



## **Friends Of The Border Patrol**

A 501(c)(3) Nonprofit Law Enforcement Advocacy Corporation  
PO Box 2685, Covina, CA 91722 • Office: (909) 476-1125

### News Release

For Immediate Release  
November 29, 2007

Contact: [andy@fobp.us](mailto:andy@fobp.us)  
Office Tel: (909) 476-1125

## **FOBP demands Cardone recusal from upcoming dooper hearing; Also, renews call for Congressional actions**

FOBP announces our opposition to the assignment of the Osvaldo Aldrete-Davila case (EP:07-CR-00671) to Judge Kathleen Cardone's courtroom, which is to take place on December 20, 2007 at 9am in El Paso, TX.

We call for the following:

- Judge Cardone to recuse herself immediately
- For the Congress to investigate this and other cases as a pattern of prosecutorial abuse
- Appointment of an Independent Special Prosecutor to review the cases

It was in Judge Cardone's courtroom that one of the greatest miscarriages of justice took place, that of the prosecution of Border Patrol Agents Jose Compean and Ignacio Ramos, while everything that could be done to protect career drug smuggler Osvaldo Aldrete-Davila took place.

In the current indictment of Aldrete-Davila by US Attorney Johnny Sutton, the dooper is not being prosecuted for that dope load, though he violated his immunity agreement by repeatedly withholding information and being in contradiction of testimony given by numerous witnesses. His immunity provided prosecution for those violations. Judge Cardone allowed that to take place in her courtroom, as you will see in the following statement.

On page 83 of the Vasquez Transcript, released by US Attorney Sutton's office, while Agent Vasquez who was being cross-examined at the time, Judge Cardone says and we quote...**"Mr. Aldrete-Davila is not on trial. And everybody knows he's got a phone and everybody knows he was transporting the drugs..."** Clearly, the drugs were tied to the load van. The dooper admitted to this on the stand and to investigators. Judge Cardone recognized these same facts without any hesitation.

While some may believe this more than qualifies her to hear any aspect of this case, we at FOBP do not, as her rulings prevented what the U.S. Constitution provides to all U.S. Citizens, a fair and speedy trial, and the ability to present a proper defense. Many documents today, including the testimony of Agent Nolan Blanchett, DEA report of the October 2005 drug load, and other materials today remain under seal. It was Judge Cardone who sealed all documents that may have damaged the credibility of Johnny Sutton's star witness, Aldrete-Davila.

"It is preposterous and a conflict of interest. How can we trust true justice will be served after witnessing the protection provided to him by that particular court," stated Patty Compean wife of BP Agent Jose Compean.

The assignment of Aldrete-Davila's case to Judge Cardone only adds to the growing skepticism throughout the country as to the fairness of our justice system and the motives to whom, it has been entrusted. The facts demonstrate that our government and the court, though in full knowledge of the crimes committed by Aldrete-Davila chose to ignore those facts and protect and aid a drug smuggler in a he-said, she-said type case. This assignment only adds insult to injury to the agents and their families who witnessed 3rd world injustice firsthand.

We continue to call for an independent special prosecutor to be appointed to look into this case, as well as the cases of Noe Aleman, Gary Brugman, Hardrick Crawford, Gilmer Hernandez, and David Sipe. We further ask the Congress to subpoena Johnny Sutton, his assistants who were involved in any aspect of this case, AUSA Bill Baumann, Inspector General Richard Skinner and assistants, Agent Chris Sanchez, and Judge Kathleen Cardone for we believe they should all be held accountable for their actions and rulings.

\* \* \* End of Release \* \* \*