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

UNITED STATES OF AMERICA,
Plaintiff,

v.

[1] ANTHONY STEVEN LOBOS RUIZ,
(Counts One through Three)
[2] JORDANY RAFAEL LABOY GARCIA,
(Counts One and Two)
[3] CHRISTIAN YAMAURIE RIVERA OTERO,
(Counts One through Three)
Defendants.

INDICTMENT

Criminal No. 21 - 267 (GAG)

Violations:

- 18 U.S.C. § 371
- 18 U.S.C. § 249(a)(2)
- 18 U.S.C. § 1519

(THREE COUNTS)

THE GRAND JURY CHARGES:

COUNT ONE
(Conspiracy to Commit Hate Crime Act)

At all times relevant to this Indictment:

Introduction

1. A.N.L. was a 29-year-old transgender female living in Toa Baja, Puerto Rico.
2. A transgender person is one whose gender identity and expression are different from the sex the person was assigned at birth.
3. A transgender female is a person who was assigned male at birth but whose gender identity is female.

Manner and Means of the Conspiracy

4. It was part of the conspiracy that defendants specifically selected A.N.L. as the target of their assault because of her actual and perceived gender identity.

5. It was further part of the conspiracy that the co-conspirators used a car to travel to multiple locations to get a paintball gun and paintballs to shoot and cause injury to A.N.L.

6. It was further part of the conspiracy that the co-conspirators used a cellular telephone to record the harassment and assault of A.N.L.

Overt Acts

7. To advance the conspiracy and to achieve its aims, defendants, along with others known and unknown to the grand jury, committed various overt acts, within the District of Puerto Rico, including, but not limited to the following:

a. On or about February 24, 2020, a member of the conspiracy drove a car, occupied by the other co-conspirators.

b. While traveling in the car, at least one member of the conspiracy identified A.N.L. on the side of the road in Toa Baja, Puerto Rico. The conspirators recognized A.N.L. from social media posts previously identifying her as a man who entered the women's restroom at a local restaurant; at least one of the posts included a photo of A.N.L. in the local restaurant wearing women's clothing.

c. After identifying her, at least one member of the conspiracy shouted threatening and derogatory comments at A.N.L. from the window of the car, including yelling the phrase "la loca."

d. After verbally harassing A.N.L., the conspirators left the area where A.N.L. was located and drove to get a paintball gun and paintballs to be used to shoot at A.N.L.

e. After retrieving the paintball gun and paintballs, the conspirators drove back to the same place they spotted A.N.L. and fired paintballs at her.

f. During both encounters with A.N.L., at least one of the conspirators recorded the encounter with A.N.L. on a cellular telephone.

g. At least one conspirator used his cellular telephone to send at least one of the videos to one or more persons.

The Charge

8. On or about February 24, 2020, in the District of Puerto Rico, and within the jurisdiction of this Court,

[1] ANTHONY STEVEN LOBOS RUIZ,

[2] JORDANY RAFAEL LABOY GARCIA,

[3] CHRISTIAN YAMAURIE RIVERA OTERO,

the defendants herein, knowingly and willfully combined, conspired, and agreed with each other, and with others known and unknown to the grand jury, to willfully cause bodily injury to, and through the use of a dangerous weapon attempt to cause bodily injury to, A.N.L. because of her actual and perceived gender identity.

All in violation of 18 U.S.C. § 371.

COUNT TWO
(Hate Crimes Prevention Act)

1. Paragraphs Four through Six of Count One of this Indictment are realleged and incorporated by reference as though set forth fully herein.

2. On or about February 24, 2020, in the District of Puerto Rico, and within the jurisdiction of this Court,

[1] ANTHONY STEVEN LOBOS RUIZ,

[2] JORDANY RAFAEL LABOY GARCIA,

[3] CHRISTIAN YAMAURIE RIVERA OTERO,

the defendants herein, aiding and abetting each other, and others known and unknown to the grand jury, did willfully cause bodily injury to A.N.L., and through the use of a dangerous weapon, did attempt to cause bodily injury to A.N.L. because of A.N.L.'s actual and perceived gender identity; and, in connection with the offense, the defendants employed a dangerous weapon that traveled in interstate and foreign commerce, to wit: a paintball gun; and, in connection with the offense, the defendants used an instrumentality of interstate and foreign commerce, to wit: a Mazda Protégé.

All in violation of 18 U.S.C. §§ 249(a)(2) and 2.

COUNT THREE
(Obstruction of Justice)

On or about February 24, 2020, in the District of Puerto Rico, and within the jurisdiction of this court,

[1] ANTHONY STEVEN LOBOS RUIZ,

[3] CHRISTIAN YAMAURIE RIVERA OTERO,

the defendants, aiding and abetting each other, and others known and unknown to the grand jury, and acting in relation to and in contemplation of a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, did knowingly alter, destroy, mutilate, conceal, and cover up a tangible object with the intent to impede, obstruct, and influence the investigation and proper administration of that matter. That is, defendant **[3] CHRISTIAN YAMAURIE RIVERA OTERO** did direct defendant **[1] ANTHONY STEVEN LOBOS RUIZ** to delete at least one video recording of the paintball gun assault and verbal harassment of A.N.L. from his cellular telephone, and defendant **[1] ANTHONY STEVEN LOBOS RUIZ** did in fact delete at least one video recording of the paintball gun assault and verbal harassment of A.N.L. from his cellular telephone after receiving the request from defendant **[3] CHRISTIAN YAMAURIE RIVERA OTERO**.

All in violation of 18 U.S.C. §§ 1519 and 2.

TRUE BILL

FOREPERSON



DATE:

August 4, 2021

W. STEPHEN MULDROW
UNITED STATES ATTORNEY

Handwritten signature of Max Perez Bouret in blue ink.

Max Perez Bouret
Assistant United States Attorney
Chief, Transnational Organized Crime Section

KRISTEN CLARKE
ASSISTANT ATTORNEY GENERAL
CIVIL RIGHTS DIVISION

Handwritten signature of Rose E. Gibson in blue ink.

Rose E. Gibson
Special Litigation Counsel
Criminal Section, Civil Rights Division

Handwritten signature of José A. Contreras in blue ink.

José A. Contreras
Assistant United States Attorney

Handwritten signature of Laura Gilson in blue ink, with the text "for Laura Gilson" written next to it.

Laura Gilson
Trial Attorney
Criminal Section, Civil Rights Division