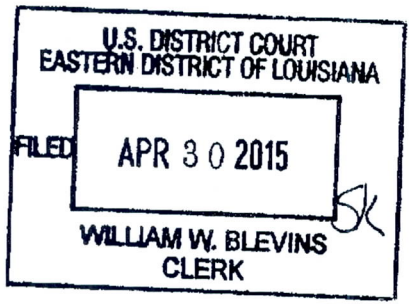
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	**CRIMINAL NO. 15-060**
v.	*	**SECTION: "J"**
JOSE MARTINEZ-ROMERO	*	
	*	
* * *		



FACTUAL BASIS

The defendant, **JOSE MARTINEZ-ROMERO** (hereinafter "**MARTINEZ**"), 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:

An agent from Immigration and Customs Enforcement (hereinafter "ICE") would testify that on March 5, 2012, ICE agents were notified that the defendant was in state custody in St. Charles Parish. ICE agents also recently encountered the defendant on March 2, 2015 after he moved from state custody to federal immigration custody. ICE agents would testify that **MARTINEZ** was in the Eastern District of Louisiana illegally. They would introduce evidence to prove that **MARTINEZ** is a citizen and native of Honduras. The agents would testify that record checks were conducted through various U.S. Department of Homeland Security databases that confirmed that he defendant was a citizen of Honduras and illegally present in the United States.

Documentation from ICE records contained in the defendant's Alien File, including a Warrant of Removal/Deportation, complete with the defendant's fingerprints, photographs and signature, would demonstrate that the defendant, **MARTINEZ,** was removed from the United States to Honduras on

April 16, 2007. A qualified ICE Fingerprint Specialist would testify that the fingerprints of the individual documented in the Alien File containing the Warrant of Removal/Deportation and the fingerprints of the defendant were a match. Documentation from the Alien File would further show that the defendant is an alien and not a citizen or national of the United States.

Testimony of an official from U.S. Citizenship and Immigration Services regarding record checks conducted through the Computer Linked Application Information Management System would show that the defendant, **MARTINEZ**, 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.

JON MAESTRI
Assistant United States Attorney

4.30.15
Date

José Martinez
JOSE MARTINEZ-ROMERO
Defendant

4-30-15
Date

SAMUEL SCIBILITANI
Attorney for Defendant

4/30/15
Date