

1 opportunity to say what you would like to. Before I do that,
2 the law requires that I ask counsel on your behalf whether
3 either of you are aware of any legal impediment from announcing
4 sentence?

5 MR. ROSE: No, Your Honor.

6 THE COURT: No legal cause having been shown why
7 sentence of law should not be imposed, I would be happy to hear
8 anything else you would like to bring to my attention.

9 Let me turn to counsel and Mr. Dean.

10 MR. ROSE: Counsel has nothing, Your Honor. Mr. Dean
11 would like to make a statement.

12 THE COURT: By all means, yes.

13 THE DEFENDANT: Good morning. Thank you for this
14 opportunity to address the court. I volunteered to become
15 confidential informant for United States Drug Enforcement
16 Agency when I learned that up to \$250,000 could be earned,
17 designed single handedly events that led to the seizure of over
18 1,000 pounds of cocaine at Nassau International Airport. I
19 designed single handedly events that led to the seizure of
20 1,000 pounds of cocaine in North Andros. In total I was paid
21 \$26,000 by United States Government, when Agent Lowen and
22 Shelton confirmed that Elio and Miguel Perez were drug
23 traffickers, I sought to earn this \$250,000 by designing, as I
24 did previously, circumstances that would culminate in the
25 seizure of these assets, however, I had to contend with the

1 suspicions that arose as a result of the above mentioned
2 seizures, and Miguel Perez knew about both of these that I was
3 working for the U.S. Government so I embarked on a campaign
4 both in the Bahamas and here in Florida.

5 Essentially, I led a double life. What Miguel Perez
6 thought were repeated delays on my behalf were disinterest
7 because the time came I had succeeded in securing venture
8 capital, I discontinued my elusive pursuit of the \$250,000 and
9 maintained my efforts in denying I was DEA informant.

10 This, in a nutshell, is my case. While Special Agent
11 Shelton's testimony under oath was true, he would have a
12 deliberate pattern of lies and he knows it. The meeting on the
13 side of the road where I lied to him went uncorroborated and
14 undocumented simply because it never happened and he knows it.
15 The cooperating individual agreement that was not produced
16 until trial bears a date of 11/6/91. To most Americans this is
17 November 6, 1991, to me, and probably most non-Americans this
18 is 11 of June 1991. Additionally, it is signed by Agent Scott
19 Lowen, a U.S. Customs agent, and a supervisor. Why were
20 neither of these gentlemen called to testify just what
21 instructions were given to me because none were given to me.

22 When I went to the U.S. Embassy in Nassau, I was
23 greeted by Scott Lowen, escorted past the Marine guard,
24 photographed and fingerprinted in a tiny room by Scott Lowen,
25 and I left in a matter of minutes. Agent Stephens and Reilly

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1 testified what is the normal agent informant routine here in
2 the U.S.. I can assure you the relationship between Agent
3 Shelton, Lowen, and myself was far from the norm, diametrically
4 so, in the tiny Island of New Province, at my debriefing I was
5 assured that the information I provided would not be used
6 against me. What I now understand to be a none competitive
7 agreement, one that could be legally enforced. Mr. Guy Lewis
8 totally disregarded this covenant and was allowed to reef this
9 information into the Government's case. I find this to be most
10 heinous and injuricus.

11 Miguel testified that he paid me about \$300,000.
12 Checks introduced at trial which I do not deny total \$33,800
13 signed by Elio Perez. Why wasn't Elio Perez called to testify
14 just what these moneys were paid for? He would admit, I assure
15 you, that they were not for drug trafficking. In fact, he,
16 Elio Perez, plead guilty to money laundering, and U.S.
17 Government was aware of these moneys because I told Agents
18 Shelton and Lowen, they didn't tell me that I couldn't accept
19 these moneys as an informant. They encouraged me to, quote,
20 find out about the drug traffic, unquote. Mr. Lewis here again
21 would have these moneys into the Government's case to my
22 detriment. Furthermore, I am certain the U.S. Government has
23 explored my finances and found not only is this \$300,000
24 non-existent in cash or assets, but as I stand before this
25 court, I am totally bankrupt. An old acquaintance of mine

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1 asked help to pay a Florida based phone bill for him, even this
2 was used against me.

3 My indictment, prosecution and conviction is a result
4 of poor, disorganized unspecified communications between Nassau
5 based and Florida based agents and myself that snowballed into
6 the U.S. Government's unrelenting necessity to obtain a
7 conviction at all cost. I am certain Agent Shelton could
8 provide me providing information to him even after it is now
9 claimed that I was deactivated, moreover, three days after my
10 arrest Agent Stephens and Gonzalez tell me, had I called Dave,
11 I would not have been arrested. They even had the courtesy to
12 provide me with a lawyer, Mr. Juaquin Perez, highly recommended
13 because they had worked with him before. How cozy an
14 arrangement.

15 So, then, my father at the age of 70 has suffered for
16 these 90 weeks, I think and one day, my mother at the age of 65
17 has suffered for these 90 weeks, my sisters and brothers have
18 suffered for these 90 weeks. My lady friend has suffered for
19 these 90 weeks. My nieces and nephews have questioned my
20 disappearance for these 90 weeks. And more than myself, my son
21 at the tender age of eight years has been deprived of a father
22 for 90 weeks. All because I did not make a phone call that I
23 never knew I should have made.

24 But I am confident within myself because the bible
25 teaches us that my Lord will never leave me nor forsake me.

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1 The people for whom operation Vestrac was formed was caught,
2 Those responsible for their roles of importing, possessing, and
3 distributing huge amount of poison in this country and earning
4 huge amounts of money pled guilty and admitted their crimes,
5 operation Vestrac was a success until I was indicted. I
6 maintain my innocence. My participation, if you will , was
7 merely my efforts to try and earn \$250,000 from the U.S.
8 Government using the authority given to me under the conditions
9 that prevailed.

10 Mrs. Cataldo in our presentencing interview suggested
11 that at times we ought to look at the big picture. Maybe I
12 should have taken the plea offer, but like our six year old son
13 who had a dispute over an ordinary rock, just a rock, he was
14 adamant that he wanted his rock and not another. The issue was
15 the truth. The rock belonged to him. He wanted his rock, not
16 another. The big picture does not interest me like her son.
17 The issue is the truth. The rock belongs to him. He doesn't
18 want another rock.

19 My conscience is crystal clear. I may have been
20 incorrect about the date in which I spoke to Elio Perez when he
21 told me about the arrests, but I did certainly speak with him
22 from a telephone on Paradise Island at a taxi stand. I told
23 the truth, the whole truth and nothing but the truth. If this
24 process were supposed to be an exercise in the search for the
25 truth, I know that I have done my part consider a lay person

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