

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,
Plaintiff,

v.

JULIA BEATRICE KELEHER,
Defendant.

CRIMINAL CASE NO.: 20-019 (FAB)

JULIA BEATRICE KELEHER’S MOTION FOR CHANGE OF VENUE

COMES NOW the defendant, Julia Beatrice Keleher (“Keleher”), through her undersigned counsel, and respectfully files this motion for change of venue. In support thereof, Ms. Keleher respectfully states as follows:

I. Factual Background

On December 28, 2016, then-Governor of Puerto Rico, Ricardo Rossello, recruited Ms. Keleher to serve as the Secretary of Education of Puerto Rico (“Department”). Despite Ms. Keleher’s obvious qualifications for the position, and the fact that she had been working in the Department for the better part of a decade prior to assuming the title of secretary, public outcry regarding Ms. Keleher’s salary immediately surfaced.¹ As early as February 2017, the president of the Federation of Teachers of Puerto Rico, Mercedes Martinez Padilla, stated that “[Keleher] will charge (*sic*) more than \$20,000 per month (\$125,000 for the first five months) for work that is part of her ministerial duties. If the secretary decides to keep this contract, she must resign from public office.” *Id.* From there, the public vitriol towards Ms. Keleher would only worsen.

¹ “Gobernador defiende paga a Keleher,” February 14, 2017, https://www.elvocero.com/gobierno/agencias/gobernador-defiende-paga-a-keleher/article_42f65f23-f3ce-54b4-be61-e40a590508fb.html.

During Ms. Keleher's tenure at the helm of the Department, because of the dire fiscal situation plaguing Puerto Rico, the Department identified schools for closure as a cost-saving measure and as a means to ensure that schools operated at a sustainable capacity.² In two years, Ms. Keleher's Department directed the closure of anywhere between two-hundred fifty-five to four-hundred twenty-two public schools.³ Not surprisingly, these decisions made Ms. Keleher the target of enormous public condemnation and personal hatred, as protests over the school closures followed Ms. Keleher in virtually all of her public appearances after the announcements were made.⁴ In a protest led by Doctor Aida Diaz, President of the Teachers Association of Puerto Rico, the President of the Teachers Association of America, Randi Weingarten, told Puerto Rico-based digital news outlet, NotiCel, that the Department's closing of public schools was "a manmade disaster" which she dubbed "Hurricane Keleher."⁵

In addition to various protests that targeted a derailment of the decision to close public schools, individuals from both the private and public sectors filed motions for legal recourse in the local courts and demanded that the House of Representatives and the Senate of Puerto Rico

² "Departamento de Educación cerrará 184 escuelas," May 5, 2017, [https:// www.primerahora.com/noticias/gobierno-politica/nota/departamentodeeducacioncerrara184escuelas-1222140/](https://www.primerahora.com/noticias/gobierno-politica/nota/departamentodeeducacioncerrara184escuelas-1222140/).

³ See, e.g., "Keleher dice que no habrá más cierres de escuelas," October 25, 2018, <https://www.metro.pr/pr/noticias/2018/10/25/keleher-cierres-escuelas.html>; see also "Educación regala miles de libros que se utilizaban en las escuelas cerradas," August 20, 2019, <https://www.elnuevodia.com/noticias/locales/nota/educacionregalamilesdelibrosqueseutilizabanenlasescuelascerradas-2512858/>.

⁴ See, e.g., "Protestas por cierre de escuelas," December 30, 2018, <http://www.telemundopr.com/noticias/puerto-rico/Resumen-Cierre-de-escuelas-telemundo-puerto-rico-503531581.html> (stating that the decision to close schools provoked "dozens of protests"); "Convocan nueva manifestación contra cierre de escuelas," July 16, 2018, <https://www.metro.pr/pr/noticias/2018/07/16/convocan-nueva-manifestacion-cierre-escuelas.html>;

⁵ "Protestan el cierre de las escuelas por el 'huracán Keleher'," April 25, 2018, <https://www.noticel.com/video/protestan-el-cierre-de-escuelas-por-el-huracan-keleher/734625773>. (NotiCel's video recorded interview with Randi Weingarten, President of the Teacher's Association of America, during April 2018 protest. Because Ms. Weingarten spoke in English, her words need not be translated.).

investigate the Department's initiative.⁶ Many people thought the Department's decision to close schools violated the right of Puerto Rican children to a public education.⁷ The public's condemnation of Ms. Keleher, however, was not limited to the issue of school closures. Ms. Keleher was also heavily condemned for promoting a large-scale reform of the Department and of public education in Puerto Rico. Her introduction of charter schools into the island's education system was widely perceived as a slap in the face to the teacher's unions and to the quality of public education.⁸

In February 2019, news broke that a warrant had been issued for Ms. Keleher's arrest.⁹ The warrant stemmed from the Department's alleged non-compliance with an order to produce documents requested pursuant to an order entered in a wholly unrelated criminal indictment pending in the United States District Court for the District of Puerto Rico. However, news of the warrant with Ms. Keleher's name on it sent all news outlets in Puerto Rico into a frenzy. Political and media commentators called for her incarceration and celebrated the sully of Ms. Keleher's name. In an article published online by El Nuevo Dia, the newspaper with the largest circulation

⁶ See, e.g., "Presentaran un recurso legal para evitar el cierre de escuelas," April 26, 2018, <https://www.elnuevodia.com/noticias/locales/nota/presentaranunrecursolegalparaevitarelcierredeescuelas-2418004/>; "Presentan resoluciones para investigar el cierre de escuelas," April 25, 2018, <https://www.metro.pr/pr/noticias/2018/04/25/presentan-resoluciones-investigar-cierre-escuelas.html>; "Resolución del Senado paralizaría el cierre de escuelas," April 23, 2018, <https://www.elnuevodia.com/noticias/politica/nota/resoluciondelsenadoparalizariaelcierredeescuelas-2417047/>.

⁷ See, e.g., "Estudio determina violación de derechos a estudiantes del sistema publico," July 16, 2018, <https://www.primerahora.com/noticias/gobierno-politica/nota/estudioideterminaviolaciondederechosaestudiantesestudioideterminva-1>.

⁸ See, e.g., "Estudiante confronta a Keleher sobre la Reforma Educativa," March 2, 2018, <https://www.noticel.com/ahora/educacion/estudiante-confronta-a-keleher-sobre-reforma-educativa/710252453>; "Como quedo la reforma educativa," March 31, 2018, <https://www.noticel.com/ahora/educacion/cmo-qued-la-reforma-educativa/719427891>.

⁹ "Juez federal advierte a secretaria de Educación Julia Keleher que puede ser arrestada," February 13, 2019, https://www.notiuno.com/noticias/gobierno-y-politica/juez-federal-advierte-a-secretaria-de-eduaci-n-julia-keleher/article_2c18f53a-2fd5-11e9-a6d7-7bb68af7329f.html.

in Puerto Rico, Ms. Keleher was characterized as corrupt, a thief, and an embarrassment to Puerto Rico. She was compared to the disgraced former Secretary of Education of Puerto Rico, Victor Fajardo, who was indicted and sentenced on corruption charges in 2002.¹⁰ Others voiced sentiment that her arrest was long overdue, considering Ms. Keleher's controversial tenure as Secretary of Education.

One month later, details about the federal investigation in relation to Case No. 19-431 (PAD) against Ms. Keleher leaked and the public fury against Ms. Keleher worsened. Many of the news reports were founded on little more than speculation, but the harm was immediate.¹¹

News articles revealed the identity of witnesses who had testified before the grand jury, identified subpoenas and search warrants issued as part of the investigation, and suggested matters that were allegedly under investigation by the federal authorities. Eventually, however, it would become clear that the indictment against Ms. Keleher was unrelated to any of the matters that were the subject of intense media speculation. Case No. 19-431 (PAD).¹² The overwhelming public sentiment was one of vindication of Ms. Keleher's detractors, who felt legitimized by the federal investigation. The Teacher's Association of Puerto Rico voiced this sentiment in a widely publicized official statement: "[o]n many occasions and publicly we asked the governor and the

¹⁰ "Juez Federal exige a Educación que entregue documentos sobre una investigación," February 13, 2019, <https://www.elnuevodia.com/noticias/tribunales/nota/juezfederalexigeaeducacionqueentreguedocumentossobreunainjuezfederal-2476634/> (See comment made by username "LAB" which states: "...The people need to know more about these cases of corruption and those involved. The Department of Education, corruption brings back memories, right Victor Fajardo[?].").

¹¹ "The Puerto Rico-Josephson Scandal in Context," June 8, 2018, <https://pasquines.us/2018/06/08/the-puerto-rico-josephson-institute-scandal-in-context/>; see also "Keleher y educacion en la mira federal," April 3, 2019, https://www.elvocero.com/ley-y-orden/keleher-y-educaci-n-en-la-mira-federal/article_84268300-55b9-11e9-a5bd-df9c23f27825.html.

¹² See, e.g., "Keleher y Educación en la mira federal," March 4, 2019, https://www.elvocero.com/ley-y-orden/keleher-y-educaci-n-en-la-mira-federal/article_84268300-55b9-11e9-a5bd-df9c23f27825.html; see also "Surgen más detalles sobre pesquisa a Keleher," April 4, 2019, https://www.elvocero.com/ley-y-orden/surgen-m-s-detalles-sobre-pesquisa-a-keleher/article_9531473a-5685-11e9-8071-73d375a5df61.html.

presidents of the Senate and the House to question her because she clearly did not respect the laws, but they ignored it. We often pointed out the arbitrariness surrounding school closures, the million-dollar contracts she awarded, and her erratic actions, today the passage of time has proved us right.”¹³

On July 9, 2019, an indictment was returned against Ms. Keleher and several co-defendants, charging her with conspiracy to commit wire fraud, in violation of 18 U.S.C. §1349; wire fraud, in violation of 18 U.S.C. §1343; and conspiracy to commit an offense against the United States (theft), in violation of 18 U.S.C. §§371, 641. *See* Case No. 19-431 (PAD) at Docket No. 3. On July 10, 2019, Ms. Keleher was arrested in Washington DC, her place of residence, and appeared before a Magistrate Judge for her initial appearance pursuant to the Federal Rules of Criminal Procedure. Keleher was released on her own recognizance and was ordered to report to the District of Puerto Rico for further proceedings.

News of Ms. Keleher’s arrest immediately surfaced on all major news outlets of Puerto Rico, and local television shows, celebrities, and so-called political commentators rapidly used their platforms to comment on the arrest of Ms. Keleher. Through social media, celebrities and political commentators alike equated the arrest of Ms. Keleher as a “copy paste” of the arrests made in 2000 during the corruption case involving former education secretary, Victor Fajardo, in front of millions of followers.¹⁴ They also expressed personal hatred towards Ms. Keleher and her co-defendants, calling them “thieves,” “pigs,” and “motherfuckers,” calling for them to be put in

¹³ “Asociación de Maestros: ‘el tiempo nos vuelve a dar la razón’,” July 10, 2019, <https://www.primerahora.com/noticias/puerto-rico/nota/asociaciondemaestroseltiemponosvuelveadardlarazon-1351987/>.

¹⁴ *See*, for example, video published by Jorge Pabón (better known as “El Molusco”) on his Instagram page on July 10, 2019, <https://www.instagram.com/tv/BzvD0NAB2dq/>. (Because the defense is asking the Court to consider the audio, the words spoken by Pabon in Spanish have been translated to English.).

prison, and hoping that “they rot in jail.” *Id.* In response, their followers reiterated personal hatred towards Ms. Keleher, further demonstrating that their opinions were not based on a reasoned analysis of the facts underlying the case, but rather a visceral loathing of Ms. Keleher due to her controversial tenure as secretary of the Department.

On July 16, 2019, Ms. Keleher arrived at the Federal Courthouse in Hato Rey for her initial appearance, arraignment, and detention hearing in Case No. 19-431 (PAD). She was immediately mobbed and assaulted by protestors who yelled epithets and insulted her.¹⁵ Many in the crowd celebrated her arrest and viewed it as “payback” for the Department’s school closures. Others accused her of being a thief. Some protestors displayed posters of a photoshopped image of a Ms. Keleher mug shot. During this volatile encounter, Ms. Keleher was struck in the stomach by an unknown protester and her hair was pulled as she attempted to enter the courthouse. The Federal Protective Service guards, and her own private security detail, were unable to control the crowds and protect Ms. Keleher’s safety. *Id.* NotiCel characterized Ms. Keleher’s arrival to the federal courthouse as “red-carpet” treatment.¹⁶

After the indictment in Case No. 19-431 (PAD) was made public, the former United States Attorney for the District of Puerto Rico, Rosa Emilia Rodríguez-Velez, made sweeping statements on television about public corruption in Puerto Rico, claiming that it was “[eroding] the trust between government officials and ... citizens.” She accused Ms. Keleher of having “exploited [her] position” and having “fraudulently awarded contracts[.]” Ms. Rodriguez Velez concluded

¹⁵ “Le gritan ‘pilla’ a Julia Keleher en su dramática entrada al Tribunal Federal,” July 16, 2019, <https://www.elnuevodia.com/videos/legritanpillaajuliakeleherensudramaticacentradaaltribunalfederal-video-256522/>. (Because the defense is not asking the Court to consider the audio, the words spoken by protestors in this published by El Nuevo Día have not been translated to English).

¹⁶ “Con alfombra roja y protección policial la llegada de Keleher,” July 16, 2019, <https://www.noticel.com/ahora/tribunales/con-alfombra-roja-y-proteccion-policial-la-llegada-de-keleher/1094272339>.

that the charges were “reprehensible”, particularly “in light of Puerto Rico’s fiscal crisis.”¹⁷ Criticism of Ms. Keleher and her co-defendants was swift and unrelenting. Then-Governor Rossello echoed the criticisms voiced by the federal authorities, stating that “[t]he allegations against [the defendants] ... [were] a disgrace[.]”¹⁸

Most importantly, the indictment in Case No. 19-431 (PAD) came at a time of widespread protests against then-Governor Rossello and his administration. These efforts dominated the local media for weeks and were also reported internationally. At the time of the indictment in that case, Puerto Rico was amidst unprecedented civil unrest and upheaval, as hundreds of thousands of people were calling for Governor Rossello’s resignation.¹⁹ Aside from the Telegram messaging service scandal involving then-Governor Rossello and several members of his inner circle, these protests were the result of a long-simmering frustration caused by the perceived incompetence of present and former Puerto Rican political leaders.²⁰ Thousands of people participated in these protests, which continued for approximately two weeks, until Governor Rossello’s resignation.

The prevailing sentiment of hundreds of thousands of protesters was that Ms. Keleher was the face of corruption in the Rossello administration. During the protests individuals wore t-shirts with a photoshopped depiction of Ms. Keleher’s mugshot, waved posters with a cut-out of Ms.

¹⁷ “Former Secretary of Puerto Rico Department of Education and Former Executive Director of Puerto Rico Health Insurance Administration Indicted With Four Others For Conspiracy, Wire Fraud, Theft Of Government Funds, And Money Laundering,” July 10, 2019, <https://www.justice.gov/usao-pr/pr/former-secretary-puerto-rico-department-education-and-former-executive-director-puerto-1>.

¹⁸ “US lawmaker who oversees Puerto Rico calls for governor to resign after 6 arrested on corruption charges,” July 11, 2019, <https://www.usatoday.com/story/news/politics/2019/07/11/puerto-rico-corruption-arrests/1701392001/> (“The allegations against the people arrested today are a disgrace,” Rossello tweeted. “Our public policy is clear: we will fight corruption in all its forms. No one is above the law”).

¹⁹ “Puerto Ricans flood streets, demand resignation of governor in huge protest,” July 22, 2019, <https://www.nbcnews.com/news/latino/march-people-puerto-rico-mobilizes-largest-protest-gov-rossell-s-n1032286>.

²⁰ “Puerto Rico’s week of massive protests, explained,” July 22, 2019, <https://www.vox.com/2019/7/20/20701898/puerto-rico-protests-ricardo-rossello-resign-ricky-renuncia-text-scandal>.

Keleher's photo which stated that "[w]e want her in jail!" and "GUILTY", as well as posters that said that Ms. Keleher had stolen \$13 million in government funds.²¹ These fervent public outcries ignored the fact that the indictment in Case No. 19-431 (PAD) did not allege that Ms. Keleher personally benefitted, or even intended personally to benefit, in any way from the alleged conduct, much less that she had stolen millions of dollars. Although these protests constituted a legitimate exercise of the public's constitutional rights, they continued to deepen and amplify the prejudice and bias Ms. Keleher now faces. Far from enjoying a legal presumption of innocence, the cornerstone of our criminal justice system, Ms. Keleher's alleged guilt has already been pre-judged.

On January 14, 2020, several months after the indictment in Case No. 19-431 (PAD), a second indictment was returned against Ms. Keleher and Ariel Gutierrez-Rodriguez in the instant case. Docket No. 3. The indictment charges Ms. Keleher with one count of conspiracy to commit honest services fraud, in violation of 18 U.S.C. §1349; five counts of wire fraud, in violation of 18 U.S.C. §1343; and one count of federal program bribery (accepting a bribe), in violation of 18 U.S.C. §666(a)(1)(B). In essence, the government alleges that Ms. Keleher used her position to "give" 1,034 square feet of a public school to a company associated with Gutierrez-Rodriguez for "financial benefits" in relation to her leasing and purchasing an apartment in the Ciudadela apartment complex in San Juan, Puerto Rico.

The second indictment served further to heighten the public's animosity towards Ms. Keleher. Once again, all news outlets in the island went into a frenzy.²² Despite the presumption

²¹ Exhibit 1 (Photographs of protesters wearing t-shirts and waving posters of Keleher during protests).

²² See, by way of example, "Keleher es acusada de ceder terreno a cambio de apartamento," January 15, 2020, https://www.elvocero.com/ley-y-orden/keleher-es-acusada-de-ceder-terreno-a-cambio-de-apartamento/article_16270c94-37ae-11ea-bd98-e3379d294628.html; "Segundo arresto implica a Keleher cediendo terreno de escuela por un apartamento," January 15, 2020, <https://www.noticel.com/ahora/top-stories/policiacas/la-calle/20200115/segundo-arresto-implica-a-keleher-cediendo-terreno-de-escuela-por-un-aparta/>; "Federales: Julia Keleher vivió en un apartamento en Ciudadela

of innocence that is supposed to be draping Ms. Keleher at all times during this process, the allegations of the second indictment were taken as fact by the media and the public. This time, parroting his predecessors statements in relation to the first indictment, United States Attorney for the District of Puerto Rico, W. Stephen Muldrow, said in a media release that “[p]ublic corruption continues to erode the trust between government officials and our citizens. Defendant Keleher exploited her government position to benefit herself and other private individuals.”²³ Once more, Ms. Keleher was thrust into the spotlight and portrayed as the face of Puerto Rico’s political turmoil.

The second indictment against Ms. Keleher came amidst a new crisis in Puerto Rico. At the time of the second indictment, Puerto Rico’s public schools were shut down following a series of strong earthquakes that shook the island from December 28, 2019 through the end of February 2020 and caused significant structural damage to buildings on the South side of the island.²⁴ Similar to the expressions made by leaders in the education sector after the devastation caused by Hurricane Maria in September 2017, leaders in the education sector immediately took to the press to voice their hatred towards Ms. Keleher and construct parallels that characterized Ms. Keleher’s term as secretary as itself a natural disaster.

In response to the second indictment, Migdalia Santiago, president of the teacher’s organization Educators for Democracy, Unity, Change, Militancy, and Union Organization (“Educamos”), stated to El Vocero newspaper that “[t]he largest earthquake that has passed

pagando \$1 al mes,” January 15, 2020, <https://www.telemundopr.com/noticias/puerto-rico/federales-vuelven-a-arrestar-a-julia-keleher/2035847/>.

²³ “Former Secretary of Puerto Rico Department of Education Julia Keleher Indicted With Another Individual For Bribery, Conspiracy, And Wire Fraud,” January 15, 2020, <https://www.justice.gov/usao-pr/pr/former-secretary-puerto-rico-department-education-julia-keleher-indicted-another>.

²⁴ “3 weeks after earthquake, only 20% of schools in Puerto Rico are open and deemed safe,” January 28, 2020, <https://www.usatoday.com/story/news/nation/2020/01/28/puerto-rico-earthquake-only-20-schools-open/4595416002/>.

through the Department of Education (DE) is called Julia Keleher. We already have two replicas.”²⁵ The president of the National Union of Educators and Education Workers (“Unete”), Liza Fournier Cordova, also stated publicly that Ms. Keleher’s second indictment came as no surprise to her organization and called for Ms. Keleher to be tried in Puerto Rico. *Id.* The president of the Teachers Federation, Mercedes Martinez Padilla, once again expressed her hatred towards Ms. Keleher in response to the second case: “[Keleher] is the most corrupt and most disastrous Secretary of Education in the history of [the] DE.” *Id.* These statements represent the sentiment of a vast majority of the people on the island towards Ms. Keleher.

Moreover, the government of Puerto Rico continues to be plagued by corruption scandals. Most recently, amidst the novel coronavirus pandemic, the government of Puerto Rico, which is currently held by the New Progressive Party (in Spanish, “PNP”), with which Ms. Keleher is commonly associated, apparently allotted more than \$40 million to purchase rapid tests to detect the disease from companies with no experience in handling medical products.²⁶ These companies are allegedly led by individuals with close ties to the PNP. *Id.* According to local news reports, these rapid tests kits that the government attempted to purchase, which had not been approved by the FDA, were sold at a price well above their market value. *Id.* In response to this scandal, the government of Puerto Rico was forced to cancel the contract and several individuals linked to the PNP are rumored to be under investigation by both state and federal authorities.

²⁵ “Reaccionan líderes escolares a segundo arresto de Keleher,” January 16, 2020, https://www.elvocero.com/educacion/reaccionan-l-deres-escolares-a-segundo-arresto-de-keleher/article_9145151a-3808-11ea-ad52-9fd8df983846.html.

²⁶ “El gobierno intentó comprar pruebas de coronavirus por \$40 millones a empresas sin experiencia y con vínculos al PNP,” April 5, 2020, <https://www.elnuevodia.com/noticias/locales/nota/elgobiernointentocomprarpruebasdecoronaviruspor40millonemillonesaempresassinexperienciayconvincul-2558857/>.

While Ms. Keleher resigned as secretary of the Department more than one year ago, as a result of the second indictment, Ms. Keleher continues to be tied to these scandals involving alleged wrongdoings by current government officials. To a vast majority of the people of Puerto Rico, who are constantly reminded of the shortcomings of their government, Ms. Keleher is synonymous to public corruption in the island. In fact, in response to the recent scandals related to the government's response to the earthquakes that hit Puerto Rico in January 2020 and to the coronavirus pandemic, Ms. Keleher's name has again surfaced and continues to be the object of ridicule on social media. *See* Exhibit 2. In what appears to be a widely shared Internet meme in the form of a bar chart labelled "The Curve of Corruption" in Puerto Rico (*see* Exhibit 2), Ms. Keleher's arrest is mentioned alongside these recent government scandals as one of the components of this so-called corruption curve in the island. Certainly, these events have heightened the public's animosity towards Ms. Keleher.

If Ms. Keleher and her co-defendant were to be tried in this environment, their constitutional rights would undoubtedly be trampled upon. Neither would receive a fair trial, and the presumption of their innocence would be disregarded. The Court should not permit such a travesty of justice to occur on its watch. The law contemplates change of venue relief precisely because there are cases where a change in the venue of the trial is both warranted and necessary to prevent a grave injustice. This is undoubtedly such a case.

II. Analysis

"It is a fundamental constitutional canon that criminal defendants have a right to trial by an impartial jury." *United States v. Quiles-Olivo*, 684 F.3d 177, 181 (1st Cir. 2012) (citing U.S. Const. amend. VI and *Skilling v. United States*, 516 U.S. 358, 378 (2010)). The Supreme Court has stated that defendants have a right to trial by "indifferent" jurors "free from outside influences,"

who will “base their decision solely on the evidence,” undisturbed by personal prejudice or public passion. *Sheppard v. Maxwell*, 384 U.S. 333, 362 (1966). To this point, Federal Rule of Criminal Procedure 21 provides that, upon motion, “the court **must** transfer the proceeding against that defendant to another district if the court is satisfied that so great a prejudice against the defendant exists in the transferring district that the defendant cannot obtain a fair and impartial trial there.” Fed. R. Crim. P. 21 (emphasis added).

In *Rideau v. Louisiana*, 373 U.S. 723 (1963), the Supreme Court provided foundational support for the concept of presumed prejudice. Prejudice can be presumed when a “degree of inflammatory publicity ha[s] so saturated the community such as to make it virtually impossible to obtain an impartial jury.” *United States v. Mislal-Aldarondo*, 478 F.3d 52, 58 (1st Cir. 2007) (internal citations omitted). The Supreme Court enumerated “four factors relevant to presuming prejudice: the size and characteristics of the community, the nature of the publicity, the time between the media attention and the trial, and whether the jury’s decision indicated bias.” *United States v. Casellas-Toro*, 807 F.3d 380, 386 (1st Cir. 2015) (citing *Skilling v. United States*, 561 U.S. 358, 379 (2010)).

The decision to transfer a case is ultimately predicated on the existence of “an unacceptable level of prejudice against the defendant” which is likely to mar a trial. *United States v. Walker*, 655 F.2d 212, 223 (1st Cir. 2011). In *Moreno-Morales* the First Circuit opined that a change of venue “remains a feasible option for a Puerto Rico accused confronted with publicity at home.” *United States v. Moreno-Morales*, 815 F.2d 725, 737 (1st Cir. 1987). There is no doubt that the pretrial publicity in this case, coupled with the inordinate level of personal vitriol against Ms. Keleher, constitutes so great a prejudice against her that she would be unable to receive a fair and

impartial trial in Puerto Rico. The factors relevant to the assessment of presumed prejudice, and others that are implicit in these considerations, will be discussed in turn.

i. Size and characteristics of the community

Puerto Rico's jury pool is far smaller than raw numbers suggest

Puerto Rico is “a compact, insular community” of roughly 3.5 million residents. *Moreno-Morales*, 815 F.2d at 734. To some, Puerto Rico may appear to be a vast community of potential jurors, like large cities such as Houston and Boston. *See In re Tsarnaev*, 780 F.3d 14, 21 (1st Cir. 2015) (discussing the characteristics of Houston and Boston in the context of motions for change of venue). Those with a keen eye, however, can look past the raw numbers and reach what makes the District of Puerto Rico unique—most of its residents are not qualified to be federal jurors.

28 U.S.C. §1865(b), the jury plan adopted by the U.S. District Court for the District of Puerto Rico, states that “[e]very person shall be deemed qualified to serve [on a jury] in this Court if he or she . . . is able to read, write, speak, and understand the English language **with a degree of proficiency sufficient . . . to render satisfactory jury service in this Court.**”²⁷ (Emphasis ours). In the 2018 census, roughly 77% of the total population of Puerto Rico indicated they spoke English less than “very well.”²⁸ Some scholars, however, estimate that only roughly 10% of adult Puerto Ricans speak English at a level “adequate for service on a federal jury.”²⁹ Taking this estimate as true, the jury pool in Puerto Rico consists of approximately 270,000 people.³⁰ In

²⁷ The District for Puerto Rico’s plan, Amended Plan for the Random Selection of Grand and Petit Jurors Pursuant to the Jury Selection and Service Act of 1968, as Amended (Feb. 22, 1982), available at <https://www.prd.uscourts.gov/jury-service>.

²⁸ U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates.

²⁹ *See* Jasmine B. Gonzales Rose, *The Exclusion of Non-English-Speaking Jurors: Remediating a Century of Denial of the Sixth Amendment in the Federal Courts of Puerto Rico*, 46 Harv. C.R.-C.L. L. Rev. 497, 505 (2011).

³⁰ This is based on the fact that, according to 2018 census data, there were 2,698,996 adults in Puerto Rico (ages 18 and above).

comparison, the jury pools of the other jurisdictions in the First Circuit, New Hampshire (approx. 726,000), Maine (approx. 828,000), Rhode Island (approx. 532,000), and Massachusetts (approx. 3,345,000) are far larger and, thus, more likely to give way to a fair and impartial jury.³¹

Puerto Rico's history of corruption and current fiscal situation
has tainted the jury pool against Keleher

Puerto Rico has historically been a hotbed for government misuse and corruption. As it stands, Puerto Rico is billions of dollars in debt, and the general sentiment is that corrupt politicians, working in the shadows to benefit themselves and destroying the island's economy in the process, bear the brunt of the responsibility for this fiscal crisis. The situation reached a fever pitch just as the indictment in Case No. 19-431 (PAD) was returned. Specifically, in July 2019, hundreds of thousands of protesters took to the streets in massive protests targeting those in power, the Fiscal Oversight and Management Board for Puerto Rico ("FOMB"), and years of what the populace perceived as governmental abuse.³² Ms. Keleher became a talisman of the movement. The Court, as a member of the community, can take judicial notice of this fact.

During the demonstrations, protesters held signs with Ms. Keleher's face photoshopped onto a mugshot, they shouted inflammatory messages about her, and they vigorously called for her incarceration. In short, Ms. Keleher became the face of the protests and the collective disdain for a corrupt political class. The focus was unfairly and unjustifiably on Ms. Keleher. Today, Ms. Keleher continues to be one of the most despised public figures in Puerto Rico's history. To suggest that Ms. Keleher can have the benefit of a fair trial before an impartial jury on this island,

³¹ Number Of Registered Voters by State, 2019, <http://worldpopulationreview.com/states/number-of-registered-voters-by-state/>.

³² "IEEFA Puerto Rico: The current unrest culminates a long history of debt and corruption," July 24, 2019, <https://ieefa.org/ieefa-puerto-rico-the-current-unrest-culminates-a-long-history-of-debt-and-corruption/>.

when those very jurors have been advocating for her incarceration for many months, and since the indictment in Case No. 19-431 (PAD), is to abandon the text and purpose of the Sixth Amendment.

ii. Nature of the publicity

Puerto Rico is “highly susceptible to the impact of local media.” *Moreno Morales*, 815 F.2d at 734. In the context of a motion for change of venue, this Court has acknowledged that the Commonwealth of Puerto Rico is “a compact insular community” for purposes of deciding whether publicity surrounding a defendant’s trial is such that prejudice to his or her right to trial by fair and impartial jury should be presumed. *United States v. Casellas-Toro*, 807 F.3d 380, 386 (1st Cir. 2015). The First Circuit has stated that Rule 21(a)’s requirements apply to cases “in which pervasive pretrial publicity has inflamed passions in the host community past the breaking point.” *United States v. Walker*, 665 F.3d 212, 223 (1st Cir. 2011). In short, this is undoubtedly such a case.

In *Skilling*, the Supreme Court’s most recent expression on transfers of venue, the high court made the distinction that juror exposure to publicity, standing alone, does not presumptively deprive a defendant of due process. *See id.* (quoting *Murphy v. Florida*, 421 U.S. 794, 798-99 (1975)). There can be no reasonable debate that not all publicity erodes juror impartiality. However, it is equally true that certain types of publicity inescapably result in juror bias, and ultimately infect the impartiality of potential jurors, thereby undermining a defendant’s right to a fair trial.

This case is the second time in six months that the federal government accuses Ms. Keleher of alleged public corruption related to events that transpired during her tenure as secretary of education. At the time when the grand jury returned the indictment in Case No. 19-431 (PAD) against Ms. Keleher, Puerto Ricans flooded the streets in huge protests against then-Governor

Rossello and members of his administration. With Ms. Keleher's first arrest and these massive protests, for which Ms. Keleher became the poster child, came pervasive pretrial publicity that undoubtedly inflamed the passions of an already angry and frustrated community.

For many, Ms. Keleher's arrest in Case No. 19-431 (PAD) was a welcomed result of her highly publicized and controversial tenure at the helm of the Department. Under her administration, the Department implemented contentious measures to reform the education system, such as administrative restructuring, the closure of more than four-hundred public schools, and the passage of an education reform act that gave way to the creation of unwelcomed charter schools in Puerto Rico. All of this was coupled with criticism for what the public perceived was an excessive salary. Since Ms. Keleher took office, Puerto Ricans have rebuked her and made her the object of their condemnation.

At the time Ms. Keleher was charged in Case No. 19-431 (PAD), several journalists published articles comparing her to former secretary of education of Puerto Rico, Victor Fajardo.³³ Former secretary Fajardo served as Puerto Rico's Secretary of Education from 1996 to 2000 at a time when Pedro Rossello-Gonzalez (Governor Ricardo Rossello's father) was the Governor of Puerto Rico. That is, however, where any similarity between him and Ms. Keleher ends. Fajardo was charged with corruption that consisted of extortion, money laundering, and theft of U.S. Funds. Ms. Keleher is not alleged to have benefited from even \$1.00 of public money. But the criticisms against Ms. Keleher are purely visceral. As stated in an article published by journalist Sandra Rodriguez Cotto in NotiCel: "for Puerto Ricans the first name and last name Julia Keleher **will always be viewed with anger** and many already associate it with the past. In these days many

³³ See, e.g., "Keleher = ¿Fajardo en inglés?", April 7, 2019, <https://www.noticel.com/opiniones/blogs/en-blanco-y-negro-con-sandra/keleher-fajardo-en-ingles-/1066493016>; "La historia se repite," July 10, 2019, <https://www.elnuevodia.com/opinion/columnas/lahistoriaserepite-columna-2504555/>.

voices emerge comparing her name to that of Victor Fajardo, but in English. In other words, synonyms of nebula; **and some point out that they both equal to (sic) corruption.**” *Id.* (Emphasis ours).

Likewise, after the indictment in that case, the United States Attorney for the District of Puerto Rico, politicians, political commentators, and celebrities had a field day with Ms. Keleher’s name and reputation. Hours, days, and weeks were devoted to criticizing Ms. Keleher and her alleged acts of corruption. Without a doubt, this media frenzy, coupled with the fact that this case marked the end to a series of unfortunate government-related scandals involving then-Governor Rossello and his administration, demonstrates that Ms. Keleher’s right to a trial by fair and impartial jury has been severely compromised.

To this day, many months after Ms. Keleher resigned as secretary and several months after she was indicted in both of her cases, public opinion against Ms. Keleher has remained unaltered. Following the resignation of then-Governor Rossello, the government of Puerto Rico continued to be overwhelmed by allegations of corruption and government-related transgressions. At the time of the indictment in the instant case, in the midst of the aftershocks caused by the earthquakes that affected the south of the island in January 2020, several individuals discovered a warehouse filled with water, cots, and other unused emergency supplies which had been amassed in the warehouse since Hurricane Maria.³⁴ Once more, Puerto Rico residents were outraged with their government and took to the streets to call for the resignation of PNP Governor Wanda Vazquez-Garced, Rossello’s successor.³⁵

³⁴ “Puerto Rico residents outraged after discovering warehouse full of unused aid from Hurricane Maria,” January 19, 2020, <https://www.nbcnews.com/news/latino/puerto-rico-residents-outraged-after-discovering-warehouse-full-unused-aid-n1118501>.

³⁵ “Protestan contra Wanda Vázquez tras hallar almacén con suministros,” https://www.wapa.tv/noticias/locales/protestan-contra-wanda-vazquez-tras-hallar-almacen-con-suministros_20131122468320.html; “Crece el clamor por la renuncia de la gobernadora Wanda Vázquez,” January

In February 2020, local news outlets reported that Ms. Keleher had created a GoFundMe page in order to fund her legal defense in both Case No. 19-431 (PAD) and the instant case.³⁶ While, undoubtedly, Ms. Keleher has a constitutional right to counsel of her choosing like any other United States citizen, her efforts to fund her legal defense were highly publicized in the media as if those efforts were unlawful or improper. The people of Puerto Rico quickly took to the comment section of related articles to once again voice their hatred towards Ms. Keleher, calling her arrogant, irreverent, and a thief for exercising her constitutional right. *See id.* (at comment section).

Puerto Rico was then hit by the novel coronavirus in March 2020. Although Ms. Keleher obviously had nothing to do with the current government's response to the coronavirus pandemic, the public certainly thinks otherwise. Recently, in response to allegations of corruption in relation to the government's attempted purchase of rapid coronavirus test kits through companies allegedly related to the PNP, Ms. Keleher's name has been further sullied, associating her with these recent scandals and widely disseminated Internet memes making reference to the so-called "Corruption Curve" soaking Puerto Rico's government. *See Exhibit 2.*

In addition to the vast amount of news articles regarding the investigations surrounding Ms. Keleher, the indictments weighing against her, and her arrests, the comments made by members of the public in these news articles and on social media platforms are particularly telling of the prejudice that continues to weigh against Ms. Keleher in this district. The overwhelming number of negative comments in recent articles regarding motions recently filed by Ms. Keleher

23, 2020, <https://www.univision.com/local/puerto-rico-wlii/crece-escandalo-tras-hallazgo-de-suministros-en-almacen-de-ponce>.

³⁶ See, for example, "Cuenta de GoFundMe a nombre de Julia Keleher pide \$600,000 para su defensa," February 22, 2020, <https://www.elnuevodia.com/noticias/locales/nota/cuentadegofundmeanombredejuliakeleherpide600000parasu-parasud-2548443/>.

in Case No. 19-431 (PAD) (including a motion to dismiss the indictment and a motion to suppress) are reflective of the jury pool's general animosity against her, and its preconceived and inaccurate view of what has been alleged against her, which has not changed since that indictment was returned against her:

- *Esa señora [Keleher] es una abusadora ladrona cerró las escuelas para echarse un billete grande al bolsillo porqu[e] dónde está todo ese dinero es una bestia como pudo hacerle daño a los niños de nuestra isla como puede ahora dar cara para que le cojan pena ella no tuvo pena de nuestros niños espero le hagan justicia a nuestros niños y la hagan pagar todo ese dinero que se robó.* (“That lady is a thief abuser that closed schools to put a big check in her pocket because where is all that money she is a beast how could she harm the children of our island and how can she show face now so that they feel sorry for her she did not feel sorry for our children I hope they do justice to our children and make her pay all that money that she stole.”).
- *POR LO GENERAL, CUANDO LOS FEDERALES HACEN ESTOS ARRESTOS, ELLOS SABEN LO QUE HACEN. TODOS DICEN QUE SON INOCENTES HASTA QUE LES PRUEBAN QUE SON CULPABLES. ESTA SEÑORA [KELEHER] DEBERIA DE PENSAR BIEN LO QUE DICE PUES NO ES POSIBLE QUE UNA CORRUPTA COMO ELLA TENGA EL VALOR DE DECIR QUE QUIERE SEGUIR TRABAJANDO CON LOS ESTUDIANTES, A LOS CUALES DEFRAUDO, LOS DAÑO Y LES ROBO. EL DIA DE ELLA LLEGARA Y POR MEJORES ABOGADOS QUE TENGA, LA LEY LEGAL ES LA LEY. ESTA CORRUPTA SE GANABA UN DINERAL Y NI TAN SIQUIERA SE CONFORMO Y SIGUIO ROBANDO.* (“In general, when the federal authorities make these arrests, they know what they are doing. Everyone says they are innocent until they prove they are guilty. This lady should think before she speaks how is it possible that a crook like her has the courage to say that she wants to continue working with students, whom she defrauded, harmed them, and stole from them. Her day will come and no matter how good her lawyers are, the law is the law. This crook made a lot of money, she was never satisfied, and she kept stealing.”).
- *Ahí tenemos a estos DOS corruptos CHARLATANES, la Keleher y Alberto Velázquez Piñol, y a sus asquerosos abogaditos, volviendo a reclamar derechos y “benevolencias” del gobierno y los tribunales para que no los juzguen, o por lo menos para suprimir evidencia. Se quieren amparar en procedimientos “de Justicia” y leyes cuando ellos mismos, DESCARADAMENTE, violaron leyes y ROBARON Y SAQUEARON al gobierno de P.R. (a ustedes y a mi, que pagamos impuestos).* (“Here we have these two crooks charlatans, Keleher and Alberto Velazquez Piñol, and their disgusting little lawyers, once again claiming rights and “benevolence” from the

government and the courts so that they are not judged, or to at least suppress evidence. They want to take cover in procedures “of Justice” and laws when they themselves, shamelessly, violated laws and stole and sacked the government of Puerto Rico (you and I, who pay taxes).).³⁷

These comments, made roughly six months after the first indictment against Ms. Keleher and several months after the indictment in this case, represent the general sentiment of a vast majority of Puerto Ricans towards Ms. Keleher. Most importantly, they reveal that the public’s view of Ms. Keleher will not change while these cases are pending against her. Because the publicity against Ms. Keleher continues to be inflammatory and agitational, to which Puerto Rico’s insular community is particularly susceptible, Ms. Keleher’s fate has been further cemented. Without a doubt, in this environment of rabble-rousing publicity, through which Ms. Keleher is generally regarded as guilty, Ms. Keleher will not be tried by a fair and impartial jury. As such, this case must be transferred to another venue.

iii. Time between media attention and the trial

Trial in this case was scheduled to commence on April 13, 2020. Docket No. 32. While the Court has yet to set a new trial date, due to the coronavirus pandemic, trial in this case will, most likely, be set for a date well into the future. However, similar to how court proceedings have been stalled in response to the coronavirus, so have the local primary elections and other government-related activities. Certainly, at the time of primary elections, the platforms of the main political parties in the island, the Popular Democratic Party and the New Progressive Party, will predictably launch criticism of the respective wrongdoings of the other. Ms. Keleher is sure to be embroiled

³⁷ Exhibit 3 (Comments made by the public to news articles reporting on Keleher’s arrest), specifically: https://www.elvocero.com/ley-y-orden/julia-keleher-pide-desestimaci-n-de-cargos/article_ba49279a-9941-11ea-97bf-af816b120805.html; <https://www.primerahora.com/noticias/policia-tribunales/notas/julia-keleher-soy-inocente/>; and <https://www.elnuevodia.com/noticias/tribunales/nota/keleheryvelazquezpinolsolicitanquesesuprimaevidenciabasadaenorreoselectronicos-2570432/>.

in this mudslinging, regardless of when the primary elections take place, and the political animus is in turn sure to revive the media spectacle that has followed Ms. Keleher in 2019 and 2020.

Moreover, regardless of when the Court sets Keleher's trial, Ms. Keleher will continue to be ostracized by the people of Puerto Rico and the local media. Her name will continue to be synonymous with corruption and she will continue to be guilty in the eyes of Puerto Rico's jury pool. Notably, as shown throughout this motion, since her arrest in the first case and the indictment in the second, Ms. Keleher's name has continued to be tarnished by the public and local media. Time cannot cure these deep-seated prejudices that operate against Ms. Keleher. As such, the Court must transfer Ms. Keleher's trial to another district. Only then will Ms. Keleher receive a fair and impartial trial by jury.

- iv. *The findings of the venue evaluation commissioned by the defense in Case No. 19-431 reveal that Ms. Keleher's guilt has been pre-judged by potential jurors in the Puerto Rico venue.*

To quantify the toxic effect of the media coverage of Ms. Keleher's arrest in Case No. 19-431 (PAD) and of the general visceral hatred towards Ms. Keleher of potential jurors in Puerto Rico, the defense in Case No. 19-431 (PAD) commissioned a survey of eligible jurors in September 2019. *See* Case No. 19-431 (PAD) at Docket No. 172-1. The focus of this survey and venue evaluation was to compare the responses of potential jurors in the District of Puerto Rico and the District of Massachusetts, Boston Division, to questions in three general categories: (1) familiarity with the case and the extent of the exposure to pre-trial publicity; (2) presumptions about the guilt of the defendants; and (3) emotional reactions to the events at the heart of the case. *Id.* at 11.

As to the first category, familiarity with the case and the extent of the exposure to pre-trial publicity, the study concluded that 84.8% of the Puerto Rico respondents were familiar with the

case, while only 34.7% of the Massachusetts respondents reported some pre-existing familiarity. Case No. 19-431 (PAD) at Docket No. 172-1, 12-13. In other words, Puerto Rico respondents were about two and one-half times more likely to report some familiarity with Ms. Keleher's case as compared to the Massachusetts respondents. *Id.* at 13. Notably, of those respondents familiar with the case, 62.5% of Puerto Rico respondents recalled Ms. Keleher's name, while only 3.8% of Massachusetts respondents recalled her name. *Id.* Based on these numbers, the study concluded that "[t]he large proportion of the PR sample who were able to give this defendant's name is particularly striking and indicative of extensive exposure to pre-trial publicity as the question pertaining to this topic gave no prompts and required the individual to rely on free recall." *Id.* at 14.

As to the second category, presumptions about the guilt of the defendants in Case No. 19-431, 65.2% of the Puerto Rico respondents reported that the defendants in Case No. 19-431 are "definitely or probably guilty", while only 22.1% of Massachusetts respondents said the same. Case No. 19-431 (PAD) at Docket No. 172-1, 17. The study concluded that, based on these numbers, the Puerto Rico respondents were nearly three times more likely than the Massachusetts respondents to presume that the defendants were guilty. *Id.* at 17-18. Of the Puerto Rico participants who were familiar with the case, about three quarters (73%) also reported that they felt that there was "a lot" or "some" evidence against the defendants and, unlike the Massachusetts participants, they also recalled case specific information unfavorable to the defense. *Id.* 19-20.

As reflected by the responses quoted and included as part of the findings of the survey, most of the case specific information recalled by the Puerto Rico respondents focused on Ms. Keleher. *Id.* at 21-23. The responses were particularly telling. For example, when asked about the case, one Puerto Rico participant responded that Ms. Keleher "embezzled millions and she was

getting paid more than any other director[] in Puerto Rico. She was getting more than a million dollars a year.” *Id.* at. 21-22. This despite the fact that the Government did not allege that Ms. Keleher embezzled any government funds, nor that she had the intent to do so.

Finally, in relation to the third category, emotional reactions to the events, the study again found a statistically significant gap between the responses collected from the Puerto Rico participants and the Massachusetts participants. Specifically, 68.8% of Puerto Rico respondents expressed “a lot” of anger or hostility towards the defendants in that case, while only 13.3% of Massachusetts respondents felt the same. Case No. 19-431 (PAD) at Docket No. 172-1, 24. Put simply, “the responses revealed a high degree of anger existing among potential jurors in the PR venue.” *Id.* at 24. Again, the respondents’ anger was particularly directed at Ms. Keleher and her position as Secretary of Education: “... PR respondents indicated that they were particularly angered and upset because the defendants’ alleged criminal conduct had hurt the education of children in Puerto Rico.” *Id.* at 24-27. Unsurprisingly, the Massachusetts respondents expressed much less anger.

While this survey was conducted several months ago and was directed at Case No. 19-431 (PAD), its findings are equally applicable to the case at hand. In fact, in light of the instant case, it stands to reason that the Puerto Rico respondents are now even more convinced of Ms. Keleher’s guilt than before. Having already pre-judged Ms. Keleher guilty of other crimes, a jury biased against her would be asked to impartially judge the allegations against her in this case. There is no reasonable basis to believe this could occur. As set forth above, in part because of the instant case, the publicity against Mr. Keleher continues to be inflammatory and agitational. The press immediately reports on each and every motion that Ms. Keleher files in either case, regardless of the nature of the motion and restates, often in an inflammatory manner, the allegations against her

in both cases. Put simply, the negative press coverage of Ms. Keleher's cases continues to be unrelenting. Because there continues to be extensive press coverage of Ms. Keleher's cases in Puerto Rico, which is sure to continue, and sure to heighten the public's hatred towards Ms. Keleher, this case must be transferred to a different venue.³⁸

III. Conclusion

In this case, given the level of hateful, critical, and unrelenting discourse directed against Ms. Keleher, "there is an ever-prevalent risk that the level of prejudice permeating the trial setting [will be] so dense that [Ms. Keleher] will not possibly receive an impartial trial." *Quiles-Olivo*, 684 F.3d at 182. The Commonwealth of Puerto Rico is a small island where political news is paramount. Continuous news reports and adverse comments concerning Ms. Keleher have dominated the media since before the return of the indictment in this case. The indictment has invited further criticism from wide sectors of the community across the island and "[saturated the community] with inflammatory publicity about the case", *United States v. Brandon*, 17 F.3d 409, 441 (1st Cir. 1994), which "precludes a fair and impartial trial[.]" *United States v. Mislal-Aldarondo*, 42 F.3d 52, 58 (1st Cir. 2007) (internal citations omitted).

Ms. Keleher is facing serious federal charges. She should at least expect a level playing field, where a fair trial is assured. But the guarantee of a fair trial is an impossibility if a jury has been infected by media opinions and harbors prejudice against the defendants. The unyielding media coverage of Ms. Keleher, coupled with the animosity many in the community continue to harbor against her for the tough decisions she made as secretary of the Department, stack the deck against her. That is not the way our system of justice was designed to operate. Allowing this trial

³⁸ If, in the alternative, the Court is inclined, like in Case No. 19-431, to set trial in this case for a date well into the future, Ms. Keleher hereby reserves the right to commission a new survey on or around that date and renew her motion for a change of venue.

to go forward in Puerto Rico would operate a grave injustice against Ms. Keleher and would undermine the basic tenets of fairness and due process in our system of justice. A change of venue for the trial is the only reasonable way to protect the defendant's constitutional rights.

WHEREFORE, the defendant, Julia Beatrice Keleher, respectfully requests the Court GRANT this motion.

Respectfully submitted on this 1st day of June, 2020, in San Juan, Puerto Rico.

I HEREBY CERTIFY that on this date, I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system, which will provide access to all parties of record.

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EXHIBIT 1





1 h •

Y esto sigue...



Esa señora es una abusadora ladrona cerró las escuelas para echarse un billete grande al bolsillo porq dónde está todo ese dinero es una bestia como pudo hacerle daño a los niños de nuestra isla como puede ahora dar cara para q le cojan pena ella no tuvo pena de nuestros niños espero le hagan justicia a nuestros niños y la hagan pagar todo ese dinero q se robó



[Redacted]

Hace 13 días

POR LO GENERAL, CUANDO LOS FEDERALES HACEN ESTOS ARRESTOS, ELLOS SABEN LO QUE HACEN. TODOS DICEN QUE SON INOCENTES HASTA QUE LES PRUEBAN QUE SON CULPABLES. ESTA SEÑORA DEBERIA DE PENSAR BIEN LO QUE DICE PUES NO ES POSIBLE QUE UNA CORRUPTA COMO ELLA TENGA EL VALOR DE DECIR QUE QUIERE SEGUIR TRABAJANDO CON LOS ESTUDIANTES, A LOS CUALES DEFRAUDO, LOS DAÑO Y LES ROBO. EL DIA DE ELLA LLEGARA Y POR MEJORES ABOGADOS QUE TENGA, LA LEY LEGAL ES LA LEY. ESTA CORRUPTA SE GANABA UN DINERAL Y NI TAN SIQUIERA SE CONFORMO Y SIGUIO ROBANDO. YO SIGO DICRIENDO QUE ES MEJOR SER POBRE QUE RICA Y CORRUPTA.

Responder · Compartir · 1 respuesta ▼

+2



[Redacted]

Hace 10 días

Ahí tenemos a estos DOS Corruptos CHARLATANES, la Keleher y a Alberto Velázquez Piñol, y a sus asquerosos abogaditos, volviendo a reclamar derechos y "benevolencias" del gobierno y los tribunales para que no los juzguen, o por lo menos para suprimir evidencia. Se quieren amparar en procedimientos "de Justicia" y leyes cuando ellos mismos, DESCARADAMENTE, violaron leyes y ROBARON Y SAQUEARON al gobierno de P.R. (a ustedes y a mi, que pagamos impuestos). La Keleher lo hizo por "poco tiempo", pero Velázquez Piñol y BDO-PR (y sus sucios socios) llevaan haciendo esto por años largos, amparados en contratos y esquemas de "asesoría y consultoría". MUCHO OJO PR, que estos sinvergüenzas LADRONES sucios de "cuello blanco" NO se salgan con la suya y no sean enjuiciados debidamente y paguen por el mal que han hecho.

Me gusta · Responder · Compartir · 1 respuesta ▼

4

EXHIBIT 3