FILED BY KS D.C.
Mar 3, 2022
ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - Miami

UNITED STATES DISTRICT COURT

for the

District of Puerto Rico

United States of America
v.
Osvaldo Villegas-Rivera (1)

Case No. 3:22-209 (M)

Defendant

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

(1) The defendant must not violate federal, state, or local law while on release.

(2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.

(3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.

(4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: U.S. DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO,
Place

SAN JUAN, PUERTO RICO

on ALL FUTURE SCHEDULED PROCEEDINGS
Date and Time

If blank, defendant will be notified of next appearance.

(5) The defendant must sign an Appearance Bond, if ordered.

1. Bond in the amount of $10,000.00 unsecured with defendant's signature.
2. Defendant shall report to the USPO on 2/23/2022 not later than 9:00 am.

ADDITIONAL CONDITIONS OF RELEASE

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

( ) (6) The defendant is placed in the custody of:
Person or organization _____
Address *(only if above is an organization)* _____
City and state _____ Tel. No. _____
who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____ _____
Custodian *Date*

(X) (7) The defendant must:

(X) (a) submit to supervision by and report for supervision to the **U.S. Probation Office, Pretrial Division, Room 200 Hato Rey, P.R.**
telephone number **787-766-5596**, no later than **48 hours and thereafter as directed**.

( ) (b) continue or actively seek employment.

( ) (c) continue or start an education program.

(X) (d) surrender any passport to: **U.S. PROBATION OFFICE**

(X) (e) not obtain a passport or other international travel document.

(X) (f) abide by the following restrictions on personal association, residence, or travel: **Shall reside at address of record; shall not leave jurisdiction of this district without first obtaining written permission from the Court. Shall not enter any airport or pier, unless authorized by PT Officer.**

(X) (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: **unless accompanied by counsel.**

( ) (h) get medical or psychiatric treatment: as directed by Probation Department

( ) (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____

( ) (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

(X) (k) not possess a firearm, destructive device, or other weapon.

(X) (l) not use alcohol ( ) at all (X) excessively.

(X) (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

( ) (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

( ) (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

(X) (p) participate in one of the following location restriction programs and comply with its requirements as directed.

(☐) (i) **Curfew.** You are restricted to your residence every day (☐) from _____ to _____, or (☐) as directed by the pretrial services office or supervising officer; or

(☐) (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

(☒) (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court; or

(☐) (iv) **Stand Alone Monitoring.** You have no residential curfew, home detention, or home incarceration restrictions. However, you must comply with the location or travel restrictions as imposed by the court.
Note: Stand Alone Monitoring should be used in conjunction with global positioning system (GPS) technology.

(X) (q) submit to the following location monitoring technology and comply with its requirements as directed:

ADDITIONAL CONDITIONS OF RELEASE

(☒) (i) Location monitoring technology as directed by the pretrial services or supervising officer: or
(☐) (ii) Voice Recognition; or
(☐) (iii) Radio Frequency; or
(☐) (iv) GPS.

( ) (r) pay all or part of the cost of location monitoring based upon your ability to pay as determined by the pretrial services or supervising officer.

(×) (s) report as soon as possible, to the pretrial services or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

(×) (t) **EXCEPTION: The Chief U.S. Probation Officer, or his designee, may authorize temporary changes of address and overseas travel to mainland U.S. only, not exceeding 15 days, provided the U.S. Attorney has no objection to it. If objected, request will have to be made in writing to the Court.**

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a $250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

(1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than $250,000 or imprisoned for not more than 10 years, or both;
(2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than $250,000 or imprisoned for not more than five years, or both;
(3) any other felony – you will be fined not more than $250,000 or imprisoned not more than two years, or both;
(4) a misdemeanor – you will be fined not more than $100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.

Defendant's Signature

SAN Juan P.R.

City and State

Directions to the United States Marshal

(✓) The defendant is ORDERED released after processing.
( ) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: 2/22/2022

S/Marcos E. López

Judicial Officer's Signature

Marcos E. Lopez, U.S. Magistrate Judge

Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

AO 98 (Rev. 11/07) Appearance Bond

UNITED STATES DISTRICT COURT

District of PUERTO RICO

UNITED STATES OF AMERICA
V.

Osvaldo Villegas Rivera

Defendant

APPEARANCE BOND

Case Number: 22-MJ-209 (01) MEL

RECEIVED & FILED
2022 FEB 22 PM 8 02
CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, PUERTO RICO

☑ Non-surety: I, the undersigned defendant acknowledge that I and my . . .
☐ Surety: We, the undersigned, jointly and severally acknowledge that we and our . . .
personal representatives, jointly and severally, are bound to pay to the United States of America the sum of
$ 10,000.00 , and there has been deposited in the Registry of the Court the sum of
$ 0.00 in cash and UNSECURED (describe other security).

The conditions of this bond are that the defendant Osvaldo Villegas Rivera (Name)
is to appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment.

It is agreed and understood that this is a continuing bond (including any proceeding on appeal or review), which shall continue until such time as the undersigned are exonerated.

If the defendant appears as ordered or notified and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment of the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and any other laws of the United States.

This bond is signed on 2/22/2022 (Date) at SAN JUAN, PUERTO RICO (Place)

Defendant Osvaldo Villegas Rivera, San Juan PR

Surety Osvaldo Villegas Rivera, San Juan PR

Surety

Signed and acknowledged before me on 02/22/2022 (Date)

Signature of Judge/Clerk

Bond Approved:

Signature of Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff,

v.

OSVALDO VILLEGAS RIVERA
Defendant

Case No. 3:22-MJ-00209-MEL-1

MOTION TO WAIVE IDENTITY AND REMOVAL HEARING AND FOR MISCELLANEOUS RELIEF

COMES NOW Defendant Osvaldo Villegas Rivera herein represented by the undersigned attorney and very respectfully **STATES, ALLEGES,** and **PRAYS** as follows:

1. This Honorable Court set a virtual *Identity and Removal Hearing* for Tuesday March 1, 2022, at 11:00 AM in relation to defendant's case before the Southern District of Florida, Case No. 22-20039-CR-ALTONGA-TORRES.

2. However, the defendant waives his right to the Identity and Removal Hearing and has agreed with AUSA Robert Emery to appear with the undersigned before the District Court for the Southern District of Florida on March 8, 2022 for his arraignment. *See* Attached as Exhibit 1 Waiver of Rule 5 & 5.1 Hearings.

3. In addition, the undersigned has also agreed with AUSA Robert Emery of the Southern District of Florida to maintain the same terms and conditions of defendant's pretrial release.

WHEREFORE, for the reasons stated herein, the undersigned requests and prays that this Honorable Court cancels the *Identity and Removal Hearing* set for March 1, 2022 at 11:00 am and order the defendant to appear before the District Court for the Southern District of Florida on March 8, 2022.

I HEREBY CERTIFY that, in accordance with Federal Rule, a true and correct copy of the foregoing has been furnished via CM/ECF to all parties or attorneys of records on this 28th day of February 2022.

s/ EDWIN PRADO-GALARZA, ESQ.
Attorney at Law
Prado, Núñez & Asociados, P.S.C.
403 Del Parque St., Suite 8
San Juan, PR 00912
T. (787) 977-1411
F. (787) 977-1410
Pradolaw10@gmail.com
USDCPR NO. 208804

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff,

v.

OSVALDO VILLEGAS RIVERA
Defendant

Case No. 3:22-MJ-00209-MEL-1

MOTION TO CONTINUE IDENTITY AND REMOVAL HEARING

COMES NOW Defendant Osvaldo Villegas Rivera herein represented by the undersigned attorney and very respectfully **STATES, ALLEGES,** and **PRAYS** as follows:

1. This Honorable Court set a virtual *Identity and Removal Hearing* for February 25, 2022, at 10:30 AM.

2. Regrettably, the undersigned is unavailable and cannot virtually appear at the *Identity and Removal* hearing set for tomorrow.

3. The undersigned will be available to virtually appear at this hearing on any of the following dates:

   a. Monday, February 28, 2022 in the morning

   b. Tuesday, March 1, 2022 in the morning

   c. Wednesday, March 2, 2022 in the morning

4. Additionally, the undersigned also represents the defendant on the case pending in the Southern District of Florida, Case No. 22-20039-CR.

5. Therefore, the undersigned began conversations with AUSA's Juan C. Reyes-Ramos and Robert Emery to set a date for arraignment and discuss terms and conditions of defendant's pretrial release in the Southern District of Florida. *See* Exhibit 1.

6. For the above stated reason, counsel will not be able to virtually appear and the hearing set for tomorrow and therefore, requests this continuance.

7. This request for a continuance is made in good faith and without any interest in delaying justice.

WHEREFORE, for the reason stated herein, counsel requests and prays that this Honorable Court grant this Motion for Continuance and reschedule the Identity and Removal hearing for February 28, 2022, March 1, 2022 or March 2, 2022 at any time in the morning.

I HEREBY CERTIFY that, in accordance with Federal Rule, a true and correct copy of the foregoing has been furnished via CM/ECF to all parties or attorneys of records on this 24th day of February 2022.

s/ EDWIN PRADO-GALARZA, ESQ.
Attorney at Law
Prado, Núñez & Asociados, P.S.C.
403 Del Parque St., Suite 8
San Juan, PR 00912
T. (787) 977-1411
F. (787) 977-1410
Pradolaw10@gmail.com
USDCPR NO. 208804

AO 466A (Rev. 12/17) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT

for the

District of Puerto Rico

United States of America
v.
Osvaldo Villegas-Rivera

Defendant

Case No. 3:22-MJ-00209-MEL-1

Charging District's Case No. 22-20039-CR-ALTONGA-TORRES

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the *(name of other court)* Southern District of Florida.

I have been informed of the charges and of my rights to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel;

(2) an identity hearing to determine whether I am the person named in the charges;

(3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;

(4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.

(5) a hearing on any motion by the government for detention;

(6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

☒ an identity hearing and production of the warrant.

☐ a preliminary hearing.

☐ a detention hearing.

☐ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my ☐ preliminary hearing and/or ☐ detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 02/28/2022

Osvaldo Villegas Rivera
Defendant's signature

Signature of defendant's attorney

Edwin Prado, Esq.
Printed name of defendant's attorney

Gmail

Prado Law <pradolaw10@gmail.com>

US v. Juan Antonio Gonzalez, Case No. 22-MJ-00209(MEL) before the USDC of PR; 22-20039 CR Altonaga /Torres before the SD of Florida

Edwin Prado, Esq. <pradolaw10@gmail.com> Thu, Feb 24, 2022 at 3:59 PM
To: "Emery, Robert (USAFLS)" <Robert.emery2@usdoj.gov>, "Reyes, Juan C. (USAPR)" <Juan.C.Reyes@usdoj.gov>

Dear Robert and Juan,

I filed a NOA in the above captioned case in PR. In addition, I was also retained to handle the case pending in SD of Florida.

Please call me. I am currently in Miami and am not available for the hearing scheduled for tomorrow in PR. On another note, let's discuss if we can agree on maintaining the same terms and conditions of pretrial release in the SD of Fl and a date for arraignment. I am meeting in my PR office with client on Saturday.

Please advise!

--o
Edwin Prado, Esq.
Prado Núñez & Asociados, C.S.P.

403 Del Parque Suite 8. 513 W. Colonial Drive Suite 5 1424 NE Miami PL
San Juan, PR 00912 Orlando, FL 32804 Miami, FL 33132
(787) 977-1411 (407) 420-7926 (786) 245-5600

PRADO

*** PR * FL * NY ***

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

v

OSVALDO VILLEGAS-RIVERA,
Defendant.

CRIMINAL NO. 22-209 (MEL)

MOTION TO LEAVE TO WITHDRAW AS COUNSEL OF RECORD
(Re: Representation and Electronic Filing)

TO THE CLERK OF THE COURT AND ALL PARTIES OF RECORD:

COMES NOW, AFPD Victor Gonzalez-Bothwell on behalf of the above captioned defendant very respectfully states and prays as follows:

1. On February 23rd, 2022, the Federal Public Defender was appointed to represent the defendant ***Osvaldo Villega-Rivera.***

2. On February 24th, 2022, Assistant Federal Public Defender Victor Gonzalez-Bothwell filed a Notice of Appearance on behalf of defendant Osvaldo Villegas-Rivera

3. That Assistant Federal Public Defender Victor Gonzalez-Bothwell is no longer in charge of the legal representation of defendant Osvaldo Villegas-Rivera. Attorney Edwin Prado-Galarza was retained by client.

4. On February 24th, 2022, Attorney Edwin Prado-Galarza filed a Notice of Appearance on behalf of defendant Osvaldo Villegas-Rivera.

5. Therefore, Assistant Federal Public Defender Victor Gonzalez-Bothwell requests leave to withdraw as counsel of record and that this Honorable Court discontinue

notice of proceedings to e-mail address victor_gonzalez@fd.org.

WHEREFORE, the undersigned attorney respectfully request leave to withdraw, and that his appearance as counsel of record be terminated for purposes of electronic messages, filings, etc.

I HEREBY CERTIFY that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the parties of record.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 1st day of March 2022.

ERIC A. VOS
Federal Public Defender
District of Puerto Rico

AFPD/Victor Gonzalez-Bothwell
Victor Gonzalez-Bothwell
Assistant Federal Public Defender
USDC-PR 219707
241 F.D. Roosevelt Ave.
Hato Rey, P.R. 00918-2441
(787) 281-4922/ Fax (787) 281-4899
E-mail: victor_gonzalez@fd.org

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff,

v.

OSVALDO VILLEGAS RIVERA
Defendant

Case No. 3:22-MJ-00209-MEL-1

MOTION FOR TEMPORARY REMOVAL OF ELECTRONIC SURVEILENCE

COMES NOW Defendant Osvaldo Villegas Rivera herein represented by the undersigned attorney and very respectfully **STATES, ALLEGES,** and **PRAYS** as follows:

1. Mr. Villegas is currently under electronic surveillance with an ankle monitor.

2. On February 22, 2022, the defendant appeared before the Honorable Court for an Initial Appearance of Rule 5(c)(3) Proceedings. During the proceedings, the Court granted the following conditions of release: $10,000.00 unsecured bond; electronic monitoring; home incarceration; standard conditions and that the defendant needed to report to the USPO on February 23, 2022. As part of his conditions of release the defendant surrendered his passport. *See* Docket No. 2.

3. On the same day, the Honorable Court set a virtual *Identity and Removal Hearing* for February 25, 2022 at 10:30 AM. *See* Docket No. 2.

4. On February 24, 2022, the undersigned filed a Motion to Continue the *Identity and Removal Hearing* set for February 25, 2022. The Court granted this motion and continued the hearing to Tuesday March 1, 2022, at 11:00 AM. *See* Docket Nos. 6 & 7.

5. However, on February 28, 2022, the defendant waived his right to the Identity and Removal Hearing via motion and informed that he had agreed with AUSA Robert Emery to appear

with the undersigned before the District Court for the Southern District of Florida on March 8, 2022 for his arraignment. *See* Docket No. 10.

6. On February 28, 2022, the Honorable Court GRANTED the Motion to Waive the Identity and Removal Hearing and thus, the hearing was vacated. Furthermore, the court ordered the defendant to appear before the United Stated District Court for the Southern District of Florida on March 8, 2022 for his arraignment. *See* Docket No. 11.

7. Hence, the undersigned respectfully requests for Mr. Villegas to have his ankle monitor temporarily removed so he can travel to Miami, Florida on March 7, 2022 to appear before the United Stated District Court for the Southern District of Florida on March 8, 2022, as ordered by the Court. The temporary removal of the ankle monitor hereby requested will be until March 8, 2022 and until the time the Court deems appropriate.

8. Moreover, since the defendant does not have a valid identification to travel, the undersigned respectfully requests that the defendant's U.S. passport be released under the undersigned's custody and control so that the defendant can travel on March 7, 2022 for his arraignment.

9. The undersigned makes himself responsible for returning the passport at the time and location that the Court orders.

WHEREFORE, for the reasons stated herein, the undersigned requests that this Honorable Court temporarily remove defendant's electronic surveillance on March 7, 2022 so that he can travel to his arraignment hearing before the District Court for the Southern District of Florida on March 8, 2022. The undersigned also respectfully requests this Honorable Court to release defendant's passport under the undersigned's control and custody so that the defendant can travel for his arraignment.

I HEREBY CERTIFY that, in accordance with Federal Rule, a true and correct copy of the foregoing has been furnished via CM/ECF to all parties or attorneys of records on this 1st day of March, 2022.

s/ EDWIN PRADO-GALARZA, ESQ.
Attorney at Law
Prado, Núñez & Asociados, P.S.C.
403 Del Parque St., Suite 8
San Juan, PR 00912
T. (787) 977-1411
F. (787) 977-1410
Pradolaw10@gmail.com
USDCPR NO. 208804

United States District Court
District of Puerto Rico (San Juan)
CRIMINAL DOCKET FOR CASE #: 3:22−mj−00209−MEL−1

Case title: USA v. Villegas−Rivera — Date Filed: 02/22/2022

Assigned to: US Magistrate Judge Marcos E. Lopez

Defendant (1)

Osvaldo Villegas−Rivera
also known as
Mari

represented by **Edwin Prado−Galarza**
Prado, Nunez & Associates, PSC
403 Del Parque St.
8th Floor
San Juan, PR 00907
787−977−1411
Fax: 787−977−1410
Email: pradolaw10@gmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Eric Vos
Federal Public Defender's Office
Patio Gallery Building
241 Franklin D. Roosevelt Ave.
Hato Rey, PR 00918−2441
(787) 281−4922
Fax: 787−281−4899
Email: eric_vos@fd.org
TERMINATED: 03/01/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Federal Public Defender

Victor J. Gonzalez−Bothwell
Federal Public Defender's Office
Patio Gallery Building
241 Franklin D. Roosevelt Ave.
Hato Rey, PR 00918−2441
787−281−4922
Fax: 787−281−4899
Email: victor_gonzalez@fd.org
TERMINATED: 03/01/2022
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pending Counts — **Disposition**

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

v. CRIMINAL NO. 22-209 (M)

Osvaldo Villegas-Rivera,
Defendant.

NOTICE OF APPEARANCE

TO THE CLERK OF THE COURT AND ALL PARTIES OF RECORD:

1. Enter the appearance of the undersigned Assistant Federal Public Defender (AFPD) as counsel for Osvaldo Villegas-Rivera.

2. Pursuant to policy of the Federal Public Defender for the District of Puerto Rico, notice of filings, both electronic and otherwise, are requested to be made jointly to the AFPD assigned to the case and to the Federal Public Defender, Mr. Eric A. Vos.

I HEREBY CERTIFY that on this date, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the parties of record.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 24th day of February, 2022.

ERIC A. VOS
Federal Public Defender
District of Puerto Rico

S / Victor Gonzalez
USDC-PR 219707
San Juan, PR 00918-2441
Email: Victor_Gonzalez@fd.org

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA, Plaintiff v. OSVALDO VILLEGAS-RIVERA Defendant	CRIMINAL NO. 3:22-mj-00209-MEL-1

NOTICE OF APPEARANCE

TO THE HONORABLE COURT:

COMES NOW, defendant Osvaldo Villegas-Rivera, through the undersigned attorney and respectfully alleges and prays:

1. The undersigned attorney has been retained to represent the appearing party in this case.

WHEREFORE we request from this Honorable Court that it takes notice of the above mentioned and it accepts the undersigned attorney as the attorney of record of defendant Osvaldo Villegas-Rivera.

WE HEREBY CERTIFY that on this same day I electronically filed the foregoing with the Clerk of the Court using the CM/RCF system which will automatically send an electronic copy to the U.S. District Attorney and all counsel of record.

RESPECTFULLY SUBMITTED

In San Juan Puerto Rico this February 24, 2022.

PRADO NUÑEZ & ASSOCIATES, P.S.C.

s/ ***EDWIN PRADO GALARZA***
USDCPR NO. 208804
PRADO NUNEZ & ASSOCIATES, P.S.C.
403 Del Parque St., 8th Floor
San Juan, PR 00912
pradolaw10@gamil.com

None

Highest Offense Level (Opening)

None

Terminated Counts **Disposition**

None

Highest Offense Level (Terminated)

None

Complaints **Disposition**

18:1956(h) Conspiracy to Commit Money Laundering.

Interested Party

US Probation Office

Plaintiff

USA represented by **Juan C. Reyes−Ramos**
United States Department of Justice
United States Attorney's Office
Torre Chardon, Suite 1201
350 Carlos Chardon Street
San Juan, PR 00918
787−766−5656
Fax: 787−772−3976
Email: juan.c.reyes@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: AUSA Designation

Date Filed	#	Page	Docket Text
02/22/2022	1		Rule 5(c)(3) Documents Received as to Osvaldo Villegas−Rivera (1). (idg) (Entered: 02/24/2022)
02/22/2022	2		Minute Entry for proceedings held before US Magistrate Judge Marcos E. Lopez: Initial Appearance in Rule 5(c)(3) Proceedings as to Osvaldo Villegas−Rivera (1) held on 2/22/2022. AUSA Juan Reyes and AFPD Joanna LeRoy were present. USPO August Castro was also present. Defendant was under custody, present and assisted by a certified court interpreter. All parties were present via VTC. Defendant voluntarily consented to the holding of the hearing VTC. Furthermore, he was advised of his rights and the applicable

			minimum and maximum statutory penalties that he is exposed to if convicted of the charges in the Indictment No. 22−20039−CR−ALTONAGA/TORRES from the Southern District of Florida. The AFPD was appointed to represent the defendant. The defense argued for conditions of release. The Government argued for detention. The Court granted the following conditions of release: Bond in the amount of $10,000 unsecured; electronic monitoring; home incarceration; defendant shall report to the USPO on 2/23/2022 at 9:00 am; and standard conditions. **Identity and Removal Hearing set for 2/25/2022 at 10:30 AM via VTC before US Magistrate Judge Marcos E. Lopez.** Pursuant to the Due Process Protections Act, Pub. L. No. 116−182, 134 Stat. 894 (Oct. 21, 2020) and Rule 5(f) of the Federal Rules of Criminal Procedure, the United States is reminded of its obligation to disclose in a timely manner all exculpatory evidence to the defendant[s], that is, all evidence that is favorable to the defendant[s] or tends to cast doubt on the United States case, as required by Brady v. Maryland, 373 U.S. 83 (1963) and its progeny. Failure to comply with this order may result in consequences, including, but not limited to, the reversal of any conviction, the exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, disciplinary action, and/or sanctions by the Court.(Court Reporter DCR/ZoomGov.) Hearing set for 06:30. Hearing held at 06:35. Hearing ended at 07:14. Interpreter Felix Toledo. (mcc) Modified to add SF District case number on 3/3/2022 (idg). (Entered: 02/24/2022)
02/22/2022	4		ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Osvaldo Villegas−Rivera (1). Eric Vos for Osvaldo Villegas−Rivera appointed. Signed by US Magistrate Judge Marcos E. Lopez on 2/22/2022. (mcc) (Entered: 02/24/2022)
02/22/2022	8		ORDER Setting Conditions of Release as to Osvaldo Villegas−Rivera (1) $10,000 unsecured. Signed by US Magistrate Judge Marcos E. Lopez on 2/22/2022.(idg) (Entered: 02/25/2022)
02/22/2022	9		*RESTRICTED* Appearance Bond Entered as to Osvaldo Villegas−Rivera (1) in amount of $ 10,000 unsecured. (idg) (Entered: 02/25/2022)
02/22/2022			Arrest of Osvaldo Villegas−Rivera (1). (mcc) (Entered: 03/03/2022)
02/24/2022	3		NOTICE OF ATTORNEY APPEARANCE: Victor J. Gonzalez−Bothwell appearing for Osvaldo Villegas−Rivera (1) (Gonzalez−Bothwell, Victor) (Entered: 02/24/2022)
02/24/2022	5		NOTICE OF ATTORNEY APPEARANCE: Edwin Prado−Galarza appearing for Osvaldo Villegas−Rivera (1) (Prado−Galarza, Edwin) (Entered: 02/24/2022)
02/24/2022	6		MOTION to Continue *Identity and Removal Hearing* by Osvaldo Villegas−Rivera (1). Responses due by 3/10/2022. NOTE: Pursuant to FRCP 6(a) an additional three days does not apply to service done electronically. (Attachments: # 1 Exhibit 1)(Prado−Galarza, Edwin) (Entered: 02/24/2022)
02/25/2022	7		ORDER REGARDING 6 Motion to Continue as to Osvaldo Villegas−Rivera (1). Granted. **The identity and removal hearing via VTC is reset for March 1, 2022 at 11:00 am.** Signed by US Magistrate Judge Marcos E. Lopez on 2/25/2022. (mcc) (Entered: 02/25/2022)
02/28/2022	10		

			MOTION *to Waive Identity and Removal Hearing and for Miscellaneous Relief* by Osvaldo Villegas−Rivera (1). Responses due by 3/14/2022. NOTE: Pursuant to FRCP 6(a) an additional three days does not apply to service done electronically. (Attachments: # 1 Exhibit 1)(Prado−Galarza, Edwin) (Entered: 02/28/2022)
02/28/2022	11		ORDER regarding 10 Motion as to Osvaldo Villegas−Rivera (1). Granted. The waiver of the identity hearing is accepted and thus, **the identity hearing is vacated.** The court deems the defendant who appeared via VTC at the initial appearance hearing by the name of Osvaldo Villegas Rivera is the person indicted in the Southern District of Florida (22−20039−CR−Altonaga/Torres). **The defendant shall appear before the United States District Court for the Southern District of Florida on March 8, 2022, unless said court rules otherwise.** Signed by US Magistrate Judge Marcos E. Lopez on 2/28/2022. (jjr) (Entered: 02/28/2022)
03/01/2022	12		MOTION to Withdraw as Attorney by Osvaldo Villegas−Rivera (1). Responses due by 3/15/2022. NOTE: Pursuant to FRCP 6(a) an additional three days does not apply to service done electronically. (Gonzalez−Bothwell, Victor) (Entered: 03/01/2022)
03/01/2022	13		Emergency MOTION *for* Temporary Removal of Electronic Surveillance by Osvaldo Villegas−Rivera (1). Responses due by 3/15/2022. NOTE: Pursuant to FRCP 6(a) an additional three days does not apply to service done electronically. (Prado−Galarza, Edwin) (Entered: 03/01/2022)
03/01/2022	15		ORDER regarding 12 Motion to Withdraw as Attorney. Granted. AFPD Victor J. Gonzalez−Bothwell and CFPD Eric Vos are withdrawn from the case as to Osvaldo Villegas−Rivera (1).Signed by US Magistrate Judge Marcos E. Lopez on 3/01/2022. (mcc) (Entered: 03/03/2022)
03/03/2022	14		ORDER regarding 13 Motion as to Osvaldo Villegas−Rivera (1). Granted. If the defendant does not have a REAL ID Driver's License, then the passport shall be returned to him so that he can travel to Florida. In coordination with the U.S. Probation Office, the defendant shall also be allowed to temporarily have his ankle monitor removed during the period of time that he is in Florida. If, after appearing before the United States District Court for the Southern District of Florida on March 8, 2022, the defendant is allowed to remain under the same conditions of release, he shall have his ankle monitor reinstalled and he shall surrender once again his passport as soon as he returns to Puerto Rico. The defendant shall maintain the U.S. Probation Office informed of his travel arrangements and contact information. Signed by US Magistrate Judge Marcos E. Lopez on 3/03/2022. (mcc) (Entered: 03/03/2022)