

Prosecutors oppose defense sharing evidence with co-defendants at large

United States v. Maduro Moros et al. · S.D.N.Y. No. 1:11-cr-00205

Judge Alvin K. Hellerstein · Docket entry #300 · Filed 2026-04-01 · Filed by: Government

What happened

Prosecutors asked Judge Hellerstein to approve their proposed protective order, the rules on how evidence they hand over may be used, and to reject the defense version. The defense had argued that four unapprehended co-defendants, including Diosdado Cabello, are potential witnesses. As a fallback, the government agreed the defense could share material with one of them only if the court grants a Rule 15 deposition of that person, and only as needed for that deposition.

What it means

The dispute is whether lawyers for Maduro and Cilia Flores may show the evidence to co-defendants who are outside the United States. The government argues this would create risks to witnesses, evidence and ongoing investigations. It adds that its proposal does not stop the defense from interviewing those co-defendants, as long as the material is not shared with them.

What happens next

The judge must choose between the proposals; the letter gives no date for a decision.

Key passages from the filing (verbatim)

"The defendants argue that the four unapprehended defendants in this case—Diosdado Cabello Rondón, Ramón Rodríguez Chacín, Nicolás Ernesto Maduro Guerra, and Hector Rusthenford Guerrero Flores (the "Co-Defendants")—are potential witnesses even if they never appear before this Court"

Page 1 — Summarizes the defense position and names the co-defendants at issue.

"Absent the protections proposed by the Government, there is an intolerable risk that the disclosure of sensitive information relating to this prosecution would be used by individuals who have a powerful motive to harm witnesses, corruptly render them unavailable, or otherwise undermine the integrity of this case."

Page 2 — This is the government's core argument for restricting access.

"Moreover, the Government's proposed protective order places no limitation on the defense's ability to interview the Co-Defendants, provided that the defense does not share Disclosure Material with them."

Page 2 — The government clarifies the defense may still interview those co-defendants.

Docket text (official, in English)

LETTER RESPONSE in Support of Motion by USA as to Nicolas Maduro Moros, Cilia Adela Flores De Maduro addressed to Judge Alvin K. Hellerstein from USA dated April 1, 2026 re: 299 LETTER MOTION addressed to Judge Alvin K. Hellerstein from Barry J. Pollack dated March 30, 2026 re: 296 LETTER MOTION addressed to Judge Alvin K. Hellerstein re: Protective Order . re: Entry of Government's Proposed Pr, 296 LETTER MOTION addressed to Judge Alvin K. Hellerstein re: Protective Order .. (Attachments: # 1 Exhibit A - Proposed Protective Order)(Ross, Henry) (Entered: 04/01/2026)

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