

UNITED STATES DISTRICT COURT

FILED
CHARLOTTE, N.C.

NOV 3 2008

U.S. DISTRICT COURT
W. DIST. OF N.C.

Western

DISTRICT OF

North Carolina

UNITED STATES OF AMERICA
V.
MARIA ESTHER CASTILLO

CRIMINAL COMPLAINT

Case Number: 3:08MJ228

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 11/01/2008 in Mecklenburg County, in the Western District of North Carolina defendant(s) did,

(Track Statutory Language of Offense)

within the special aircraft jurisdiction of the United States, assaulted and interfered with the performance and the duties of the flight crew and lessened their ability to perform their duties aboard United Airlines flight 645.

in violation of Title 49 United States Code, Section(s) 46504

I further state that I am a(n) Special Agent with the FBI and that this complaint is based on the following facts:
Official Title

See Attached Affidavit

Continued on the attached sheet and made a part of this complaint: Yes No

Peter D. Carricato

Signature of Complainant

Peter D. Carricato

Printed Name of Complainant

Sworn to before me and signed in my presence,

November 3, 2008

Date

at

Charlotte, North Carolina

City and State

Carl Horn, III

Signature of Judge

U.S. Magistrate Judge

Name and Title of Judge

1
2 WESTERN DISTRICT OF NORTH CAROLINA
3

4 AFFIDAVIT

5 Your Affiant, Peter D. Carricato, Special Agent,
6 Federal Bureau of Investigation, being duly sworn, states the
7 following.
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9 1. I am a Special Agent of the Federal Bureau of
10 Investigation (FBI), Charlotte, North Carolina. I am
11 assigned to investigate bank robberies, bank larcenies, bank
12 burglaries, and federal airport incidents. Your Affiant has
13 been employed as a Special Agent of the FBI since September
14 2008. I have received extensive training in investigations
15 as a new agent trainee at the FBI Academy in Quantico,
16 Virginia. Prior to employment with the FBI, your Affiant was
17 employed for over 8 years as an information systems developer
18 for UBS Financial Services. I make this Affidavit based on
19 the information and evidence gathered from other law
20 enforcement personnel and my own investigation and knowledge.

21 2. On November 1, 2008, aboard United Airlines
22 Flight 645 flying from San Juan Puerto Rico to Chicago O'Hare
23 Airport, passenger Maria Esther Castillo struck a female
24 flight crew member on the buttocks with her back hand, pulled
25 the hair of a blind passenger, and refused to listen to the
26 many warnings (made in both Spanish and English) provided by
27 the flight crew. This behavior continued intermittently with
28 short periods of calm followed by loud outbursts. Due to

1 Castillo's actions she lessened the flight crew's ability to
2 perform their duties. This is in violation of Title 49
3 Section 46504 (Interference with flight crew members and
4 attendants).

5 3. Approximately 90 minutes into flight 645,
6 Castillo started becoming very loud and disruptive. She
7 began using profanity and invading the personal space of
8 other passengers by touching and jabbing them. The passenger
9 across the aisle reported she had been called a "bitch" and
10 was hit in the arm despite her attempt to ignore Castillo.
11 Castillo was told by the flight crew she could not touch
12 other passengers and she responded by laughing. A passenger
13 told the flight crew they had seen her having drinks at the
14 airport bar in Puerto Rico before the flight. Castillo was
15 served one alcoholic drink aboard the flight. Castillo
16 requested another drink, but based on her behavior, the
17 flight crew denied her request.

18 4. The captain was notified about the situation
19 when the flight crew denied her another alcoholic beverage.
20 At that time he requested to be kept informed of the
21 situation, but no decision to divert was made. He requested
22 all passengers remain seated and use the call button to get
23 the attention of a flight attendant before making any
24 movements. The flight crew was concerned for the safety of
25 the other passengers and were forced to monitor Castillo's
26 actions rather than perform their other duties.

27 5. Castillo continued to escalate her behavior.
28 Castillo started throwing items, including a damp cloth.

1 Castillo struck a flight attendant on the buttocks with her
2 back hand for which she received a stern warning about the
3 trouble she could be in for doing that. At one point another
4 flight crew member reached to get a magazine in the seat next
5 to Castillo and Castillo grabbed his arms, pushed them away,
6 and said "get the fuck away".

7 6. Castillo stood up during the flight and fell
8 over the seat in front of her and landed on the head of a
9 blind passenger. She later started pulling the hair of this
10 passenger. The passengers sitting around Castillo were moved
11 to other seats. At this point the flight crew made the
12 decision to restrain Castillo. The flight crew with the help
13 of two passengers, one of which was a United employee,
14 participated in this effort. The initial attempt with ankle
15 cuffs did not work because they were too big for her wrists
16 and could not contain her. They were forced to duck tape
17 Castillo to her seat. Castillo strongly resisted the entire
18 time.

19 7. Following another outburst by Castillo after
20 being restrained, the captain made the decision to divert to
21 Charlotte Douglass International Airport (CLT). It was only
22 after the captain publicly announced to the passengers that
23 they would be temporarily diverting to CLT to remove a
24 disruptive passenger, that Castillo's attitude improved.


25 8. Upon landing at CLT, the plane was boarded by
26 members of the CLT Airport Police who found Castillo
27 restrained to her seat. As officers attempted to take
28 custody of Castillo, she once again became disruptive and was

1 charged with resisting a public officer.

2 9. Based on the above facts, the affiant believes
3 that probable cause exists that Maria Esther Castillo
4 interfered with the duties of the flight crew and it's
5 members aboard United Flight 645 flying from San Juan Puerto
6 Rico to Chicago O'Hare Airport on 11/01/2008. This is in
7 violation of U.S. Code Title 49 Section 46504.

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Peter D. Carricato
Special Agent
Federal Bureau of Investigation

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12 Subscribed and sworn to before me this 3rd day of November,
13 2008.

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U.S. Magistrate

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