

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO. 09-**
v. : **DATE FILED: January 22, 2009**
NAZARIO AGUILAR MARTINEZ : **VIOLATIONS:**
: **18 U.S.C. § 751(a) (escape from federal**
: **officer or employee - 1 count)**
: **18 U.S.C. § 111(a)(1) (assaulting and**
: **resisting Federal officer - 1 count)**
: **18 U.S.C. § 115(a)(1)(A) (assault on**
: **Federal law enforcement officer - 1 count)**

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about November 13, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendant

NAZARIO AGUILAR MARTINEZ,

having been committed to the custody of an officer or employee of the United States, that is an officer of Immigration and Customs Enforcement, pursuant to lawful arrest, knowingly and without authorization, escaped and remained absent from the Department of Homeland Security, Immigration and Customs Enforcement, Philadelphia Field Office, that is, the federal facility to which the defendant was confined pursuant to lawful arrest for exclusion and expulsion proceedings under the immigration laws.

In violation of Title 18, United States Code, Section 751(a).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 13, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendant

NAZARIO AGUILAR MARTINEZ

forcibly assaulted, resisted, opposed, impeded, intimidated, and interfered with officers of the United States, as designated in Title 18, United States Code, Section 1114, that is, a Deportation Officer from the Department of Homeland Security, Immigration and Customs Enforcement, while the Deportation Officer was engaged in the performance of official duties.

In violation of Title 18, United States Code, Section 111(a)(1).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about November 13, 2008, in Philadelphia, in the Eastern District of Pennsylvania, defendant

NAZARIO AGUILAR MARTINEZ

assaulted and threatened to assault a Federal law enforcement officer, that is, a Deportation Officer of the Department of Homeland Security, Immigration and Customs Enforcement, with intent to impede, intimidate, or interfere with such Deportation Officer, while engaged in the performance of official duties, which assault involved physical contact with such Deportation Officer, and which was committed with the intent to commit another felony.

In violation of Title 18, United States Code, Section 115(a)(1)(A), (b)(1)(B)(ii).

A TRUE BILL:

GRAND JURY FOREPERSON

LAURIE MAGID
Acting United States Attorney