

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

v.

**JOSE MANUEL GONZALEZ
TESTINO,**

DEFENDANT

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CRIMINAL NO. H-19-341

GOVERNMENT’S MOTION TO DISMISS

The United States, by and through its attorneys, respectfully submits this Motion to Dismiss the Information and all charges in the above referenced case. In support of this motion, the government states the following:

1. Jose Manuel Gonzalez Testino (the “Defendant”) was charged by Complaint on July 27, 2018 (DE 1) and was arrested on July 31, 2018, in the Southern District of Florida.
2. On May 14, 2019, the government filed an Information against the Defendant charging him with three counts. (DE 36). Count One charged the Defendant with conspiracy to violate the Foreign Corrupt Practices Act (“FCPA”), in violation of Title 18, United States Code, Section 371. Count Two charged the Defendant with a substantive violation of the FCPA, in violation of 15

U.S.C. § 78dd-2. Count Three charged the Defendant with failing to file a Foreign Bank Account Report (FBAR), in violation of 31 U.S.C. §§ 5314 and 5322(a).

3. On May 29, 2019, Defendant pleaded guilty to Counts One, Two and Three of the Information. (DE 50).
4. On March 1, 2023, the Defendant perished. (*See* Ex. 1, Certification of Death).

WHEREFORE, the government respectfully requests that the Court enter an order dismissing the Information and all charges against the decedent and closing this case.

Respectfully submitted,

GLENN LEON
Chief, Fraud Section
Criminal Division
United States Department of Justice

ALAMDAR HAMDANI
U.S. ATTORNEY
Southern District of Texas

/s/ Marihug P. Cedeno
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/s/ Robert S. Johnson
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CERTIFICATE OF CONFERENCE

I certify that on January 2, 2024, the undersigned counsel for the government conferred with Edward R. Shohat, counsel for Defendant Jose Manuel Gonzalez Testino, regarding the nature of the foregoing motion, and counsel does not oppose.

/s/ Marihug P. Cedeno
MARIHUG P. CEDEÑO
Trial Attorney
Fraud Section, Criminal Division
U.S. Department of Justice

CERTIFICATE OF SERVICE

I hereby certify that, on January 2, 2024, I electronically filed the foregoing motion with the Clerk of the Court using the ECF/CM system for filing and service on all counsel of record.

/s/ Marihug P. Cedeno
MARIHUG P. CEDEÑO
Trial Attorney
Fraud Section, Criminal Division
U.S. Department of Justice

Exhibit 1

STATE OF FLORIDA

THIS DOCUMENT HAS A LIGHT BACKGROUND ON TRUE WATERMARKED PAPER. HOLD TO LIGHT TO VERIFY FLORIDA WATERMARK.

BUREAU of VITAL STATISTICS

CERTIFICATION OF DEATH

STATE FILE NUMBER: 2023045195

DATE ISSUED: MARCH 15, 2023

DECEDENT INFORMATION

DATE FILED: MARCH 14, 2023

NAME: JOSE MANUEL GONZALEZ TESTINO

DATE OF DEATH: FOUND ON MARCH 1, 2023 SEX: MALE AGE: 053 YEARS

DATE OF BIRTH: SEPTEMBER 19, 1969 SSN: ***.**-7202

BIRTHPLACE: COOKEVILLE, TENNESSEE, UNITED STATES

PLACE WHERE DEATH OCCURRED: APARTMENT

FACILITY NAME OR STREET ADDRESS: 2669 S BAYSHORE DR 1901-N

LOCATION OF DEATH: MIAMI, MIAMI-DADE COUNTY, 33133

RESIDENCE: 11431 NW 68TH TERRACE, DORAL, FLORIDA 33178, UNITED STATES

COUNTY: MIAMI-DADE

OCCUPATION, INDUSTRY: ENGINEER, ENGINEERING

EDUCATION: MASTERS DEGREE EVER IN U.S. ARMED FORCES? NO

HISPANIC OR HAITIAN ORIGIN? YES, VENEZUELAN

RACE: WHITE

SURVIVING SPOUSE / PARENT NAME INFORMATION

(NAME PRIOR TO FIRST MARRIAGE, IF APPLICABLE)

MARITAL STATUS: MARRIED

SURVIVING SPOUSE NAME: MARIA ALEJANDRA DIAZ

FATHER'S/PARENT'S NAME: JOSE MANUEL GONZALEZ HERNANDEZ

MOTHER'S/PARENT'S NAME: MARTA TESTINO

INFORMANT, FUNERAL FACILITY AND PLACE OF DISPOSITION INFORMATION

INFORMANT'S NAME: JAVIER AURRECOECHEA

RELATIONSHIP TO DECEDENT: STEP SON

INFORMANT'S ADDRESS: 9340 SW 45TH TERRACE, MIAMI, FLORIDA 33165, UNITED STATES

FUNERAL DIRECTOR/LICENSE NUMBER: PETER R MARTIN, F045123

FUNERAL FACILITY: BERNARDO GARCIA FUNERAL HOMES- KENDALL F041291

12050 SW 117TH AVENUE, MIAMI, FLORIDA 33186

METHOD OF DISPOSITION: CREMATION

PLACE OF DISPOSITION: ALLEN & SHAW CREMATIONS
OPA-LOCKA, FLORIDA

CERTIFIER INFORMATION

TYPE OF CERTIFIER: ASSOCIATE MEDICAL EXAMINER

MEDICAL EXAMINER CASE NUMBER: 231100704

TIME OF DEATH (24 HOUR): FOUND AT 1946

DATE CERTIFIED: MARCH 8, 2023

CERTIFIER'S NAME: ALEXANDER FRANZ BLANK

CERTIFIER'S LICENSE NUMBER: TRN30063

NAME OF ATTENDING PRACTITIONER (IF OTHER THAN CERTIFIER): NOT ENTERED

The first five digits of the decedent's Social Security Number have been redacted pursuant to §119.071(5), Florida Statutes.

[Signature]

, STATE REGISTRAR

REQ: 2025031945

THE ABOVE SIGNATURE CERTIFIES THAT THIS IS A TRUE AND CORRECT COPY OF THE OFFICIAL RECORD ON FILE IN THIS OFFICE.

WARNING:

THIS DOCUMENT IS PRINTED OR PHOTOCOPIED ON SECURITY PAPER WITH WATERMARKS OF THE GREAT SEAL OF THE STATE OF FLORIDA. DO NOT ACCEPT WITHOUT VERIFYING THE PRESENCE OF THE WATERMARKS. THE DOCUMENT FACE CONTAINS A MULTICOLORED BACKGROUND, GOLD EMBOSSED SEAL, AND THERMOCHROMIC FL. THE BACK CONTAINS SPECIAL LINES WITH TEXT. THE DOCUMENT WILL NOT PRODUCE A COLOR COPY.



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DH FORM 1946 (03-13)

CERTIFICATION OF VITAL RECORD



VOID IF ALTERED OR ERASED

VOID IF ALTERED OR ERASED

