requested at the interdiction site (TARGET LOCATION).
7. When Law Enforcement Agents arrived at the TARGET LOCATION, they found the TARGET VESSEL tied up to the interdiction vessel. Two MIAs were securing the TARGET VESSEL and an unknown individual, later identified as Edgardo Luis Matos Santos (Matos Santos), was handcuffed. Law Enforcement Agents observed that the three

MIAs were wounded and an unknown individual (later identified as Joseamid H. Vazquez Torres) was deceased.

8. The wounded MIAs were airlifted to hospitals by personnel from the United States Coast Guard. One of the MIAs died as a result of the gunshot wounds.
9. Matos Santos was taken into custody. During a custodial interview, Matos Santos provided information that included the following: that he met Joseamid H. Vazquez Torres (Vazquez Torres) approximately a month ago and Vazquez Torres offered him work and money. Vazquez Torres contacted Matos Santos on November 16, 2022 and offered him a job. On November 17, 2022, Vazquez Torres met with Matos Santos at a harbor located in Lajas, PR. Subsequently, they boarded the TARGET VESSEL. Matos Santos explained that the TARGET VESSEL was loaded with narcotics. However, Matos Santos did not see the narcotics or know where Vazquez Torres stored them. The plan was to transport the drugs to Guanica, PR. They departed at approximately 4:30-5:00 am. At approximately 6:00 am, a Law Enforcement vessel intervened with them. The Agents tied up the TARGET VESSEL to their vessel and requested an identification from Vazquez Torres. Thereafter, Vazquez Torres moved towards the vessel helm and began shooting at the MIAs. MIAs returned fire lethally wounding Vazquez Torres. During the gun fight, MIAs suffered bullet wounds.
10. The TARGET VESSEL was described as a white Boston Whaler, T Top center console, boat registration number PR -4292-AD. A database check revealed that registration number PR -4292-AD belongs to Joseamid H. Vazquez Torres.

11. The TARGET VESSEL was hauled to a shore in Puerto Rico and has since remained under the custody of the FBI. Puerto Rico Police Bureau K9 Green, badge number 36201, and his handler, Agent Erionexis Vives Rosa, badge number 33549, were called to assist. K9 Green alerted to narcotics inside the TARGET VESSEL.
12. On November 17, 2022, the FBI executed a search warrant on the TARGET VESSEL. A total of 20 bales containing 30 bricks each of presumptive cocaine, weighing approximately 634.1 kilograms, were found inside a hidden compartment in the TARGET VESSEL's console, totaling 600 bricks. A field test yielded positive results for cocaine. One firearm, Glock 19X, serial PBBP846 and one cellular phone were also found at the TARGET VESSEL.

CONCLUSION

13. Based on the aforementioned facts, I believed that there is probable cause to believe that Matos Santos knowingly committed the following Federal offenses: while on board a covered vessel, possessing with intent to distribute cocaine, a controlled substance in violation of 46 U.S.C. § 70503(a), 7506(b); 21 U.S.C. § 960(b)(1)(B).



Dowling Lugardo
Special Agent
Federal Bureau of Investigation

Sworn and subscribed to before me pursuant to FRCP 4.1 at 12:00 pm by telephone, this 18th day of November 18, 2022, in San Juan, Puerto Rico.



Digitally signed
by Hon. Camille
L. Vélez-Rivé

Honorable Camille L. Vélez-Rivé
UNITED STATES MAGISTRATE JUDGE