



An Investigation into the Case of Jael Antonio Malagon Uscanga

In order to have a clear understanding of Jael Antonio Malagon Uscanga's case, one must consider the facts surrounding Isabel Miranda de Wallace, the person who accused him of kidnapping her son.

Isabel Miranda de Wallace rose from obscurity in 2005–2006 when she claimed that her 30 year-old son, Hugo Alberto Wallace, had been kidnapped on July 11, 2005. She basically built her fame and founded her grassroots organization, "Stop the Kidnapping" by making accusations against those individuals whom she believed—or feigned to believe—were responsible for abducting and killing her son. Using her advertising company's¹ billboards to display the faces of whoever she sought to present as kidnappers, she succeeded in having most of them detained, and later sentenced.

It is not our intention here to explain why the Wallace case and the story behind it—the story of a kidnapping that never took place and the creation of a fictitious criminal group² —are controversial and should be investigated by authorities. Nor is it our intention here to explain why we believe Hugo Alberto Wallace had planned his own kidnapping with his mother's help and let her take the lead in the end.

Our main concern here is the case of Jael Antonio Malagon Uscanga whom Isabel Miranda de Wallace personally accused of being one of the members of a fictitious kidnapping group she claimed was responsible for kidnapping her son³. Our interpretation of the facts as presented in the following pages, is based on a careful study of Jael Antonio Malagon Uscanga's files, as well as on further investigations regarding the activities of Isabel Miranda de Wallace.

¹ Showcase.

² The story was later converted into a more brutal account: the kidnapping led to murder and later the dismemberment of the victim's corpse.

³ It is worth mentioning that no scientific proof has ever been found to support the claim that Hugo Alberto Wallace was kidnapped. On the contrary, many pieces of evidence lead us to firmly believe that Isabel Miranda de Wallace's son was alive and in good health months after his alleged kidnapping and murder.

Jael Antonio Malagon Uscanga's detention

Jael Antonio Malagon Uscanga⁴ was arrested along with two of his friends, Anibal Ruiz and Victor Mendoza, on grounds of drug possession while driving in Mexico City's Polanco district on December 28, 2006⁵. At the time of his detention, no arrest warrant had been issued against him.

According to Uscanga's statement, police officers contacted Isabel Miranda de Wallace upon his arrest. When she arrived on the scene, she began giving the law enforcement agents instructions on what to do with the new detainees.

On January 8, 2007, eleven days following Uscanga's arrest, Isabel Miranda de Wallace posted his face on her billboards in and around Mexico City. Without any kind of substantial proof to support her claims, Wallace formally accused Uscanga during one of her press conferences and invited the Mexican public to testify against him.

Our opinion is that the sequence of events hides another sequence of events. First of all, it is rather improbable that Uscanga's involvement in the illegal activities of the kidnapping group supposedly led by Cesar Freyre Morales, the same group Wallace accused of being responsible for kidnapping and killing her son, would be discovered on the occasion of Uscanga's random detention owing to a commonplace police roadblock in the Polanco district. Over the course of our investigation, we have come to the conclusion that there is no dimension of luck or randomness in the Wallace case. For this reason, we believe that Wallace had previously planned to get Uscanga involved in the commission of illicit activities such as kidnappings and to have him accused of being a member of Morales' group of kidnappers.

We also believe that the main reason Wallace assumed or pretended to assume that Uscanga belonged to the kidnapping group that had allegedly kidnapped her son was the fact that Uscanga, along with his wife and under-aged son, appeared in a photograph that Wallace apparently found in Juana Hilda Lomeli's apartment.

Sequence of events and interpretation of facts

Juana Hilda Lomeli was the first person to be detained in February 2006 for her alleged participation in the kidnapping of Hugo Alberto Wallace. Her controversial confession—she

⁴ Section of "We support Jael Antonio Malagon Uscanga," Mexico for Florence Cassez: <https://mexicoporflorencecassez.wordpress.com/apoyamos-a-jael-antonio-malagon-uscanga/>

⁵ <http://www.jornada.unam.mx/2006/12/29/index.php?section=capital&article=031n3cap>

later stated that it had been made under physical and psychological torture—was soon used by Wallace’s mother to corroborate her version of the story: Hugo Alberto Wallace had been kidnapped on July 11, 2005 by a kidnapping group composed of Cesar Freyre Morales, Juana Hilda Lomeli, Jacobo Tagle Dobin, Brenda Quevedo Cruz, and the Castillo brothers.

Strangely enough, all the individuals accused of kidnapping Hugo Alberto Wallace appeared in a single photograph which was found among Juana Hilda Lomeli’s personal belongings in the apartment where the kidnapping and assassination of Hugo Alberto Wallace supposedly took place. Uscanga, along with his wife and under-aged son, also appeared in the very same photograph. In violation of the law, the photograph in question would be later published in a book by Martin Moreno entitled, *The Wallace Case*. Evidently, Moreno did not receive any kind of authorization from the people who were accused of the kidnapping to release the photograph. The photograph by no means proves the existence of any sort of criminal group. It simply depicts a group of friends posing in front of a church.

It must be noted that according to the official version of events as told in Moreno’s *The Wallace Case*, Isabel Miranda de Wallace began a personal investigation which ended less than 24-hours after the supposed disappearance of her son on July 11, 2005, and which led her directly to Juana Hilda’s apartment located on Perugino Street. It is highly improbable that a personal investigation on such short notice would have led Hugo Alberto Wallace’s family so quickly to the alleged crime scene, especially since there was no evidence (i.e. no phone call entry, no demand for ransom). Without no evidence, Isabel Miranda de Wallace could not have legitimately arrived at the conclusion that her son had been abducted. For this reason, we believe that the first group of people who were falsely accused: Jacobo Tagle Dobin, Cesar Freyre Morales, Juana Hilda Lomeli, Brenda Quevedo Cruz, and the Castillo brothers had been under investigation during the weeks or months prior to the supposed kidnapping. In other words, Isabel Miranda de Wallace and her accomplices had these people tracked down and followed as the future authors of a kidnapping and killing that never actually occurred. This interpretation would be a far better and more believable account as to why she and her family almost immediately rushed to Juana Hilda’s apartment on July 12th, rather than an improbable mother’s intuition guiding Isabel Miranda de Wallace to the crime scene.

Elsewhere, we will demonstrate the reasons why these people were chosen by Isabel Miranda de Wallace to play the part of her son’s abductors. For the time being, let us reasonably assume that the first person who was accused by Isabel Miranda de Wallace and who was the link between Hugo Alberto Wallace and all the other “members” was Hugo’s former friend, Jacobo Tagle Dobin. Involving Jacobo Tagle Dobin led Isabel Miranda to consider as his accomplices, Brenda Quevedo Cruz (Jacobo’s girlfriend at the time), Cesar Freyre Morales (Jacobo’s friend), Juana Hilda Lomeli (Cesar’s girlfriend), and the Castillo brothers (Brenda’s cousins and Cesar’s friends).

Next comes the discovery of the above-mentioned photograph after Juana Hilda's apartment was searched and mysteriously rented by a new tenant who never showed up. The other people in the photograph namely, Uscanga and his wife, were automatically integrated in the fictitious criminal group supposedly led by Jacobo Tagle Dobin and Cesar Freyre Morales.

In order to back up the hypothesis that Isabel Miranda de Wallace's son's disappearance was due to his abduction by a group of kidnappers as well as to give credence to the crime, Wallace had to create such a group in the first place including identifying each of its members. Why then were Uscanga and his wife (she was freed after 3 months of preventive incarceration) involved in the group? First of all, for incidental reasons: the photograph was found by accident at Juana Hilda Lomeli's place. Second of all, integrating Uscanga into the criminal group had a positive effect. In Isabel Miranda de Wallace's view, adding a new member to the group made it appear more dangerous and better organized than it formerly was. In short, involving Uscanga as one of the kidnappers was necessary after the photograph depicting the group was discovered, and a not-to-be-missed opportunity.



Thus, we do not believe Uscanga was a high priority target for Isabel Miranda de Wallace given that the story of her son's abduction had already been set up in December 2005 with all the

alleged kidnappers already chosen and their functions well established⁶.

Wallace did not specifically search for Uscanga. Contrary to the other “members” of the group whose faces she published prior to their detention, what happened in Uscanga’s case was the exact opposite. His integration into the fictitious group followed the discovery of the photograph. His face was posted on billboards shortly after his detention. In other words, Uscanga’s detention had not been specifically planned by Wallace and her accomplices, though it was not entirely unexpected, nor hoped for. The proof of this was the short amount of time (11 days) it took her to organize a press conference and to print new posters of Uscanga. Naturally, in order to make an accusation against Uscanga, a call for his victims’ testimonies had to be launched. The crime(s) had to be attributed to the “delinquent” in order to prove that he was a “delinquent.”



Figure 1: “Jael Antonio Malagón Uscanga. Presumed kidnapper. If you were a victim of this criminal, report him.”

In other words, they searched for evidence of the “crime” he committed after his public conviction for kidnapping, instead of basing the accusation on the discovery of an actual crime as required by law.

This is how Wallace violated the presumption of innocence principle and encouraged the public to denounce Uscanga. After his arrest and exposure in the media including the billboards belonging to Wallace, Uscanga was accused of his presumed involvement in the kidnapping of

⁶ By this time, the second version of Hugo Alberto Wallace’s kidnapping had been released.

three individuals: Julio Villegas Cravioto (kidnapped on December 8, 2005 and freed on January 14, 2006), Barbara Cindy Zurita Rojas and her young son (kidnapped on July 5, 2004 and freed on September 3, 2004) and Eduardo Antonio Contreras Chavez (kidnapped on February 6, 2005).

Although Isabel Miranda de Wallace and her accomplice Martin Moreno both advocate human rights on social networking websites and criticize how false accusations are made against innocent victims, what remains true is that each time Wallace is involved in a case, we are able to find tremendous inconsistencies, systematic human rights violations and contradictory testimonies with unreliable profiles.

After reviewing Jael Antonio Malagon Uscanga's files, we note tremendous inconsistencies and the fact that the accusations made against him were being awkwardly fabricated. Below are the preliminary conclusions in regards to the inconsistencies overshadowing Uscanga's case:

1 – Barbara Zuniga and Julio Villegas Cravioto: the tattoo

Barbara Zuniga and Julio Villegas Cravioto, the two victims who were both supposedly kidnapped in Jacobo Tagle Dobin's mother's house,⁷ speak about how the kidnapper who was nicknamed, "Hulk" (attributed to Uscanga) had a tattoo on his foot in the shape of a dragon. However, Uscanga does not have a tattoo anywhere on his body, as verified by *SIEDO* (Assistant Attorney General's Office for Special Investigations on Organized Crime) except for a very large scar in the shape of a "Z" on his forehead that none of the witnesses mentioned.

2 – Julio Villegas Cravioto's testimony: he does not recognise any of his kidnappers

Villegas does not physically recognize any of the accused kidnappers. When they are asked to speak so that he can recognize their voice, he does not recognize the voices of Cesar Freyre Morales and Uscanga.

3 – Julio Villegas Cravioto's testimony: the black shades and the eye patch

Villegas tells of how he was kidnapped: he speaks of a man who was wearing dark glasses at 8:30 p.m. while driving. He also says that the man was also wearing an eye patch on his left eye. Evidently, it is very difficult to drive at night especially whilst wearing an eye patch and dark glasses. Villegas points out that the kidnapper who was wearing the eye patch revealed his identity when he took off his dark shades. It is highly unlikely that a kidnapper would reveal his identity to his victim.

⁷ This is very far-fetched given the geographical position of the house. It should also be noted that Hugo Alberto Wallace was co-owner of the land on which the house was built.

4 – Julio Villegas Cravioto’s testimony: he does not recognize Uscanga

Villegas says he recognizes someone wearing an eye patch from a photo that he was shown. This man does not have a scar on his forehead and it is not Uscanga. He does not even have the same features as Uscanga.

5 – Julio Villegas Cravioto’s testimony: the time at which the kidnapping took place

In his declaration dated June 30, 2006, Julio Villegas Cravioto declares the following:

“...I was kidnapped on December 8, 2005 at approximately 8:25 p.m. when I was leaving my place of work on Pedro Benavides Street...in the district of Xochimilco.”

However, Uscanga who was admitted to the Mexican Red Cross Central Hospital on December 8, 2005, was discharged on December 6, 2005⁸ at 8:00 p.m., as recorded in the medical record (see Figure 2).

⁸ Situated on Av. Ejército Nacional No. 1032, Colonia Los Morales Polanco, Delegación Miguel Hidalgo.



HOSPITAL CENTRAL DE LA CRUZ ROJA MEXICANA



REGISTRO DE EVOLUCION

No. EXP. 04363

NOMBRE Jael Malagon Uscanga SEXO masculino EDAD 25 años
 SERVICIO Urgencias Cirugía Gra SALA Urgencias CAMA 2-B

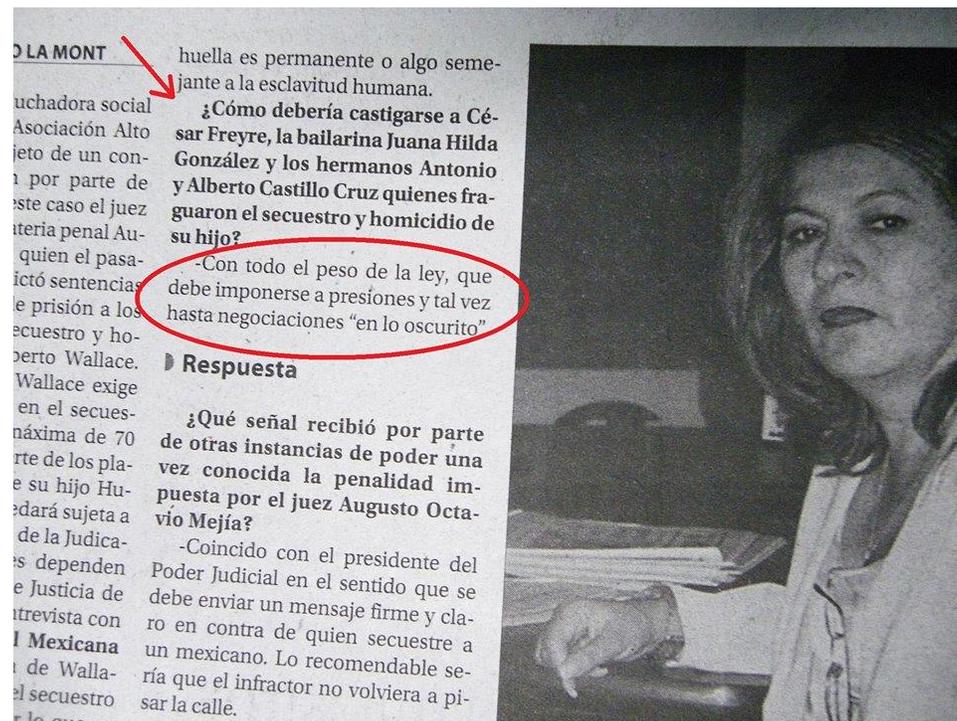
FECHA			HORA	NOTAS DE EVOLUCION	NOMBRE Y FIRMA DEL MEDICO
DIA	MESES	AÑO			
6	12	05	11:30	<p>Paciente masculino de 25 años de edad que acude a este servicio por medios propios con el antecedente de dias de evolucion de presentar dolor abdominal tipo colico localizado en mesogastrio e hipogastrio de intensidad 7, acompañado por evoluciones diareicas en numero de 6, al dia sin datos de sangrado con abundante moco, además de nauseas, razon por la que acude a este servicio para valoracion y tratamiento. a la exploracion fisica se encuentra paciente consciente, orientado con edad aparente igual a la cronologica, sin facies caracteristicas, craneo normovefalo sin endostosis ni exostosis, pupulas isocrocias mormoreflecticas, narinas permeables, cavidad orial sin compromiso, con discreta palidez de tegumentos, cuello tipo cilindrico sin alteraciones aparentes, torax tipo cilindrico con adecuados movimientos de amplexion y amplexacion, caradiopulmonar sin compromiso abdomen tipo blando-depresible sin visceramegalias, no encuentran flatos de injurgistacion yugular peristalsis presente y aumentada, extremidades integras sin anteraciones aparentes.</p> <p><i>x3 dias</i></p> <p>Se requiere intermamiento para vigilar evolucion. Se solicitan placas de abdomen, de pie y de cubito entrandose distencion de asas en colon transverso y desendente, laboratorio railes lev 13.00, hab 15.8, hct 36.</p>	
7	12	05	13:99	<p>Evolución de tratamiento. Flagy 1 cada 12 horas pro 7 días, Dolac 10 mg. 1 cap. c. 8 hrs. abundantes liquidos, reportar al area medica.</p>	
8	12	05	20:00	<p>PACIENTE QUE SE DA DE ALTA PARA CONTINUAR CON SU TRATAMIENTO MEDICO, EN SU DOMICILIO DANDO CITA ABIERTA EN EL SERVICIO DE URGENCIAS, SE LE INDICA CONTINUAR CON EL MEDICAMENTO POR EL TERMINO DE 7 DIAS.</p>	

Dr. Mejia RIL *[Signature]* → Dr. Vazquez *[Signature]*

Figure 2: Medical record

6 – Julio Villegas Cravioto: a possible meddling or threat on behalf of Isabel Miranda de Wallace

Villegas admits having had dinner with Isabel Miranda de Wallace, but he said he does not remember what they spoke about. Isabel Miranda de Wallace indicates in an interview that the fight for justice sometimes requires “negotiations in the dark.”



7 – Barbara Zuniga’s testimony: rape or a sexual relationship?

Barbara Zuniga says that, “*Amarillo* forced me to have sexual intercourse with him; vaginal intercourse.” The expression “vaginal intercourse” sounds too descriptive, technical, and even too medical to be true, especially coming from a rape victim. Furthermore, no medical examination was carried out in order to prove the allegations.

8 – Hessell’s room⁹

Uscanga was alone in Hessell’s room. Villegas confirms Uscanga’s statement, which is an

extension of the original submitted to the courts. Furthermore, Villegas does not remember if the person he saw in Hessel's room was wearing a patch on his left eye. He also said he had seen the person in Hessel's room for just a "fraction of a second". It is evident that the formal recognition procedure in Hessel's room does not meet the legal requirements established by lawé

9 – Violation of Article 20 of the Constitution of the United Mexican States regarding the Assumption of Innocence.

Article 20, Part B, Paragraph 1, states that the accused holds certain rights:

HE/SHE SHALL BE PRESUMED INNOCENT WHILST THEY ARE NOT SENTENCED BY THE JUDGE IN THE CASE.

Isabel Miranda de Wallace violated the assumption of innocence after declaring that Jael Antonio Malagon Uscanga was a kidnapper and publishing his identity on a series of billboards (property of her business, Showcase).

CONCLUSIONS

There is a possibility that Barbara Zuniga and Julio Villegas Cravioto's kidnapping was organized by members of the police (the police car, uniforms), and not by a gang whose leader was Cesar Freyre Morales as confirmed by Isabel Miranda de Wallace. The same also occurred in the case of Florence Cassez whereby people who proved to be false witnesses were instructed to falsely accuse her.

Based on a careful study of the declarations, there were clear indications that members of the police were involved during the transfer of the victims from one hideout to another at the end of November 2005.

We are perfectly aware of the kind of pressure Isabel Miranda de Wallace and senior officials were exerting on the court. As a human rights organization, we also firmly believe that Isabel Miranda de Wallace's precedence and largely usurped reputation as a human rights activist does not weigh in the balance in comparison to the absolute priority of human rights and due process. It is beyond any doubt that Jael Antonio Malagon Uscanga's culpability is the product of a will to create a criminal group that never existed.

We firmly encourage the court to review Jael Antonio Malagon Uscanga's case according to the standards of international law and the Mexican Constitution in order to give a resolution that corresponds to the facts and takes into account that one of Uscanga's fundamental rights, namely

the presumption of innocence, has been grossly violated before any testimony that might have been used against him.

As regards to Isabel Miranda de Wallace, she played a key part in the Cassez case. She was friendly with Eduardo Cuauhtemoc Margolis Sobol who was patron of the Polanco Jewish Community, firearms importer for the Mexican army, kidnapper, and kidnapping negotiator. He had connections with the federal police and their noted chiefs, Genaro Garcia Luna and Luis Cardenas Palomino. Eduardo Cuauhtemoc Margolis Sobol was involved in the Cassez case because he was the associate of Sebastien Cassez, Florence Cassez's brother.

We ask that Isabel Miranda de Wallace be investigated for alleged misinformation, fabricating witnesses, issuing threats, committing acts of torture and possible corruption through her advertising business, Showcase.

We ask that Jael Antonio Malagon Uscanga be entitled to a fair trial and kept safe from Isabel Miranda de Wallace's direct threats or insinuations. He should also be granted the right to be presumed innocent and that his fundamental human rights are guaranteed. In reference to the judicial process of Uscanga's case, Article 20 of the Mexican Constitution is still being violated and no action has been taken to stop Wallace.

Our organization will go to international bodies to denounce the inaction of the Mexican government at the expression of anti-democratic forces that have infiltrated organizations and institutions. We will not allow corrupt individuals like Isabel Miranda de Wallace to continue playing the victim and taking up free seats at the Ministry of the Interior headed by Osorio Chong. We will not allow her to continue insulting Mexico's highest court as this impedes the rule of law. Such individuals represent a great danger to any democracy.