



FOR IMMEDIATE RELEASE  
Wednesday, October 21, 2009

Public Affairs  
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## **FORMER CUSTOMS AND BORDER PROTECTION OFFICER PLEADS GUILTY TO ACCEPTING BRIBES TO ALLOW ILLEGAL ALIENS ENTER THE U.S.**

PHOENIX – Former U.S. Customs and Border Protection Officer Jose Carmelo Magana, 46, of Yuma, Ariz., pleaded guilty today on charges of Attempting to Bring Illegal Aliens into the United States and Acceptance of a Bribe by a Public Official. Sentencing for Magana is set before U.S. District Judge James A. Teilborg on January 19, 2010.

Magana admitted to have participated in an agreement with Brenda Covarrubias, Ana Bertha Calderon, Jesus Gastelum-Rodriguez, Guadalupe Milan de Gastelum and others, to smuggle illegal aliens into the U.S. through a lane at the San Luis Port of Entry in San Luis, Ariz., staffed at the time by Magana. Magana admitted to accepting a bribe to allow Gastelum-Rodriguez and Milan de Gastelum to bring a person the defendants believed to be an illegal alien into the United States through his lane without proper inspection on November 13, 2007. Magana further admitted that Covarrubias and Calderon collected smuggling fees and routed a portion of those fees back to him in return for his failure to perform his duties as a Customs and Border Protection officer. Covarrubias, Calderon, Gastelum-Rodriguez and Milan de Gastelum previously entered guilty pleas to a charge of Conspiracy to Bring Illegal Aliens to the United States in the case.

The maximum penalty for Attempting to Bring Illegal Aliens into the U.S. is 10 years in federal prison with a minimum mandatory penalty of three years in prison. The maximum penalty for Acceptance of a Bribe by a Public official is 15 years in prison. Both charges carry a maximum fine of \$250,000 and a term of supervised release of up to three years. In determining an actual sentence, Judge Teilborg 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.

The investigation in this case was conducted by the Federal Bureau of Investigation, the Department of Homeland Security Office of the Inspector General, the Drug Enforcement Administration and U.S. Customs and Border Protection. The prosecution is being handled by Joseph E. Koehler, Assistant U.S. Attorney, District of Arizona, Phoenix, Arizona.

CASE NUMBER: CR-08-546-01-PHX-JAT  
RELEASE NUMBER: 2009-331(Magana)

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