UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA	*	**CRIMINAL NO. 15-89**
v.	*	**SECTION: "A" (3)**
LUIS ADALBERTO MORADIAGA	*	

* * *

FACTUAL BASIS

The defendant, **LUIS ADALBERTO MORADIAGA** (hereinafter **"MORADIAGA"**), 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 go to trial, the government would prove, 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:

In November 2010, **MORDIAGA** was arrested in Missouri by the Blue Springs Police Department on an unknown charge. On November 20, 2010, Immigration and Customs Enforcement (ICE) placed a detainer on **MORDIAGA** with the Blue Springs Police department. Sometime thereafter, the police department released **MORDIAGA** without informing ICE of his release. ICE Fugitive Operation Team recently discovered that **MORADIAGA** was living in Tangipahoa Parish, and on March 5, 2015, the fugitive team went to his residence in Kentwood, Louisiana, to confront him. The officers encountered him in his drive way and identified themselves as ICE agents. **MORADIAGA** admitted to the officers that he was from El

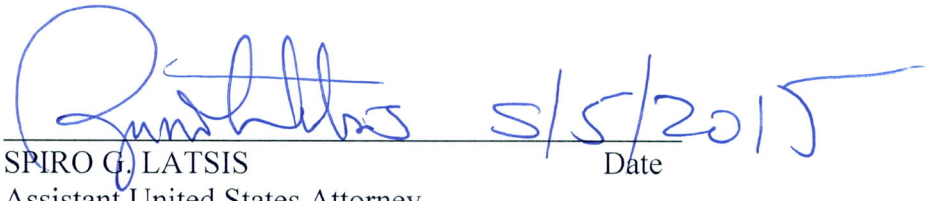
Salvador and that he did not have immigration papers. After confirming his identification, the ICE agents took **MORADIAGA** into custody for processing.

After he was processed, the agents would testify that they conducted record checks through various U.S. Department of Homeland Security databases and determined that **MORADIAGA** is a citizen of El Salvador and illegally present in the United States.

Documentation from Border Patrol records contained in the defendant's Alien File, including a Warrant of Removal/Deportation, complete with the defendant's fingerprints, photographs and signature, would show that the defendant, **MORADIAGA**, was removed from the United States to El Salvador on August 25, 2000. A qualified 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 are 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, **MORADIAGA**, 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.



SPIRO G. LATSIS Date
Assistant United States Attorney

LUIS ADALBERTO MORADIAGA Date
Defendant

SAMUEL JOHN SCILLITANI, JR Date
Attorney for Defendant