



Department of Justice

Acting United States Attorney Lawrence G. Brown
Eastern District of California

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CRIMINAL ALIEN CONVICTED OF ILLEGAL REENTRY INTO UNITED STATES

FRESNO, Calif.—Acting United States Attorney Lawrence G. Brown announced today that yesterday a Fresno jury convicted ROGELIO ESPINOZA-BAZA on two counts of being a previously deported alien found back in the United States in violation of federal immigration laws. Federal immigration authorities deported ESPINOZA-BAZA to Mexico in 2002 and 2005, after finding him in state prison in Kern County, California, and after determining his criminal alien and aggravated felon status. Despite his prior state convictions and federal deportations, ESPINOZA-BAZA returned illegally to the United States and was again found incarcerated in Kern County in 2004 and 2007.

This case is the product of an investigation by United States Immigration and Customs Enforcement.

Under the Department of Homeland Security's Criminal Alien Program, federal authorities seek to identify, prosecute, and deport criminal aliens illegally present in the United States who have been previously convicted of aggravated felonies or other criminal offenses. Aggravated felons who return to the United States after deportation are subject to a maximum term of imprisonment of 20 years in federal prison. In this case, ESPINOZA-BAZA had numerous prior state convictions for drug trafficking, assault with a deadly weapon, evading a peace officer, and other offenses.

According to Assistant United States Attorneys Ian Garriques and David Gappa, who prosecuted the case, at trial, ESPINOZA-BAZA claimed that immigration authorities lacked sufficient proof to show that he had been found back in the Eastern District of California after deportation. In finding the defendant guilty on both counts, the jury relied on voluminous evidence submitted by immigration authorities, including deportations records, documentary evidence, and testimony of immigration officers, establishing that defendant had illegally returned to the United States.

United States Chief District Judge Anthony W. Ishii is scheduled to sentence ESPINOZA-BAZA on June 29, 2009.

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