

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS**

CASE NO: EP-07-CR-87-KC

THE UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS POSADA CARRILES,

Defendant.

**DEFENDANT LUIS POSADA CARRILES' APPEAL TO THE DISTRICT
COURT OF THE MAGISTRATE JUDGE'S ORDER DENYING
DEFENDANT'S MOTION TO REOPEN PRETRIAL DETENTION
HEARING, REQUEST FOR EXPEDITED CONSIDERATION AND
INCORPORATED MEMORANDUM OF LAW**

EXHIBIT C-2

City of Miami, Florida

TOMAS REGALADO
COMMISSIONER



P.O. BOX 330708
MIAMI, FLORIDA 33233-0708
(305) 250-5420
FAX (305) 856-5230

March 7, 2007

The Honorable Kathleen Cardone
United States District Judge
511 East San Antonio Avenue
El Paso, Texas 79901

Dear Judge Cardone,

I have known Luis Posada-Carriles for more than thirty years. Although he has been in other countries, his primary residence has been Miami. I have always known Mr. Posada-Carriles as a law abiding human being, yes with a passion for Cuba, but a family man with strong ties to our community. I believe he does not pose a flight risk.

Sincerely,

Tomas Regalado
City of Miami Commissioner
District 4

Plantado es todo aquel
que lucha por la libertad y
la democracia de Cuba
en forma digna.

Judge Kathleen Cardone
United States District Judge
511 East San Antonio Avenue
El Paso, Texas. 79901

March 1, 2007

Honorable Judge:

I have known Luis Posada Carriles since 1983. I met him in Venezuela and I also know his family.

Posada Carriles is seventy nine years old and he wants to live the rest of his life with his family, he does not represent a danger to the community. After so many of his family and friends are stating that he will not flight away, Posada Carriles will never do something like this to us because of his personal integrity and convictions and he will remain in this country as long as it is necessary and will abide by the court rulings. I am also aware that Posada Carriles has denied the charges against him.

I am willing to appear in court, if it is necessary, as a witness on behalf of Luis Posada Carriles.

Respectfully yours,


Angel DeFana

Director

Plantados Until Freedom and Democracy in Cuba

Miami, February 27, 2007

Judge Kathleen Cardone
United States District Judge
511 East, San Antonio Ave.
El Paso, Texas, 79901

Dear Juddge Cardone:


I am writting you this letter because Luis Posada needs to be sopported on his request for pretrial release from prison.

I know Luis through his family from about thirty years ago, he is one of the best Cuban Patriot and he has formed a good family with his wife, daughter and son.

Luis deserve the opportunity of to prove that He is not a danger to the community or a flight risk, as you know, he was Lieutenant of the U.S.A. Army, and because of that I think this makes him credible to being living in this community.

I am willing to appear in Court as a witness on his behalf.

Sincerely,


Nelis Rojas-Morales
General Secretary

Coordinadora Internacional
Ex-Prisioneros Políticos Cubanos
5900 Collins Ave., Suite 503
Miami Beach, Fl. 33140



Organización Presidio Político Histórico Cubano
Former Cuban Historic Political Prisoners Organization
CASA DEL PRESO - HOUSE OF THE POLITICAL PRISONER

1140 S.W. 13th Ave., Miami, FL 33135 • (305) 858-3789 Fax (305) 858-3778

March 1st, 2007

Judge Kathleen Cardone
United States District Judge
511 East San Antonio Avenue,
El Paso, Texas 79901

Honorable Judge Cardone:

We are writing to you on behalf of Mr. Luis Posada Carriles. Our organization Presidio Politico Historico Cubano represents thousands of ex- political prisoners of Cuba. We know Mr. Posada Carriles for more than twenty –five years. He is a member of our organization dedicated to help our brothers that arrive to the United States from Cuba after long years of being in prison under a communist regime.

We believe that Mr. Posada Carriles is a victim of that system and the montage of false facts that our friend has never been condemned.

Mr. Posada Carriles is an honorable, responsible, and trustworthy individual with a moral beyond any doubt.

In our opinion, Mr. Luis Posada Carriles represents not threat for the community or the United States, a country in which he has his family, friends, and fights for it.

Mr. Posada is an old man, sick, and has been apart from his family and friends, and isolated for many years.

As a friend of Mr. Posada Carriles we can vouch for his integrity and moral, and we are willing to testify on court on his behalf if needed.

Sincerely,

Felipe Alonso-President



Federación de MASONES Cubanos Exiliados

CUBA-PRIMERO

ERCILIO DEL RIO, Presidente • REINALDO HERNANDEZ, Secretario

Presidencia - Secretaría

P.O. Box 66-8525, Miami, Florida 33166-8525



MIAMI, MARCH 1, 2007.

HONORABLE JUDGE KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE
511 EAST SAN ANTONIO AVE.
EL PASO, TEXAS 79901

WE WRITE THIS LETTER TO YOU IN CONSIDERATION OF MR. POSADA CARRILES'S POSSIBLE RELEASE WHILE AWAITING TRIAL; FOR HUNDREDS OF YEARS, THE BROTHERHOOD OF THE FREEMASONS HAS BEEN INTEGRATED BY MEN WHO BELIEVE IN GOD, HAVE GOOD CHARACTER, AND GOOD MORAL VALUES; AMONG THEM, THE FOUNDING FATHERS OF THIS GREAT NATION, AND MANY OF IT'S PRESIDENTS.

SOME OF TODAY'S MEMBERS HAVE KNOWN MR. POSADA CARRILES PERSONALLY, AND THEY HAVE ASSURED US THAT HE IS A GOOD FAMILY MAN AND GOOD MORALS, WITH NO DANGER TO THE COMMUNITY, FURTHERMORE HE SHOULD NOT BE CONSIDERED A FLIGHT RISK, BECAUSE HE HAS NO PLACE TO GO.

WE RESPECTFULLY REQUEST, AND APPEAL TO YOUR BENEVOLENCE; TO ALLOW MR. POSADA CARRILES TO BE FREE; AMONG HIS FRIENDS WHILE HE WAITS FOR HIS DAY IN COURT.

*Ercilio del Rio*³³
ERCILIO DEL RIO
GRAND MASTER



*Reinaldo Hernandez*³³
REINALDO HERNÁNDEZ
SECRETARY

JURISDICCIÓN
IBEROAMERICANO



PARA EL SUR DE LOS
EE.UU. DE A.

R.E.A.A.

600 W 29 STREET (JOSÉ MARTÍ BLVD.) HIALEAH, FL, U.S.A. 33011 • (305) 805-0501

Miami, March 3, 2007.

Honorable Judge Kathleen Cardone
United States District Judge
511 East San Antonio Ave.
El Paso, Texas 79901

The purpose of this letter is to humbly ask you to release Mr Posada Carriles while he waits for his trial, many of our member have known him for years, and have informed us that he is a man of good morals and character.

We are sure that Mr. Posada Carriles is not a danger to society; and will to not flee the US to avoid the trail to answer to the charges he has denied.

Sincerely Yours:


Gustavo Pérez
Grand Master


Reinaldo Hernández
Secretary

JUNTA PATRIOTICA CUBANA

P.O. Box 350-492
Jose Marti Station
Miami, Florida, 33135



4600 N.W. 7th Street
Miami, Florida, 33126
Tels: (305) 448-9898
(305) 448-9821
Fax: (305) 567-9548

JULIO CABARGA

5761 West 2 Ct. Hialeah, FL 33012
Tel.: 305-331-4796 – Fax: 305-599-2519

March 2, 2007

Honorable Judge Kathleen Cardone
United States, District Judge
511 East San Antonio Ave.
El Paso, Texas 79901

Reference: Mr. Luis Posada Carriles

Honorable Judge Cardone:

I have known Luis Posada Carriles for over 20 years, he is a man of excellent character, a very good family man, hard worker, provider and has always behaved in accordance with the high values of the society in which we live.

Luis Posada Carriles is an example for those of us that stride to lead a good life, he is a true patriot, caring and giving of himself for the rich values of liberty and freedom for the people of our great nation and for the people of his country of origin, Cuba.

Honorable Judge, I can assure you Luis Posada does not present of risk of flight as he has always been a man of his word, a man of integrity and dignity. He is a good friend and a good friend to many more people like myself, his family is in need of him, his health is not the best, he is late in years and our society would be better served with him as a free man.

Thank you for your consideration.

Very truly yours,

Julio Cabarga

**EMILIO C. CABALLERO
ATTORNEY AT LAW**

**10852 North Kendall Dr.
Suite # 103
Miami, Florida 33176**

Telephone (305) 595-1558

**Telefax (305) 595-1558
E-mail: RCabal9497.com**

February 28, 2007

*Honorable Judge Kathleen Cardone
United States District Judge
511 East San Antonio Texas
El Paso, Texas 79901
Re: Luis Posada Carriles*

Honorable Judge Cardone:

With all due respect I am addressing this letter to you on behalf of myself and my family in order to help clarifying the charges against Luis Posada Carriles which charges has been denied by the Defendant.

I have known Mr. Posada Carriles for over 70 years. We attended together the Elementary School at Montserrat Jesuit Catholic School/ Later on, we attended high school at the "Instituto de Segunda Ensenanza" in Cienfuegos, Cuba, and finally we were room mates while attending the Habana University in Cuba.


During all those years, Mr. Posada Carriles was a good student and a great athlete practicing baseball, swimming, tract and field, etc.

After his marriage, Mr. Posada Carriles has been a good husband and father to two great children, a son and a daughter.

I can assure you that Mr. Posada Carriles does not present a risk of flight nor a danger to the community in any sense.

If necessary, I am willing to appear in Court as a witness on behalf of Luis Posada Carriles.

Respectfully yours,


EMILIO C. CABALLERO, Attorney at Law
Florida Bar No. 242152 (retired)

Alberto M. Hernandez, M.D.
2695 LeJeune Road - Suite # 300
Coral Gables, Fl. 33134

February 28th, 2007

Judge Kathleen Cardone
United States District Judge
511 East Antonio Avenue
El Paso, Texas 79901

Honorable Judge Cardone:

I am writing to you on behalf of Mr. Luis Posada Carriles.

I have known Mr. Posada Carriles and his family for more than thirty years. I have found him to be an honorable, responsible and trustworthy individual with a moral beyond reproach. Because of all of the above, it is my opinion that Mr. Posada Carriles represents no threat for the community or the United States, a country he loves and respect, a country in which he has his family and his friends.

Mr. Posada Carriles is no longer young; he is a sick individual that has been apart from his family for many years. His only hope is to be with his wife, children and grandchildren at this time of his life.

I would like to let you know that I am willing to appear in Court if necessary on behalf of Mr. Posada Carriles as a witness.

Sincerely Yours,



Alberto M. Hernandez, M.D.

AMH/jc.

Ramon R. Cacicedo
6520 Riviera Drive
Coral Gables, Florida 33146

February 28, 2007

Judge Kathleen Cardone
UNITED STATES DISTRICT JUDGE
511 East San Antonio Avenue
El Paso, Texas 79901

RE: Luis Posada Carriles

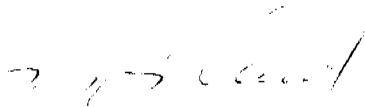
Dear Judge Cardone:

I have known Luis very well since 1938. We grew up together and we went to college together.

I do not believe that he is a flight risk. He has a very strong desire to stay in the United States where his family resides.

He is certainly not a danger to our community. To the contrary, he has served in the United States armed forces and has always protected our country.

Sincerely,



Ramon R. Cacicedo

February 27, 2007

Judge Kathleen Cardone
US District Judge
511 San Antonio Avenue
El Paso, Texas 79901

Your Honor:

I am a radio journalist and Cuban exile residing in Miami, Florida. I am writing you on behalf of Luis Posada Carriles, a friend and fellow countryman, asking you to have mercy in dealing with the particulars of his case.

Posada Carriles is caught in a political crossfire between the very anti-American government of Venezuela and the foreign policy of the US Department of State. The facts are that our friend, Posada Carriles has never been condemned of any act terrorism and in fact has been exonerated twice in Venezuela and that he just turned 79 years of age, has delicate health and wishes to spend his last years among his family and grandchildren in Miami.


What kind of danger can a 79 years old, sick man represent for the US? None. He has never acted to harm US interests.

What risk of flight can he pose when he came to the US to seek safety because his life was in danger as Castro's and Chavez, agents tracked him down to murder him? None for he has nowhere else to go nor does he wish to go anywhere else.

I am asking you consider allowing this former US Army Lieutenant and CIA operative -who risked his life for America- be allowed to spend his last moments among his loved ones in Florida.

As a friend of Posada Carriles, I can vouch for his character, his integrity and I am willing to testify on court on his behalf if needed.

Sincerely,


Armando Perez Roura
223 Shore Dr. South
Miami, FL 33133
(305)858-1642

Jorge A. Rodriguez
13031 Lerida St.
Coral Gables, FL. 33156
Ph: 305-510-7773/Fax: 305-667-5333

February 26th, 2007

Judge Kathleen Cardone
United States District Judge
511 East San Antonio Ave.
El Paso, Texas, 79901

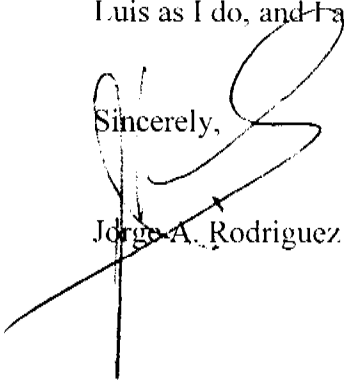
Re: Luis Posada Carriles

Dear Judge Cardone,

This letter is written on behalf of Luis Posada Carriles in order to support his request for pretrial release from prison. The reason for this is that I sincerely believe that Luis is not a danger to the community or a flight risk.

I have known Luis for more than 50 years and I know him to be of good moral character and a great Cuban patriot as well as a supporter of the U.S. as shown by his service in the U.S. Army. I know his family and the community support Luis as I do, and I am willing to appear in court as a witness on his behalf.

Sincerely,



Jorge A. Rodriguez