

UNITED STATES DISTRICT COURT

Filed

for the

AUG 08 2012

Southern District of Mississippi

U.S. Magistrate Judge

United States of America)

v.)

Juan Lopez-Fuentes)

Case No. 3:12 mj 160-LAM

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 May 20, 2012 in the county of Adams in the Southern District of Mississippi, the defendant(s) violated:

Code Section 18 U.S.C. 1792

Offense Description Instigating, conniving, willfully attempting to cause, assist, or conspiring to cause a riot a Federal penal, detention, or correctional facility.

This criminal complaint is based on these facts:

See attached affidavit - "Exhibit A".

Continued on the attached sheet.

Complainant's signature

Casey Markovitz, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 08/08/2012

Judge's signature

Linda R. Anderson, U.S. Magistrate Judge

Printed name and title

City and state: Jackson, Mississippi

EXHIBIT A
AFFIDAVIT

I, Casey Markovitz, Affiant, being duly sworn, hereby state and depose that I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been so employed since January of 2011. I am currently assigned to investigate health care fraud matters for the Jackson, Mississippi, FBI Field Office. The below stated information is derived from my personal knowledge while being involved in this investigation and also from information provided to me by other FBI Agents involved in the investigation.

The Adams County Correctional Center (ACCC), 20 Hobo Fork Road, Natchez, Mississippi, is owned and managed by Corrections Corporation of America (CCA). The facility is a federal penal facility operated by a private corporation under the direction and regulation of the Bureau of Prisons (BOP) and exclusively houses federal prisoners. ACCC houses approximately twenty-five hundred non-resident aliens who have been convicted of federal charges in the United States.

The majority of the inmate population consists of Mexican nationals known as Paisas. The Paisas wield the most power and influence among the prison population. Many within the inmate population became disgruntled with what the inmates perceived to be inadequate or substandard food, medical conditions and disrespectful staff members at ACCC. The Paisas felt their own leadership was ineffective at communicating their grievances to prison officials.

On or about May 19, 2012, the leaders of the Paisas were ousted and replaced by inmates Ernesto "Neto" Granados and Juan "Bobby" Arredondo. Granados, Arredondo and a large group of Paisas planned to take a list of grievances to Warden Vance Laughlin on May 20, 2012. The Paisas also planned to take their old representatives to the Special Housing Unit (SHU) to be segregated from the general population. Granados and Arredondo instructed the Paisas to disobey orders from the staff and to remain outside their housing units until Warden Laughlin met the demands of the inmates. The Paisas were further instructed by their new leaders to destroy the prison if staff made any attempts to break up the riot. In addition to destroying the prison, Paisas planned to assault the correction officers (CO). The Paisas had compiled a list of several COs they no longer wanted working at ACCC. The list included CO Deborah Temple, CO Robert Scott, and CO Corey Lofton.

On May 20, 2012, at approximately 1:30 p.m., several Paisas attempted to escort one of their old representatives and a Canadian representative to the SHU. The COs noticed something was wrong and attempted to shut the internal gates along Main Street, which is the pathway that runs through the center of the facility. After some of the internal gates were closed, Granados, Arredondo and approximately two hundred Paisas went to Gate 117 along Main Street, and demanded to speak to Warden Laughlin. Several COs locked themselves into safe zones located along Main Street.

Eventually, several COs were posted on the roof of the Echo housing unit and the roof of the H & J building. Both buildings overlook Gate 117. Chief of Security Dale London ordered the inmates at Gate 117 to step away from the gate and into the recreation yards along Main Street, but the inmates refused to comply. Inmates were later ordered over the prison's public announcement system to return to their housing units, but they refused to comply. Between 3:00pm and 3:30pm, the inmates began kicking and tearing at Gate 117. The inmates also tried to gain entry into a safe zone near Echo unit which contained three COs. The COs on the rooftops began deploying tear gas on the inmates gathered near Gate 117. Some inmates threw the gas canisters back at the guards, while others started throwing rocks and other items at the COs. Inmates began destroying fences along Main Street, concealing their faces, and destroying surveillance cameras.

Several inmates tore through a fence enabling them to move undetected behind Echo and steal a thirty-two foot ladder. The inmates brought the ladder back to Main Street and utilized it to breach the rooftop of Echo. CO Corey Lofton and CO Peggy Stevens were both assaulted on the rooftop of Echo and taken to a recreation yard along Main Street where they were held hostage for several hours.

After the assaults on the roof of Echo, the inmates began bringing items out of the dining hall and kitchen, which are located in the H & J building. Inmates stacked food service carts on top of each other in front of H & J and began climbing towards the roof. Once the inmates were on the roof of H & J, they ran towards and came in contact with CO Catlin Carithers and CO Deborah Temple. The inmates on the roof assaulted CO Temple and killed CO Carithers.

After the assaults on Echo and H & J, the inmates used the staff's keys to gain access to a safe zone along Main Street and assault CO Robert Scott, CO Rebecca Scott and CO Willie Cranfield. The inmates were also able to gain access to another safe zone and take CO Hunter Floyd, CO Kylie Winchester and CO Kenneth White hostage. Inmates then began looting the kitchen and the prison commissary.

Eventually, the inmates were able to enter the housing units along Main Street by telling Warden Laughlin they just wanted to return to their cells and bunks. However, the inmates involved in the riot used this opportunity to take additional staff members hostage in the housing units. At this time, CO Rufus Davis was taken hostage in the Bravo housing unit. Inmates entered the Zulu housing unit and attempted to gain access to several staff members who had secured themselves in the SHU. The Paisas tried to break into the SHU to free more of their members and to possibly assault some of their enemies who were housed in the SHU.

While inmates held staff members hostage throughout the facility, several of the Paisas remained at Gate 117 making demands of Warden Laughlin. The inmates maintained control of the facility until approximately 7:00pm when members of the

prison's Special Operations Response Team (SORT) and the Mississippi Highway Patrol (MHP) began to retake the facility. SORT and MHP advanced along Main Street firing tear gas and rubber bullets.

While SORT and MHP were securing the facility, CO Rufus Davis, CO Hunter Floyd and CO Johnny Jones were being held hostage at Gate 137 by several inmates carrying weapons. The inmates forced the COs to remain on their knees and the inmates warned SORT and MHP on the secure side of Gate 137 that they would harm the COs if the firing of tear gas and rubber bullets did not stop. CO Davis has identified Juan Lopez-Fuentes as being present at Gate 137 while SORT and MHP attempted to free the hostages and secure the facility.

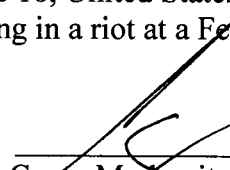
According to CO Davis, Lopez-Fuentes was an active participant in the riot and appeared to be in charge of the inmates involved in the standoff near Gate 137. Lopez-Fuentes was one of the inmates preventing CO Davis from making it to safety and he was utilizing the hostages to prolong the riot. Lopez-Fuentes would quiet the crowd of rioting inmates and then give CO Davis orders to relay to SORT and MHP. Lopez-Fuentes ordered CO Davis to tell SORT and MHP to "drop their motherfucking weapons". Lopez-Fuentes warned CO Davis that "we'll hurt you" if SORT and MHP come through Gate 137. Lopez-Fuentes took CO Davis' prison identification card and gave it to SORT and MHP on the secure side of Gate 137. Lopez-Fuentes then told CO Davis that he "works for the wrong fucking people". CO Davis observed Lopez-Fuentes carrying a weapon at one point during the standoff. Eventually, SORT and MHP came through Gate 137 and CO Davis was able to make it to safety when the inmates around him retreated.

Upon being interviewed by the FBI, Lopez-Fuentes acknowledged being a participant in the riot. Lopez-Fuentes stole items from the commissary, broke windows in one of the housing units and was in possession of a staff member's radio. Lopez-Fuentes also acknowledged being present near Gate 137 and giving orders to CO Davis.

The inmates were pushed back by SORT and MHP to an open yard behind Sierra housing unit. All staff were accounted and the riot was over by 9:00pm. The total damage to ACCC is estimated to be \$1,305,142.00 dollars.

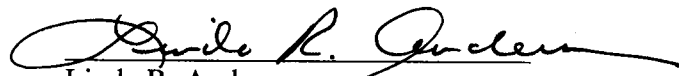
According to the Bureau of Prisons, Lopez-Fuentes is scheduled to be released from custody on August 9, 2012. Lopez-Fuentes will be turned over to Immigration and Customs Enforcement (ICE) to begin the deportation process on August 9, 2012.

Affiant believes that the facts presented in this affidavit are sufficient to establish probable cause to charge Lopez-Fuentes with Title 18, United States Code, Section 1792, by actively participating and assisting in a riot at a Federal correctional facility.



Casey Markovitz
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me this 8th day of August, 2012


Linda R. Anderson
United States Magistrate Judge