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News Release

FOR IMMEDIATE RELEASE
Tuesday, August 10, 2010
WWW.USDOJ.GOV/USAO/MN

Two indicted for illegal entry after deportation

A federal grand jury in Minneapolis has returned separate indictments against two men for allegedly entering the United States after previously being deported. In indictments filed in U.S. District Court earlier today, Mexican nationals Juan Elodio-Benitez, age 41, and Sergio Jimenez-Jimenez, age 46, were each charged with one count of illegal entry after deportation.

According to Elodio-Benitez's indictment, he was found in the United States on July 15, 2010, after having been deported previously. His deportation followed a 2004 Olmstead County conviction for terroristic threats. Elodio-Benitez has been deported on seven prior occasions.

The Jimenez-Jimenez indictment alleges that he was found in the U.S. on July 21, 2010, after being deported following a 1993 conviction in California for possession of a controlled substance. In April of 2010, the U.S. Bureau of Immigration and Customs Enforcement ("ICE") learned that Jimenez-Jimenez was living in St. Paul Park. Following a period of surveillance, agents arrested Jimenez-Jimenez without incident on July 21. He has been deported on four prior occasions.

ICE prioritizes the identification of criminal aliens, including those who enter the country after removal. Such aliens are often located through ICE initiatives, including the Criminal Alien Program ("CAP"), through which aliens incarcerated in federal and state prisons as well as local jails are identified and prevented from being released into the general population. Elodio-Benitez was identified as an illegal alien through the CAP following his recent arrest.

ICE also identifies deported aliens who have illegally re-entered the country through its Fugitive Operation Teams, which locate absconders with outstanding removal orders, as well as Community Shield, a program that focuses on disrupting and dismantling transnational street

gangs. In addition, ICE investigates human trafficking and smuggling, operates the Document and Benefit Fraud Task Force, and handles work-site enforcement.

If convicted of the federal charges filed against them, the two men named in the federal indictments filed today face a potential maximum penalty of 20 years in prison. All sentences will be determined by a federal district court judge.

The defendants will remain in ICE custody until their current federal cases are resolved. If the defendants are convicted in those cases, they will be deported to Mexico after serving their sentences.

The Elodio-Benitez case is the result of an investigation by ICE and the Rochester Police Department. It is being prosecuted by Assistant U.S. Attorney Kevin S. Ueland. The Jimenez-Jimenez case is the result of an investigation by ICE. It is being prosecuted by Assistant U.S. Attorney Karen B. Schommer.

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An indictment is a determination by a grand jury that there is probable cause to believe that offenses have been committed by a defendant. A defendant, of course, is presumed innocent until he or she pleads guilty or is proven guilty at trial.