

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the Southern District of Texas

United States Courts Southern District of Texas FILED

DEC 03 2012

David J. Bradley, Clerk of Court

United States of America)
v.)
Rudi DEKKERS)
Rogelio MARTINEZ-FLORES)

Case No. H12-1140M

Defendant(s)

CRIMINAL COMPLAINT

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 12/02/2012 in the county of Harris in the Southern District of Texas, the defendant(s) violated:

Table with 2 columns: Code Section and Offense Description. Rows include 21 USC Section 841(a)(1), 21 USC Section 841(b)(1)(A)(ii), and 21 USC Section 846.

This criminal complaint is based on these facts: See attached Affidavit in support of a Criminal Complaint.

Continued on the attached sheet.

Signature of Michael A. Gonzalez, Special Agent

Sworn to before me and signed in my presence.

Date: 12/3/12

Signature of George C. Hanks, Jr., Magistrate Judge

City and state: Houston, Texas

George C. Hanks, Jr., Magistrate Judge

Your affiant, Michael Gonzalez, being duly sworn and deposed, states as follows:

1. Your affiant is a Special Agent (S/A) for the Department of Homeland Security, United States Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI). Your affiant is currently assigned to HSI Houston Contraband Smuggling and is currently investigating an international drug trafficking organization (DTO) led by Arturo ASTORQUIZA (hereinafter referred to as ASTORQUIZA), who facilitates the international transportation of narcotics in the United States, namely cocaine.
2. A HSI undercover agent (Hereinafter referred to as HSI UCA) was introduced to ASTORQUIZA on October 31, 2012. During that meeting, ASTORQUIZA invited to the meeting his associate, Rudi DEKKERS (hereinafter referred to as DEKKERS). Upon arriving to the meeting, DEKKERS was then introduced to the HSI UCA. During this meeting, DEKKERS advised HSI UCA that he was involved in narcotics transportation via private aircraft and that he has flown narcotics and U.S. currency previously without any problems.
3. On November 5, 2012, ATF Special Agents, along with task force officers, arrested ASTORQUIZA (DOB 2/08/1976) for violation of the Texas State Penal Code 46.14, Firearms smuggling. The arrest of ASTORQUIZA occurred in the parking lot of ASTORQUIZA'S apartment complex.
4. On November 11, 2012, DEKKERS called the HSI UCA on his own accord and told the UCA that ASTORQUIZA was arrested by the ATF. DEKKERS advised the HSI UCA that he would still be willing to work with the HSI UCA on trafficking narcotics.
5. On November 29, 2012, DEKKERS called the HSI UCA and advised him that he (DEKKERS) would be flying to Houston, TX from Florida the following day and would be landing at IAH. DEKKERS also advised the HSI UCA the reason for the travel to Houston was to transport narcotics for individuals, who were unknown, through the use of private aircraft.
6. On November 30, 2012, the HSI UCA conducted a meeting with DEKKERS. During that meeting DEKKERS advised the HSI UCA his (DEKKERS) plan for transporting the narcotics. DEKKERS advised the HSI UCA that he would be obtaining six (6) kilograms of cocaine and would be compensated approximately \$9,000.00 for his services of piloting the aircraft. After the meeting, HSI Special Agents followed DEKKERS from the meet location to THE FLIGHT SCHOOL INC., located at 21904 Northwest Freeway, Cypress, TX 77429. DEKKERS was seen going into the facility and shortly later exiting the building. After leaving THE FLIGHT SCHOOL INC., DEKKERS was followed to TEXAS FLIGHT SERVICES, INC. located at 20803 Stuebner Airline Rd., Spring, TX 77379. Upon arriving at TEXAS FLIGHT SERVICES, INC., DEKKERS was seen going into the facility and shortly later exiting the building. From previous

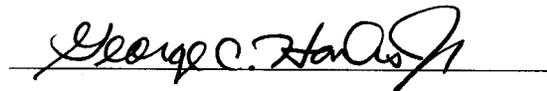
conversations between DEKKERS and the HSI UCA, Agents assume that DEKKERS was inquiring for a rental aircraft. Later in the evening DEKKERS was followed to 6501 Ranchester Dr. apartment 192, Houston, TX (hereinafter referred to TARGET APARTMENT).

7. On December 1, 2012, after being under around the clock surveillance, DEKKERS left the TARGET APARTMENT, at approximately 2:37 p.m., and drove to the memorial city mall and met with two male individuals, one is unknown and the other was later identified as Rogelio MARTINEZ-FLORES (Hereinafter referred to as MARTINEZ-FLORES). After the meet DEKKERS was later witnessed returning to the TARGET APARTMENT.
8. On December 2, 2012, after being under around the clock surveillance, DEKKERS left the TARGET APARTMENT, at approximately 12:20 p.m., in a yellow cab taxi. DEKKERS, while in the taxi, was followed to THE FLIGHT SCHOOL INC. While DEKKERS was at THE FLIGHT SCHOOL INC., Special Agents observed MARTINEZ-FLORES arrive in a Nissan Murano, and they proceeded to greet each other. Shortly after, Special Agents observed MARTINEZ-FLORES hand DEKKERS a blue rolling suit case, which MARTINEZ-FLORES retrieved from the luggage compartment of the Nissan Murano. After DEKKERS received THE BLUE ROLLING SUIT CASE, he proceeded to the main building of THE FLIGHT SCHOOL INC. and placed the bag next to the door way and entered the building. Shortly thereafter, while THE BLUE ROLLING SUIT CASE was still in Special Agent's view, Special Agents approached DEKKERS and MARTINEZ-FLORES and detained both.
9. At the time DEKKERS and MARTINEZ-FLORES were detained, HSI Special Agents asked for assistance from a Harris County Sheriff's Office K-9 unit. Deputy J. Thomas' (40K27) K-9, "Jack", NNOOA #40859, positively alerted to a narcotics odor emanating from THE BLUE ROLLING SUIT CASE.
10. After the positive alert, Special Agents transported DEKKERS and MARTINEZ-FLORES to 1433 West loop S., Houston, TX 77027, also known as the DEA Houston Division, for processing. The rolling bag suit case was also transported, undisturbed, from THE FLIGHT SCHOOL INC. to DEA Houston Divison and subsequently secured.
11. At approximately 9:50 p.m., a state search warrant to search THE BLUE ROLLING SUIT CASE was signed by Magistrate Judge Eric Hagstette. Afterwards, the search warrant was executed on THE BLUE ROLLING SUIT CASE, and approximately 18.74 kg of cocaine and approximately 860 grams of heroin was found and subsequently seized from the suit case.

12. Based on my experience and the aforementioned facts and observations, the affiant believes there is probable cause to believe that DEKKERS and MARTINEZ-FLORES did conspire to knowingly possess with the intent to distribute over 5 kilos of cocaine, a controlled substance and approximately 100 grams of heroin, another controlled substance, in violation of Title 21 United States Code Sections 841(a)(1), 841(b)(1)(A)(ii), 841(b)(1)(B)(i) and 846.


Michael A. Gonzalez
Special Agent
Homeland Security Investigations

Sworn and subscribed before me this 3rd day of December, 2012, and I find probable cause.


GEORGE C. HANKS
U. S. Magistrate Judge