

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. **12-20399-CR-ALTONAGA/SIMONTON**

18 U.S.C. §2244(b)  
18 U.S.C. §242

**UNITED STATES OF AMERICA**

v.

**PAULO MORALES,**

**Defendant.**

**INDICTMENT**

The Grand Jury charges that:

**GENERAL ALLEGATIONS**

At all times relevant to this Indictment:

1. The Federal Inspection Service Area (hereinafter "FIS") within the Miami International Airport (hereinafter "MIA") located in Miami-Dade County, Florida, in the Southern District of Florida, was an institution and facility in which persons are held in custody by direction of the head of a Federal department or agency, that being the Department of Homeland Security.

2. **PAULO MORALES** was an employee of the Department of Homeland Security, Customs and Border Patrol assigned to MIA.

3. A.A.H. was a citizen of Guatemala.

4. R.S.O. was a citizen of Honduras.

5. R.K. was a citizen of Israel.

**COUNT ONE**

(Abusive Sexual Contact: 18 U.S.C. § 2244(b))

1. The allegations set forth in paragraphs 1, 2, and 3 of the General Allegations of this Indictment are re-alleged and incorporated by reference into this Count as though fully set forth herein.

2. On or about January 14, 2011, in Miami-Dade County, in the Southern District of Florida, the defendant,

**PAULO MORALES,**

while in FIS at MIA, did knowingly engage in sexual contact with another person, A.A.H., by intentionally touching A.A.H.'s breasts, directly and through her clothing, with an intent to abuse, humiliate, and degrade A.A.H. and to arouse and gratify the defendant's sexual desire, said sexual contact being done without the permission of A.A.H.

In violation of Title 18, United States Code, Section 2244(b).

**COUNT TWO**

(Deprivation of Rights Under Color of Law: 18 U.S.C. § 242)

1. The allegations set forth in paragraphs 2 and 3 of the General Allegations of this Indictment are re-alleged and incorporated by reference into this Count as though fully set forth herein.

2. On or about January 14, 2011, in Miami-Dade County, in the Southern District of Florida, the defendant,

**PAULO MORALES**

while acting under color of law, did engage in unwanted sexual contact with A.A.H. by touching A.A.H.'s breasts, directly and through her clothing, and thereby willfully deprive A.A.H. of the

right secured and protected by the Constitution of the United States not to be subjected to unreasonable seizure, which includes the right to be free from unwanted sexual contact by a person acting under color of law.

In violation of Title 18, United States Code, Section 242.

**COUNT THREE**

(Abusive Sexual Contact: 18 U.S.C. § 2244(b))

1. The allegations set forth in paragraphs 1, 2, and 4 of the General Allegations of this Indictment are re-alleged and incorporated by reference into this Count as though fully set forth herein.

2. On or about January 20, 2011, in Miami-Dade County, in the Southern District of Florida, the defendant,

**PAULO MORALES,**

while in FIS at MIA, did knowingly engage in sexual contact with another person, R.S.O., by intentionally touching R.S.O.'s breasts, directly and through her clothing, with an intent to abuse, humiliate, and degrade R.S.O. and to arouse and gratify the defendant's sexual desire, said sexual contact being done without the permission of R.S.O.

In violation of Title 18, United States Code, Section 2244(b).

**COUNT FOUR**

(Deprivation of Rights Under Color of Law: 18 U.S.C. § 242)

1. The allegations set forth in paragraphs 2 and 4 of the General Allegations of this Indictment are re-alleged and incorporated by reference into this Count as though fully set forth herein.

2. On or about January 20, 2011, in Miami-Dade County, in the Southern District of Florida, the defendant,

**PAULO MORALES**

while acting under color of law, did engage in unwanted sexual contact with R.S.O. by touching R.S.O.'s breasts, directly and through her clothing, and thereby willfully deprive R.S.O. of the right secured and protected by the Constitution of the United States not to be subjected to unreasonable seizure, which includes the right to be free from unwanted sexual contact by a person acting under color of law.

In violation of Title 18, United States Code, Section 242.

**COUNT FIVE**

(Abusive Sexual Contact: 18 U.S.C. § 2244(b))

1. The allegations set forth in paragraphs 1, 2, and 5 of the General Allegations of this Indictment are re-alleged and incorporated by reference into this Count as though fully set forth herein.

2. On or about January 27, 2011, in Miami-Dade County, in the Southern District of Florida, the defendant,

**PAULO MORALES,**

while in FIS at MIA, did knowingly engage in sexual contact with another person, R.K., by intentionally touching R.K.'s breasts through her clothing with an intent to abuse, humiliate, and degrade R.K. and to arouse and gratify the defendant's sexual desire, said sexual contact being done without the permission of R.K.

In violation of Title 18, United States Code, Section 2244(b).

**COUNT SIX**

(Deprivation of Rights Under Color of Law: 18 U.S.C. § 242)

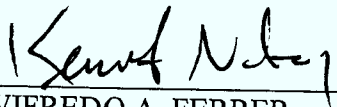
1. The allegations set forth in paragraphs 2 and 5 of the General Allegations of this Indictment are re-alleged and incorporated by reference into this Count as though fully set forth herein.

2. On or about January 27, 2011, in Miami-Dade County, in the Southern District of Florida, the defendant,

**PAULO MORALES**

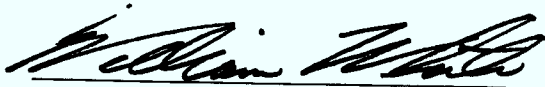
while acting under color of law, did engage in unwanted sexual contact with R.K. by touching R.K.'s breasts, through her clothing, and thereby willfully deprive R.K. of the right secured and protected by the Constitution of the United States not to be subjected to unreasonable seizure, which includes the right to be free from unwanted sexual contact by a person acting under color of law.

In violation of Title 18, United States Code, Section 242.



WIFREDO A. FERRER  
UNITED STATES ATTORNEY

THOMAS E. PEREZ  
ASSISTANT ATTORNEY GENERAL  
UNITED STATES DEPARTMENT OF JUSTICE  
CIVIL RIGHTS DIVISION



WILLIAM WHITE  
ASSISTANT UNITED STATES ATTORNEY

By:

  
HENRY LEVENOVIS  
TRIAL ATTORNEY

UNITED STATES OF AMERICA

CASE NO. \_\_\_\_\_

vs.

**CERTIFICATE OF TRIAL ATTORNEY\***

PAULO MORALES,

Defendant

**Superseding Case Information:**

**Court Division:** (Select One)

New Defendant(s) Yes \_\_\_\_\_ No \_\_\_\_\_  
Number of New Defendants \_\_\_\_\_  
Total number of counts \_\_\_\_\_

X Miami \_\_\_\_\_ Key West \_\_\_\_\_  
\_\_\_\_\_ FTL \_\_\_\_\_ WPB \_\_\_\_\_ FTP \_\_\_\_\_

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.

2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) Yes  
List language and/or dialect Spanish

4. This case will take 3 days for the parties to try.

5. Please check appropriate category and type of offense listed below:

(Check only one)	(Check only one)
I 0 to 5 days <u>X</u>	Petty _____
II 6 to 10 days _____	Minor _____
III 11 to 20 days _____	Misdem. _____
IV 21 to 60 days _____	Felony <u>X</u>
V 61 days and over _____	

6. Has this case been previously filed in this District Court? (Yes or No) No

If yes: Judge: \_\_\_\_\_ Case No. \_\_\_\_\_  
(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) No

If yes: Magistrate Case No. \_\_\_\_\_  
Related Miscellaneous numbers: \_\_\_\_\_  
Defendant(s) in federal custody as of \_\_\_\_\_  
Defendant(s) in state custody as of \_\_\_\_\_  
Rule 20 from the \_\_\_\_\_ District of \_\_\_\_\_

Is this a potential death penalty case? (Yes or No) No

7. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? \_\_\_\_\_ Yes X No

8. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? \_\_\_\_\_ Yes X No

  
WILLIAM C. WHITE  
ASSISTANT UNITED STATES ATTORNEY  
Florida Bar No. 087204

\*Penalty Sheet(s) attached

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: PAULO MORALES

Case No: \_\_\_\_\_

Counts # 1, 3 and 5

Criminal Sexual Contact

18 USC §2244(b)

\* Max.Penalty: 2 years' imprisonment

Counts # 2, 4, and 6

Deprivation of Rights

18 USC §242

\* Max.Penalty: 1 year imprisonment

Count #:

\* Max.Penalty:

Count #:

\* Max.Penalty:

**\*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**