

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 22-60009-CR-DIMITROULEAS

UNITED STATES OF AMERICA

vs.

RYAN HADEED,

Defendant.

_____ /

GOVERNMENT'S SENTENCING MEMORANDUM

The United States of America, by and through the undersigned Assistant United States Attorney, hereby files this Sentencing Memorandum seeking a sentence of 108 months.

I. BACKGROUND

First Letter

1. On September 29, 2021, a Confidential Source (hereinafter CS) contacted law enforcement regarding a suspicious envelope addressed to him that he received, via USPS, at his business located in Broward County. The return address listed "Alan Smithee"¹ with an address in Hialeah, FL. The

¹ According to Wikipedia: "Alan Smithee (also Allen Smithee) is an official pseudonym used by film directors who wish to disown a project. Coined in 1968 and used until it was formally discontinued in 2000, it was the sole pseudonym used by members of the Directors Guild of America (DGA) when directors, dissatisfied with the final product, proved to the satisfaction of a guild panel that they had not been able to exercise creative control over a film. This name would likely be commonly known in artistic circles. The Defendant is a self-published author and, until his arrest in this case, a weekly column writer for Trinidad Guardian.

typed letter inside of the envelope identified a solicitation to murder an unidentified person in Tampa, FL for \$10,000.00 (USD). Specifically, the letter stated the following:

*I need someone eliminated. I've been told you can arrange that.
\$10,000 All in cash and upfront.*

Person located in Tampa. You can be there and back in a day. You get their photo, first name, work address and home address.

*If you agree on Monday 11 October at 11am go to: The Little Coffee Shoppe
10732 Wiles Rd, Coral Springs, FL 33076 Buy a cup of coffee.*

*Paste a black [sic] sheet of white paper on your storefront window from
Monday 11 to Wednesday 13.*

*Information and payment will be sent once you accept. If not you will not be
contacted again.*

Name and return address are fake.

2. On October 11, 2021, as instructed by the letter, the CS posted a white sheet of paper in his store front window, to signal to the solicitor that the CS was willing to take part in the murder for hire, but the CS did not go to the Little Coffee Shop. After the paper was posted in the window, investigators conducted surveillance to identify the solicitor if they came to check the window. On October 11, 2021, a grey, Honda Accord, with Florida plate CAKB13, was observed driving through the parking lot. The Florida plate CAKB13 was registered to the Defendant's brother in Pembroke Pines, FL. However, the Defendant was the only insured driver for that vehicle (hereinafter Defendant's vehicle).

Second Letter

3. On October 15, 2021, the CS informed investigators that he received via USPS a second letter at his/her business. The envelope had the same sender's name (Alan Smithee); however, the return address was slightly different. Specifically, the letter stated the following:

*I said there would be no more contact if you weren't at the coffee shop at 11am on October 11th.
I didn't see you.
But there was a white paper outside your storefront. But that could have been there from before.
I'm not dragging this out.
If your [sic] still interested in the job mark a large X on a white sheet of paper an [sic] hang it outside the storefront from October 20th and for a full week. Once confirmed, you will get the money in full and the details on the person to be eliminated.
This is important. You could take the money and do nothing. I would be out 10 gs and have to find someone else.
If this works out, theres [sic] another job that will pay double or you name your [sic] price In a small town in Georgia. Or no more.
Tampa first.*

4. On October 20, 2021, the CS posted a white sheet of paper with a black "X" in his storefront window, to signal to the solicitor that the CS was willing to take part in the murder for hire. A Coral Springs Police Department ("CSPD") speed radar trailer equipped with a License Plate Recognition ("LPR") system was able to view vehicular traffic passing in front of the CS's store. On October 22, 2021, the CSPD LPR system captured an image of the Defendant's vehicle passing in front of the CS's store. Additionally, on October 25, 2021, the CSPD LPR system captured two images (two minutes apart) of the Defendant's vehicle passing in front of the CS's store.

Third Letter

5. On November 1, 2021, the CS informed law enforcement that he/she received via USPS a third envelope containing a letter and map at his business. The envelope had the same sender's name (Alan Smithee); however, the return address was slightly different. The typed letter stated the following:

Saw the X.

There's a problem. The home address of the individual is a gated community.

Lake View Oaks

Map included shows the general location of the building. Western side of the compound next to a [sic] open field.

If you wish to continue, the individual's photo and the exact address with building and apartment number will be included with payment. Indicate with the same X on the storefront from November 4th, for a full week.

6. On November 4, 2021, the CS posted a white sheet of paper with a black "X" in his/her storefront window, to signal to the solicitor that the CS was still willing to take part in the murder for hire.

Receipt of \$10,000 & Information of VICTIM 1

7. On November 10, 2021, the CS informed investigators that he/she received via USPS, a padded envelope at his/her business. The parcel had the same sender's name (Alan Smithee); however, the return address was slightly different. Review of the postage label showed the parcel was mailed on November 8, 2021, from a Post Office in Coral Springs, FL. Investigators opened the parcel revealing \$10,000 in cash, wrapped in three sheets of white paper bearing several photos of a white, adult male and additional typed information. The three-page typed letter stated the following:

[Page 1]

*Home Address:
3506 Palm Crossing Dr
Unit 204
Tampa, FL 33613
(Lakeview Oaks apartents [sic])
Description:
White Male
5'10" (1.78m)
195lbs (88kg)
Age: 54
Ken*

[Two images of VICTIM 1]

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*Subject might be out of state for Thanksgiving. Not sure about Veterans Day but he might not be home for that weekend. No info for December. The day and time is up to you.
You have the money so your holding all the cards.
Will know when the subject is taken out. Need to be done before the end of 2021.*

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*White Male
5'10" (1.78m)
195lbs (88kg)
Age: 54*

[Two images of VICTIM 1]

K.A.K. ("VICTIM 1") & R.R.

8. Investigators identified the target of the murder for hire as K.A.K. (hereinafter "VICTIM 1"). On November 12, 2021, law enforcement interviewed VICTIM 1 and his fiancée R.R. regarding the letters soliciting the murder for hire of VICTIM 1. VICTIM 1 told investigators that in May of 2020 he received, via USPS, a letter (hereinafter May 2020 Letter) from an unknown person that Victim 1 believed was intended break up his relationship with R.R.

9. VICTIM 1 gave law enforcement the May 2020 Letter and envelope to the investigators. The May 2020 Letter was addressed to VICTIM 1 contained two typed pages with three intimate photos of R.R. The typed pages included disparaging remarks about R.R.'s character and infidelity to VICTIM 1.

10. On November 14, 2021, R.R. informed law enforcement that she suspected her former boyfriend, the Defendant, may be the solicitor for the murder for hire plot. R.R. told law enforcement that the Defendant was infatuated with her to an unhealthy degree and had informed her many times of his desire that R.R. leave VICTIM 1 and be with the Defendant.

11. Based on the information provided by R.R. about Defendant, investigators reviewed customer records from the CS's store. In September 2018, the Defendant completed a purchase from the CS's store.

One-Way Flight to Trinidad

12. Customs and Border Protection ("CBP") crossing records showed on October 22, 2021 (two days after the CS posted the X in the store window) the Defendant purchased a one-way ticket to Trinidad and Tobago for a flight departing on November 10, 2021 (the same day the \$10,000 cash and photos of VICTIM 1 were delivered to the CS). CBP crossing records confirmed that Defendant left the United States on that flight.

Secondary Inspection

13. On December 12, 2021, DHS databases indicated the Defendant purchased a return flight for December 15, 2021, from Trinidad and Tobago to

Miami, FL. On December 15, 2021, the Defendant arrived at the Miami International Airport on board American Airlines Flight 2703.

14. During the secondary inspection, a border search was conducted on two smartphones in Defendant's possession, a blue, AT&T Calypso phone and a black Samsung S8 phone. The black Samsung S8 phone contained the three intimate images of R.R. that were sent in the May 2020 letter to VICTIM 1. The images showed Defendant's face inside a square in the upper right corner of the image (resembling FaceTime messaging). The metadata of these images established they were captured in May 2020. The Defendant's face in the upper right corner were cropped out of the images in the May 2020 Letter.

Wells Fargo Bank Account

15. During the secondary inspection, investigators also recovered a debit card in the Defendant's wallet that was linked to a Wells Fargo Bank account ending in 2356. On December 17, 2021, investigators received the Defendant's Wells Fargo Bank records. On November 5, 2021 (three days before the \$10,000 in cash was mailed to CS), the Defendant made a \$10,000 cash withdrawal from the Wells Fargo Bank account ending in 2356.

Defendant's Post-Miranda Statement

16. On December 21, 2021, the Defendant was taken into custody pursuant to a Criminal Complaint. During a post-*Miranda* statement, the Defendant made the following admissions:

- a. On November 8, 2021, the Defendant admitting mailing parcels from a Post Office in Coral Springs, FL (*the date and location of the parcel containing the letter and \$10,000 sent to the CS*).
- b. The Defendant admitting making a \$10,000 cash withdrawal on November 5, 2021.
- c. The Defendant admitted to being at The Little Coffee Shop in October 2021 (*the date and location where the CD was instructed to meet*).
- d. The Defendant admitted to after his relationship with R.R., he was involved with L.C. who lived in Rome, GA, a small town.

Search Warrant at Defendant's Residence

17. On December 21, 2021, law enforcement executed a federal search warrant at the Defendant's residence. In addition to other items, the following were recovered:

- a. Brown padded envelopes, two that were identical to the one the \$10K cash and pictures of target mailed to the CS;
- b. Wells Fargo Bank records;
- c. Bag with women's clothing and L.C.'s driver license; and
- d. A small laptop

Second Victim

18. As indicted above, the CS received a Second Letter on October 15, 2021. The Second Letter concluded with the following phrases:

If this works out, theres [sic] another job that will pay double or you name your price In a small town in Georgia. Or no more.

Tampa first.

19. On December 24, 2021, interviewed the Defendant's former girlfriend L.C. who lives in Rome, Georgia. L.C stated she last communicated with the Defendant, via a text message, on October 11, 2021. L.C. stated that she did not receive any suspicious letters and did not think her boyfriend, R.B.

had received any suspicious letters.

20. Investigators searched the small laptop recovered from the Defendant's residence. It included information regarding L.C. living in Rome, GA. Specifically, there was an email in August 2020 to L.C. that stated the Defendant knew L.C. was happy with her current boyfriend "Rob," but that he (the Defendant) wanted her to be with the Defendant and he asked her to marry him in the email.

Benefit of the Plea Agreement

21. On January 20, 2022, the Defendant was charged in a one-count indictment with Use of Mail in the Commission of Murder-For-Hire (hereinafter Murder-For-Hire), in violation of 18 U.S.C. § 1958(a), with a statutory maximum term of imprisonment of up to ten (10) years. Shortly after the indictment, the Government and defense counsel began exploring the possibility of resolving the case.

22. The Defendant's counsel raised concerns regarding the Defendant's medical and mental health issues. Accordingly, the Defendant was transferred to the Miami Federal Detention Facility. The Defendant underwent a psychological evaluation.

23. In further preparation of the case, the government considered filing a superseding indictment to include additional charges. One possible additional charge would include charging a second Murder-for Hire count in violation of 18 U.S.C. § 1958(a) pertaining to the second intended victim located in "a small

town in Georgia.” In addition, the government was considering charging violations of 18 U.S.C. § 373 (Solicitation to Commit a Crime of Violence).

24. In contrast to the ten-year (10) statutory maximum for 18 USC § 1958, charging 18 USC § 373 would carry a twenty-year (20) statutory maximum. More significantly, the USSG for Solicitation to Commit a Crime of Violence is substantially higher than Use of Mail in the Commission of Murder-For Hire. The applicable USSG is §2A1.5(a) and carries a Base Offense Level of 33. In addition, pursuant to § 2A1.5(b), “the offense involved the receipt of anything of pecuniary value for undertaking the murder” an increase of 4 levels. Accordingly, the Adjusted Offense Level would be 37 (210-262 months)

25. During plea negotiations, the government conveyed to the Defendant through his counsel that a superseding indictment would be sought in the event the case could not be resolved. At the request of the Defendant, the plea agreement was reached and included assurances that government would not seek additional charges relating to victims K.A.K. and R.L. [DE 42, ¶8]

II. ARGUMENT

26. In May of 2020, the Defendant first sought to eliminate K.A.K. when he sent K.A.K. the May 2020 Letter. The Defendant’s initial approach was to encourage K.A.K. to leave his fiancée by providing K.A.K. disparaging material including photos of R.R. The Defendant then attempted to eliminate a second rival R.L. during correspondence with L.C. in August 2020.

27. The following year, the Defendant sought the ultimate resolution to

eliminate K.A.K when he first communicated, via mail, with the CS on September 29, 2021 (First Letter). A couple of weeks later, the Defendant initiated the same approach to eliminate L.C. on August 15, 2021, when the Defendant sent the Second Letter to the CS.

28. The Defendant's actions in this case were meticulously planned and executed. Due to his knowledge of the CS's background, the Defendant believed that the CS was cable of carrying out the murder of K.A.K. and R.L. The Defendant mistakenly believed the CS would accept the solicitation of at least one of the two murders.

29. The Defendant requests that the Court impose a non-guideline sentence and grant a downward variance below the estimated imprisonment range of 87 to 108 months. The Defendant relies on his lack of prior criminal conduct, mental health, aberrant behavior, and unlikelihood of recidivism. In summary, the Defendant is seeking the mercy of this Court.

30. The evidence in this case is overwhelming. The government recognized the totality of the Defendant's circumstances by not seeking a superseding indictment. As discussed above, in the event the government obtained a superseding indictment, the Defendant would have been exposed to a substantially higher sentence.

31. With the facts in this case, to include the amount of planning, the callousness involved, and the number of victims, the Court could just justify an upward departure pursuant to § 5K2.0(a)(2) and/or an upward variance

pursuant to 18 U.S.C. § 3553(a). See *United States v. Bottorff*, 536 Fed.Appx. 947 (11th Cir. 2013) (In a Murder-For-Hire case, the Court granted a downward departure pursuant to USSG § 5k1.1 and then imposed an upward variance to a life sentence). Nevertheless, the government asserts that a sentence of 108 months would be appropriate.

III. CONCLUSION

WHEREFORE, based on the foregoing, the government respectfully requests that Court sentence the Defendant to a term of 108 months imprisonment.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 25, 2022, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record using CM/ECF.

/s/ Joseph A. Cooley _____
Joseph A. Cooley
Assistant United States Attorney