## UNITED STATES DISTRICT COURT
## EASTERN DISTRICT OF LOUISIANA

| | | |
|---|---|---|
| UNITED STATES OF AMERICA | * | CRIMINAL NO.  15-287 |
| v. | * | SECTION:   "B" |
| MARCELO ORDONEZ-RIVAS | * | |

\* \* \*

### FACTUAL BASIS

The defendant, Marcelo Ordonez-Rivas ("**Ordonez**"), 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:

On September 3, 2015, the Terrebonne Parish Sheriff's Office, at the request of U.S. Border Patrol, went to the Sugar Bowl Hotel in Houma, Louisiana, to arrest an illegal alien, for illegal re-entry of a removed alien.  While the officers were executing the arrest of the illegal alien, they encountered **Ordonez** in the same room.  As a precautionary measure, the officers obtained **Ordonez's** biographical information.  Following the arrest of the alien, the officers informed Border Patrol agents of their encounter with **Ordonez**.  The Border agents then ran his information through various databases and determined that **Ordonez** had been officially removed from the United States on May 8, 2009.  They also confirmed that **Ordonez** is a citizen

of Honduras, and that he has no claims to U.S. Citizenship. The agents then went back to the

hotel in an effort to arrest **Ordonez**, but he was no longer there.  Accordingly, the Border Partol

agents obtained an arrest warrant for **Ordonez**.  On November 18, 2015, **Ordonez** was arrested

in Mississippi on unrelated charges by local officials and turned over to U.S. Border Patrol

Agents.

_____     _____
SPIRO G. LATSIS                                                          Date
Assistant United States Attorney


_____     _____
MARCELO ORDONEZ-RIVAS                            Date
Defendant


_____     _____
SAMUEL J. SCILLITANI, Jr.                                 Date
Attorney for Defendant