

For Immediate Release
August 11, 2011

**FEDERAL JURY FINDS MEXICAN NATIONAL GUILTY OF
UNLAWFUL RE-ENTRY INTO UNITED STATES**

ALBUQUERQUE – Yesterday evening, a federal jury sitting in Albuquerque found **Salvador De Jesus Gutierrez-Castro**, 52, a Mexican national, guilty of unlawfully re-entering the United States after previously being deported after a one-day trial. At sentencing, Gutierrez-Castro faces a maximum penalty of twenty years of imprisonment. Gutierrez-Castro, who is from Fresnillo, Zacatecas, Mexico, has been in federal custody since his arrest on April 18, 2010. He remains detained pending his sentencing hearing, which has yet to be set.

United States Attorney Kenneth J. Gonzales said Gutierrez-Castro was tried on an indictment charging him with unlawfully re-entering the United States on April 18, 2010 after having been deported on April 7, 2010.

The evidence at trial established that Gutierrez-Castro went through a deportation process and was ordered deported. Pursuant to the deportation order, on April 7, 2010, a Deportation and Removal Officer from the U.S. Border Patrol physically removed Gutierrez-Castro from the United States and watched him walk across the border back into Mexico. An official from the U.S. Department of Homeland Security testified that, because Gutierrez-Castro had been deported, he was required to seek permission from either the U.S. Attorney General or the Secretary of Homeland Security to re-enter the United States legally. The official said that a review of government files revealed that Gutierrez-Castro did not apply or receive permission to re-enter the United States. Despite that, Gutierrez-Castro was arrested in the United States on August 18, 2010, just eleven days after he was deported.

A U.S. Border Patrol agent testified that he observed a place where someone crossed into

the United States over the international fence at the United States-Mexico border in Santa Teresa, New Mexico. The agent alerted other agents who apprehended Gutierrez-Castro approximately half a mile away from the fence. The agents were able to match Gutierrez-Castro's footprints to those found near the international fence. After he was arrested, Gutierrez-Castro admitted that he was a Mexican citizen who did not have permission to be in the United States legally.

A fingerprint expert testified that the fingerprints for the Gutierrez-Castro deported on April 10, 2010 matched the fingerprints taken from Gutierrez-Castro when he was arrested on April 18, 2010, and explained to the jury how fingerprint analyses are performed.

The jury deliberated less than an hour before returning a guilty verdict.

The case was investigated by the United States Border Patrol, and is being prosecuted by Assistant United States Attorneys Norman Cairns and Shammara H. Henderson.

#

11-340