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MIAMI FEDERAL COURT

Timing is everything in major drug case

■ One of the biggest drug trials in United States history is under way. On trial: alleged drug kingpin Hernan Prada.

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In the 1980s, Hernan Prada ran one of the biggest drug rings in the world, an international enterprise that pulled in hundreds of millions of dollars a year, according to federal authorities.

Even his own attorneys don't deny Prada at one time coordinated shipments of cocaine from Colombia to the United States.

But the question facing a federal jury in Miami is this: Did the alleged Colombian drug-cartel kingpin plan or execute any deals after July 2, 1999, when the statute of limitations in his case would have expired? Federal prosecutors insist he did. Prada's defense team claims the opposite.

That date is the crux of what is widely seen as one of the largest drug cases to go to trial in United States.

The statute of limitations in drug-conspiracy charges is five years. Prada was indicted July 2, 2004 on charges he conspired to smuggle multi-kilos of cocaine into the United States between 1989 and Dec. 7, 1999. The latter date would beat the expiration of the statute of limitations by five months.

Just before 1 p.m., the fate of Prada was delivered into the hands of the 12-person jury. A conviction could put him behind bars for life.

CLOSING ARGUMENTS

During closing arguments at the federal courthouse in Miami, defense attorneys William Barzee and Joel Denaro claimed that Prada "quit" the drug trade in the spring of 1999, and that prosecutors' witnesses were mistaken or

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outright liars.

Prosecutor Frank Tamen, however, told the jury that there is evidence that Prada did not go away quietly, despite claims that he walked away from the drug underworld.

"Isn't this the first time you've heard of a Colombian drug kingpin who's taken a peaceful exit?" Tamen asked the jury sarcastically. "There's something different about being a drug smuggler. It's a lifelong operation."

The 52-year-old, decked in a charcoal suit, appeared at ease, and smiled and waved to supporters during breaks.

During the height of Prada's enterprise, the late 1980s,

it is believed he was as big as anyone in the business.

The ring owned two estates in New York valued at \$11 million, according to a New York Times story. Federal law-enforcement agents estimated the group moved more than a ton of cocaine a month in 1988. Some even speculated Prada, nicknamed "El Gordo," took over for the notorious Pablo Escobar.

Pressure from law enforcement mounted against the group, and Prada eventually surfaced in Colombia. In July of 2004, a grand jury indicted Prada on conspiracy charges. The following year, associates and members of his family were successfully prose-

cuted for attempting to launder more than \$40 million in illegal assets in Ecuador, according to the State Department.

Prada was extradited to the United States in early 2006, and his case finally went to trial on July 21.

KEY WITNESSES

It was not made clear in court Tuesday why the federal government took so long to indict Prada. If it had done so even six months earlier, the defense would have faced far greater challenges.

That chronology meant that witnesses were asked to speak conclusively on events that happened nine years ago, inevitably creating contradictory testimony, on which the defense pounced.

The prosecution's case centered around two key witnesses: Mario Astaiza and Alex Decubas, who testified they ran drugs on Prada's

orders.

Both claimed that they conspired with Prada to move narcotics after the July 2, 1999 benchmark — with Astaiza testifying he still worked for Prada as late as December of that year.

On Tuesday, Tamen reminded the jury of Astaiza's testimony that a huge shipment of cocaine, about 7,500 kilos, was seized by Mexican officials in late 1999, with Prada's drugs among those collected.

The defense said both men were either confused or fabricated testimony. They called Astaiza's account a "phantom load," ridiculing the witness for not being able to recall the simplest details of the shipment — including the name of the boat. A verdict is expected as soon as Wednesday.

Miami Herald staff writer Jay Weaver contributed to this report.