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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, separate indictments have been filed against two Mexican nationals who entered the United States illegally after being deported as criminals. Earlier today in Minneapolis, two individuals were charged with one count of illegal re-entry after deportation.

Rodolfo Gomez-Olvera, age 38, of Minneapolis, was charged in the first case. His indictment alleges that on February 7, 2011, he was found in the U.S. illegally after having been previously been deported. Gomez-Olvera's deportation followed a 1995 California conviction for unlawful sex with a minor. The current federal indictment resulted from a January 21, 2011, arrest for driving without a valid driver's license. He was in the Hennepin County Jail when he was identified as an illegal alien through the U.S. Immigration and Customs Enforcement'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.

If convicted, Gomez-Olvera faces a potential maximum penalty of 20 years in prison. All sentences will be determined by a federal district court judge. This case is the result of the Minneapolis Police Department and U.S. Immigration and Customs Enforcement's Enforcement and Removal Operations ("ICE ERO"). It is being prosecuted by Assistant U.S. Attorney Kevin S. Ueland.

The second indictment charges Jose Hernandez-Martinez, age 65, of Little Canada. His indictment alleges that on March 2, 2011, he was found in the U.S. illegally after having been previously deported. Hernandez-Martinez's deportation followed a 1987 Nebraska conviction for third-degree sexual assault on a child and second-degree false imprisonment. He was also convicted in Nebraska in 1993 for the attempted sexual assault of a child. The current federal

indictment resulted from Hernandez-Martinez's March 2, 2011, arrest at his home by ICE ERO.

If convicted, Hernandez-Martinez faces a potential maximum penalty of 20 years in prison. All sentences will be determined by a federal district court judge. This case is the result of an investigation by ICE ERO. It is also being prosecuted by Assistant U.S. Attorney Ueland.

The two defendants will remain in custody until their current federal cases are resolved and then will be deported after serving their sentences, if convicted. 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.