



*United States Attorney
Southern District of New York*

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**LEADER OF HIJACKING AND ROBBERY CREW CONNECTED TO
DIAMOND DISTRICT CONVICTED IN MANHATTAN FEDERAL COURT**

PREET BHARARA, the United States Attorney for the Southern District of New York, announced that HECTOR RIVERA was convicted yesterday on all counts after a one-week jury trial before United States District Judge HAROLD BAER, JR. The charges arose from RIVERA's leadership of a robbery and extortion crew involved in robberies connected to the Diamond District in midtown Manhattan, including the planned hijacking of Federal Express ("FedEx") tractor-trailer trucks and the robbery of a wholesale diamond business.

According to documents filed in this case and the evidence at trial:

Over the years, RIVERA planned and executed robberies and acts of extortion, often involving firearms. RIVERA was convicted of conspiracy to commit robberies of, or to extort, persons and businesses engaged in interstate commerce between 2002, and December 2008. He was also convicted of a November 29, 2005, robbery of a wholesale diamond business located at 580 Fifth Avenue in Manhattan and possessing and brandishing a gun during that robbery; a December 20, 2007, robbery of a FedEx truck and possessing and brandishing a gun during that robbery; and the December 4, 2008, attempted hijacking and robbery of a second Federal Express tractor-trailer truck.

On the night of December 20, 2007, in the vicinity of 48th Street and 11th Avenue in Manhattan, two men displaying firearms and police badges approached the driver of a FedEx tractor-trailer believed to contain several million dollars worth of diamonds. The driver was removed from the FedEx truck at gunpoint, handcuffed, and kidnapped. The FedEx truck was driven to a loading dock in Brooklyn. When the defendants were unable to unload the contents of the truck, it was driven to a different location where it was abandoned. The driver, after being held for more than four hours, was then released.

Through the use of surveillance, consensually-recorded telephone conversations and in-person meetings between RIVERA and a cooperating witness (the "CW"), as well as court-authorized wiretaps on two cellular telephones, law enforcement officials learned that a second hijacking was scheduled to take place on December 4, 2008, and that it was being planned by RIVERA and others. During the lead-up to December 4, 2008, Federal Bureau of Investigation ("FBI") agents observed, among other things, RIVERA and another defendant driving past a warehouse on Long Island, which the CW had previously shown to RIVERA as a possible place to off-load the contents of the hijacked FedEx tractor-trailer. Intercepted wire and electronic communications between RIVERA and others revealed, among other things, that RIVERA was involved in recruiting people to participate in the robbery.

RIVERA was convicted of one count of conspiracy to commit Hobbs Act robbery and three counts of Hobbs Act robbery or attempted robbery, each of which carries a maximum sentence of 20 years in prison. He was also convicted of two counts of using and carrying a firearm during and in relation to a crime of violence. Because the firearms were brandished during these two robberies, the first firearm conviction carries a mandatory minimum sentence -- which must run consecutively to any other sentence -- of seven years in prison, and a maximum sentence of life. The second firearms conviction carries a mandatory minimum sentence -- which must run consecutively to any other sentence -- of 25 years in prison, and a maximum sentence of life. Each of the six charges also carries a maximum fine of the greatest of \$250,000, or twice the gross gain or loss from the offense.

RIVERA, 57, of Hollis, Queens, is scheduled to be sentenced by Judge BAER ON April 8, 2010, at 11:00 a.m.

Mr. BHARARA praised the work of the FBI and the New York City Police Department in the investigation of this case.

Assistant United States Attorneys MICHAEL Q. ENGLISH and MARGARET GARNETT are in charge of the prosecution.

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