

FILED

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

2023 MAR 22 PM 1:20  
CLERK OF COURT  
TAMPA, FLORIDA

UNITED STATES OF AMERICA

v.

CASE NO.

~~8:23-cr-100 T&S-T&W~~  
8:23-cr-25-VMC-AEP  
gpd

18 U.S.C. § 241  
18 U.S.C. § 248(a)(1)  
18 U.S.C. § 248(a)(3)

CALEB HUNTER FREESTONE

a/k/a "Kya"

AMBER MARIE SMITH-STEWART

a/k/a "Ae"

a/k/a "16inches"

ANNARELLA RIVERA

a/k/a "Rivers"

GABRIELLA VICTORIA OROPESA

a/k/a "Gabs"

a/k/a "Gaby"

a/k/a "Gummy"

SEALED

<sup>gB</sup>  
*Superseding* **INDICTMENT**

The Grand Jury charges:

**COUNT ONE**  
**(Conspiracy Against Rights)**

**A. The Conspiracy**

From a date unknown, but at least from in or around May 2022 and continuing through on or about July 3, 2022, in the Middle District of Florida, and elsewhere, the defendants,

CALEB HUNTER FREESTONE,  
AMBER MARIE SMITH-STEWART,  
ANNARELLA RIVERA, and  
GABRIELLA VICTORIA OROPESA,

did willfully combine, conspire, and agree with one another, and with other persons

SEALED

*gB*  
—

known and unknown to the Grand Jury, to injure, oppress, threaten, and intimidate employees of facilities providing reproductive health services in the free exercise and enjoyment of the rights and privileges secured to them by the laws of the United States, namely, the right to provide and seek to provide reproductive health services as provided by Title 18, United States Code, Section 248(c)(1), in violation of Title 18, United States Code, Section 241.

**B. Plan and Purpose of the Conspiracy**

The plan and purpose of the conspiracy was to attack reproductive health services facilities that provide abortion alternatives by spray painting threats of force and other intimidating messages on the property of the facilities, in order to injure, oppress, threaten, and intimidate the employees of those facilities from providing and seeking to provide reproductive health services.

**C. The Manner and Means of the Conspiracy**

The manner and means by which the conspirators sought to accomplish the objects of the conspiracy included, among other things, the following:

- a. It was part of the conspiracy that FREESTONE, SMITH-STEWART, RIVERA, OROPESA, and the conspirators would and did target reproductive health facilities that provide abortion alternatives including counselling, pregnancy testing, ultrasound examinations, and referral services relating to the human reproductive system.

b. It was further part of the conspiracy that FREESTONE, SMITH-STEWART, RIVERA, OROPESA, and the conspirators would and did wear disguises such as masks, hats, and gloves while attacking the targeted reproductive health facilities.

c. It was further part of the conspiracy that on or about May 28, 2022, FREESTONE, SMITH-STEWART, RIVERA, OROPESA, and conspirators travelled to Hollywood, Florida, and damaged and destroyed the property of Facility A, a facility known to the Grand Jury, by spray painting threats including “If abortions aren’t SAFE then niether [sic] are you.” Facility A is an affiliate of the Archdiocese of Miami Ministry. Facility A offers free pregnancy counselling, pregnancy testing, and ultrasound examinations.

d. It was further part of the conspiracy that on or about June 26, 2022, FREESTONE, SMITH-STEWART, RIVERA, and conspirators travelled to Winter Haven, Florida, and damaged and destroyed the property of Facility B, a facility known to the Grand Jury, by spray painting threats including “YOUR TIME IS UP!!” WE’RE COMING for U” and “We are everywhere.” Facility B offers free pregnancy counselling, pregnancy testing, and ultrasound examinations.

e. It was further part of the conspiracy that on or about July 3, 2022, FREESTONE, OROPESA, and conspirators travelled to Hialeah, Florida, and damaged and destroyed the property of Facility C, a facility known to the Grand Jury, by spray painting threats including “If abortions aren’t safe the [sic] neither are

you.” Facility C offers free pregnancy counselling, pregnancy testing, and ultrasound examinations.

All in violation of 18 U.S.C. § 241 and 2.

**COUNT TWO**  
**(Freedom of Access to Clinic Entrances)**

On or about June 26, 2022, in the Middle District of Florida, and elsewhere,  
the defendants,

CALEB HUNTER FREESTONE,  
AMBER MARIE SMITH-STEWART, and  
ANNARELLA RIVERA,

aiding and abetting one another and other persons known and unknown to the Grand Jury, did by threat of force intentionally injure, intimidate, and interfere with, and attempt to injure, intimidate, and interfere with employees of Facility B, a facility known to the Grand Jury, because the employees were providing and seeking to provide reproductive health services. Specifically, FREESTONE, SMITH-STEWART, RIVERA, and other persons known and unknown to the Grand Jury, spray painted threats of force on the Facility B building.

In violation of 18 U.S.C. §§ 248(a)(1) and 2.

**COUNT THREE**  
**(Freedom of Access to Clinic Entrances)**

On or about June 26, 2022, in the Middle District of Florida, and elsewhere,  
the defendants,

CALEB HUNTER FREESTONE,

AMBER MARIE SMITH-STEWART, and  
ANNARELLA RIVERA,

aiding and abetting one another and other persons known and unknown to the Grand Jury, did intentionally damage and destroy the property of the Facility B, a facility known to the Grand Jury because the facility provides reproductive health services. Specifically, FREESTONE, SMITH-STEWART, RIVERA and other persons known and unknown to the Grand Jury, defaced Facility B by spray painting the facility.

In violation of 18 U.S.C. § 248(a)(3) and 2.

A TRUE BILL,

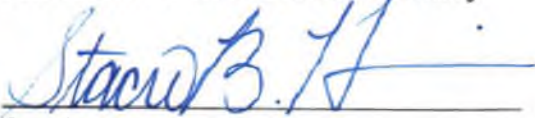
  
Foreperson

ROGER B. HANDBERG  
United States Attorney

By:

  
\_\_\_\_\_  
Lisa M. Thelwell  
Assistant United States Attorney

By:

  
\_\_\_\_\_  
Stacie B. Harris  
Assistant United States Attorney  
Chief, Special Victims Section

By:

  
\_\_\_\_\_  
Laura-Kate Bernstein  
Trial Attorney  
Civil Rights Division

FORM OBD-34

March 23

No. 8:23-cr-25-VMC-AEP

UNITED STATES DISTRICT COURT  
Middle District of Florida  
Tampa Division

THE UNITED STATES OF AMERICA

vs.

CALEB HUNTER FREESTONE a/k/a "Kya"  
AMBER MARIE SMITH-STEWART a/k/a "Ae", a/k/a "16inches"  
ANNARELLA RIVERA a/k/a "Rivers"  
GABRIELLA VICTORIA OROPESA a/k/a "Gabs", a/k/a "Gaby", a/k/a "Gummy"

SUPERSEDING INDICTMENT

Violations: 18 U.S.C. § 241 and 2  
18 U.S.C. §§ 248(a)(1) and 2  
18 U.S.C. § 248(a)(3) and 2

A true bill,



Foreperson

Filed in open court this 22<sup>nd</sup> day of March, 2023.

Clerk

Bail \$ \_\_\_\_\_