

DEA Informant Sentenced to 368 Months for Role in Haulover Bay Shootout With CBP Agents

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ST. THOMAS — United States Attorney Delia L. Smith announced Monday that Samuel Elias Pena Columna, 49, of St. John, was sentenced to 368 months of imprisonment and fined \$10,000 by Chief Judge Robert A. Molloy.

According to the U.S. Attorney's Office, in September 2022, a federal jury convicted Pena Columna of conspiracy to possess with intent to distribute cocaine, possession of a firearm in furtherance of a drug trafficking crime, discharge of a firearm in furtherance of a crime of violence, and two counts of assaulting a federal officer.

Court documents and evidence presented at his trial reveal that on September 25, 2019, Pena Columna was involved in a shootout with several U.S. Customs and Border Protection Air and

Marine Interdiction Agents. That evening, Pena Columna drove co-defendants Rammer Guerrero Morales and Joan Morales Nolasco, as well as two other men, to Haulover Bay, a well-known drug smuggling area on the east end of St. John, with over \$1.1 million in cash to conduct a 100-kilogram cocaine transaction with traffickers from Tortola, BVI.

After arriving at the top of trail, Guerrero Morales and Morales Nolasco headed down towards the ocean. Guerrero Morales was armed with a 9mm handgun and Morales Nolasco was armed with an AR-15 long gun. After confirming that the trail was clear, Guerrero Morales and Morales Nolasco had planned to signal for the other co-conspirators waiting in Pena Columna's vehicle to bring the cash down the trail to complete the drug transaction while Pena Columna waited at the top of the trail in his vehicle.

Trial evidence further revealed that, while traveling down the trail, Guerrero Morales and Morales Nolasco encountered two federal agents who immediately announced themselves as police. Guerrero Morales fired his weapon, and a shootout erupted leaving one agent with gunshot wounds to his shoulder and leg. During the exchange of fire, Guerrero Morales was hit in his leg which was later amputated due to the severity of his injury. After the shootout, Morales Nolasco fled the scene and ultimately made his way to the Dominican Republic. He was later extradited back to the Territory for prosecution. Pena Columna and the two remaining co-conspirators also fled the scene, taking the \$1.1 million with them. When confronted by DEA agents, Pena Columna admitted that he had heard about the incident, but later admitted that he drove the men to the Cruz Bay area where they escaped. At trial, federal agents testified that Pena Columna was a paid informant who was not authorized to engage in any criminal activity without express prior approval from DEA and only under their supervision. Evidence at trial further revealed that, during the entire course of his agreement with DEA, Pena Columna operated his own large-scale cocaine trafficking organization with Nolasco Morales.

"Thanks to the great collaborative efforts of the various law enforcement agencies, this sentencing should send a strong message that Homeland Security Investigations and our law enforcement partners are committed to seeking, dismantling, and bringing to justice those who perpetrate drug trafficking and violent crime in the U.S. Virgin Islands" said Acting Special Agent in Charge-Rebecca Gonzalez-Ramos. "Individuals and organizations that attempt to circumvent our legal system must realize that Air and Marine Operations agents are steadfast in their determination to enforce US laws in our borders," stated Augusto Reyes, Director of Air and Marine Operations in Puerto Rico and the US Virgin Islands.

At sentencing, Judge Molloy noted that Pena Columna essentially had been working as a double agent, gathering and providing information to DEA on drug traffickers, while engaging in the same conduct behind law enforcement's back. Chief Judge Molloy further stated that although Columna Pena did not fire a weapon, under federal law, he is responsible for the foreseeable criminal conduct of his co-defendants, noting that the possibility of a shootout was certainly foreseeable in this case. Before imposing the sentence of 368 months, Judge Molloy stated that, among other factors, the sentence must reflect the "very serious" nature of the crimes Pena Columna committed.

The Federal Bureau of Investigation, Drug Enforcement Administration, Homeland Security Investigations, U.S. Customs and Border Protection Air and Marine Operations, and the Virgin Islands Police Department investigated the case.

This effort was part of an Organized Crime Drug Enforcement Task Forces (OCDETF) operation. OCDETF identifies, disrupts, and dismantles the highest-level criminal organizations that threaten the United States using a prosecutor-led, intelligence-driven, multi-agency approach. Additional

information about the OCDETF Program can be found at <https://www.justice.gov/OCDETF>.
Assistant United States Attorneys Meredith Edwards and Kyle Payne prosecuted this case.

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