

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	Crim. No. 24-10145-DJC
)	
v.)	
)	
ANTONIO JOSE DE ABREU VIDAL FILHO,)	
)	
Defendant.)	

MOTION FOR DETENTION

The United States of America moves for pretrial detention, pursuant to the Bail Reform Act, 18 U.S.C. § 3141 et seq., of defendant ANTONIO JOSE DE ABREU VIDAL FILHO. There are no conditions or combination of conditions that will reasonably assure the defendant's appearance at future proceedings and the safety of the community. *See* 18 U.S.C. § 3142(e)(1).

As alleged in the Indictment, attached hereto as Exhibit 1, and the affidavit of Homeland Security Investigations Special Agent Matthew Langille, attached hereto as Exhibit 2, defendant, ANTONIO JOSE DE ABREU VIDAL FILHO ("DE ABREU"), was a Brazilian citizen who is in the United States on a fraudulently obtained non-immigrant visa and thereafter applied for asylum and adjustment of lawful permanent resident status. At various times, he has resided in Massachusetts.

In April 2014, DE ABREU joined the Ceara State Military Police ("CSMP"). The CSMP are state forces, under the governor, who do first line policing on the street.

In the early morning hours of November 12, 2015, numerous Brazilian military police officers employed by the government of the Brazilian state of Ceará ("CE"), including DE ABREU, participated in a mass killing event of primarily young people from the impoverished

neighborhoods of Barroso, Messejana, Guajeru, Curió and Lagoa Redonda in the capital of Ceará. The killing was allegedly in retaliation for the death of another police officer (“CS”), earlier that evening. CS was shot and killed in the Lagoa Redonda neighborhood attempting to defend his wife who was being assaulted. In total, eleven people, mostly teenagers, were murdered and many others tortured and seriously injured. This incident has come to be known as A Chacina do Curió or The Slaughter of Curió or The Curió Massacre.

A total of forty-five (45) individuals, including DE ABREU, were charged by the Brazilian authorities and, on August 31, 2016, DE ABREU was arrested and detained by the Brazilian police. He was subsequently released pending trial on May 24, 2017.

Just two weeks later, on June 9, 2017, DE ABREU applied for a United States non-immigrant B2 visitor visa (“the B2 Visa”) while in Recife, Brazil. In response to the question on the Visa Application, “Have you ever been arrested or convicted for any offense or crime,” DE ABREU responded “no.” In response to the question on the Visa Application, “Have you committed, ordered, incited, assisted or otherwise participated in extrajudicial killings, political killings, or other acts of violence,” DE ABREU responded “no.”

On or about June 21, 2017, and based upon DE ABREU’s false representations in the visa application, the United States Department of State approved DE ABREU’s visa application and issued him “the B2 Visa”. DE ABREU thereafter used the B2 Visa and travelled to Miami, Florida on May 30, 2018.

Between May 30, 2018 through August 14, 2023, as a result of the approval of his B2 Visa, DE ABREU obtained various state driver’s licenses, a social security card, travel documents, and authorizations for employment..

DE ABREU applied for asylum on January 29, 2020, by submitting an Application for Asylum and Withholding of Removal, Form I-589 (“Asylum Application”). In response to the questions, “Have you ever been accused, charged, arrested, detained, interrogated, convicted, and sentenced, or imprisoned in any country other than the U.S and “Have you ever committed any crime in the United States, including for an immigration law violation,” DE ABREU responded “no.”

DE ABREU signed the Asylum Application under the following certification:

I certify, under the penalty of perjury under the laws of the United States of America that this application and the evidence submitted with it are all true and correct.

On December 22, 2021, DE ABREU submitted Form I-485, Application for Adjustment of Status, online with the United States Citizenship and Immigration Service (“USCIS”), on which he failed to disclose his arrest, detention, and his participation in the massacre. DE ABREU listed his residence as being in Nashua, NH.

On April 25, 2022, DE ABREU submitted Form I-765, Application for Employment Authorization, with USCIS. DE ABREU listed his residence as being in Malden, Ma. On this application, DE ABREU answered “No” to Question 30(a)., which states, “Have you EVER been arrested for, and/or charged with, and/or convicted of a crime in any country?”

On June 25, 2023, DE ABREU was convicted, of eleven counts of murder, three counts of attempted murder, and four counts of physical and mental torture in the 1st Court of Fortaleza, Ceará. That same day, DE ABREU was sentenced to 275 years’ and 11 months incarceration and an arrest warrant issued.

On February 9, 2024, DE ABREU testified under oath at an immigration hearing conducted by the Immigration Court. At that hearing, DE ABREU falsely claimed: that he had

never lied to immigration officials; and that the only reason he had left off important information on immigration documents filed with the United States government was because he had not yet been arrested.

Based on a preponderance of the evidence, this Court should order the defendant detained pending trial, because no condition or combination of conditions will reasonably assure the defendant's appearance at future proceedings. See 18 U.S.C. § 3142(e)(1). There are several reasons why the defendant presents a serious risk of flight. First, the defendant, entered the United States illegally and, save for his fraudulently obtained B2 Visa, has no status in the United States. Second, the fled Brazil just after having been released from detention and prior to his trial. Third, defendant told multiple lies to several different immigration officials and an immigration judge in order to game the immigration system. Fourth, an immigration detainer has been lodged against the defendant and he has been ordered removed from the United States. If the defendant is released, he is likely to be removed from the United States and will not be held accountable for his criminal activity in the United States. Finally, the strength of the case against the defendant increases the likelihood that he will flee to avoid likely conviction. Accordingly, the defendant clearly poses both a significant risk to public safety, and a significant risk of flight.

I. Eligibility for Detention

The government moves for detention under the following provisions of the Bail Reform Act:

1. 18 U.S.C. § 3142(f)(2)(A), because there is a serious risk that the defendant will flee.

II. Each of the Factors to be Considered Strongly Favors Pretrial Detention of the Defendant

a. The Nature and Circumstances of the Offense Favor Detention

The Indictment charges the defendant with two counts of visa fraud case based on a false statement he made on his visa application wherein he denied having been arrested for any offense or crime. In fact, at the time defendant filled out the visa application he had been arrested and detained in Brazil in connection with a mass killing event of primarily young people. The nature and circumstances of the underlying offense in this case involve serious acts of violence. The specific acts of violence are set out in the Indictment. They include the murders of eleven people and wounding of seven others. *See, e.g., Indictment* ¶ 3. The instant offenses before this Court involve multiple lies told by the defendant to United States immigration officials and an Immigration Judge. This is not an individual who is trustworthy and can be relied upon to appear in Court.

b. The Weight of the Evidence Favors Detention

The weight of the evidence against the defendant -- at least for purposes of a bail determination -- is overwhelming and strongly favors detention. The evidence of visa fraud and perjury is strong and includes Brazilian court documents, immigration records, including defendant's A-file, and testimony from Customs and Border Protection ("CBP"), the Department of State, United States Customs Immigration Services ("USCIS") and the airlines. The false statements made by DE ABREU, which immigration officials will testify were material, in his visa application were made under the penalty of perjury. The evidence includes records that show that DE ABREU used and possessed his fraudulently obtained B2 Visa when he entered the United States on August 6, 2019, and immediately transited to Boston on the same day, where he remained. According to CBP entry records, DE ABREU last possessed and used his visa on August 6, 2019. Moreover a transcript of the immigration hearing shows that DE ABREU

admitted that, on August 6, 2019, he flew from Miami to Boston on American Airlines -- immediately after having arrived from Brazil.

In addition, as proof of his use of the fraudulently obtained B2 Visa, and in support of his I-589 asylum application, in December 2019, DE ABREU submitted his fraudulently obtained B2 Visa. DE ABREU therefore possessed and used the fraudulently obtained B2 Visa at the time he filed the I-589 application.

With respect to the perjury and false statements counts, immigration officials will testify that DE ABREU lied when he willfully subscribed as true that he had never been accused, charged, arrested, detained, and interrogated in any country other than the United States. Official Brazilian court records, including DE ABREU's arrest record, are evidence that he was arrested and detained, and the record of court proceedings corroborate the fact of his arrest and detention for the crimes described in the Indictment.

Finally, the evidence is also strong that DE ABREU engaged in a scheme to conceal and cover up his arrest and detention in Brazil starting from his application for the B2 Visa and continuing through his Immigration hearing.

c. The History and Characteristics of the Defendant Favors Detention

While in Brazil, the defendant engaged in a massacre involving the murder of eleven individuals and wounding of seven more. Almost immediately after having been released from detention, and while awaiting trial, DE ABREU fled to the United States where he applied for several benefits available to those who have come to this country legally.

The history of this defendant is that he is an individual who has a propensity for lying. He has lied to multiple immigration officials and an Immigration Judge. He cannot be trusted to comply with any conditions of release. Moreover, if taken as true, the allegations against the

defendant in Brazil, and his subsequent conviction for eleven murders, demonstrates that he is a serious danger to the community.

d. The Seriousness of Danger to Others Favors Detention

The seriousness of the danger to others is enormous. As detailed in the Indictment, defendant has now been convicted and sentenced in Brazil of all the major crimes perpetrated that night in Brazil; 11 counts of murder, 3 counts of attempted murder and 4 counts of physical and mental torture. He was subsequently sentenced to 275 years and 11 months in prison. Defendant's conviction for acts of violence presents a serious risk of danger to others.

e. The Risk of Flight and Risk of Obstruction of Justice Favors Detention

Finally, defendant has already proven that he is a serious flight risk. Within two weeks of having been released from detention in Brazil, he applied for the B2 Visa, and months later fled to the United States to avoid prosecution. He was able to do so by lying on the B2 Visa application about his arrest and detention. Once in the United States, the defendant continued to travel back and forth to Brazil until his trial was quickly approaching. However, during the trial, he remained in the United States rather than return to Brazil. Thus, there is no question that he has already fled prosecution in one jurisdiction and likely will do the same here. Defendant has a powerful incentive to flee to avoid criminal prosecution given the instant charges in the United States and a looming 275-year sentence in Brazil.

Equally compelling is the fact that there is an immigration detainer lodged against defendant. Defendant was arrested based on an Interpol Red Notice because of the Brazil case. Once in ICE custody, an immigration detainer was lodged against him at the detention facility. Defendant has now had his immigration hearing and has been ordered removed by an Immigration Judge. He has appealed that decision but, if released on the criminal charges, (1) he may be

removed prior to the completion of the criminal proceedings or (2) he may flee to a third country to avoid removal to Brazil to serve his 275-year term of incarceration and prosecution in the United States. Neither of these are acceptable options.

The defendant has been convicted in Brazil of horrific acts of violence, and there is a significant risk that he will continue to engage in such conduct upon release on these charges. Moreover, he has lied repeatedly to immigration officials. Thus, it appears unlikely that the defendant will be able to abide by any order for conditions of release fashioned by this Court.

CONCLUSION

For the foregoing reasons, this Court should find no condition or combination of conditions will reasonably assure the defendant's appearance at future proceedings and, therefore, order the defendant detained pending trial. The defendant poses a significant risk of flight, and a significant danger to the community. For these reasons, he should be detained pending trial.

Respectfully submitted,

JOSHUA S. LEVY
Acting United States Attorney

/s/ Laura J. Kaplan
Laura J. Kaplan
Assistant United States Attorney
One Courthouse Way
Boston, MA 02210

CERTIFICATE OF SERVICE

I, Laura J. Kaplan, hereby certify that the foregoing was filed through the Electronic Court Filing system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

Date: May 29, 2024

/s/ Laura J. Kaplan
Laura J. Kaplan
Assistant United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

ANTONIO JOSE DE ABREU VIDAL FILHO,

Defendant

) Criminal No. 24cr10145
)
) Violations:
)
)
) Counts One and Two: Fraud and
) Misuse of Visas, Permits, and
) Other Documents
) (18 U.S.C. § 1546(a))
)
) Count Three: Perjury
) (18 U.S.C. § 1621(2))
)
) Count Four: Perjury
) (18 U.S.C. § 1621(1))
)
) Count Five: Falsifying,
) Concealing and Covering Up
) A Material Fact
) (18 U.S.C. § 1001(a)(1))

INDICTMENT

At all times relevant to this Indictment:

General Allegations

1. Defendant, ANTONIO JOSE DE ABREU VIDAL FILHO (“DE ABREU”), was a Brazilian citizen who is in the United States on a non-immigrant visa and applied for asylum and lawful permanent resident status. At various times, he has resided in Massachusetts.
2. In April 2014, DE ABREU joined the Ceara State Military Police (“CSMP”). The CSMP are state forces, under the governor, who do first line policing on the street.
3. In the early morning hours of November 12, 2015, numerous Brazilian military

police officers employed by the government of the Brazilian state of Ceará (“CE”), including DE ABREU, participated in a mass killing event of primarily young people from the impoverished neighborhoods of Barroso, Messejana, Guajeru, Curió and Lagoa Redonda in the capital of Ceará. The killing was in retaliation for the death of another police officer (“CS”), earlier that evening. CS was shot and killed in the Lagoa Redonda neighborhood attempting to defend his wife who was being assaulted. In total, eleven people, mostly teenagers, were murdered and many others seriously injured and tortured. This incident has come to be known as A Chacina do Curió or The Slaughter of Curió or The Curió Massacre.

4. A total of forty-five (45) individuals, including DE ABREU, were charged by the Brazilian authorities and, on August 31, 2016, DE ABREU was arrested and detained by the Brazilian police. He was subsequently released pending trial on May 24, 2017.

5. On June 9, 2017, DE ABREU applied for a United States non-immigrant B2 visitor visa (“the B2 Visa”) while DE ABREU was in Recife, Brazil. In response to the question on the Visa Application, “Have you ever been arrested or convicted for any offense or crime,” DE ABREU responded “no.” In response to the question on the Visa Application, “Have you committed, ordered, incited, assisted or otherwise participated in extrajudicial killings, political killings, or other acts of violence,” DE ABREU responded “no.”

6. On or about June 21, 2017, and based upon DE ABREU’s false representations in the Visa Application, the United States Department of State approved DE ABREU’s Visa Application and issued him “the B2 Visa”. DE ABREU thereafter used the B2 Visa and travelled to Miami, Florida on May 30, 2018.

7. Between May 30, 2018 through August 14, 2023, as a result of the approval of his Visa Application, DE ABREU obtained various state driver’s licenses, a social security card,

travel documents, and authorizations for employment..

8. DE ABREU applied for asylum on January 29, 2020, by submitting an Application for Asylum and Withholding of Removal, Form I-589 (“Asylum Application”). In response to the questions, “Have you ever been accused, charged, arrested, detained, interrogated, convicted, and sentenced, or imprisoned in any country other than the U.S and “Have you ever committed any crime in the United States, including for an immigration law violation,” DE ABREU responded “no.”

9. DE ABREU signed the Asylum Application under the following certification:

I certify, under the penalty of perjury under the laws of the United States of America that this application and the evidence submitted with it are all true and correct.

10. On December 22, 2021, DE ABREU submitted Form I-485, Application for Adjustment of Status, with United States Citizenship and Immigration Services, in which he failed to disclose his arrest and detention in Brazil.

11. On June 25, 2023, DE ABREU was convicted, of eleven counts of murder, three counts of attempted murder, and four counts of physical and mental torture in the 1st Court of Fortaleza, Ceará. That same day, DE ABREU was sentenced to 275 years’ and 11 months incarceration and an arrest warrant issued.

12. On February 9, 2024, DE ABREU testified under oath at an immigration hearing conducted by the Immigration Court. At that hearing, DE ABREU falsely claimed: that he had never lied to immigration officials; and that the only reason he had left off important information on immigration documents filed with the United States government was because he had not yet been arrested.

COUNT ONE

Fraud and Misuse of Visas, Permits and Other Documents
(18 U.S.C. § 1546(a))

The Grand Jury charges:

13. The Grand Jury re-alleges and incorporates by reference paragraphs 1 to 12 of this Indictment.

14. On or about August 6, 2019, in Revere, in the District of Massachusetts, and elsewhere, the defendant,

ANTONIO JOSE DE ABREU VIDAL FILHO,

did knowingly possess and use the B2 Visa, in the name ANTONIO JOSE DE ABREU VIDAL FILHO, which the defendant knew to be procured by means of a false claim and statement, with respect to a material fact, that he made in an Application for Immigrant Visa and Alien Registration Form DS-230, which DE ABREU presented at the United States Embassy Consular Office in Recife, Brazil, in that the defendant falsely stated that he had not “ever been arrested or convicted for any offense or crime.”

All in violation of Title 18, United States Code, Section 1546(a).

COUNT TWO
Fraud and Misuse of Visas, Permits and Other Documents
(18 U.S.C. § 1546(a))

The Grand Jury further charges:

14. The Grand Jury re-alleges and incorporates by reference paragraphs 1 to 12 of this Indictment.

15. On or about January 29, 2020, in Boston, in the District of Massachusetts, and elsewhere, the defendant,

ANTONIO JOSE DE ABREU VIDAL FILHO,

did knowingly make under oath and did knowingly subscribe as true under penalty of perjury under 28 U.S.C. § 1746, a false statement with respect to a material fact in an application and document required by the immigration laws and regulations prescribed thereunder, and did knowingly present such application and document, which contained a false statement and which failed to contain any reasonable basis in law and fact. Specifically, the defendant did knowingly prepare, sign, and present a Form I-589, Application for Asylum and for Withholding of Removal, knowing it contained the false statements described below:

In response to a question that asked, "Have you ever been accused, charged, arrested, detained, interrogated, convicted, and sentenced, or imprisoned in any country other than the United States," DE ABREU responded "no."

As the defendant then and there well knew, the response set forth above was false, in that the defendant had been accused, charged, arrested, detained, interrogated, or imprisoned, in any country other than the United States.

All in violation of Title 18, United States Code, Section 1546(a).

COUNT THREE
Perjury
(18 U.S.C. § 1621(2))

The Grand Jury further charges:

16. The Grand Jury re-alleges and incorporates by reference paragraphs 1 to 12 of this Indictment.

17. On or about January 29, 2020, in Boston, in the District of Massachusetts, and elsewhere, the defendant,

ANTONIO JOSE DE ABREU VIDAL FILHO,

in a declaration, certificate, verification, and statement under the penalty of perjury as permitted under 28 U.S.C. § 1746, did knowingly and willfully subscribe as true material matters which he did not then and thee believe to be true, that is to say:

At the time and on the date stated above, on a Form I-589, Application for Asylum and for Withholding of Removal, in response to a question that asked, “Have you ever been accused, charged, arrested, detained, interrogated, or imprisoned in any country other than the United .States,” DE ABREU responded “no.””

As the defendant then and there well knew, the responses set forth above were false, in that the defendant had been accused, charged, arrested, detained, and interrogated in a country other than the United States.

The defendant signed said Form I-589 and certified under penalty of perjury under the laws of the United States of America that the answers he provided on said Form I-589 were true and correct.

All in violation of Title 18, United States Code, Section 1621(2).

COUNT FOUR
Perjury
(18 U.S.C. § 1621(1))

The Grand Jury further charges:

18. The Grand Jury re-alleges and incorporates by reference paragraphs 1 to 12 of this Indictment.

19. On or about February 9, 2024, in Boston, in the District of Massachusetts, and elsewhere, the defendant,

ANTONIO JOSE DE ABREU VIDAL FILHO,

having duly taken an oath, before a competent tribunal, officer and person, in a case in which a law of the United States authorizes an oath to be administered, that he would testify, declare, depose and certify truly, did willfully and contrary to such oath state a material matter that he then and there did not believe to be true, that is to say:

At the time and place stated above, before an Immigration Judge, in an Immigration Court of the United States, an oath was administered to the defendant, who was appearing as a witness, that he would testify truthfully, during removal proceedings to consider whether he should be removed from the United States or granted asylum, pursuant to the laws and regulations of the United States.

At the time and place alleged, the defendant, appearing as a witness under oath at a proceeding before the Immigration Judge, testified falsely before the Immigration Judge with respect to material matters as follows:

Q: Sir, have you ever lied to Immigration officials of the United States?

A: Never.

Q: Have you ever intentionally left off important information on any Immigration documents you filed with the United States Government?

A: No.

Q: So your testimony is the only reason why you left off the fact that you were not arrested was because you filled out this application before your detention, correct?

A: If this one -- correct. If this one was -- help -- if this one have been -- had happened after I would do it.

The underscored testimony of defendant, as he then and there well knew and believed, was false in that (1) defendant lied to immigration officials of the United States on his B2 Visa Application and Form I-589, Application for Asylum and for Withholding, when he stated that he had never been accused, charged, arrested, detained, interrogated, and imprisoned in any country other than the United States; and (2) defendant did leave off important information on immigration documents filed with the United States government.

All in violation of Title 18, United States Code, Section 1621(1).

COUNT FIVE
Falsifying, Concealing, and Covering Up a
Material Fact by Trick, Scheme, and Device
(18 U.S.C. § 1001(a)(1))

The Grand Jury further charges:

20. The Grand Jury re-alleges and incorporates by reference paragraphs 1 to 12 of this Indictment.

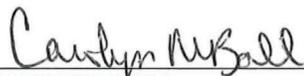
21. Beginning in or about June 9, 2017, and continuing through on or about February 9, 2024, in Boston, in the District of Massachusetts, and elsewhere, the defendant,

ANTONIO JOSE DE ABREU VIDAL FILHO,

did knowingly and willfully falsify, conceal, and cover up by trick, scheme, and device one or more material facts in a matter within the jurisdiction of the executive branch of the Government of the United States, in that the defendant, as an applicant for a United States non-immigrant visa in Brazil; and as an applicant for asylum in the United States; and as an applicant for adjustment of status to lawful permanent resident in the United States; and in response to questions posed to him under oath before an Immigration Judge, concealed the fact that he had been accused, charged, arrested, detained, interrogated, and imprisoned in any country other than the United States.

All in violation of Title 18, United States Code, Section 1001(a)(1).

A TRUE BILL.



FOREPERSON



LAURA J. KAPLAN
Assistant United States Attorney
District of Massachusetts

District of Massachusetts: , 2024
Returned into the District Court by the Grand Jurors and filed.

Deputy Clerk /s/Thomas F. Quinn 5/21/2024 @ 1:46pm

AFFIDAVIT IN SUPPORT OF GOVERNMENT’S MOTION FOR DETENTION

I, Special Agent Matthew Langille, state as follows:

1. I am a Special Agent with the Department of Homeland Security (“DHS”), Homeland Security Investigations (“HSI”) and have been so since August 2007. As such, I am an investigative or law enforcement officer of the United States within the meaning 18 U.S.C. §2510(7), and an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in 18 U.S.C. §2516. I have been assigned to the Special Agent in Charge (“SAC”), New England since December 2011. I am currently assigned to the Human Rights Violators and War Crimes National Security Unit and have been since 2018. Prior to my current assignment I was assigned to the SAC in New York, NY. Since joining HSI, my duties have included investigating criminal violations of Titles 18 and 21 of the United States Code, primarily those related to customs, immigration, and narcotics laws, to include, but not limited to, human rights violators and war criminals. During the course of my employment with HSI, I have received training regarding the activities of human rights violators and war criminals, including identifying individual persons who have engaged in genocide, war crimes, and/or torture. I have participated in all aspects of human rights violator and war crimes investigations, including interviewing witnesses and suspects, conducting surveillance, and reviewing documents, among other things. I have also participated in the execution of numerous search warrants in residences and other locations seeking illegally obtained immigration or naturalization documents, documents reflecting identity,

and other evidence of crimes. I am familiar with the process by which refugees apply to come to the United States. I am also familiar with the process by which an alien applies for asylum and/or obtains Lawful Permanent Resident ("LPR") status and adjusts status to become a United States citizen.

2. I submit this affidavit concerning the Defendant, Antonio Jose De Abreu Vidal Filho ("DE ABREU"), in order to document information known to investigators that bears upon the factors to be considered by the Court in considering the government's motion for detention. This affidavit does not set forth all of my knowledge relating to this investigation and is only submitted to provide certain information that bears upon the statutory factors to be considered by the Court in assessing the government's motion for pretrial detention.

3. I am familiar with the facts and circumstances involving an incident that took place in Brazil, in November 2015, that has become known as the Slaughter of Curio or the Curio Massacre which involved the mass killing of 11 people. DE ABREU was arrested in connection with the Curio Massacre. I am also familiar with some of the court records from Brazil, which have been translated from Portuguese into English, and I understand the following:

a. On August 31, 2016, DE ABREU was arrested and detained by the Brazilian police in connection with the murder of eleven individuals and torture of seven others.

b. On May 24, 2017, DE ABREU was released because the Court understood that the time limit on preventative detention would expire before the trial date.

c. On June 9, 2017, DE ABREU applied for a non-immigrant B2 visa wherein he falsely claimed that he had never been arrested for any crime outside of the United States.

d. On or about June 21, 2017, the United States approved DE ABREU's visa application and issued him a B2 visa.

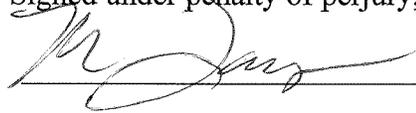
e. On May 30, 2018, DE ABREU flew to the United States and, in 2020 and 2021, he applied for asylum and adjustment of status.

f. On June 25, 2023, in Brazil and after a trial in which DE ABREU participated from the United States, DE ABREU was convicted of eleven counts of murder, three counts of attempted murder, and four counts of physical and mental torture. That same day, DE ABREU was sentenced to 275 years' and 11 months incarceration and an arrest warrant issued.

g. On August 14, 2023, DE ABREU was arrested by Immigration and Customs Enforcement and Removal officers based on an administrative immigration arrest warrant. DE ABREU has been in custody since that time and ICE has lodged a detainer on him.

h. On February 9, 2024, a hearing was held before an Immigration Judge in an Immigration Court of the United States where an Immigration Judge heard testimony and evidence, including from DE ABREU, and ordered DE ABREU's removal from the United States. DE ABREU has filed an appeal of that order.

Signed under penalty of perjury,

A handwritten signature in black ink, appearing to read 'M. Langille', written over a horizontal line.

Matthew Langille
Special Agent
Homeland Security Investigations

Date: May 29, 2024