UNOFFICIAL ENGLISH TRANSLATION — SPANISH ORIGINAL AVAILABLE

This is a complete, faithful translation of a public version of the resolution. No facts have been added. Identifiers that are redacted in the Spanish original remain redacted here.

RECORD OF THE INITIAL HEARING

Mexicali, Baja California, February 23, 2026.

This Court proceeds to comply with article 67, section IV, of the National Code of Criminal Procedure, with respect to the order of binding over for trial issued at the initial hearing in the criminal case [REDACTED], instituted against [REDACTED], and for that purpose the following record is made.

The grounds and reasons supporting the decisions taken in this proceeding are backed by the audio and video record, which for that purpose is kept in the case-management system.

Binding over for trial

The initial hearing in the cited criminal case was called at 9:15 a.m. on February 23, 2026. The proceeding was suspended as to the accused [REDACTED].

The accused [REDACTED] stated that they are citizens of the United States of America and that they did not require consular assistance.

Thereafter, pursuant to article 19, first paragraph, of the Political Constitution of the United Mexican States and articles 316 and 317 of the National Code of Criminal Procedure, concerning the formal and substantive requirements that must be met in order to bind a person over for trial, the accused [REDACTED] stated that their personal data would remain reserved. Once the charge had been formulated, they were given the opportunity to make a statement, and they were advised by their privately retained defense counsel [REDACTED] and Luis Gonzalo López Pulido, who exercised their right to remain silent. Once the request to bind them over for trial had been made, they were informed that they had the constitutional period of seventy-two hours, or its extension of one hundred forty-four hours, for their legal situation to be resolved, and they requested that it be resolved in the same hearing, the requirements of articles 311 and 312 of the said national code having been satisfied, as was recorded at the hearing.

After the parties were heard, and on the grounds stated at the hearing, it was considered that the factual account presented up to that point, with the evidence referred to by the agent of the Federal Public Prosecutor’s Office, which was assessed freely and logically as a whole pursuant to article 265 of the National Code of Criminal Procedure, updated the conduct that the law designates as the offense of basic smuggling, provided for in article 102, section I, of the Federal Tax Code and punished by article 104, section I, of the same statute.

As to the accused [REDACTED], who committed the said conduct, it was considered that the facts presented make it possible to establish, under the standard required for this determination, reasonable indications that the person who, in the time, manner and place in which the conduct occurred, was the subject of the charge, [REDACTED], was detained when entering the International Customs Inspection Facility [Garita] 1, located at Nuevo Acceso a México, Calzada de los Presidentes, Zona Centro, Río Nuevo, Mexicali, Baja California, arriving from the United States of America, [REDACTED], acting willfully and as the material perpetrator, in terms of articles 7, section II, 8, 9, first paragraph, and 13, section II, of the Federal Criminal Code.

Grounds excluding liability or extinguishing the criminal action

It was considered that there was no ground excluding the offense or extinguishing the criminal action. In light of the request for authorization of a conditional suspension of the proceedings, it was not necessary to debate

precautionary measures or a time limit for closing the investigation.

Conditional suspension of the proceedings

Once the parties had been given an opportunity to debate, and considering that the requirements of articles 191 to 194 of the National Code of Criminal Procedure were satisfied, the conditional suspension of the proceedings was held to be proper in favor of [REDACTED].

Pursuant to article 195, sections I, VI, IX and XIV, of the National Code of Criminal Procedure, the said accused was required to comply with the following conditions:

Section I. To reside in a specified place. In order to comply with this condition, the accused shall reside at the address provided before this Federal Criminal Justice Center.

Section VI. [REDACTED].

Section IX. To submit to the supervision determined by the Control Judge. For that purpose, they shall be placed at the disposal of the Authority for Supervision of Precautionary Measures and Conditional Suspension of Proceedings, as a General Commissioned Support Unit providing services in this city.

Section XIV. Likewise, [REDACTED].

A period of six months was set for compliance with the conditions imposed.

It was ordered that the corresponding official communication be issued to the Authority for Supervision of Precautionary Measures and Conditional Suspension of Proceedings, as a General Commissioned Support Unit providing services in this city, whose purpose is to provide the parties with information on the risk assessment represented by the accused and on follow-up of the precautionary measures and of the conditional suspension of the proceedings, pursuant to articles 176 and 177 of the National Code of Criminal Procedure, so that, in the exercise of its powers, it may take cognizance of the present determination and proceed accordingly.

The time of 9:15 a.m. on September 3, 2026, was set for the hearing to review the conditions imposed for the conditional suspension of the proceedings.

The participating parties, who were required to attend the hearing formally, were duly notified of the resolution issued orally at the hearing, pursuant to article 63 of the National Code of Criminal Procedure.

Comply.

Thus resolved and entered at a public hearing by [REDACTED], Specialized District Judge in the Accusatory Criminal System of the Federal Criminal Justice Center in the State of Baja California, residing in Mexicali, acting as Control Judge.