

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 22-13856

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MANUEL MELO,

Defendant-Appellant.

Appeals from the United States District Court
for the Southern District of Florida
D.C. Docket No. 1:22-cr-20014-DPG-3

No. 22-13950

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

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YESID DEGOBERTO EPIEYU EPIEYU,

Defendant-Appellant.

Appeals from the United States District Court
for the Southern District of Florida
D.C. Docket No. 1:22-cr-20014-DPG-1

No. 22-13972

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

IVAN ESCOBOSA DIAZ,

a.k.a. Juan Escobosa Diaz,

Defendant-Appellant.

Appeals from the United States District Court
for the Southern District of Florida
D.C. Docket No. 1:22-cr-20014-DPG-2

Before BRANCH, BRASHER, and HULL, Circuit Judges.

PER CURIAM:

Codefendants Manuel Melo, Yesid Epieyu Epieyu, and Ivan Escobosa Diaz pled guilty to conspiring to possess with intent to

distribute five kilograms or more of cocaine while on board a vessel subject to the jurisdiction of the United States, in violation of the Maritime Drug Law Enforcement Act (“MDLEA”), 46 U.S.C. §§ 70506(b), 70503(a)(1). In this consolidated appeal, the defendants challenge (1) their convictions and (2) the district court’s denial of their motions to dismiss the indictment. The defendants argue that (1) the MDLEA is unconstitutional, and (2) the district court lacked jurisdiction because the government failed to satisfy the MDLEA’s jurisdictional element.

We reject the defendants’ arguments because (1) the defendants’ constitutional arguments are foreclosed by binding precedent, and (2) the government satisfied its jurisdictional burden of showing that the defendants committed their offenses on board a “vessel without nationality” under 46 U.S.C. § 70502(d)(1)(B). For these reasons, we affirm the defendants’ convictions and the denial of their motions to dismiss the indictment.

I. FACTUAL BACKGROUND

We set forth the factual background of the case, taken from the defendants’ guilty-plea factual proffers, evidentiary-hearing testimony, and the magistrate judge’s factfindings.

A. Lead-Up to Interdiction

On December 22, 2021, in waters approximately 142 nautical miles north of Aruba, which was a known drug-trafficking route, a U.S. Maritime Patrol Aircraft observed a go-fast vessel travelling north. The aircraft saw that the go-fast vessel had three

people on board along with visible packages and fuel barrels on deck. The go-fast vessel bore no indicia of nationality, such as a flag or other markings. The aircraft alerted a nearby law enforcement vessel, the HNLMS HOLLAND (the “*Holland*”), about the go-fast vessel, and the *Holland* went to investigate.

The *Holland* was a Dutch¹ vessel but had on board a team of nine U.S. Coast Guard officers. Dutch law enforcement and the U.S. Coast Guard were working together as part of a multilateral agreement between the Netherlands and the United States to patrol the Caribbean and counter international drug trafficking. The *Holland* had both a helicopter and smaller boats attached to it.

B. Interdiction

After spotting the go-fast vessel, the *Holland* sent out one of its small boats and its helicopter, both of which were flying U.S. Coast Guard flags. The small boat had three U.S. Coast Guard officers on board, and they were the only law enforcement authority on the boat. A U.S. Coast Guard officer was also on board the helicopter. After departing from the *Holland*, the small boat and the helicopter motioned to the go-fast vessel to stop.

When the go-fast vessel noticed the U.S. Coast Guard, it started jettisoning packages overboard and attempted to escape at an increased speed. The small boat from the *Holland* started to recover the jettisoned packages, and the helicopter fired warning shots at the go-fast vessel. The go-fast vessel still did not stop, and

¹ Aruba is a constituent territory of the Kingdom of the Netherlands.

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then the helicopter fired at the go-fast vessel's engines and disabled them.

After recovering the packages from the water, the small boat approached the disabled go-fast vessel. The small boat pulled alongside the go-fast vessel, and two of the U.S. Coast Guard officers boarded it, one of whom was a Spanish interpreter. The three defendants were the only people on board the go-fast vessel.

C. Questioning

Once the go-fast vessel was secured, the translator started asking the defendants standard questions at the direction of his commanding officer. In response to the translator's questioning, Epieyu Epieyu identified himself as the master of the go-fast vessel. The translator then directed the rest of his questioning towards Epieyu Epieyu.

The translator next asked Epieyu Epieyu about the nationality of the go-fast vessel. The translator asked Epieyu Epieyu in Spanish, "Cual es la nacionalidad de su barco o buque?" In English, that means, "What is the nationality of your ship or vessel?"

When asked this question, Epieyu Epieyu did not make a claim of nationality for the go-fast vessel, but he said that he was Colombian. Epieyu Epieyu also told the translator that the go-fast vessel was going from Venezuela to the Dominican Republic.

D. Arrest

Based on Epieyu Epieyu's responses to the translator's questioning, the go-fast vessel was treated as a vessel without nationality subject to the jurisdiction of the United States. Given that designation and their general observations of the defendants' activities, the U.S. Coast Guard officers conducted a full law enforcement boarding of the go-fast vessel after obtaining proper authorization from the command center. The commanding officer also tested the contents of the packages recovered from the go-fast vessel, which showed positive for cocaine. The law enforcement officers recovered 35 bales of cocaine, which weighed a total of approximately 1,486 kilograms.

Afterwards, the U.S. Coast Guard officers detained the defendants on the *Holland*, transferred them to multiple different U.S. vessels, and ultimately transported them to the Southern District of Florida.

II. PROCEDURAL HISTORY**A. Indictment**

In January 2022, a grand jury in the Southern District of Florida indicted the defendants each with two counts of MDLEA violations: (1) conspiracy to possess five kilograms or more of cocaine with intent to distribute while on board a vessel subject to the jurisdiction of the United States, in violation of 46 U.S.C. §§ 70506(b), 70503(a)(1) ("Count 1"); and (2) possession of five kilograms or more of cocaine with intent to distribute while on

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board a vessel subject to the jurisdiction of the United States, in violation of 46 U.S.C. § 70503(a)(1) (“Count 2”).

B. Motions to Dismiss

The defendants moved to dismiss the indictment on multiple jurisdictional and constitutional grounds. They argued, among other things, that (1) the government failed to establish statutory jurisdiction under the MDLEA; (2) the indictment should be dismissed because the Netherlands conducted the December 22, 2021 interdiction, not the United States; (3) the MDLEA was unconstitutional as applied to them because the December 22, 2021 interdiction occurred in another country’s Exclusive Economic Zone (“EEZ”),² which was not part of the “high seas” as defined by international law; and (4) the MDLEA was unconstitutional as applied to them because there was no nexus between the charged offense conduct and the United States.

C. Evidentiary Hearing

A magistrate judge held an evidentiary hearing to resolve the defendants’ motions to dismiss. At the hearing, U.S. Coast Guard officers who participated in the December 22 interdiction and other law enforcement officials testified about the interdiction.

² An EEZ “is a 200 nautical mile zone extending from a coastal State’s baseline in which the coastal State has priority of access to living resources and exclusive right of access to non-living resources.” *United States v. Rioseco*, 845 F.2d 299, 300 n.1 (11th Cir. 1988) (quotation marks omitted); *see also United States v. Alfonso*, 104 F.4th 815, 821 (11th Cir. 2024) (“The EEZ sits just beyond a nation’s territorial waters but within 200 miles of the coastal baseline.”).

The defendants' counsel also argued orally in support of the motions to dismiss.

D. Order Denying Motions to Dismiss

On July 5, 2022, the magistrate judge prepared a report and recommendation ("R&R"), which recommended that the district court deny the defendants' motions to dismiss.

The magistrate judge first concluded that the district court had statutory jurisdiction under the MDLEA because the government established that the go-fast vessel was a vessel subject to the jurisdiction of the United States when it was interdicted on December 22, 2021. The magistrate judge determined that the government established jurisdiction under 46 U.S.C. § 70502(d)(1)(B) because the master of the go-fast vessel (Epieyu Epieyu) failed to make a claim of nationality for the vessel.³

³ A report by a U.S. Drug Enforcement Agency ("DEA") agent (who did not participate in the interdiction) stated that Epieyu Epieyu verbally claimed Colombian nationality for the go-fast vessel. The report added that, after Epieyu Epieyu claimed Colombian nationality for the go-fast vessel, the U.S. Coast Guard officers contacted the government of Colombia, which neither confirmed nor denied registration of the go-fast vessel.

However, the testimony of a U.S. Coast Guard officer who participated in the interdiction and the defendants' guilty-plea factual proffers confirmed that Epieyu Epieyu did not make a claim of nationality for the go-fast vessel. A DEA agent also testified that the discrepancy in the DEA report was likely an error. The magistrate judge found that the U.S. Coast Guard officer's testimony on this issue was credible.

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Further, the magistrate judge stated that the interdiction was not “Dutch-led” because the evidentiary-hearing testimony showed that (1) U.S. law enforcement officers led the interdiction, and (2) the United States had many bilateral treaties that permitted it to conduct interdictions in this way.

The magistrate judge also rejected the defendants’ constitutional claims. The magistrate judge determined that (1) an EEZ was part of the “high seas” for purposes of the U.S. Constitution, and (2) the defendants’ nexus argument was foreclosed by binding precedent.

The defendants filed objections to the R&R. On July 22, 2022, the district court summarily adopted the R&R, overruled the defendants’ objections, and denied the defendants’ motions to dismiss.

E. Guilty Pleas and Sentences

Thereafter, pursuant to plea agreements, the defendants each pled guilty to Count 1 in exchange for the dismissal of Count 2.

The district court separately sentenced each defendant to 70 months of imprisonment on the drug conspiracy in Count 1, to be followed by 3 years of supervised release. The court then entered

On appeal, the defendants do not argue that Epieyu Epieyu made a claim of Colombian nationality for the go-fast vessel, nor do they challenge the magistrate judge’s credibility determination.

judgment as to each defendant, and the defendants timely appealed. We subsequently consolidated the defendants' appeals.

Notably too, after the defendants filed their notices of appeal, they moved the district court to reduce their sentences under 18 U.S.C. § 3582(c). The district court granted the defendants' motions and reduced each of their sentences to 57 months of imprisonment, to be followed by 3 years of supervised release. The defendants have been released from custody but are still subject to the supervised release in their sentences. The defendants have not withdrawn their appeals as to their convictions under the MDLEA.⁴

III. STANDARDS OF REVIEW

We review *de novo* a district court's denial of a motion to dismiss an indictment on jurisdictional grounds. *United States v. Alfonso*, 104 F.4th 815, 820 (11th Cir. 2024). We also review *de novo* constitutional challenges to a criminal statute; but we review such challenges raised for the first time on appeal for plain error. *Id.* at 820, 828.

⁴ As background, the defendants' notices of appeal were filed in 2022, but the defendants filed motions to stay the briefing schedule pending other appeals. This Court granted the stay and consolidated the appeals. The defendants' final briefs in these consolidated appeals were not completed until January 2026, and those briefs challenged only the convictions.

IV. CONSTITUTIONAL CLAIMS

A. The MDLEA

The MDLEA makes it a crime to knowingly or intentionally possess a controlled substance with intent to distribute while on board a vessel subject to the jurisdiction of the United States and to conspire to do the same. 46 U.S.C. §§ 70503(a)(1), (e)(1) and 70506(b). The MDLEA criminalizes such activity even when “the act is committed outside the territorial jurisdiction of the United States.” *Id.* § 70503(b). Congress enacted the MDLEA pursuant to the Felonies Clause in Article I, Section 8, Clause 10 of the U.S. Constitution. *See United States v. Campbell*, 743 F.3d 802, 805 (11th Cir. 2014). Under the Felonies Clause, Congress has the power to “define and punish Piracies and Felonies committed on the high Seas.” U.S. Const. art. I, § 8, cl. 10.

The defendants⁵ raise multiple constitutional challenges to the MDLEA. They assert that the MDLEA is unconstitutional because (1) it is impermissibly vague; (2) it violates the due process principles outlined in *Miranda v. Arizona*, 384 U.S. 436 (1966); (3) it permits prosecution of offenses that are committed in another country’s EEZ, which is not part of the “high Seas”; and (4) it does

⁵ Each defendant filed a separate appellate brief with different arguments, but for ease of reference we discuss the defendants’ appellate arguments as if they were raised jointly.

not require a jurisdictional nexus between their offense conduct and the United States.⁶

All of these constitutional arguments are foreclosed by binding precedent. See *United States v. Archer*, 531 F.3d 1347, 1352 (11th Cir. 2008) (explaining that, under the prior-panel-precedent rule, “a prior panel’s holding is binding on all subsequent panels unless and until it is overruled or undermined to the point of abrogation by the Supreme Court or by this court sitting *en banc*”).

B. Vagueness

The defendants’ first constitutional argument is that the MDLEA is unconstitutionally vague because it “does not require the [U.S. Coast Guard] to explain to the master or person-in-charge what it means to ‘make a claim of nationality or registry for the vessel’” in § 70502(d)(1)(B). They assert that the terms “nationality” and “registry” are too ambiguous for an ordinary person to readily understand.

This argument is foreclosed by *United States v. Gruezo*, 66 F.4th 1284, 1292 (11th Cir. 2023). In *Gruezo*, this Court rejected

⁶ Although the defendants each pled guilty to the drug-conspiracy charge, their guilty pleas do not bar their particular constitutional and jurisdictional appellate arguments in this appeal. See *Class v. United States*, 583 U.S. 174, 178–82 (2018) (holding that a guilty plea does not bar a defendant from raising a constitutional challenge to the statute of conviction on appeal where the challenge calls into question the government’s power to constitutionally prosecute him based on his admitted conduct); *United States v. Cotton*, 535 U.S. 625, 630 (2002) (explaining that a jurisdictional argument “can never be forfeited or waived”).

an identical vagueness argument because “the text of § 70502(d)(1)(B) is sufficiently clear to give ordinary people notice that, without a claim of nationality or registry for the vessel upon request, the vessel will be considered stateless for purposes of jurisdiction under the MDLEA.” *Id.* This Court also noted that it “repeatedly has rejected constitutional vagueness challenges to the jurisdictional provisions in the MDLEA’s predecessors.”⁷ *Id.* (citing *United States v. Mena*, 863 F.2d 1522, 1527 (11th Cir. 1989); *United States v. Marino-Garcia*, 679 F.2d 1373, 1384 (11th Cir. 1982)).

C. *Miranda*

The defendants’ second constitutional argument is that the MDLEA violates their due process rights as outlined in *Miranda*. The defendants reason that this is so because the MDLEA does not require law enforcement officials conducting an interdiction to warn individuals on board the interdicted vessel of the potential criminal consequences of failing to make a claim of nationality for the vessel.

This argument is also foreclosed by *Gruezo*. 66 F.4th at 1292. In *Gruezo*, this Court rejected an identical *Miranda* argument. *Id.* This Court stated: “To the extent [the defendant] asserts that § 70502(d)(1)(B) is unconstitutional as applied to the facts of his

⁷ We recognize that the defendants raise the vagueness and *Miranda* arguments for the first time on appeal, which means we would review them only for plain error. See *Alfonso*, 104 F.4th at 828. But, as is explained, these arguments are foreclosed by our binding precedent, and so the defendant has failed to show any error, plain or otherwise.

case, his claim is waived by his guilty plea.” *Id.* (citing *United States v. Castillo*, 899 F.3d 1208, 1214 (11th Cir. 2018) (“A valid guilty plea renders irrelevant—and thereby prevents a defendant from appealing—the constitutionality of case-related government conduct that takes place before the plea is entered.” (citation modified))).

Then, this Court said: “To the extent [the defendant] asserts that § 70502(d)(1)(B) is facially unconstitutional, our prior precedent forecloses his facial challenge.” *Id.* This Court explained that it has repeatedly held that *Miranda* warnings are not required during routine interdictions on the high seas because such interdictions do not normally constitute custodial detention for *Miranda* purposes. *Id.* (citing *United States v. Rioseco*, 845 F.2d 299, 302–03 (11th Cir. 1988) (“This circuit has long recognized that the Coast Guard’s routine stop, boarding and inspection of an American vessel on the high seas does not normally rise to the level of custodial detention thus requiring *Miranda* warnings.”)); *see also Rioseco*, 845 F.2d at 303 (explaining that the ordinary circumstances surrounding a routine U.S. Coast Guard interdiction “could not lead a reasonable man to believe that he was in custody”).

D. EEZ

The defendants’ third constitutional argument is that the MDLEA is unconstitutional as applied to their case because their offense occurred in another country’s EEZ, which is not part of the “high Seas” under international law. This is a problem, the

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defendants contend, because the Felonies Clause of the U.S. Constitution only provides Congress the power “[t]o define and punish . . . Felonies committed on the high Seas.” U.S. Const. art. I, § 8, cl. 10 (emphasis added).

This argument is foreclosed by *United States v. Alfonso*. 104 F.4th at 820–27. In *Alfonso*, this Court rejected an identical argument and held that “the EEZ is part of the ‘high seas’ for purposes of the Felonies Clause in Article I of the Constitution.” *Id.* at 823. This Court further concluded that “international law does not limit the Felonies Clause” and “enforcement of the MDLEA in EEZs is proper.” *Id.* at 826–27; *see also United States v. Canario-Vilomar*, 128 F.4th 1374, 1381–82 (11th Cir.) (rejecting a similar argument based on *Alfonso*), *cert. denied*, 146 S. Ct. 269 (2025).

E. Nexus

The defendants’ final constitutional argument is that the MDLEA is unconstitutional as applied to their case because it does not require the government to establish a nexus between their offense conduct and the United States. They assert that for this reason the MDLEA exceeds Congress’s authority under the Felonies Clause and violates the Due Process Clause of the Fifth Amendment.

This argument is foreclosed by *United States v. Campbell*. 743 F.3d at 809–12. In *Campbell*, this Court held that the MDLEA was a constitutional exercise of Congress’s power under the Felonies Clause and did not violate the Due Process Clause even

though the Act did not require a nexus between a defendant's offense conduct and the United States. *Id.* This Court explained, "the conduct proscribed by the [MDLEA] need not have a nexus to the United States because universal and protective principles support its extraterritorial reach." *Id.* at 810. This Court also stated, "the Due Process Clause of the Fifth Amendment does not prohibit the trial and conviction of an alien captured on the high seas while drug trafficking, because the Act provides clear notice that all nations prohibit and condemn drug trafficking aboard stateless vessels on the high seas." *Id.* at 812.

This Court has repeatedly rejected similar nexus arguments based on *Campbell* and other precedent. See *Canario-Vilomar*, 128 F.4th at 1382–83 (holding that the defendant's nexus argument "is plainly foreclosed by our binding precedent in *Campbell*"); *United States v. Cabezas-Montano*, 949 F.3d 567, 587 (11th Cir. 2020).

V. JURISDICTION

The defendants also raise various arguments challenging the district court's denial of their motions to dismiss the indictment on jurisdictional grounds. The defendants argue that the court lacked jurisdiction under the MDLEA because (1) the U.S. Coast Guard officers failed to follow the proper questioning procedure before declaring the go-fast vessel a vessel without nationality subject to the jurisdiction of the United States, and (2) the United States used a Dutch vessel (the *Holland*) to conduct the interdiction. We reject both arguments.

A. Questioning Procedure

The MDLEA prohibits possessing a controlled substance with intent to distribute, and conspiring to do so, “on board a covered vessel.” 46 U.S.C. §§ 70503(a)(1), 70506(b). A “covered vessel” includes “a vessel subject to the jurisdiction of the United States.” *Id.* § 70503(e)(1). The statute further defines “vessel subject to the jurisdiction of the United States” to include “a vessel without nationality.” *Id.* § 70502(c)(1)(A). This “portion of the MDLEA [is] a congressionally imposed limit on courts’ subject matter jurisdiction, akin to the amount-in-controversy requirement contained in 28 U.S.C. § 1332” for civil diversity cases. *United States v. De La Garza*, 516 F.3d 1266, 1271 (11th Cir. 2008).

The government’s basis for jurisdiction in this case was § 70502(d)(1)(B), which defines a “vessel without nationality” as “a vessel aboard which the master or individual in charge fails, on request of an officer of the United States authorized to enforce applicable provisions of United States law, to make a claim of nationality or registry for that vessel.” 46 U.S.C. § 70502(d)(1)(B). It is the government’s burden to satisfy this jurisdictional requirement. *Cabezas-Montano*, 949 F.3d at 588.

The defendants argue that the government failed to satisfy its burden of establishing that the go-fast vessel was a “vessel without nationality” under § 70502(d)(1)(B) because the U.S. Coast Guard did not follow the specific questioning procedure that the MDLEA requires. Specifically, the defendants assert that § 70502(d)(1)(B) requires law enforcement, when determining the

nationality of an interdicted vessel, to affirmatively ask the master of the vessel: “Do you *claim* nationality for the vessel?” The U.S. Coast Guard interpreter’s questioning of Epieyu Epieyu did not satisfy this requirement, the defendants reason, because the interpreter instead asked him: “What is the nationality of your ship or vessel?”

The problem with this argument is that it is not supported by the plain text of the MDLEA.

Section 70502(d)(1)(B) provides that a vessel constitutes a “vessel without nationality” when the master fails to make a claim of nationality for the vessel “on request of an officer of the United States authorized to enforce applicable provisions of United States law.” 46 U.S.C. § 70502(d)(1)(B) (emphasis added). But nothing in that provision or the MDLEA generally imposes a duty on law enforcement officials to ask specific questions to a vessel’s master when conducting a § 70502(d)(1)(B) inquiry.

The plain statutory language of § 70502(d)(1)(B) merely requires law enforcement officials to make a “request” for a claim of nationality to the vessel’s master. *See id.* The statute does not dictate what specific form that “request” must take.

The defendants contend this Court’s non-published decision in *United States v. Guerro*, 789 F. App’x 742 (11th Cir. 2019), supports their position. However, that decision is not binding on us and is factually distinguishable from this case. In *Guerro*, this Court concluded that the government failed to establish jurisdiction under § 70502(d)(1)(B) because during an interdiction law

enforcement officials did not make any request for a claim of nationality. *Id.* at 744–45, 747–48. In contrast, in this case the U.S. Coast Guard interpreter specifically asked the master of the go-fast vessel (Epieyu Epieyu) what the nationality of the vessel was. That question was a sufficient “request” for a claim of nationality under § 70502(d)(1)(B); the MDLEA does not require anything more.

For these reasons, the government satisfied its jurisdictional burden of establishing that the go-fast vessel was a “vessel without nationality” under § 70502(d)(1)(B).

B. Dutch Vessel

The defendants’ other jurisdictional argument—that the district court lacked jurisdiction because a Dutch vessel (the *Holland*) conducted the December 22, 2021 interdiction—also fails for multiple reasons.

First, nothing in the plain text of the MDLEA suggests that U.S. law enforcement officials cannot conduct an interdiction using a vessel belonging to another country. Section 70502(d)(1)(B) does state that “an officer of the United States authorized to enforce applicable provisions of United States law” must make the “request” for a claim of nationality to the vessel’s master. 46 U.S.C. § 70502(d)(1)(B). Yet that requirement was clearly satisfied here, as the officer who made the request for a claim of nationality for the go-fast vessel to Epieyu Epieyu was the U.S. Coast Guard translator acting through his commanding officer. The defendants cite to no authority supporting their position that this was jurisdictionally inadequate.

Second, the defendants ignore the overwhelming evidence presented at the evidentiary hearing that shows the interdiction was a U.S. Coast Guard operation for all intents and purposes. At the time of the December 22, 2021 interdiction, the *Holland*'s small boat and the helicopter were flying U.S. Coast Guard flags. Additionally, the team who conducted the interdiction, boarding, and questioning from the *Holland*'s small boat was comprised solely of U.S. Coast Guard officers. It was also a U.S. aircraft that first spotted the go-fast vessel, and a U.S. Coast Guard officer was on board the helicopter that disabled the go-fast vessel's engines. As one of the U.S. Coast Guard officers testified at the evidentiary hearing, the operation, "100 percent law enforcement-wise, [wa]s the United States Coast Guard."

Lastly, the December 22, 2021 interdiction was conducted pursuant to multilateral agreements between the United States and the Netherlands. Both the United States and the Netherlands are parties to the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, which states that signatories "shall co-operate to the fullest extent possible to suppress illicit traffic [of narcotics] by sea." Art. 17, ¶ 1, Dec. 20, 1988, 1582 U.N.T.S. 95. The treaty adds that signatories "shall co-operate closely with one another, consistent with their respective domestic legal and administrative systems, with a view to enhancing the effectiveness of law enforcement action to suppress the commission of [narcotic-trafficking] offences," including by "establish[ing] joint teams." *Id.* Art. 9, ¶ 1(a), (c).

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The United States and the Netherlands are also both parties to the multilateral “Agreement Concerning Co-Operation in Suppressing Illicit Maritime and Air Trafficking in Narcotic Drugs and Psychotropic Substances in the Caribbean Area.” Apr. 10, 2003, Treaty No. I-55538. Article 2 of that agreement requires cooperation between signatories in combating international drug trafficking in the Caribbean. Article 9 also expressly allows the law enforcement officials of one signatory to embark on the law enforcement vessels of another signatory to assist in the suppression of international drug trafficking. As one U.S. Coast Guard officer testified at the evidentiary hearing, such cooperative efforts occur frequently.

At bottom, the defendants have shown no jurisdictional defect either relating to the U.S. Coast Guard’s use of a Dutch vessel in the December 22, 2021 interdiction or otherwise. Accordingly, the district court did not err by denying the defendants’ motions to dismiss on jurisdictional grounds.

VI. CONCLUSION

In sum, the defendants have failed to show any constitutional defects or jurisdictional problems under the MDLEA in their convictions. Therefore, the district court did not err by denying their motions to dismiss the indictment.

AFFIRMED.