

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Lance M. Tingler, a Special Agent with the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), being first duly sworn, depose and state under oath the following:

1. I am submitting this affidavit in connection with a criminal complaint related to the arrest of Eliazar SANCHEZ CASTRO, a citizen and national of Mexico for a violation of Title 18, United States Code, Section 1036, entry to secure area of a seaport by fraud or false pretenses.

2. I am a Special Agent with the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE). I have been a Criminal Investigator for approximately 9 years.

3. During my law enforcement career, I have participated in and conducted investigations pertaining to the seizure of various types of government issued documents, to include visas, employment authorization documents and passports and evidence of other types of crimes. I have received specialized training in the enforcement of customs and immigration laws, with an emphasis on fraudulent identification documents.

4. Based on my training and experience relating to the investigation of fraudulent documents and upon interviews I have conducted with defendants, informants, witnesses and other participants in fraudulent document investigation, I am familiar with the methods that are used to manufacture fraudulent documents and ways that fraudulent document vendors conduct their business. My familiarity includes the various means and methods used to produce the fraudulent documents and subsequent distribution of the fraudulent documents.

5. I am currently participating in an investigation involving the utilization of a fraudulent Transportation Workers Identification Credential (TWIC) card to gain access to a secure port facility located in Port Fourchon, Louisiana.

6. This investigation has revealed that Eliazar SANCHEZ CASTRO utilized a fraudulent TWIC card to gain access to the C-Port installation in Port Fourchon, Louisiana.

7. A summary of the investigation follows.

A. On May 16, 2010, Senior Special Agent (SSA) Lance Tingler, of the Resident Agent in Charge, Houma, Louisiana (RAC-HU) was notified by Resident Agent in Charge (RAC) Blayne Bergeron to contact Deputy Picou of the Port Fourchon Harbor Police in Port Fourchon, Louisiana, in reference to the discovery of suspected fraudulent identification documents utilized to gain access onto a secure port facility located in Port Fourchon, Louisiana.

- B. SSA Tingler contacted Deputy Picou via telephone and learned that an individual identified as Eliazar SANCHEZ CASTRO presented a suspected fraudulent Transportation Worker Identification Credential (TWIC) card to C-Port Security guard Melissa Terrebonne in an attempt to reenter a secure facility after arriving in Port Fourchon, C Port-1 dock from working offshore. Terrebonne requested identification after SANCHEZ CASTRO left to retrieve his vehicle and attempted to reenter the facility to pick up his tools and baggage. SANCHEZ CASTRO provided Terrebonne with a suspected fraudulent TWIC card. Terrebonne subsequently alerted her supervisor Reggie Angeron who contacted the HPD. Upon arrival HPD Deputy Picou recognized the TWIC card to be fraudulent which SANCHEZ CASTRO presented upon request for identification. In addition, a fraudulent Texas Department of Public Safety driver's license was presented by SANCHEZ CASTRO for identification. Deputy Picou detained SANCHEZ CASTRO and called Customs and Border Protection Officer DeAngelo. Officer DeAngelo subsequently contacted RAC Bergeron.
- C. Deputy Picou related that SANCHEZ CASTRO was working as a scaffolding laborer with Industrial Scaffolding returning from working offshore to C-Port -1 when encountered. C-Port is a secure facility requiring a TWIC card to enter and exit the facility.
- D. SSA Tingler and SSA Charlotte Green of the Resident Agent in Charge, Houma, Louisiana, responded to the HPD at Port Fourchon, Louisiana, and encountered SANCHEZ CASTRO.
- E. Prior to any questioning, SSA Tingler advised SANCHEZ CASTRO of his rights related to Miranda via an ICE Spanish Statement of Rights form at which time he refused to sign the Miranda Rights Form however, he stated that he would answer questions.
- F. SANCHEZ CASTRO stated that he is a Mexican citizen presently in the United States with an approved I-130 petition for Legal Permanent Resident Status and is married to a United States citizen. SANCHEZ CASTRO stated that he purchased the TWIC card and Texas Identification card in Texas for approximately \$150.00 and used the TWIC card for working offshore.

8. By attempting to reenter the C-Port Facility by the use of a fraudulent TWIC card, SANCHEZ CASTRO violated 18 U.S.C. § 1036.

SENIOR SPECIAL AGENT LANCE M. TINGLER
Department of Homeland Security/ICE

Subscribed and Sworn to before me,
this 17th day of May, 2010,
at New Orleans, Louisiana.

HONORABLE LOUIS MOORE, JR.
United States Magistrate Judge