

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
v. : Criminal No. 11-
NACIP TEOTONIO PIRES, : 8 U.S.C. § 1324(a)(1)(A)(v)(I)
a/k/a "Ze Maria," :
a/k/a "Baraso" :

I N F O R M A T I O N

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

BACKGROUND

A. The Defendant

1. At various times relevant to this Information, defendant Nacip Teotonio Pires, a/k/a "Ze Maria," a/k/a "Baraso," resided in Newark, New Jersey; Houston, Texas; Haverhill, Massachusetts; and Hillside, New Jersey.

B. The Co-conspirators

2. At various times relevant to this Information:
- a. R.D., a co-conspirator who is not named as a defendant herein, resided in Haverhill, Massachusetts.
 - b. S.D., a co-conspirator who is not named as a defendant herein, resided in Houston, Texas.
 - c. F.D., a co-conspirator who is not named as a defendant herein, resided in Hillside, New Jersey.

d. P. LNU, a co-conspirator who is not named as a defendant herein, resided in Long Branch, New Jersey.

e. C.M., a co-conspirator who is not named as a defendant herein, resided in Newark, New Jersey.

C. The Confidential Source

3. At various times relevant to this Information, confidential Source 1 ("CS1"), a former customer of the alien smuggling conspiracy charged in this Information, paid defendant Nacip Teotonio Pires and his co-conspirators to smuggle CS1 into the United States from Brazil and subsequently resided in Newark, New Jersey.

The Conspiracy

4. From at least as early as in or about January 2008, through on or about June 10, 2011, in Essex County, in the District of New Jersey and elsewhere, defendant

NACIP TEOTONIO PIRES,
a/k/a "Ze Maria,"
a/k/a "Baraso,"

did knowingly and intentionally conspire and agree with R.D., S.D., P. LNU, C.M., F.D., and others to bring an alien into the United States at a place other than a designated port of entry or other authorized place, knowing that such person was an alien, contrary to Title 8, United States Code, Section 1324(a)(1)(A)(i).

Object of the Conspiracy

5. The object of the conspiracy was to profit by illegally smuggling aliens into the United States at places other than a designated port of entry or other authorized place.

Manner and Means of the Conspiracy

6. As part of the conspiracy, defendant Nacip Teotonio Pires, R.D., S.D., P. LNU, C.M., F.D., and others brought aliens into the United States from Brazil and elsewhere as part of an elaborate for-profit alien smuggling scheme in which defendant Nacip Teotonio Pires and his co-conspirators arranged, facilitated, and monitored the travel of their customers from, among other places, Sao Paulo, Brazil, into the United States, and, eventually, to various destinations in New Jersey, Massachusetts, and elsewhere (the "Alien Smuggling Scheme").

7. It was further part of the conspiracy that defendant Nacip Teotonio Pires, R.D. S.D., P. LNU, C.M., F.D., and others operated the Alien Smuggling Scheme along two primary routes. The first route was through Mexico and included travel by commercial flight from Sao Paulo to Mexico City, followed by transportation, typically by bus, to one of several safe houses in Mexico, near the international border between Mexico and the United States (the "Mexico Route"). From those safe houses, co-conspirators in Mexico guided customers across the international border between Mexico and the United States by various

means, including on foot through the desert, through hidden, underground tunnels, or secreted in trucks.

8. It was further part of the conspiracy that defendant Nacip Teotonio Pires, R.D., S.D., P. LNU, C.M., F.D., and others used a second route through the Caribbean (the "Caribbean Route"), which generally included travel by commercial flight from Sao Paulo to St. Maarten, followed by another commercial flight to the Virgin Islands or St. Thomas, followed by a boat trip to Puerto Rico. From Puerto Rico, customers of the Alien Smuggling Scheme took commercial flights to destinations in the United States.

9. It was further part of the conspiracy that defendant Nacip Teotonio Pires, R.D., S.D., P. LNU, C.M., F.D., and others charged customers of the Alien Smuggling Scheme between approximately \$13,000 and \$25,000, depending on the route traveled by the customer and whether the customer paid in advance before departing for the United States, or paid in installments after arriving in the United States.

10. It was further part of the conspiracy that, in general, defendant Nacip Teotonio Pires, R.D., S.D., P. LNU, C.M., F.D., and others charged customers who could pay in advance approximately \$13,000 to use the Mexico Route and approximately \$16,000 to use the Caribbean Route. For customers who could not pay in advance, defendant Nacip Teotonio Pires, R.D., S.D., P. LNU,

C.M., F.D., and others agreed to accept payment after the alien arrived in the United States but imposed a finance charge on the price. The cost of financing travel using the Mexico Route was approximately \$22,000, and the cost of financing travel using the Caribbean Route was approximately \$25,000. When customers of the Alien Smuggling Scheme elected to finance their smuggling cost, defendant Nacip Teotonio Pires and his co-conspirators required repayment in weekly installments between approximately \$300 and \$1,000.

11. It was further part of the conspiracy that many of the customers of the Alien Smuggling Scheme were young women from Brazil, most of whom made the largest advance payment they could afford toward their smuggling cost and agreed to pay off the balance of their debt after they arrived in the United States by working as dancers in strip clubs in Newark, New Jersey, and elsewhere (the "Smuggled Women").

12. It was further part of the conspiracy that defendant Nacip Teotonio Pires, R.D., S.D., P. LNU, C.M., F.D., and others induced the Smuggled Women and other customers of the Alien Smuggling Scheme to pay their smuggling debts by threatening to harm family members in the customers' home countries and by obtaining title to property owned by customers in their home countries or elsewhere as security for the debt.

13. It was further part of the conspiracy that, after successfully crossing the international border between the United States and Mexico, customers of the Alien Smuggling Scheme resided temporarily in various safe houses before traveling to their final destinations. For example, three safe houses, in Texas, near the border between the United States and Mexico, were used by defendant Nacip Teotonio Pires, R.D., C.M., and others to harbor customers of the Alien Smuggling Scheme (the "Texas Safe Houses"). The Texas Safe Houses were managed primarily by S.D., with oversight by R.D.

14. It was further part of the conspiracy that defendant Nacip Teotonio Pires, R.D., S.D., C.M., F.D., and others instructed customers of the Alien Smuggling Scheme who were intercepted by law enforcement agents as they attempted to enter the United States illegally to concoct false asylum claims and tell border enforcement agents that the customer would be placed in danger if the customer was immediately deported. Defendant Nacip Teotonio Pires, R.D., and other co-conspirators also paid attorneys to assert customers' false asylum claims in legal proceedings.

15. It was further part of the conspiracy that the Alien Smuggling Scheme generated revenues and profits that defendant Nacip Teotonio Pires and his co-conspirators deposited into various bank accounts in the United States and Brazil. Among

those accounts was a Bank of America account that ended in the digits 3417, which was registered in the name of "Diogo Nunes Oliveira," an alias used by R.D.

16. It was further part of the conspiracy that defendant Nacip Teotonio Pires and his co-conspirators operated the Alien Smuggling Scheme in secret and undertook efforts to hide their activities and identities from certain customers of the Alien Smuggling Scheme, certain co-conspirators, and from law enforcement agents. For example, defendant Nacip Teotonio Pires frequently changed residences among and within the various cities in which he conducted activities in furtherance of the conspiracy. Other co-conspirators, including defendant Nacip Teotonio Pires and R.D., employed aliases and used those aliases in different settings and with different groups of customers and co-conspirators to avoid being easily identified.

17. It was further part of the conspiracy that defendant Nacip Teotonio Pires and his co-conspirators attempted to elude detection by law enforcement agents by communicating through the use of cellular telephones typically registered in the names of aliases.

OVERT ACTS

In furtherance of the conspiracy and to achieve the purpose thereof, defendant Nacip Teotonio Pires and his conspirators committed and caused to be committed, in the District of New Jersey and elsewhere the following overt acts:

18. In or about February 2008, defendant Nacip Teotonio Pires participated in several telephone calls with CS1. During those calls, defendant Nacip Teotonio Pires and CS1 discussed, among other things, defendant Nacip Teotonio Pires's offer to smuggle a relative of CS1 into the United States from Brazil. Defendant Nacip Teotonio Pires invited CS1 to join the Alien Smuggling Scheme and work for defendant Nacip Teotonio Pires managing debt collection from certain Smuggled Women and providing local transportation of certain Smuggled Women.

19. In or about February 2008, defendant Nacip Teotonio Pires met with CS1 in Newark. During the meeting, defendant Nacip Teotonio Pires and CS1 discussed defendant Nacip Teotonio Pires's offer to smuggle CS1's relative from Brazil to the United States. Defendant Nacip Teotonio Pires stated, among other things, that defendant Nacip Teotonio Pires did not like to smuggle men into the United States because they did not repay their smuggling debt as reliably as women.

20. On or about February 18, 2011, defendant Nacip Teotonio Pires participated in a telephone call with CS1. During the

call, defendant Nacip Teotonio Pires and CS1 discussed whether defendant Nacip Teotonio Pires would smuggle a friend of CS1's from Brazil to the United States. Defendant Nacip Teotonio Pires stated, among other things:

a. Defendant Nacip Teotonio Pires smuggled aliens into the United States through several routes, including through Mexico. While operating in Mexico, defendant Nacip Teotonio Pires paid the Mexican mafia to avoid delays and obstruction.

b. Defendant Nacip Teotonio Pires smuggled groups of ten people at a time into the United States.

c. Defendant Nacip Teotonio Pires would pay CS1 a commission of \$5,000 for referring CS1's friend.

21. On or about February 23, 2011, defendant Nacip Teotonio Pires participated in a series of telephone calls with CS1. During the calls, defendant Nacip Teotonio Pires and CS1 continued their earlier discussion about defendant Nacip Teotonio Pires's plan to smuggle CS1's friend from Brazil into the United States. Defendant Nacip Teotonio Pires stated, among other things:

a. Defendant Nacip Teotonio Pires would smuggle CS1's friend into the United States for \$16,000. CS1's friend should pay defendant Nacip Teotonio Pires \$10,000 in advance and \$6,000 after arriving in the United States. Defendant Nacip Teotonio Pires will pay CS1 \$3,000 for the referral.

b. Defendant Nacip Teotonio Pires used a radio to consult with his co-conspirators along the smuggling route as defendant Nacip Teotonio Pires's customers traveled.

c. CS1's friend would never be alone and would always travel with a group of six or seven people. In Dallas, CS1's friend would stay at a house controlled by defendant Nacip Teotonio Pires

22. On or about March 2, 2011, defendant Nacip Teotonio Pires participated in a telephone call with CS1. During the call, defendant Nacip Teotonio Pires and CS1 continued to discuss arrangements to smuggle CS1's friend into the United States. Defendant Nacip Teotonio Pires stated, among other things:

a. CS1 should open an account at a bank. After that, defendant Nacip Teotonio Pires would give CS1 an account number into which CS1 could deposit funds associated with the Alien Smuggling Scheme.

b. Defendant Nacip Teotonio Pires only smuggled women to Newark to dance or to work at hotels.

c. Defendant Nacip Teotonio Pires often required a guarantee from smuggling clients, such as the deed to a house or land.

d. In 2010, defendant Nacip Teotonio Pires and his co-conspirators lost a lot of money smuggling customers through Mexico because border security was very diligent. Defendant

Nacip Teotonio Pires lost \$300,000 and one of defendant Nacip Teotonio Pires's co-conspirators lost \$1 million. Defendant Nacip Teotonio Pires's smuggling routes have improved. In Mexico, defendant Nacip Teotonio Pires and his co-conspirators operated in three or four different locations along the border.

e. The Caribbean Route was safe but was slow and sometimes took up to three months. Defendant Nacip Teotonio Pires preferred to smuggle customers quickly, especially if the customer was a pretty girl, so that she could start working.

23. On or about April 6, 2011, defendant Nacip Teotonio Pires received a telephone call from an unknown co-conspirator in Mexico. During their conversation, defendant Nacip Teotonio Pires instructed the co-conspirator to keep his eye out for a woman who would be passing through. Defendant Nacip Teotonio Pires stated that the woman was one of defendant Nacip Teotonio Pires's previous customer's sisters and told the co-conspirator to hold the woman. Defendant Nacip Teotonio Pires explained that after the woman's sister arrived in the United States, the woman stopped paying defendant Nacip Teotonio Pires for her trip. Defendant Nacip Teotonio Pires stated that defendant Nacip Teotonio Pires wanted his co-conspirator to hold the new customer until defendant Nacip Teotonio Pires was paid for the sister's earlier travel.

24. On or about April 13, 2011, defendant Nacip Teotonio Pires placed a telephone call to P. LNU. During the call, defendant Nacip Teotonio Pires told P. LNU that defendant Nacip Teotonio Pires was negotiating with a woman from Goiás, Brazil, who wanted to talk with a customer who had traveled through Mexico. Defendant Nacip Teotonio Pires stated that defendant Nacip Teotonio Pires was going to give the woman P. LNU's telephone number and instructed P. LNU to tell the woman how defendant Nacip Teotonio Pires smuggled P. LNU into the United States with P. LNU's fifteen year old son, how P. LNU did not have to walk for very long while traveling, and how a tunnel is available for certain customers of the Alien Smuggling Scheme. P. LNU agreed.

25. On or about April 13, 2011, defendant Nacip Teotonio Pires and F.D. participated in several telephone calls. During the calls, defendant Nacip Teotonio Pires and F.D. discussed F.D.'s efforts to smuggle a customer of the Alien Smuggling Scheme into the United States. Specifically, defendant Nacip Teotonio Pires and F.D. discussed the cost of travel for the customer and F.D. provided defendant Nacip Teotonio Pires the customer's contact information. F.D. told defendant Nacip Teotonio Pires to give the customer a call because she had cash and was ready to travel.

26. On or about April 21, 2011, F.D. called defendant Nacip Teotonio Pires. During the call, defendant Nacip Teotonio Pires told F.D. that Smuggled Women were arriving in New Jersey and R.D. wanted defendant Nacip Teotonio Pires and F.D. to receive them and arrange to collect approximately \$30,000 from them. Defendant Nacip Teotonio Pires stated that the money was probably coming from Brazil and that defendant Nacip Teotonio Pires and F.D. would have to collect addresses and telephone numbers from the Smuggled Women. F.D. complained that he did not want to work that day. Defendant Nacip Teotonio Pires stated that the work would only include calling R.D., collecting money from Smuggled Women who were holding cash, and collecting contact information from Smuggled Women who had traveled on credit.

27. On or about April 22, 2011, defendant Nacip Teotonio Pires and F.D. drove to a residence in Long Branch, New Jersey, to retrieve a smuggling debt payment from a customer of the Alien Smuggling Scheme. Thereafter, defendant Nacip Teotonio Pires and F.D. traveled to a bank in Newark where F.D. deposited the smuggling debt payment in an account controlled by defendant Nacip Teotonio Pires and R.D. The same day, defendant Nacip Teotonio Pires and R.D. participated in a telephone conversation in which R.D. asked defendant Nacip Teotonio Pires whether F.D. had successfully deposited approximately \$10,000 into a bank account, which defendant Nacip Teotonio Pires confirmed.

28. On or about April 24, 2011, defendant Nacip Teotonio Pires placed a telephone call to R.D. During the call, R.D. and defendant Nacip Teotonio Pires discussed their dissatisfaction with the efforts of certain of their co-conspirators. Defendant Nacip Teotonio Pires said that the only problem with the Alien Smuggling Scheme was the border crossing, and that defendant Nacip Teotonio Pires and R.D. needed to fix the problem. Defendant Nacip Teotonio Pires said that he felt confident that things would improve for defendant Nacip Teotonio Pires and R.D. with the help of a new co-conspirator. R.D. said that defendant Nacip Teotonio Pires and R.D. needed to tell the new co-conspirator that R.D. and defendant Nacip Teotonio Pires would be smuggling three people at a time and maybe six people per day.

29. On or about May 15, 2011, defendant Nacip Teotonio Pires received a telephone call from S.D. During the call, defendant Nacip Teotonio Pires told S.D. about a group of four customers of the Alien Smuggling Scheme that were arrested trying to enter the United States from Mexico. S.D. told defendant Nacip Teotonio Pires that the arrested customers were traveling under the guidance of several co-conspirators. S.D. told defendant Nacip Teotonio Pires that S.D.'s smuggling efforts were going well otherwise, and that S.D. had recently sent three customers through the border and all three had made it. S.D. said that S.D. has a group of customers for every hour of every day.

30. On or about May 17, 2011, C.M. called R.D. During the call, C.M. asked R.D. how much it would cost for R.D. to transport two Smuggled Women from Laredo, Texas, to Florida and Boston. C.M. told R.D. that C.M. needed R.D. to transport the Smuggled Women through border checkpoints to their homes. C.M. advised R.D. to offer him a good price because C.M. needed help transporting a total of twelve girls in the next two months. C.M. said the additional Smuggled Women were to be delivered in New Jersey. R.D. told C.M. that it would not be a problem for R.D. to transport all the Smuggled Women. R.D. asked C.M. if C.M. would pay in Houston and C.M. replied yes. C.M. told R.D. that C.M. preferred to smuggle customers across the border in Laredo because if the customers were arrested they had a better chance of securing bail in Laredo before being deported. C.M. told R.D. that C.M. lost money by having people arrested in El Paso and deported with no bail. R.D. told C.M. that R.D. stopped sending people through El Paso for the same reason.

31. On or about May 29, 2011, defendant Nacip Teotonio Pires engaged in a series of calls with J.V., a customer of the Alien Smuggling Scheme who had successfully crossed the international border between the United States and Mexico and who was waiting to travel around a United States Border Patrol check point. During the calls, J.V. told defendant Nacip Teotonio Pires that J.V. was in a safe house in Texas. Defendant Nacip Teotonio

Pires instructed J.V. to call defendant Nacip Teotonio Pires if J.V. was arrested but not say defendant Nacip Teotonio Pires's name, and not to sign any deportation paperwork. Instead, defendant Nacip Teotonio Pires told J.V. to say that J.V. could not return to Brazil because J.V. had family issues and that J.V.'s husband was abusive. Defendant Nacip Teotonio Pires told J.V. that most people are arrested when crossing the river, which J.V. had already done.

In violation of Title 8, United States Code, Section 1324(a)(1)(A)(v)(I).



PAUL J. FISHMAN
UNITED STATES ATTORNEY

CASE NUMBER: _____

**United States District Court
District of New Jersey**

UNITED STATES OF AMERICA

v.

**NACIP TEOTONIO PIRES,
a/k/a "Ze Maria,"
a/k/a "Baraso"**

INFORMATION FOR

8 U.S.C. § 1324(a)(1)(A)(v)(I)

PAUL J. FISHMAN

U. S. ATTORNEY NEWARK, NEW JERSEY

ANDRÉ M. ESPINOSA

ASSISTANT U. S. ATTORNEY

NEWARK, NEW JERSEY

973.645.2915
