Department of Justice

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DEFENDANT SENTENCED FOR ILLEGAL RE-ENTRY INTO THE UNITED STATES

Mexican Man Sentenced to One Year Incarceration After Pleading Guilty to Illegally Reentering the United States Following a Conviction for an Aggravated Felony

January 10, 2012

[Plattsburgh, New York]—United States Attorney Richard S. Hartunian announced today that RODOLFO FERNANDEZ, age 47, of Puebla, Mexico, was sentenced to one year incarceration on January 9, 2012, by United States District Court Judge Thomas J. McAvoy for Illegal Re-entry into the United States After a Conviction for an Aggravated Felony, in violation of Title 8, United States Code, Sections 1326(a) and (b)(2). FERNANDEZ pled guilty on September 12, 2011, in front of United States District Court Judge McAvoy in Albany, New York.

FERNANDEZ was apprehended on June 25, 2011, at a Border Patrol checkpoint in North Hudson, New York. FERNANDEZ, a citizen of Mexico, admitted to being present in the United States illegally. FERNANDEZ had been previously removed from the United States on June 7, 2005, via Brownsville, Texas. Records checks also revealed that FERNANDEZ had been convicted of Felony Bail Jumping in Orange County, New York, which qualified as an aggravated felony, in addition to convictions for both misdemeanor and felony DWI offenses.

A conviction under Title 8, United States Code, Section 1324(b)(2) carries a maximum penalty of 10 years incarceration, a fine of $250,000, and a term of three years of supervised release. The investigation was conducted by United States Border Patrol, Champlain, New York. The case was prosecuted by the United States Attorney's Office for the Northern District of New York.

Any questions may be directed to Assistant United States Attorney Julie S. Pfluger in Plattsburgh, New York at 518-314-7800.