

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Richard Coleman, being duly sworn, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am an Acting Supervisory Detention & Deportation Officer with the Department of Homeland Security (“DHS”), Immigration and Customs Enforcement (“ICE”), Enforcement and Removal Operations (“ERO”) assigned to the office of the Field Office Director (“FOD”), Boston, Massachusetts, and have been so employed since August of 2002. I am currently assigned to the ERO Criminal Prosecutions (“ECP”) unit and have been so since June of 2020. I attended the Immigration Officer Basic Training Course in 2002. I have received training and have participated in investigations involving the enforcement of the immigration laws of the United States and the detection and apprehension of aliens who are in the United States unlawfully. My current duties as a Detention and Deportation Officer include, but are not limited to, conducting investigations involving foreign nationals who are present unlawfully in the United States. I know that it is a violation of Title 8, United States Code, Section 1326 to reenter the United States after deportation without having received the express consent of the Secretary of the Department of Homeland Security after that date.

2. The information contained in this affidavit is based upon information from my investigation, as well as information provided to me by other law enforcement agents and agencies, a review of criminal history records, and a review of documents from the Alien File # Axxx-xxx-715 (“A-File”) associated with an individual whose true name is Wilson Radhames Peguero Brea (“PEGUERO”), DOB: xx/xx/1969.

3. This affidavit is submitted in support of a criminal complaint charging PEGUERO with unlawful reentry of a deported alien with a prior felony conviction, in violation of Title 8,

United States Code, Section 1326(b)(1). This affidavit is submitted for the limited purpose of establishing probable cause to secure a criminal complaint and arrest warrant. In submitting this affidavit, I have not included each and every fact known to me and other law enforcement officers concerning this investigation. Instead, it only contains facts sufficient to establish probable cause in support of a criminal complaint and the issuance of an arrest warrant.

PROBABLE CAUSE

PEGUERO's Dominican Republic Citizenship, A-File

4. In connection with this investigation, I have reviewed a copy of the Dominican Republic identification document identifying PEGUERO. A cedula is a national identification card issued by the government of the Dominican Republic that includes biographical data such as the person's date of birth and a photograph. Cedulas also often include fingerprints. In a prior investigation targeting PEGUERO, investigators obtained a copy of Cedula No: xxxxxxxx251-3 in the name of Wilson Radhames PEGUERO Brea, with a Date of Birth ("DOB") xx/xx/1969. PEGUERO was born in Bani, Dominican Republic, and is a citizen of the Dominican Republic. The cedula includes PEGUERO's fingerprints.

5. In connection with this investigation, I have also reviewed PEGUERO's A-File # Axxx-xxx-715,¹ which is maintained by United States Citizenship and Immigration Services ("USCIS"), and I have spoken with other law enforcement agents about PEGUERO's immigration history. I have determined that PEGUERO is currently unlawfully present in the United States, as

¹ At one time, there were two A-Files for PEGUERO—one is his true name and one under the alias J.P.A., associated with PEGUERO's information. These A-Files were consolidated into a single A-File biometrically linked to PEGUERO's real identity, including fingerprints, with the A-File # Axxx-xxx-715 and DOB: xx/xx/1969. Due to administrative error, the A-Files were consolidated under the alias J.P.A. rather than under the true name PEGUERO. DHS has initiated the process of correcting this error.

outlined below. I have also determined that at different times while in the United States, PEGUERO has unlawfully used the identity of other individuals, including U.S. citizens J.P.A. and J.E.R.S.²

First Unlawful Entry, Drug Trafficking Conviction and Sentence, and Removal in 2005

6. On an unknown date, at an unknown place, PEGUERO entered the United States without inspection or admission by an immigration official at a designated port of entry.

7. On June 12, 1997, in the Suffolk Superior Court in Boston, Massachusetts, PEGUERO, using the identity of J.P.A., pled guilty to Trafficking in a Controlled Substance Over 28 Grams and Trafficking in Cocaine Over 14 Grams. PEGUERO was sentenced to terms of 6 years and 1 day and 3 years and 1 day, respectively, in state prison. *See* Docket Nos. 9611-cr-252 and -254.

8. On August 6, 1997, PEGUERO was encountered by the legacy Immigration & Naturalization Service³ during a routine screening of new admissions to the Massachusetts state prison. On August 22, 1997, PEGUERO was served an I-862, Notice to Appear. He was ordered removed (under the J.P.A. identity) by an Immigration Judge on December 11, 1998, and removed from the United States on March 9, 2005.

² J.P.A. is the identity of an American citizen, and J.E.R.S. is also an American citizen victim. The full names of both victims are known to me and other investigators. PEGUERO also previously possessed a fraudulently obtained driver's license in the name of J.R.D., a purported U.S. citizen. Because the defendant used the J.R.D. identity over five years ago, the undersigned has not investigated whether that name belongs to a real person. PEGUERO has also used aliases J.A., J.D.R.D., J.C., and W.Q.

³ The Immigration & Naturalization Service was dissolved in 2003 and replaced by U.S. Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), and Citizenship and Immigration Services (USCIS).

Second Unlawful Entry, Forgery Arraignment, and Removal in 2016

9. On an unknown date, and at an unknown location, PEGUERO re-entered the United States without inspection or admission by an immigration official at a designated port of entry.

10. In August 2016, PEGUERO was arrested by Massachusetts State Police (MSP) for possession of a fraudulently obtained driver's license under the name J.R.D. On August 15, 2016, PEGUERO was served an I-871 Reinstatement of the Prior Removal Order and a Warrant of Removal/Deportation was issued. On October 6, 2016, he was removed from the United States. The criminal case associated with that arrest remains in default status. *See* Chelsea District Court No. 1614-cr-2354.

Third Unlawful Entry, Federal Convictions, and Removal in 2023

11. On an unknown date, and at an unknown location, PEGUERO re-entered the United States without inspection or admission by an immigration official at a designated port of entry.

12. On July 13, 2018, PEGUERO was arraigned in the Dorchester District Court on charges of Trafficking a Controlled Substance (Cocaine) and Trafficking a Controlled Substance (Fentanyl).⁴ ICE encountered PEGUERO on the same day while he was in the custody of the Boston Police Department in Boston, Massachusetts. The criminal case associated with that arrest remains in warrant status. *See* Dorchester District Court No. 1807-cr-2494.

13. On June 30, 2021, PEGUERO submitted an Application to Register Permanent Residence, VAWA self-petitioner (Form I-485) and Petition for Amerasian, Widower, or Special Immigrant (Form I-360) with United States Citizenship and Immigration Services (USCIS).

⁴ Massachusetts records reflect that PEGUERO's criminal history is associated with his alias J.P.A.

14. On or about December 9, 2021, PEGUERO was arrested and charged in his true name in the United States District Court for the District of Massachusetts with aggravated identity theft and wire fraud, for offenses involving (in part) the use of the alias J.E.R.S. He was convicted of both charges on January 11, 2023, and sentenced to 28 months' incarceration and 1 year of supervised release. *See* Docket No. 22-cr-10199-FDS.

15. On April 11, 2023, PEGUERO's Application to Register Permanent Residence, VAWA self-petitioner (Form I-485) and Petition for Amerasian, Widower, or Special Immigrant (Form I-360) was denied. On September 18, 2023, PEGUERO was served an I-871, Notice of Intent/Decision to Reinstate Prior Removal Order. He was removed from the United States on October 17, 2023.

Fourth Unlawful Entry and Administrative Arrest

16. On an unknown date, and at an unknown location, PEGUERO again re-entered the United States without inspection or admission by an immigration official at a designated port of entry.

17. Based on the records I have reviewed and additional consultation with law enforcement personnel, on February 5, 2026, ERO officers and HSI agents encountered PEGUERO while attempting to locate his brother, who was the target of an immigration enforcement operation, and who had previously been removed from the United States in 2003 and 2007. Deportation Officers observed a male matching the description of PEGUERO's brother enter a vehicle that Deportation Officers had determined was registered in the name of the spouse of PEGUERO's brother. As outlined below, the driver was ultimately identified as PEGUERO.

18. Deportation officers pulled the vehicle over and obtained a Florida driver's license from the driver of the vehicle. When they ran the driver's license, the name and date of birth came back to a Puerto Rican U.S. citizen who did not resemble the driver, PEGUERO.

19. One of the interviewing deportation officers, who is a native Spanish speaker in the Dominican Republic dialect, noticed an accent in PEGUERO's Spanish which is common in the Dominican Republic. The officer asked PEGUERO further questions, and he admitted he was from the Dominican Republic and had been removed from the United States three times. PEGUERO stated he has used so many names and identities that he can't keep track of the names he has used.

20. PEGUERO was then administratively arrested and served with a Form I-871, Notice of Intent/Decision to Reinstate Prior Order. PEGUERO remains in ICE custody.

Identification of PEGUERO

21. PEGUERO was then transported to the Burlington ICE office where he was fingerprinted and photographed. His fingerprints were electronically matched to the A-File # Axxx-xxx-715, which is biometrically associated with PEGUERO's real identity.⁵

22. PEGUERO was then interviewed a second time in Spanish by a Deportation Officer who is fluent in Spanish. During this interview, PEGUERO admitted that he was in fact Wilson Peguero Brea, the brother of the initial target and a previously removed alien.

23. A forensic examination by an HSI agent determined that the fingerprint impressions obtained from PEGUERO on February 5, 2026, came from the same person as the following fingerprint impressions previously obtained from PEGUERO, namely, impressions obtained:

⁵ A-File # Axxx-xxx-715 is the A-File for PEGUERO and includes PEGUERO's biometric information, fingerprints, and DOB. Pending an administrative correction, the A-File is under PEGUERO's alias J.P.A.

- a. Under his true name PEGUERO, from his Dominican Republic cedula record;
- b. Under his true name, from MSP in 1990;
- c. Under the alias J.P.A. during PEGUERO's removal proceedings in 2005;
- d. Under the alias J.P.A. during PEGUERO's removal proceedings in 2016;
- e. Under the alias J.E.R., from MSP dated July 13, 2018; and
- f. Under his true name, from MSP in 2021.

24. I reviewed the documents contained in PEGUERO's A-File and confirmed, among other things, that PEGUERO is a citizen and national of the Dominican Republic. The A-File also contains the removal verification documents referenced above.

25. A review of PEGUERO's A-File also revealed no evidence that he has ever requested or received the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reenter the United States following deportation.

CONCLUSION

26. Based on the foregoing facts, I submit there is probable cause to believe that on or about February 5, 2026, PEGUERO, being an alien with a prior felony conviction and having been excluded, removed, or deported from the United States on or about October 17, 2023, was thereafter found in the United States without having received the express consent of the Attorney

General or the Secretary of the Department of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(b)(1).

/s/ Richard Coleman

RICHARD COLEMAN
Acting Supervisory Detention &
Deportation Officer
U.S. Immigration & Customs Enforcement

SWORN to telephonically in accordance with Fed. R. Crim. P. 4.1 on this date of February ²⁰____, 2026.

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HON. M. PAGE KELLEY
UNITED STATES MAGISTRATE JUDGE

