

For Immediate Release
November 21, 2011

**TWO TEXAS RESIDENTS INDICTED FOR CONSPIRACY
AND BRIBERY OF A PUBLIC OFFICIAL**

***Defendants Allegedly Offered Money to a Border Patrol Agent
to Smuggle a Person and Narcotics Into the United States***

LAS CRUCES – U.S. States Attorney Kenneth J. Gonzales announced that a federal grand jury in New Mexico has indicted **Debbie Ayala**, 25, of San Elizario, Tex., and **David Rogelio Leyva**, 27, of Socorro, Tex., on conspiracy and bribery charges. The indictment was unsealed after the two were arrested without incident on November 18, 2011, in Horizon City, Tex.

Ayala and Leyva made their initial appearances this morning in the federal courthouse in Las Cruces, N.M. Ayala and Leyva remain in custody pending detention hearings. Ayala's detention hearing is scheduled for 9:30 a.m. on November 22, 2011 in the federal courthouse in Las Cruces. Leyva's detention hearing has yet to be scheduled.

The two-count indictment is the result of an investigation by the United States Customs and Border Protection Office of Internal Affairs and the Federal Bureau of Investigation. Count 1 of the indictment alleges that, between January 10, 2010 and March 1, 2010, the defendants conspired illegally to smuggle Ayala's cousin and ten kilograms of cocaine from Mexico into the United States by offering money to a Border Patrol agent, who refused the defendants' offer. The indictment further alleges that thereafter, on January 26, 2010, an undercover officer met with Ayala and Leyva, and discussed payment and the logistics of smuggling Ayala's cousin into the United States. During this meeting, Leyva and the undercover officer allegedly agreed that the undercover officer would smuggle ten kilograms of cocaine into the United States for a fee of \$500 per kilogram of cocaine. Count 2 of the indictment alleges that the defendants violated

18 U.S.C. § 201(b)(1)(C), which makes it a crime to bribe a public official.

If convicted, the defendants could receive up to five years of imprisonment and a \$250,000 fine for the conspiracy charged in Count 1 of the indictment, and up to 15 years of imprisonment and a \$250,000 fine for the bribery offense charged in Count 2 of the indictment.

The case is being prosecuted by Assistant U.S. Attorney Mark A. Saltman.

An indictment is only an accusation. All criminal defendants are entitled to a presumption of innocence until proven guilty beyond a reasonable doubt.

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