



## **Friends Of The Border Patrol**

A 501(c)(3) Nonprofit Law Enforcement Advocacy Corporation  
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### **NEWS RELEASE**

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## **A Question of Credibility in 5<sup>th</sup> Circuit Decision**

**Chino, CA** – Yesterday the 5<sup>th</sup> Circuit Court of Appeals released their long-awaited decision of USA vs. Ramos & Compean, the El Paso US Border Patrol agents prosecuted by US Attorney Johnny Sutton, the Mike Nifong of Federal Prosecutors.

In the decision, the court stated the following: "We conclude. For the most part, the trial of this case was about credibility..."

Indeed, the question was about credibility, and in this case, the doper Osvaldo Alderete Davila of Mexico is a career doper who had zero credibility. During the hearing held on December 3, 2007 in New Orleans by the 5<sup>th</sup> Circuit Court of Appeals, several key points and facts were made during the hearing that clearly have been ignored by the court in reaching their decision. We are providing the following as stated during the appeal:

*"It does seem like the government overreacted here..."* Presiding Judge Jolly

Judge Higgenbotham indicated there was an *"abuse of immunity" and that resulted in "Constitutional Implication"* and also noted, *"Judge misapprehended the immunity agreement..."* - referring to original trial judge Kathleen Cardone.

*"You could have allowed the testimony, but didn't want it..."* (re: the 2nd drug load of October 2005) - stated Judge Higgenbotham, which drew this response:

*"We could have applied further immunities..."* - U.S. Attorney's Office

**Q: "Did he violate the terms of the immunity agreement?" - Judge Higgenbotham**

**A: "He told some lies..." - U.S. Attorney's Office referring to the drug smuggler**

That statement itself, in point of fact, damns the assertion of the appellate court that the doper, Osvaldo Alderete Davila had greater credibility than the two agents. For the judges to ignore those facts, and the facts of shoddy investigative work by OIG, the connection between Alderete the doper, and BP agent Rene Sanchez defies all logic and comprehension.

The simple fact of the matter is it was always in the best interest of Alderete to lie about his brandishing a gun in the direction of Agents Compean and Ramos as it would have carried an automatic prison sentence in Mexico. If he told lies, as acknowledged by Sutton's office, Alderete the doper had zero credibility and Sutton should be prosecuted for suborning perjury, a crime he still refuses to charge his star witness for.

FOBP calls on George W. Bush, President of the United States to correct this continuing great miscarriage of justice and issue a commutation of sentence as he did for Scooter Libby. They've served enough time.

FOBP is a 501c3 nonprofit law enforcement advocacy organization founded in 2004 and was the first organization to independently investigate this case and find questions pertaining to the prosecution of the two agents. FOBP raised \$30,000, which helped pay for the appellate counsels.

**### End of Release ###**

**Website: FOBP.us**