

NEWS RELEASE



OFFICE OF THE UNITED STATES ATTORNEY SOUTHERN DISTRICT OF CALIFORNIA

San Diego, California

*United States Attorney
Laura E. Duffy*

For Further Information, Contact: Assistant U.S. Attorney Peter Ko (619) 546-7359

For Immediate Release

SECOND DEFENDANT SENTENCED IN MURDER OF U.S. BORDER PATROL AGENT ROBERT ROSAS

NEWS RELEASE SUMMARY – November 14, 2013

SAN DIEGO – Marcos Rodriguez-Perez was sentenced today to 56 years in prison for his participation in the July 2009 robbery and murder of United States Border Patrol Agent Robert Rosas, Jr.

Rodriguez-Perez, a 28-year-old Mexican national, pleaded guilty in August, admitting he was one of three gunmen who lured the agent into a trap to steal his night-vision goggles and then fatally shot him during a struggle. He pleaded guilty to conspiracy to commit robbery and kidnaping, robbery of personal property of the United States, and use and carrying of a firearm during the commission of a crime of violence.

United States District Judge M. James Lorenz also ordered that Rodriguez's sentence run consecutive to a two-year sentence Rodriguez is currently serving for violating his supervised release from a prior alien smuggling conviction. Prosecutors noted in court that because Rodriguez is almost 29 years old, the combined sentences likely mean Rodriguez will spend the rest of his life in prison.

Court filings indicate that in July 2009, Rodriguez and four others plotted to rob a Border Patrol agent of his night vision device. On July 23, 2009, the group, bearing firearms, traveled by car and foot to the

international border near Campo, California. Rodriguez and two others sneaked into the United States at night and waited for a Border Patrol agent to arrive in the area, while the remaining two members of the group stood watch in Mexico. After Agent Rosas arrived in the area and exited his vehicle, Rodriguez and other conspirators detained Rosas at gunpoint. Agent Rosas resisted and, during the ensuing struggle, Rodriguez and his co-conspirators shot Agent Rosas multiple times, killing him. Rodriguez and his co-conspirators then stole the agent's firearm, night vision device, and other equipment and fled back to Mexico.

In April 2011, Mexican officials arrested Rodriguez in Tijuana, Baja California, Mexico, at the request of the United States. Rodriguez was extradited to the United States in October 2011.

Rodriguez is the second defendant to be sentenced for Agent Rosas's murder. In April 2010, Judge Lorenz sentenced Christian Daniel Castro-Alvarez to 40 years of imprisonment. Two other defendants, Jose Luis Ramirez-Dorantes and Emilio Samyn Gonzales-Arenazas, have pleaded guilty to participating in the murder and are scheduled to be sentenced in December 2013 and January 2014 respectively. The last defendant, Jose Juan Chacon-Morales, remains a fugitive, and there is a reward of up to \$100,000 for information leading to his arrest or location.

After Rodriguez's sentencing, United States Attorney Laura E. Duffy expressed her condolences to Agent Rosas's family and colleagues at the Border Patrol: "Nothing can change what happened to Robert on that horrible night, and we realize that. I hope, however, that seeing these men brought to justice and sent to prison for decades helps his family and friends, in some way, as they cope with his loss and move forward."

Duffy also praised the agents of the Federal Bureau of Investigation and Homeland Security Investigations who conducted the investigation. "This has been a lengthy and extraordinarily difficult investigation, but it's a testament to the diligence and resolve of those agents as well as the people of the United States, that four men were arrested in a foreign jurisdiction and are now sitting in U.S. prisons. If a law enforcement officer is harmed, we'll use every resource we have to catch the perpetrators, and never let it be doubted: We will find them."

Chief Patrol Agent Paul A. Beeson of the U.S. Border Patrol's San Diego Sector said, "On behalf of the Border Patrol agents of San Diego Sector and all Border Patrol agents nationwide - I want to express our deepest gratitude for the tenacity, persistence, and hard work expended by the honorable men and women of law enforcement involved in this compelling case resulting in Rodriguez-Perez' arrest, conviction, and sentencing. This sentencing is tempered with the sobering reality of the senseless loss of a fine man, husband and father who was Border Patrol Agent Robert Rosas."

FBI Special Agent in Charge, Daphne Hearn, commented, "Today's sentencing sends a message that the FBI is committed to bringing to justice those responsible for the death of U.S. Border Patrol Agent, Robert Rosas. Agent Rosas served his country with dedication, honor and courage and was killed while protecting our nation's borders. The FBI recognizes that no punishment will lessen Agent Rosas' death, but we hope today's sentencing will help bring some closure to the family."

DEFENDANT

Marcos Rodriguez-Perez

Criminal Case No. 10CR1793-L

SUMMARY OF CHARGES

Count 1: Title 18, United States Code, Section 371: Conspiracy to commit robbery and kidnaping

Count 2: Title 18, United States Code, Section 2112: Robbery of U.S. property

Count 5: Title 18, United States Code, Section 924(c)(1): Discharging firearms during and in relation to a crime of violence

INVESTIGATING AGENCIES

Federal Bureau of Investigation
Homeland Security Investigations
United States Border Patrol