

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

2015 FEB 25 PM 3:56

UNITED STATES OF AMERICA

*

CRIMINAL NO. 15-401

WILLIAM W. BLEVINS

CLERK

v.

*

SECTION: "B"

JOSE ORELLANA

*

a/k/a JOSE DRELLANA

*

* * *

FACTUAL BASIS

The defendant, **JOSE ORELLANA** (hereinafter "**ORELLANA**"), 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 have gone to trial, the government would have proven, 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:

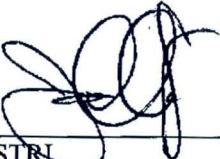
An agent from United States Customs and Border Protection (hereinafter "**CBP**") would testify that on December 1, 2014, **CBP** agents were performing routine transportation checks at the Union Passenger Terminal on incoming passengers from Houston, Texas. Agents encountered **ORELLANA** on the bus and asked him a few questions regarding identification. **ORELLANA** ultimately told agents that he was in the United States illegally, an alien, and citizen of Honduras. **ORELLANA** also admitted that he had been previously deported, did not have the proper authorization to return to the United States, and was in the country illegally. The agents then brought him to their office for processing. The **CBP** agent would testify that he then conducted record checks through various U.S. Department of Homeland Security databases in order to confirm the citizenship and status of **ORELLANA**. These record checks confirmed that the defendant was a citizen of Honduras and illegally present in the United States.

Documentation from ICE records contained in the defendant's Alien File, including a Warrant of

___ Fee ___
___ Process ___
X ___ Dktd ___
___ CtRmDep ___
___ Doc. No. ___

Removal/Deportation, complete with the defendant's fingerprints, photographs and signature, would demonstrate that the defendant, **ORELLANA**, was removed from the United States to Honduras on January 15, 2010. A qualified ICE 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 were 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, **ORELLANA**, 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.



JON MAESTRI
Assistant United States Attorney

2/25/15
Date



JOSE ORELLANA
Defendant

2/25/15
Date



VALERIE WELZ JUSSEIN
Attorney for Defendant

2-25-15
Date