

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 there 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.

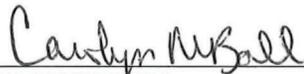
21. Beginning in or about June 9, 2017, and continuing through on or about February 9, 2024, in Boston, in the District of Massachusetts, and elsewhere, the defendant,

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



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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

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: Boston Category No. II Investigating Agency Homeland Security Investigations

City Boston

Related Case Information:

County Suffolk

Superseding Ind./ Inf. Case No. Same Defendant New Defendant Magistrate Judge Case Number Search Warrant Case Number R 20/R 40 from District of

Defendant Information:

Is this case related to an existing criminal action pursuant to Rule 40.1(h)? If yes, case number Yes No

Defendant Name Antonio Jose De Abreu Vidal Filho

Juvenile: Yes No

Is this person an attorney and/or a member of any state/federal bar: Yes No

Alias Name:

Address: 266 County Farm Road Dover, NH

Birth date (Yr only): 1994 SSN (last 4#): 9915 Sex: M Race Hispanic Nationality: Brazilian

Defense Counsel if known: Address:

Bar Number:

U.S. Attorney Information

AUSA: Laura J. Kaplan Bar Number if applicable:

Interpreter: Yes No List language and/or dialect: Portuguese

Victims: Yes No If yes, are there multiple crime victims under 18 USC§3771(d)(2) Yes No

Matter to be SEALED: Yes No

Warrant Requested Regular Process In Custody

Location Status: ICE custody

Arrest Date:

Already in Federal Custody as of August 14, 2023 in Strafford HOC, Dover, NH

Already in State Custody at Serving Sentence Awaiting Trial

On Pretrial Release: Ordered by: on

Charging Document: Complaint Information Indictment

Total # of Counts: Petty Misdemeanor Felony 5

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 5/21/2024

Signature of AUSA:

Handwritten signature in blue ink.

**District Court Case Number** (To be filled in by deputy clerk): \_\_\_\_\_

**Name of Defendant** Antonio Jose De Abreu Vidal Filho

**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 1546(a)</u>	<u>Fraud and Misuse of Visas, Permits, and Other Documents</u>	<u>1, 2</u>
Set 2	<u>18 U.S.C. § 1621(2)</u>	<u>Perjury</u>	<u>3</u>
Set 3	<u>18 U.S.C. § 1621(1)</u>	<u>Perjury</u>	<u>4</u>
Set 4	<u>18 U.S.C. § 1001(a)(1)</u>	<u>Falsifying, Concealing and Covering Up A Material Fact</u>	<u>5</u>
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

**ADDITIONAL INFORMATION:**