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LADB Staff

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## Judge Orders Release of Ex-Presidential Aide Accused of Ties to Sinaloa Cartel

by LADB Staff

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The Procuraduria General de la Republica (PGR) suffered a major setback when the courts ordered the release of former presidential staffer Nahum Acosta Lugo, who was alleged to have been working with major drug cartels. Acosta, who had served as President Vicente Fox's travel coordinator since 2001, was placed in the La Palma federal prison in early February (See SourceMex, 2005-02-23). His release came only two months after he was taken into custody.

According to the charges, Acosta supplied confidential information regarding Fox's travel schedule to the Sinaloa drug cartel, run by notorious drug trafficker Joaquin "El Chapo" Guzman. This could have jeopardized Fox's security.

The PGR's organized crime unit (Subprocuraduria de Investigacion Especializada en Delincuencia Organizada, SIEDO) linked Acosta directly with Guzman's lieutenants Arturo and Hector Beltran Leyva. Acosta, insisting he was innocent, denied ever making any contact with the Beltran brothers. He also denied SIEDO's charges that he received a payment of US\$4,000 or US\$5,000 from the Sinaloa cartel and that he visited a house owned by one of the Beltran brothers.

The former presidential aide appealed his arrest to a federal court in Toluca, Mexico state, which ruled that the government's case was not strong enough to keep Acosta in prison. Judge Jose Luis Martinez Gomez, who presided over the case, said the PGR built its case purely on circumstantial evidence, which was not sufficient to keep Acosta in prison.

The Fox administration initially put a positive spin on Judge Martinez's decision, citing this as evidence that the judiciary remains independent. "The rule of law has been strengthened [under the Fox government]," said a statement issued by the president's office.

### *Prosecutor to file appeal*

SIEDO director Jose Luis Santiago Vasconcelos, however, said he would appeal Judge Martinez's ruling. "We accept the ruling, but we do not agree with the criteria," said Santiago Vasconcelos. In addition to the appeal, SIEDO is continuing an investigation against Acosta of allegations that he laundered drug profits for the Sinaloa cartel.

Acosta has filed a civil lawsuit against SIEDO on charges of false imprisonment. The former presidential aide is seeking damages equivalent to US\$10 million. The lawsuit also names Santiago Vasconcelos as a defendant. "Awarding this sum of money is the least the government could do to compensate Nahum Acosta for the arbitrary actions, illegal acts, and humiliations that the government committed against him," a family spokesperson told the Mexico City daily newspaper La Jornada.

Acosta, a long-time member of the governing Partido Accion Nacional (PAN), said he would remain in the party despite what he perceives as shoddy treatment from the Fox administration. He praised the party's newly elected president Manuel Espino Barrientos for coming to his defense. "[Espino Barrientos] supported me during every step of the process," said Acosta. The former presidential aide said he is considering running for a legislative post in his native state of Sonora in the 2006 elections. (Sources: Los Angeles Times, 04/10/05; La Crisis, 04/11/05; The Herald-Mexico City, 04/04/05, 04/12/05; Agencia de noticias Proceso, 04/01/05, 04/13/05; Notimex, 04/03/05, 04/05/05, 04/10/05, 04/11/05, 04/13/05; Spanish news service EFE, 04/11/05, 04/13/05; El Financiero, 04/11-13/05; El Universal, 04/04/05, 04/06/05, 04/11/05, 04/14/05; La Jornada, 04/11/05, 04/14/05, 04/22/05; La Cronica de Hoy, 04/12/05, 04/14/05, 04/22/05)

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