



U.S. Department of Justice

*United States Attorney
Western District of Texas*

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July 28, 2011

To Whom It May Concern:

RE: Ricardo Magallanes
Date of Birth: September 6, 1975

On November 17, 2010, Ricardo Magallanes was arrested and charged by Criminal Complaint with Possession of a Controlled Substance with Intent to Distribute and Importation of a Controlled Substance.

Mr. Magallanes was indicted by a federal grand jury in El Paso, Texas on December 15, 2010, and charged with one count of Importation of a Controlled Substance and one count of Possession of a Controlled Substance with Intent to Distribute 50 kilograms or more of marijuana. On February 23, 2011, a federal grand jury in El Paso, Texas returned a Superseding Indictment charging Ricardo Magallanes with one count of Importation of a Controlled Substance and one count of Possession of a Controlled Substance with Intent to Distribute a quantity of marijuana.

On May 10, 2011, a jury trial was held for Mr. Magallanes in the Western District of Texas, El Paso. The jury returned a guilty verdict on both counts of the Superseding Indictment. Mr. Magallanes, through his attorney, filed a Motion for Acquittal on May 13, 2011.

Since June 23, 2011, based on an ongoing investigation being conducted by the Federal Bureau of Investigation (FBI), the United States Attorney's Office for the Western District of Texas, El Paso Division, received sufficient reliable evidence, which indicated that Ricardo Magallanes was the victim of a drug trafficking organization's scheme. As part of this drug trafficking organization's scheme, members of the scheme used individuals who had access to the dedicated commuter lane, like Magallanes, and the organization members would place duffle bags with bundles of marijuana in the individuals' vehicles' trunks. Additionally, these individuals, like Magallanes, had no knowledge that they were being used by the organization and that marijuana was being placed in their vehicles. Therefore, the Government now believes that Mr. Magallanes is innocent.

On June 27, 2011, the Government filed a Motion to Dismiss the Indictment, and on the same date the Court granted the Motion and dismissed the Superseding Indictment.

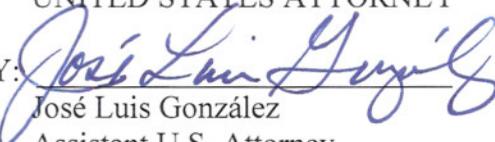
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If you have any questions please feel free to contact me at (915) 534-6884.

Sincerely,

JOHN E. MURPHY
UNITED STATES ATTORNEY

BY:


José Luis González
Assistant U.S. Attorney