

year. The corresponding United States statute for terrorism resulting in murder is found at Title 18, United States Code, Section 2332. Conviction for this offense also is punishable by a term of imprisonment exceeding one year.

5. Foreign Arrest Warrant. A warrant for the arrest of MONTANO MORALES was issued in Spain on March 31, 2011. This warrant, a copy of which is attached as Exhibit A-1 to this Complaint, remains outstanding. An English translation of the warrant is attached as Exhibit A-2.

6. Facts underlying foreign charges. Between 1980 and 1991, El Salvador was engulfed in a civil conflict between the military-led government of El Salvador and the Farabundo Martí National Liberation Front ("FMLN"). In the early morning hours of November 16, 1989, towards the end of this conflict, members of the Salvadoran military murdered six Jesuit priests (Ignacio Ellacuria Beascoechea; Ignacio Martin-Baro; Segundo MontesMozo; Armando Lopez Quintana; Juan Ramon Moreno; and Joaquin Lopez y Lopez), their housekeeper (Julia Elba), and the housekeeper's 16-year-old daughter (Celina Mariceth Ramos) at the Universidad Centroamericana in El Salvador. Five of the Jesuit priests were Spanish nationals; the remaining victims were born in El Salvador.

Father Ellacuria and his brother Jesuits consistently had called for discussions between the FMLN and the military-led government to end the strife. MONTANO MORALES, who at the time of the murders held the rank of Colonel in the Salvadoran army and also served as Vice Minister of Defense and Public Safety, shared oversight responsibility over a government radio station which days before the murders issued threats urging the killing of Father Ellacuria and his fellow priests. The day before the murders, MONTANO MORALES participated in a series of meetings, at the last of which one of his fellow officers, in MONTANO MORALES's presence,

gave the order to kill Father Ellacuria and leave no witnesses. The following day, members of the Salvadoran army executed Father Ellacuria and five other priests, their housekeeper, and the housekeeper's daughter.

7. Request for Arrest. By Diplomatic Note No. 2/12 dated January 4, 2012, as supplemented by Diplomatic Note 59/14 dated August 21, 2014, and the Declaration of Maria Teresa Sandoval dated March 18, 2015, Spain requested the extradition of Inocente Orlando Montano Morales so that he can be prosecuted for the terrorist murders of Father Ignacio Martin Baro, Father Segundo Montes Mozo, Father Armando Lopez Quintana, Father Juan Ramon Moreno, and Father Ignacio Ellacuria Beascoechea.

8. Fugitive's presence in the United States. MONTANO MORALES is located in the jurisdiction of this Court. He is currently an inmate at Rivers Correctional Institute in Winton, North Carolina, in the Eastern District of North Carolina. His Register Number is 94081-038. His scheduled release date is April 15, 2015.

9. Fugitive's description. MONTANO MORALES was born on July 4, 1943, in El Salvador. Two photographs of MONTANO MORALES are attached to this complaint at Exhibit B.

10. Title 18, United States Code, Section 3184 provides:

Whenever there is a treaty or convention for extradition between the United States and any foreign government, or in cases arising under section 3181(b), any justice or judge of the United States, or any magistrate judge authorized so to do by a court of the United States, or any judge of a court of record of general jurisdiction of any State, may, upon complaint made under oath, charging any person found within his jurisdiction, with having committed within the jurisdiction of any such foreign government any of the crimes provided for by such treaty or convention, or provided for under section 3181(b), issue his warrant for the apprehension of the person so charged, that he may be brought before such justice, judge, or magistrate judge, to the end that the evidence of criminality may be heard and considered. Such complaint may be filed before and such warrant may be issued by a judge or magistrate judge of the United States District Court for the District

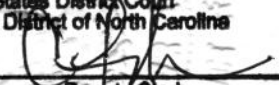
of Columbia if the whereabouts within the United States of the person charged are not known or, if there is reason to believe the person will shortly enter the United States. If, on such hearing, he deems the evidence sufficient to sustain the charge under the provisions of the proper treaty or convention, or under section 3181(b), he shall certify the same, together with a copy of all the testimony taken before him, to the Secretary of State, that a warrant may issue upon the requisition of the proper authorities of such foreign government, for the surrender of such person, according to the stipulations of the treaty or convention; and he shall issue his warrant for the commitment of the person so charged to the proper jail, there to remain until such surrender shall be made.


Accordingly, the undersigned respectfully requests pursuant to the Treaty and 18 U.S.C. § 3184 that a warrant be issued for the arrest of INOCENTE ORLANDO MONTANO MORALES.

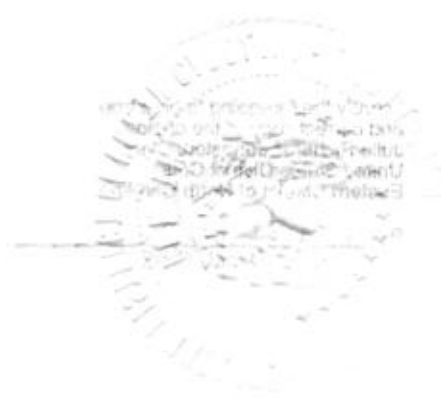

ERIC D. GOULIAN
Assistant United States Attorney

Sworn to and subscribed before me this 8 day of April, 2015, at Raleigh, North Carolina, AND A WARRANT SHALL ISSUE.

I certify the foregoing to be a true and correct copy of the original.
Julie Richards Johnston, Clerk
United States District Court
Eastern District of North Carolina

By 
Deputy Clerk


JAMES E. GATES
United States Magistrate Judge





**JUZGADO CENTRAL DE INSTRUCCION Nº 006
MADRID**

C/ GENOVA Nº 22

Tfno: 913973366/913970177

Fax: 913105581

NIG: 28079 27 2 2008 0005566

GUB11

SUMARIO (PROC.ORDINARIO) 0000097 /2010

ORDEN DE DETENCIÓN EUROPEA/ ORDEN INTERNACIONAL DETENCION

La presente orden ha sido dictada por una autoridad judicial competente. Solicito la detención y entrega a las autoridades judiciales de la persona mencionada a continuación, a efectos de enjuiciamiento penal o de ejecución de una pena o de una medida de seguridad privativas de libertad.

a) Información relativa a la identidad de la persona buscada:

Apellido(s): MONTANO MORALES.

Nombre(s): INOCENTE ORLANDO.

Apellido(s) de soltera (en su caso): NO APLICABLE.

Alias (en su caso):

Sexo: MASCULINO.

Nacionalidad: SALVADOREÑA.

Fecha de nacimiento: 04.07.1943.

Lugar de nacimiento: San Vicente, EL SALVADOR.

Residencia y/o domicilio conocido: vivienda ubicada en el 31 Irving St. Apartamento 1 Everett, Massachusetts 02149-4898. Estados Unidos de América.

En caso de conocerse: idioma(s) que entiende la persona buscada: español.

Rasgos físicos particulares/descripción de la persona buscada:

Fotografía e impresiones dactilares de la persona buscada, si están disponibles y pueden transmitirse, o señas de la persona a la que dirigirse a fin de obtenerlas o de obtener una caracterización del ADN (si no se ha incluido tal información y se dispone de ella para su transmisión)

b) Decisión sobre la que se basa la orden de detención:

1. Orden de detención o resolución judicial ejecutiva de igual fuerza:

Tipo: Auto de busca y captura nacional e internacional con ingreso en prisión de 31 de marzo de 2011

2. Sentencia ejecutiva: NO APLICABLE.

Referencia: NO APLICABLE.

c) Indicaciones sobre la duración de la pena:

1. Duración máxima de la pena o medida de seguridad privativas de libertad que puede dictarse por la infracción o las infracciones: 30 AÑOS DE PRISIÓN.

2. Duración de la pena o medida de seguridad privativas de libertad impuesta: NO APLICABLE.

Penas que resta por cumplir: NO APLICABLE.

d) Resolución dictada en rebeldía:

La persona de que se trata fue citada personalmente o informada por otros medios de la fecha y lugar de la visita en que se dictó la resolución en rebeldía

La presente orden deberá redactarse o traducirse en una de las lenguas oficiales del Estado miembro de ejecución, si se conoce dicho Estado, o en cualquier otra lengua aceptada por éste.



EXHIBIT A-1

- La persona de que se trata no fue citada personalmente ni informada por otros medios de la fecha y lugar de la vista en que se dictó la resolución en rebeldía, pero dispone de las siguientes garantías jurídicas tras la entrega a las autoridades judiciales (si tales garantías pueden presentarse anticipadamente):

Precisar las garantías jurídicas: NO APLICABLE.

e) Infracción(es):

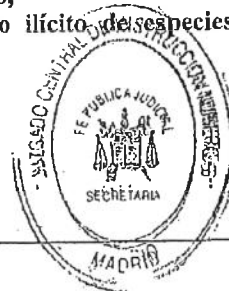
La presente orden se refiere a un total de 3 infracción/infracciones. Asesinato, terrorismo y crimen contra la humanidad, o delito contra el Derecho de gentes.

Descripción de las circunstancias en que se cometió/cometieron la infracción o infracciones, incluido el momento (fecha y hora), lugar y grado de participación en la(s) misma(s) de la persona buscada: INOCENTE ORLANDO MONTANO MORALES, de nacionalidad salvadoreña, Coronel y Viceministro de Seguridad Pública de la República de El Salvador el 16 de noviembre de 1989, uno de los líderes de La *Tandona* (asociación de 20 oficiales, reconocida internacionalmente por ser un grupo cerrado de militares que ocupaban todas las posiciones claves del ejército y el gobierno salvadoreños, con ambiciones comunes, y temida por anteponer sus intereses y los de sus miembros a los intereses del gobierno o de la propia institución militar), conspiró en el ASESINATO, el 16 de noviembre de 1989, de 5 ESPAÑOLES sacerdotes jesuitas de la Universidad Centro Americana "José Simeón Cañas" (UCA) del Salvador, Ignacio ELLACURIA BEASCOEHEA, Ignacio MARTÍN BARÓ, Segundo MONTES MOZO, Amando LÓPEZ QUINTANA, Juan Ramón MORENO PARDO, del sacerdote salvadoreño, Joaquín LÓPEZ y LÓPEZ, de su empleada doméstica Julia ELBA RAMOS y de la hija de ésta, Celina MARICETH RAMOS (ambas de nacionalidad salvadoreña). Responsable de amenazas de muerte contra Ignacio Ellacuría y otros jesuitas de la UCA, emitidas días antes de los asesinatos desde la emisora oficial de El Salvador, Radio Cuscatlán, emisora oficial en aquellas fechas. Participa en las reuniones, celebradas el día antes de los asesinatos, donde se decide el asesinato Ignacio Ellacuría, estando presente cuando Coronel Emilio POCE da la orden al Coronel Guillermo Alfredo BENAVIDES de asesinar al padre Ellacuría y asegurarse de no dejar testigos.

Naturaleza y tipificación legal de la infracción o infracciones y disposición legal o código aplicable: los tipos penales serían, asesinato (arts. 139 del Código Penal español de 1995 y 406 del Código Penal español de 1973, vigente en el momento de los hechos), terrorismo, (art. 572.1.1º del Código Penal español de 1995 y art. 174 bis del Código Penal español de 1973) y de crimen contra humanidad, o delito contra el Derecho de gentes (art. 137 bis del Código Penal español de 1973).

I. Márquense las casillas correspondientes si se trata de una o varias de las infracciones siguientes castigadas en el Estado miembro emisor con una pena o una medida de seguridad privativas de libertad de un máximo de al menos tres años, según están definidas en el Derecho del Estado miembro emisor:

- pertenencia a una organización delictiva,
- terrorismo,
- trata de seres humanos,
- explotación sexual de los niños y pornografía infantil,
- tráfico ilícito de estupefacientes y sustancias psicotrópicas,
- tráfico ilícito de armas, municiones y explosivos,
- corrupción,
- fraude, incluido el que afecte a los intereses financieros de las Comunidades Europeas con arreglo al Convenio de 26 de julio de 1995 relativo a la protección de los intereses financieros de las Comunidades Europeas,
- blanqueo de los productos del delito,
- falsificación de moneda, incluida la falsificación del euro,
- delitos de alta tecnología, en particular delito informático,
- delitos contra el medio ambiente, incluido el tráfico ilícito de especies animales protegidas y de especies y variedades vegetales protegidas,
- ayuda a la entrada y residencia en situación ilegal,
- homicidio voluntario, agresión con lesiones graves,
- tráfico ilícito de órganos y tejidos humanos,
- secuestro, detención ilegal y toma de rehenes,
- racismo y xenofobia,
- robos organizados o a mano armada,



- () tráfico ilícito de bienes culturales, incluidas las antigüedades y las obras de arte,
- () estafa,
- () chantaje y extorsión de fondos,
- () violación de derechos de propiedad industrial y falsificación de mercancías,
- () falsificación de documentos administrativos y tráfico de documentos falsos,
- () falsificación de medios de pago,
- () tráfico ilícito de sustancias hormonales y otros factores de crecimiento,
- () tráfico ilícito de materiales radiactivos o sustancias nucleares,
- () tráfico de vehículos robados,
- () violación,
- () incendio voluntario,
- (X) delitos incluidos en la jurisdicción de la Corte Penal Internacional,
- () secuestro de aeronaves y buques,
- () sabotaje.

II. Descripción detallada de la infracción o infracciones distinta(s) de las enumeradas en el punto I:

f) Otras circunstancias relacionadas con el caso (información facultativa):

(N.B.: Pueden incluirse observaciones sobre extraterritorialidad, suspensión de plazos de prescripción de limitación temporal y otras consecuencias de la infracción)

Este tipo de delitos, según el art. 131 Código Penal español no prescriben “ (...) Los delitos de Lesa humanidad y de genocidio (...) no prescribirán en ningún caso. Tampoco prescribirán los delitos de terrorismo, si hubieren causado la muerte de una persona.”

g) La presente Orden se refiere igualmente a la intervención y entrega de los objetos que puedan servir de prueba.

La presente Orden se refiere igualmente a la intervención y entrega de objetos en poder de la persona buscada de resultados de la infracción:

Descripción y localización de los objetos (en caso de conocerse):

h) La infracción o infracciones por la(s) que se ha emitido la presente orden es/son punible(s)/ha(n) dado lugar a una pena o medida de seguridad privativas de libertad de carácter perpetuo: NO APLICABLE.

- El ordenamiento jurídico del Estado miembro emisor dispone revisar la pena impuesta, previa petición o cuando hayan transcurrido al menos 20 años, a efectos de no ejecución de la pena o medida.
- El ordenamiento jurídico del Estado miembro emisor dispone aplicar las medidas de elemental a que tiene derecho la persona en cuestión, con arreglo al Derecho o práctica del Estado miembro emisor, a efectos de no ejecución de la pena o medida.

i) Autoridad judicial emisora de la presente Orden:

Denominación oficial: *Juzgado Central de Instrucción nº 6, Audiencia Nacional, Madrid (España).*

Nombre de su representante²: **ELOY VELASCO NUÑEZ**

Función (cargo/grado): *Magistrado-Juez.*

Referencia del expediente: *SUMARIO 97/2010.*

Dirección: *C/ García Gutiérrez nº 1, Madrid (España).*

Número de tel.: (prefijo de país) (prefijo de ciudad) (...): (34) (91) 3973366 y (34) (91) 3973314

Número de fax: (prefijo de país) (prefijo de ciudad) (...): (34) (91) 3105581.

Correo electrónico:

Señas de la persona de contacto para los aspectos prácticos de la entrega:

Eloy Velasco Nuñez

² Se incluirá, en las diferentes versiones lingüísticas, una referencia al «titular» de la autoridad judicial.



En caso de designarse una autoridad central para la transmisión y recepción administrativas de las órdenes de detención europeas:
NO APLICABLE.

Nombre de la autoridad central: .

Persona de contacto, en su caso (cargo/grado y nombre): .

Dirección: .

Nº de tel.: (prefijo de país) (prefijo de ciudad) (...):.

Nº de fax: (prefijo de país) (prefijo de ciudad) (...):.

Correo electrónico: .

Firma de la autoridad judicial emisora, de su representante o de ambos:

Nombre: *Eloy Velasco Núñez* .
Función (cargo/grado): *Magistrado-Jue*
Fecha: *31 N de marzo de 2011* .
Sello oficial (si lo hay)





ADMINISTRACION
DE JUSTICIA

CENTRAL PRELIMINARY INVESTIGATING COURT NO. 006
NATIONAL HIGH COURT
C/ GÉNOVA N° 22
MADRID
Tel.: 34 91 397 33 66 / 91 397 01 77
Fax: 34 91 310 55 81

SUMARIO (PROCEDIMIENTO ORDINARIO 97/2010)
[COMMITAL PROCEEDINGS (ORDINARY PROCEDURE) 97/2010]

EUROPEAN ARREST WARRANT¹

This warrant has been issued by a competent judicial authority. I request that the person mentioned below be arrested and surrendered for the purposes of conducting a criminal prosecution or executing a custodial sentence or detention order.



¹ This warrant must be written in, or translated into, one of the official languages of the executing Member State, when that State is known, or any other language accepted by that State.



ADMINISTRACION DE JUSTICIA

(a) Information regarding the identity of the requested person:

Name: MONTANO MORALES

Forename(s): INOCENTE ORLANDO

Maiden name, where applicable: NOT APPLICABLE

Aliases, where applicable:

Sex: MALE

Nationality: SALVADORIAN

Date of birth: 1943.07.04

Place of birth: San Vicente, EL SALVADOR

Residence and/or known address: 31 Irving St. Apartment 1 Everett, Massachusets 02149-4898 USA

Language(s) which the requested person understands (if known): SPANISH.

Distinctive marks/description of the requested person:

Photo and fingerprints of the requested person, if they are available and can be transmitted, or contact details of the person to be contacted in order to obtain such information or a DNA profile (where this evidence can be supplied but has not been included)

(b) Decision on which the warrant is based:

1. Arrest warrant or judicial decision having the same effect:

Type: COURT ORDER OF NATIONAL AND INTERNATIONAL SEARCH, SEIZURE AND REMAND IN CUSTODY dated March 31ST 2011

2. Enforceable judgement: NOT APPLICABLE.





ADMINISTRACION DE JUSTICIA

Reference: NOT APPLICABLE

(c) Indications on the length of the sentence:

1. Maximum length of the custodial sentence or detention order which may be imposed for the offence(s):

30 YEARS IMPRISONMENT,

2. Length of the custodial sentence or detention order imposed:

NOT APPLICABLE,

Remaining sentence to be served:

NOT APPLICABLE,

(d) Decision rendered in absentia and:

- the person concerned has been summoned in person or otherwise informed of the date and place of the hearing which led to the decision rendered in absentia,

or

- the person concerned has not been summoned in person or otherwise informed of the date and place of the hearing which led to the decision rendered in absentia but has the following legal guarantees after surrender (such guarantees can be given in advance)

Specify the legal guarantees

NOT APPLICABLE





ADMINISTRACION DE JUSTICIA

(e) Offences:

This warrant relates to in total: 3 offences.

Murder, terrorism, crime against humanity or offence against law of peoples.

Description of the circumstances in which the offence(s) was (were) committed, including the time, place and degree of participation in the offence (s) by the requested person:

On November 16th, 1989, the Salvadorian citizen INOCENTE ORLANDO MONTANO MORALES, Colonel and Deputy Minister of Public Security of the Republic of El Salvador, plotted the MURDER of 5 Spanish Jesuit priests of the Central American University "José Simeón Cañas" (UCA) of El Salvador; Ignacio ELLACURIA BEASCOECHEA, Ignacio MARTIN BARÓ, Segundo MONTES MOZO, Amando LÓPEZ QUINTANA, Juan Ramón MORENO PARDO; of the Salvadorian priest Joaquín LÓPEZ y LÓPEZ, his housekeeper Julia ELBA RAMOS and the daughter of this woman, Celina MARICETH RAMOS (both of them Salvadorian nationals). INOCENTE ORLANDO MONTANO MORALES, one of the leaders of La Tandoná (association of 20 officers internationally known as a closed group of military men, who occupied all key posts of the Salvadorian army and government, with common ambitions that inspired fear by putting their interests and those of its members before the interests of the government or the own military institution) is responsible for death threats against Ignacio Ellacuría and other Jesuit priests of the UCA, issued days before the murders from Radio Cuscatlán, the official station of El Salvador at that time. He participated in the meetings, held the day before the murders, where it was decided the murder of Ignacio Ellacuría, being present when Colonel Emilio POCE ordered Colonel Guillermo Alfredo BENAVIDES to kill Ignacio Ellacuría and make sure to leave no witnesses.

Nature and legal classification of the offence(s) and the applicable statutory provision/code: The offences listed in the previous paragraph

Murder (Article 139 of the Spanish Penal Code of 1995 and Article 406 of the Spanish Penal Code of 1973, in force when the facts occurred)

Terrorism. (Article 572.1.1° of the Spanish Penal Code of 1995 and Article 174 bis of the Spanish Penal Code of 1973).

Crime against humanity or offence against law of peoples (Article 137 bis of the Spanish Penal Code of 1973).....





ADMINISTRACION
DE JUSTICIA

I. If applicable, tick one or more of the following offences punishable in the issuing Member State by a custodial sentence or detention order of a maximum of at least 3 years as defined by the laws of the issuing Member State:

- participation in a criminal organisation;
- terrorism;
- trafficking in human beings;
- sexual exploitation of children and child pornography;
- illicit trafficking in narcotic drugs and psychotropic substances;
- illicit trafficking in weapons, munitions and explosives;
- corruption;
- fraud, including that affecting the financial interests of the European Communities within the meaning of the Convention of 26 July 1995 on the protection of European Communities' financial interests;
- laundering of the proceeds of crime;
- counterfeiting of currency, including the euro;
- computer-related crime;
- environmental crime, including illicit trafficking in endangered animal species and in endangered plant species and varieties;
- facilitation of unauthorised entry and residence;
- murder, grievous bodily injury;
- illicit trade in human organs and tissue;
- kidnapping, illegal restraint and hostage-taking;
- racism and xenophobia;
- organised or armed robbery;
- illicit trafficking in cultural goods, including antiques and works of art;
- swindling;
- racketeering and extortion;
- counterfeiting and piracy of products;
- forgery of administrative documents and trafficking therein;
- forgery of means of payment;
- illicit trafficking in hormonal substances and other growth promoters;
- illicit trafficking in nuclear or radioactive materials;
- trafficking in stolen vehicles;
- rape;
- arson;
- crimes within the jurisdiction of the International Criminal Court;
- unlawful seizure of aircraft/ships;
- sabotage.

II. Full descriptions of offence(s) not covered by section I above:





ADMINISTRACION DE JUSTICIA

(f) Other circumstances relevant to the case (optional information):
(NB: This could cover remarks on extraterritoriality, interruption of periods of time limitation and other consequences of the offence)

According to Article 131 of the Spanish Penal Code these types of offences does not lapse "(...) Crimes of genocide and against humanity (...) shall not lapse in any case. Crimes of terrorism shall not lapse either, if they have caused the death of a person".....

(g) This warrant pertains also to the seizure and handing over of property which may be required as evidence;

This warrant pertains also to the seizure and handing over of property acquired by the requested person as a result of the offence:

Description of the property (and location) (if known):

(h) The offence(s) on the basis of which this warrant has been issued is(are) punishable by/has(have) led to a custodial life sentence or lifetime detention order: NOT APPLICABLE

- the legal system of the issuing Member State allows for a review of the penalty or measure imposed - on request or at least after 20 years - aiming at a non-execution of such penalty or measure,

and/or

- the legal system of the issuing Member State allows for the application of measures of clemency to which the person is entitled under the law or practice of the issuing Member State, aiming at non-execution of such penalty or measure.

Judicial authority which issued the warrant:
name: CENTRAL PRELIMINARY INVESTIGATING COURT
NO. 6 NATIONAL HIGH COURT - MADRID (SPAIN)





ADMINISTRACION DE JUSTICIA

Name of its representative²: **ELOY VELASCO NUÑEZ**.....

Post held (title/grade): **JUDGE**.....

File reference: **COMMITAL PROCEEDINGS 97/2010**.....

Address: **C/GARCÍA GUTIÉRREZ Nº 1 MADRID SPAIN**.....

Tel: (country code) (area/city code) (-) **(34) 91 3973366 and (34) 91 3973314**.....

Fax: (country code) (area/city code) (-) **(34) 91 3105581**.....

E-mail:

Contact details of the person to contact to make necessary practical arrangements for the surrender: **ELOY VELASCO NUÑEZ**.

Where a central authority has been made responsible for the transmission and administrative reception of European arrest warrants:

NOT APPLICABLE

Name of the central authority:

Contact person, if applicable (title/grade and name):

Address:

Tel: (country code) (area/city code) (-)

Fax: (country code) (area/city code) (-)



different language versions a reference to the holderTM of the judicial authority will be



ADMINISTRACION
DE JUSTICIA

E-mail:

Signature of the issuing judicial authority and/or its representative:

Name: ELOY VELASCO NÚÑEZ

Post held (title/grade): JUDGE

Date: MARCH 31ST 2011

Official stamp (if available)



TRADUCTORES - INTERPRETES
DE LA AUDIENCIA NACIONAL



SECRETARÍA DE GOBIERNO

EXHIBIT B (1 of 2)



EXHIBIT B (2 of 2)

