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News Release

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Prosecutions continue in illegal entry cases involving those with prior criminal records

In the District of Minnesota, court action continues in federal cases involving three foreign nationals who entered the United States illegally after being deported as criminals. Today in St. Paul, two of those men were sentenced, while earlier this week the third man was sentenced for the same crime.

In St. Paul, U.S. District Court Judge Paul A. Magnuson sentenced Rolando Magana-Garcia, age 29, of St. Paul, to 15 months in prison on one count of illegal re-entry after deportation. Magana-Garcia was indicted on January 19, 2011, and pleaded guilty on March 22, 2011. In his plea agreement, Magana-Garcia admitted that on December 14, 2010, he was found in the U.S. illegally after having been previously deported to Mexico. His deportation followed a 2002 federal conviction in the Northern District of Illinois for conspiracy to commit fraud through the use of identification documents. According to a law enforcement affidavit filed in the current case, Magana-Garcia was most recently arrested by U.S. Immigration and Customs Enforcement's Homeland Security Investigations ("ICE HSI") during an investigation in St. Paul. This case was the result of an investigation by ICE HSI. It was prosecuted by Special Assistant U.S. Attorney Colin P. Johnson.

Also in St. Paul, Judge Magnuson sentenced Jose Manuel Ovalle-Garcia, age 32, of Richfield, to 41 months on one count of illegal re-entry after deportation. He was indicted on January 19, 2011, and pleaded guilty on April 5, 2011. In his plea agreement, Ovalle-Garcia admitted that on December 30, 2010, he was found illegally in the U.S. after having been deported to Guatemala. His deportation followed a 2002 Hennepin County conviction for criminal sexual conduct in the third degree. Ovalle-Garcia was most recently arrested on December 30, 2010, by the Bloomington Police Department for providing a false name to police and driving without a license. He was identified as an illegal alien through ICE's Criminal Alien

Program (“CAP”). The goal of that program is to locate criminal aliens incarcerated in federal and state prisons, as well as in local jails, and prevent them from being released into the general population. He was turned over to ICE’s Enforcement and Removal Operations (“ICE ERO”) on January 4, 2011. This case was the result of an investigation by the Bloomington Police Department and ICE ERO. It was also prosecuted by Special Assistant U.S. Attorney Johnson.

On August 9, 2011, in Minneapolis, U.S. District Court Judge David S. Doty sentenced Cesar Ortiz-Castillo, age 30, of Minneapolis, to 70 months on one count. He was indicted on December 21, 2010, and pleaded guilty on April 12, 2011. In his plea agreement, Ortiz-Castillo admitted that on July 23, 2010, he was found in the U.S. after having been previously deported to Mexico following a 2009 Hennepin County conviction for terroristic threats. According to a law enforcement affidavit filed in the current federal case, Ortiz-Castillo was identified as an illegal alien through the CAP while in Ramsey County jail following an arrest for violating probation. He also admitted paying a smuggler \$3,500 to get him into the country via the Arizona border. The Ortiz-Castillo case was the result of an investigation by ICE-ERO and the Ramsey County Sheriff’s Office. It was prosecuted by Assistant U.S. Attorney Deidre Y. Aanstad.

All three men will be deported after serving their sentences. To learn more about the CAP, visit www.ice.gov/criminal-alien-program/

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