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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)	Docket No.
)	94-506-Cr-HURLEY
Plaintiff,)	
)	West Palm Beach, FL.
v.)	February 5, 1997
)	9:30 a.m.
JESSE DEAN,)	
)	
Defendant.)	
)	
-----x		

VOLUME 2
TRANSCRIPT OF TRIAL
BEFORE THE HONORABLE DANIEL T.K. HURLEY
and a jury

APPEARANCES:

For the Government: GUY LEWIS, Assistant U.S. Attorney.

For the Defendant: JACOB ROSE and DEBRA ROSE, ESQS.

Court Reporter: Pauline A. Stipes C.S.R, C.M.
United States Courthouse
West Palm Beach, FL 33401

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Official Federal Reporter

1 A. Well, like I said, my efforts continued. I knew Dave
2 Shelton told me, you know, they were bona fide traffickers, and
3 my efforts to have a seizure occur that would lead to his
4 eventual arrest, and my subsequent payment from the DEA
5 continue.

6 A. Did you continue to associate with Miguel Perez in an
7 effort to try and assist the DEA?

8 A. Of course, that is what the association became all about,
9 especially after I learned from Dave Shelton that he was a bona
10 fide trafficker. That is what it was all about.

11 Q. You heard testimony here by the Government relating to some
12 10 kilograms of cocaine and by Mike Perez that his organization
13 imported into the U.S..

14 MR. LEWIS: Judge, I object to the form of the
15 question.

16 THE COURT: Let me hear the question one more time, if
17 you would, please.

18 BY MS. ROSE:

19 Q. Did you have any knowledge of the 10 kilograms of cocaine
20 that we heard testimony about here?

21 A. No, ma'am.

22 Q. When was the first time you gained knowledge about the 10
23 kilograms of cocaine that Mr. Perez testified about?

24 A. Here in court.

25 Q. You have been charged in the case and you have seen the

1 indictment that charges that you were involved in a 900
2 kilogram shipment of cocaine by the Perez organization from
3 somewhere in South America to Fort Lauderdale. When was the
4 first time that you learned about this 900 kilos of cocaine
5 that you are charged with in this indictment?

6 A. On the very date that I got arrested.

7 Q. Are you saying you had no knowledge about this 900 kilos?

8 A. Absolutely not. When my initial lawyer came to visit me at
9 Federal Detention Center in downtown Miami and showed me this
10 document that involved, I think his paperwork showed somewhat
11 over 900 kilograms of cocaine, I was floored. I was taken
12 aback. You know, I was trying to figure out if it was the --
13 the paperwork was right, or he had the right person.

14 Q. At any time prior to your arrest, did Miguel Perez or any
15 one in his organization, or anyone affiliated with him ever
16 discuss with you doing a load of 900 kilos from Mexico that was
17 seized here in United States of America in September 1994?

18 A. Absolutely not.

19 Q. If you heard Miguel Perez talk about this 900 kilos prior
20 to his arrest, would you have been interested in it?

21 A. Absolutely. That is as far as I am concerned, that was my
22 opportunity to make a quarter of a million dollars right
23 there. If I had known about that, and anything involving --
24 any asset involving Miguel Perez, whether it was 900 kilos, 400
25 kilos, whatever it was, I was going to pass it on to DEA with

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1 the hopes of earning moneys with the DEA that probably would be
2 up to \$250,000.

3 Q. When would you pass it on to DEA?

4 A. As soon as I knew about it.

5 Q. And if you were to know, would you do like you did in
6 seizure one and seizure two?

7 MR. LEWIS: Excuse me, I must object, leading the
8 witness.

9 THE COURT: Sustained as to form.

10 Let me make this suggestion. We are at a point where
11 we should stop for the mid-morning recess. We will stop and
12 when we come back, we will come back to direct examination.

13 Let me let the jury step out. We will take a break
14 for 15 minutes, and then we will come back and continue on.

15 (Thereupon, the jury retired from the courtroom.)

16 THE COURT: We will be in recess for 15 minutes.

17 (Thereupon, a short recess was taken.)

18 THE COURT: Miss Rose, you may pose the next question
19 if you like.

20 MS. ROSE: Thank you very much, Your Honor.

21 BY MS. ROSE:

22 Q. Mr. Dean, before our break, in response to a question I
23 asked, you said had you known about the 900 kilos of cocaine
24 made by the Perez organization, you would have told the agents
25 right away. What did you mean by that?

1 A. When I learned that there was a shipment of drugs that was
2 imminent that was, you know, just ready to occur, I would have
3 told him when I knew the plans had been made, finalized, and it
4 was going to be actually occurring, I would have appraised
5 Agent Shelton about it.

6 Q. Had you used that procedure before?

7 A. Yes, this what I always did. Initially, you know, you
8 would engage in conversations and plans would take the better
9 part of several weeks, several months, and just up and down,
10 changes made, and alterations happen, and this happens, and the
11 next happens, and it could take a long time before a shipment
12 of drug is actually procured, and it is about to be imported.

13 Where it came to a point where it was ready to occur,
14 it was imminent, it was not preliminary any more, it was
15 pregnant, it was about to happen, I called Dave, and I said,
16 Dave, this is what is about to happen. This is what is going
17 down, you make the next move.

18 Q. Did Agent Stephens ever tell you that there was anything
19 wrong with the procedure you were using?

20 A. No, ma'am, that is what I did at all times. He didn't have
21 a problem with it and that is the procedure that I continued to
22 use all the time.

23 Q. With respect to your involvement with Mike Perez, how did
24 you try to induce Mike Perez to get involved with him?

25 A. Well, Mike was a very difficult person to gain confidence

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