

UNCLASSIFIED

ACTION OCS-01

RELEASED IN FULL

INFO LOG-00 CA-01 DS-00 UTED-00 H-00 TEDE-00 L-00
 PPT-01 TEST-00 DSCC-00 SAS-00 /003W
 -----CODCF2 130128Z /38

P 122020Z NOV 03
 FM AMCONSUL CIUDAD JUAREZ
 TO SECSTATE WASHDC PRIORITY 0534
 INFO AMCONSUL CIUDAD JUAREZ
 AMEMBASSY MEXICO PRIORITY

UNCLAS CIUDAD JUAREZ 012549

CA/OCS/ACS/WHA JANIE A. FRIEDLEIN; WHA/MEX ROBERTA JACOBSON

E.O. 12958: 12958: N/A
 TAGS: CASC, MX
 SUBJECT: EACT FW: MOTION FOR KIECKER'S RELEASE DENIED

REF: CIUDAD JUAREZ 12371 AND PREVIOUS

1. THE SECRETARY OF PROJECTS FROM THE COURT WHERE AMCIT CYNTHIA KIECKER'S TRIAL IS BEING HELD TOLD POST ON NOVEMBER 7 THAT THE MOTION FOR KIECKER'S CONDITIONAL RELEASE HAD BEEN DENIED. THE COURT DECIDED THAT THE DEFENSE'S ARGUMENTS WERE NOT APPLICABLE TO A MOTION FOR RELEASE. IN ADDITION, THE SECRETARY STATED THAT THE TYPE OF RELEASE SOUGHT BY KIECKER IS NOT AVAILABLE TO THOSE ACCUSED OF SERIOUS CRIMES. SHE DID MENTION THAT ALTHOUGH THE EVIDENCE PRESENTED IN THE MOTION MAY BE INDICATIONS OF KIECKER'S INNOCENCE, A DECISION BASED ON THAT EVIDENCE MUST BE MADE IN A FINAL COURT SENTENCE; SUCH A RULING ON THE EVIDENCE MAY NOT BE MADE IN CONJUNCTION WITH A MOTION FOR RELEASE ON BAIL.

2. KIECKER'S CASE IS CURRENTLY SCHEDULED TO BE RESOLVED BY JULY 2004, AND THE COURT ANTICIPATES THAT NO FINAL DECISION OR SENTENCE WILL BE MADE UNTIL THAT TIME. THERE ARE NO FUTHER HEARINGS ON THE COURT AGENDA, SO WE WILL MAINTAIN CONTACT WITH KIECKER AND HER LAWYER VIA PRISON VISITS. WE WILL CONTINUE TO FOLLOW THE CASE AND ADVISE OF ANY DEVELOPMENTS.

3. ACS CHIEF SPOKE WITH CAROL KIECKER, CYNTHIA KIECKER'S MOTHER, AND ADVISED HER OF THE COURT DECISION. MRS. KIECKER MENTIONED THAT SHE AND HER FAMILY WOULD RETURN TO THEIR CONGRESSIONAL REPRESENTATIVES AND REQUEST THAT THEY PRESS THE DEPARTMENT TO RAISE HER DAUGHTER'S CASE WITH MEXICAN AUTHORITIES AT THE HIGHEST POSSIBLE LEVELS. WITHIN SEVERAL HOURS, POST HAD BEEN CONTACTED BY TWO CONGRESSIONAL OFFICES, AND WE EXPECT THAT WE WILL CONTINUE TO RECEIVE INQUIRIES ON THE CASE.

UNCLASSIFIED

UNCLASSIFIED

PARKER

NNNN

UNCLASSIFIED