

1 E. MARTIN ESTRADA
 United States Attorney
 2 MACK E. JENKINS
 Assistant United States Attorney
 3 Chief, Criminal Division
 GREGORY W. STAPLES (Cal. Bar No. 155505)
 4 Assistant United States Attorney
 United States Courthouse
 5 411 West Fourth Street
 Santa Ana, California 92701
 6 Telephone: (714) 338-3535
 Facsimile: (714) 338-3523
 7 E-mail: greg.staples@usdoj.gov

8 Attorneys for Plaintiff
 UNITED STATES OF AMERICA

9 UNITED STATES DISTRICT COURT

10 FOR THE CENTRAL DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 EDDY REYES,

15 Defendant.

No. SACR 21-75-JLS

PLEA AGREEMENT FOR DEFENDANT
EDDY REYES

17 1. This constitutes the plea agreement between Eddy Reyes
 18 ("defendant") and the United States Attorney's Office for the Central
 19 District of California (the "USAO") in the above-captioned case.
 20 This agreement is limited to the USAO and cannot bind any other
 21 federal, state, local, or foreign prosecuting, enforcement,
 22 administrative, or regulatory authorities.

23 RULE 11(c)(1)(C) AGREEMENT

24 2. Defendant understands that this agreement is entered into
 25 pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C).
 26 Accordingly, defendant understands that, if the Court determines that
 27 it will not accept this agreement, absent a breach of this agreement
 28

1 by defendant prior to that determination and whether or not defendant
2 elects to withdraw any guilty plea entered pursuant to this
3 agreement, this agreement will, with the exception of paragraph 201
4 below, be rendered null and void and both defendant and the USAO will
5 be relieved of their obligations under this agreement. Defendant
6 agrees, however, that if defendant breaches this agreement prior to
7 the Court's determination whether or not to accept this agreement,
8 the breach provisions of this agreement, paragraph 223 below, will
9 control, with the result that defendant will not be able to withdraw
10 any guilty plea entered pursuant to this agreement, the USAO will be
11 relieved of all of its obligations under this agreement, and the
12 Court's failure to follow any recommendation or request regarding
13 sentence set forth in this agreement will not provide a basis for
14 defendant to withdraw defendant's guilty plea.

15 DEFENDANT'S OBLIGATIONS

16 3. Defendant agrees to:

17 a. At the earliest opportunity requested by the USAO and
18 provided by the Court, appear and plead guilty to the single-count
19 indictment in United States v. Eddy Reyes, SACR No. 21-75-JLS, which
20 charges defendant with kidnapping resulting in death in violation of
21 18 U.S.C. § 1201(a)(1).

22 b. Not contest facts agreed to in this agreement.

23 c. Abide by all agreements regarding sentencing contained
24 in this agreement and affirmatively recommend to the Court that it
25 impose sentence in accordance with paragraph 15 of this agreement.

26 d. Appear for all court appearances, surrender as ordered
27 for service of sentence, and obey any other ongoing court order in
28 this matter.

1 e. Not commit any crime; however, offenses that would be
2 excluded for sentencing purposes under United States Sentencing
3 Guidelines ("U.S.S.G." or "Sentencing Guidelines") § 4A1.2(c) are not
4 within the scope of this agreement.

5 f. Be truthful at all times with the United States
6 Probation and Pretrial Services Office and the Court.

7 g. Pay the applicable special assessment at or before the
8 time of sentencing unless defendant has demonstrated a lack of
9 ability to pay such assessments.

10 h. Meet with the prosecution team and provide all
11 information relating to the kidnapping and killing of victim Claudia
12 S., including the location of her remains. Defendant agrees to
13 accompany law enforcement agents if needed to assist in locating and
14 recovering any remains.

15 THE USAO'S OBLIGATIONS

16 4. The USAO agrees to:

17 a. Not contest facts agreed to in this agreement.

18 b. Abide by all agreements regarding sentencing contained
19 in this agreement and affirmatively recommend to the Court that it
20 impose sentence in accordance with paragraph 15 of this agreement.

21 NATURE OF THE OFFENSE

22 5. Defendant understands that for defendant to be guilty of
23 the crime charged in count one, that is, kidnapping resulting in
24 death, in violation of Title 18, United States Code, Section
25 1201(a)(1) the following must be true: (1) defendant seized,
26 confined, inveigled, decoyed, kidnapped, abducted, or carried away
27 victim Claudia S.; (2) defendant held or detained victim Claudia S.
28 against her will; (3) defendant, in furtherance of the offense, used

1 a facility or an instrumentality of interstate commerce in committing
2 the crime; and (4) the death of victim Claudia S. resulted from the
3 kidnapping. The fact that the victim may have initially voluntarily
4 accompanied defendant does not necessarily prevent the occurrence of,
5 or negate the existence of, a later kidnapping.

6 6. Defendant understands that for defendant to be subject to
7 the statutory maximum sentence set forth below, the government must
8 prove beyond a reasonable doubt that the death of victim C.S.R.
9 resulted from the kidnapping defendant. Defendant admits that the
10 death of victim C.S.R. resulted from the kidnapping.

11 PENALTIES AND RESTITUTION

12 7. Defendant understands that the statutory maximum sentence
13 that the Court can impose for a violation of Title 18, United States
14 Code, Section 1201(a)(1) where death results from a kidnapping, is:
15 life imprisonment;¹ a 5-year period of supervised release; a fine of
16 \$250,000 or twice the gross gain or gross loss resulting from the
17 offense, whichever is greatest; and a mandatory special assessment of
18 \$100.

19 8. Defendant understands that supervised release is a period
20 of time following imprisonment during which defendant will be subject
21 to various restrictions and requirements. Defendant understands that
22 if defendant violates one or more of the conditions of any supervised
23 release imposed, defendant may be returned to prison for all or part
24 of the term of supervised release authorized by statute for the
25 offense that resulted in the term of supervised release.

26
27
28 ¹ The government declined to seek the death penalty in this case.

1 9. Defendant understands that defendant will be required to
2 pay full restitution to the victims of the offense to which defendant
3 is pleading guilty. Defendant agrees that, in return for the USAO's
4 compliance with its obligations under this agreement, the Court may
5 order restitution to persons other than the victim of the offense to
6 which defendant is pleading guilty.

7 10. Defendant understands that, by pleading guilty, defendant
8 may be giving up valuable government benefits and valuable civic
9 rights, such as the right to vote, the right to possess a firearm,
10 the right to hold office, and the right to serve on a jury.
11 Defendant understands that he is pleading guilty to a felony and that
12 it is a federal crime for a convicted felon to possess a firearm or
13 ammunition. Defendant understands that the conviction in this case
14 may also subject defendant to various other collateral consequences,
15 including but not limited to revocation of probation, parole, or
16 supervised release in another case and suspension or revocation of a
17 professional license. Defendant understands that unanticipated
18 collateral consequences will not serve as grounds to withdraw
19 defendant's guilty plea.

20 11. Defendant and his counsel have discussed the fact that, and
21 defendant understands that, if defendant is not a United States
22 citizen, the conviction in this case makes it practically inevitable
23 and a virtual certainty that defendant will be removed or deported
24 from the United States. Defendant may also be denied United States
25 citizenship and admission to the United States in the future.
26 Defendant understands that while there may be arguments that
27 defendant can raise in immigration proceedings to avoid or delay
28 removal, removal is presumptively mandatory and a virtual certainty

1 in this case. Defendant further understands that removal and
2 immigration consequences are the subject of a separate proceeding and
3 that no one, including his attorney or the Court, can predict to an
4 absolute certainty the effect of his conviction on his immigration
5 status. Defendant nevertheless affirms that he wants to plead guilty
6 regardless of any immigration consequences that his plea may entail,
7 even if the consequence is automatic removal from the United States.

8 FACTUAL BASIS

9 12. Defendant admits that defendant is, in fact, guilty of the
10 offense to which defendant is agreeing to plead guilty. Defendant
11 and the USAO agree to the statement of facts provided below and agree
12 that this statement of facts is sufficient to support a plea of
13 guilty to the charge described in this agreement and to establish the
14 Sentencing Guidelines factors set forth in paragraph 14 below but is
15 not meant to be a complete recitation of all facts relevant to the
16 underlying criminal conduct or all facts known to either party that
17 relate to that conduct.

18 In the Fall of 2014, defendant met Claudia S., who was then
19 16 years old, in El Salvador. Claudia S. became pregnant and
20 defendant married her in El Salvador and brought her and their
21 son to the United States. At the time, defendant was employed
22 by the United States Customs and Border Protection.

23 By 2016, defendant suspected that Claudia S. was having an
24 affair with another man. Defendant decided to kill Claudia S.
25 Approximately one month before May 6, 2016, defendant met with
26 his half-brother, P.O., at a McDonald's restaurant in Los
27 Angeles to plan the killing of Claudia S. Defendant was
28 previously estranged from his half-brother but contacted him

1 because P.O. was a previously a gang member and gravedigger in
2 El Salvador. At P.O.'s suggestion, defendant rented an SUV to
3 use to kidnap and kill Claudia S. Defendant rented a Hyundai
4 Santa Fe from John Wayne Airport. Defendant told Claudia S. the
5 Santa Fe was a gift for her.

6 On May 6, 2016, defendant called Claudia S. at her work,
7 and told her that he wanted to take her to dinner that night.
8 Defendant told Claudia not to take Uber home, which was her
9 usual practice, because he would pick her up at work. At
10 approximately 8:00 p.m. that night, defendant drove the Hyundai
11 Santa Fe to El Pollo Loco, located at 12909 Harbor Boulevard in
12 Garden Grove to pick up Claudia from work. Defendant and P.O.
13 never intended to take Claudia S. to dinner. Instead, P.O. was
14 hiding under a blanket in the cargo area of the Hyundai SUV
15 during the drive to El Pollo Loco. After Claudia S. was picked
16 up from work, defendant drove to his mother's house at 835 South
17 Park Vine in Orange. Upon their arrival, defendant pulled into
18 the garage to his mother's residence and closed the garage door.
19 Once the door closed, P.O. jumped from the cargo area of the SUV
20 into the back seat and grabbed Claudia, who was in the front
21 passenger seat. P.O. pulled Claudia backwards with such force
22 that the passenger seat collapsed towards the back seat. P.O.
23 punched Claudia in the face causing her lip to bleed. P.O. took
24 a seat belt, wrapped it around Claudia's neck, and strangled her
25 to death. Defendant then helped P.O. push Claudia's body from
26 the front seat into the back seat and eventually into the cargo
27 area of the Hyundai.
28

1 The following day, defendant drove to the apartment he
2 shared with Claudia S., turned on Claudia's phone, which he had
3 turned off the night before, and, posing as Claudia S., used it
4 to send a text to one of Claudia's coworkers saying she would
5 not be in to work that day. Defendant then returned to his
6 mother's residence. There, using Claudia's phone, P.O., posing
7 as Claudia, typed a text to a paralegal who worked for Claudia's
8 divorce lawyer that stated that Claudia no longer needed the
9 lawyer's services. P.O. then sent the text to the paralegal.
10 P.O. then typed a text to Claudia's mother in El Salvador, which
11 stated as follows:

12 The truth Mom is that I met a white American man with blue
13 eyes that's going to take me to New York and because I
14 don't love eddy or the boy although eddy loves me very much
15 I'm going to leave with this American man. And because
16 eddy loves the boy I'm leaving the boy to him because he'll
17 be a better father than me. And because we're going to
18 take the bus and there won't be internet signal I'm going
19 to disconnect this telephone so eddy won't follow me I will
20 contact you when I get there. I care for you and love
21 you a lot Mom. Happy mothers day.

22 P.O. then sent the text to Claudia's mother.

23 On May 19, 2016, defendant drove to parking lot 5 at Los
24 Angeles International Airport and threw in a trash can a
25 backpack containing a blanket and rags that P.O. used to wipe
26 down the seatbelts and interior of the Hyundai SUV.

27 In committing these acts, defendant admits that he lured
28 Claudia S. into the Hyundai Santa Fe on the night on May 6,

1 2016, with the promise of taking her to dinner, when in fact the
2 plan was to kill her. Defendant admits that he continued to
3 hold Claudia S. using this deception until they arrived at his
4 mother's garage. Defendant further admits that in planning and
5 carrying out the kidnapping and killing of Claudia S., he used
6 cell phones and a rental car, which are instruments affecting
7 interstate commerce.

8 SENTENCING FACTORS AND AGREED-UPON SENTENCE

9 13. Defendant understands that in determining defendant's
10 sentence the Court is required to calculate the applicable Sentencing
11 Guidelines range and to consider that range, possible departures
12 under the Sentencing Guidelines, and the other sentencing factors set
13 forth in 18 U.S.C. § 3553(a). Defendant understands that the
14 Sentencing Guidelines are advisory only.

15 14. Defendant and the USAO agree to the following applicable
16 Sentencing Guidelines factors:

17 Base Offense Level: 43 USSG § 2A1.1_

18 15. The government agrees not to seek a sentence greater than
19 30 years. Defendant agrees not to seek a sentence less than 25
20 years. If prior to sentencing defendant provides information leading
21 to the recovery of the remains of Claudia S., so that they can be
22 returned to her parents in El Salvador, the government will lower its
23 recommendation to 25 years.

24 16. At sentencing, should the Court determine that a sentence
25 higher than 30 years is appropriate, defendant can withdraw his
26 guilty plea and proceed to trial.

1 appeal defendant's conviction on the offense to which defendant is
2 pleading guilty. Defendant understands that this waiver includes,
3 but is not limited to, arguments that the statute to which defendant
4 is pleading guilty is unconstitutional, and any and all claims that
5 the statement of facts provided herein is insufficient to support
6 defendant's plea of guilty.

7 LIMITED MUTUAL WAIVER OF APPEAL OF SENTENCE

8 19. Defendant agrees that, provided the Court imposes a
9 sentence of no more than 30 years, defendant gives up the right to
10 appeal any portion of that sentence, and the procedures and
11 calculations used to determine and impose any portion of that
12 sentence.

13 20. The USAO agrees that, provided the Court imposes a sentence
14 of no less than 25 years, the USAO gives up its right to appeal any
15 portion of that sentence, and the procedures and calculations used to
16 determine and impose any portion of that sentence.

17 RESULT OF WITHDRAWAL OF GUILTY PLEA

18 21. Defendant agrees that if, after entering a guilty plea
19 pursuant to this agreement, defendant seeks to withdraw and succeeds
20 in withdrawing defendant's guilty plea on any basis other than a
21 claim and finding that entry into this plea agreement was
22 involuntary, then the USAO will be relieved of all of its obligations
23 under this agreement.

24 EFFECTIVE DATE OF AGREEMENT

25 22. This agreement is effective upon signature and execution of
26 all required certifications by defendant, defendant's counsel, and an
27 Assistant United States Attorney.

1 BREACH OF AGREEMENT

2 23. Defendant agrees that if defendant, at any time after the
3 signature of this agreement and execution of all required
4 certifications by defendant, defendant's counsel, and an Assistant
5 United States Attorney, knowingly violates or fails to perform any of
6 defendant's obligations under this agreement ("a breach"), the USAO
7 may declare this agreement breached. All of defendant's obligations
8 are material, a single breach of this agreement is sufficient for the
9 USAO to declare a breach, and defendant shall not be deemed to have
10 cured a breach without the express agreement of the USAO in writing.
11 If the USAO declares this agreement breached, and the Court finds
12 such a breach to have occurred, then: (a) if defendant has previously
13 entered a guilty plea pursuant to this agreement, defendant will not
14 be able to withdraw the guilty plea, (b) the USAO will be relieved of
15 all its obligations under this agreement, and (c) the Court's failure
16 to follow any recommendation or request regarding sentence set forth
17 in this agreement will not provide a basis for defendant to withdraw
18 defendant's guilty plea.

19 COURT AND UNITED STATES PROBATION AND PRETRIAL SERVICES

20 OFFICE NOT PARTIES

21 24. Defendant understands that the Court and the United States
22 Probation and Pretrial Services Office are not parties to this
23 agreement and need not accept any of the USAO's sentencing
24 recommendations or the parties' agreements to facts, sentencing
25 factors, or sentencing. Defendant understands that the Court will
26 determine the facts, sentencing factors, and other considerations
27 relevant to sentencing and will decide for itself whether to accept
28 and agree to be bound by this agreement.

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PLEA AGREEMENT PART OF THE GUILTY PLEA HEARING

27. The parties agree that this agreement will be considered part of the record of defendant's guilty plea hearing as if the entire agreement had been read into the record of the proceeding.

AGREED AND ACCEPTED

UNITED STATES ATTORNEY'S OFFICE
FOR THE CENTRAL DISTRICT OF
CALIFORNIA

E. MARTIN ESTRADA
United States Attorney

GREGORY W. STAPLES
Assistant U.S. Attorney

4/8/24

Date

EDDY REYES
Defendant

4/8/24

Date

CARLOS N. IRIARTE
Attorney for Defendant EDDY REYES

4/8/24

Date

CERTIFICATION OF DEFENDANT


I have read this agreement in its entirety. I have had enough time to review and consider this agreement, and I have carefully and thoroughly discussed every part of it with my attorney. I understand the terms of this agreement, and I voluntarily agree to those terms. I have discussed the evidence with my attorney, and my attorney has advised me of my rights, of possible pretrial motions that might be filed, of possible defenses that might be asserted either prior to or at trial, of the sentencing factors set forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines provisions, and of the consequences of entering into this agreement. No promises, inducements, or representations of any kind have been made to me other than those

1 contained in this agreement. No one has threatened or forced me in
2 any way to enter into this agreement. I am satisfied with the
3 representation of my attorney in this matter, and I am pleading
4 guilty because I am guilty of the charge and wish to take advantage
5 of the promises set forth in this agreement, and not for any other
6 reason.

7 
8 EDDY REYES 4/8/24
9 Defendant Date

10
11 CERTIFICATION OF DEFENDANT'S ATTORNEY

12 I am Eddy Reyes's attorney. I have carefully and thoroughly
13 discussed every part of this agreement with my client. Further, I
14 have fully advised my client of his rights, of possible pretrial
15 motions that might be filed, of possible defenses that might be
16 asserted either prior to or at trial, of the sentencing factors set
17 forth in 18 U.S.C. § 3553(a), of relevant Sentencing Guidelines
18 provisions, and of the consequences of entering into this agreement.
19 To my knowledge: no promises, inducements, or representations of any
20 kind have been made to my client other than those contained in this
21 agreement; no one has threatened or forced my client in any way to
22 enter into this agreement; my client's decision to enter into this
23 agreement is an informed and voluntary one; and the factual basis set
24 forth in this agreement is sufficient to support my client's entry of
25 a guilty plea pursuant to this agreement.

26 
27 CARLOS N. IRIARTE 4/8/24
28 Attorney for Defendant EDDY REYES Date