

IN THE CIRCUIT COURT OF THE  
ELEVENTH JUDICIAL CIRCUIT IN  
AND FOR MIAMI-DADE COUNTY,  
FLORIDA

**ALVARO URIBE VELEZ,**  
an individual,

Case Number:

*Plaintiff,*

vs.

Civil Division

**SALVATORE MANCUSO GÓMEZ,**  
an individual,

*Defendant.*

**COMPLAINT and DEMAND FOR JURY TRIAL**

Not Official Court Document

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Plaintiff, **ALVARO URIBE VELEZ**, an individual, (“**URIBE**” of Plaintiff), by and through his undersigned counsel, hereby files this Complaint against Defendant, **SALVATORE MANCUSO GOMEZ**, an individual, (“**MANCUSO**” or Defendant) for his defamatory statements and for damages caused to Plaintiff.

## INTRODUCTION

1. This is a civil action for defamation based on statements made by Defendant stating and/or implying that Plaintiff has engaged in illegal activities, including, but not limited to, murder, corruption, and obstruction of justice.
2. The Plaintiff is a Colombian citizen and a former two-term president of Colombia where he served as President from 2002 through 2010.
3. The Defendant, **MANCUSO**, is a Colombian citizen and convicted felon currently detained in US federal custody in Lumpkin, Georgia.
4. In 2008 **MANCUSO** was extradited along with other paramilitary leaders from Colombia to the United States,<sup>1</sup> where he was tried and sentenced to nearly sixteen (16) years in prison for drug trafficking and other crimes.<sup>2</sup>
5. In an attempt to earn leniency and avoid further legal proceedings in Colombia, **MANCUSO** has openly and publicly admitted to thousands of various crimes, including drug trafficking and homicide.<sup>3</sup>

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<sup>1</sup> On April 15, 2020, the Colombian *Attorney General's Office* and the *Ministry of Justice* announced the formal request to the Government of the United States for **MANCUSO**'s extradition at the request of the Colombian *Justice and Peace* judicial authorities. The extradition request was made by the competent Colombian judicial authority and sent to the Government of the United States through the required diplomatic channels.

<sup>2</sup> See attached Exhibit “A”. “Office of Public Affairs | Colombian Paramilitary Leader Sentenced to More than 15 Years in Prison for International Drug Trafficking | United States Department of Justice.” *Www.justice.gov*, 30 June 2015, [www.justice.gov/opa/pr/colombian-paramilitary-leader-sentenced-more-15-years-prison-international-drug-trafficking](http://www.justice.gov/opa/pr/colombian-paramilitary-leader-sentenced-more-15-years-prison-international-drug-trafficking). Accessed 7 Jan. 2024.

<sup>3</sup> Mancuso was the first chief of the *Autodefensas Unidas de Colombia* (AUC) to confess to crimes after his demobilization in 2005. As part of a reduced sentence plea in 2006 he admitted to 87 criminal acts, causing the deaths

6. On June 30, 2015, **MANCUSO** was sentenced to 190 months in federal prison for his role as a senior paramilitary leader and one of Colombia's most notorious drug traffickers and for leading an international drug trafficking conspiracy that imported into the United States ton-quantities of cocaine.
7. At his sentencing US District Judge Huvelle was quoted as saying that "[w]e are talking about more than the export of more than 50 tons of cocaine and one of the largest cartels in the world." Notwithstanding, it is reported that Mancuso's co-operation with US authorities earned him a 35% reduction on his sentence.<sup>4</sup>
8. Between May 11<sup>th</sup> and 16<sup>th</sup>, 2023, and again on or about November 17<sup>th</sup>, 2023, **MANCUSO**, a former commander of the United Self-Defense Forces of Colombia (*Autodefensas Unidas de Colombia* hereinafter referred to as "AUC"), made defamatory statements against Plaintiff via video link before a session of the *Special Jurisdiction for Peace* (*Jurisdicción Especial para la Paz*, hereinafter referred to as "JEP") from an *Immigration and Customs Enforcement* (ICE) detention facility in Lumpkin, Georgia in the United States where he is currently detained.
9. The *Special Jurisdiction for Peace* (in Spanish: *Jurisdicción Especial para la Paz*, JEP), also known as *Special Justice for Peace*, is a Colombian transitional justice mechanism through which FARC members, members of the Colombian military, and other third

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of more than 336 victims, and named dozens of Colombian politicians and businessmen who allegedly colluded with the warlords. Together with the rest of the high command of the AUC, he was placed in the maximum security prison in Itagui, bordering Medellin. See Rosser, Emma. "Chief Colombia Warlord Sentenced to 16 Years in US Prison." *Colombia News | Colombia Reports*, 1 July 2015, [colombiareports.com/chief-colombian-paramilitary-warlord-sentenced-to-16-years-in-us-prison/](http://colombiareports.com/chief-colombian-paramilitary-warlord-sentenced-to-16-years-in-us-prison/). Accessed 7 Jan. 2024.

<sup>4</sup> Rosser, *Chief Colombia Warlord Sentenced to 16 Years in US Prison*.

parties who have participated in the Colombian armed conflict are investigated and, in some cases, brought to trial.<sup>5</sup>

10. The JEP has been in force in Colombia since March 2017 when it was approved in the Colombian Senate.

11. **MANCUSO** was behind the expansion of paramilitary groups into northern Colombia between 1994 and 2004 and led several AUC blocs in the departments of Córdoba and Norte de Santander. In the early 2000s, the AUC reached a peace agreement with the Colombian government, although many refused to demobilize and formed new criminal groups.<sup>6</sup>

12. The JEP is seeking to bring **MANCUSO** to trial in Colombia for a litany of crimes.

13. During JEP hearings, **MANCUSO** claimed that the AUC and other rightwing paramilitary forces directly intervened in Colombia's 1998 and 2002 presidential elections.

14. "There was support in elections, for example, for [Senator] Horacio Serpa, for President [Andrés] Pastrana himself, and for [Álvaro] Uribe," **MANCUSO** told the JEP though he did not provide details and asked to elaborate on the issue in a more restricted hearing.

15. On May 16<sup>th</sup>, 2023, Plaintiff Álvaro Uribe Velez, who was president from 2002 to 2010, published a statement denying that he received help from paramilitaries during his campaign.<sup>7</sup>

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<sup>5</sup> The JEP investigates human rights violations during Colombia's armed conflict, in which **MANCUSO** and the AUC played leading and violent roles. The objectives of the JEP are to satisfy the victims' right to justice, offer truth to Colombian society, protect the rights of the victims, contribute to the achievement of a stable and lasting peace, and adopt decisions that grant full legal certainty to those they participated directly or indirectly in the internal armed conflict, regarding facts committed in the context and because of it, in particular those that constitute serious violations of International Humanitarian Law or serious violations of Human Rights.

<sup>6</sup> <https://insightcrime.org/news/paramilitary-commander-salvatore-mancuso-reveals-aucs-connections-in-colombia/>.

<sup>7</sup> <https://twitter.com/AlvaroUribeVel/status/1658644004215431170>.

16. Former Colombian President Andrés Pastrana (1998-2002) accused<sup>8</sup> MANCUSO of false testimony and filed a complaint<sup>9</sup> with the Colombian Attorney General’s Office for slander and libel.

17. A summary of the Defendant’s defamatory statements against Plaintiff are as follows:

DATE	PUBLICATION	DEFAMATORY STATEMENT
May 15, 2023	Appearing before the <i>Special Jurisdiction for Peace</i> (JEP) meeting in Bogota, Colombia, MANCUSO made defamatory declarations via video link from a USDHS <i>Immigration and Customs Enforcement</i> (ICE) detention center in Lumpkin, Georgia.	The Mayor of El Roble made a direct request. I think it was the governor. I don't remember exactly. At this moment, I know that in a community council [the Mayor of El Roble] reported to then President Uribe that they were going to kill him, and what Uribe did was discontinue his security team, and we then killed [the Mayor of El Roble].
May 11, 2023 through May 16, 2023	In testimony before the JEP extradited paramilitary leader Salvatore Mancuso repeated claims that demobilized paramilitary organization AUC had supported the election of President Alvaro Uribe in 2002.	Uribe received financial and other support from the AUC during his campaigns for president of Colombia in 2002 and 2006. <sup>10</sup>  Mancuso claimed that the AUC directly intervened in Colombia’s 1998 and 2002 presidential elections.  “There was support in elections, for example, for [Senator] Horacio Serpa, for President [Andrés] Pastrana himself, and for [Álvaro] Uribe,” Mancuso said. <sup>11</sup>

<sup>8</sup> <https://twitter.com/AndresPastrana/status/1658220004154679297>.

<sup>9</sup> <https://twitter.com/AndresPastrana/status/1658847030138085376>.

<sup>10</sup> Begg, Kirsten. “AUC Supported Uribe’s Election: Mancuso.” *Colombia News | Colombia Reports*, 28 May 2009, [colombiareports.com/auc-supported-uribes-election-mancuso/](http://colombiareports.com/auc-supported-uribes-election-mancuso/). Accessed 11 Jan. 2024. See <https://colombiareports.com/auc-supported-uribes-election-mancuso/>.

<sup>11</sup> Garcia, Sara. *Paramilitary Leader Salvatore Mancuso Testifies about AUC Ties to Companies, Politicians, and Military*. Insight Crime, 27 May 2023, [www.financecolombia.com/salvatore-mancuso-auc-ties-companies-politicians-military/](http://www.financecolombia.com/salvatore-mancuso-auc-ties-companies-politicians-military/). Accessed 11 Jan. 2024.

<p>November 17, 2023</p>	<p>Appearing before the <i>Special Jurisdiction for Peace (JEP)</i> meeting in Bogota, Colombia, <b>MANCUSO</b> made defamatory declarations via video link from a <i>USDHS Immigration and Customs Enforcement (ICE)</i> detention center in Lumpkin, Georgia.</p>	<p>Uribe was at all times aware of the operation of El Aro<sup>12</sup> which “was also a request directly from Governor Uribe, through Pedro Juan Moreno...”<sup>13</sup></p> <p>Mancuso confirmed claims made former AUC fighters that he planned the massacre with Uribe, Antioquia’s late government secretary Pedro Juan Moreno, former Cordoba Police commander Raul Suarez, and army Generals Alfonso Manosalva and Ivan Ramirez.</p> <p>“Uribe always knew of the El Aro operation,” Mancuso told the JEP.<sup>14</sup></p> <p>Cordoba’s former police commander “took me to Uribe’s estate” to coordinate the massacre, according to Mancuso.</p>
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18. As a direct result of the Defendant’s defamatory statements, the media is reporting that the Plaintiff (1) received financial and other support from AUC paramilitaries for his presidential campaigns of 2002 and 2006; (2) participated in a targeted assassination of the Mayor of El Roble, Eudaldo Leon Diaz Salgado, in April 2003; and (3) that on October 22<sup>nd</sup>, 1997, Plaintiff directly and/or indirectly participated in a massacre of villagers in the village of El Aro.

19. On or about May 17<sup>th</sup>, 2023, in an interview with a Colombian periodical *El Tiempo* the son of the assassinated mayor of El Roble, Juan David Diaz Chamorro, stated:

“They [the AUP and President Uribe] assassinated my father

<sup>12</sup> See <https://elpais.com/america-colombia/2023-11-25/mancuso-y-uribe-una-vieja-historia-de-acusaciones-con-riesgo-de-subir-de-tono.html>.

<sup>13</sup> El Aro is a township in Ituango (Antioquia) and the cruel massacre occurred over four days while Uribe was governor of that department. Fifteen peasants were murdered.

<sup>14</sup> Alsema, Adriaan. “Uribe Helped Plan 1997 Massacre, Former Warlord Tells Colombia’s War Crimes Tribunal.” *Colombia News | Colombia Reports*, 20 Nov. 2023, [colombiareports.com/uribe-helped-plan-1997-massacre-former-auc-chief-tells-colombias-war-crimes-tribunal/](https://colombiareports.com/uribe-helped-plan-1997-massacre-former-auc-chief-tells-colombias-war-crimes-tribunal/). Accessed 11 Jan. 2024.

See <https://colombiareports.com/uribe-helped-plan-1997-massacre-former-auc-chief-tells-colombias-war-crimes-tribunal/>.



because President Uribe removed [my father's] security detail so that they could commit the crime. We already had received many signals that President Uribe had participated in [the assassination] and today it has been demonstrated that [President Uribe] was a co-conspirator and co-author of this assassination."<sup>15</sup>

20. The Defendant's statements as outlined above are false, defamatory, and extremely harmful to the Plaintiff, and Defendant made these statements with the sole aim of harming **URIBE**.
21. Defendant's defamatory statements as set forth in this Complaint are without any legal weight, and without evidence, direct or circumstantial.
22. The Defendant's defamatory statements have no other objective than to damage the good name of the Plaintiff, lacking not only the truth but intended to adversely affect the Plaintiff's reputation and to secure sentence reductions for crimes that the Defendant has committed in Colombia.
23. As a commander of the AUC, a coalition of right-wing paramilitary groups, **MANCUSO** described to the JEP his direct participation in the murder and forced disappearances of political activists and other individuals seen as sympathetic to left-wing groups and causes in Colombia.
24. The El Aro massacre (Spanish: *Masacre del Aro*) was a massacre in Colombia which occurred on October 22, 1997 in the municipality of Ituango, Department of Antioquia. Fifteen individuals accused of being leftist supporters of the FARC insurgents were massacred by paramilitary groups.
25. **URIBE** was governor of the Antioquia department in Colombia on the date of the El Aro massacre.

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<sup>15</sup> See <https://www.eltiempo.com/colombia/otras-ciudades/mancuso-hijo-de-alcalde-asesinado-en-el-roble-pide-investigar-769316>.

26. On or about May 10<sup>th</sup>, 2023, **MANCUSO**, at a hearing with Colombia's Special Jurisdiction of Peace (JEP), falsely stated that **URIBE** "always knew of the operation [in the village of El Aro]."
27. On or about May 10<sup>th</sup>, 2023, **MANCUSO**, at a hearing with Colombia's Special Jurisdiction of Peace (JEP), falsely stated that **URIBE** colluded and conspired in the assassination of the mayor of El Roble.
28. On or about May 10<sup>th</sup>, 2023, **MANCUSO**, at a hearing with Colombia's Special Jurisdiction of Peace (JEP), falsely stated that **URIBE** and his 2002 presidential campaign received financial support from AUC sources.
29. Defendant's defamatory statements and implications are false and/or designed to create false impressions and implications.
30. The amount in controversy, exclusive of interest and costs, exceeds \$50,000.00.

#### **PARTIES**

31. Plaintiff, **ALVARO URIBE VELEZ**, (Plaintiff or "**URIBE**"), is a Colombian citizen and a former two-term president of Colombia.
32. The Plaintiff is a "public figure" as defined by both federal and Florida case law.<sup>16</sup>
33. In 2008, **MANCUSO**, a retired former paramilitary leader, was extradited to the United States from Colombia. **MANCUSO** is currently detained in ICE custody in the Stewart Detention Center, 146 CCA Road, P.O. Box 248, Lumpkin, GA 31815.<sup>17</sup>

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<sup>16</sup> The term "public figure" has been defined to include those who "have assumed roles of especial prominence in the affairs of society," or who occupy "positions of such persuasive power and influence that they are deemed public figures for all purposes," *Gertz*, 418 U.S. at 345, or those who voluntarily inject their "personality into the 'vortex' of an important public controversy." See *See, e.g., Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 343-44 (1974) and *Curtis Publishing Co. v. Butts*, 388 U.S. 130, 155 (1967).

<sup>17</sup> On June 30, 2015, Defendant **MANCUSO** was sentenced to 190 months in federal prison for his role as a senior paramilitary leader and one of Colombia's most notorious drug traffickers and for leading an international drug

34. From the detention facility in Lumpkin, Florida, the Defendant has on various occasions participated via a video link connection in proceedings before the JEP in Colombia.
35. During the JEP hearings the Defendant has published, or caused to be published, via the internet to the JEP website various false statements regarding **URIBE**.<sup>18</sup>
36. The Defendant has published, or caused to be published, defamatory statements against the Plaintiff on the JEP *YouTube* channel where he makes false and defamatory accusations against the Plaintiff.<sup>19</sup>
37. On March 27, 2020, after completing his sentence, the Defendant was transferred from the custody of the Federal Bureau of Prisons and transferred to the custody of the USDHS *Immigration and Customs Enforcement* (ICE) where he is currently detained at the Stewart Detention Center in Lumpkin, Georgia.

#### **JURISDICTION and VENUE**

38. Jurisdiction to resolve this action corresponds to this court according to Florida Statute 26.012, as it is an action for defamation based on Florida state law.
39. This is an action for damages in excess of fifty thousand dollars (\$50,000.00), exclusive of interest, fees, costs, and attorney's fees, thereby meeting the jurisdictional requirements of Florida Statute 26.012.
40. Venue is proper in the Eleventh Judicial Circuit in and for Miami-Dade County, Florida

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trafficking conspiracy that imported into the United States ton-quantities of cocaine.

See <https://www.justice.gov/opa/pr/colombian-paramilitary-leader-sentenced-more-15-years-prison-international-drug-trafficking>.

<sup>18</sup> See <https://www.jep.gov.co/Sala-de-Prensa/Paginas/balance-de-la-audiencia-unica-de-verdad-de-salvatore-mancuso-ante-la-JEP.aspx>

<sup>19</sup> See [https://www.youtube.com/watch?v=WwACv-j5\\_9g](https://www.youtube.com/watch?v=WwACv-j5_9g).

pursuant to Florida Statutes section 47.011 as the location in which events giving rise to this action took place in Miami-Dade County, Florida.

41. Venue is appropriate in Miami-Dade County, Florida because the defamatory statements that form the basis of this lawsuit were published in media from the United States, and throughout the world, including Miami-Dade County, Florida. As a result, people in South Florida accessed and viewed the Defendant's defamatory statements. Florida has a population of approximately ten million people, making alleged defamatory statements here very significant.<sup>20</sup>

42. Defendant's defamatory statements were published from within and throughout the United States, including Miami-Dade County, Florida.

43. Defendant's defamatory statements were accessed and circulated in Florida and, thereby, constitute electronic communications that were disseminated in Florida.

44. The acts described herein were committed and communicated in Miami, Florida.

45. Defendant's defamatory statements have damaged the Plaintiff and former president in the state of Florida where he is a public figure of renown<sup>21</sup> and where his popularity,<sup>22</sup> forms a substantial part of his public image as the former President of Colombia and where the Plaintiff's reputation and good name has been adversely affected in this jurisdiction.<sup>23</sup>

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<sup>20</sup> *Lowery v. McBee*, 322 So. 3d 110, 117 (Fla. Dist. Ct. App. 2021) (which holds that, in a defamation suit, the location where the defamatory statements were published and accessed is appropriate).

<sup>21</sup> <https://www.diariolasamericas.com/florida/expresidente-alvaro-uribe-es-homenajeado-miami-dade-n5334193>

<sup>22</sup> <https://www.telemundo51.com/noticias/local/alvaro-uribe-tiene-otra-calle-con-su-nombre-en-miami-dade/2241255/>

<sup>23</sup> <https://elpais.com/america-colombia/2023-05-17/uribe-asegura-que-la-extradicion-de-mancuso-nunca-fue-para-ocultar-la-verdad.html>

## GENERAL FACTUAL ALLEGATIONS COMMON TO ALL COUNTS

*These allegations are common to all counts and are incorporated into each count.*

### I. Background

46. Between May 10 and May 16, 2023, **SALVATORE MANCUSO GÓMEZ**, (hereinafter referred to as “**MANCUSO**”), a former commander of the United Self-Defense Forces of Colombia (*Autodefensas Unidas de Colombia*, hereinafter referred to as “**AUC**”), gave testimony via a video link before the *Special Jurisdiction for Peace* (*Jurisdicción Especial para la Paz*, hereinafter referred to as “**JEP**”).
47. The JEP is based in the country of Colombia and has jurisdiction to investigate human rights violations that occurred during Colombia’s decades long armed conflict, in which the AUC played a leading role.
48. **MANCUSO** is generally viewed as a leading figure behind the expansion of paramilitary groups into northern Colombia between 1994 and 2004 and who led several AUC blocs in the departments of Córdoba and Norte de Santander.
49. In the early 2000s, the AUC reached a peace agreement with the Colombian government, although many refused to demobilize and formed new criminal groups.
50. In 2020 **MANCUSO** completed a reduced twelve-year sentence but he continues to be held in detention by US immigration authorities pending immigration removal proceedings.
51. **MANCUSO** is seeking a reduced sentence in Colombia where he is accused of over 5,200 violent crimes, including homicide, forced disappearances, and among others.<sup>24</sup>

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<sup>24</sup> Garcia, Sara. *Paramilitary Leader Salvatore Mancuso Testifies about AUC Ties to Companies, Politicians, and Military*. Insight Crime, 27 May 2023, [www.financecolombia.com/salvatore-mancuso-auc-ties-companies-politicians-military/](http://www.financecolombia.com/salvatore-mancuso-auc-ties-companies-politicians-military/). Accessed 11 Jan. 2024.

52. The current JEP hearings being held in Colombia represent MANCUSO's last chance for a commuted sentence, if he can demonstrate, with new information, his role as a linchpin between state agents and paramilitary groups in Colombia.

53. MANCUSO, who led the Catatumbo bloc in Norte de Santander on Colombia's northeastern border, said that the bloc buried its victims of forced disappearance in mass graves in Venezuela, with the knowledge of Venezuelan and Colombian armed forces.

54. Throughout his political career, the Plaintiff has taken care of his image and good name, and to this day he continues to look after the interests of the country of Colombia.

55. The Plaintiff as former President of the Republic of Colombia has been harmed in his good name and reputation by acts of Defamation carried out by the Defendant MANCUSO, a former Colombian paramilitary chief, as detailed in the facts of this lawsuit.

## II. **Defamation that is the Subject of This Complaint**

56. On or about May 10 through May 15, 2023, and again on or about November 17<sup>th</sup>, 2023, the Defendant, made false and defamatory statements via video link at a Special *Jurisdiction for Peace* (JEP) public hearing that was broadcast around the world on the JEP website and on the *YouTube* online platform at which time the Defendant made false and defamatory accusations against the Plaintiff.<sup>25</sup>

57. On or about May 10 through May 15, 2023, and again on or about November 17<sup>th</sup>, 2023,<sup>26</sup> the Defendant made statements directly implicating the Plaintiff of (1) having received financial and other support from AUC paramilitaries for his presidential campaigns of

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<sup>25</sup> [https://www.youtube.com/watch?v=WwACv-j5\\_9g](https://www.youtube.com/watch?v=WwACv-j5_9g).

<sup>26</sup> <https://www.youtube.com/watch?v=A4uE1B5iyHE>. (at 5:42:39).

2002 and 2006; (2) having participated in a targeted assassination of the Mayor of El Roble, Eudaldo Leon Diaz Salgado, in April 2003; and (3) that Plaintiff directly and/or indirectly participated in a massacre of villagers in the village of El Aro.

58. The Defendant, through his statements, has adversely affected the reputation and public image of the former president, making unfounded accusations that affect the Plaintiff's good name and honor.

59. Defendant MANCUSO stated and published, by electronic means, statements alleging that the Plaintiff actively participated, authorized, and had actual knowledge of criminal acts committed by the Defendant and other AUC criminals.

60. MANCUSO's highly defamatory and persistent statements that the Plaintiff committed crimes, including murder, is no mistaken misappropriation. It is wanton and malicious "testimony" intended to feed a narrative and to achieve a desired end: to cause readers and viewers to associate the Plaintiff with criminal elements in Colombia. The Defendant's inflammatory "testimony" is not intended to help discover truth or actual facts or to help educate readers and viewers to come to their own informed decisions, but is intended to aggravate, scare, and trigger people. Indeed, accusations of participating in murder and assassination plots is one that courts across jurisdictions have historically considered defamation *per se*.<sup>27</sup>

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<sup>27</sup> Florida recognizes five categories of statement of defamation *per se*. These include statements imputing the commission of a crime. *Campbell v. Jacksonville Kennel Club*, 66 So. 2d 495, 497 (Fla. 1953).

COUNT I.

**DEFAMATION PER SE for PUBLICATION TO THE JEP on May 10 through  
May 15, 2023**

*Plaintiff adopts and reincorporates paragraphs 1 through 60 as if fully set forth herein.*

61. Defamation is a cause of action that arises when one makes a statement, that when published, defames an individual or entity by creating a false impression or conclusion from the face of the publication as a whole.
62. The Defendant published and/or caused to be published throughout the world wide web defamatory statements, via the JEP YouTube channel, and via other online media, that the Plaintiff conspired to assassinate political opponents and that the Plaintiff received monies from the AUC to finance his presidential political campaigns in Colombia.
63. The Defendant's defamatory statements were disseminated to readers and the public within Florida.
64. The Defendant's defamatory statements are reasonably understood to be statements of fact (as opposed to hyperbole or mere opinion) regarding the Plaintiff and were reasonably understood by readers and viewers to be statements of fact (and not hyperbole or mere opinion): readers and viewers understood that the Plaintiff engaged in the murder of political opponents.
65. The Defendant's statements are false and defamatory *per se*.
66. Each of the above statements as published by Defendant were made intentionally to imply a defamatory implication by fabricating and/or omitting facts to create a meaning that is false and untrue and to impart false innuendos, suggestions, impressions, and implications that Plaintiff URIBE has engaged in illegal activities, including, but not limited to, directly implicating (1) that Plaintiff received financial and other support from AUC



paramilitaries for his presidential campaigns of 2002 and 2006; (2) that Plaintiff participated in the assassination of the Mayor of El Roble, Eudaldo Leon Diaz Salgado, in April 2003; and (3) that Plaintiff directly and/or indirectly participated in a massacre of fifteen inhabitants of the village of El Aro.

67. Defendant made and published the above statements reach and convey to Plaintiff's political, business, social and family communities the false impression of criminal and corrupt conduct on the part of the Plaintiff, to wit, that Plaintiff in concert with others conspired to commit murder.

68. The statements that Defendant published were intended to prejudice and harm the Plaintiff in his political, personal, social, and business reputations, at a minimum, in the eyes of a substantial and respectable community.

69. The statements that Defendant published have cause Plaintiff actual damages.

70. Defendant made the defamatory statements with malice and knowledge of their falsity or false implication, as Defendant knew that the statements concerning **URIBE** were misleading and had no evidence to substantiate the claims.

71. Defendant had actual knowledge of the wrongfulness of his conduct and of the high probability that injury or damage to Plaintiff would result and, despite that knowledge, intentionally published or caused to be published, which resulted in injury or damage to Plaintiff. In the alternative, and even if Defendant acted without such actual knowledge, the conduct of the Defendant was so reckless or wanting in care that it constituted a conscious disregard for or indifference to the rights of the Plaintiff.

72. Injury to the Plaintiff's reputation is readily apparent, as evidenced by viewer responses to the statements and viewer polls regarding the Plaintiff. Indeed, animus toward the

Plaintiff, the Plaintiff's family, and those who are associated with the Plaintiff, is well-recognized by the public.

73. By publication of these defamatory statements, Defendant has incited readers and viewers to hate, contempt, distrust, ridicule, and fear to the Plaintiff, causing injury to the Plaintiff's reputation, and to Plaintiff's political career.
74. When a public official, or political candidate, is accused of having committed crimes, including murder, it is defamation *per se* as the statement imputes a characteristic or condition incompatible with the proper exercise of a public office.
75. MANCUSO failed and refused to retract or correct the false and defamatory statements.
76. MANCUSO had no applicable privilege or legal authorization to publish these false and defamatory statements or, if he did, he abused that privilege.
77. These defamatory statements have been repeated and republished in various media outlets, which was reasonably foreseeable because falsely implicating the former President with murder and massacres garners a broad national and international audience. At the time these statements were published, MANCUSO knew they would be republished and disseminated to other and larger audiences.
78. MANCUSO is liable for compensatory damages arising from his defamation of the Plaintiff.
79. MANCUSO is also liable for punitive damages because of the wanton and outrageous nature of the defamation. The actions of MANCUSO presented in this Complaint demonstrate common law express malice, actual malice, egregious defamation, and insult. Such actions by MANCUSO were undertaken with (1) maliciousness, spite, ill will, vengeance, and/or deliberate intent to harm the Plaintiff, and with (2) reckless disregard of the falsity of their speech and its effects on the Plaintiff. Such actions by MANCUSO in fact did harm the

Plaintiff. Specifically, the factors justifying punitive damages include, at a minimum, associating the Plaintiff to criminal conspiracies and criminal acts of murder.

80. As a result of Defendant's published statements, Plaintiff has been severely damaged, and Plaintiff has been and continues to be subjected to distrust, ridicule, and disgrace.

**WHEREFORE**, Plaintiff demands judgment against Defendant, and relief in the form of economic damages and other compensatory damages allowable under law, temporary and permanent injunctive relief, as well as an award of attorney's fees and costs, and any other relief that the Court deems just and proper under Florida law, including punitive damages.

## COUNT II.

### DEFAMATION BY IMPLICATION

*Plaintiff adopts and reincorporates paragraphs 1 through 60 as if fully set forth herein.*

81. Each of the defamatory statements that the Defendant made and published were done so intentionally and juxtapose a series of "facts" so as to imply a defamatory connection with the Plaintiff and/or create a defamatory implication by omitting key facts, to create a different meaning other than the truth and to impart false innuendos, suggestions, impressions, and implications that Plaintiff has engaged in criminal activities including conspiracy to murder the Mayor of El Roble, and participating in the massacre of El Aro.
82. The above statements were published and designed to, and did, reach, and convey to Plaintiff's political, business, social and family connections the false impression of criminal, corrupt, and inappropriate conduct.
83. The Defendant's statements have harmed Plaintiff in his political, personal, business, and social reputations and have caused Plaintiff actual damages.
84. Defendant made the above statements with knowledge of their falsity and false implications and/or with reckless disregard as to whether his statements and implications

are true or false.

**WHEREFORE**, Plaintiff demands judgment against Defendant, and relief in the form of economic damages and other compensatory damages allowable under law, temporary and permanent injunctive relief, as well as an award of attorney's fees and costs, and any other relief that the Court deems just and proper under Florida law, including punitive damages.

### **COUNT III.**

#### **INJUNCTIVE RELIEF**

*Plaintiff adopts and reincorporates paragraphs 1 through 60 as if fully set forth herein.*

85. This is an action for injunctive relief and damages that exceed \$50,000.00, exclusive of interest, costs and attorney's fees, and is pled in addition to and in the alternative to the other Counts in this Complaint.
86. Plaintiff has been harmed by the conduct of the Defendant.
87. The harm caused by the conduct of the Defendant is not measurable solely in an action for damages.
88. Plaintiff is without an adequate remedy at law.
89. Defendant should, therefore, be enjoined from further publishing any articles, open letters, articles, and/or posts, concerning Plaintiff, and enjoined from publishing any other defamatory statements against the Plaintiff.
90. As such, Plaintiff seeks equitable relief on a temporary and permanent basis.

**PRAYER FOR RELIEF**

With regard to all counts, Plaintiff demands that judgment be entered against the Defendant.

**WHEREFORE**, Plaintiff prays for judgment against Defendant, as follows:

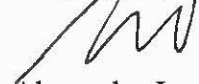
- a. Awarding Plaintiff compensatory damages, including actual, consequential, and incidental damages for malicious defamatory conduct as alleged herein;
- b. Issuing a preliminary and permanent injunction against Defendant;
- c. Awarding Plaintiff attorney fees and costs; and
- d. Granting any such further relief as the Court deems appropriate.

**DEMAND FOR JURY TRIAL**

Plaintiff demands a trial by jury on all issues so triable.

Dated: January 10<sup>th</sup>, 2024

Respectfully Submitted,



Alexander Joseph Alfano, Esquire  
*Attorney for Plaintiff*  
2655 Le Jeune Road, Fifth Floor  
Coral Gables, Florida 33134  
Tel. (305) 728-1341  
Facsimile (305) 728-1331  
Email: [aalfano@lawalfano.com](mailto:aalfano@lawalfano.com)  
Florida Bar Number 0989614