

**THE UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF
PUERTO RICO**

UNITED STATES OF AMERICA,
Plaintiff

Vs

WANDA VAZQUEZ GARCED,

Defendants.

Criminal No. 22-cr-242-01(RAM)

MOTION TO RECONSIDER

TO THE HONORABLE COURT:

COMES NOW defendant WANDA VAZQUEZ GARCED, by and through his attorneys, and most respectfully STATES, ALLEGES and PRAYS:

The Court just entered an Order of Recusal. (Dkt. No. 306.) The Order states that counsel for non-party Bancredito International Bank & Trust Co. (“Bancredito”) confirmed that he received assistance in drafting his restricted motions from a law firm included in the Presiding Judge’s Standing Order of Disqualification.

Governor Vazquez Garced respectfully seeks reconsideration. First, Bancredito is not a defendant in this case. Second, although Vazquez Garced does not have access to any of the filings made by Bancredito, we can surmise that the issues raised therein relate to discovery sought by Mr. Julio Herrera. In essence, it is a civil dispute between Bancredito and Mr. Herrera embedded within the criminal case.

The violation of the Court’s Standing Order was made by a third party, not the government or any of the defendants, and should not trigger the extreme remedy of the

Presiding Judge's recusal.

The offensive conduct is wholly unrelated to Vazquez Garced. However, she will be the party most affected by the Court's recusal. As a former governor, the damage the indictment has caused her, her family and reputation should be self-evident. For the last year she has patiently waited for her day in court and revindication. A recusal at this stage will only prolong her ordeal through no fault of her own.

Mr. Herrera is the only party that could make a plausible claim of legal harm from the offensive conduct. However, we have spoken with counsel to Mr. Herrera and he fully supports our petition.

We respectfully suggest as an alternative that the ancillary dispute between Mr. Herrera and Bancredito be referred to a different judge. The Presiding Judge may then continue with the case.

When all is said and done, neither the Court, the government nor the defendants did anything wrong. The Court's impartiality cannot be questioned and there is no reason for its recusal.

WHEREFORE, we respectfully pray from this Honorable Court to GRANT this motion, and, accordingly, reconsider its Order of Recusal.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, September 28, 2023.

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Attorneys for Wanda Vazquez Garced

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this same date, the undersigned attorney filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel for all parties in this action.

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