

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 16-20913-CR-WILLIAMS

UNITED STATES OF AMERICA

v.

ALI ISSA CHAMAS,

Defendant.

**UNITED STATES OF AMERICA'S FACTUAL PROFFER
FOR DEFENDANT'S CHANGE OF PLEA**

Had this case proceeded to trial, the United States of America would have proven the following facts beyond a reasonable doubt:

On August 19, 2016, the defendant, a Lebanese national and naturalized citizen of Paraguay, was arrested at Guarani International Airport in Ciudad Del Este, Paraguay on drug charges involving the attempted shipment via air cargo to Istanbul, Turkey, 51 boxes containing rolls of cellophane plastic wrapping that had cocaine concealed within the rolls. The total quantity of cocaine was 39 kilograms.

Following the defendant's arrest in Paraguay, Special Agents with the Drug Enforcement Administration ("DEA") in Paraguay took custody of the defendant's I-Phone from the Paraguayan authorities who advised that the defendant had given them consent to search his phone and had given them the password to his phone. Paraguayan authorities later obtained a search warrant for the phone.

A search of the defendant's cell phone revealed a series of WhatsApp chats and voice messages between the defendant and a person with alias "Kuku" using a cell phone number in

Houston, Texas. Through the cell phone number, DEA agents identified Kuku as someone living in Houston, Texas. The WhatsApp communications were from July 2, 2016 through the date of the defendant's arrest in Paraguay. These communications indicated that the defendant was planning to send to Kuku's associate in Houston, Texas a test load of cocaine, consisting of three kilograms.

During some of the initial WhatsApp messages in July, the defendant advised Kuku that his method of shipment was cargo, that it was very secure, and it could go anywhere. On July 14, 2016, the defendant advised Kuku that he was traveling to Colombia in relation to the shipment to Turkey, and that he (the defendant) could make arrangements for Kuku's friend. During a conversation on July 15, 2016, the defendant told Kuku that he had 43 in his hand. A photograph recovered from the defendant's phone, created on July 14, 2016, shows four stacks of rectangular-shaped packages that totaled 40, plus three additional packages standing on their side facing the camera showing the Eiffel Tower emblem. Another photograph in the defendant's cell phone depicts a single unwrapped package of a pressed white substance, consistent with cocaine, having the imprint of the Eiffel Tower.

During chats of July 16, 2016, the defendant indicated he was in Cartagena, Colombia, and said that he had met with the boss's "cook". Other chats that day suggested that the defendant and Kuku had spoken over the phone, and that they had discussed prices and costs. In the chats, the defendant told Kuku that his (Kuku's) associate needed to send 6000, plus another 3000, and they would receive three (kilograms of cocaine).

During chats on July 18, 2016, the defendant told Kuku that after the "test" shipment, he could send 100 per month to the U.S.

On July 20, 2016, Kuku asked the defendant how long it would take to arrive, and the

defendant responded that it would take 4 to 5 days to Houston, 2 to 3 days to Miami, 4 days to Toronto, Canada, and emphasized that air cargo was fast.

On August 1, 2016, the defendant told Kuku that he was receiving “65” today and would have a total of “108,” which relates to the 43 he already had on hand (65 plus 43 is 108).

On August 3, 2016, Kuku notified the defendant that he had the money, and they agreed to have the money sent via MoneyGram. On August 4, 2016, Kuku sent the defendant a copy of the MoneyGram receipt showing the wire transfer of \$6,000 to Ali Issa Chamas in Paraguay. Subpoenaed MoneyGram records confirmed the transfer. On August 6, 2016, Kuku sent the defendant a Houston, Texas address, and later he provided the defendant a name to whom the package should be addressed.

During several chats in August, the defendant advised Kuku of dates when “it” will go out, and then provided reasons for delays, including an increase in police presence at the airport. Finally, on Tuesday, August 16, 2016, the defendant confirmed that it would go out on Saturday (August 20th), and that they would have it the following Monday or Tuesday. The defendant was arrested on Friday, August 19, 2016, at the airport in Ciudad Del Este, Paraguay, for the attempted shipment of cocaine to Turkey.

On November 23, 2016, the defendant agreed to a post-Miranda recorded interview with the DEA. During the interview, the defendant admitted having sent cocaine overseas while working for other people. The defendant admitted that he had a friend named Kuku, and that he received \$5000 to pay for expenses for a test load of two to three kilograms that would be sent to the United States.

Respectfully submitted,

BENJAMIN G. GREENBERG
ACTING UNITED STATES ATTORNEY

Date: 9/22/17

By: 
AIMEE C. JIMENEZ
ASSISTANT U.S. ATTORNEY

Date: 9/21/17

By: 
BUNMI LOMAX, AFPD
ATTORNEY FOR DEFENDANT

Date: ⁰⁹/21/2017

By: 
ALI ISSA CHAMAS
DEFENDANT