

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 19-036

v. * SECTION: "B"

FRANKI NOEL ORTIZ-BERNARDEZ *

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* * *

FACTUAL BASIS

The defendant, **FRANKI NOEL ORTIZ-BERNARDEZ** (hereinafter "**ORTIZ**"), has agreed to plead guilty as charged to the one-count indictment charging him with illegal reentry of a previously removed alien in violation of Title 8, United States Code, Section 1326(a).


Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and other admissible evidence, the following facts, beyond a reasonable doubt, to support the allegations in the indictment now pending against the defendant:

On February 5, 2019, Border Patrol Officer was informed by a Louisiana State Probation Officer that he had the defendant, a convicted felon and possible illegal alien, was in his custody. The Border Patrol Officer went to the probation office and interview the defendant. During the interview, the defendant admitted that he was in the United States illegally and that he is a citizen of Honduras.

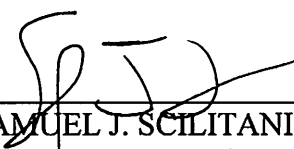
The defendant was then taken into custody and various record checks were run. The checks confirmed that the defendant had been previously deported on September 14, 2014 and May 11, 2016, and that he had no claim to United States citizenship. Testimony of an official from U.S.

AUSA SG
Defendant FOB
Defense Counsel SS

Citizenship and Immigration Services regarding record checks conducted through the Computer Linked Application Information Management System would show that the defendant, **ORTIZ**, did not receive consent from the U.S. Attorney General or his designated successor, the Secretary of the Department of Homeland Security, to apply for readmission or receive permission to reenter the United States since the time of the defendant's previous removal.

 4-10-19

SPIRO G. LATSIS Date
Assistant United States Attorney

 4/10/19

SAMUEL J. SCILITANI, JR. Date
Attorney for the Defendant

 4/10/19

FRANKI NOEL ORTIZ-BERNARDEZ Date
Defendant