

TO THE DISTRICT ATTORNEY FOR THE CANTON OF SHUSHUFINDI:

PABLO ESTENIO FAJARDO MENDOZA, Ecuadoran citizen, Identification number 080142773-3, a practicing attorney, resident of the Francisco de Orellana neighborhood in this city, Shushufindi Canton, Sucumbíos Province. By my own rights I appear before you respectfully and say the following:

As can be gleaned from the police report that I have attached, on Monday, August 9, 2004, at 07:10, a cadaver belonging to an individual unknown until that time was recovered. From the few pieces of evidence found in the place from which the body had been removed, we may deduce that the crime was not committed there, but had instead been perpetrated in another sector of the city before the lifeless body was thrown in the Bósquez neighborhood, as indicated in the police report. Afterward one could see that the deceased was in fact my brother, WILSON ORIOL FAJARDO MENDOZA, 28 years of age and residing on Rocafuerte Street in the Bósquez neighborhood. Nonetheless, over the previous several days, when my brother had desired to drink without bothering my mother, he had been staying at the house of a friend, JULIO ALFONSO LUNA.

At 14:00 on August 9, the medical experts performed the corresponding examination, in which they confirmed that the death of my brother WILSON FAJARDO MENDOZA was caused by torture, gunshot and stabbing, which had practically destroyed his head.

His family has the right to know the possible motives for causing the death of the deceased, and knows that on Sunday, August 8, at approximately 23:00, WILSON FAJARDO MENDOZA arrived at the house of his friend JULIO ALFONSO LUNA to get some rest. This house is located on Ambato Street between October 12 Street and February 12 Street in the neighborhood of Orellana. After a time, my brother, who had been listening to music one block from the house where he was staying, saw that there were several people drinking at the corner of February 12 Street and Galápagos. Among this group were two individuals: PAUL ZAMBRANO (alias "bug belly") and his brother JONNY [sic] ZAMBRANO*. They reside on December 6 Street in the November 20 neighborhood of Shushufindi Canton. [* Please note that this name is spelled several different ways in the original context.]

At approximately midnight, my brother was taken by PAUL and JHONNY [sic] ZAMBRANO via Galápagos Street to the community house in the neighborhood of Miraflores, located on Amazonas Street, where the crime was committed, in accordance with the evidence found there. By what can be seen, my brother was first tortured, beaten against the wall of the community house and then shot. After my brother was taken by PAUL and JONNY [sic] ZAMBRANO, they met up with PEDRO BAUTISTA and the three subjects took my brother to the place where they killed him. After these three left the place where they had been drinking, no one new anything further of my brother until he showed up dead, which demonstrates that the last people to have been with my brother, WILSON FAJARDO MENDOZA, on the night he was killed were PAUL ZAMBRANO (alias "bug belly") and JOHNNTY [sic] ZAMBRANO, along with PEDRO BAUTISTA (alias "*Piñan*"). Therefore, they bear the principal responsibility for this homicide.

I should also let you know, Mr. District Attorney, that my brother did not have any problems with other people, with the exception of PEDRO BAUTISTA (alias "*Piñan*"). On Thursday, August 5, 2004, at approximately midnight, my brother was at the home of JULIO ALFONSO LUNA, watching movies with MR. LUNA, my brother VICENTE FAJARDO and NOLBERTO BRAVO CAGUA. PEDRO

BAUTISTA arrived with FABIAN BAUTISTA, JORGE BRAVO CAGUA (alias "*Cejón*"), and another subject whose name I do not know, and these individuals attempted to enter Mr. Luna's house by force when they were stopped by my brother WILSON FAJARDO. Afterward, my brother was threatened by PEDRO BAUTISTA (alias "*Piñan*"), who also attempted to stab him.

With previous incidents like these, Mr. District Attorney, in order to clear up the facts and ensure that those who were involved materially and intellectually, were complicit or sought to obscure [the details] are punished to the full extent of the law. I ask you to use all of your capabilities needed to clear up the facts.

I therefore ask you, in accordance with Article 167 of the Penal Code, to ask the Judge to take the following individuals into preventative custody: PAUL ZAMBRANO (alias "bug belly"), JHOMNY [sic] ZAMBRANO, along with PEDRO BAUTISTA (alias "*Piñan*").

Furthermore, the evidence still found in the community house for the Miraflores neighborhood, located between Galápagos and Amazonas Streets, run the risk of disappearing. I ask you, in accordance with Article 92 of the Penal Code, to realize an immediate inspection of the place where my brother Wilson Fajardo was killed, so as to acquire the help of the judicial police.

I am available to affirm the validity of my signature at your behest.

Notifications sent to me will be received in the docket Number 18, located in the building of the judicial building of this city.

I have attached for your use a copy of the identification of the deceased, Wilson Fajardo Mendoza, a copy of the police report and a copy of my personal documents.

Pablo Fajardo Mendoza

MAT. 042 C.A.S.