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U.S. Attorney's Office
Southern District of Texas

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United States Deputy Marshal Charged With Disclosing Identity of Undercover Agent

McALLEN, Texas – A U.S. deputy marshal has been arrested on allegations he disclosed the identity of an undercover agent who infiltrated a Starr County drug trafficking organization, United States Attorney Kenneth Magidson announced today.

A federal criminal complaint was filed this morning against Deputy U.S. Marshal Lucio Osbaldo Moya, 29, of Rio Grande City charging him with being an accessory after the fact and obstruction of a proceeding. He was arrested late this morning and made his initial appearance just moments ago before U.S. Magistrate Judge Dorina Ramos. He is set to appear again this afternoon at 3:00 p.m. for a bond hearing.

In June 2011, a Homeland Security Investigations (HSI) agent posed as a tractor-trailer driver and agreed to transport 1,800 pounds of marijuana in return for \$50,000 for Francisco Javier Treviño, 29, of Mission, and Lauro Arturo Treviño, Sr., 60, of Roma. That shipment was eventually seized by agents but Treviño Sr. later contacted the agent regarding the transportation of another load of marijuana.

Subsequently, Trinidad Dominguez, 43, and Juan Norberto Moya, 51, both of Roma, allegedly asked Treviño Sr. to get more information concerning the undercover agent. Treviño Sr. then asked Treviño to get a copy of the undercover agent's driver's license, which he did, according to the complaint. Treviño Sr. then got into an SUV and allegedly provided the license to its driver. A record check on the Texas license plate of that SUV showed that its registered owner was a brother of Dominguez.

According to the complaint, on Oct. 5, 2011, Deputy U.S. Marshal Moya showed up at work with a copy of the undercover agent's driver's license. While at work, Deputy Marshal Moya allegedly approached another deputy marshal and told him a confidential source had given it to him. He further allegedly stated the source was transporting thousands of pounds of marijuana to Houston and that he probably had a corrupt Border Patrol agent at the checkpoint because he had never been caught. Shortly thereafter, according to the complaint, Deputy Marshal Moya had an analyst obtain a color copy of the license and showed it to another Deputy U.S. Marshal, at

which time Deputy Marshal Moya was told the person depicted in the driver's license was an HSI agent.

Subsequently, Deputy Marshal Moya was interviewed by Department of Homeland Security - Office of Inspector General agents. The criminal complaint indicates he stated the license was given to him not by a confidential source but by his father, Juan Norberto Moya. He further claimed his father got the copy from someone he only knew as "Lauro" and that the reason his father gave it to him was so he could pass it along to another agency in an effort to become a confidential source. During the meeting, agents allegedly told Deputy Marshal Moya the HSI agent was working undercover conducting drug trafficking investigations and all agreed to keep the information secret for the safety and well-being of the agent.

According to the criminal complaint, Deputy U.S. Marshal Moya left the meeting and allegedly sent a text message to his father indicating that the person depicted in the driver's license was a federal agent.

During the course of the investigation, agents conducted a forensic examination of Deputy U.S. Marshal Moya's work computer. The examination allegedly showed that on Oct. 5, 2011, he conducted several searches on "Yahoo" and "Facebook" of the name of undercover agent.

Deputy U.S. Marshal Moya is charged with assisting his father by informing him of the status of the undercover law enforcement agent in order to hinder and prevent his apprehension, trial and punishment and that he did corruptly influence, obstruct and impede the due and proper administration of the law.

Moya faces up to 20 years in prison and a possible \$2.5 million fine if convicted of being an accessory after the fact. He could also receive another five years in federal prison for obstruction of a proceeding, upon conviction as well as a another \$250,000 fine.

The case is being investigated by Homeland Security Investigations, Department of Justice - Office of Inspector General and the FBI. Assistant United States Attorney Anibal J. Alaniz is prosecuted the case.