



FOR IMMEDIATE RELEASE
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*Office of the United States Attorney
District of Arizona*

For Information Contact Public Affairs
SANDY RAYNOR
Telephone: (602) 514-7625
Cell: (602) 525-2681

MEXICAN NATIONAL INDICTED ON MULTIPLE FIREARMS AND DRUG CHARGES

PHOENIX - A federal grand jury in Phoenix returned an 8-count indictment yesterday against Jesus Mercado-Miranda, 31, of Sinaloa, Mexico for a violations of: illegally re-entering the United States, alien in possession of three firearms, and possessing the following with intent to distribute: cocaine base (crack), methamphetamine, cocaine, heroin, and marijuana. Mercado-Miranda was also indicted for possessing firearms in connection with the drug trafficking offenses.

A conviction for Possession with Intent to Distribute More than 50 Grams Cocaine Base carries a mandatory minimum penalty of 10 years, and up to a \$4,000,000 fine or both. Possession of a Firearm in Connection with a Drug Trafficking Offense carries a mandatory minimum penalty of five years, which must be consecutive to the drug trafficking offense, and up to a \$250,000 fine or both. Illegal Re-entry carries a sentence of up to two years and a fine of up to \$250,000 or both. Alien in Possession of a Firearm carries a sentence of up to 10 years and a fine of up to \$250,000 or both. Possession with Intent to Distribute Methamphetamine carries a sentence of up to 20 years and a fine of up to \$1,000,000 or both. Possession with Intent to Distribute Cocaine carries a sentence of up to 20 years and a fine of up to \$1,000,000 or both. Possession with Intent to Distribute Heroin carries a sentence of up to 20 years and a fine of up to \$1,000,000 or both. Possession with Intent to Distribute Marijuana carries a sentence of up to five years and a fine of up to \$250,000 or both. In determining an actual sentence, the judge will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

This case is a result of Project Safe Neighborhoods, an illegal firearms enforcement program. The effectiveness of Project Safe Neighborhoods in the District of Arizona is based on the ability of federal, state, and local agencies to cooperate in a unified offensive led by U.S. Attorney Diane J. Humetewa. Through ongoing partnerships among federal, state, and local law enforcement and prosecutorial agencies, like the one in this case, U.S. Attorney Humetewa is implementing a series of strategies that are contoured to fit the specific firearms crime problems throughout Arizona.

The investigation preceding the indictment was conducted by U.S. Immigration and Customs Enforcement, the Bureau of Alcohol, Tobacco, Firearms, and Explosives and the Phoenix Police Department. The prosecution is being handled by Theresa Cole Rassas, Assistant U.S. Attorney, District of Arizona, Phoenix.

CASE NUMBER: CR-09-0295-PHX
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