

FILED

October 23, 2024

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
By: DT
Deputy

Case No: EP:24-CR-02471-LS

UNITED STATES OF AMERICA

Plaintiff

v.

**(1) HERNANDO MANUEL DE LA CRUZ
RIVERA ORJUELA aka HERNAN aka
MANUEL aka EL PATRON and
(2) LUIS ENRIQUE LINERO PINTO aka
EL CALVO,**

Defendants

**SEALED
INDICTMENT**

COUNT 1: 8 U.S.C. §§ 1324(a)(1)(A)(iv),
1324(a)(1)(A)(v)(I), and 1324(a)(1)(B)(iii):
Conspiracy to Encourage and Induce an
Alien to Come to, Enter, and Reside in the
United States Placing Lives in Jeopardy

THE GRAND JURY CHARGES:

Introduction

1. From in or around August 2022 through in or around November 2023, **HERNANDO MANUEL DE LA CRUZ RIVERA ORJUELA** and **LUIS ENRIQUE LINERO PINTO**, together with others, encouraged and induced undocumented migrants to illegally enter the United States. The Defendants knew that these individuals did not have documentation allowing them to enter, travel through, or remain in the United States.

2. From in or around August 2022 through in or around November 2023, **HERNANDO MANUEL DE LA CRUZ RIVERA ORJUELA** and **LUIS ENRIQUE LINERO PINTO**, were operating together on San Andres Island, Colombia, to facilitate illegal travel of undocumented migrants, transporting them from other locations to San Andres Island, and from there to Nicaragua via boats, north through Central America and Mexico, before reaching their final destination in the United States.

3. As part of the conspiracy, **HERNANDO MANUEL DE LA CRUZ RIVERA ORJUELA** offered transportation services, at times recruited the migrants, collected payment, and arranged for their transportation as part of their journey to the United States.

4. As part of the conspiracy, **HERNANDO MANUEL DE LA CRUZ RIVERA ORJUELA** and **LUIS ENRIQUE LINERO PINTO** advised the migrants how to get to San Andres Island, personally received them once they arrived on the island, arranged for their accommodation, and brought them to the boats that transported them to Nicaragua.

A true copy of the original, I certify.

Clerk, U. S. District Court

By: M. Trujillo
Deputy

5. As part of the conspiracy, **LUIS ENRIQUE LINERO PINTO** bribed uniformed service members of the Colombian Navy to acquire real-time intelligence about the position of Navy patrol vessels located between San Andres Island and Nicaragua, enabling the boats carrying migrants to avoid detection.

6. During the course of the conspiracy, on October 21, 2023, a boat carrying approximately 40 migrants and two boat captains disappeared on its way to Nicaragua after leaving San Andres Island. **HERNANDO MANUEL DE LA CRUZ RIVERA ORJUELA** and **LUIS ENRIQUE LINERO PINTO** were directly and personally responsible for smuggling migrants on that boat. The migrants were en route to the Western District of Texas and other destinations within the United States.

COUNT ONE

[8 U.S.C. §§ 1324(a)(1)(A)(iv), 1324(a)(1)(A)(v)(I) and 1324(a)(1)(B)(iii)]

7. Paragraphs 1 through 6 of this Indictment are realleged and incorporated as though fully set forth herein.

8. Beginning in or about August 2022, and continuing to in or about November 2023, in the Western District of Texas, Republic of Colombia, Republic of Nicaragua, Mexico, and elsewhere, with the Western District of Texas also being the district where the Defendants will first be brought for the purpose of Title 18, United States Code, Section 3238, the Defendants,

**(1) HERNANDO MANUEL DE LA CRUZ RIVERA ORJUELA aka HERNAN aka
MANUEL aka EL PATRON
(2) LUIS ENRIQUE LINERO PINTO aka EL CALVO**

did knowingly and intentionally conspire and agree with each other and other persons known and unknown to the grand jurors, to commit an offense against the United States, that is, encouraging and inducing an alien to come to, enter, and reside in the United States, knowing and in reckless disregard of the fact that such coming to, entry, and residence is and will be in violation of law, during and in relation to which caused serious bodily injury to, and placed in jeopardy the life of, any person.

All in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iv), 1324(a)(1)(A)(v)(I), and 1324(a)(1)(B)(iii).

A TRUE BILL




FOREPERSON OF THE GRAND JURY

JAIME ESPARZA
UNITED STATES ATTORNEY

By: Jose Luis Acosta
Jose Luis Acosta
Assistant United States Attorney

NICOLE M. ARGENTIERI
Principal Deputy Assistant Attorney General
Head of the Criminal Division

By:  for
Daria Andryushchenko
James Hepburn
Trial Attorneys
U.S. Department of Justice
Human Rights and Special Prosecutions
Section