

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 98-721-cr-LENARD

UNITED STATES OF AMERICA

v.

**RENE GONZALEZ,
Defendant**

UNITED STATES' RESPONSE TO DEFENDANT'S MOTION TO TRAVEL

Defendant Rene Gonzalez ("defendant"), currently serving the supervised release portion of his sentence, seeks permission to travel to Cuba for two weeks due to the serious illness of his brother.

The United States appreciates the humanitarian nature of the request being made by the defendant.* Nonetheless, the United States opposes the defendant's request, based on FBI security concerns. There is concern that, during the requested trip to Cuba, Gonzalez may meet and consult with Cuban intelligence officials and personnel with the purpose or result of furthering Government of Cuba interests, contrary to the interests of the United States, upon the defendant's subsequent return to the United States.

Should the court decide to grant the motion, the United States respectfully requests the court to include in its order the following provisions:

- that the defendant shall submit to his probation officer a detailed itinerary of his travel, with flight numbers, routing, location and contact information;

* The United States has reviewed (and provided to defendant's counsel) medical records that are consistent with defendant's claims, but has not independently verified the medical condition of defendant's brother.

- that the defendant shall not meet, consult or communicate with Cuban intelligence officials or personnel;
- that during his absence from the district of supervision, the defendant shall report telephonically to his probation officer as directed by the probation officer;
- that the court's order allowing defendant to travel applies only to permission with regard to his supervised release, and the defendant would still have to comply with all laws and regulations of the United States and Cuban governments with regard to travel between the two countries, and independently seek and receive any permission required for such travel
- that the terms of the defendant's supervised release remain unchanged, and he must return to the United States and to the district of his supervised-release supervision, within the prescribed time, in order not to risk violating the terms of his supervised release.

WHEREFORE the United States respectfully submits that the defendant's Motion to Travel should be denied.

Respectfully submitted,

WIFREDO A. FERRER
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 12, 2012, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, for uploading and service by electronic notice to counsel and parties authorized to receive electronically Notices of Electronic Filing.

/s/ Caroline Heck Miller
Caroline Heck Miller
Assistant U.S. Attorney