

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO. 12-168
v.	*	SECTION: K
DIVERSIFIED CONCRETE, LLC	*	
	* * *	

FACTUAL BASIS

Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the indictment now pending against the defendant:

The Defendant, **DIVERSIFIED CONCRETE, LLC** (hereinafter “**DIVERSIFIED**”) has agreed to plead guilty as charged to Count Two of the bill of information charging it with unlawful employment of aliens in violation of Title 8, United States Code, Sections 1324a(a)(1)(A) and 1324a(f)(1).

A U.S. Immigration and Customs Enforcement (hereinafter “ICE”) special agent (hereinafter “agent”) would testify that on March 2, 2010 ICE commenced a Form I-9 inspection of **DIVERSIFIED**. The agent would testify that the initial investigation revealed that illegal aliens

were employed at **DIVERSIFIED**. The agent would testify that on April 10, 2010, ICE agents served **DIVERSIFIED** with a Notice of Suspect Documents, which informed it that, based on the documentation provided by **DIVERSIFIED**, certain employees appeared not to be authorized for employment in the United States. The agent would testify that from August 2011 through February 2012, ICE agents conducted surveillance of **DIVERSIFIED** worksites and learned that **DIVERSIFIED** was still employing unauthorized aliens. The agent would testify that in the Eastern District of Louisiana **DIVERSIFIED** knowingly and unlawfully engaged in a pattern and practice of hiring aliens for employment in the United States, knowing such aliens to be unauthorized aliens with respect to such employment.

The agent would testify that on February 15, 2012, search warrants were conducted at the office of **DIVERSIFIED** located in Covington and at an address where illegal alien employees of **DIVERSIFIED** resided. The agent would testify that six illegal aliens were arrested, and all admitted to working for **DIVERSIFIED**. The agent would testify that both owners of **DIVERSIFIED**, Robert Ryan Rogers and Bradley Rogers, admitted to knowingly and unlawfully hiring aliens for employment in the United States, knowing such aliens to be unauthorized aliens with respect to such employment.

Juan Manuel Vargas-Roque would testify that he was employed as a foreman for **DIVERSIFIED** and that **DIVERSIFIED** knowingly hired aliens for employment in the United States, knowing such aliens to be unauthorized aliens with respect to such employment and had done so since the time of his employment with **DIVERSIFIED**.

Gladys Diane Benford would testify that she was employed as a secretary for **DIVERSIFIED** and that **DIVERSIFIED** knowingly hired aliens for employment in the United States, knowing such aliens to be unauthorized aliens with respect to such employment and had done so since the time of her employment with **DIVERSIFIED**.

Additional witnesses would testify that they were employed at **DIVERSIFIED** on February 15, 2012; that they were unauthorized aliens; and that **DIVERSIFIED** hired them knowing that they were unauthorized aliens with respect to employment.

ROBERT WEIR
Special Assistant United States Attorney

Date

ROBERT RYAN ROGERS
Duly Authorized Representative of the Defendant
Diversified Concrete, LLC

Date

WALTER F. BECKER, JR.
Attorney for Defendant

Date