

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

Case No.: 8:21-cr-103-VMC-AAS

OMAR AMBUILA

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**ORDER**

This matter is before the Court on consideration of the United States of America's Motion for Foreign Law Determination pursuant to Fed. R. Crim. P. 26.1 (Doc. # 95), filed on December 26, 2024. For the reasons that follow, the Motion is granted.

**Discussion**

The United States seeks a determination that that the four Colombian statutes identified in the Motion qualify as "offense[s] against a foreign nation involving bribery of a public official" pursuant to 18 U.S.C. § 1956(c)(7)(B)(iv), and the adoption of a proposed jury instruction regarding the specified unlawful activity of an offense against a foreign nation involving bribery of a public official. (Doc. # 95 at 1-2). Thus, the United States filed this pretrial Motion. (Doc. # 95). The pleading indicates that the Motion is unopposed (Id. at 2, 4), and the Motion is ripe for review.

Specifically, the United States seeks a determination "that Articles 405, 406, 411 and 412 of the Colombian penal code are the appropriate foreign law for the government to prove as the alleged specified unlawful activity to the money laundering conspiracy." (Doc. # 95 at 5). In support of its Motion, the United States provided an affidavit regarding Colombian criminal law by Professor Pablo Rueda Saiz. (Doc. # 95 Ex. 1). Moreover, the United States separately provided notice of a foreign law issue pursuant to Federal Rule of Criminal Procedure 26.1 (Doc. # 88) and provided notice of expert testimony on Colombian criminal law by Professor Saiz (Doc. # 90). The United States' Motion also included the language of the jury instruction that it seeks to include. (Doc. # 95 Ex. 2).

Defendant Omar Ambuila does not dispute the Colombian laws or the proposed jury instruction. (Doc. # 95 at 4). Therefore, the four Colombian statutes described and referenced therein – that is, Articles 405, 406, 411 and 412 of the Colombian penal code – qualify as "offense[s] against a foreign nation involving bribery of a public official" pursuant to 18 U.S.C. § 1956(c)(7)(B)(iv). Moreover, the Court adopts the United States' proposed jury instruction in Exhibit 2 as the proper instructions on the specified unlawful


activity of an offense against a foreign nation involving bribery of a public official.

Accordingly, it is hereby

**ORDERED, ADJUDGED, and DECREED:**

The United States' Motion for Foreign Law Determination pursuant to Fed. R. Crim. P. 26.1 (Doc. # 95) is **GRANTED**.

**DONE and ORDERED** in Chambers, in Tampa, Florida, this 30th day of December, 2024.

  
VIRGINIA M. HERNANDEZ COVINGTON  
UNITED STATES DISTRICT JUDGE