

NEWS RELEASE



***OFFICE OF THE UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF CALIFORNIA
San Diego, California***

***United States Attorney
Karen P. Hewitt***

For Immediate Release

**FEDERAL INDICTMENT UNSEALED WITH SECOND-DEGREE MURDER
CHARGE FOR THE DEATH OF U.S. CUSTOMS AND BORDER PROTECTION
BORDER PATROL AGENT LUIS AGUILAR**

NEWS RELEASE SUMMARY - May 14, 2009

San Diego, CA - United States Attorney Karen P. Hewitt announced today the unsealing of a three-count superseding indictment charging Jesus Navarro-Montes with federal narcotics violations and second-degree murder in connection with the death of United States Customs and Border Protection Border Patrol Agent Luis Aguilar on January 19, 2008. According to the superseding indictment, Agent Aguilar was on duty on January 19, 2008, in the Imperial Sand Dunes Recreation Area in Imperial County, California, when he was struck and killed by a Hummer H2 driven by Navarro-Montes. The superseding indictment further alleges that Navarro-Montes conspired to distribute marijuana beginning at a date unknown and continuing up to and including January 19, 2008. The superseding indictment was handed up by a federal grand jury sitting in San Diego on May 6, 2009, and unsealed today.

The superseding indictment replaces an initial indictment handed up by a San Diego federal grand jury on February 18, 2009, alleging that Navarro-Montes had possessed with intent to distribute approximately 445 kilograms of marijuana on September 23, 2007. Navarro-Montes is currently in the custody of Mexican law enforcement authorities in Mexico. On March 30, 2009, the United States requested Navarro-Montes's extradition from Mexico on the original narcotics charge. The United States will now seek Navarro-Montes's extradition from Mexico on the additional charges added in the May 6, 2009 superseding indictment.

DEFENDANT

Case Number: 09cr0577-MMA

Jesus Navarro-Montes

SUMMARY OF CHARGES

Title 18, United States Code, Section 1111 - Second Degree Murder

Title 21, United States Code, Sections 846 and 841(a)(1) - Conspiracy to Distribute Marijuana

Title 21, United States Code, Section 841(a)(1) - Possession of Marijuana with Intent to Distribute

PARTICIPATING AGENCIES

Federal Bureau of Investigation

Immigration and Customs Enforcement

Drug Enforcement Administration

United States Customs and Border Protection - Border Patrol - El Centro and Yuma Sectors

An indictment is not evidence that the defendant committed the crimes charged. The defendant is presumed innocent until the Government meets its burden in court of proving guilt beyond a reasonable doubt.