

**AFFIDAVIT OF SPECIAL AGENT BRENDAN CULLEN IN SUPPORT OF  
A CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Brendan Cullen, state:

***INTRODUCTION AND AGENT BACKGROUND***

1. I am a Special Agent with the Department of Homeland Security (DHS) United States Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) assigned to the Providence Field Office. I have been employed by HSI and its predecessor, the U.S. Customs Service since January of 2003. I was previously assigned to several different HSI field offices, including HSI Philadelphia, HSI Boston, HSI Ottawa and HSI Headquarters in Washington, D.C. In connection with my official duties, I have investigated and assisted other agents in investigating numerous cases involving a wide variety of criminal violations including, but not limited to, narcotics trafficking, money laundering, illegal importation of goods, fraud, intellectual property rights, and export enforcement investigations.

2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

3. This affidavit is submitted in support of a criminal complaint and arrest warrant for Yaneth Yanitza CAICEDO Granados (“CAICEDO”).

4. Based on the facts set forth in this affidavit, there is probable cause to believe that CAICEDO submitted fraudulent and forged documents to United States Citizenship and Immigration Services (USCIS) as part of her petition for foreign workers to enter the United States, in violation of 18 U.S.C § 1546 (visa fraud), and 18 U.S.C. § 1028(A) (aggravated identity theft).

***PROBABLE CAUSE***

**Initiation of Investigation**

5. On November 29, 2022, the Federal Bureau of Investigation (FBI) Providence contacted HSI regarding a referral involving potential labor/human trafficking in East Providence, Rhode Island. According to the referral, a resident of East Providence claimed that “Yaneth Caciado<sup>1</sup>” brought nine Colombian musicians into the United States on visas to work in the performing arts industry. The referral also claimed that CAICEDO restricted the movements of these musicians, forced them to conduct various physical labor jobs and sleep on mattresses on the floor of an East Providence apartment, from which they have since been evicted. The referral also stated that one of the musicians claimed that CAICEDO threatened to contact Immigration and Customs Enforcement (ICE) against the musicians if they did not comply with the terms of their visas. The individual who made this referral stated that s/he learned of this activity after being contacted by L.P., a Rhode Island performing artist and dance studio owner, who was previously involved in a musical partnership with CAICEDO.

6. Based on the information provided, I determined that CAICEDO operates *Tu Voz Es Musica* (“TVEM”), a music talent school, located at 18 Martin Street in East Providence, CAICEDO’s home address. According to the Rhode Island Secretary of State records, TVEM was incorporated on March 7, 2018, and lists CAICEDO as the Registered Agent and President.

7. I also conducted records checks with the U.S. Department of State (DOS) for CAICEDO’s name, address and/or business. These records reveal that CAICEDO and/or her business/address are listed in at least 18 separate visa applications for Colombian nationals who

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<sup>1</sup> Through law enforcement database queries, I have since determined that “Yaneth Caciado” of East Providence mentioned in the FBI referral is Yaneth Yanitza CAICEDO Granados, a Colombian citizen and lawful permanent resident of the United States.

have sought to legally enter the United States. Nine of these visa applicants entered the United States around the same time frame claimed in late May of 2022<sup>2</sup>. I then searched travel records for these nine visa holders who listed CAICEDO and/or her business in their applications. These records reveal that six of the nine Colombian visa holders have since returned to Colombia, while three remain in the United States. The eight P-3 visa holders all entered the United States on May 23, 2022, while the one B-2 visa holder entered on May 25, 2022. All of the P-3 visas have since been revoked by the U.S. Department of State.

### **Investigative Interviews**

8. In December of 2022, I contacted the three Colombian musicians remaining in the United States and L.P., the individual who was engaged in a musical partnership with CAICEDO, according to the original FBI referral.

9. On December 2, 2022, I interviewed L.P. L.P. speaks both English and Spanish. Because I do not speak Spanish, I conducted the interview with the assistance of Oscar Ibanez, an HSI Task Force Officer (TFO) who also speaks English and Spanish and provided translation assistance where needed. During this interview, L.P. provided the following information (not verbatim):

- L.P. runs a Rhode Island business dedicated to promoting Spanish language music and culture.
- L.P. stated that she met CAICEDO through CAICEDO's husband, who worked for

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<sup>2</sup> Of these nine Colombian visa holders, eight entered the United States on P-3 visas, which are granted to applicants from culturally unique programs. In this case, these individuals applied as professional cultural musicians who perform "Vallenato," a Colombian folk music genre. The ninth individual entered the United States on a B2 visitor visa and listed CAICEDO's home address of 18 Martin Street in East Providence as his destination upon his entry into the United States.

her as a music teacher. L.P. and CAICEDO began working on a cross-cultural musical collaboration blending traditional Puerto Rican and Colombian music. As part of this collaboration, L.P. and CAICEDO agreed that they would work together to bring a group of Vallenato musical artists to the United States.

- CAICEDO initially requested \$3000 from L.P. to initiate this venture, which involved CAICEDO traveling to Colombia to organize and prepare the group for a trip to the United States. L.P. stated that she paid a total of \$7500 to CAICEDO for expenses related to this collaborative project.
- L.P. and CAICEDO both agreed to work on creating itineraries and finding venues for the Vallenato musicians.
- L.P. and CAICEDO's partnership fell apart after disagreements and the two ceased communications prior to the arrival of the Vallenato musicians in May of 2022.
- L.P. stated that she met with CAICEDO on one occasion in July of 2022 and requested that CAICEDO refund some of the funds that she paid into the project. L.P. stated that CAICEDO never returned any of her funds.

10. On this same date, I met with C.O., one of the Colombian musicians petitioned for by CAICEDO, who was still residing in Rhode Island. TFO Ibanez again provided translation assistance, as C.O. speaks Spanish. During this interview, C.O. revealed the following information (not verbatim)<sup>3</sup>:

- C.O. is a singer, composer, producer, and digital marketer in the music business. C.O. has recorded three albums and performed throughout South America as a

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<sup>3</sup> During the interview, I showed C.O. a photographic array of individuals, including CAICEDO and others similar in appearance. C.O. identified CAICEDO from the photo array.

Vallenato and pop artist.

- CAICEDO recruited C.O. and other Vallenato musicians to collaborate for a trip to the United States. C.O. originally signed a contract with CAICEDO documenting details of pay and other terms of their collaboration. However, this contract went through several variations as the group expanded. C.O. stated that he did not sign the final version of CAICEDO's contract because it included additional immigration visa fees for each group member.
- C.O. stated that most of the group members arrived together on a flight from Colombia to Miami on May 23, 2022.
- After their arrival, C.O. stated that CAICEDO became more authoritative towards the group members. CAICEDO purchased mattresses for the group members and had them stay on the floor of her office in East Providence for the first week. Following this, CAICEDO had the group members move their belongings to the apartment of a friend in Cranston, where they stayed for approximately 20 days.
- CAICEDO then moved the group to an apartment located on Woodward Avenue in East Providence.
- C.O. stated that CAICEDO warned the group that they could not have any visitors or provide their whereabouts to anyone. C.O. also stated that while the group stayed at the Woodward Avenue apartment, CAICEDO implemented strict policies on the group members and instructed them not to leave the apartment. Among the reasons CAICEDO gave for restricting the group's movements were the dangerousness of the neighborhood and the fact that she

was responsible for the group.

- C.O. stated that CAICEDO sought to confiscate the group members' passports and did temporarily succeed in confiscating the passport of "Daniel" (identified by a photo as D.P.). C.O. stated that the group members hid their passports from CAICEDO.
- After a period of approximately two months in the Woodward Avenue apartment, CAICEDO informed the group that they would have to collect their belongings, including their mattresses and move out. At this point, the group members split up and went to separate locations, including several who departed for Colombia.
- C.O. stated that CAICEDO did not have a planned itinerary for the group. After several impromptu performances at restaurants in Rhode Island and a backyard birthday party performance, CAICEDO had no more work for the group.

11. On December 9, 2022, I interviewed Y.V., another one of the Colombian musicians petitioned for by CAICEDO, who was still residing in Rhode Island. TFO Ibanez again provided translation assistance, as Y.V. speaks Spanish. During this interview, Y.V. revealed the following information (not verbatim)<sup>4</sup>:

- Y.V. stated that he has been performing music for approximately 12 years in Colombia and works as an advocate for victims of violence. Y.V. plays the bass as well as other musical instruments.
- Y.V. met CAICEDO in Colombia through another musician (identified as G.C.),

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<sup>4</sup> During the interview, I showed Y.V. a photographic array of individuals, including CAICEDO and others similar in appearance. Y.V. identified CAICEDO from the photo array.

and stated that he and G.C. are in the same musical group.

- Y.V. stated that once a plan was established for the group to travel to the United States, he began doing promotional work for CAICEDO's business (TVEM) by affixing her business' logo when advertising musical performances in Colombia.
- Y.V. stated that he did not discuss the specifics of the U.S. trip with CAICEDO because it was G.C. who handled these arrangements directly with her.
- Y.V. stated that it was his understanding that CAICEDO would pay for the group's visa expenses, apart from a fee that each of them paid to CAICEDO (through C.O.) while still in Colombia.
- Y.V. reiterated much of the same information provided by C.O. regarding the arrival into the United States and the various accommodations that CAICEDO provided to the group.
- Y.V. stated that CAICEDO restricted the movements of the group members and told them that that if anything were to happen to the group members, she (CAICEDO) could be fined. CAICEDO did not give the group members keys to the apartment where they were staying in East Providence.
- Y.V. stated that CAICEDO found him a job working for a construction company along with another Columbian musician. Y.V. stated that at the time, the group was not conducting musical performances and he felt humiliated and concerned about his finances. Y.V. stated that the work he did for the construction company paid approximately \$500 per week and that CAICEDO required him to pay her \$200 per week. CAICEDO threatened to go to the owner of the construction company if Y.V. did not pay her weekly.

- Y.V. stated that CAICEDO continuously told the group about upcoming scheduled performances but that these performances did not come to fruition. Y.V. stated that in total, CAICEDO only booked the group for four performances. Two performances were at local restaurants (El Cafetal and La Casona). The other two performances took place at a park and a backyard birthday party. Y.V. stated that, although the group members were compensated for these performances, the amounts were small, and the performances appeared to be improvised rather than planned.
- Y.V. stated that CAICEDO threatened to charge each group member \$15,000 for their stay in the United States. CAICEDO eventually told the group members that she no longer had the money to support their living expenses and that they would have to leave the apartment and provide for themselves until their scheduled departure from the United States in August of 2022.

12. On December 14, 2022, I interviewed G.C., another one of the Colombian musicians petitioned for by CAICEDO, who was still residing in the United States. G.C. was residing in Florida and the interview was conducted telephonically. TFO Ibanez again provided translation assistance, as G.C. speaks Spanish. During this interview, G.C. revealed the following information (not verbatim):

- G.C. is from the same geographical region of Colombia as CAICEDO and has known her since the 1980s.
- CAICEDO contacted G.C. and the two discussed the project of forming a musical group to travel to the United States.
- While planning the trip, CAICEDO and G.C. discussed payments to group

members and agreed upon \$1500 per month for each musician and additional payments based on revenue earned for their performances. The flights for the group were paid for by the Colombian government<sup>5</sup>.

- G.C. stated that once the group arrived in the United States, their experience was not what they anticipated. Apart from a few minor performances, the group had no scheduled work and struggled financially.
- G.C. stated that CAICEDO asked the group members if they wanted to work and found him and Y.V. work for a construction/landscaping company, where he was paid approximately \$500 per week. G.C. stated that CAICEDO required him to pay her or her husband \$200 per week from these earnings to pay for housing expenses and costs associated with their visas.
- G.C. stated that CAICEDO informed the group that each visa she helped obtain for them cost her approximately \$13,000 - \$15,000 and that if they wanted to be free from their contract with her, they would have to pay her for these expenses.
- G.C. stated that CAICEDO told the group that she did not want them leaving the apartment for any reason. CAICEDO also wanted to take the group members' passports because she said that she wanted to prevent them from leaving the area and staying in the United States illegally. G.C. stated that CAICEDO was able to temporarily obtain one of the group members' passports, but they were able to get it back from her. G.C. stated that they hid their passports from CAICEDO.

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<sup>5</sup> C.O. clarified that the Colombian government paid for the group's flights as part of a cultural promotion program.

- G.C. stated that he would like to clear his name so that he can return to the United States again in the future.

13. During my interview of C.O., he informed me that while the Vallenato group members were together in the United States, CAICEDO met individually with the group members to discuss their project as well as her rules and expectations. C.O. informed me that the group members did not trust CAICEDO and one of the group members suggested recording these one-on-one meetings with her. C.O. stated that he collected these recordings from various group members and has shared them with me. These recordings were in Spanish. TFO Ibanez listened to these recordings and has provided me with written translations of these recordings. I have read these translations and have discovered that CAICEDO made several threatening statements to G.C. about contacting Immigration and Customs Enforcement “ICE” and taking action to deport the group members. Below are excerpts from some of these statements:

“My visa costs \$15,750 dollars if you want to stay in the United States with my visa. You can stay but pay me the money first, pay me the money and there will be no problem. Are you not going to pay me? Are you not going to pay me? I will block it and deport you. On top of that, I will send “ICE”.”

“The first thing I want to say to you is that you can leave, and I don’t have you as a prisoner but, but me as a company, I must pay a penalty for each. That’s for giving you a credit of \$5,000 for me and 2nd, I can send you out, and I can deport each of you if you mess with the project. And listen, it’s sad. Look, since day one you did not have to purchase paper to clean your asses with because I’ve been there. Look what I am going to say, look everything you have said I know everything, everything, everything, you thinking it was simple to go where I am.”

**CAICEDO's Petition with U.S. Citizenship and Immigration Services (USCIS)**

14. As previously stated herein, eight of the nine Vallenato musicians who came to the United States to perform for CAICEDO and TVEM arrived on valid P-3 visas. According to USCIS's website<sup>6</sup>, that agency sets certain criteria and standards for those seeking to qualify for this program, including being able to prove that the applicants are coming "for the purpose of developing, interpreting, representing, coaching, or teaching a unique or traditional ethnic, folk, cultural, musical, theatrical, or artistic performance or presentation." USCIS handles various aspects of the P-3 visa program, including determining the application process, the applicant's eligibility, period of stay in the United States and what supporting documentation is needed to fulfil the application requirements. This application is fulfilled through an employer or sponsor filing a Form I-129, Petition for a Non-Immigrant Worker with USCIS.

15. I reviewed the USCIS website, including links providing instructions for filing an I-129 petition<sup>7</sup>. These instructions state that petitioners and "Agents" (those filing on behalf of petitioners) must provide detailed information about the individuals for whom they are petitioning. These instructions state that the petition "...must include a complete itinerary of services or engagements, including dates, names, and addresses of the actual employers, and the locations where the services will be performed." These instructions further detail that if the petitioner seeks the foreign workers to perform at multiple locations, the petition must provide specific details of these planned performances, "A petition for aliens to perform services or labor or receive training in more than one location must include an itinerary with the dates and locations where the services or training will take place."

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<sup>6</sup> <https://www.uscis.gov/working-in-the-united-states/temporary-workers/p-3-artist-or-entertainer-coming-to-be-part-of-a-culturally-unique-program>

<sup>7</sup> <https://www.uscis.gov/i-129>

16. I requested a copy of CAICEDO's I-129 petition filed with USCIS for the legal entry of the Vallenato musicians. On January 13, 2023, I received a copy of this I-129 petition and the required supporting documentation<sup>8</sup>. According to USCIS records, CAICEDO's I-129 application and supporting documentation arrived at the USCIS Premium Processing Unit in Essex Junction, VT via FedEx on January 3, 2022. The packet was mailed by W.M. of Pleasant Hill, CA. Internet research reveals that W.M. is an attorney who runs his own business called Martinez Arts Consulting, ALC. W.M. specializes in providing visa application assistance for artists, musicians and cultural entertainers.

17. The I-129 application contains a Department of Homeland Security Form G-28 "Notice of Entry of Appearance as Attorney or Accredited Representative" documenting W.M. as the attorney representing CAICEDO and TVEM in this application. This G-28 form is signed by both W.M. and CAICEDO.

18. The I-129 petition itself was signed by both CAICEDO and W.M. on December 29, 2021, and was submitted on behalf of 13 Colombian nationals. Ultimately, only eight of the individuals listed here came into the United States as a result of this petition<sup>9</sup>.

18. The I-129 petition lists CAICEDO's home address of 18 Martin Street in East Providence, RI as the destination where the applicants will reside during their stay in the United States.

19. The I-129 petition consists of a multipage USCIS form documenting the group members and CAICEDO's intentions for the group's visit to the United States. The I-129 also consists of numerous attachments, including the group's U.S. planned itinerary and

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<sup>8</sup> This petition was assigned USCIS receipt number EAC-22-093-51346.

<sup>9</sup> As previously stated herein, one additional musician, L.C., joined the group. However, this individual arrived on a B2 visitor visa and was not part of this I-129 application package.

corresponding contracts for the venues on this itinerary.

20. I reviewed these contracts and discovered a total of 26 separate one page “ARTISTIC CONTRACTS”. Each one of these contracts is on TVEM letterhead and describes agreements with various venues located in seven different states, including Rhode Island. Each contract lists dates, times, duration of performance and wages to be paid to TVEM. Each contract bears CAICEDO’s signature, listing herself as the “SELLER” and another individual, purportedly representing the venue, listed as the “PURCHASER”.

21. My review of these contracts revealed discrepancies that call into question their legitimacy. For example, the PURCHASER name “Jose Reyes”, with a similar looking signature, appears on six different contracts at five different venues in New Jersey and North Carolina. The name “Manuel Rodriguez”, with similar signatures, appears on contracts for venues in New York, Texas and Florida. Based on the incongruities in these contracts submitted to USCIS in support of CAICEDO’s petition, I brought these documents to the attention of several of these venue owners and managers. Each of these venue owners/managers confirmed that CAICEDO’s “contracts” were not authorized or endorsed by anyone at their businesses. Furthermore, these venue representatives confirmed that the Vallenato musicians had not performed or planned to perform at their venues. Below are the findings of these interviews with various venue managers/operators:

- **The International House of Rhode Island** (Providence, RI) – CAICEDO’s petition included a contract that allegedly documents an agreement between TVEM and The International House of Rhode Island located at 8 Stimson Avenue, Providence, RI. This contract states that the group “La Organization Vallenata” will perform for one hour and

30 minutes at this venue on May 8, 2022, for a wage of \$4,200. The contract bears CAICEDO's signature, and the purported signature of "Lidia P."<sup>10</sup>, allegedly representing The International House of Rhode Island. On January 20, 2023, I brought a copy of this contract to the attention of L.P., who, as stated above, at one point established a musical collaboration with CAICEDO. L.P. informed me that the signature on the contract was not hers and that she does not have any affiliation with The International House of Rhode Island. On January 23, 2023, I brought this same contract to the attention of A.H., the Executive Director of the International House of Rhode Island. According to A.H., he does not recognize this contract and nobody at his organization signed this contract. A.H. stated that he does not recognize the names of either party. Furthermore, A.H. stated that his organization has its own contracts with performers and these contracts are usually for a far smaller sum than the prices listed on CAICEDO's contract.

- **Bomes Theater** (Providence, RI) – CAICEDO's petition included two contracts that allegedly document an agreement between TVEM and the Bomes Theater located at 1017 Broad Street, Providence, RI. These contracts state that the group "La Organization Vallenata" will perform for two hours at this venue on February 12, 2022, and July 3, 2022, for a wage of \$5,200 for each performance. The contracts state the following: "The Bomes Theater agrees to provide sound system, stage's lights and proper security for the artists." The contracts bear CAICEDO's signature, and the purchaser listed as "Carlos De Leon". On January 25, 2023, I visited the Bomes Theater and met with K.L., the theater's manager. I showed K.L. the two contracts. K.L. stated that she did not

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<sup>10</sup> CAICEDO spelled L.P.'s first name as "Lidia". L.P. spells her name "Lydia."

recognize the contracts, nor did she recognize any of the names listed on the contracts.

K.L. stated that she handles these types of contracts for the theater and provided me with a printed copy of one such contract on Bomes Theater letterhead. K.L. stated that there is nobody with the name “Carlos De Leon” working at the Bomes Theater.

- **The International Club and Billiard** (Pawtucket, RI) – CAICEDO’s petition included a contract on her business letterhead that allegedly documents an agreement between TVEM and The International Club and Billiard located at 327 Barton Street, Pawtucket, RI. This contract states that the group “La Organizaction Vallenata” will perform for two hours at this venue on April 24, 2022, for a wage of \$6,800. The contract states the following: “In this contract The International Club and Billiard agrees to provide sound system, stage’s lights and proper security for the artists.” The contract bears CAICEDO’s signature, and the purchaser again is listed as “Carlos De Leon”, who allegedly represents The International Club and Billiard. On January 27, 2023, I spoke with B.S., the manager and head of security for The International Club and “Billiar” (the club’s official name) located at 327 Barton Street in Pawtucket. I shared a copy of the contract CAICEDO submitted to USCIS. B.S. stated that he handles all contracts for the club, and he does not recognize this contract. Furthermore, B.S. stated that he shared a copy of the contract with his boss and club owner, A.S., and neither of them recognize any of the names listed on the contract, including “Carlos De Leon,” who does not work at the club.
- **The Ritz Theatre & Performing Arts Center** (Elizabeth, NJ) –CAICEDO’s petition included a contract on her businesses letterhead that allegedly documents an agreement between TVEM and The Ritz Theatre & Performing Arts Center located at 1148 E Jersey

Street in Elizabeth, NJ. This contract states that the group “La Organization Vallenata” will perform for two hours at this venue on January 22, 2022, for a wage of \$6,800. The contract states the following: “In this contract The Ritz Theater agrees to provide sound system, stage’s lights and proper security for the artists.” The contract bears CAICEDO’s signature, and the purchaser is listed as “Jose Reyes”, who allegedly represents this venue. On February 20, 2023, I spoke with G.C., the owner of the Ritz Theatre. I shared a copy of the contract submitted to USCIS with one of G.C.’s staff members. G.C. informed me via phone that he reviewed the contract and does not recognize the document submitted as part of CAICEDO’s petition. Nor did G.C. recognize any of the names listed on the contract, including “Jose Reyes,” who is not an employee of the theater.

- **La Fabrica Central Restaurant** (Cambridge, MA) – CAICEDO’s petition included two contracts on her businesses letterhead that allegedly document agreements between TVEM and La Fabrica Central Restaurant located at 450 Massachusetts Ave, Boston, MA. These contracts state that the group “La Organization Vallenata” will perform at this venue on January 14, 2022, and on June 3, 2022. Each performance lists a wage of \$5,600. The contracts state the following: “For this event, La Fabrica Central Restaurant agrees to provide sound system, and proper security, and ground transportation for the artists.” The contracts bear CAICEDO’s signature, and the purchaser for both contracts is listed as “D.A.B.”. On February 25, 2023, I visited La Fabrica Central Restaurant located at 450 Massachusetts Avenue in Cambridge, MA. (CAICEDO’s petition incorrectly listed the venue’s location as Boston rather than Cambridge.) I shared copies of the contracts submitted to USCIS with two managers of La Fabrica Central. Both

managers stated that they don't recognize the contracts and provided e-mail addresses for themselves and D.A.B., the owner of the restaurant whose purported signature appears alongside that of CAICEDO. On February 25, 2023, I e-mailed copies of the contracts presented to USCIS, bearing CAICEDO's signature and one purporting to be that of D.A.B. to D.A.B. On February 26, 2023, D.A.B. contacted me and informed me that he reviewed these documents and does not recognize the contracts, or the musical group listed on the contracts. Furthermore, D.A.B. stated that the signatures listed on these contracts do not belong to him and the contracts are fraudulent.

22. As stated herein, CAICEDO's I-129 petition was filed on her behalf by W.M. of Martinez Arts Consulting ALC of California. On February 22, 2023, I contacted W.M. W.M. stated that he did represent CAICEDO in petitioning for the Colombian musicians. W.M. stated that he received documents from CAICEDO and her partner, L.A., and maintained electronic scanned records of these documents as he does with all his clients. W.M. submitted these documents to USCIS in support of CAICEDO's I-129 petition for the Vallenato musicians.

23. W.M. provided me with his correspondence with USCIS regarding CAICEDO's I-129 petition. I reviewed this correspondence and observed that USCIS first responded to CAICEDO's I-129 petition on October 5, 2021.

24. This response consisted of a fifteen-page document citing insufficient information and inconsistencies in the information provided, namely CAICEDO's itinerary and lack of supporting contracts. This document from USCIS was addressed to "TU VOZ ES MUSICA" care of W.M. This USCIS response states that additional documentation is required to complete the decision on the I-129 petition.

25. In their response to CAICEDO, USCIS cited specific deficiencies in her petition,

including the fact that she only provided contracts for 6 of the 49 performances listed in her petition. USCIS also noted that, through their own research, they found a conflict in one of the dates and venues listed by CAICEDO. CAICEDO listed a performance at the FTX Arena<sup>11</sup> in Miami on November 6, 2021. However, USCIS conducted an online search of scheduled events at this venue and found that the Miami Heat and Utah Jazz professional basketball teams were scheduled to play at that arena on this same date. USCIS cited another discrepancy, where CAICEDO listed the Vallenato group scheduled to perform at a venue called “The Castle” in Tampa, FL on November 13, 2021. USCIS went to that venue’s website (castleybor.com) and observed that on that date, there was another event scheduled. USCIS went on to state the following, “Although the accuracy of the internet sources is not guaranteed, the information summarized above casts significant doubt on the legitimacy of the itinerary, and performance contracts and proffered employment.” USCIS went on to inform CAICEDO that she needed to provide a detailed itinerary and additional contracts for all the events listed in the itinerary.

26. On October 15, 2021, W.M. sent a response back to USCIS. In his letter to USCIS, W.M. stated that USCIS requested “Contracts that match the itinerary”, “Evidence that the planned events are culturally unique” and “Evidence that the venues regularly present culturally unique events”. W.M. went on to describe the contents of the updated supporting documentation that he was submitting on behalf of CAICEDO, including, an updated letter of invitation, letters of support, educational material about Vallenato, updated contracts that match the itinerary and flyers promoting events at the venues of La Casona, La Fabrica and “The Bromes Theater”. As described herein, personnel at La Fabrica Central Restaurant and the Bomes Theater had no knowledge of CAICEDO, TVEM or the Vallenato musicians’ plans to

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<sup>11</sup> The FTX Arena is now called the Kaseya Center.

perform at their venues.

27. I reviewed the updated petition supporting documents sent to USCIS and observed that there was a total of 29 contracts with various venues documenting agreements between CAICEDO and alleged representatives of these venues. I noted that this set of contracts included an additional contract allegedly signed by L.P. for “Platform Night Club<sup>12</sup>” of 65 Poe Street in Providence, Rhode Island. I have spoken with L.P., who confirmed that she has no affiliation with this establishment.

28. I also discovered that this October 15, 2021, supplemental petition submission contained several flyers, including one for “La Oganizacion Vallenata” performing on November 13<sup>th</sup> (no year listed) at “LA FABRICA CAMBRIDGE” at 8 PM. This flyer shows several color photographs of the Vallenato musicians performing and posing with instruments. A similar promotional type of flyer was provided for several other venues including a performance on December 5<sup>th</sup> (no year listed) at the Bomes Theater in Providence.

29. On January 10, 2022, USCIS again responded to CAICEDO’s I-129 petition and found additional discrepancies and omissions. More specifically, USCIS requested a contract between TVEM and the Colombian beneficiaries and cited missing contacts covering certain performances listed in the group’s itinerary. USCIS also noted that they conducted additional internet searches and found no scheduled Vallenato performances on the websites of several listed venues, including the Bomes and Ritz Theaters.

30. On January 16, 2022, W.M. again responded to USCIS with additional supporting documentation for CAICEDO’s I-129 petition. In his response, W.M. provided a contract

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<sup>12</sup> The venue at this location is called “Platforms” Night Club, rather than Platform as stated in the contract.

between CAICEDO and the Vallenato group members as well as contracts for seven engagements that were listed in the itinerary but missing from the previous submission. W.M. stated in his response that the petitioner (CAICEDO) recognizes that some venues are not announcing “contracted-for engagements” on their websites since the venues are unsure if the visas will be approved or if COVID may impact the engagements. A review of W.M.’s January 16, 2022, submission reveals seven contracts with updated dates for alleged performances, including performances at the Ritz and Bomes Theaters, documented herein as fraudulent.

31. After these various supplemental petition submissions, final approval for the P-3 visas was granted on January 25, 2022.

32. In CAICEDO’s I-129 petition that I received from USCIS, I observed that the Form I-129 contains a section on page 6 titled “Declaration, Signature, and Contact Information of Petitioner or Authorized Signatory”. This section of the I-129 document contains a statement that reads, “I certify, under penalty of perjury, that I have reviewed this petition and that all of the information contained in the petition, including all responses to specific questions, and in the supporting documents, is complete, true, and correct.” CAICEDO’s signature appears below this statement and is dated December 29, 2021.

33. Based on the information presented here, I believe that CAICEDO, through Martinez Arts Consulting, ALC, submitted a false itinerary, fraudulent contracts and promotional flyers to USCIS in support of her I-129 petition for the Colombian Vallenato musicians. In October of 2021 and January of 2022, after reviewing these supporting documents, USCIS personnel responded to CAICEDO’s petition by sending it back and questioning the veracity of the supporting documents that were provided, namely the itinerary and contracts. Instead of taking the opportunity to correct her petition’s deficiencies and provide USCIS with truthful

information, CAICEDO continued to knowingly provide fraudulent information and forged documents to USCIS.

34. I therefore submit that there is probable cause to believe that: (1) From in or about August 2021 through in or about January 2022, in the District of Rhode Island and elsewhere, defendant YANETH YANITZA CAICEDO GRANADOS did knowingly make under penalty of perjury any false statement with respect to a material fact in any application, affidavit or other document required by the immigration laws or regulations prescribed thereunder, in violation 18 U.S.C. § 1546(a) (Count One – Visa Fraud); and (2) On or about December 29, 2021, in the District of Rhode Island and elsewhere, defendant YANETH YANITZA CAICEDO GRANADOS, during an in relation to the felony offense of Visa Fraud, contrary to 18 U.S.C. § 1546(a), did knowingly possess and use, without lawful authority, a means of identification of another person, to wit the name of D.B., in violation of 18 U.S.C. § 1028A. (Count Two – Aggravated Identity Theft).

Respectfully submitted,

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BRENDAN CULLEN  
Special Agent  
Homeland Security Investigations

Attested to by the applicant in accordance with the requirements of Fed.  
R. Crim. P. 4.1 by **Telephone**\_(*specify reliable electronic means*)

April 17, 2023

*Date*



*Judge's signature*

**Providence RI**

*City and State*

*Lincoln D. Almond, US Magistrate Judge*