

**FEDERAL GRAND JURY INDICTS GUIMARÃES FAMILY FOR ABDUCTION OF
NICO BRANN**

Federal Arrest Warrant Issued for Child's Mother Marcelle Guimarães

Houston – Late yesterday, a Federal Grand Jury issued indictments for international parental child abduction and conspiracy against Marcelle Guimarães, the mother of Nico Brann, and her parents Carlos and Jemima Guimarães. See the press release from the U.S. Attorney's Office for the Southern District of Texas below. An arrest warrant was also issued for Marcelle Guimarães because she remains at-large. Each face up to eight years imprisonment if convicted.

In the U.S. legal system, a grand jury is a group of citizens commissioned by the U.S. government to hear evidence presented by a Federal Prosecutor to determine whether or not specific people should be charged with Federal crimes. Grand juries meet secretly and return indictments if there is probable cause (reasonable grounds) to believe crimes have been committed. Previously, the Guimarães family had been the subject of a criminal complaint, which is a arrest warrant issued by a judge on the basis of probable cause that a crime may have been committed. It was that criminal complaint, which served as the basis for the arrest of Carlos and Jemima Guimarães on February 7, 2018 in Miami, Florida.

The indictments show that all three have now been formally charged with having allegedly committed crimes and that the United States intends to proceed to prosecute them.

Carlos and Jemima Guimarães, who remain in Federal detention, will be transported to Houston, Texas, in the coming days by the U.S. Marshals Service to appear before **U.S. Magistrate Judge Dena Hanovice Palermo** on **Monday February 26, 2018, at 10 am**. This will be what is referred to as a "counsel determination hearing." It is a **very brief hearing** where counsel for Mr. and Mrs. Guimarães will formally enter an appearance on their behalf and when their next appearance will be scheduled, which must be within three days of this initial appearance.

The "detention hearing" is expected to take place on February 27-28th or March 1st at the latest. We will send out the date and time as soon as it is scheduled by Judge Hanovice Palermo. At that substantive hearing, Assistant U.S. Attorney Sherri Zack will present FBI Agent Christopher Petrowski as a witness to discuss the background on the case and his assessment of both the flight risk and danger to the community posed by Mr. and Mrs. Guimarães if they were to be released on bail.

In response to the indictments, Jared Genser counsel to Nico Brann's father Christopher Brann, said:

“All Chris Brann has ever wanted is for his son Nico to have equal time with his two loving parents. Chris was forced to complain to the FBI about the abduction because for some five years the Guimarães only allowed him to spend less than two percent of the year with his son, despite 10 independent assessments in the U.S. and Brazil that he is an excellent father. Both the

Governments of Brazil and the United States have said international law requires Nico to be returned to the United States. I urge the Guimarães family to send Nico back to Houston. If they act rapidly, Chris will do everything possible to urge leniency by Federal prosecutors and the Federal judge hearing this case.”

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From: USATXS-Public Affairs Atty <USATXS.ATTY@usdoj.gov>

Date: February 22, 2018 at 1:02:16 PM CST

To: Undisclosed recipients;

Subject: UPDATED... USAO News Release: Brazilian Couple Arrested for International Kidnapping of a Child

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A federal grand jury returned a two-count indictment against all three defendants on Feb. 21.

They are set for a counsel determination hearing Feb. 26, 2018, at 10:00 a.m. before U.S. Magistrate Judge Dena Hanovice Palermo in Houston federal court.

They are charged with conspiracy to commit international parental kidnapping and international parental kidnapping

If convicted, each faces up to five years in federal prison for the conspiracy as well as a maximum of three years if convicted of the kidnapping charge.

An indictment is a formal accusation of criminal conduct, not evidence.

A defendant is presumed innocent unless convicted through due process of law.