

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

UNITED STATES OF AMERICA

*

CRIMINAL DOCKET NO. 12-150

v.

*

SECTION: G

JOSE ISRAEL ROMERO

*

a/k/a Jose Romero

a/k/a Joshua Caceres

*

a/k/a Josue Caceres

*

* * *

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, **JOSE ISRAEL ROMERO** (hereinafter “**ROMERO**”) has agreed to plead guilty as charged to the one-count indictment charging him with illegal reentry of a removed alien in violation of Title 8, United States Code, Section 1326(a).

An Immigration and Customs Enforcement (hereinafter “ICE”) agent (hereinafter the “agent”) would testify that on or about March 25, 2012, he encountered the defendant, **ROMERO**, while assisting the Jefferson Parish Sheriff’s Office during an investigation in Jefferson Parish,

within the Eastern District of Louisiana. Upon determining the defendant was illegally in the United States, the defendant was detained and arrested by an agent for immigration violations.

The agent would testify that, upon questioning **ROMERO** under oath after being read his *Miranda* rights, the defendant stated that he was a citizen of Mexico, was illegally in the United States, and had previously been removed. The agent would testify that he confirmed the defendant's illegal status by performing biographic and biometric database checks through various United States Department of Homeland Security databases. The databases also revealed that the defendant was a citizen of Mexico who had previously been removed from the United States.

Documentation from the records of ICE, contained in the defendant's Alien file, including a Warrant of Removal/Deportation, complete with the defendant's fingerprints, photographs and signature, would demonstrate that the defendant, **ROMERO**, was removed from the United States to Mexico on or about February 19, 2008, at or near San Ysidro, California. A qualified ICE Fingerprint Specialist would testify that the fingerprints of the individual documented in the Alien file containing the Warrant of Removal/Deportation and the fingerprints of the defendant are a match. Documentation from the Alien file would further show that the defendant is an alien, and not a citizen or national of the United States.

Testimony of an official from U.S. Citizenship and Immigration Services regarding record checks conducted through the Computer Linked Application Information Management System would show that the defendant, **ROMERO**, did not receive consent from the U.S. Attorney General or his designated successor, the Secretary of the Department of Homeland Security, to apply for readmission or receive permission to reenter the United States since the time of the defendant's previous removal.

Further documents, court records, and other admissible evidence would show that on or about May 26, 2005, in the Superior Court of California, County of Los Angeles, the defendant, **ROMERO**, was convicted of second degree burglary in violation of California Penal Code Section 459.

ROBERT WEIR
Special Assistant United States Attorney

Date

JOSE ISRAEL ROMERO
Defendant

Date

SAMUEL SCILLITANI
Attorney for Defendant

Date