

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

**UNITED STATES OF AMERICA**

\* **CRIMINAL NO. 16-53**

v.

\* **SECTION: "G"**

**ROGER AGUIRRE-SAGASTUME**

\*

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**FACTUAL BASIS**

The defendant, **ROGER AGUIRRE-SAGASTUME** (hereinafter "AGUIRRE"), 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 Immigration and Customs Enforcement (hereinafter "ICE") would testify that on March 17, 2016, agents were in Kenner, Louisiana looking for a fugitive living on Dawson Street. They conducted surveillance on the residence and watched the fugitive and three other men enter a vehicle. The agents followed the vehicle onto Veterans Boulevard and conducted a traffic stop. The city of Kenner is located within the Eastern District of Louisiana. An ICE agent encountered **AGUIRRE** who was a passenger in the fugitive's vehicle. **AGUIRRE** was interviewed and voluntarily admitted that he was a citizen of Honduras and was in the United States illegally. An agent would testify that **AGUIRRE** was then transported to the ICE office so that record checks could be run through various U.S. Department of Homeland Security databases in order to verify his citizenship and status. The defendant's biographic information was run through the Automated Biometric Identification System ("IDENT") and showed that he had been previously deported on August 4, 2009. These record checks confirmed that the defendant was

an alien, citizen of Honduras and illegally present in the United States.

Further documentation from ICE records contained in the defendant's Alien File, including a Warrant of Removal/Deportation, complete with the defendant's fingerprints, photographs and signature, would further demonstrate that the defendant, **AGUIRRE**, was removed from the United States to Honduras on August 4, 2009. 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 ("CLAIMS") would show that the defendant, **AGUIRRE**, did not receive consent from the U.S. Attorney General or her 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



\_\_\_\_\_  
Date

\_\_\_\_\_  
ROGER AGUIRRE-SAGASTUME  
Defendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
JERROD THOMPSON-HICKS  
Attorney for Defendant

\_\_\_\_\_  
Date