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UNITED STATES OF AMERICA,

AFFIDAVIT

07- CR- 986 (WHP)

-v-

RAUL BARBON and  
JOHANS SANTATA,

Defendants.

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**STATE OF NEW YORK )**  
**COUNTY OF WESTCHESTER ).ss:**

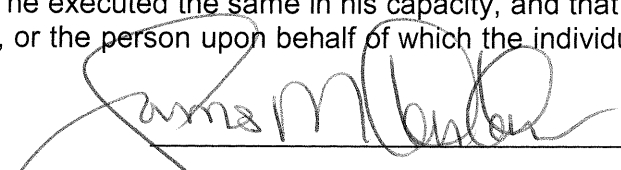
I, JOHANS SANTANA, a defendant in the above captioned matter, submit this affidavit in support of my co-defendant RAUL BORBON'S pretrial motions in which I join.

1. My sister, Miriam Santana and I are the named tenants for 2244 Creston Avenue Bronx, New York 10453, Apartment 6B. A copy of the Renewal Lease Form is attached hereto as Exhibit "A."
2. My sister occupied the apartment until on or about May 2006 when she moved out.
3. Prior to my sister's moving out we agreed to sublet the apartment to Raul Borbon. On or about May 2006, after my sister moved out of the apartment Raul moved it to the apartment.
4. Because we could not change the names on the lease, I agreed to sublet the apartment to Raul Borbon on a month tenancy basis and Raul agreed to pay the rent directly to the managing agent each month. we JS
5. I also agreed to leave the utility bill in my name and Raul agreed to pay the electrical bill.

Dated: WESTCHESTER, NY  
May 5, 2008

  
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JOHANS SANTANA

On the 5th day of May in the year 2008 before me, the undersigned, personally appeared JOHANS SANTANA, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
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Notary Public  
JAMES M. LENIHAN  
Notary Public, State of New York  
No. 02LE5089181  
Qualified in Westchester County  
Commission Expires December 8, 2008