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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 continued in federal cases involving four nationals from El Salvador, Guatemala, and Mexico who entered the United States illegally after being deported as criminals. Earlier today, these four men were charged in separate indictments, each with one count of illegal re-entry after deportation.

Juan Carlos Figueroa-Alvarado, age 36, was charged in the first case. His indictment alleges that on October 30, 2010, he was found in the U.S. illegally after having been previously deported to El Salvador. His deportation followed a 2005 Oregon conviction for robbery in the third degree. According to a law enforcement affidavit filed in the current case, Figueroa-Alvarado was most recently arrested on October 29, 2010, by the Shakopee Police Department for third-degree assault, domestic assault, and obstructing the legal process. He was in the Scott County Jail when he was identified as an illegal alien through Homeland Security'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.

The second indictment was filed against Rolando Magana-Garcia, age 29. It alleges 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 Homeland Security-Investigations during an investigation in St. Paul.

Jose Manuel Ovalle-Garcia, age 32, was charged in the third indictment, which alleges that on December 30, 2010, he was found in the U.S. illegally after having been previously deported

to Guatemala. His deportation followed a 2002 Hennepin County conviction for criminal sexual conduct in the third degree. He 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 via the CAP, and turned over to Homeland Security–Enforcement and Removal Operations (“HS-ERO”) on January 4, 2011.

The fourth indictment was filed against Rogelio Robles-Caballero, age 37. It alleges that on October 14, 2010, he was found in the U.S. illegally after having been previously deported to Mexico. His deportation followed a 1995 California conviction for unlawful sale of a controlled substance. He was arrested recently by the Richfield Police Department and identified via the CAP as being in the U.S. illegally.

If convicted, these four defendants face a potential maximum penalty of 20 years in prison. All sentences will be determined by a federal district court judge.

All four defendants will remain in custody until their current federal cases are resolved. They will be deported after serving their sentences, if convicted.

The Figueroa-Alvarado case is the result of an investigation by the Shakopee Police Department and HS-ERO. The Magana-Garcia case was investigated by Homeland Security–Investigations, while the Ovalle-Garcia case resulted from an investigation conducted by HS-ERO and the Bloomington Police Department. All three of those cases are being prosecuted by Special Assistant U.S. Attorney Colin P. Johnson. The Robles-Caballero case is the result of an investigation by the Richfield Police Department and HS-ERO. It is being prosecuted by Assistant U.S. Attorney Karen B. Schommer.

To learn more about the CAP, visit www.ice.gov/criminal-alien-program/

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An indictment is a determination by a grand jury that there is probable cause to believe that offenses have been committed by a defendant. A defendant, of course, is presumed innocent until he or she pleads guilty or is proven guilty at trial.