

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA,
Plaintiff

v.

REAL PROPERTY KNOWN AS
334 PADRE BOULEVARD
CONDOMINIUM UNIT 1401
CAMERON COUNTY
SOUTH PADRE ISLAND, TX 78597
Defendant

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CIVIL CASE NO. 12-CV-167

VERIFIED COMPLAINT FOR FORFEITURE IN REM

Plaintiff, the United States of America, by and through its United States Attorney for the Southern District of Texas and the undersigned Assistant United States Attorney, represents:

NATURE OF ACTION

1. This is a civil forfeiture action in rem brought under: (a) 18 U.S.C. § 981(a)(1)(A) which provides for the forfeiture of real property involved in a transaction or attempted transaction in violation of 18 U.S.C. §§ 1956, 1957 or 1960 or any property traceable to such property; (b) 18 U.S.C. § 981(a)(1)(C) incorporating 18 U.S.C. § 1956(c)(7)(A) and 18 U.S.C. § 1961(1) which provides for the forfeiture of real property which constitutes or is derived from proceeds traceable to any offense involving the felonious buying, selling, receiving, importing or otherwise dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act), punishable under any law of the United States; and (c) 21 U.S.C. § 881(a)(6) which provides for the forfeiture of all proceeds traceable to an exchange for a

controlled substance or listed chemical in violation of Title II of the Controlled Substances Act, 21 U.S.C. § 801, et seq.

JURISDICTION AND VENUE

2. This Court has subject-matter jurisdiction of this action pursuant to 28 U.S.C. §§ 1345 and 1355.

3. Venue is proper in the Southern District of Texas under 28 U.S.C. §§ 1355, 1391 and 1395.

DEFENDANT PROPERTY

4. The defendant is real property located at 334 Padre Boulevard, Apartment 1401, Cameron County, South Padre Island, Texas, with all appurtenances, improvements, and attachments thereon, legally described as:

Unit 1401 in BRIDGEPOINT - PHASE I, a Condominium Regime created by Declaration and Master Deed filed of record in Volume 20, Page 60, Condominium Records of Cameron County, Texas, and amended by instrument recorded in Volume 20, Page 495, Condominium Records of Cameron County, Texas and instrument recorded in Volume 607, Page 173, Official Records of Cameron County, Texas, (the Declaration), reference to which is here made for all purposes; together with an individual percentage of value as defined and set forth in the Declaration and Master Deed,

which description is incorporated herein by reference and hereafter referred to as the “Defendant Real Property.”

5. The record owner of the Defendant Real Property is Napoleon Rodriguez (hereinafter referred to as “Rodriguez”).

6. The Defendant Real Property is located within this district and within the jurisdiction of the Court.

FACTS

7. Upon information and belief the United States of America alleges:

a. Tomas Jesus YARRINGTON-Ruvalcaba (hereinafter referred to as “YARRINGTON”) is the true owner of Defendant Real Property and YARRINGTON purchased the Defendant Real Property with proceeds traceable to the sale of controlled substances.

b. During the years 1998 to at least 2005, YARRINGTON, the former mayor of Matamoros, Mexico, Governor of Tamaulipas, and Mexican presidential candidate, acquired millions of dollars in payments while holding elected office from large-scale drug organizations operating in and through the Mexican State of Tamaulipas, and from various extortion or bribery schemes. YARRINGTON served as mayor of Matamoros from 1992 to 1995, as governor of Tamaulipas from 1999 to 2004, and was a presidential candidate in the 2005 election. Tamaulipas lies across the lower U.S. border across from Brownsville, McAllen, and Laredo Texas. This state includes the major narcotics hubs of Matamoros, the headquarters of the Gulf Cartel, and Reynosa. YARRINGTON was assisted in his effort to acquire and maintain large amounts of money gained in this manner through the collaboration of various financial operators he utilized, including Rodriguez. As per the information, YARRINGTON, during and after leaving public office, in Mexico began investing large sums of these illicit funds in real estate in Texas and Mexico using specific front-men and corporate business entities.

c. Upon leaving the governorship, YARRINGTON embarked on an unsuccessful campaign to become President of Mexico. Both during and after his service in public office, he used his illicit income from his political years to become a major real estate investor through various

money laundering mechanisms. YARRINGTON's co-conspirators agreed to help YARRINGTON launder the millions in proceeds from drug trafficking activities through real estate investments in the United States.

d. Rodriguez is the owner of Ferretera Industrial Rodriguez, S.A. de C.V., a hardware supply company. Rodriguez has received contracts to supply the city of Matamoros and the State of Tamaulipas, Mexico with supplies such as paint and lights. Rodriguez has also been employed to assist YARRINGTON with his campaigns. In or about December 1998, Rodriguez purchased Defendant Real Property in his name as a nominee or straw man for YARRINGTON at YARRINGTON's request. YARRINGTON put Defendant Real Property in Rodriguez's name to avoid detection of the asset by law enforcement.

e. The actual total purchase price paid for Defendant Real Property was \$450,000. According to the Warranty Deed, \$300,000 of the purchase price was financed and secured by a vendor's lien and by a deed of trust. The lien was later released, less than a year after purchase, on April 20, 1999. The Defendant Real Property was paid for entirely with YARRINGTON's drug trafficking proceeds. Further, Defendant Real Property was paid for entirely with United States currency provided to Rodriguez by YARRINGTON. All of the routine maintenance fees and yearly taxes are paid for by YARRINGTON.

f. Defendant Real Property has been utilized by YARRINGTON from 1998 to the present. There is no known legitimate source for the funds YARRINGTON used to purchase the Defendant Real Property.

NOTICE TO ANY POTENTIAL CLAIMANTS

YOU ARE HEREBY NOTIFIED that if you assert an interest in the Defendant Real Property which is subject to forfeiture and want to contest the forfeiture, you must file a verified claim which fulfills the requirements set forth in Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. The verified claims must be filed no later than thirty-five (35) days from the date this Complaint has been sent in accordance with Rule G(4)(b).

An answer or motion under Rule 12 of the Federal Rules of Civil Procedure must be filed no later than twenty-one (21) days after filing the claim. The claim and answer must be filed with the United States District Clerk for the Southern District of Texas and a copy must be served upon the undersigned Assistant United States Attorney at the address provided in this Complaint.

PRAYER

WHEREFORE, the United States of America prays that judgment of forfeiture be entered against the Defendant Real Property in favor of the United States of America and for such costs and other relief to which the United States of America may be entitled.

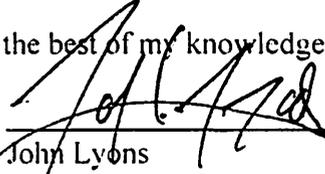
Respectfully submitted,

KENNETH MAGIDSON
United States Attorney

By: s/ Julie K. Hampton
JULIE K. HAMPTON
Assistant United States Attorney
State Bar No. 24032269
Federal Bar No. 431286
800 N. Shoreline Blvd., Suite 500
One Shoreline Plaza
Corpus Christi, Texas 78401
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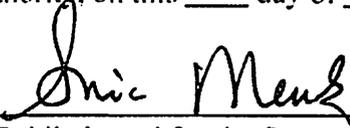
VERIFICATION

I, John Lyons, a special agent with Homeland Security Investigations–Immigration and Customs Enforcement, hereby affirm and verify that the facts set forth in the foregoing Complaint for Forfeiture in Rem are true and correct to the best of my knowledge and belief.



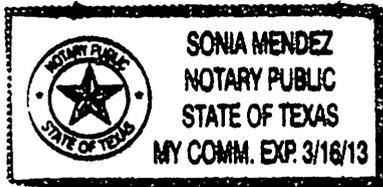
John Lyons
Special Agent, HSI-ICE

Sworn and subscribed before me, the undersigned authority, on this 17th day of May, 2012.



Notary Public in and for the State of Texas

My commission expires:



CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Verified Complaint for Forfeiture In Rem was mailed via certified mail: return receipt requested to:

Tomas Jesus Yarrington Ruvalcaba
Attn: Joel Androphy, Attorney at Law
Berg & Androphy
3704 Travis St
Houston, TX 77002-9506

Maria Antonieta Morales LooYarrington
Attn: Joel Androphy, Attorney at Law
Berg & Androphy
3704 Travis St
Houston, TX 77002-9506

and

Napoles 7 Fracc Rio
Entre Av Mexico
Tamaulipas, Mexico

Bridepoint Condominiums
Attn: Building Management/Owner
334 Padre Boulevard
South Padre Island, Texas 78597

on this the 22nd day of May, 2012.

s/ Julie K. Hampton
JULIE K. HAMPTON
Assistant United States Attorney