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9

10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA  
12 WESTERN DIVISION  
13

14 UNITED STATES OF AMERICA )

15 Plaintiff, )

16 vs. )

17 ELIAZAR SANTIS-HERNANDEZ, )  
et al., )

18 Defendants. )  
19  
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21  
22  
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24  
25  
26  
27  
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Case No. CR 10-1057-ODW

**NOTICE OF MOTION AND  
MOTION FOR MATERIAL  
WITNESSES TO RECEIVE U-VISA  
CERTIFICATION**

Date: April 18, 2011  
Time: 9:30 a.m.

1 Please take notice that Material Witnesses in the above-captioned matter,  
2 Rafael Baines Arrevalo, Jayson Saul Claros Gomez, William Ingarto-Portillo, Juan  
3 Carlos Rodriguez-Rodriguez, Antonio Zanabrano Mendez (hereinafter  
4 "Applicants") will bring the following Motion for U-visa Certification before the  
5 Honorable Otis D. Wright II, 312 N. Spring Street, Courtroom 11, Los Angeles,  
6 CA 90012, at 9:30 a.m. on April 18, 2011, or at such time as the Court directs the  
7 matter to be heard.

8 Applicants move this Court, under 8 U.S.C. § 1101(a)(15)(U)(i)(III) and 8  
9 C.F.R. § 214.14(c)(2)(i), for certification of their U-visa applications on the  
10 grounds that they are *prima facie* eligible for the visa, as all the statutory  
11 requirements for certification are present. Mainly, Applicants are detected to be  
12 victims of criminal activity that makes them qualified for the U-visa - namely, the  
13 crimes of being held hostage and sexual assault - and because, as designated  
14 material witnesses, they are cooperating in the law enforcement investigation and  
15 prosecution of Defendants. Certification of Applicants' U-visa applications is  
16 authorized by 8 C.F.R. § 214.14(c)(2)(i) and 8 U.S.C. § 1101(a)(15)(U)(i)(III),  
17 which provide for certification by federal judges, including at the outset of a case  
18 where the crimes have only been detected. Furthermore, judicial certification of  
19 Applicants' U-visa applications is warranted and requires timely consideration in  
20 this case because the U.S. government has required Applicants, by virtue of their  
21 designations as material witnesses, to remain in the United States to assist its  
22 investigation and prosecutions, yet has failed to provide any immigration  
23 protection to legalize their status and enable them to work to support themselves.  
24 Without such immigration protection, Applicants remain in a state of  
25 government-imposed limbo and deprivation, unable to return to their home  
26 countries but unable to provide for themselves in the United States.

27 ///

28 ///

1 Applicants' motion is based on the attached memorandum of points and  
2 authorities and accompanying exhibits, on all pleadings and files maintained by the  
3 Court in this action, as well as on any oral argument or evidence which may be  
4 presented at the hearing on this motion.

5  
6 Respectfully submitted,

7 SEAN K. KENNEDY  
8 Federal Public Defender

9 DATED: March 22, 2011

10 By   
11 JEFFREY A. AARON  
12 Deputy Federal Public Defender  
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15 Plaintiff, )

16 vs. )

17 ELIAZAR SANTIS- HERNANDEZ, )  
et al., )

18 Defendants. )  
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Case No. CR 10-1057-ODW

**MEMORANDUM OF POINTS  
AND AUTHORITIES IN  
SUPPORT OF MATERIAL  
WITNESSES' MOTION FOR  
U-VISA CERTIFICATION**

Date: April 18, 2011

Time: 9:30 a.m.

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## INTRODUCTION

Material witnesses in the above-captioned matter, *USA v. Santis-Hernandez*, 2:10-cr-01057-ODW (C.D. Cal. 2010), Rafael Baines Arrevalo, Jayson Saul Claros Gomez, William Ingarto-Portillo, Juan Carlos Rodriguez-Rodriguez, Antonio Zanabrano Mendez (hereinafter "Applicants"), file this motion to respectfully request this Court to sign their certification forms so that they may apply for the U-visa.<sup>1</sup>

The U-visa is a form of immigration relief specially designed to protect victims of certain crimes who are helpful to the investigation or prosecution of criminal activity. With the required law enforcement certification, which may be signed by a judge, Applicants can then apply for the visa with the U.S. Citizenship and Immigration Service ("USCIS").

Applicants currently reside in the United States because this Court and the prosecution deemed their testimony material to the criminal proceeding against their alleged smugglers. However, while their presence in this country is necessary to assist the U.S. government, they have not received any immigration protection to legalize their status and enable them to work to support themselves. Without such immigration protection, they remain in a state of government-imposed limbo, unable to return to their home countries but unable to work and fully live here. The U-visa would provide them lawful status for a four-year period, as well as employment authorization.

U-visa certification is appropriate in this case because Applicants are detected victims of qualifying criminal activity and have agreed to cooperate in the law enforcement investigation and prosecution of their smugglers.

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<sup>1</sup>Applicants previously made this request through cooperating counsel by letter to Magistrate Judge Bristow on November 10, 2010, which was copied to all of the attorneys for the parties in this action. On November 17, 2010, the Court ordered the letter be rejected. Counsel for Applicants recently learned of the Court's order from Pacer.



1 Applicants' need for immigration relief and a work permit have grown more  
 2 exigent the longer the government has required them to reside in this country  
 3 without status and the means to lawfully support themselves. Given the  
 4 exigencies of their circumstances, we ask this Court to consider this motion  
 5 and sign Applicants' U-visa certifications on an expedited basis.<sup>2</sup> Attached as  
 6 Exhibits A-J are proposed completed certification forms, which may simply  
 7 be signed by this Court.

### 8 **FACTUAL BACKGROUND**

9 On September 7, 2010, federal Immigration and Customs Enforcement  
 10 ("ICE") agents raided a smuggling operation's "loadhouse" in Riverside,  
 11 California. See Complaint at 12, *USA v. Santis-Hernandez*,  
 12 2:10-cr-01057-ODW (C.D. Cal. 2010). Agents found forty-four immigrants in  
 13 total, including thirty-four adult men, four adult women and six minors in the  
 14 house. See *id.* The smugglers detained these individuals in a small windowless  
 15 room, measuring 10 by 12 feet, while they sought payment of smuggling fees  
 16 or additional ransom from victims' family members. See generally *id.* See also  
 17 //

18  
 19 <sup>2</sup>Although Immigration and Customs Enforcement ("ICE") and the U.S.  
 20 Attorney's office are also certifying officials for the purpose of the U-visa  
 21 certification, this Court is the most appropriate certifying entity because it can  
 22 neutrally execute the certification in accordance with the statute and the governing  
 23 regulations. In the experience of counsel, ICE, as a matter of policy, does not sign  
 24 certification forms, even where, as here, the individuals are *prima facie* eligible and  
 25 are material witnesses to its own investigation and criminal case. Similarly, U.S.  
 Attorneys are generally reluctant to sign U-visa certification forms and generally do  
 so only after the individual has testified and the criminal matter has come to a close.

26 In this matter, cooperating counsel Jennie Pasquarella spoke with AUSA  
 27 Robin Bacon on March 11, 2011, who responded to Ms. Pasquarella's request to  
 28 ICE that they grant the Applicants temporary immigration relief so that they could  
 obtain work authorization. Ms. Bacon declined to sign the U-Visa certification or to  
 authorize ICE to provide any temporary immigration relief.

1 Phil Wilson, 37 *Suspected Illegal Immigrants Found Captive in Riverside*,  
 2 LOS ANGELES TIMES, Sept. 9, 2010.

3 Applicants can testify that the smugglers locked them in the room from  
 4 the outside and forbade them to leave the room, to make noise or talk, and to  
 5 stand up or move around, except to use the bathroom (located inside the  
 6 room). The smugglers - brandishing their guns - threatened them with  
 7 violence and death if they attempted to escape and did not obey orders to stay  
 8 quiet. They detained them in this room for as many as approximately two and  
 9 a half months. The smugglers removed their shoes, shirts, and belts, allowed  
 10 them only one shower upon arrival, and afforded them no change of clothing.  
 11 The smugglers denied them adequate food and water, providing them soup or  
 12 rice and beans and a cup of water only once or twice a day. Some of the  
 13 female detainees were subjected to abusive sexual conduct (such as in the case  
 14 of another Material Witness, Romero Guido) and some were reportedly  
 15 raped.<sup>3</sup>

## 16 ARGUMENT

### 17 **I. This Court Has Jurisdiction to Consider this Motion and Certify** 18 **Applicants for the U-Visa.**

19 This Court has jurisdiction to consider this motion on several grounds.  
 20 First, Congress has authorized the granting of U-Visas, and regulations  
 21 implementing that provision make clear that federal judges can certify victims  
 22 for the U-Visa. 8 C.F.R. § 214.14(c)(2)(i) (certifying official may be a  
 23 "Federal, State, or local judge"); 8 U.S.C. § 1101(a)(15)(U)(i)(III). *See also*  
 24 *Garcia v. Audubon Communities Management, LLC*, 2008 WL 1774584 (E.D.  
 25 La. 2008) ("It is undisputed that a federal judge is qualified to 'certify' U-Visa  
 26

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27 <sup>3</sup>Counsel provide this factual information and the information contained *infra* in  
 28 Part II(C) as additional context and background to Applicants' motion. Should the  
 Court find it necessary, counsel can offer proof from each individual Applicant and  
 provide the information by declaration or affidavits from each Applicant.

1 applications."). Second, this Court has jurisdiction arising out of the  
 2 underlying criminal case for which Applicants are material witnesses  
 3 supervised by this Court. As material witnesses, Applicants may petition this  
 4 Court for relief. *See, e.g., U.S. v. Lai Fa Chen*, 214 F.R.D. 578, 579 (N.D. Cal.  
 5 2003) (material witnesses may move in criminal case for deposition and  
 6 release from custody); *U.S. v. Fuentes-Gallindo*, 929 F.2d 1507, 1510 (10th  
 7 Cir. 1991) (noting the same); *U.S. v. Alaniz-Tejada*, 150 F.Supp. 2d 1109  
 8 (D.Colo. 2001) (court considered material witnesses' motion in criminal case  
 9 for payment of witness fees). Finally, as victims of crime, the applicants are  
 10 entitled to redress under the Crime Victims' Rights Act, 18 U.S.C.A. § 3771 *et*  
 11 *seq.* (granting crime victims participatory and substantive rights in federal  
 12 court).

## 13 **II. This Court Should Certify Applicants' for U-Visa Relief.**

14 Congress created the U-visa in order to "strengthen the ability of law  
 15 enforcement agencies to investigate and prosecute" certain crimes, while  
 16 offering "protection to victims of such offenses in keeping with the  
 17 humanitarian interests of the United States." 72 Fed. Reg. 53015; Battered  
 18 Immigrant Women Protection Act of 2000, §1513(a)(2)(A), 114 Stat. at  
 19 1533-34 (codified at 8 U.S.C. § 1101 (2000)). "Congress also sought to  
 20 encourage law enforcement officials to better serve immigrant crime victims."  
 21 72 Fed. Reg. 53015.

22 In order to apply to USCIS for a U-visa, an applicant must obtain a  
 23 certification of "helpfulness" from a "certifying agency" on Supplement B to  
 24 Form I-918, also known as "U Nonimmigrant Status Certification." 72 Fed.  
 25 Reg. 53020; see 8 C.F.R. § 214.14(c)(2)(i). The "U Nonimmigrant Status  
 26 Certification" confirms that the applicant "has been helpful, is being helpful,

27 //

28 //

1 or is likely to be helpful in the investigation or prosecution of the qualifying  
2 criminal activity of which he or she is a victim." 8 C.F.R. § 214.14(a)(12).<sup>4</sup>

3 The crimes that qualify for U-visa protection include "one or more of  
4 the following or any similar activities in violation of Federal, State or local  
5 criminal law of the United States":  
6

7 Rape; torture; trafficking; incest; domestic violence; sexual assault;  
8 abusive sexual contact; prostitution; sexual exploitation; female genital  
9 mutilation; being held hostage; peonage; involuntary servitude; slave  
10 trade; kidnapping; abduction; unlawful criminal restraint; false  
11 imprisonment; blackmail; extortion; manslaughter; murder; felonious  
12 assault; witness tampering; obstruction of justice; perjury; or attempt,  
13 conspiracy, or solicitation to commit any of the above mentioned  
14 crimes.

15 8 C.F.R. § 214.14(a)(9). "The term 'any similar activity' refers to criminal  
16 offenses in which the nature and elements of the offenses are substantially  
17 similar to the statutorily enumerated list of criminal activities." *Id.*

18 To certify a victim for the U-visa, the certifying official must be able to  
19 attest that six factors are present: (1) that the agency and particular official are  
20 authorized to certify U-visa petitions; (2) that the authority is responsible for  
21 the "detection, investigation, prosecution, conviction, or sentencing of  
22 qualifying criminal activity;" (3) that the applicant has been a victim of a

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23 <sup>4</sup>An individual is eligible for the U-visa if he or she (1) suffered substantial  
24 physical or mental abuse as a result of having been the victim of qualifying criminal  
25 activity; (2) possesses information concerning the qualifying criminal activity; (3)  
26 was helpful, is being helpful, or is likely to be helpful in the investigation or  
27 prosecution of the qualifying criminal act to, *inter alia*, a federal law enforcement  
28 official, a federal prosecutor, or a federal judge; and (4) the criminal activity  
violated the laws of the United States or occurred in the United States. 8 U.S.C. §  
1101(a)(15)(U)(i) (eligibility criteria); 8 C.F.R. § 214.14(b)(1)-(4) (same). An  
applicant must demonstrate to the satisfaction of the USCIS that he or she meets all  
of the U-visa eligibility requirements in order for USCIS to grant the U-visa  
application. 8 C.F.R. § 214.14(c)(4). At the certification stage, however, a  
certifying official need only consider the requirements for certification. *See* 8  
C.F.R. § 214.14(c)(2)(i) (certification requirements).

1 qualifying criminal activity that the certifying agency is "investigating or  
2 prosecuting;" (4) that the petitioner possess information concerning the  
3 qualifying criminal activity; (5) that the petitioner "has been, is being, or is  
4 likely to be helpful to an investigation or prosecution of that qualifying  
5 criminal activity;" and (6) that the qualifying criminal activity violated U.S.  
6 law or occurred within the United States. 8 C.F.R. § 214.14(c)(2)(i). U-visa  
7 certification is appropriate in this case because the six factors required for  
8 certification are present.

9 **A. A federal judge is a "certifying official."**

10 The first factor is satisfied because a federal judge is a "certifying  
11 official" who may sign the certification. 8 C.F.R. § 214.14(c)(2)(i) (certifying  
12 official may be a "Federal, State, or local judge"). *See also Garcia v.*  
13 *Audubon Communities Management, LLC*, 2008 WL 1774584 (E.D. La. 2008)  
14 ("It is undisputed that a federal judge is qualified to 'certify' U-Visa  
15 applications."); 72 Fed. Reg. 53023-24.

16 **B. This Court is responsible for the detection of qualifying**  
17 **criminal activity.**

18 The second factor is satisfied because this Court is an authority  
19 responsible for the detection of qualifying criminal activity, as a Court  
20 conducting the litigation in the *USA v. Santis-Hernandez* case, including  
21 issuing or implicitly authorizing the government's criminal warrant and  
22 designating Applicants as material witnesses.

23 The U-visa regulations explicitly provide that judges can certify  
24 witnesses in criminal matters for the U-visa at the outset of the case, before a  
25 finding of fact or criminal disposition in the case, by requiring only that the  
26 criminal activity be *detected*. Indeed, the regulations state "an alien may apply  
27 for U nonimmigrant status at different stages of the investigation or  
28 prosecution. By allowing an individual to petition for U nonimmigrant status

1 upon a showing that he or she may be helpful at some point, USCIS believes  
 2 that Congress intended for individuals to be eligible for U nonimmigrant  
 3 status at the very early stages of an investigation." 72 Fed. Reg. 53019. *See*  
 4 *Audubon Communities Management*, 2008 WL 1774584, \*3 (E.D. La. 2008)  
 5 (discussing when certification is appropriate).<sup>5</sup>

6 **C. Applicants are detected to be victims of qualifying crimes that**  
 7 **this Court is "investigating or prosecuting."**

8 The third factor is satisfied because Applicants are detected to be  
 9 victims of qualifying criminal activity that this Court is "investigating or  
 10 prosecuting," within the meaning of the statute and the governing regulations.

11 **First**, Applicants are detected victims of several of the qualifying  
 12 crimes, including, *inter alia*, "being held hostage," "kidnapping," and "false  
 13 imprisonment." <sup>6</sup>

14 "Being held hostage" is defined as the "seiz[ure] or det[ention] and  
 15 threat[ing] to kill, to injure, or to continue to detain another person in order to  
 16 compel a third person or a governmental organization to do or abstain from  
 17 doing any act as an explicit or implicit condition for the release of the person  
 18 detained." 18 U.S.C. § 1203. The Ninth Circuit, as well as other Circuits,  
 19 have found that 18 U.S.C. § 1203 applies to alien smuggling where the  
 20 smugglers hold the smuggled aliens hostage for ransom or payment of fees  
 21

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22 <sup>5</sup>The government need not be prosecuting the qualifying crimes in order for a  
 23 judge to detect that the victims suffered qualifying criminal activity. *See, e.g.,*  
 24 *Audubon Communities Management*, 2008 WL 1774584 (E.D. La. 2008) (judge in a  
 25 civil case involving labor exploitation granted Plaintiffs' motion for U-visa  
 26 certification and signed the certifications even though the government was not  
 prosecuting the qualifying criminal activity).

27 <sup>6</sup>This Court need only detect that Applicants were victims of one of the  
 28 qualifying crimes, even if they may be victims of more than one qualifying crime. 8  
 C.F.R. § 214.14(a)(9) (qualifying crimes include "one or more" of the enumerated  
 crimes).



1 once arriving in the United States. *See, e.g., U.S. v. Sierra-Velasquez*, 310  
2 F.3d 1217, 1220 (9th Cir. 2002) (upholding conviction for hostage taking  
3 where smugglers held aliens hostage after smuggling them into the U.S. to  
4 demand money for their release); *U.S. v. Lopez-Flores*, 63 F.3d 1468, 1476  
5 (9th Cir. 1995) (same); *U.S. v. Calderon-Lopez*, 268 Fed. Appx. 279 (5th Cir.  
6 2008) (same); *U.S. v. Si Lu Tian*, 339 F.3d 143 (2nd Cir. 2003) (same). *Cf.*  
7 *U.S. v. Fei Lin*, 139 F.3d 1303 (9th Cir. 1998) (conviction for hostage taking  
8 for holding aliens hostage in house for ransom from family members in case  
9 involving kidnapping, but not smuggling).

10 The Applicants constitute hostages for purposes of the statute  
11 regardless of whether or not the smugglers increased the amount of demanded  
12 money from the original agreed-upon amount once they were detained. *See*  
13 *Sierra-Velasquez*, 310 F.3d at 1220 (holding the crime of hostage occurred  
14 where smugglers had not increased the agreed-upon amount but held victims  
15 against their will and under threat of violence until families paid the fees);  
16 *U.S. v. Ibarra-Zelaya*, 465 F.3d 596, 604 (5th Cir. 2006) ("the test is when the  
17 relationship becomes non-consensual."). Because they were detained against  
18 their will under threats of death and bodily injury until their families paid fees,  
19 they were held hostage.

20 Here, all of the Applicants are detected victims of "being held hostage."  
21 The smugglers detained Applicants against their will for anywhere from six  
22 days to over a month, threatened them with violence and death if they  
23 attempted to escape or made too much noise, and demanded money from  
24 Applicants' families for their release.

25 **Juan Carlos Rodriguez-Rodriguez** spent approximately one month  
26 and one week locked in the room in the Riverside house, while smugglers  
27 sought payment of \$15,000 from his family. In repeated phone calls to his  
28 family in the Dominican Republic, the smugglers threatened to kill Mr.

1 Rodriguez-Rodriguez if they did not pay the money. See Complaint at 5. On  
2 numerous occasions, the smugglers brandished their guns and threatened him  
3 and others to be quiet or they would be taken outside and beaten or killed,  
4 their bodies dropped in the desert. On one occasion, after Mr. Rodriguez-  
5 Rodriguez became upset when the smugglers refused to allow him to call his  
6 family, the smugglers attempted to take him outside to beat him, but other  
7 detainees intervened to stop them. He believes that the smugglers raped a few  
8 women during the time he was detained in the house.

9 **Antonio Zanabrano Mendez** spent approximately twelve days  
10 locked in the room in the Riverside house, while smugglers sought payment of  
11 fees from his family. The smugglers threatened to hit him if he did not keep  
12 quiet. In November, smugglers contacted his family again to collect money  
13 and threatened to harm them if they do not pay.

14 **Rafael Baines Arrevalo** spent approximately eight days locked in the  
15 room in the Riverside house, while the smugglers sought payment of fees  
16 from his family. The smugglers continued detaining him even after his family  
17 paid the fees, stating "you leave when we say you leave." The smugglers  
18 threatened him with violence if he made noise or attempted to escape.

19 **Second**, this Court is "investigating or prosecuting" these qualifying  
20 crimes within the meaning of the statute and the regulations. Recognizing that  
21 "[j]udges neither investigate crimes nor prosecute perpetrators," USCIS  
22 interprets the term "investigation or prosecution" broadly, 72 Fed. Reg.  
23 53020, to encompass the "the *detection* . . . of qualifying crime or criminal  
24 activity" as well as the "prosecution, conviction, or sentencing of the  
25 perpetrator of the qualifying crime or criminal activity." 8 C.F.R. 214.14(a)(5)  
26 (emphasis added). Accordingly, this Court need only *detect* the qualifying  
27 crimes or criminal activity based on the facts before it in order to certify at the  
28 outset of a case. By designating Applicants as material witnesses, this Court



1 has already detected criminal activity by determining that Applicants possess  
2 information about that criminal activity of the defendants, such as facts  
3 pertaining to being held hostage in the Riverside house by the smugglers.

4 **D. Applicants possess information concerning the qualifying**  
5 **criminal activity.**

6 The fourth factor is satisfied because Applicants possess information  
7 concerning the qualifying criminal activity because they were personally held  
8 hostage for ransom, among other qualifying criminal acts that took place in  
9 the Riverside "loadhouse." The regulations explain that a U-visa applicant  
10 must have "knowledge of the details" and "possess specific facts regarding the  
11 criminal activity leading a certifying official to determine that the petitioner  
12 has, is, or is likely to provide assistance to the investigation or prosecution."  
13 8 C.F.R. § 214.14(b)(2). As Applicants have been designated material  
14 witnesses, Applicants have already been determined by this Court and the  
15 government to possess important information about the qualifying criminal  
16 activity that will assist the prosecution.

17 **E. Applicants are "helpful" to the investigation or prosecution.**

18 Similarly, the fifth factor is satisfied because this Court has already  
19 found that Applicants have been, are being or are likely to be helpful to the  
20 investigation or prosecution by designating them material witnesses.

21 **F. Applicants are victims of qualifying criminal activity that**  
22 **violated U.S. law or occurred within the United States.**

23 Finally, the sixth factor is clearly satisfied as the qualifying criminal  
24 activity occurred in Riverside, California and, as discussed above, violated  
25 numerous state and federal criminal laws.

26 **CONCLUSION**


27 Applicants are detected to be victims of serious crimes and have agreed  
28 to cooperate as material witnesses with the government's investigation and

1 prosecution of their smugglers. Congress created the U-visa precisely for this  
2 situation: to enable immigrant victims of crimes, such as Applicants, to  
3 lawfully reside in the United States while they assist the government's law  
4 enforcement efforts. It is not in the interest of any of the parties involved in  
5 this case that Applicants be required to reside in the United States unlawfully  
6 - without immigration status or employment authorization - so that they may  
7 help the government's prosecution. This is particularly true where, as here, an  
8 immigration benefit precisely designed for this purpose is available.

9 For these reasons, we respectfully request that the Court sign  
10 Applicants' certification forms for the U-visa. A set of proposed completed  
11 Form I-918 Supplement B corresponding to each Applicant are attached  
12 hereto as Exhibits A-J. USCIS instructions regarding Form I-918 Supplement  
13 B are also attached as Exhibit K.

14 Respectfully submitted,  
15 SEAN K. KENNEDY  
16 Federal Public Defender

17  
18 DATED: March 20, 2011

19 By   
20 JEFFREY A. AARON  
21 Deputy Federal Public Defender  
22  
23  
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28

# EXHIBIT A

OMB No. 1615-0104; Expires 08/31/2010

Department of Homeland Security  
U.S. Citizenship and Immigration Services

**I-918 Supplement B,  
U Nonimmigrant Status Certification**

START HERE - Please type or print in black ink.

**Part 1. Victim information.**

Family Name	Given Name	Middle Name
Mendez-Sanabria	Vanner Antonio	
Other Names Used (Include maiden name/nickname)		
Date of Birth (mm/dd/yyyy)	Gender	
06/14/1991	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	

**Part 2. Agency information.**

Name of Certifying Agency		
Federal Judge		
Name of Certifying Official	Title and Division/Office of Certifying Official	
Hon. David T. Bristow	Magistrate Judge, Central District of California, E.D.	
Name of Head of Certifying Agency		
N/A		
Agency Address - Street Number and Name		Suite #
3470 Twelfth Street		
City	State/Province	Zip/Postal Code
Riverside	CA	92501
Daytime Phone # (with area code and/or extension)		Fax # (with area code)
Agency Type		
<input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local		
Case Status		
<input checked="" type="checkbox"/> On-going <input type="checkbox"/> Completed <input type="checkbox"/> Other		
Certifying Agency Category		
<input checked="" type="checkbox"/> Judge <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Prosecutor <input type="checkbox"/> Other		
Case Number	FBI # or SID # (if applicable)	
2:10-cr-01057-ODW (C.D. Cal. 2010)		

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Returned	Receipt
Date	
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Resubmitted	
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Reloc Sent	Remarks
Date	
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Reloc Rec'd	
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Date	

**Part 3. Criminal acts.**

1. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. (Check all that apply.)

<input type="checkbox"/> Abduction	<input type="checkbox"/> Female Genital Mutilation	<input type="checkbox"/> Obstruction of Justice	<input type="checkbox"/> Slave Trade
<input type="checkbox"/> Abusive Sexual Contact	<input checked="" type="checkbox"/> Hostage	<input type="checkbox"/> Peonage	<input type="checkbox"/> Torture
<input type="checkbox"/> Blackmail	<input type="checkbox"/> Incest	<input type="checkbox"/> Perjury	<input type="checkbox"/> Trafficking
<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Involuntary Servitude	<input type="checkbox"/> Prostitution	<input type="checkbox"/> Unlawful Criminal Restraint
<input type="checkbox"/> Extortion	<input type="checkbox"/> Kidnapping	<input type="checkbox"/> Rape	<input type="checkbox"/> Witness Tampering
<input type="checkbox"/> False Imprisonment	<input type="checkbox"/> Manslaughter	<input type="checkbox"/> Sexual Assault	<input type="checkbox"/> Related Crime(s)
<input type="checkbox"/> Felonious Assault	<input type="checkbox"/> Murder	<input type="checkbox"/> Sexual Exploitation	<input type="checkbox"/> Other: (If more space needed, attach separate sheet of paper.)
<input type="checkbox"/> Attempt to commit any of the named crimes	<input type="checkbox"/> Conspiracy to commit any of the named crimes	<input type="checkbox"/> Solicitation to commit any of the named crimes	

**Part 3. Criminal acts.** (Continued.)

2. Provide the date(s) on which the criminal activity occurred.

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

09/07/2010 and dates prior

3. List the statutory citation(s) for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

Criminal charges filed under 8 U.S.C. 1324(a)(1)(A)(v)(I) and 8 U.S.C. 1324(a)(1)(A)(iii), (a)(1)(B)(i)

4. Did the criminal activity occur in the United States, including Indian country and military installations, or the territories or possessions of the United States?

☒ Yes ☐ No

- a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute?

☐ Yes ☒ No

- b. If "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

- c. Where did the criminal activity occur?

Riverside, California

5. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the individual named in Part 1. Attach copies of all relevant reports and findings.

Applicant is a material witness in the criminal matter USA v. Santis-Hernandez, et al., 2:10-cr-01057-ODW (C.D. Cal. 2010), involving charges for conspiracy to harbor and transport illegal aliens and harboring illegal aliens for financial gain. Applicant possesses information material to these charges and whether he was held hostage when he was detained against his will while Defendants sought ransom or payment of fees from her family.

6. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

Applicant was locked in a small windowless room for approximately twelve days without adequate food or water under threats of violence for making noise or attempting to escape.

**Part 4. Helpfulness of the victim.**

The victim (or parent, guardian or next friend, if the victim is under the age of 16, incompetent or incapacitated.):

1. Possesses information concerning the criminal activity listed in Part 3.
- ☒
- Yes
- ☐
- No

2. Has been, is being or is likely to be helpful in the investigation and/or prosecution of the criminal activity detailed above. (Attach an explanation briefly detailing the assistance the victim has provided.)

☒ Yes ☐ No

3. Has not been requested to provide further assistance in the investigation and/or prosecution. (Example: prosecution is barred by the statute of limitation.) (Attach an explanation.)

☐ Yes ☒ No

4. Has unreasonably refused to provide assistance in a criminal investigation and/or prosecution of the crime detailed above. (Attach an explanation.)

☐ Yes ☒ No

**Part 4. Helpfulness of the victim. (Continued.)**

## 5. Other, please specify.

Applicant is a material witness in the criminal matter. As such his witness testimony is material to the criminal matter and the prosecution. Applicant provided information helpful to the criminal investigation. As a material witness, he may be required to continue to provide information and to testify in the criminal case.

**Part 5. Family members implicated in criminal activity.**

1. Are any of the victim's family members believed to have been involved in the criminal activity of which he or she is a victim?

☐ Yes☒ No

2. If "Yes," list relative(s) and criminal involvement. (Attach extra reports or extra sheet(s) of paper if necessary.)

Full Name	Relationship	Involvement

**Part 6. Certification.**

I am the head of the agency listed in Part 2 or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in Part 1 is or has been a victim of one or more of the crimes listed in Part 3. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Signature of Certifying Official Identified in Part 2.

Date (mm/dd/yyyy)

# EXHIBIT B

OMB No. 1615-0104; Expires 08/31/2010

Department of Homeland Security  
U.S. Citizenship and Immigration Services

**I-918 Supplement B,  
U Nonimmigrant Status Certification**

START HERE - Please type or print in black ink.

**Part 1. Victim information.**

Family Name	Given Name	Middle Name
Rodriguez-Rodriguez	Juan Carlos	
Other Names Used (Include maiden name/nickname)		
Date of Birth (mm/dd/yyyy)	Gender	
10/09/1983	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	

**Part 2. Agency information.**

Name of Certifying Agency		
Federal Judge		
Name of Certifying Official	Title and Division/Office of Certifying Official	
Hon. David T. Bristow	Magistrate Judge, Central District of California, E.D.	
Name of Head of Certifying Agency		
N/A		
Agency Address - Street Number and Name		Suite #
3470 Twelfth Street		
City	State/Province	Zip/Postal Code
Riverside	CA	92501
Daytime Phone # (with area code and/or extension)		Fax # (with area code)
Agency Type		
<input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local		
Case Status		
<input checked="" type="checkbox"/> On-going <input type="checkbox"/> Completed <input type="checkbox"/> Other		
Certifying Agency Category		
<input checked="" type="checkbox"/> Judge <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Prosecutor <input type="checkbox"/> Other		
Case Number	FBI # or SID # (if applicable)	
2:10-cr-01057-ODW (C.D. Cal. 2010)		

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Returned	Receipt
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**Part 3. Criminal acts.**

1. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. (Check all that apply.)

<input type="checkbox"/> Abduction	<input type="checkbox"/> Female Genital Mutilation	<input type="checkbox"/> Obstruction of Justice	<input type="checkbox"/> Slave Trade
<input type="checkbox"/> Abusive Sexual Contact	<input checked="" type="checkbox"/> Hostage	<input type="checkbox"/> Peonage	<input type="checkbox"/> Torture
<input type="checkbox"/> Blackmail	<input type="checkbox"/> Incest	<input type="checkbox"/> Perjury	<input type="checkbox"/> Trafficking
<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Involuntary Servitude	<input type="checkbox"/> Prostitution	<input type="checkbox"/> Unlawful Criminal Restraint
<input type="checkbox"/> Extortion	<input type="checkbox"/> Kidnapping	<input type="checkbox"/> Rape	<input type="checkbox"/> Witness Tampering
<input type="checkbox"/> False Imprisonment	<input type="checkbox"/> Manslaughter	<input type="checkbox"/> Sexual Assault	<input type="checkbox"/> Related Crime(s)
<input type="checkbox"/> Felonious Assault	<input type="checkbox"/> Murder	<input type="checkbox"/> Sexual Exploitation	<input type="checkbox"/> Other: (If more space needed, attach separate sheet of paper.)
<input type="checkbox"/> Attempt to commit any of the named crimes	<input type="checkbox"/> Conspiracy to commit any of the named crimes	<input type="checkbox"/> Solicitation to commit any of the named crimes	



**Part 3. Criminal acts.** (Continued.)

2. Provide the date(s) on which the criminal activity occurred.

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

09/07/2010 and dates prior

3. List the statutory citation(s) for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

Criminal charges filed under 8 U.S.C. 1324(a)(1)(A)(v)(I) and 8 U.S.C. 1324(a)(1)(A)(iii), (a)(1)(B)(i)

4. Did the criminal activity occur in the United States, including Indian country and military installations, or the territories or possessions of the United States?

☒ Yes ☐ No

- a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute?

☐ Yes ☒ No

- b. If "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

- c. Where did the criminal activity occur?

Riverside, California

5. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the individual named in Part 1. Attach copies of all relevant reports and findings.

Applicant is a material witness in the criminal matter USA v. Santis-Hernandez, et al., 2:10-cr-01057-ODW (C.D. Cal. 2010), involving charges for conspiracy to harbor and transport illegal aliens and harboring illegal aliens for financial gain. Applicant possesses information material to these charges and whether he was held hostage when he was detained against his will while Defendants sought ransom or payment of fees from her family.

6. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

Applicant was locked in a small windowless room for approximately one month and one week without adequate food or water under threats of violence for making noise or attempting to escape.

**Part 4. Helpfulness of the victim.**

The victim (or parent, guardian or next friend, if the victim is under the age of 16, incompetent or incapacitated.):

1. Possesses information concerning the criminal activity listed in Part 3. ☒ Yes ☐ No
2. Has been, is being or is likely to be helpful in the investigation and/or prosecution of the criminal activity detailed above. (Attach an explanation briefly detailing the assistance the victim has provided.) ☒ Yes ☐ No
3. Has not been requested to provide further assistance in the investigation and/or prosecution. (Example: prosecution is barred by the statute of limitation.) (Attach an explanation.) ☐ Yes ☒ No
4. Has unreasonably refused to provide assistance in a criminal investigation and/or prosecution of the crime detailed above. (Attach an explanation.) ☐ Yes ☒ No

**Part 4. Helpfulness of the victim.** (Continued.)

## 5. Other, please specify.

Applicant is a material witness in the criminal matter. As such his witness testimony is material to the criminal matter and the prosecution. Applicant provided information helpful to the criminal investigation. As a material witness, he may be required to continue to provide information and to testify in the criminal case.

**Part 5. Family members implicated in criminal activity.**

1. Are any of the victim's family members believed to have been involved in the criminal activity of which he or she is a victim?

☐ Yes☒ No

2. If "Yes," list relative(s) and criminal involvement. (Attach extra reports or extra sheet(s) of paper if necessary.)

Full Name	Relationship	Involvement

**Part 6. Certification.**

I am the head of the agency listed in Part 2 or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in Part 1 is or has been a victim of one or more of the crimes listed in Part 3. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Signature of Certifying Official Identified in Part 2.

Date (mm/dd/yyyy)

# EXHIBIT C

Department of Homeland Security  
U.S. Citizenship and Immigration Services

OMB No. 1615-0104; Expires 08/31/2010

**I-918 Supplement B,  
U Nonimmigrant Status Certification**

**START HERE - Please type or print in black ink.**

**Part 1. Victim information.**

Family Name	Given Name	Middle Name
Murcia Roldan	Julio Cesar	
Other Names Used (Include maiden name/nickname)		
Date of Birth (mm/dd/yyyy)	Gender	
04/11/1980	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	

**Part 2. Agency information.**

Name of Certifying Agency		
Federal Judge		
Name of Certifying Official	Title and Division/Office of Certifying Official	
Hon. David T. Bristow	Magistrate Judge, Central District of California, E.D.	
Name of Head of Certifying Agency		
N/A		
Agency Address - Street Number and Name		Suite #
3470 Twelfth Street		
City	State/Province	Zip/Postal Code
Riverside	CA	92501
Daytime Phone # (with area code and/or extension)		Fax # (with area code)
Agency Type		
<input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local		
Case Status		
<input checked="" type="checkbox"/> On-going <input type="checkbox"/> Completed <input type="checkbox"/> Other		
Certifying Agency Category		
<input checked="" type="checkbox"/> Judge <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Prosecutor <input type="checkbox"/> Other		
Case Number	FBI # or SID # (if applicable)	
2:10-cr-01057-ODW (C.D. Cal. 2010)		

**For USCIS Use Only.**

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**Remarks**

**Part 3. Criminal acts.**

1. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. (Check all that apply.)

<input type="checkbox"/> Abduction	<input type="checkbox"/> Female Genital Mutilation	<input type="checkbox"/> Obstruction of Justice	<input type="checkbox"/> Slave Trade
<input type="checkbox"/> Abusive Sexual Contact	<input checked="" type="checkbox"/> Hostage	<input type="checkbox"/> Peonage	<input type="checkbox"/> Torture
<input type="checkbox"/> Blackmail	<input type="checkbox"/> Incest	<input type="checkbox"/> Perjury	<input type="checkbox"/> Trafficking
<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Involuntary Servitude	<input type="checkbox"/> Prostitution	<input type="checkbox"/> Unlawful Criminal Restraint
<input type="checkbox"/> Extortion	<input type="checkbox"/> Kidnapping	<input type="checkbox"/> Rape	<input type="checkbox"/> Witness Tampering
<input type="checkbox"/> False Imprisonment	<input type="checkbox"/> Manslaughter	<input type="checkbox"/> Sexual Assault	<input type="checkbox"/> Related Crime(s)
<input type="checkbox"/> Felonious Assault	<input type="checkbox"/> Murder	<input type="checkbox"/> Sexual Exploitation	<input type="checkbox"/> Other: (If more space needed, attach separate sheet of paper.)
<input type="checkbox"/> Attempt to commit any of the named crimes	<input type="checkbox"/> Conspiracy to commit any of the named crimes	<input type="checkbox"/> Solicitation to commit any of the named crimes	

**Part 3. Criminal acts.** (Continued.)

2. Provide the date(s) on which the criminal activity occurred.

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

09/07/2010 and dates prior

3. List the statutory citation(s) for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

Criminal charges filed under 8 U.S.C. 1324(a)(1)(A)(v)(I) and 8 U.S.C. 1324(a)(1)(A)(iii), (a)(1)(B)(i)

4. Did the criminal activity occur in the United States, including Indian country and military installations, or the territories or possessions of the United States?

☒ Yes ☐ No

- a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute?

☐ Yes ☒ No

- b. If "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

- c. Where did the criminal activity occur?

Riverside, California

5. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the individual named in Part 1. Attach copies of all relevant reports and findings.

Applicant is a material witness in the criminal matter USA v. Santis-Hernandez, et al., 2:10-cr-01057-ODW (C.D. Cal. 2010), involving charges for conspiracy to harbor and transport illegal aliens and harboring illegal aliens for financial gain. Applicant possesses information material to these charges and whether he was held hostage when he was detained against his will while Defendants sought ransom or payment of fees from her family.

6. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

Applicant was locked in a small windowless room for approximately one month and ten days without adequate food or water under threats of violence for making noise or attempting to escape.

**Part 4. Helpfulness of the victim.**

The victim (or parent, guardian or next friend, if the victim is under the age of 16, incompetent or incapacitated.):

1. Possesses information concerning the criminal activity listed in Part 3. ☒ Yes ☐ No
2. Has been, is being or is likely to be helpful in the investigation and/or prosecution of the criminal activity detailed above. (Attach an explanation briefly detailing the assistance the victim has provided.) ☒ Yes ☐ No
3. Has not been requested to provide further assistance in the investigation and/or prosecution. (Example: prosecution is barred by the statute of limitation.) (Attach an explanation.) ☐ Yes ☒ No
4. Has unreasonably refused to provide assistance in a criminal investigation and/or prosecution of the crime detailed above. (Attach an explanation.) ☐ Yes ☒ No

**Part 4. Helpfulness of the victim.** (Continued.)

## 5. Other, please specify.

Applicant is a material witness in the criminal matter. As such his witness testimony is material to the criminal matter and the prosecution. Applicant provided information helpful to the criminal investigation. As a material witness, he may be required to continue to provide information and to testify in the criminal case.

**Part 5. Family members implicated in criminal activity.**

1. Are any of the victim's family members believed to have been involved in the criminal activity of which he or she is a victim? ☐ Yes ☒ No
2. If "Yes," list relative(s) and criminal involvement. (Attach extra reports or extra sheet(s) of paper if necessary.)

Full Name	Relationship	Involvement

**Part 6. Certification.**

I am the head of the agency listed in Part 2 or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in Part 1 is or has been a victim of one or more of the crimes listed in Part 3. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Signature of Certifying Official Identified in Part 2.

Date (mm/dd/yyyy)

# EXHIBIT D

OMB No. 1615-0104; Expires 08/31/2010

Department of Homeland Security  
U.S. Citizenship and Immigration Services

**I-918 Supplement B,  
U Nonimmigrant Status Certification**

**START HERE - Please type or print in black ink.**

**Part 1. Victim information.**

Family Name  Given Name  Middle Name   
Perez Umana Rafael Antonlo

Other Names Used (Include maiden name/nickname)

Date of Birth (mm/dd/yyyy)

10/27/1979

Gender



Male



Female

**Part 2. Agency information.**

Name of Certifying Agency

Federal Judge

Name of Certifying Official

Hon. David T. Bristow

Title and Division/Office of Certifying Official

Magistrate Judge, Central District of California, E.D.

Name of Head of Certifying Agency

N/A

Agency Address - Street Number and Name

Suite #

3470 Twelfth Street

City

Riverside

State/Province

CA

Zip/Postal Code

92501

Daytime Phone # (with area code and/or extension)

Fax # (with area code)

Agency Type



Federal



State



Local

Case Status



On-going



Completed



Other

Certifying Agency Category



Judge



Law Enforcement



Prosecutor



Other

Case Number

2:10-cr-01057-ODW (C.D. Cal. 2010)

FBI # or SID # (if applicable)

**For USCIS Use Only.**

Returned	Receipt
Date	
Date	
Resubmitted	
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Reloc Sent	
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Reloc Rec'd	
Date	
Date	

Remarks

**Part 3. Criminal acts.**

I. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. (Check all that apply.)

- |  |   |   |   |
|--|---|---|---|
| <input type="checkbox"/> Abduction                                 | <input type="checkbox"/> Female Genital Mutilation                    | <input type="checkbox"/> Obstruction of Justice                         | <input type="checkbox"/> Slave Trade  |
| <input type="checkbox"/> Abusive Sexual Contact                    | <input checked="" type="checkbox"/> Hostage                           | <input type="checkbox"/> Peonage  | <input type="checkbox"/> Torture  |
| <input type="checkbox"/> Blackmail                                 | <input type="checkbox"/> Incest                                       | <input type="checkbox"/> Perjury  | <input type="checkbox"/> Trafficking  |
| <input type="checkbox"/> Domestic Violence                         | <input type="checkbox"/> Involuntary Servitude                        | <input type="checkbox"/> Prostitution                                   | <input type="checkbox"/> Unlawful Criminal Restraint                                    |
| <input type="checkbox"/> Extortion                                 | <input type="checkbox"/> Kidnapping                                   | <input type="checkbox"/> Rape   | <input type="checkbox"/> Witness Tampering  |
| <input type="checkbox"/> False Imprisonment                        | <input type="checkbox"/> Manslaughter                                 | <input type="checkbox"/> Sexual Assault                                 | <input type="checkbox"/> Related Crime(s)   |
| <input type="checkbox"/> Felonious Assault                         | <input type="checkbox"/> Murder                                       | <input type="checkbox"/> Sexual Exploitation                            | <input type="checkbox"/> Other: (If more space needed, attach separate sheet of paper.) |
| <input type="checkbox"/> Attempt to commit any of the named crimes | <input type="checkbox"/> Conspiracy to commit any of the named crimes | <input type="checkbox"/> Solicitation to commit any of the named crimes |   |



**Part 3. Criminal acts.** (Continued.)

2. Provide the date(s) on which the criminal activity occurred.

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

09/07/2010 and dates prior

3. List the statutory citation(s) for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

Criminal charges filed under 8 U.S.C. 1324(a)(1)(A)(v)(I) and 8 U.S.C. 1324(a)(1)(A)(III), (a)(1)(B)(I)

4. Did the criminal activity occur in the United States, including Indian country and military installations, or the territories or possessions of the United States?

☒ Yes ☐ No

- a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute?

☐ Yes ☒ No

- b. If "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

- c. Where did the criminal activity occur?

Riverside, California

5. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the individual named in Part 1. Attach copies of all relevant reports and findings.

Applicant is a material witness in the criminal matter USA v. Santis-Hernandez, et al., 2:10-cr-01057-ODW (C.D. Cal. 2010), involving charges for conspiracy to harbor and transport illegal aliens and harboring illegal aliens for financial gain. Applicant possesses information material to these charges and whether he was held hostage when he was detained against his will while Defendants sought ransom or payment of fees from her family.

6. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

Applicant was locked in a small windowless room for approximately ten days without adequate food or water under threats of violence for making noise or attempting to escape.

**Part 4. Helpfulness of the victim.**

The victim (or parent, guardian or next friend, if the victim is under the age of 16, incompetent or incapacitated.):

1. Possesses information concerning the criminal activity listed in Part 3. ☒ Yes ☐ No
2. Has been, is being or is likely to be helpful in the investigation and/or prosecution of the criminal activity detailed above. (Attach an explanation briefly detailing the assistance the victim has provided.) ☒ Yes ☐ No
3. Has not been requested to provide further assistance in the investigation and/or prosecution. (Example: prosecution is barred by the statute of limitation.) (Attach an explanation.) ☐ Yes ☒ No
4. Has unreasonably refused to provide assistance in a criminal investigation and/or prosecution of the crime detailed above. (Attach an explanation.) ☐ Yes ☒ No

**Part 4. Helpfulness of the victim.** (Continued.)

## 5. Other, please specify.

Applicant is a material witness in the criminal matter. As such his witness testimony is material to the criminal matter and the prosecution. Applicant provided information helpful to the criminal investigation. As a material witness, he may be required to continue to provide information and to testify in the criminal case.

**Part 5. Family members implicated in criminal activity.**

1. Are any of the victim's family members believed to have been involved in the criminal activity of which he or she is a victim? ☐ Yes ☒ No

2. If "Yes," list relative(s) and criminal involvement. (Attach extra reports or extra sheet(s) of paper if necessary.)

Full Name	Relationship	Involvement

**Part 6. Certification.**

I am the head of the agency listed in Part 2 or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in Part 1 is or has been a victim of one or more of the crimes listed in Part 3. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Signature of Certifying Official Identified in Part 2.

Date (mm/dd/yyyy)

# EXHIBIT E

Department of Homeland Security  
U.S. Citizenship and Immigration Services

OMB No. 1615-0104: Expires 08/31/2010

**I-918 Supplement B,  
U Nonimmigrant Status Certification**

**START HERE - Please type or print in black ink.**

**Part 1. Victim information.**

Family Name	Given Name	Middle Name
Arrevalo	Rafael	
Other Names Used (Include maiden name/nickname)		
Date of Birth (mm/dd/yyyy)	Gender	
05/30/1975	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	

**Part 2. Agency information.**

Name of Certifying Agency		
Federal Judge		
Name of Certifying Official	Title and Division/Office of Certifying Official	
Hon. David T. Bristow	Magistrate Judge, Central District of California, E.D.	
Name of Head of Certifying Agency		
N/A		
Agency Address - Street Number and Name		Suite #
3470 Twelfth Street		
City	State/Province	Zip/Postal Code
Riverside	CA	92501
Daytime Phone # (with area code and/or extension)		Fax # (with area code)
Agency Type		
<input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local		
Case Status		
<input checked="" type="checkbox"/> On-going <input type="checkbox"/> Completed <input type="checkbox"/> Other		
Certifying Agency Category		
<input checked="" type="checkbox"/> Judge <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Prosecutor <input type="checkbox"/> Other		
Case Number	FBI # or SID # (if applicable)	
2:10-cr-01057-ODW (C.D. Cal. 2010)		

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Returned	Receipt
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**Remarks**

**Part 3. Criminal acts.**

1. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. (Check all that apply.)

<input type="checkbox"/> Abduction	<input type="checkbox"/> Female Genital Mutilation	<input type="checkbox"/> Obstruction of Justice	<input type="checkbox"/> Slave Trade
<input type="checkbox"/> Abusive Sexual Contact	<input checked="" type="checkbox"/> Hostage	<input type="checkbox"/> Peonage	<input type="checkbox"/> Torture
<input type="checkbox"/> Blackmail	<input type="checkbox"/> Incest	<input type="checkbox"/> Perjury	<input type="checkbox"/> Trafficking
<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Involuntary Servitude	<input type="checkbox"/> Prostitution	<input type="checkbox"/> Unlawful Criminal Restraint
<input type="checkbox"/> Extortion	<input type="checkbox"/> Kidnapping	<input type="checkbox"/> Rape	<input type="checkbox"/> Witness Tampering
<input type="checkbox"/> False Imprisonment	<input type="checkbox"/> Manslaughter	<input type="checkbox"/> Sexual Assault	<input type="checkbox"/> Related Crime(s)
<input type="checkbox"/> Felonious Assault	<input type="checkbox"/> Murder	<input type="checkbox"/> Sexual Exploitation	<input type="checkbox"/> Other: (If more space needed, attach separate sheet of paper.)
<input type="checkbox"/> Attempt to commit any of the named crimes	<input type="checkbox"/> Conspiracy to commit any of the named crimes	<input type="checkbox"/> Solicitation to commit any of the named crimes	

**Part 3. Criminal acts.** (Continued.)

2. Provide the date(s) on which the criminal activity occurred.

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

09/07/2010 and dates prior

3. List the statutory citation(s) for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

Criminal charges filed under 8 U.S.C. 1324(a)(1)(A)(v)(I) and 8 U.S.C. 1324(a)(1)(A)(iii), (a)(1)(B)(i)

4. Did the criminal activity occur in the United States, including Indian country and military installations, or the territories or possessions of the United States?

☒ Yes ☐ No

- a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute?

☐ Yes ☒ No

- b. If "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

- c. Where did the criminal activity occur?

Riverside, California

5. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the individual named in Part 1. Attach copies of all relevant reports and findings.

Applicant is a material witness in the criminal matter USA v. Santis-Hernandez, et al., 2:10-cr-01057-ODW (C.D. Cal. 2010), involving charges for conspiracy to harbor and transport illegal aliens and harboring illegal aliens for financial gain. Applicant possesses information material to these charges and whether he was held hostage when he was detained against his will while Defendants sought ransom or payment of fees from her family.

6. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

Applicant was locked in a small windowless room for approximately eight days without adequate food or water under threats of violence for making noise or attempting to escape.

**Part 4. Helpfulness of the victim.**

The victim (or parent, guardian or next friend, if the victim is under the age of 16, incompetent or incapacitated.):

1. Possesses information concerning the criminal activity listed in Part 3.
- ☒
- Yes
- ☐
- No

2. Has been, is being or is likely to be helpful in the investigation and/or prosecution of the criminal activity detailed above. (Attach an explanation briefly detailing the assistance the victim has provided.)

☒ Yes ☐ No

3. Has not been requested to provide further assistance in the investigation and/or prosecution. (Example: prosecution is barred by the statute of limitation.) (Attach an explanation.)

☐ Yes ☒ No

4. Has unreasonably refused to provide assistance in a criminal investigation and/or prosecution of the crime detailed above. (Attach an explanation.)

☐ Yes ☒ No

**Part 4. Helpfulness of the victim. (Continued.)**

## 5. Other, please specify.

Applicant is a material witness in the criminal matter. As such his witness testimony is material to the criminal matter and the prosecution. Applicant provided information helpful to the criminal investigation. As a material witness, he may be required to continue to provide information and to testify in the criminal case.

**Part 5. Family members implicated in criminal activity.**

1. Are any of the victim's family members believed to have been involved in the criminal activity of which he or she is a victim? ☐ Yes ☒ No
2. If "Yes," list relative(s) and criminal involvement. (Attach extra reports or extra sheet(s) of paper if necessary.)

Full Name	Relationship	Involvement

**Part 6. Certification.**

I am the head of the agency listed in Part 2 or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in Part 1 is or has been a victim of one or more of the crimes listed in Part 3. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Signature of Certifying Official Identified in Part 2.

Date (mm/dd/yyyy)

# EXHIBIT F

Department of Homeland Security  
U.S. Citizenship and Immigration Services

OMB No. 1615-0104; Expires 08/31/2010

# I-918 Supplement B, U Nonimmigrant Status Certification

**START HERE - Please type or print in black ink.**

## Part 1: Victim information.

Family Name	Given Name	Middle Name
Romero Guido	Ana	
Other Names Used (Include maiden name/nickname)		
Date of Birth (mm/dd/yyyy)	Gender	
06/18/1981	<input type="checkbox"/> Male <input checked="" type="checkbox"/> Female	

## Part 2: Agency information.

Name of Certifying Agency		
Federal Judge		
Name of Certifying Official	Title and Division/Office of Certifying Official	
Hon. David T. Bristow	Magistrate Judge, Central District of California, E.D.	
Name of Head of Certifying Agency		
N/A		
Agency Address - Street Number and Name		
3470 Twelfth Street		
City	State/Province	Zip/Postal Code
Riverside	CA	92501
Daytime Phone # (with area code and/or extension)		Fax # (with area code)
Agency Type		
<input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local		
Case Status		
<input checked="" type="checkbox"/> On-going <input type="checkbox"/> Completed <input type="checkbox"/> Other		
Certifying Agency Category		
<input checked="" type="checkbox"/> Judge <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Prosecutor <input type="checkbox"/> Other		
Case Number		FBI # or SID # (if applicable)
2:10-cr-01057-ODW (C.D. Cal. 2010)		

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## Part 3: Criminal acts.

I. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. (Check all that apply.)

<input type="checkbox"/> Abduction	<input type="checkbox"/> Female Genital Mutilation	<input type="checkbox"/> Obstruction of Justice	<input type="checkbox"/> Slave Trade
<input checked="" type="checkbox"/> Abusive Sexual Contact	<input checked="" type="checkbox"/> Hostage	<input type="checkbox"/> Peonage	<input type="checkbox"/> Torture
<input type="checkbox"/> Blackmail	<input type="checkbox"/> Incest	<input type="checkbox"/> Perjury	<input type="checkbox"/> Trafficking
<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Involuntary Servitude	<input type="checkbox"/> Prostitution	<input type="checkbox"/> Unlawful Criminal Restraint
<input type="checkbox"/> Extortion	<input type="checkbox"/> Kidnapping	<input type="checkbox"/> Rape	<input type="checkbox"/> Witness Tampering
<input type="checkbox"/> False Imprisonment	<input type="checkbox"/> Manslaughter	<input type="checkbox"/> Sexual Assault	<input type="checkbox"/> Related Crime(s)
<input type="checkbox"/> Felonious Assault	<input type="checkbox"/> Murder	<input type="checkbox"/> Sexual Exploitation	<input type="checkbox"/> Other: (If more space needed, attach separate sheet of paper.)
<input type="checkbox"/> Attempt to commit any of the named crimes	<input type="checkbox"/> Conspiracy to commit any of the named crimes	<input type="checkbox"/> Solicitation to commit any of the named crimes	



**Part 3. Criminal acts.** (Continued.)

2. Provide the date(s) on which the criminal activity occurred.

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

09/07/2010 and dates prior

3. List the statutory citation(s) for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

Criminal charges filed under 8 U.S.C. 1324(a)(1)(A)(v)(I) and 8 U.S.C. 1324(a)(1)(A)(iii), (a)(1)(B)(i)

4. Did the criminal activity occur in the United States, including Indian country and military installations, or the territories or possessions of the United States?

☒ Yes ☐ No

- a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute?

☐ Yes ☒ No

- b. If "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

- c. Where did the criminal activity occur?

Riverside, California

5. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the individual named in Part 1. Attach copies of all relevant reports and findings.

Applicant is a material witness in the criminal matter USA v. Santis-Hernandez, et al., 2:10-cr-01057-ODW (C.D. Cal. 2010), involving charges for conspiracy to harbor and transport illegal aliens and harboring illegal aliens for financial gain. Applicant possesses information material to these charges and whether she was held hostage when she was detained against her will while Defendants sought ransom or payment of fees from her family. Applicant also possesses information material to whether she was subjected to abusive sexual contact by Defendants.

6. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

According to the criminal complaint, Applicant was locked in a small windowless room for seven days without adequate food or water under threats of violence for making noise or attempting to escape. Applicant was also subjected to unwanted sexual touching by one of the Defendants.

**Part 4. Helpfulness of the victim.**

The victim (or parent, guardian or next friend, if the victim is under the age of 16, incompetent or incapacitated.):

1. Possesses information concerning the criminal activity listed in Part 3.
- ☒
- Yes
- ☐
- No

2. Has been, is being or is likely to be helpful in the investigation and/or prosecution of the criminal activity detailed above. (Attach an explanation briefly detailing the assistance the victim has provided.)

☒ Yes ☐ No

3. Has not been requested to provide further assistance in the investigation and/or prosecution. (Example: prosecution is barred by the statute of limitation.) (Attach an explanation.)

☐ Yes ☒ No

4. Has unreasonably refused to provide assistance in a criminal investigation and/or prosecution of the crime detailed above. (Attach an explanation.)

☐ Yes ☒ No

**Part 4. Helpfulness of the victim. (Continued.)**

## 5. Other, please specify.

Applicant is a material witness in the criminal matter. As such her witness testimony is material to the criminal matter and the prosecution. Applicant provided information helpful to the criminal investigation. As a material witness, she may be required to continue to provide information and to testify in the criminal case.

**Part 5. Family members implicated in criminal activity.**

1. Are any of the victim's family members believed to have been involved in the criminal activity of which he or she is a victim?

☐ Yes☒ No

2. If "Yes," list relative(s) and criminal involvement. (Attach extra reports or extra sheet(s) of paper if necessary.)

Full Name	Relationship	Involvement

**Part 6. Certification.**

I am the head of the agency listed in Part 2 or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in Part 1 is or has been a victim of one or more of the crimes listed in Part 3. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Signature of Certifying Official Identified in Part 2.

Date (mm/dd/yyyy)

# EXHIBIT G

OMB No. 1615-0104: Expires 08/31/2010

Department of Homeland Security  
U.S. Citizenship and Immigration Services

# I-918 Supplement B, U Nonimmigrant Status Certification

START HERE - Please type or print in black ink.

**Part 1. Victim information.**

Family Name	Given Name	Middle Name
Tenelema-Tamay	Segundo Benjamin	
Other Names Used (Include maiden name/nickname)		
Date of Birth (mm/dd/yyyy)	Gender	
01/03/1984	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	

**Part 2. Agency information.**

Name of Certifying Agency		
Federal Judge		
Name of Certifying Official	Title and Division/Office of Certifying Official	
Hon. David T. Bristow	Magistrate Judge, Central District of California, E.D.	
Name of Head of Certifying Agency		
N/A		
Agency Address - Street Number and Name		Suite #
3470 Twelfth Street		
City	State/Province	Zip/Postal Code
Riverside	CA	92501
Daytime Phone # (with area code and/or extension)		Fax # (with area code)
Agency Type		
<input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local		
Case Status		
<input checked="" type="checkbox"/> On-going <input type="checkbox"/> Completed <input type="checkbox"/> Other		
Certifying Agency Category		
<input checked="" type="checkbox"/> Judge <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Prosecutor <input type="checkbox"/> Other		
Case Number	FBI # or SID # (if applicable)	
2:10-cr-01057-ODW (C.D. Cal. 2010)		

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**Part 3. Criminal acts.**

1. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. (Check all that apply.)

<input type="checkbox"/> Abduction	<input type="checkbox"/> Female Genital Mutilation	<input type="checkbox"/> Obstruction of Justice	<input type="checkbox"/> Slave Trade
<input type="checkbox"/> Abusive Sexual Contact	<input checked="" type="checkbox"/> Hostage	<input type="checkbox"/> Peonage	<input type="checkbox"/> Torture
<input type="checkbox"/> Blackmail	<input type="checkbox"/> Incest	<input type="checkbox"/> Perjury	<input type="checkbox"/> Trafficking
<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Involuntary Servitude	<input type="checkbox"/> Prostitution	<input type="checkbox"/> Unlawful Criminal Restraint
<input type="checkbox"/> Extortion	<input type="checkbox"/> Kidnapping	<input type="checkbox"/> Rape	<input type="checkbox"/> Witness Tampering
<input type="checkbox"/> False Imprisonment	<input type="checkbox"/> Manslaughter	<input type="checkbox"/> Sexual Assault	<input type="checkbox"/> Related Crime(s)
<input type="checkbox"/> Felonious Assault	<input type="checkbox"/> Murder	<input type="checkbox"/> Sexual Exploitation	<input type="checkbox"/> Other: (If more space needed, attach separate sheet of paper.)
<input type="checkbox"/> Attempt to commit any of the named crimes	<input type="checkbox"/> Conspiracy to commit any of the named crimes	<input type="checkbox"/> Solicitation to commit any of the named crimes	

**Part 3. Criminal acts.** (Continued.)

2. Provide the date(s) on which the criminal activity occurred.

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

09/07/2010 and dates prior

3. List the statutory citation(s) for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

Criminal charges filed under 8 U.S.C. 1324(a)(1)(A)(v)(I) and 8 U.S.C. 1324(a)(1)(A)(iii), (a)(1)(B)(i)

4. Did the criminal activity occur in the United States, including Indian country and military installations, or the territories or possessions of the United States?

☒ Yes ☐ No

- a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute?

☐ Yes ☒ No

- b. If "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

- c. Where did the criminal activity occur?

Riverside, California

5. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the individual named in Part 1. Attach copies of all relevant reports and findings.

Applicant is a material witness in the criminal matter USA v. Santis-Hernandez, et al., 2:10-cr-01057-ODW (C.D. Cal. 2010), involving charges for conspiracy to harbor and transport illegal aliens and harboring illegal aliens for financial gain. Applicant possesses information material to these charges and whether he was held hostage when he was detained against his will while Defendants sought ransom or payment of fees from her family.

6. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

Applicant was locked in a small windowless room for approximately eight days without adequate food or water under threats of violence for making noise or attempting to escape.

**Part 4. Helpfulness of the victim.**

The victim (or parent, guardian or next friend, if the victim is under the age of 16, incompetent or incapacitated.):

1. Possesses information concerning the criminal activity listed in Part 3. ☒ Yes ☐ No
2. Has been, is being or is likely to be helpful in the investigation and/or prosecution of the criminal activity detailed above. (Attach an explanation briefly detailing the assistance the victim has provided.) ☒ Yes ☐ No
3. Has not been requested to provide further assistance in the investigation and/or prosecution. (Example: prosecution is barred by the statute of limitation.) (Attach an explanation.) ☐ Yes ☒ No
4. Has unreasonably refused to provide assistance in a criminal investigation and/or prosecution of the crime detailed above. (Attach an explanation.) ☐ Yes ☒ No

**Part 4. Helpfulness of the victim.***(Continued.)*

## 5. Other, please specify.

Applicant is a material witness in the criminal matter. As such his witness testimony is material to the criminal matter and the prosecution. Applicant provided information helpful to the criminal investigation. As a material witness, he may be required to continue to provide information and to testify in the criminal case.

**Part 5. Family members implicated in criminal activity.**

1. Are any of the victim's family members believed to have been involved in the criminal activity of which he or she is a victim?

☐ Yes☒ No

2. If "Yes," list relative(s) and criminal involvement. *(Attach extra reports or extra sheet(s) of paper if necessary.)*

Full Name	Relationship	Involvement

**Part 6. Certification.**

I am the head of the agency listed in Part 2 or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in Part 1 is or has been a victim of one or more of the crimes listed in Part 3. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Signature of Certifying Official Identified in Part 2.

Date (mm/dd/yyyy)

# EXHIBIT H

OMB No. 1615-0104; Expires 08/31/2010

Department of Homeland Security  
U.S. Citizenship and Immigration Services

**I-918 Supplement B,  
U Nonimmigrant Status Certification**

**START HERE - Please type or print in black ink.****Part 1. Victim information.**

Family Name	Given Name	Middle Name
Garcia Tejada	Elmer Salvador	
Other Names Used (Include maiden name/nickname)		
Date of Birth (mm/dd/yyyy)	Gender	
03/28/1989	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	

**Part 2. Agency information.**

Name of Certifying Agency		
Federal Judge		
Name of Certifying Official	Title and Division/Office of Certifying Official	
Hon. David T. Bristow	Magistrate Judge, Central District of California, E.D.	
Name of Head of Certifying Agency		
N/A		
Agency Address - Street Number and Name		Suite #
3470 Twelfth Street		
City	State/Province	Zip/Postal Code
Riverside	CA	92501
Daytime Phone # (with area code and/or extension)		Fax # (with area code)
Agency Type		
<input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local		
Case Status		
<input checked="" type="checkbox"/> On-going <input type="checkbox"/> Completed <input type="checkbox"/> Other		
Certifying Agency Category		
<input checked="" type="checkbox"/> Judge <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Prosecutor <input type="checkbox"/> Other		
Case Number	FBI # or SID # (if applicable)	
2:10-cr-01057-ODW (C.D. Cal. 2010)		

**For USCIS Use Only.**

Returned	Receipt
Date	
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Remarks	

**Part 3. Criminal acts.**

1. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. (Check all that apply.)

<input type="checkbox"/> Abduction	<input type="checkbox"/> Female Genital Mutilation	<input type="checkbox"/> Obstruction of Justice	<input type="checkbox"/> Slave Trade
<input type="checkbox"/> Abusive Sexual Contact	<input checked="" type="checkbox"/> Hostage	<input type="checkbox"/> Peonage	<input type="checkbox"/> Torture
<input type="checkbox"/> Blackmail	<input type="checkbox"/> Incest	<input type="checkbox"/> Perjury	<input type="checkbox"/> Trafficking
<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Involuntary Servitude	<input type="checkbox"/> Prostitution	<input type="checkbox"/> Unlawful Criminal Restraint
<input type="checkbox"/> Extortion	<input type="checkbox"/> Kidnapping	<input type="checkbox"/> Rape	<input type="checkbox"/> Witness Tampering
<input type="checkbox"/> False Imprisonment	<input type="checkbox"/> Manslaughter	<input type="checkbox"/> Sexual Assault	<input type="checkbox"/> Related Crime(s)
<input type="checkbox"/> Felonious Assault	<input type="checkbox"/> Murder	<input type="checkbox"/> Sexual Exploitation	<input type="checkbox"/> Other: (If more space needed, attach separate sheet of paper.)
<input type="checkbox"/> Attempt to commit any of the named crimes	<input type="checkbox"/> Conspiracy to commit any of the named crimes	<input type="checkbox"/> Solicitation to commit any of the named crimes	



**Part 3. Criminal acts.** (Continued.)

2. Provide the date(s) on which the criminal activity occurred.

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

09/07/2010 and dates prior

3. List the statutory citation(s) for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

Criminal charges filed under 8 U.S.C. 1324(a)(1)(A)(v)(I) and 8 U.S.C. 1324(a)(1)(A)(iii), (a)(1)(B)(i)

4. Did the criminal activity occur in the United States, including Indian country and military installations, or the territories or possessions of the United States?

☒ Yes ☐ No

- a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute?

☐ Yes ☒ No

- b. If "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

- c. Where did the criminal activity occur?

Riverside, California

5. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the individual named in Part 1. Attach copies of all relevant reports and findings.

Applicant is a material witness in the criminal matter USA v. Santis-Hernandez, et al., 2:10-cr-01057-ODW (C.D. Cal. 2010), involving charges for conspiracy to harbor and transport illegal aliens and harboring illegal aliens for financial gain. Applicant possesses information material to these charges and whether he was held hostage when he was detained against his will while Defendants sought ransom or payment of fees from her family.

6. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

Applicant was locked in a small windowless room for approximately six days without adequate food or water under threats of violence for making noise or attempting to escape.

**Part 4. Helpfulness of the victim.**

The victim (or parent, guardian or next friend, if the victim is under the age of 16, incompetent or incapacitated.):

1. Possesses information concerning the criminal activity listed in Part 3.

☒ Yes ☐ No

2. Has been, is being or is likely to be helpful in the investigation and/or prosecution of the criminal activity detailed above. (Attach an explanation briefly detailing the assistance the victim has provided.)

☒ Yes ☐ No

3. Has not been requested to provide further assistance in the investigation and/or prosecution. (Example: prosecution is barred by the statute of limitation.) (Attach an explanation.)

☐ Yes ☒ No

4. Has unreasonably refused to provide assistance in a criminal investigation and/or prosecution of the crime detailed above. (Attach an explanation.)

☐ Yes ☒ No

**Part 4. Helpfulness of the victim. (Continued.)**

## 5. Other, please specify.

Applicant is a material witness in the criminal matter. As such his witness testimony is material to the criminal matter and the prosecution. Applicant provided information helpful to the criminal investigation. As a material witness, he may be required to continue to provide information and to testify in the criminal case.

**Part 5. Family members implicated in criminal activity.**

1. Are any of the victim's family members believed to have been involved in the criminal activity of which he or she is a victim? ☐ Yes ☒ No
2. If "Yes," list relative(s) and criminal involvement. (Attach extra reports or extra sheet(s) of paper if necessary.)

Full Name	Relationship	Involvement

**Part 6. Certification.**

I am the head of the agency listed in Part 2 or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in Part 1 is or has been a victim of one or more of the crimes listed in Part 3. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Signature of Certifying Official Identified in Part 2.

Date (mm/dd/yyyy)

# EXHIBIT I

OMB No. 1615-0104; Expires 08/31/2010

Department of Homeland Security  
U.S. Citizenship and Immigration Services

# **I-918 Supplement B, U Nonimmigrant Status Certification**

**START HERE - Please type or print in black ink.****Part 1. Victim information.**

Family Name	Given Name	Middle Name
Molina Rosales	Rogelio	
Other Names Used (Include maiden name/nickname)		
Date of Birth (mm/dd/yyyy)	Gender	
01/31/1991	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	

**Part 2. Agency information.**

Name of Certifying Agency		
Federal Judge		
Name of Certifying Official	Title and Division/Office of Certifying Official	
Hon. David T. Bristow	Magistrate Judge, Central District of California, E.D.	
Name of Head of Certifying Agency		
N/A		
Agency Address - Street Number and Name		Suite #
3470 Twelfth Street		
City	State/Province	Zip/Postal Code
Riverside	CA	92501
Daytime Phone # (with area code and/or extension)		Fax # (with area code)
Agency Type		
<input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local		
Case Status		
<input checked="" type="checkbox"/> On-going <input type="checkbox"/> Completed <input type="checkbox"/> Other		
Certifying Agency Category		
<input checked="" type="checkbox"/> Judge <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Prosecutor <input type="checkbox"/> Other		
Case Number		FBI # or SID # (if applicable)
2:10-cr-01057-ODW (C.D. Cal. 2010)		

**For USCIS Use Only.**

Returned	Receipt
Date	
Date	
Resubmitted	
Date	
Date	
Reloc Sent	Remarks
Date	
Date	
Reloc Rec'd	
Date	
Date	

**Part 3. Criminal acts.**

1. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. (Check all that apply.)

- |  |   |   |   |
|--|---|---|---|
| <input type="checkbox"/> Abduction                                 | <input type="checkbox"/> Female Genital Mutilation                    | <input type="checkbox"/> Obstruction of Justice                         | <input type="checkbox"/> Slave Trade  |
| <input type="checkbox"/> Abusive Sexual Contact                    | <input checked="" type="checkbox"/> Hostage                           | <input type="checkbox"/> Peonage  | <input type="checkbox"/> Torture  |
| <input type="checkbox"/> Blackmail                                 | <input type="checkbox"/> Incest                                       | <input type="checkbox"/> Perjury  | <input type="checkbox"/> Trafficking  |
| <input type="checkbox"/> Domestic Violence                         | <input type="checkbox"/> Involuntary Servitude                        | <input type="checkbox"/> Prostitution                                   | <input type="checkbox"/> Unlawful Criminal Restraint                                    |
| <input type="checkbox"/> Extortion                                 | <input type="checkbox"/> Kidnapping                                   | <input type="checkbox"/> Rape   | <input type="checkbox"/> Witness Tampering  |
| <input type="checkbox"/> False Imprisonment                        | <input type="checkbox"/> Manslaughter                                 | <input type="checkbox"/> Sexual Assault                                 | <input type="checkbox"/> Related Crime(s)   |
| <input type="checkbox"/> Felonious Assault                         | <input type="checkbox"/> Murder                                       | <input type="checkbox"/> Sexual Exploitation                            | <input type="checkbox"/> Other: (If more space needed, attach separate sheet of paper.) |
| <input type="checkbox"/> Attempt to commit any of the named crimes | <input type="checkbox"/> Conspiracy to commit any of the named crimes | <input type="checkbox"/> Solicitation to commit any of the named crimes |   |

**Part 3. Criminal acts.** (Continued.)

2. Provide the date(s) on which the criminal activity occurred.

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

09/07/2010 and dates prior

3. List the statutory citation(s) for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

Criminal charges filed under 8 U.S.C. 1324(a)(1)(A)(v)(I) and 8 U.S.C. 1324(a)(1)(A)(III), (a)(1)(B)(I)

4. Did the criminal activity occur in the United States, including Indian country and military installations, or the territories or possessions of the United States?

☒ Yes ☐ No

- a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute?

☐ Yes ☒ No

- b. If "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

- c. Where did the criminal activity occur?

Riverside, California

5. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the individual named in Part 1. Attach copies of all relevant reports and findings.

Applicant is a material witness in the criminal matter USA v. Santis-Hernandez, et al., 2:10-cr-01057-ODW (C.D. Cal. 2010), involving charges for conspiracy to harbor and transport illegal aliens and harboring illegal aliens for financial gain. Applicant possesses information material to these charges and whether he was held hostage when he was detained against his will while Defendants sought ransom or payment of fees from her family.

6. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

Applicant was locked in a small windowless room for approximately five days without adequate food or water under threats of violence for making noise or attempting to escape.

**Part 4. Helpfulness of the victim.**

The victim (or parent, guardian or next friend, if the victim is under the age of 16, incompetent or incapacitated.):

1. Possesses information concerning the criminal activity listed in Part 3.
- ☒
- Yes
- ☐
- No

2. Has been, is being or is likely to be helpful in the investigation and/or prosecution of the criminal activity detailed above. (Attach an explanation briefly detailing the assistance the victim has provided.)

☒ Yes ☐ No

3. Has not been requested to provide further assistance in the investigation and/or prosecution. (Example: prosecution is barred by the statute of limitation.) (Attach an explanation.)

☐ Yes ☒ No

4. Has unreasonably refused to provide assistance in a criminal investigation and/or prosecution of the crime detailed above. (Attach an explanation.)

☐ Yes ☒ No

**Part 4. Helpfulness of the victim. (Continued.)****5. Other, please specify.**

Applicant is a material witness in the criminal matter. As such his witness testimony is material to the criminal matter and the prosecution. Applicant provided information helpful to the criminal investigation. As a material witness, he may be required to continue to provide information and to testify in the criminal case.

**Part 5. Family members implicated in criminal activity.**

1. Are any of the victim's family members believed to have been involved in the criminal activity of which he or she is a victim? ☐ Yes ☒ No

2. If "Yes," list relative(s) and criminal involvement. (Attach extra reports or extra sheet(s) of paper if necessary.)

Full Name	Relationship	Involvement

**Part 6. Certification.**

I am the head of the agency listed in Part 2 or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in Part 1 is or has been a victim of one or more of the crimes listed in Part 3. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Signature of Certifying Official Identified in Part 2.

Date (mm/dd/yyyy)

# EXHIBIT

## J

OMB No. 1615-0104; Expires 08/31/2010

Department of Homeland Security  
U.S. Citizenship and Immigration Services**I-918 Supplement B,  
U Nonimmigrant Status Certification****START HERE - Please type or print in black ink.****Part 1. Victim information.**

Family Name	Given Name	Middle Name
Penado	Cesar Ernesto	
Other Names Used (Include maiden name/nickname)		
Date of Birth (mm/dd/yyyy)	Gender	
03/24/1986	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	

**Part 2. Agency information.**

Name of Certifying Agency		
Federal Judge		
Name of Certifying Official	Title and Division/Office of Certifying Official	
Hon. David T. Bristow	Magistrate Judge, Central District of California, E.D.	
Name of Head of Certifying Agency		
N/A		
Agency Address - Street Number and Name		
3470 Twelfth Street		
City	State/Province	Zip/Postal Code
Riverside	CA	92501
Daytime Phone # (with area code and/or extension)		Fax # (with area code)
Agency Type		
<input checked="" type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Local		
Case Status		
<input checked="" type="checkbox"/> On-going <input type="checkbox"/> Completed <input type="checkbox"/> Other		
Certifying Agency Category		
<input checked="" type="checkbox"/> Judge <input type="checkbox"/> Law Enforcement <input type="checkbox"/> Prosecutor <input type="checkbox"/> Other		
Case Number		FBI # or SID # (if applicable)
2:10-cr-01057-ODW (C.D. Cal. 2010)		

**For USCIS Use Only.**

Returned	Receipt
Date	
Date	
Resubmitted	
Date	
Date	
Reloc Sent	
Date	
Date	Remarks
Reloc Rec'd	
Date	
Date	

**Part 3. Criminal acts.**

1. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. (Check all that apply.)

<input type="checkbox"/> Abduction	<input type="checkbox"/> Female Genital Mutilation	<input type="checkbox"/> Obstruction of Justice	<input type="checkbox"/> Slave Trade
<input type="checkbox"/> Abusive Sexual Contact	<input checked="" type="checkbox"/> Hostage	<input type="checkbox"/> Peonage	<input type="checkbox"/> Torture
<input type="checkbox"/> Blackmail	<input type="checkbox"/> Incest	<input type="checkbox"/> Perjury	<input type="checkbox"/> Trafficking
<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Involuntary Servitude	<input type="checkbox"/> Prostitution	<input type="checkbox"/> Unlawful Criminal Restraint
<input type="checkbox"/> Extortion	<input type="checkbox"/> Kidnapping	<input type="checkbox"/> Rape	<input type="checkbox"/> Witness Tampering
<input type="checkbox"/> False Imprisonment	<input type="checkbox"/> Manslaughter	<input type="checkbox"/> Sexual Assault	<input type="checkbox"/> Related Crime(s)
<input type="checkbox"/> Felonious Assault	<input type="checkbox"/> Murder	<input type="checkbox"/> Sexual Exploitation	<input type="checkbox"/> Other: (If more space needed, attach separate sheet of paper.)
<input type="checkbox"/> Attempt to commit any of the named crimes	<input type="checkbox"/> Conspiracy to commit any of the named crimes	<input type="checkbox"/> Solicitation to commit any of the named crimes	



**Part 3. Criminal acts. (Continued.)**

2. Provide the date(s) on which the criminal activity occurred.

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

09/07/2010 and dates prior

3. List the statutory citation(s) for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

Criminal charges filed under 8 U.S.C. 1324(a)(1)(A)(v)(I) and 8 U.S.C. 1324(a)(1)(A)(iii), (a)(1)(B)(i)

4. Did the criminal activity occur in the United States, including Indian country and military installations, or the territories or possessions of the United States?

☒ Yes ☐ No

- a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute?

☐ Yes ☒ No

- b. If "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

- c. Where did the criminal activity occur?

Riverside, California

5. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the individual named in Part 1. Attach copies of all relevant reports and findings.

Applicant is a material witness in the criminal matter USA v. Santis-Hernandez, et al., 2:10-cr-01057-ODW (C.D. Cal. 2010), involving charges for conspiracy to harbor and transport illegal aliens and harboring illegal aliens for financial gain. Applicant possesses information material to these charges and whether he was held hostage when he was detained against his will while Defendants sought ransom or payment of fees from her family.

6. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

Applicant was locked in a small windowless room for approximately five days without adequate food or water under threats of violence for making noise or attempting to escape.

**Part 4. Helpfulness of the victim.**

The victim (or parent, guardian or next friend, if the victim is under the age of 16, incompetent or incapacitated.):

1. Possesses information concerning the criminal activity listed in Part 3.

☒ Yes ☐ No

2. Has been, is being or is likely to be helpful in the investigation and/or prosecution of the criminal activity detailed above. (Attach an explanation briefly detailing the assistance the victim has provided.)

☒ Yes ☐ No

3. Has not been requested to provide further assistance in the investigation and/or prosecution. (Example: prosecution is barred by the statute of limitation.) (Attach an explanation.)

☐ Yes ☒ No

4. Has unreasonably refused to provide assistance in a criminal investigation and/or prosecution of the crime detailed above. (Attach an explanation.)

☐ Yes ☒ No

**Part 4. Helpfulness of the victim. (Continued.)****5. Other, please specify.**

Applicant is a material witness in the criminal matter. As such his witness testimony is material to the criminal matter and the prosecution. Applicant provided information helpful to the criminal investigation. As a material witness, he may be required to continue to provide information and to testify in the criminal case.

**Part 5. Family members implicated in criminal activity.**

1. Are any of the victim's family members believed to have been involved in the criminal activity of which he or she is a victim? ☐ Yes ☒ No

2. If "Yes," list relative(s) and criminal involvement. (Attach extra reports or extra sheet(s) of paper if necessary.)

Full Name	Relationship	Involvement

**Part 6. Certification.**

I am the head of the agency listed in Part 2 or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in Part 1 is or has been a victim of one or more of the crimes listed in Part 3. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Signature of Certifying Official Identified in Part 2.

Date (mm/dd/yyyy)

# EXHIBIT K

OMB No. 1615-0104; Expires 08/31/2010

Department of Homeland Security  
U.S. Citizenship and Immigration Services

## Instructions for I-918, Supplement B, U Nonimmigrant Status Certification

### Instructions

Please read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet(s) of paper. Write your name and Alien Registration Number (A #), if any, at the top of each sheet of paper and indicate the part and number of the item to which the answer refers.

#### What Is the Purpose of This Form?

You should use Form I-918, Supplement B, to certify that an individual submitting a Form I-918, Petition for U Nonimmigrant Status, is a victim of certain qualifying criminal activity and is, has been, or is likely to be helpful in the investigation or prosecution of that activity.

#### When Should I Use Form I-918, Supplement B?

If you, the certifying official, determine that this individual (better known as the petitioner) is, has been, or is likely to be helpful in your investigation or prosecution, you may complete this supplement form. The petitioner must then submit the supplement to USCIS with his or her petition for U nonimmigrant status.

**NOTE:** An agency's decision to provide a certification is entirely discretionary; the agency is under no legal obligation to complete a Form I-918, Supplement B, for any particular alien. However, without a completed Form I-918, Supplement B, the alien will be ineligible for U nonimmigrant status.

To be eligible for U nonimmigrant status, the alien must be a victim of qualifying criminal activity. The term "victim" generally means an alien who has suffered direct and proximate harm as a result of the commission of qualifying criminal activity.

The alien spouse, unmarried children under 21 years of age and, if the victim is under 21 years of age, parents and unmarried siblings under 18 years of age, will be considered victims of qualifying criminal activity where:

1. The direct victim is deceased due to murder or manslaughter, or
2. Where a violent qualifying criminal activity has caused the direct victim physical harm of a kind and degree that makes the direct victim incompetent or incapacitated, and, therefore, unable to provide information concerning the criminal activity or to be helpful in the investigation or prosecution of the criminal activity.

An alien may be considered a victim of witness tampering, obstruction of justice, or perjury, including any attempt, conspiracy, or solicitation to commit one or more of those offenses if:

1. The victim has been directly and proximately harmed by the perpetrator of the witness tampering, obstruction of justice, or perjury; and
2. There are reasonable grounds to conclude that the perpetrator committed the witness tampering, obstruction of justice, or perjury offense, at least in principal part, as a means:
  - A. To avoid or frustrate efforts to investigate, arrest, prosecute, or otherwise bring to justice the perpetrator for other criminal activity; or
  - B. To further the perpetrator's abuse or exploitation of or undue control over the petitioner through manipulation of the legal system.

A person who is culpable for the qualifying criminal activity being investigated or prosecuted is excluded from being recognized as a victim.

A victim of qualifying criminal activity must provide evidence that he or she (or in the case of an alien under the age of 16 years or who is incapacitated or incompetent, the parent, guardian, or next friend of the alien) has been, is being, or is likely to be helpful to a certifying official in the investigation or prosecution of the qualifying criminal activity as listed in Part 3 of this form. Being "helpful" means assisting law enforcement authorities in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim.

#### General Instructions:

#### Fill Out the Form I-918, Supplement B

1. Type or print legibly in black ink.
2. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.

3. Answer all questions fully and accurately. State that an item is not applicable with "N/A." If the answer is none, write "none."

This form is divided into Parts 1 through 7. The following information should help you fill out the form.

**Part 1 - Victim information.**

- A. **Family Name (Last Name)** - Give victim's legal name.
- B. **Given Name (First name)** - Give victim's full first name, do not use "nicknames." (Example: If victim's name is Albert, do not use Al.)
- C. **Other Names Used** - Provide all the names the victim has used that you are aware of, including maiden name if applicable, married names, nicknames, etc.
- D. **Date of Birth** - Use eight numbers to show his or her date of birth (example: May 1, 1979, should be written 05/01/1979).
- E. **Gender** - Check the appropriate box.

**Part 2 - Agency information.**

- A. **Name of certifying agency** - The certifying agency must be a Federal, State, or local law enforcement agency, prosecutor, or authority, or Federal or State judge, that has responsibility for the investigation or prosecution, conviction or sentencing of the qualifying criminal activity of which the petitioner was a victim.

This includes traditional law enforcement branches within the criminal justice system, and other agencies that have criminal investigative jurisdiction in their respective areas of expertise, such as the child protective services, Equal Employment Opportunity Commission, and Department of Labor.

- B. **Name of certifying official** - A certifying official is:

- 1. The head of the certifying agency or any person in a supervisory role, who has been specifically designated by the head of the certifying agency to issue a U Nonimmigrant Status Certification on behalf of that agency; or

- 2. A Federal, state or local judge.

If the certification is not signed by the head of the certifying agency, please attach evidence of the agency head's written designation of the certifying official for this specific purpose.

- C. **Agency address** - Give the agency's mailing address.

**Part 3 - Criminal acts.**

- A. **Check all of the crimes of which the petitioner is a victim that your agency is investigating, prosecuting, or sentencing** - If the crime(s) of which the petitioner is a victim is not listed, please list the crime(s) and provide a written explanation regarding how it is similar to one of the listed crimes. Similar activity refers to criminal offenses in which the nature and elements of the offenses are substantially similar to the list of criminal activity found on the certification form itself.
- B. **Indicate whether the qualifying criminal activity violated the laws of the United States or occurred within the United States (including in Indian country and military installations) or the territories and possessions of the United States** - Qualifying criminal activity of which the applicant is a victim had to violate U.S. law or occur within the United States.

Please indicate whether the qualifying criminal activity occurred within the United States (including in Indian country and military installations) or the territories and possessions of the United States.

- 1. **United States** means the continental United States, Alaska, Hawaii, Puerto Rico, Guam, and the U.S. Virgin Islands.
- 2. **Indian country** refers to all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and including rights-of-way running through the reservation; all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state; and all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through such allotments.
- 3. **Military installation** means any facility, base, camp, post, encampment, station, yard, center, port, aircraft, vehicle, or vessel under the jurisdiction of the Department of Defense, including any leased facility, or any other location under military control.

**4. Territories and possessions of the United States** means American Samoa, Bajo Nuevo (the Petrel Islands), Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Atoll, Navassa Island, Northern Mariana Islands, Palmyra Atoll, Serranilla Bank, and Wake Atoll.

If the qualifying criminal activity did not occur within the United States as discussed above, but was in violation of U.S. law, it must violate a Federal extraterritorial jurisdiction statute. There is no requirement that a prosecution actually occur. Please provide the statutory citation for the extraterritorial jurisdiction.

**Part 4 - Helpfulness of the victim.**

**A. Indicate whether the victim possesses information about the crime(s).** A petitioner must be in possession of information about the qualifying criminal activity of which he or she is a victim. A petitioner is considered to possess information concerning qualifying criminal activity of which he or she is a victim if he or she has knowledge of details concerning that criminal activity that would assist in the investigation or prosecution of the criminal activity. Victims with information about a crime of which they are not the victim will not be considered to possess information concerning qualifying criminal activities.

When the victim is under 16 years of age, incapacitated or incompetent, he or she is not required to personally possess information regarding the qualifying criminal activity. The parent, guardian, or "next friend" of the minor petitioner may provide that information. "Next friend" is a person who appears in a lawsuit to act for the benefit of an alien victim. The "next friend" is not a party to the legal proceeding and is not appointed as a guardian.

**B. Provide an explanation of the victim's helpfulness to the investigation or prosecution of the criminal activity.** A victim must provide evidence to USCIS that he or she (or, in the case of an alien child under the age of 16 or who is incapacitated or incompetent, the parent, guardian, or next friend of the alien) has been, is being, or is likely to be helpful to a certifying law enforcement official in the investigation or prosecution of the qualifying criminal activity.

Being "helpful" means assisting law enforcement authorities in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim. Alien victims who, after initiating cooperation, refuse to provide continuing assistance when needed will not meet the helpfulness requirement. There is an ongoing responsibility on the part of the victim to be helpful, assuming there is an ongoing need for the victim's assistance.

You, the certifying official, will make the initial determination as to the helpfulness of the petitioner. USCIS will give a properly executed Supplement B, U Nonimmigrant Status Certification significant weight, but it will not be considered conclusory evidence that the victim has met the eligibility requirements. USCIS will look at the totality of the circumstances surrounding the alien's involvement with your agency and all other information known to USCIS in determining whether the alien meets the elements of eligibility.

**Part 5 - Family members implicated in criminal activity.**

List whether any of the victim's family members are believed to have been involved in the criminal activity of which he or she is a victim. An alien victim is prohibited from petitioning for derivative U nonimmigrant status on behalf of a qualifying family member who committed battery or extreme cruelty or trafficking against the alien victim which established his or her eligibility for U nonimmigrant status. Therefore, USCIS will not grant an immigration benefit to a qualifying family member who committed qualifying criminal activities in a family violence or trafficking context.

**Part 6 - Certification.**

Please read the certification block carefully. **NOTE:** If the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim, even after this form is submitted to USCIS, you must notify USCIS by sending a written statement to: USCIS - Vermont Service Center, 75 Lower Welden Street, St. Albans, VT 05479-0001. Please include the victim's name, date of birth, and A-number (if available) on all correspondence.

Department of Homeland Security  
U.S. Citizenship and Immigration Services

OMB No. 1615-0104: Expires 08/31/2010

**I-918 Supplement B,****U Nonimmigrant Status Certification****START HERE - Please type or print in black ink.****Part 1. Victim information.**

Family Name Given Name Middle Name

Other Names Used (Include maiden name/nickname)

Date of Birth (mm/dd/yyyy)

Gender

☐ Male☐ Female**Part 2. Agency information.**

Name of Certifying Agency

Name of Certifying Official

Title and Division/Office of Certifying Official

Name of Head of Certifying Agency

Agency Address - Street Number and Name

Suite #

City

State/Province

Zip/Postal Code

Daytime Phone # (with area code and/or extension)

Fax # (with area code)

Agency Type

☐ Federal☐ State☐ Local

Case Status

☐ On-going☐ Completed☐ Other

Certifying Agency Category

☐ Judge☐ Law Enforcement☐ Prosecutor☐ Other

Case Number

FBI # or SID # (if applicable)

**Part 3. Criminal acts.**

1. The applicant is a victim of criminal activity involving or similar to violations of one of the following Federal, State or local criminal offenses. (Check all that apply.)

☐ Abduction☐ Female Genital Mutilation☐ Obstruction of Justice☐ Slave Trade☐ Abusive Sexual Contact☐ Hostage☐ Peonage☐ Torture☐ Blackmail☐ Incest☐ Perjury☐ Trafficking☐ Domestic Violence☐ Involuntary Servitude☐ Prostitution☐ Unlawful Criminal Restraint☐ Extortion☐ Kidnapping☐ Rape☐ Witness Tampering☐ False Imprisonment☐ Manslaughter☐ Sexual Assault☐ Related Crime(s)☐ Felonious Assault☐ Murder☐ Sexual Exploitation☐ Other: (If more space needed, attach separate sheet of paper.)☐ Attempt to commit any of the named crimes☐ Conspiracy to commit any of the named crimes☐ Solicitation to commit any of the named crimes



**Part 3. Criminal acts.** (Continued.)

2. Provide the date(s) on which the criminal activity occurred.

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

Date (mm/dd/yyyy)

3. List the statutory citation(s) for the criminal activity being investigated or prosecuted, or that was investigated or prosecuted.

4. Did the criminal activity occur in the United States, including Indian country and military installations, or the territories or possessions of the United States?

☐ Yes ☐ No

- a. Did the criminal activity violate a Federal extraterritorial jurisdiction statute?

☐ Yes ☐ No

- b. If "Yes," provide the statutory citation providing the authority for extraterritorial jurisdiction.

- c. Where did the criminal activity occur?

5. Briefly describe the criminal activity being investigated and/or prosecuted and the involvement of the individual named in Part 1. Attach copies of all relevant reports and findings.

6. Provide a description of any known or documented injury to the victim. Attach copies of all relevant reports and findings.

**Part 4. Helpfulness of the victim.**

The victim (or parent, guardian or next friend, if the victim is under the age of 16, incompetent or incapacitated.):

1. Possesses information concerning the criminal activity listed in Part 3.

☐ Yes ☐ No

2. Has been, is being or is likely to be helpful in the investigation and/or prosecution of the criminal activity detailed above. (Attach an explanation briefly detailing the assistance the victim has provided.)

☐ Yes ☐ No


3. Has not been requested to provide further assistance in the investigation and/or prosecution. (Example: prosecution is barred by the statute of limitation.) (Attach an explanation.)

☐ Yes ☐ No

4. Has unreasonably refused to provide assistance in a criminal investigation and/or prosecution of the crime detailed above. (Attach an explanation.)

☐ Yes ☐ No





1. Are any of the victim's family members believed to have been involved in the criminal activity of which he or she is a victim?

☐ Yes☐ No

Full Name	Relationship	Involvement

I am the head of the agency listed in Part 2 or I am the person in the agency who has been specifically designated by the head of the agency to issue U nonimmigrant status certification on behalf of the agency. Based upon investigation of the facts, I certify, under penalty of perjury, that the individual noted in Part 1 is or has been a victim of one or more of the crimes listed in Part 3. I certify that the above information is true and correct to the best of my knowledge, and that I have made, and will make no promises regarding the above victim's ability to obtain a visa from the U.S. Citizenship and Immigration Services, based upon this certification. I further certify that if the victim unreasonably refuses to assist in the investigation or prosecution of the qualifying criminal activity of which he/she is a victim, I will notify USCIS.

Date (mm/dd/yyyy)

1 SEAN K. KENNEDY (No. 145632)  
Federal Public Defender  
2 (Email: Sean\_Kennedy@fd.org)  
JEFFREY A. AARON (No. 135625)  
3 Deputy Federal Public Defender  
(Email: Jeffrey\_Aaron@fd.org)  
4 3801 University Avenue, Suite 700  
Riverside, California 92501  
5 Telephone (951) 276-6346  
6 Facsimile (951) 276-6368

7 Attorneys for Material Witness:  
Rafael Baines Arrevalo, Jayson Saul Claros Gomez,  
8 William Ingarto-Portillo, Juan Carlos Rodriguez-Rodriguez,  
Antonio Zanabrano Mendez  
9

10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA  
12 WESTERN DIVISION  
13

14 UNITED STATES OF AMERICA

15 Plaintiff,

16 vs.

17 ELIAZAR SANTIS-HERNANDEZ,  
18 et al.,

19 Defendants.  
20

Case No. CR 10-1057-ODW

**[PROPOSED] ORDER**

21 Upon full consideration of all points and authorities, oral arguments and all  
22 other evidence presented to the Court by the parties,

23 //

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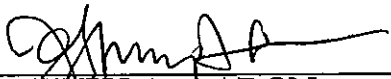
1 IT IS HEREBY ORDERED that the Material Witnesses' Motion for U-Visa  
2 Certification is GRANTED. The Court will certify the Material Witnesses' U-Visa  
3 applications by signing the submitted "Supplement B" forms.

4 IT IS SO ORDERED.

5  
6  
7 DATED: March \_\_\_\_, 2011

By: HONORABLE OTIS D. WRIGHT, II  
United States District Judge

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9 Submitted by:

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11 JEFFREY A. AARON  
12 Deputy Federal Public Defender  
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# Motions

2:10-cr-01057-ODW USA v. Santis-Hernandez et al

## UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

### Notice of Electronic Filing

The following transaction was entered by Aaron, Jeffrey on 3/22/2011 at 3:38 PM PDT and filed on 3/22/2011

**Case Name:** USA v. Santis-Hernandez et al  
**Case Number:** 2:10-cr-01057-ODW  
**Filer:** Dft No. 8888 - Antonia Zanabrano Mendez  
Dft No. 8888 - Juan Carlos Rodriguez-Rodriguez  
Dft No. 8888 - Rafael Baines Arrevalo  
Dft No. 8888 - William Ingarto-Portillo  
Dft No. 8888 - Jayson Saul Claros Gomez

**Document Number:** 116

#### Docket Text:

**NOTICE OF MOTION AND MOTION for Order for For U-Visa Certification Filed by Plaintiff Jayson Saul Claros Gomez, William Ingarto-Portillo, Rafael Baines Arrevalo, Juan Carlos Rodriguez-Rodriguez, Antonia Zanabrano Mendez as to Defendant Eliazar Santis-Hernandez, Mateo Gomez Silvestre-Diego, Pedro Domingo Esteban, Pedro Domingo Esteban-Francisco, Joaquin Castaneda-Diaz Motion set for hearing on 4/18/2011 at 09:30 AM before Judge Otis D Wright II. (Attachments: # (1) Memorandum of Points and Authorities In Support of Material Witnesses Motion For U-Visa Certification, # (2) Exhibit A-K, # (3) Proposed Order)(Aaron, Jeffrey)**

**2:10-cr-01057-ODW-1 Notice has been electronically mailed to:**

Angela Viramontes Angela\_Viramontes@fd.org, zzCAC\_FPD\_Document\_Receiving@fd.org

Jeffrey A Aaron jeffrey\_aaron@fd.org, zzCAC\_FPD\_Document\_Receiving@fd.org

Joan Politeo zzCAC\_FPD\_Document\_Receiving@fd.org, joan\_politeo@fd.org

Lindsey M Burcham burchamlegal@gmail.com

Robyn Kali Bacon Robyn.Bacon@usdoj.gov, USACAC.Criminal@usdoj.gov

**2:10-cr-01057-ODW-1 Notice has been delivered by First Class U. S. Mail or by fax to: :**

**2:10-cr-01057-ODW-2 Notice has been electronically mailed to:**

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David J Macher dmacher@verizon.net

Jeffrey A Aaron jeffrey\_aaron@fd.org, zzCAC\_FPD\_Document\_Receiving@fd.org

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Robyn Kali Bacon Robyn.Bacon@usdoj.gov, USACAC.Criminal@usdoj.gov

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David Matthew Philips davidmphilips@sbcglobal.net

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Joan Politeo zzCAC\_FPD\_Document\_Receiving@fd.org, joan\_politeo@fd.org

Robyn Kali Bacon Robyn.Bacon@usdoj.gov, USACAC.Criminal@usdoj.gov

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**2:10-cr-01057-ODW-4 Notice has been electronically mailed to:**

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Jeffrey A Aaron jeffrey\_aaron@fd.org, zzCAC\_FPD\_Document\_Receiving@fd.org

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Robyn Kali Bacon Robyn.Bacon@usdoj.gov, USACAC.Criminal@usdoj.gov

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**2:10-cr-01057-ODW-5 Notice has been electronically mailed to:**

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William R Domnarski domnarski@sbcglobal.net

**2:10-cr-01057-ODW-5 Notice has been delivered by First Class U. S. Mail or by fax to :**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**P:\Aaron\Active Cases\MATERIAL WITNESSES\U-Visa Motions\TO BE FILED\Notice of Motion.PDF

**Electronic document Stamp:**

[STAMP cacdStamp\_ID=1020290914 [Date=3/22/2011] [FileNumber=11318524-0]  
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**Document description:**Memorandum of Points and Authorities In Support of Material Witnesses Motion For U-Visa Certification

**Original filename:**P:\Aaron\Active Cases\MATERIAL WITNESSES\U-Visa Motions\TO BE FILED\Memo of P&A.PDF

**Electronic document Stamp:**

[STAMP cacdStamp\_ID=1020290914 [Date=3/22/2011] [FileNumber=11318524-1]  
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**Document description:**Exhibit A-K

**Original filename:**P:\Aaron\Active Cases\MATERIAL WITNESSES\U-Visa Motions\TO BE FILED\Exhibits.PDF

**Electronic document Stamp:**

[STAMP cacdStamp\_ID=1020290914 [Date=3/22/2011] [FileNumber=11318524-2]  
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7bf306305d9551d606d48e580a67acaa93d7328b0fe2738119bbcf1e40f48]]

**Document description:**Proposed Order

**Original filename:**P:\Aaron\Active Cases\MATERIAL WITNESSES\U-Visa Motions\TO BE FILED\Proposed Order.PDF

**Electronic document Stamp:**

[STAMP cacdStamp\_ID=1020290914 [Date=3/22/2011] [FileNumber=11318524-3]  
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