

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

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|---------------------------------|---|---|
| UNITED STATES OF AMERICA | : | CRIMINAL NO.: _____ |
| v. | : | DATE FILED: _____ |
| DAVID VASQUEZ-HERRERA | : | VIOLATIONS: |
| | : | 8 U.S.C. § 1326(a) (re-entry after |
| | : | deportation- 1 count) |
| | : | 21 U.S.C. § 841(a)(1), (b)(1)(C) |
| | : | (possession with intent to |
| | : | distribute cocaine - 1 count) |
| | : | 18 U.S.C. § 1546(a) (possession of |
| | : | fraudulent immigration document |
| | : | -1 count) |

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about April 23, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

DAVID VASQUEZ-HERRERA

an alien and native and citizen of Mexico, who had previously been deported from the United States on or about February 3, 2009, was found in the United States, having knowingly and unlawfully reentered the United States without first applying to the Attorney General of the United States or his successor, the Secretary for Homeland Security (Title 6, United States Code, Sections 202(3), (4) and 557), for permission to reapply for admission, and without receiving in response the express consent of the Attorney General or his successor to reapply for admission.

In violation of Title 8, United States Code, Section 1326(a).

COUNT TWO

THE GRAND JURY CHARGES THAT:

On or about April 23, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

DAVID VASQUEZ-HERRERA

knowingly and intentionally attempted to possess with intent to distribute a detectable amount, that is, approximately 7.7 grams, of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 23, 2010, in Philadelphia, in the Eastern District of Pennsylvania, defendant

DAVID VASQUEZ-HERRERA

knowingly possessed a document, prescribed by statute and regulation as evidence of authorized stay in the United States, that is, an I-551 alien registration card in the fictitious name of “D. A. F.,” knowing it to be forged, counterfeited, altered, falsely made, and otherwise procured by fraud and unlawfully obtained.

In violation of Title 18, United States Code, Section 1546(a).

A TRUE BILL:

**_____
GRAND JURY FOREPERSON**

**_____
MICHAEL L. LEVY
United States Attorney**