

UNITED STATES DISTRICT COURT
for the
Southern District of Florida

United States of America
v.
Mario Antonio PALACIOS PALACIOS
Case No. 21-MJ-04265-LOUIS
Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.
On or about the date(s) of June 1, 2021 through July 7, 2021 in the county of Miami-Dade in the
Southern District of Florida, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description.
18 U.S.C. § 2339A, 18 U.S.C. § 956(a)(1) | Conspiracy to Provide Material Support Resulting in Death, Conspiracy to Kill or Kidnap outside the United States

This criminal complaint is based on these facts:
SEE ATTACHED AFFIDAVIT.

Continued on the attached sheet.

Handwritten signature of Michael Ferlazzo

FBI Special Agent Michael Ferlazzo
Printed name and title

Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by FaceTime

Date: Nov. 24 2021

Handwritten signature of Lauren F. Louis

Judge's signature

City and state: Miami, Florida

Lauren F. Louis, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Michael Ferlazzo, being first duly sworn, hereby depose and state the following:

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”), having been so employed since October 2009. I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Titles 8, 18, 19, 21 and 31 of the United States Code. I am currently assigned to the FBI’s Miami Division. As a Special Agent with the FBI, I have received general law enforcement training, and I have been personally involved in investigations concerning a variety of violations of federal offenses, including material support to terrorism, attempted use of weapons of mass destruction, conspiracy to murder or kidnap outside the United States, violent crime, and other violations of federal law.

2. This Affidavit is submitted for the limited purpose of establishing probable cause to charge and arrest Mario Antonio PALACIOS PALACIOS (“PALACIOS”) for (1) a violation of 18 U.S.C. § 2339A, providing material support and resources¹ resulting in death, knowing or intending that such support and resources are to be used to prepare for, or carry out, enumerated violations, including a violation of 18 U.S.C. § 956, which prohibits conspiracy to murder or kidnap outside the United States; and (2) a violation of 18 U.S.C. § 956(a)(1), Conspiracy to Kill or Kidnap outside the United States.²

¹ “Material support or resources” includes, in relevant part, “any property, tangible or intangible, or service, including . . . training, expert advice or assistance . . . personnel (1 or more individuals who may be or include oneself), and transportation, except medicine or religious materials.” 18 U.S.C. § 2339A(b)(1).

² 18 U.S.C. § 956(a)(1) provides, in relevant part, “[w]hoever, within the jurisdiction of the United States, conspires with one or more other persons, regardless of where such other person or persons are located, to commit at any place outside the United States an act that would constitute the offense of murder, kidnapping, or maiming if committed in the special maritime and territorial jurisdiction of the United States shall, if any of the conspirators commits an act within the jurisdiction of the United States to effect any object of the conspiracy, be punished”

3. I am personally involved in this investigation, along with other law enforcement agents, including other FBI agents and Homeland Security Investigations (HSI) agents. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not contain all the information known about this investigation. The facts and information contained in this affidavit are based on my personal knowledge and observation, as well as information received in my official capacity from other individuals, including other law enforcement officers involved in this investigation, as well as the review of records, documents, and other physical items obtained during the course of this investigation.

PROBABLE CAUSE

4. On July 7, 2021, the President of Haiti, Jovenel Moise, was assassinated in his residence in Port-au-Prince, Haiti. The First Lady ("M.M."), suffered multiple gunshot wounds. M.M. survived and received medical treatment in Miami.

5. According to statements made by Haitian authorities and the autopsy performed by Haitian officials, the President was shot twelve times and died as a result. Haitian authorities arrested numerous individuals in connection with the assassination, including several Colombian nationals and a number of dual Haitian-American citizens.

6. Through witness interviews and the review of records and seized electronic evidence, the investigation has revealed that in or around early June of 2021, a group of approximately twenty Colombian citizens with military training, including PALACIOS, were recruited to assist in the execution of a purported Haitian arrest warrant for President Moise. PALACIOS arrived in Haiti on or before June 7, 2021. While in Haiti, PALACIOS met co-conspirator #1. Documents seized during the investigation show that co-conspirator #1 was the person responsible for providing equipment and training for security personnel in Haiti. One photograph I reviewed, which appears to have been taken in Haiti, shows PALACIOS, co-

conspirator #1, and other identified co-conspirators outfitted in matching clothing. Other photos show the Colombians, including PALACIOS, wearing ballistic vests.

7. Based on interviews, as well as photos seized from electronic devices, the Colombian citizens, along with several Haitian-Americans (including co-conspirator #1), trained in Haiti for several weeks to conduct the purported arrest warrant operation. According to text messages seized from electronic devices (including texts from co-conspirator #1) and interviews conducted during the investigation, the initial plan was to “extract” President Moise from Haiti on or about June 18, 2021. That plan was abandoned when the co-conspirators failed to secure a private plane to spirit the President away from Haiti. Based on this evidence, it appears that the purported arrest warrant operation essentially was, at least initially, a plot to kidnap the Haitian President and physically remove him from Haiti by plane.

8. On or about June 28, 2021, in furtherance of and to effect the object of the conspiracy, co-conspirator #1 traveled from Haiti to the United States, specifically the Southern District of Florida, and provided other individuals with a written request for assistance to further the arrest and imprisonment of President Moise, as well as purporting to provide Haitian immunity for such actions. According to interviews of several co-conspirators in Haitian custody, by this point certain co-conspirators had knowledge, or at least believed, that the plan was to assassinate rather than kidnap President Moise. On or about July 1, 2021, co-conspirator #1 flew from Florida to Haiti to participate in the operation.

9. On July 7, 2021, PALACIOS and others entered the Presidential residence in Haiti with the intent and purpose of killing President Moise, and in fact, the President was killed. Co-conspirator #1 was subsequently arrested by Haitian authorities and is currently in custody in Haiti. PALACIOS eluded arrest, traveled to Jamaica, and, after some time, asked to speak to U.S. law enforcement.