

Department of Justice



United States Attorney Laura E. Duffy
Southern District of California

FOR IMMEDIATE RELEASE
TUESDAY, OCTOBER 30, 2012
WWW.USDOJ.GOV/USAO/SDCA

CONTACT: Debra Hartman
Email: Debra.hartman@usdoj.gov
PHONE: 619-557-5610

DEFENDANT PLEADS GUILTY TO FIRST DEGREE MURDER CHARGE

Individual Involved in the Death of Border Patrol Agent Brian Terry

SAN DIEGO, CA - Manuel Osorio-Arellanes entered a guilty plea today in United States District Court in Tucson, AZ, to first degree murder in the death of United States Border Patrol Agent Brian Terry, announced Laura E. Duffy, United States Attorney for the Southern District of California. Agent Terry was shot and killed on December 14, 2010, when the defendant and four others engaged in a firefight with Border Patrol agents.

According to the plea agreement, Manuel Osorio-Arellanes admitted that during the evening of December 14, 2010, he and others were in the United States for the purpose of robbing drug traffickers of their contraband. While Agent Terry was engaged in the performance of his official duties, members of the defendant's group exchanged gun fire with agents and one of the shots fired by a member of the defendant's group killed Agent Terry.

The defendant appeared earlier today before the Honorable Bernardo P. Velasco, and entered his guilty plea to count one of the fourth superseding indictment charging him with first degree murder, in violation of Title 18, United States Code, Sections 1111 and 1114.

The defendant is scheduled to appear on January 11, 2013, at 10:30 a.m., before the Honorable David C. Bury for a sentencing hearing. The defendant faces a maximum penalty of life in prison. Manuel Osorio-Arellanes has been in custody since his arrest the night of the shooting.

United States Attorney Laura E. Duffy said, "Agent Terry was killed in the line of duty courageously safeguarding our border. Our country owes him and his family a great debt of gratitude for his ultimate sacrifice in service to our country. Today's plea is an important step in seeking justice on behalf of Agent Terry."

James L. Turgal Jr., FBI Special Agent in Charge, Phoenix Division, said, "Today's plea agreement signifies an important step forward in the Brian Terry murder investigation by bringing one more individual to justice. The FBI continues to aggressively pursue the remaining

fugitives: Jesus Rosario Favela-Astorga, Ivan Soto-Barraza, and Heraclio Osorio-Arellanes. Brian Terry is a hero in the eyes of a grateful nation for his selfless dedication and service. The FBI remains steadfast in its commitment to leaving no stone unturned in holding all of those accountable for the death of Brian Terry.”

On July 20, 2012, in order to seek the public’s assistance, Department of Justice officials announced a reward of up to \$1 million dollars for information leading to the arrest of four fugitives: Jesus Rosario Favela-Astorga, Ivan Soto-Barraza, Heraclio Osorio-Arellanes, and Lionel Portillo-Meza. In September of this year, Lionel Portillo-Meza was captured in Mexico and is currently awaiting extradition to the United States. These defendants are charged with crimes including first degree murder, second degree murder, conspiracy to interfere with commerce by robbery, attempted interference with commerce by robbery, use and carrying a firearm during a crime of violence, assault on a federal officer and possession of a firearm by a prohibited person. In addition to the murder of Agent Terry, the indictment also alleges that the defendants assaulted Border Patrol Agents William Castano, Gabriel Fragoza, and Timothy Keller, who were with Agent Terry during the firefight.

A sixth defendant, Rito Osorio-Arellanes, has pled guilty to conspiracy to interfere with commerce by robbery. Osorio-Arellanes has been in custody since December 12, 2010, when he was arrested by Border Patrol agents on immigration charges.

This case is being prosecuted in federal court in Tucson by attorneys from the Southern District of California, Special Attorneys Todd W. Robinson, David D. Leshner, and Fred Sheppard. The U.S. Attorney’s Office for the District of Arizona is recused. This case is being investigated by the Federal Bureau of Investigation.

The public is reminded that an indictment is a formal charging document and defendants are presumed innocent until the government meets its burden in court of proving guilty beyond a reasonable doubt.

###