

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**SEALED**

Holding a Criminal Term

Grand Jury Sworn in on May 7, 2012

UNITED STATES OF AMERICA

v.

JOSE EMANUEL GARCIA SOTA  
also known as "Juan Manuel  
Maldonado Amezcua"  
also known as "Zafado"  
also known as "Safado"

Defendant.

Case: 1:13-cr-00142  
Assigned To: Lamberth, Royce C.  
Assign. Date: 5/16/2013  
Description: INDICTMENT (B)  
Case Related To: 11-cr-111; 11-cr-112;  
11-cr-113; 11-cr-143

U.S. District and Bankruptcy Courts  
for the District of Columbia

A TRUE COPY

ANGELA D. CAESAR, Clerk

By Daniel Reidy 5/17/13  
Deputy Clerk  
The Grand Jury charges that:

INDICTMENT

COUNT ONE

CRIMINAL NO.

VIOLATIONS:

18 U.S.C. §§ 1114 & 1111  
(Murder of Officer or Employee  
of the United States)  
18 U.S.C. §§ 1114 & 1113  
(Attempted Murder of an Officer  
or Employee of the United States)  
18 U.S.C. §§ 1116(a) & 1113  
(Attempted Murder of an  
Internationally Protected Person)  
18 U.S.C. §§ 924(c) & 924(j)(1)  
(Using, Carrying, Brandishing and  
Discharging a Firearm During and  
in Relation to a Crime of Violence  
Causing Death)  
18 U.S.C. § 2  
(Aiding and Abetting and Causing  
an Act to Be Done)

FILED IN OPEN COURT

MAY 16 2013

CLERK, U.S. DISTRICT COURT  
DISTRICT OF COLUMBIA

On or about February 15, 2011, in the United Mexican States ("Mexico"), which is outside  
the jurisdiction of any particular state or district of the United States, but within the extraterritorial

jurisdiction of the United States and, therefore, pursuant to Title 18, United States Code, Section 3238, within the venue of the United States District Court for the District of Columbia, defendant **JOSE EMANUEL GARCIA SOTA**, also known as "**Juan Manuel Maldonado Amezcua**," also known as "**Zafado**," also known as "**Safado**," and others, known and unknown to the Grand Jury, did commit murder, as defined in Title 18, United States Code, Section 1111(a), by killing Immigration and Customs Enforcement ("ICE") Special Agent Jaime Zapata, an officer and employee of the United States and agencies in the executive branch of the United States Government, with malice aforethought, willfully, deliberately, maliciously, and with premeditation and during the perpetration of, and attempt to perpetrate, a robbery, while such officer and employee was engaged in and on account of the performance of his official duties.

(**Murder of an Officer or Employee of the United States**, in violation of Title 18, United States Code, Sections 1114 and 1111; **Aiding and Abetting and Causing an Act to Be Done**, in violation of Title 18, United States Code, Section 2)

### **COUNT TWO**

On or about February 15, 2011, in Mexico, which is outside the jurisdiction of any particular state or district of the United States, but within the extraterritorial jurisdiction of the United States and, therefore, pursuant to Title 18, United States Code, Section 3238, within the venue of the United States District Court for the District of Columbia, defendant **JOSE EMANUEL GARCIA SOTA**, also known as "**Juan Manuel Maldonado Amezcua**," also known as "**Zafado**," also known as "**Safado**," and others, known and unknown to the Grand Jury, did attempt to commit murder, as defined in Title 18, United States Code, Section 1111(a), by attempting to kill ICE Special Agent Victor Avila, an officer and employee of the United States and agencies in the executive branch of

the United States Government, with malice aforethought, willfully, deliberately, maliciously, and with premeditation and during the perpetration of, and attempt to perpetrate, a robbery, while such officer and employee was engaged in and on account of the performance of his official duties.

**(Attempted Murder of an Officer or Employee of the United States, in violation of Title 18, United States Code, Sections 1114 and 1113; Aiding and Abetting and Causing an Act to Be Done, in violation of Title 18, United States Code, Section 2)**

### **COUNT THREE**

On or about February 15, 2011, in Mexico, which is outside the jurisdiction of any particular state or district of the United States, but within the extraterritorial jurisdiction of the United States and, therefore, pursuant to Title 18, United States Code, Section 3238, within the venue of the United States District Court for the District of Columbia, defendant **JOSE EMANUEL GARCIA SOTA**, also known as "**Juan Manuel Maldonado Amezcua**," also known as "**Zafado**," also known as "**Safado**, and others, known and unknown to the Grand Jury, did attempt to commit murder, as defined in Title 18, United States Code, Section 1111(a), by attempting to kill ICE Special Agent Victor Avila, an internationally protected person, with malice aforethought, willfully, deliberately, maliciously, and with premeditation and during the perpetration of, and attempt to perpetrate, a robbery.

**(Attempted Murder of an Internationally Protected Person, in violation of Title 18, United States Code, Sections 1116(a) and 1113; Aiding and Abetting and Causing an Act to Be Done, in violation of Title 18, United States Code, Section 2)**

### **COUNT FOUR**

On or about February 15, 2011, in Mexico, which is outside the jurisdiction of any particular

state or district of the United States, but within the extraterritorial jurisdiction of the United States and, therefore, pursuant to Title 18, United States Code, Section 3238, within the venue of the United States District Court for the District of Columbia, defendant **JOSE EMANUEL GARCIA SOTA**, also known as "**Juan Manuel Maldonado Amezcua**," also known as "**Zafado**," also known as "**Safado**," and others, known and unknown to the Grand Jury, did knowingly use, carry, brandish, and discharge firearms, to include at least one semiautomatic assault weapon, during and in relation to a crime of violence for which each of them may be prosecuted in a court of the United States, that is, in connection with the crime of murder of an officer and employee of the United States, as alleged in Count One of this Indictment, the crime of attempted murder of an officer and employee of the United States, as alleged in Count Two of this Indictment, and the crime of attempted murder of an internationally protected person, as alleged in Count Three of this Indictment, causing the death of ICE Special Agent Jaime Zapata, which killing was murder as defined in Title 18, United States Code, Section 1111(a).

**(Using, Carrying, Brandishing and Discharging a Firearm During and in Relation to a Crime of Violence Causing Death** in violation of Title 18, United States Code, Sections 924(c) and 924(j)(1); **Aiding and Abetting and Causing an Act to Be Done**, in violation of Title 18, United States Code, Section 2)

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Criminal Division  
U.S. Department of Justice