

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
v. : Criminal No. -
ENRICO CALDERON, : 18 U.S.C. § 371
a/k/a "Amang" : 8 U.S.C. § 1324(a)(2)(B)(ii)
: 18 U.S.C. § 2

INDICTMENT

The Grand Jury in and for the District of New Jersey,
sitting in Newark, charges:

COUNT 1 - CONSPIRACY
18 U.S.C. § 371

BACKGROUND

A. DEFENDANT

1. At all times relevant to this indictment:

a. ENRICO CALDERON, a/k/a "Amang". Defendant **ENRICO CALDERON, a/k/a "Amang"** (hereinafter "**ENRICO CALDERON**"), was a citizen of the Philippines and lived in or around Springfield, Virginia. Defendant **ENRICO CALDERON** was employed by Country M's Embassy in Washington, District of Columbia. Defendant **ENRICO CALDERON** maintained a Provident Bank checking account with an associated debit card ("Provident Bank Debit Card").

B. COCONSPIRATORS

2. At all times relevant to this Indictment:

a. ROEHL RIVERA. Roehl Rivera ("Rivera"), who is named as a coconspirator but not as a defendant herein, was a citizen of the Philippines and lived in or around Cabanatuan City, Philippines. When traveling to the United States, Rivera resided with defendant **ENRICO CALDERON** at his home located in or around Springfield, Virginia.

b. COCONSPIRATOR 1. COCONSPIRATOR 1, who is named as a coconspirator but not as a defendant herein, was a citizen of the Philippines.

C. RELEVANT COUNTRIES

3. At all times relevant to this Indictment:

a. Country M. Country M is a nation of approximately 120,000 people located in the North Pacific Ocean. Pursuant to an agreement with the United States, citizens of Country M with a valid Country M passport may travel to, reside in, and work for employers in the United States without first obtaining a visa from the United States government.

b. The Republic of the Philippines. The Republic of the Philippines is a nation of approximately 87 million people located in Southeast Asia. Citizens of the Philippines ("Filipinos") may not travel to, reside in, or work for employers in the United States without first obtaining a visa from the United States government.

THE CONSPIRACY

4. From in or about December 2004 through on or about January 5, 2006, in Essex County, in the District of New Jersey, and elsewhere, defendant,

**ENRICO CALDERON,
a/k/a "AMANG,"**

did knowingly and willfully conspire and agree with Roehl Rivera, COCONSPIRATOR 1, and other persons, to commit offenses against the United States, that is, to bring aliens to the United States

for the purpose of commercial advantage and private financial gain knowing and in reckless disregard of the fact that such aliens had not received prior official authorization to come to, enter, and reside in the United States, contrary to Title 8, United States Code, Section 1324(a)(2)(B)(ii).

OBJECT OF THE CONSPIRACY

5. It was the object of the conspiracy that defendant **ENRICO CALDERON**, Rivera, COCONSPIRATOR 1, and others, acting for their own financial gain, fraudulently acquired and altered Country M passports, sold them to citizens of the Philippines who did not otherwise have permission to enter the United States, and, thereafter, illegally guided those citizens from the Philippines into the United States through Newark Liberty International Airport.

MANNER AND MEANS OF THE CONSPIRACY

6. It was part of the conspiracy that defendant **ENRICO CALDERON** illegally acquired Country M passports through his employment at the Embassy of Country M.

7. It was further part of the conspiracy that defendant **ENRICO CALDERON** caused the illegally acquired passports from Country M to be transported to the Philippines, where he negotiated the sale of illegal passage into the United States with Filipinos who did not have permission to enter the United States (hereinafter, "the Smuggled Aliens").

8. It was further part of the conspiracy that defendant **ENRICO CALDERON** caused the illegally acquired Country M passports

to be altered, by, among other things, taking and inserting a photograph of each of the Smuggled Aliens into a corresponding passport.

9. It was further part of the conspiracy that defendant **ENRICO CALDERON** routinely traveled with the Smuggled Aliens from Manila, the capital of the Philippines, to Hong Kong, China ("Hong Kong").

10. It was further part of the conspiracy that defendant **ENRICO CALDERON**, once in Hong Kong, arranged for hotel rooms to be provided for the Smuggled Aliens.

11. It was further part of the conspiracy that defendant **ENRICO CALDERON**, once in Hong Kong, caused the altered Country M Passports to be provided to the Smuggled Aliens.

12. It was further part of the conspiracy that defendant **ENRICO CALDERON**, Rivera, and COCONSPIRATOR 1 arranged for the Smuggled Aliens to travel into the United States using altered Country M passports on Continental Airlines flight number 98, a non-stop flight between Hong Kong and Newark Liberty International Airport ("Continental Flight No. 98").

13. It was further part of the conspiracy that defendant **ENRICO CALDERON**, Rivera, and COCONSPIRATOR 1 accompanied the Smuggled Aliens on Continental Flight No. 98.

14. It was further part of the conspiracy that defendant **ENRICO CALDERON**, Rivera, and COCONSPIRATOR 1 routinely provided the Smuggled Aliens with a multi-page information sheet that contained facts concerning Country M ("Country M Information

Sheet"), as well as false information concerning the purported purpose of their travel to the United States; and that the Smuggled Aliens were instructed to use the information on the Country M Information Sheet to deceive United States Customs and Border Protection Inspectors ("CBP Inspectors") in responding to questions concerning their purported home country and the purpose of their travels to the United States.

15. It was further part of the conspiracy that defendant **ENRICO CALDERON**, Rivera, and COCONSPIRATOR 1 received payment, directly and indirectly, in amounts up to \$15,000 from each of the Smuggled Aliens, either prior to or after their unlawful entry into the United States.

16. As a result of the above acts, more than 50 Smuggled Aliens illegally entered the United States at Newark Liberty International Airport from in or about December 2004 through on or about January 5, 2006.

OVERT ACTS

17. In furtherance of the conspiracy and to effect its unlawful object, defendant **ENRICO CALDERON**, Rivera, and COCONSPIRATOR 1, as well as others, committed and caused to be committed the following overt acts in the District of New Jersey and elsewhere:

Smuggled Aliens M.G., M.C., and A.A.

a. On or about May 20, 2005, defendant **ENRICO CALDERON** and Rivera traveled from Hong Kong to Newark Liberty International Airport on Continental Flight No. 98.

b. On or about May 20, 2005, Rivera, who did not otherwise have permission to enter the United States, presented to CBP Inspectors at Newark Liberty International Airport as his lawful passport a fraudulent Country M passport that he received from defendant **ENRICO CALDERON** and thereby entered the United States.

c. On or about June 18, 2005, defendant **ENRICO CALDERON** acquired tickets for the June 19, 2005 Continental Flight No. 98 in the names of two Smuggled Aliens, identified herein as M.G. and M.C.

d. On or about June 19, 2005, defendant **ENRICO CALDERON** traveled to the United States on Continental Flight No. 98 with M.G., M.C. and another Smuggled Alien, identified herein as A.A.

e. On or about June 19, 2005, defendant **ENRICO CALDERON** presented to CBP Inspectors his Philippine passport and the Visa issued in connection with his employment at the Embassy of Country M.

f. On or about June 19, 2005, at the direction of defendant **ENRICO CALDERON**, M.G., M.C., and A.A. all presented fraudulent Country M passports to CBP Inspectors, enabling each of them to enter the United States.

Smuggled Aliens N.J., M.J., and L.O.

g. In or about August 2005, a Filipino who did not have permission to travel to or work in the United States paid defendant **ENRICO CALDERON** the equivalent of \$25,000 in Philippine

currency to smuggle herself and her child, identified herein as M.J. and N.J., respectively, into the United States.

h. In or about mid-September 2005, defendant **ENRICO CALDERON** flew with M.J., N.J. and another Smuggled Alien, identified herein as L.O., from the Philippines to Hong Kong.

i. On or about September 14, 2005, upon their arrival in Hong Kong, defendant **ENRICO CALDERON** used his Provident Bank Debit Card to provide hotel rooms for M.J., N.J. and L.O.

j. On or about September 19, 2005, defendant **ENRICO CALDERON** introduced COCONSPIRATOR 1 to M.J. as the person who would accompany M.J., N.J. and L.O. to the United States.

k. On or about September 19, 2005, COCONSPIRATOR 1 traveled on Continental Flight No. 98 with M.J., N.J., and L.O.

l. On or about September 19, 2005, COCONSPIRATOR 1, N.J., M.J., and L.O. all presented to CBP Inspectors at Newark Liberty International Airport as their lawful passports fraudulent Country M passports, enabling each of them to enter the United States.

Smuggled Aliens D.L.D., H.S., and G.S.

m. In or about December 2005, defendant **ENRICO CALDERON** met with a Filipino who did not have permission to travel to or work in the United States, identified herein as D.L.D., and told her, in substance and in part, that he could help smuggle her into the United States in exchange for payment.

n. In or about December 2005, in the Philippines, defendant **ENRICO CALDERON** caused a photograph to be taken of

D.L.D.

o. On or about January 4, 2006, defendant **ENRICO CALDERON** flew with D.L.D. and two other Smuggled Aliens, identified herein as H.S. and G.S, from the Philippines to Hong Kong.

p. On or about January 4, 2006, in Hong Kong, defendant **ENRICO CALDERON** gave H.S., G.S., and D.L.D. fraudulent Country M passports containing their respective photographs and personal identifying information.

q. On or about January 4, 2006, in Hong Kong, defendant **ENRICO CALDERON** received a total of approximately \$10,000 in United States currency from H.S. and G.S. in exchange for their fraudulent Country M passports, as well as a promise from each of them to pay an additional \$5,000 in United States currency after arriving in the United States.

r. On or about January 4, 2006, defendant **ENRICO CALDERON** used his Provident Bank Debit Card to provide hotel rooms for D.L.D., H.S., and G.S in Hong Kong.

s. On or about January 4, 2006, defendant **ENRICO CALDERON** introduced Rivera to D.L.D., H.S., and G.S. as the individual who would accompany them to the United States.

t. In or about early January 2006, defendant **ENRICO CALDERON** used his Provident Bank Debit Card to purchase tickets on the January 5, 2006 Continental Flight No. 98 for Rivera, H.S., and G.S.

u. On or about January 5, 2006, Rivera provided

D.L.D. with the Country M Information Sheet and told D.L.D., in substance and in part: that she should use the Country M Information Sheet to respond to questions about Country M that might come up during the Customs and Border Protection inspection process at Newark Liberty International Airport; and that she should respond, if questioned by CBP Inspectors, that she intended to stay in the United States for two weeks and planned to purchase a return ticket sometime during her stay in the United States.

v. On or about January 5, 2006, Rivera traveled on Continental Flight No. 98 with D.L.D., G.S., and H.S from Hong Kong to Newark Liberty International Airport.

w. On or about January 5, 2006, Rivera, D.L.D., G.S., and H.S. all presented as their lawful passports to CBP Inspectors at Newark Liberty International Airport fraudulent Country M passports, enabling each of them to enter the United States.

All in violation of Title 18, United States Code, Section 371.

COUNTS 2 through 6 - ALIEN SMUGGLING
8 U.S.C. § 1324(a)(2)(B)(ii)
18 U.S.C. § 2

18. The allegations contained in paragraphs 1 through 3, and 5 through 17 of Count One are realleged and incorporated herein.

19. On or about the dates set forth below, in the District of New Jersey and elsewhere, defendant,

ENRICO CALDERON,
a/k/a "Amang,"

knowing and in reckless disregard of the fact that the aliens set forth below had not received prior official authorization to come to, enter, and reside in the United States, did bring and attempt to bring to the United States, in any manner whatsoever, such aliens, for the purpose of commercial advantage and private financial gain,

COUNT	ALIEN	APPROXIMATE DATES
2	M.J.	August 2005 through September 19, 2005
3	N.J.	August 2005 through September 19, 2005
4	D.L.D	December 2005 through January 5, 2006

COUNT	ALIEN	APPROXIMATE DATES
5	H.S.	December 2005 through January 5, 2006
6	G.S.	December 2005 through January 5, 2006

In violation of Title 8, United States Code, Section 1324(a)(2)(B)(ii) and Title 18, United States Code, Section 2.

A TRUE BILL

FOREPERSON

CHRISTOPHER J. CHRISTIE
United States Attorney