

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA	*	CRIMINAL NO. 14-170
v.	*	SECTION: "E"
TRINA MARIE BOURG	*	
	*	
	* * *	

FACTUAL BASIS

Should this matter have proceeded to trial, the government would have proven, through the introduction of competent testimony and admissible evidence, the following facts, beyond a reasonable doubt, to support the allegations in the Superseding Indictment now pending against the defendant.

INTRODUCTION

The government would establish that the defendant, **TRINA MARIE BOURG ("BOURG")**, was a Spanish language interpreter working as a contract employee for the Office of the District Defender for the 32nd Judicial District for Terrebonne Parish ("Public Defender's Office"). In her capacity as a Spanish interpreter for the Public Defender's Office, **BOURG** routinely encountered individuals incarcerated or detained for alleged violations of state law or United States immigration laws.

The government would establish that **BOURG**, while providing Spanish interpreting services for attorneys employed by the Public Defender's Office, identified clients facing criminal charges who were subject to potential removal from the United States. **BOURG** then initiated contact with the client, or the client's family, outside of the presence or knowledge of their court appointed attorney and falsely represented to the client or the client's family that for a certain amount of money, she could bribe federal immigration officials not to seek federal prosecution or initiate removal proceedings against the client. **BOURG** charged the client, or the client's family, approximately \$2,000.00 to \$4,000.00 and said she would use the money to pay federal immigration officials in order to secure the client's release from immigration custody.

The government would also establish at trial that when a JP Morgan Chase account holder transfers money to another JP Morgan Chase account holder, who lives in a different state, the originating JP Morgan Chase branch sends writings and signals through wire communications to the receiving branch. This is the way JP Morgan Chase takes money from one members' bank account and puts it in the other.

Further, when a person goes into a JP Morgan Chase branch and deposits cash into the bank account of a JP Morgan Chase member, who lives in a different state, JP Morgan Chase sends writings and signals through wire communications from that branch to a JP Morgan Chase computer in Delaware, and then the Delaware computer sends additional writings and signals through wire communications to the JP Morgan Chase branch where the member lives. This is the way JP Morgan Chase makes the cash deposit available in their member's bank account.

The government would establish that the defendant knowingly devised a scheme and artifice to defraud undocumented Hispanic aliens and through false material misrepresentation was able to accomplish her scheme through lies, misrepresentations, coercion, and threats.

WIRE FRAUD – COUNTS 1-3

The government would establish that in September 2011, **BOURG** became the Spanish interpreter for Client A as a result of Client A's arrest by the Houma Police Department ("HPD") for forgery. After Client A's arrest, **BOURG** contacted Client A's mother in McAllen, Texas and represented that she could pay federal immigration officials and prevent Client A from being deported if Client A's mother paid her \$4,000.00. Witnesses would testify that **BOURG** used threats of deportation to cause them fear, stress, and intimidation in order to coerce them into paying **BOURG**. As a result of **BOURG's** representations, Client A's mother paid or had other family members and family friends pay **BOURG** \$4,000.00. Ultimately, Client A pled guilty to a reduced charge of disturbing the peace and was not deported because his conviction for disturbing the peace did not qualify as a "removable" offense.

The government would establish that on October 11, 2011, as a result of **BOURG's** misrepresentations, Client A's mother deposited \$800.00 into Chase Bank acct. # x5616 at a Chase branch located in McAllen, TX causing wire communications to be transmitted across state lines resulting in the availability of those funds for withdrawal at a Chase Bank branch in Houma, LA. Client A's family friend added \$200.00 of her own money to make a total payment of \$1,000 to **BOURG** (Count 1).

The government would establish that on December 5, 2011, as a result of **BOURG's** misrepresentations, Client A's mother deposited \$2,000.00 into Chase Bank acct. # x7347 at a Chase branch located in McAllen, TX causing wire communications to be transmitted across

state lines resulting in the availability of those funds for withdrawal at a Chase Bank branch in Houma, LA (Count 2).

The government would establish that on December 6, 2011, as a result of **BOURG's** misrepresentations, Client A's mother deposited \$1,000.00 into Chase Bank account number x7347 at a Chase branch located in McAllen, TX causing wire communications to be transmitted across state lines resulting in the availability of those funds for withdrawal at a Chase Bank branch in Houma, LA (Count 3).

WIRE FRAUD – COUNT 4

The government would further establish that on March 27, 2014, Client A was arrested a second time by the Louisiana State Police and charged with identity theft. **BOURG** was again selected as the Spanish interpreter by the Public Defender's Office for Client A's new case. Once again, **BOURG** contacted Client A's mother in McAllen, TX and asked her for another \$2,000.00 payment to keep Client A out of immigration proceedings. On April 18, 2014, Client A's mother had family friends wire \$1,500.00 from their J.P. Morgan Chase Bank account number x2696 in Edinburg, Texas to **BOURG's** J.P. Morgan Chase Bank account number x6629 located in Houma, LA.¹ The government would establish that the April 18, 2014 wire transfer from Edinburg, Texas to **BOURG's** J.P. Morgan Chase Bank account number x6629 in Houma, Louisiana was transmitted as a result of **BOURG's** misrepresentations.

ATTEMPT TO COMMIT WIRE FRAUD – COUNT 5

In addition, the government would establish that **BOURG** repeatedly attempted to obtain the \$500.00 balance from Client A's family members. The government would establish that **BOURG** placed approximately 30 calls to Client A's mother from April 15, 2014 to May 9,

¹ Client A's mother was not able to pay the full \$2,000.00.

2014. Phone records would reflect that there were 18 calls on the day of the wire transfer between Texas and Louisiana.

The government would also introduce consensually recorded calls, including a July 14, 2014 call between **BOURG**, in Louisiana, and Client A's sister, who was located in McAllen, Texas. During the recorded call, **BOURG** requested the remaining \$500.00 balance owed to her. **BOURG** said she saved Client A on two occasions from the "law's hands" and that Client A would be in federal prison and deported a long time ago if it were not for **BOURG's** assistance. **BOURG** confirmed that she assisted Client A on two separate occasions and she claimed she did not personally receive any of the money that was paid to remove the immigration hold and other criminal charges that were pending against Client A on those past occasions. **BOURG** said the \$1,500.00 payment she received from Client A's mother was used to remove the immigration hold on Client A. **BOURG** said people do not do favors for people for free and since she was not an immigration agent, she could not remove the immigration hold herself and that favors had to be paid for. **BOURG** claimed she needed the additional \$500.00 payment to complete the \$2,000.00 fee to immigration officials for removing Client A's immigration charges and hold.

CONCLUSION

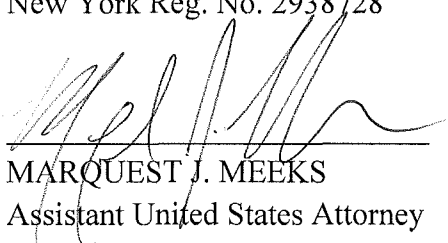
The government would also establish at trial that the defendant solicited payments ranging from \$12,000 to \$20,000 to marry Client A in order to improve Client A's immigration status. Moreover, the government would establish that the defendant attempted to trick Client A into transferring title to his trailer, truck, and car to **BOURG** because she believed he was going to be deported.

The government would establish that no federal immigration officials had any knowledge of **BOURG's** illegal scheme. Various records and testimonial evidence, including testimony

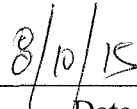
from representatives of the U.S. Department of Homeland Security, Homeland Security Investigations, as well as, representatives from J.P Morgan Chase Bank, Client A, Client A's family members, and other witnesses would also be admitted to prove the facts set forth above.

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Date



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Date

TRINA MARIE BOURG
Defendant

Date

MARTIN REGAN
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Date

DAVID ARENA
Counsel for Defendant

Date