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**MS-13 MEMBER SENTENCED TO 36 MONTHS FOR RETURNING TO U.S. AFTER
DEPORTATION DUE TO FELONY CONVICTION**

Judge Enhanced Sentence Based on Defendant's Membership in MS-13

Greenbelt, Maryland - U.S. District Judge Deborah K. Chasanow sentenced MS-13 member Jesus Cruz-Hernandez, a/k/a "Morro," and "Spider," age 29, of Silver Spring, today to 36 months in prison followed by three years of supervised release for illegally re-entering the United States after being deported following a felony conviction, announced United States Attorney for the District of Maryland Rod J. Rosenstein. Judge Chasanow gave an upward variance in Cruz-Hernandez' sentence based on his participation in MS-13, as well as his other violent and criminal activities.

According to his guilty plea, Cruz-Hernandez entered the United States illegally at some time prior to October 9, 1997. On October 9, 1997, he was convicted of possession of cocaine in the Circuit Court for Prince George's County, Maryland, and was sentenced to 364 days imprisonment. Upon release, Mr. Cruz-Hernandez was deported as a convicted felon and removed from the United States on November 7, 1997. Cruz-Hernandez's right index fingerprint and photograph were affixed to the document memorializing his departure.

According to information presented at today's hearing, in March of 1998, Cruz-Hernandez illegally reentered the United States by crossing the border at Laredo, Texas. In January of 2000, he committed a violent robbery in Prince George's County, punching, kicking and stomping his victim to get \$100 and a credit card. He was convicted in June of 2000 and sentenced to two years incarceration with one year suspended and credit given for time served. On November 26, 2001, Cruz-Hernandez was convicted of first degree assault and robbery with a deadly weapon, based on his punching, slashing and stabbing of another victim. He sentenced by the Prince George's County Circuit Court to 20 years incarceration, with all but nine years suspended. He has since been incarcerated. During that time Cruz-Hernandez committed four additional assaults upon his fellow inmates.

After his last state term of incarceration ended in January of 2008, Immigration and Customs Enforcement officials took custody of Cruz-Hernandez and on April 14, 2008, he pleaded guilty to illegally re-entering the United States. At sentencing, the Court found that Cruz-Hernandez is still affiliated with the violent street gang, MS-13, whose members frequently engage in criminal activity.

Cruz-Hernandez has a number of tattoos indicating his gang affiliation and as recently as February 14, 2008, he vandalized his jail cell with “MS-13” graffiti, which he signed with his gang name of “Morro.”

United States Attorney Rod J. Rosenstein thanked U.S. Immigration and Customs Enforcement and Prince George’s County Police Department for their investigative work, and commended Assistant United States Attorney Stacy Dawson Belf, who prosecuted the case.