

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-mj-03741-Becerra

UNITED STATES OF AMERICA

v.

RAY BALUCHI,  
a/k/a "REZA RAY BALUCHI,"

Defendant.

\_\_\_\_\_ /

**CRIMINAL COVER SHEET**

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek M. Maynard)? **No**
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? **No**
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? **No**

Respectfully submitted,

MARKENZY LAPOINTE  
UNITED STATES ATTORNEY

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UNITED STATES DISTRICT COURT

for the

SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA )

v. )

RAY BALUCHI, )  
A/K/A "REZA RAY BALUCHI," )

Defendant(s) )

Case No. 23-mj-03741-Becerra

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

Beginning on an unknown date and continuing through on or about August 29, 2023, upon the high seas outside the jurisdiction any particular state or district, in international waters, while on board a vessel subject to the jurisdiction of the United States, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 2237(a)(2)(A)

Obstruction of a Boarding

46 U.S.C. § 70036(b)(1)

Violation of a Captain of the Port Order

Th complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet.

*Michael A. Perez*

Complainant's signature

Michael A. Perez, Special Agent, CGIS

Printed name and title

Attested to by the Affiant in accordance with the requirements of Fed.R.Crim.P. 4.1 by Telephone.

Date: September 1, 2023

*Jacqueline Becerra*

Judge's signature

City and state: Miami, Florida

Jacqueline Becerra, United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Michael A. Perez, being duly sworn, do hereby depose and state the following:

**INTRODUCTION**

1. I am a Special Agent with the Coast Guard Investigative Service (“CGIS”), and have been so employed since March 2016. I am currently assigned to the CGIS Office in Key West, Florida. I am an investigative or law enforcement officer of the United States within the meaning of Title 18 of the United States Code who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in the United States Code. As part of my duties, I investigate crimes involving failure to heave/obstruction of boarding, drug smuggling, alien smuggling, and illegal charters. While employed by CGIS, I have attended a 12-week course at the Federal Law Enforcement Training Center (“FLETC”) in Brunswick, Georgia. In my course of employment for CGIS, I have conducted numerous failure to heave/obstruction of boarding investigations (to include searches, seizures, and arrests). I have monitored and debriefed confidential sources, sources of information, and interviewed persons charged with and convicted of felony offenses. I have spoken to individuals who have been involved in failure to heave/obstruction of boarding, drug smuggling, alien smuggling, and illegal charters. I have learned from those individuals the techniques commonly used by those involved in these activities.

2. This Affidavit is submitted in support of a criminal complaint charging **Ray Baluchi, a/k/a “Reza Ray Baluchi” (“BALUCHI”)** with Obstruction of a Boarding, in violation of Title 18, United States Code, Section 2237(a)(2)(A), and Violation of a Captain of the Port Order, in violation of Title 46, United States Code, Section 70036(b)(1).

3. The statements contained in this Affidavit are based on my personal knowledge, as well as information provided to me by other law enforcement officials and witnesses involved in

this investigation. I have not included in this Affidavit each and every fact known to me. Rather, I have included only the facts that are sufficient to establish probable cause for the issuance of a criminal complaint against BALUCHI for the above-described criminal violation.

**PROBABLE CAUSE**

***United States Coast Guard Encounters BALUCHI on a Homemade Vessel***

4. On August 26, 2023, the U.S. Coast Guard (“USCG”) Cutter VALIANT was transiting in the Atlantic Ocean preparing for Hurricane Franklin when they spotted a homemade Hydro Pod vessel (“the Vessel”), subject to United States jurisdiction, approximately 70 nautical miles east of Tybee Island, Georgia. The Vessel was occupied with one male passenger, later identified as BALUCHI. Upon arriving at the Vessel, USCG officers asked standard boarding questions, to include requesting the registration of the Vessel. BALUCHI informed the USCG officers that he had a Florida registration on board his Vessel, but he was unable to locate it. He also advised USCG officers his intended destination was London, England. Based on the condition of the Vessel—which was afloat as a result of wiring and buoys—USCG officers determined BALUCHI was conducting a manifestly unsafe voyage.

5. USCG officers then approached BALUCHI and the Vessel in a USCG small boat. USCG officers informed BALUCHI that he needed to disembark the Vessel onto their small boat since they were terminating his voyage due to it being manifestly unsafe. BALUCHI replied that he was armed with a 12-inch knife and would attempt to commit suicide should the USCG officers attempt to remove him from the Vessel. The USCG officers then returned to the USCG Cutter VALIANT, which remained on scene.

6. On or about August 27, 2023, the USCG Cutter VALIANT continued to make efforts to disembark BALUCHI utilizing their small boat. However, BALUCHI displayed two

knives and threatened to hurt himself if officers boarded the Vessel. Moreover, BALUCHI threatened to blow himself up, along with the Vessel. USCG officers believed this to be a valid threat, as they observed BALUCHI holding wires in his hand. USCG officers contacted the U.S. Navy Explosive Ordinance Disposal Unit at Kings Bay, Georgia to determine blast and fragmentation radius of the alleged bomb.

7. On or about August 28, 2023, the USCG Cutter CAMPBELL arrived on scene with the USCG Cutter VALIANT to provide support. The USCG Cutter CAMPBELL launched a small boat to attempt to deliver food, water, and predictions of the incoming hurricane to BALUCHI. USCG officers again ordered BALUCHI off the Vessel, but he again refused. It was then that BALUCHI informed the USCG officers that the bomb was not real.

8. On or about August 29, 2023, the USCG Cutter CAMPBELL again launched a small boat with USCG officers to attempt to remove BALUCHI from the Vessel. On this occasion, USCG officers were able to safely disembark BALUCHI from the Vessel.

9. On or about September 1, 2023, USCG officers brought BALUCHI ashore at the USCG Base in Miami Beach, Florida, in the Southern District of Florida.

***BALUCHI's Prior Encounters with the USCG***

10. Prior to this incident, BALUCHI has attempted voyages in a similar homemade vessel in 2014, 2016, and 2021, all of which resulted in USCG intervention.

11. On August 17, 2015, BALUCHI was served a Captain of the Port Order from the Commander for the Coast Guard's Seventh District, which includes the territories of Florida, Georgia, and South Carolina This order applied to any subsequent voyages launched by BALUCHI on board a Hydro Pod vessel—to include the type of vessel BALUCHI was operating on August 26, 2023—within the Coast Guard's Seventh District. The order advised BALUCHI that his prior

vessel was found to be a manifestly unsafe vessel within the meaning of Title 46 of the United States Code, and Title 33 of the Code of Federal Regulations, and outlined a series of requirements to safely transit in such a vessel. These requirements included clearing future voyages on such Hydro Pod vessels through the cognizant Coast Guard Officer in Charge of Marine Inspections, and employing a support vessel. BALUCHI failed to comply with this order and was interdicted in another homemade vessel in 2016.

█ [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[SPACE INTENTIONALLY LEFT BLANK]

13. Based on the foregoing facts, your affiant respectfully submits that there is probable cause to believe that BALUCHI has violated Title 18, United States Code, Section 2237(a)(2)(A) (Obstruction of Boarding), and Title 46, United States Code, Section 70036(b)(1) (Violation of the Captain of the Port Order).

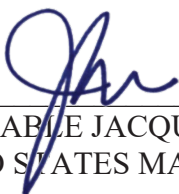
FURTHER AFFIANT SAYETH NAUGHT.

*Michael A. Perez*

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MICHAEL A. PEREZ  
SPECIAL AGENT  
COAST GUARD INVESTIGATIVE SERVICE

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1  
by Telephone this 1st day of September 2023.



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HONORABLE JACQUELINE BECERRA  
UNITED STATES MAGISTRATE JUDGE