

GLOBAL MAGNITSKY SANCTIONS SUBMISSION

Recommendation for Designation under Executive Order 13818

In re: Senior Officials of the Federal Government of Mexico Engaged in Significant Corruption Shielding Officials Indicted in S9 23 Cr. 180 (KPF) in Aid of a Designated Foreign Terrorist Organization

Submitted to:

Office of Foreign Assets Control

U.S. Department of the Treasury

Attn: Director, OFAC

Freedman's Bank Building, 1500 Pennsylvania Avenue NW
Washington, DC 20220

With copies to:

U.S. Department of State, Office of Sanctions Coordination

U.S. Department of State, Bureau of Democracy, Human Rights, and Labor

National Security Council, Office of the Coordinator for Sanctions

U.S. Senate Foreign Relations Committee, Western Hemisphere Subcommittee

U.S. House Foreign Affairs Committee, Western Hemisphere Subcommittee

Submitted by:

Simón Levy

Washington, D.C.

Washington, D.C., May 6, 2026

EXECUTIVE SUMMARY

This submission recommends, under Executive Order 13818 of December 20, 2017, implementing the Global Magnitsky Human Rights Accountability Act, the designation of senior officials of the Federal Government of Mexico, including but not limited to Claudia Sheinbaum Pardo and Ernestina Godoy Ramos, in connection with significant acts of corruption committed to shield officials indicted by the United States Department of Justice in aid of a designated Foreign Terrorist Organization.

On April 29, 2026, the United States District Court for the Southern District of New York unsealed a Ninth Superseding Indictment in United States v. Ruben Rocha Moya, et al., S9 23 Cr. 180 (KPF), assigned to the Honorable Katherine Polk Failla. The instrument charges the sitting Governor of the Mexican State of Sinaloa, Ruben Rocha Moya, and nine additional current and former Mexican officials with narcotics importation conspiracy and related offenses, in aid of the Sinaloa Cartel and its Chapitos faction. The Sinaloa Cartel is a designated Foreign Terrorist Organization. The indictment is the latest instrument in a continuous federal investigation pending in the Southern District of New York since 2023 and resulting in charges against more than thirty Cartel members and associates.

Within thirty-six hours of the unsealing, the President of Mexico publicly characterized the indictment as potentially political and conditioned cooperation with the United States extradition request on an extra-treaty evidentiary standard. The Mexican Attorney General opened a parallel review of the United States packets and announced an internal investigation. The Mexican Secretariat of Foreign Affairs issued a public statement asserting evidentiary insufficiency before any judicial review.

This conduct, taken together, constitutes significant corruption within the meaning of E.O. 13818, particularly given the Foreign Terrorist Organization nexus and the proximate causal relationship between the trafficking alleged in the SDNY indictment and the mass civilian deaths in the United States attributable to fentanyl, heroin, cocaine and methamphetamine importation.

I. PROPOSED DESIGNATION TARGETS

The undersigned recommends that the Office of Foreign Assets Control evaluate, for designation under E.O. 13818, the following individuals.

Subject	Position	Conduct Basis
Claudia Sheinbaum Pardo	President of the United Mexican States	Public characterization of pending US indictment as political; construction of extra-treaty evidentiary standard.
Ernestina Godoy Ramos	Attorney General of Mexico (FGR)	Institutional gatekeeper using parallel review to delay or defeat extradition request.

Roberto Velasco Álvarez	Secretary of Foreign Affairs (SRE)	Public communique asserting evidentiary insufficiency within hours of unsealing, prior to judicial review.
Senior Morena legislative leadership	Federal Congress (Senate and Chamber of Deputies)	Coordinated public defense of indicted defendants framing the case as attack on political project.

The undersigned reserves the right to supplement this list as additional conduct is documented, and notes that designations should be considered for any subordinate official who, with knowledge of the SDNY proceeding, executed acts in furtherance of the obstruction described herein.

II. CONDUCT WARRANTING DESIGNATION

A. Threshold under E.O. 13818

Section 1(a)(ii) of E.O. 13818 authorizes designation of any foreign person determined to be responsible for or complicit in, or to have directly or indirectly engaged in, corruption, including the misappropriation of state assets, the expropriation of private assets for personal gain, corruption related to government contracts or the extraction of natural resources, or bribery. Section 1(a)(iii) extends designation to current or former government officials responsible for or complicit in, or who have directly or indirectly engaged in, the foregoing.

The undersigned submits that conduct by senior Mexican officials to shield, from a pending United States federal proceeding, officials charged with partnering with a designated Foreign Terrorist Organization to import deadly narcotics into the United States constitutes corruption within the meaning of E.O. 13818. The Foreign Terrorist Organization nexus, combined with the head-of-state level of the conduct and the demonstrable intent to defeat the lawful operation of a treaty obligation, places the case at the apex of designations the Order was designed to reach.

B. Specific Acts

The conduct documented in the parallel criminal referral filed concurrently with this submission, summarized here, constitutes the following acts within the reach of E.O. 13818:

1. Public characterization, by the President of Mexico on April 30, 2026, of the SDNY indictment in S9 23 Cr. 180 (KPF) as potentially political, while extradition was pending, with the foreseeable effect of building a public-opinion record on which refusal of extradition could be politically defended.
2. Issuance, by the Mexican Secretariat of Foreign Affairs on April 29, 2026, within hours of the unsealing and prior to any judicial review, of a public communique asserting evidentiary insufficiency of the United States packets and the construction of an extra-treaty evidentiary standard not contemplated by the 1978 Treaty.

3. Opening, by the Mexican Attorney General Ernestina Godoy Ramos, of a parallel review and an internal investigation that has the foreseeable effect of delaying or defeating the United States extradition request.
4. Coordinated public defense by senior Morena legislators, the President's political party, framing the indictment as an attack on the political project of the Fourth Transformation rather than as a federal criminal matter to be addressed on the legal merits.
5. The use, or threatened use, of administrative leave (licencia) and fuero-related procedural mechanisms to insulate sitting officials from extradition proceedings, in furtherance of the foregoing.

C. The Foreign Terrorist Organization Nexus

The Sinaloa Cartel is a designated Foreign Terrorist Organization and a Specially Designated Global Terrorist. The conduct described above is conduct intended to shield individuals charged with operating in aid of that designated FTO. The shielding of FTO-aligned officials by senior officials of a foreign state is conduct of the most serious order, and the United States has, through repeated executive and legislative action, signaled that such conduct will not be tolerated.

III. EVIDENCE TENDERED

The undersigned tenders, and stands ready to supplement on request, the following materials:

- DOJ press release of April 29, 2026, Press Release 26-115 (SDNY).
- DEA press release of April 29, 2026.
- United States v. Ruben Rocha Moya, et al., S9 23 Cr. 180 (KPF), Indictment, EN and ES versions (justice.gov).
- Transcript and video of Mexican President's morning press conference of April 30, 2026.
- Mexican SRE communique of April 29, 2026.
- Public statements of Mexican Attorney General Godoy Ramos and FGR.
- Open-source reporting on Morena legislative response.
- Cross-reference timeline (Simón Lo Dijo Primero) correlating prior published findings with subsequent United States enforcement actions.

IV. REQUESTED ACTION

The undersigned respectfully requests that the Office of Foreign Assets Control:

6. Evaluate the proposed targets identified in Section I for designation under E.O. 13818, including blocking of all property and interests in property within United States jurisdiction or in the possession or control of any United States person.
7. Coordinate with the Department of State on parallel public designation under Section 7031(c) of the State Department appropriations act.

8. Coordinate with the Financial Crimes Enforcement Network on review of correspondent banking, money services business and remittance flows tied to the proposed targets.
9. Afford the undersigned the opportunity to supplement this submission as the evaluation proceeds.

V. SOURCE PROTECTION

The undersigned acknowledges the heightened risk of retaliation associated with this submission and respectfully requests that any contact information be safeguarded under the Privacy Act and applicable Treasury procedures, and that, where appropriate, this submission be treated consistently with applicable source-protection protocols of the Office of Foreign Assets Control.

Respectfully submitted,



Simon Levy

Washington, D.C., May 6, 2026

Certification under 28 U.S.C. § 1746. The undersigned certifies, under penalty of perjury under the laws of the United States of America, that the foregoing statements are true and correct to the best of his knowledge and belief, and that this submission is made in good faith and not for any improper purpose.

CRIMINAL REFERRAL AND REQUEST FOR INVESTIGATION

Obstruction of, and Conspiracy to Obstruct, an Official Proceeding of the United States; Witness Retaliation; Material Support to a Designated Foreign Terrorist Organization

In re: Predicate Federal Criminal Proceeding

United States v. Rocha Moya, et al.

S9 23 Cr. 180 (KPF)

United States District Court for the Southern District of New York

Hon. Katherine Polk Failla, U.S.D.J.

Submitted to:

Office of the United States Attorney, Southern District of New York

Attn: Hon. Jay Clayton, United States Attorney

United States Department of Justice, Criminal Division

Public Integrity Section · Office of International Affairs · National Security Division

U.S. Drug Enforcement Administration, Special Operations Division

Federal Bureau of Investigation, International Corruption Unit

U.S. Department of the Treasury, Office of Foreign Assets Control

U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs

Financial Crimes Enforcement Network (FinCEN)

Submitted by:

Simón Levy

Washington, D.C.

Date of Submission: May 6, 2026

EXECUTIVE SUMMARY

On April 29, 2026, a federal grand jury in the Southern District of New York returned a superseding indictment, S9 23 Cr. 180 (KPF), signed by United States Attorney Jay Clayton, charging the sitting Governor of the Mexican State of Sinaloa, Rubén Rocha Moya, and nine additional current and former Mexican officials with five counts: narcotics importation conspiracy spanning 2012 to the present, in violation of 21 U.S.C. § 963 and § 960; possession of machineguns and destructive devices and conspiracy to possess the same, in violation of 18 U.S.C. § 924; and, as to defendant Juan Valenzuela Millán, kidnapping resulting in death and conspiracy to commit kidnapping resulting in death of a Drug Enforcement Administration confidential source, identified in the indictment as Alexander Meza León, and the source's relative, in retaliation for the source's cooperation with the DEA, in violation of 18 U.S.C. § 1201(a)(1) and § 2.

The indictment itself alleges that the Sinaloa Cartel partnered with the defendants to corrupt the 2021 gubernatorial election by ordering the theft of ballots and the kidnapping and intimidation of opposition candidates and voters; that defendant Rocha Moya thereafter attended meetings, guarded by armed sicarios, with the Cartel's leadership and pledged to allow Cartel operations in Sinaloa; that the defendants caused sensitive law enforcement and military information to be furnished to the Cartel; and that the defendants directed the Sinaloa State Police, the Investigative Police of the Sinaloa State Attorney General's Office, and the Culiacán Municipal Police to protect Cartel drug shipments.

The post-unsealing conduct of the Government of Mexico, viewed against the contents of the indictment itself, evidences not a sovereign dispute over evidentiary thresholds, but a coordinated obstruction of the United States proceeding.

Within 96 hours of the unsealing, senior officials of the Government of Mexico engaged in an integrated, multi-instrument course of conduct, the foreseeable and intended effect of which was to defeat or substantially delay the appearance of the defendants in this District. That conduct, examined collectively, satisfies on its face the elements of obstruction of an official proceeding under 18 U.S.C. § 1512(c)(2), conspiracy to obstruct under 18 U.S.C. § 1512(k), conspiracy to defraud the United States under 18 U.S.C. § 371 (Klein conspiracy), obstruction of agency proceedings under 18 U.S.C. § 1505, and, given that one of the predicate offenses involves the killing of a DEA confidential source in retaliation for cooperation, also the witness-tampering and witness-retaliation provisions of 18 U.S.C. § 1512(a)(1)(C) and § 1513. Section 1512(h) provides express extraterritorial federal jurisdiction.

In parallel with this criminal referral, the undersigned petitions the Department of the Treasury and the Department of State to consider designations under Executive Order 13818 and Section 7031(c) of the annual Department of State, Foreign Operations, and Related Programs Appropriations Act, and the Financial Crimes Enforcement Network to consider review under the Bank Secrecy Act and 31 U.S.C. § 5318A.

Each defendant in the underlying SDNY indictment is presumed innocent. This referral is directed exclusively at the conduct of officials who are not defendants in that proceeding but whose post-unsealing conduct is the subject of this submission.

I. THE PREDICATE PROCEEDING

A. Caption, Court, and Procedural Maturity

United States v. Rubén Rocha Moya, Enrique Inzunza Cazarez, Enrique Díaz Vega, Dámaso Castro Zaavedra, Marco Antonio Almanza Aviles, Alberto Jorge Contreras Núñez (a/k/a “Cholo”), Gerardo Mérida Sánchez, José Antonio Dionisio Hipólito (a/k/a “Tornado”), Juan de Dios Gámez Mendívil, and Juan Valenzuela Millán (a/k/a “Juanito”). Superseding Indictment S9 23 Cr. 180, before the Honorable Katherine Polk Failla, United States District Judge, Southern District of New York. The “S9” designation indicates that this is the ninth superseding indictment in the docket, reflecting more than two years of grand jury work and incremental charging since the filing of the original indictment in 2023. The matter is mature, not improvised.

B. The Defendants and Their Offices

As alleged in the indictment:

- Rubén Rocha Moya — sitting Governor of Sinaloa from November 1, 2021 (now on temporary leave of absence as of May 2, 2026).
- Enrique Inzunza Cazarez — sitting Mexican Senator since August 2024; previously Secretary General of Sinaloa under defendant Rocha Moya.
- Enrique Díaz Vega — Secretary of Administration and Finance for the Government of Sinaloa under Rocha Moya, November 2021–September 2024.
- Dámaso Castro Zaavedra — Mexican official.
- Marco Antonio Almanza Aviles — Mexican law enforcement official.
- Alberto Jorge Contreras Núñez (a/k/a “Cholo”) — Mexican official.
- Gerardo Mérida Sánchez — former Sinaloa Secretary of Public Security.
- José Antonio Dionisio Hipólito (a/k/a “Tornado”) — Mexican official.
- Juan de Dios Gámez Mendívil — sitting Mayor of Culiacán.
- Juan Valenzuela Millán (a/k/a “Juanito”) — former Culiacán municipal police commander; charged additionally with kidnapping resulting in death of a DEA confidential source and the source's relative.

C. The Charges and Their Statutory Reach

The indictment charges five counts:

1. Count One: Narcotics Importation Conspiracy spanning at least 2012 to the present, involving 400 grams or more of fentanyl, one kilogram or more of heroin, five kilograms

or more of cocaine, and 50 grams or more of methamphetamine, in violation of 21 U.S.C. § 963 and 21 U.S.C. § 960(b)(1)(A)–(H), and 18 U.S.C. § 3238.

2. Count Two: Possession of Machineguns and Destructive Devices, in violation of 18 U.S.C. § 924.
3. Count Three: Conspiracy to Possess Machineguns and Destructive Devices.
4. Count Four (Valenzuela Millán only): Kidnapping Resulting in Death, in violation of 18 U.S.C. § 1201(a)(1), § 3238 and § 2, in retaliation for the cooperation of the DEA confidential source Alexander Meza León and a relative of the source with the DEA. Both victims were killed in October 2023.
5. Count Five (Valenzuela Millán only): Conspiracy to Commit Kidnapping Resulting in Death.

The indictment also seeks forfeiture pursuant to Title 21 U.S.C. § 853 and § 970, Title 18 U.S.C. § 924(d), and Title 28 U.S.C. § 2461(c). Statutory penalties range from a forty-year mandatory minimum to life imprisonment.

D. The Indictment Alleges Cartel Capture of a 2021 State Election

The indictment alleges that the Chapitos Leaders ordered Cartel members to steal ballots cast for opponents of defendant Rocha Moya, and to kidnap and intimidate opposition candidates, in support of his election. In exchange for that electoral support, defendant Rocha Moya is alleged to have attended meetings with the Cartel's leadership, guarded by armed sicarios, and to have pledged to permit the Cartel to operate with impunity in Sinaloa.

This factual matrix, established by a federal grand jury, controverts the public assertion by senior Mexican officials that the indictment is political. The indictment alleges, on the contrary, that the political position of one of the defendants is itself a product of cartel violence and electoral fraud.

E. The Foreign Terrorist Organization Predicate

The Sinaloa Cartel was designated a Foreign Terrorist Organization by the United States in February 2025. The defendants are alleged to have partnered with the Cartel, in particular with the Chapitos faction run by Iván Archivaldo Guzmán Salazar, Jesús Alfredo Guzmán Salazar (a/k/a “Alfredo”), and Ovidio Guzmán López (a/k/a “Ratón”), the sons of Joaquín Archivaldo Guzmán Loera. Conduct by foreign officials that has the foreseeable effect of preserving the operational continuity of FTO-aligned officials and of insulating them from foreign extradition is, depending on the proof, capable of qualifying as material support to a designated FTO under 18 U.S.C. § 2339B.

F. Procedural Posture and the Extradition Imperative

Each of the ten defendants is alleged to reside in Mexico. The Government of the United States transmitted ten provisional arrest requests for purposes of extradition. The Mexican Secretariat of Foreign Affairs acknowledged receipt by communiqué of April 29, 2026. The standard of proof for provisional arrest and for extradition under the 1978 Extradition Treaty between the United States and Mexico is probable cause, the same standard satisfied by the federal grand jury.

II. ACTS OF OBSTRUCTION (TIMELINE)

The conduct identified below occurred in a continuous sequence between April 28 and May 3, 2026. Each act is documented by official record or by widely circulated public reporting. The acts are individually significant. Examined collectively, they evidence coordinated design.

A. April 29, 2026 — SRE Pre-Evaluation Communiqué

Hours after the unsealing, the Mexican Secretariat of Foreign Affairs issued an official communiqué stating that the documents transmitted by the United States in support of the provisional arrest and extradition requests do not contain sufficient evidence to establish responsibility. The communiqué was issued before the documentation had been transmitted to the Mexican Attorney General's Office, the competent authority under the Treaty. The act of pre-evaluating evidentiary sufficiency before the competent authority had received the file signaled that the Mexican executive had pre-judged the matter.

B. April 29, 2026 — Construction by FGR of an Extra-Treaty Standard

The spokesperson of the Mexican Attorney General's Office, Ulises Lara López, declared in press conference that, in the case of Governor Rocha Moya, an impeachment trial (juicio político) would be required before submitting a detention request before a judge. That requirement does not appear in the 1978 Extradition Treaty, in the Mexican implementing legislation governing international extradition, or in Mexican Supreme Court precedent on fuero in the international extradition context. Mexican constitutional doctrine establishes that fuero protects the function, not the person, and does not bar surrender to a foreign jurisdiction under treaty obligation.

C. April 30, 2026 — Public Declarations of the President of Mexico

On April 30, 2026, in her morning press conference at the National Palace, the President of Mexico, Claudia Sheinbaum Pardo, read a prepared statement and made remarks reported on the official record of Presidencia de la República and broadcast nationally. Among other things, the President stated:

If the Office of the Attorney General receives solid and irrefutable evidence in accordance with Mexican law, or if, in the course of its own investigation, it finds elements constituting a crime, it must comply with the U.S. extradition request.

If evidence was not provided or found, it will be evident that the goal of these Justice Department accusations is political.

Under no circumstances are we going to permit the intrusion or interference of a foreign government in the decisions that belong exclusively to the people of Mexico.

The first quoted statement substitutes an extra-Treaty standard for the Treaty standard of probable cause. The second quoted statement, by the head of state of a treaty partner,

characterizes a federal indictment as politically motivated while the matching extradition request is pending. The third quoted statement frames lawful Treaty cooperation as foreign intrusion. The President made the statements with full knowledge of the indictment, with full knowledge that the defendants are members of her political party, and with full knowledge that the Treaty has been used to surrender Mexican defendants to United States courts on lesser evidentiary showings on multiple occasions in the prior twelve months.

D. May 1, 2026 — Reinforcement of Sovereignty Narrative in Chiapas

On the afternoon of May 1, 2026, in a public event in the State of Chiapas, the President of Mexico declared, in substance, that no foreign government may enter Mexican territory. The statement was made in immediate temporal proximity to the unsealing and was widely understood to refer to the present matter.

E. May 1, 2026 (Evening) — Engineered Temporary Leave of Absence

On the evening of May 1, 2026, defendant Rocha Moya transmitted to the Sinaloa State Congress a written request for a temporary leave of absence (licencia temporal) of more than thirty days, citing Article 58 of the Constitution of the State of Sinaloa. He framed the request as a republican act intended to facilitate the investigation by the Mexican Attorney General's Office. The request was timed to occur within seventy-two hours of unsealing.

Mexican constitutional scholars, including Diego Valadés and Jaime Cárdenas, observed that a leave of absence preserves the right of return to office and the protections attendant to office, in contrast to resignation or to a desafuero proceeding. PAN Diputado Germán Martínez Cáceres publicly identified the maneuver as an effort to engineer a parallel domestic prosecution capable of triggering the international principle of non bis in idem against the United States extradition request.

F. May 2, 2026 — Sinaloa Congress Approves Leave; Designates Inner-Circle Successor

On May 2, 2026, in extraordinary session, the Sinaloa Congress approved the leave of absence by majority vote (33 in favor, 3 against, 2 abstentions) and designated as Interim Governor Yeraldine Bonilla Valverde, the sitting Secretary General of Government, who is publicly identified as a close associate of defendant Rocha Moya. In her inaugural remarks, Bonilla Valverde expressed solidarity with Rocha Moya and characterized the United States accusations as unfounded.

The President of the Junta de Coordinación Política of the Sinaloa Congress, Diputada María Teresa Guerra Ochoa, of the Movimiento Regeneración Nacional, declared publicly after the approval of the leave that the Governor on leave continues to enjoy constitutional immunity (fuero). That declaration is a public, official admission by an officer of the same political party as the defendant that the leave-of-absence device was selected for the purpose of preserving immunity rather than for the purpose of facilitating prosecution.

On the same day, the Mexican Attorney General's Office announced publicly that it would not detain Rocha Moya at present and that it would request additional information from the United States. The Federal Government provided official protection (security detail) to Rocha Moya, post-indictment.

G. May 1–3, 2026 — Statements of the Coordinator of Politics and Government

Arturo Zaldívar Lelo de Larrea, Coordinator of Politics and Government of the Office of the President of Mexico, declared publicly that, with the leave of absence, Rocha Moya “no longer enjoys immunity and may be tried.” The clear import of the statement, made in the presidential staff capacity, is that any prosecution would proceed in Mexico, not in the United States. That declaration, paired with the announcement by the Attorney General's Office that it would conduct its own parallel investigation of the same conduct, sets the predicate for an international non-bis-in-idem defense to extradition. Its deliberate engineering as a defensive instrument is the very conduct that 18 U.S.C. § 1512(c)(2) and § 371 (Klein conspiracy) were enacted to reach.

III. DOCTRINAL ANALYSIS

A. The Pattern Theory of § 1512(c)(2) After Fischer

Section 1512(c)(2) reaches whoever corruptly otherwise obstructs, influences or impedes any official proceeding, or attempts to do so. The Supreme Court of the United States in *Fischer v. United States*, 603 U.S. ____ (2024), narrowed the reach of § 1512(c)(2) to evidence-impairing conduct. The conduct described herein, which includes the construction of pretextual evidentiary findings, the design of a parallel domestic prosecution intended to spoil the foreign tribunal's evidentiary record, and the engineering of a procedural device deliberately calibrated to preserve immunity and to seed a non-bis-in-idem defense, falls within the evidence-impairing prong as construed in *Fischer*. The acts impair the integrity, availability and use of the United States proceeding's evidentiary record by manufacturing a competing forum and by signaling to defendants that the United States proceeding will be characterized as political rather than evaluated on its merits.

B. The Conspiracy Provision, § 1512(k)

Section 1512(k) reaches conspiracy to commit any offense under § 1512. The temporal proximity, the role-differentiation, and the public coordination evident from the timeline (executive declaration, ministerial pre-evaluation, prosecutorial pretext, legislative endorsement of the immunity-preserving device, and presidential staff statement crystallizing the non-bis-in-idem defense) are characteristic indicia of concerted action. Whether each official acted with the requisite agreement is a question for grand jury and trial. The undersigned respectfully submits that there is, on the public record alone, ample basis for the opening of a § 1512(k) investigation.

C. Witness Retaliation Statutes — § 1512(a)(1)(C) and § 1513

Count Four of the predicate indictment alleges that defendant Valenzuela Millán kidnapped and caused the deaths of a DEA confidential source, Alexander Meza León, and a relative of the source, in retaliation for the source's cooperation with the DEA. The killing of a federal witness in retaliation for cooperation with United States federal law enforcement is reached, on its own, by 18 U.S.C. § 1512(a)(1)(C) and § 1513(a)(1)(B). To the extent that the post-unsealing obstruction conduct described in Section II is intended to prevent further federal witness cooperation, including by signaling to potential witnesses that Mexican state and federal officials will protect cartel-aligned defendants from United States federal process, that conduct falls within the same statutory framework. The obstruction is not abstract. It operates against a backdrop in which the Cartel and its public-official protectors have demonstrated willingness to murder federal witnesses.

D. Express Extraterritorial Reach Under § 1512(h)

Section 1512(h) of Title 18 provides expressly: "There is extraterritorial Federal jurisdiction over an offense under this section." The geography of the conduct does not bar prosecution. The Supreme Court has repeatedly held that an explicit extraterritorial provision satisfies the presumption against extraterritoriality. See *Morrison v. National Australia Bank Ltd.*, 561 U.S. 247 (2010); *RJR Nabisco, Inc. v. European Community*, 579 U.S. 325 (2016).

E. Conspiracy to Defraud the United States, § 371 (Klein)

Section 371, in its second clause, reaches any conspiracy to defraud the United States or any agency thereof. *United States v. Klein*, 247 F.2d 908 (2d Cir. 1957), and progeny establish that this clause reaches efforts to interfere with or obstruct lawful government functions by deceit, craft or trickery, or by means that are dishonest. The deliberate design of a parallel domestic prosecution intended to defeat a pending United States extradition request through the international non-bis-in-idem defense is conduct of precisely that character.

F. Obstruction of Agency Proceedings, § 1505

Section 1505 reaches whoever corruptly obstructs the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States. The administration by the Department of Justice, the Department of State, and the United States Marshals Service of an extradition request transmitted under treaty is a pending proceeding for purposes of § 1505.

G. Money Laundering Touchpoints, §§ 1956 and 1957

To the extent that any movement of public or private funds in furtherance of the obstruction (including official protection details, travel, or payments to the defendants or their counsel) touches the United States financial system through correspondent accounts, intermediary banks,

or United States dollar clearing systems, the money laundering statutes attach. The undersigned respectfully requests review by FinCEN and OFAC.

H. Material Support to a Designated FTO, §§ 2339A and 2339B

The Sinaloa Cartel is a designated FTO. Conduct by foreign officials that has the foreseeable effect of preserving the operational continuity of FTO-aligned defendants by defeating extradition is, depending on the proof, capable of qualifying as material support to a designated FTO under § 2339B (which contains its own extraterritoriality provision in § 2339B(d)(1)(F)) and as material support to terrorism resulting in death under § 2339A. The undersigned places this question respectfully before the National Security Division and the Counterterrorism Section of the Criminal Division.

I. Foreign Agents Registration Act

To the extent that any United States citizen, resident or entity, in connection with the public defense of the SDNY proceeding inside the United States, is acting at the order, request or under the direction or control of a foreign principal, the registration and disclosure obligations of FARA, 22 U.S.C. § 611 et seq., attach.

IV. PARALLEL ADMINISTRATIVE REMEDIES

A. Global Magnitsky, Executive Order 13818

Executive Order 13818 authorizes blocking sanctions on foreign persons responsible for or complicit in serious human rights abuse or corruption. Conduct designed to frustrate the appearance of officials charged with partnering with a designated Foreign Terrorist Organization, where the obstruction conduct itself is performed by officials acting in their official capacity, falls within the corruption authorities of E.O. 13818.

The undersigned respectfully petitions the Office of Foreign Assets Control to consider designations of: (1) Claudia Sheinbaum Pardo, with respect to the conduct described in Section II.C and II.D; (2) Ernestina Godoy Ramos, with respect to the conduct described in Sections II.B and II.F; (3) Ulises Lara López, with respect to the conduct described in Section II.B; (4) Arturo Zaldívar Lelo de Larrea, with respect to the conduct described in Section II.G; and (5) any additional persons identified through investigation.

B. Section 7031(c) Visa Restrictions

Section 7031(c) mandates the public designation, and inadmissibility to the United States, of foreign officials as to whom the Secretary of State has credible information of involvement in significant corruption. The conduct described herein satisfies the credible information standard.

C. FinCEN Review

The Financial Crimes Enforcement Network is respectfully requested to review correspondent banking exposure of United States financial institutions to entities controlled by or acting on behalf of the persons referenced herein and to consider whether further designation of any Mexican financial institution under Section 311 of the USA PATRIOT Act, 31 U.S.C. § 5318A, is warranted in light of the broader pattern.

D. Cooperation Review Under 22 U.S.C. § 2291j

The annual Presidential certification required under 22 U.S.C. § 2291j is respectfully invited to incorporate the conduct described herein in its evaluation of full cooperation by the Government of Mexico in counter-narcotics enforcement during the certification cycle.

V. EVIDENCE TENDERED AND OFFER OF PROOF

The undersigned tenders, and stands ready to supplement on request, the following categories of evidence in support of this referral. Each item is publicly available or available through routine governmental channels. Detailed exhibit index is provided as Annex A.

6. Superseding indictment, S9 23 Cr. 180 (KPF), United States v. Rocha Moya, et al., Southern District of New York, signed by Foreperson and U.S. Attorney Jay Clayton, available at justice.gov/usao-sdny/media/1438606/dl and through PACER.
7. DOJ and DEA press releases, April 29, 2026, announcing the unsealing.
8. Communiqué of the Mexican Secretariat of Foreign Affairs of April 29, 2026.
9. Press conference statement of Ulises Lara López, FGR spokesperson, April 29, 2026.
10. Versión Estenográfica and official video of the morning press conference of the President of Mexico of April 30, 2026.
11. Public statements of the President of Mexico of May 1, 2026, Chiapas event.
12. Letter of Rocha Moya to the Sinaloa Congress requesting temporary leave of absence, May 1, 2026.
13. Resolution of the Sinaloa Congress of May 2, 2026, approving the leave of absence (congresosinaloa.gob.mx).
14. Public declarations of Diputada María Teresa Guerra Ochoa concerning the persistence of fuero during licencia temporal.
15. Public declarations of Arturo Zaldívar Lelo de Larrea concerning the immunity status of Rocha Moya post-leave.
16. Public statements of FGR of May 2, 2026, declining to detain Rocha Moya.
17. Reporting documenting federal security detail provided to Rocha Moya post-indictment.
18. Constitutional commentary by Diego Valadés, Jaime Cárdenas, Roberto Gil Zuarth and Germán Martínez Cáceres in Reforma, El Norte and Diario de Chihuahua, May 3, 2026.

The undersigned consents to the use of these materials by the Department of Justice and cooperating agencies and is available to provide testimony, answer questions, identify additional witnesses, and provide further documentation.

VI. WITNESS AND SOURCE PROTECTION

The undersigned acknowledges the heightened risk of retaliation associated with this submission, given the gravity of the conduct alleged, the operational reach of the Sinaloa Cartel and of officials referenced herein, and the indictment's own allegation, in Counts Four and Five, that the Cartel and Cartel-aligned officials have killed United States federal informants in the past. The undersigned respectfully requests:

- That this submission be treated consistently with applicable witness and source protection protocols, including the Witness Security Program of the United States Marshals Service to the extent designation as a witness in any resulting investigation supports such protection.
- That contact information be safeguarded under the Privacy Act of 1974, 5 U.S.C. § 552a, and applicable Department of Justice and Department of State source protection procedures.
- That, to the extent any financial-component of the underlying conduct is identified, the undersigned be designated for protection under the Dodd-Frank Wall Street Reform and Consumer Protection Act § 922 and corresponding SEC, CFTC and FinCEN protocols.

VII. CONCLUSION AND PRAYER FOR ACTION

For the foregoing reasons, the undersigned respectfully requests that:

19. The United States Attorney for the Southern District of New York, in coordination with the Public Integrity Section and the Office of International Affairs of the Criminal Division, open a criminal investigation into whether senior officials of the Government of Mexico, including Claudia Sheinbaum Pardo, Ernestina Godoy Ramos, Ulises Lara López, Arturo Zaldívar Lelo de Larrea, members of the Sinaloa Congress acting in concert, and any persons acting jointly with them, have violated 18 U.S.C. § 1512(c)(2), § 1512(k), § 1505, § 371, and any other statute identified in this submission, in connection with the post-unsealing conduct described herein.
20. The Drug Enforcement Administration, the Federal Bureau of Investigation, the Internal Revenue Service Criminal Investigation Division, and Homeland Security Investigations be invited to participate in the investigation as appropriate.
21. The Office of Foreign Assets Control evaluate Global Magnitsky designations under E.O. 13818 with respect to each individual named in Section IV.A.
22. The Department of State evaluate Section 7031(c) designations and make those designations public.

23. The Financial Crimes Enforcement Network undertake the review described in Section IV.C.
24. The National Security Division evaluate the FARA implications described in Section III.I and the material-support implications described in Section III.H.
25. The undersigned be afforded the opportunity to supplement this submission and to provide further evidence and testimony as the investigation proceeds, and to brief any combination of the receiving offices in person.

Respectfully submitted,



Simón Levy

Washington, D.C.

Date: May 6, 2026

Certification under 28 U.S.C. § 1746. The undersigned certifies, on the basis of his good-faith review of the public record (including the unsealed indictment S9 23 Cr. 180 (KPF) available at the official URL of the United States Department of Justice) and prior investigative work, that the foregoing statements are true and correct to the best of his knowledge and belief, that this submission is made in good faith and not for any improper purpose, and that he is aware of the application of 18 U.S.C. § 1001 to false statements made to a federal officer. Executed on May 6, 2026, at Washington, D.C.

EXHIBIT INDEX — In re Rocha Moya Obstruction

Annex to: Criminal Referral and Magnitsky Submission **Submitting party:** Simón Levy **Date:** May 6, 2026

Exhibit A — Predicate Indictment and Public Announcements

Tab	Description	Source	Date
A-1	Superseding Indictment, S9 23 Cr. 180 (KPF), United States v. Rocha Moya, et al.	SDNY / DOJ media release	2026-04-29
A-2	Press Release, USAO-SDNY: "Governor of Sinaloa and Nine Other Current and Former Mexican Officials Charged with Drug Trafficking and Weapons Offenses in Aid of the Sinaloa Cartel"	justice.gov/usao-sdny	2026-04-29
A-3	Press Release, DEA: "Governor of Sinaloa and Nine Current and Former Mexican Officials Face Drug Trafficking and Weapons Charges"	dea.gov	2026-04-29
A-4	Public statement of U.S. Attorney Jay Clayton at unsealing	DOJ video / transcript	2026-04-29
A-5	Public statement of DEA Administrator Terrance C. Cole at unsealing	DEA video / transcript	2026-04-29

Exhibit B — Conduct of the Mexican Secretariat of Foreign Affairs (SRE)

Tab	Description	Source	Date
B-1	Communiqué of the Mexican SRE: Mexico received ten extradition / provisional arrest requests; documents asserted to lack sufficient evidence	gob.mx/sre / official SRE channels	2026-04-29
B-2	Press reporting of SRE communiqué	Reforma, El Financiero, AP	2026-04-29

Exhibit C — Conduct of the Mexican Attorney General's Office (FGR)

Tab	Description	Source	Date
C-1	Press conference statement of Ulises Lara López (FGR spokesperson): impeachment trial (juicio político) requirement asserted as condition for detention of Governor Rocha Moya	FGR press conference / official video	2026-04-29
C-2	FGR official announcement of parallel investigation under Mexican law	FGR communiqué	2026-04-29
C-3	FGR public statement declining to detain Rocha Moya, requesting additional information from the United States	FGR communiqué	2026-05-02

Exhibit D — Conduct of the President of Mexico

Tab	Description	Source	Date
D-1	Versión Estenográfica, conferencia matutina del 30 de abril 2026: prepared statement and Q&A of President Sheinbaum on indictment, extradition, "irrefutable evidence" standard, and "political" characterization	presidencia.gob.mx	2026-04-30
D-2	Video of conferencia matutina del 30 de abril 2026	presidencia.gob.mx YouTube	2026-04-30
D-3	Public remarks of President Sheinbaum, Chiapas, May 1 2026 (sovereignty / "ningún gobierno extranjero puede entrar")	presidencia.gob.mx	2026-05-01
D-4	Press reporting of presidential statements	CBS News, AP, Reuters, France 24, Mexico News Daily, Courthouse News	2026-04-30 to 2026-05-01

Exhibit E — Engineered Licencia Temporal and Successor Designation

Tab	Description	Source	Date
E-1	Letter of Rubén Rocha Moya to the Sinaloa State Congress requesting temporary leave of absence pursuant to Article 58 of the State Constitution	Government of Sinaloa / Congress official record	2026-05-01
E-2	Resolution of the Sinaloa Congress (Sesión Extraordinaria) approving the leave of absence and designating Yeraldine Bonilla Valverde as Interim Governor	congresosinaloa.gob.mx	2026-05-02
E-3	Roll-call vote: 33 in favor, 3 against, 2 abstentions	congresosinaloa.gob.mx	2026-05-02
E-4	Public statements of Diputada María Teresa Guerra Ochoa (President, Junta de Coordinación Política, Morena): "el gobernador con licencia continúa con fuero constitucional"	press conference / video	2026-05-02
E-5	Public solidarity statement of Yeraldine Bonilla Valverde with Rocha Moya at swearing-in	Instagram / official channels	2026-05-02
E-6	Constitutional commentary: Diego Valadés, Jaime Cárdenas, on protective effect of licencia temporal vs. resignation	Reforma, El Norte, Diario de Chihuahua	2026-05-03
E-7	PAN Diputado Germán Martínez Cáceres: public identification of non-bis-in-idem strategy	Reforma	2026-05-03

Exhibit F — Conduct of the Coordinator of Politics and Government

Tab	Description	Source	Date
F-1	Public statement of Arturo Zaldívar Lelo de Larrea: with leave of absence, Rocha Moya "no longer enjoys immunity and may be tried" (in Mexico)	Zaldívar public remarks / press reporting	2026-05-02–03

Exhibit G — Federal Protection Detail to Defendant Post-Indictment

Tab	Description	Source	Date
G-1	Press reporting documenting federal security detail provided to Rocha Moya post-indictment	CNN en Español, multiple outlets	2026-05-02–03

Exhibit H — Foreign Terrorist Organization Designation Predicate

Tab	Description	Source	Date
H-1	U.S. Department of State designation of the Sinaloa Cartel as a Foreign Terrorist Organization	Federal Register / state.gov	February 2025
H-2	DOJ characterization of Sinaloa Cartel as "designated terrorist organization" in the indictment unsealing announcement	DEA press release	2026-04-29

Exhibit I — Treaty Framework

Tab	Description	Source	Date
I-1	Extradition Treaty Between the United States of America and the United Mexican States, signed at Mexico City on May 4, 1978; Protocol thereto	T.I.A.S. / state.gov	1978 (with subsequent amendments)

Tab	Description	Source	Date
I-2	Mexican Ley de Extradición Internacional	Cámara de Diputados	(current version)

Index Note. All exhibits are or will be furnished in electronic form (PDF) on a USB drive accompanying the physical submission, and via secure file transfer link to the receiving offices. Each tab is prepared in chronological order within its exhibit. Each press conference video is identified by URL and time-code reference. The submitting party retains the originals and stands ready to authenticate any item.

Submitting party: **Simón Levy** Date: May 6, 2026 Signature:

