

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

OSCAR LOPEZ,
also known as EDDIE MORALES SANDOVAL

CRIMINAL COMPLAINT

CASE NUMBER: MJ 02-00032-LPC

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about November 26, 2001 in Middlesex county, in the District of Massachusetts defendant ☒ did, (Track Statutory Language of Offense) move and travel in interstate and foreign commerce with intent to avoid prosecution for a crime which is a felony under the laws of Massachusetts, to wit, murder,

in violation of Title 18 United States Code, Section ☒ 1073.

I further state that I am a ☒ Special Agent, FBI and that this complaint is based on the following facts:
Official Title

See Affidavit of Charles Kelly, submitted herewith.

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ No

Charles P. Kelly
Charles P. Kelly, Special Agent, FBI

Signature of Complainant

Sworn to before me and subscribed in my presence,

Lawrence P. Cohen February 5, 2002 at
Date

Boston, Massachusetts

City and State

Lawrence P. Cohen, U.S. Magistrate Judge

Name & Title of Judicial Officer

Lawrence P. Cohen
Signature of Judicial Officer

AFFIDAVIT

I, Charles P. Kelly do hereby depose and state as follows:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) and am currently assigned to the Violent Fugitive Task Force of the Boston Field Division.

2. The Middlesex District Attorney's Office has requested the assistance of the FBI in locating and apprehending OSCAR LOPEZ, also known as EDDIE MORALES SANDOVAL ("LOPEZ"). A copy of a memorandum dated January 30, 2002, from Peter J. Sennott, Trooper, Massachusetts State Police (MSP), to me is attached hereto as Exhibit A. The facts stated herein are based on information contained therein, facts communicated to me by the Middlesex District Attorney's Office, and court records.

3. LOPEZ is wanted on a warrant issued by the Waltham District Court in connection with Criminal Complaint No. 0151CR002743. A copy of the complaint is attached hereto as Exhibit B. As set forth in the complaint, LOPEZ is charged with murder, in violation of Mass. Gen. Laws, ch. 265, § 1, which is a felony punishable by a maximum penalty of life imprisonment.


4. According to the MSP, LOPEZ is accused of murdering his common law wife on November 26, 2001, in Waltham, Massachusetts. He was last seen in Waltham late in the evening of that date. Sources in the Guatemalan community have reported to the MSP that LOPEZ fled to Guatemala. A relative stated that he saw LOPEZ at

the victim's funeral, which was held in Guatemala. According to a communication from MSP to Interpol, LOPEZ is a Guatemalan citizen. An inquiry to the U.S. Border Control, Immigration and Naturalization Service indicates that MORALES-SANDOVAL was born in Escuintla, Guatemala.

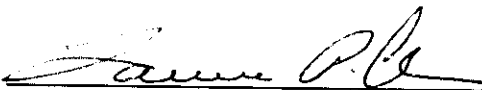
5. The Middlesex District Attorney's office has stated that it will take steps to extradite or rendite LOPEZ if he is apprehended outside of the Commonwealth of Massachusetts.

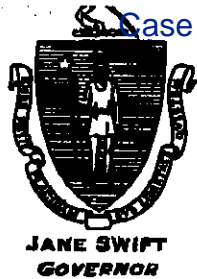
6. Based on the foregoing, I have probable cause to believe that OSCAR LOPEZ, also known as EDDIE MORALES SANDOVAL, has moved and traveled in interstate and foreign commerce with intent to avoid prosecution under the laws of Massachusetts for the crime of murder.

I hereby certify that the foregoing is true and correct.
Executed at Boston, Massachusetts this 2nd day of February,
2002.


CHARLES P. KELLY
Special Agent, Federal
Bureau of Investigation

Subscribed and sworn to before me this 3rd day of February,
2002.


LAWRENCE P. COHEN
U.S. Magistrate Judge



JANE SWIFT
GOVERNOR

JAMES P. JAJUGA
SECRETARY

COLONEL THOMAS J. FOLEY
SUPERINTENDENT

The Commonwealth of Massachusetts

Department of State Police

January 30, 2002
Cambridge Massachusetts
2002-110-0267

TO: SPECIAL AGENT CHARLES KELLEY
FEDERAL BUREAU OF INVESTIGATION
BOSTON, MASSACHUSETTS

FROM: PETER J. SENNOTT, TROOPER
MIDDLESEX DISTRICT ATTORNEY'S OFFICE
MASSACHUSETTS STATE POLICE

SUBJECT: HOMICIDE OF ROSA ALARCON

1. Enclosed are documents, photographs, and fingerprints of OSCAR LOPEZ, DOB 11-23-74. LOPEZ is also known as EDDIE MORALES SANDOVAL, and a combination of several other names.

LOPEZ is wanted for the murder of his girl friend (common law wife) ROSA ALARCON, in Waltham, Massachusetts on November 26, 2001. Waltham Police discovered Alarcon's body inside Lopez's apartment on November 27, 2001. She had been stabbed multiple times, and the knife left in her throat.

LOPEZ was last seen in Waltham, Massachusetts in the late evening hours on November 26, 2001. He had his hair cut just prior to this sighting.

2. The local Guatemalan community in Waltham has indicated to authorities that LOPEZ fled back to Guatemala. They also indicated that LOPEZ had relatives in Florida. LOPEZ was subsequently identified as "EDDIE MORALES SANDOVAL", by community members and then his mother.

Alarcon's body was returned to Guatemala for burial. During services, an uncle stated that he saw LOPEZ at the cemetery in a dark colored motor vehicle. Possible local addresses and names are contained in the enclosed documents.

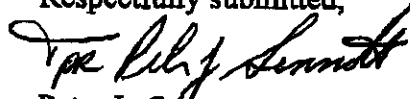
3. This office has contacted INTERPOL for assistance. The case number is 20011215866/LAB. The case officer is Larry Ball.

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4. Any assistance you can provide would be appreciated. This officer can be reached at the following numbers

OFFICE	617-679-6600
PAGER	617-339-9889
CELL	617-908-9774

Respectfully submitted,



Peter J. Sennott

Trooper

Massachusetts State Police

CRIMINAL COMPLAINT 0151CR002743

Trial Court of Massachusetts
Waltham District Court

TO ANY JUSTICE OR CLERK-MAGISTRATE
OF THE WALTHAM DISTRICT COURT

DEFENDANT
MORALES SANDOVAL, EDDIE
LKA 703 MOODY ST.
APT. 5
WALTHAM, MA 02154

(AKA Exists)

Oscar Lopez

DATE OF BIRTH	SEX	RACE	HEIGHT	WEIGHT	EYES	HAIR
11/23/1974	M	W	5'08"	145	BRO	BLK

INCIDENT REPORT #	SOCIAL SECURITY #
1040512	- -

DATE OF OFFENSE	PLACE OF OFFENSE
11/27/2001	WALTHAM

COMPLAINANT	POLICE DEPARTMENT
FOURNIER, STEVEN	WALTHAM PD

DATE OF COMPLAINT	RETURN DATE AND TIME
12/07/2001	WARRANT

COUNT-OFFENSE
1. 265/1 MURDER c265 §1

on 11/27/2001 did assault and beat ROSA ALARCON LIMA, with intent to murder such person, and by such assault and beating did kill and murder such person, in violation of G.L. c.265, §1. (NO DISTRICT COURT FINAL JURISDICTION IN ADULT SESSION; must submit a DNA sample within 90 days of conviction pursuant to G.L. c.22E, §3.)

COUNT-OFFENSE

COUNT-OFFENSE

COUNT-OFFENSE

COMPLAINANT X <i>[Signature]</i>	SWORN TO BEFORE CLERK-MAGISTRATE X <i>[Signature]</i>	ON (DATE) <i>12-7-01</i>	TOTAL COUN 1
FIRST JUSTICE Hon. GREGORY FLYNN		COURT ADDRESS Waltham District Court 38 Linden Street Waltham, MA 02154	
A TRUE CLERK-MAGISTRATE/ASST. CLERK COPY <i>Y</i>		ON (DATE)	

JS 45 (1/96) (Revised U.S.D.C. MA 8/27/96)

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense _____ Category No. II Investigating Agency FBI

City Waltham Related Case Information:

County Middlesex Superseding Indictment _____ Docket No. _____

Original Defendant _____ New Defendant _____

Magistrate Judge Case Number _____

Search Warrant Case Number _____

R 20/ R 40 from District of _____

Defendant Information:

Defendant Name Oscar Lopez Juvenile: _____ Yes X No

Alias Name Eddie Morales Sandoval

Address last known: 703 Moody Street, # 5, Waltham, MA 02154Birthdate 11/23/74 SS # _____ Sex _____ Race _____ Nationality Guatemalan

Defense Counsel if known: _____

Address: _____

U.S. Attorney Information: Jeanne M. Kempthorne Phone No. (617) 748-3144Address: _____ Bar No. 267410 Interpreter: _____ No ☐ Yes ☐List Language and/or dialect: _____ Matter to be SEALED: No ☐ Yes ☒

☒ Warrant Requested ☐ Regular Process ☐ In Custody

Arrest Date _____

☐ In Federal Custody as of _____ in _____☐ In State Custody at _____

☐ Serving Sentence ☐ Awaiting Trial ☐ On Pretrial Release

Offenses Charged: ☐ Complaint ☐ Information ☐ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 1Date: 2/5/02 Signature of AUSA: Jeanne M. Kempthorne

Continue on Page 2 for Entry of U.S.C. Citations