

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA.

2016 JUL 20 A 11: 04

WILLIAM W. BLEVINS
CLERK

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

UNITED STATES OF AMERICA * CRIMINAL NO. 15-243

v. * SECTION: "R"

ALMA DE JESUS MOJICA HERRERA *

* * *

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 Indictment now pending against the defendant.

The government would establish that **ALMA DE JESUS MOJICA HERRERA** ("**MOJICA HERRERA**") was a citizen of Colombia. Further, the government would establish that on September 10, 2015, while in Colombia, **MOJICA HERRERA** completed a Nonimmigrant Online Visa Application ("Visa Application") with the U.S. Department of State ("State Department").

At trial, the government would introduce **MOJICA HERRERA's** Visa Application to establish that she made written false declarations on her Visa Application. Specifically, the defendant, **MOJICA HERRERA**, did not answer truthfully questions concerning her travel companion, the person paying for her trip, and the location of her stay while in the United States.

Defendant's Initials AM

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

In her Visa Application, **MOJICA HERRERA**, declared (1) she was going to be staying in Miami, Florida, (2) was paying for her trip herself, and (3) was not traveling with anyone else.

The government would prove that on September 28, 2015, an individual other than the defendant purchased **MOJICA HERRERA**'s plane ticket from Bogota, Colombia to New Orleans, Louisiana. Further the government would establish that **MOJICA HERRERA** traveled with co-defendant, Leonardo Serrato Polania. Lastly, the government would introduce the defendant's own statements as well as hotel records through the testimony of special agents with the U.S. Department of Homeland Security ("Homeland Security") to prove that **MOJICA HERRERA** and her co-defendant came to New Orleans with no intention of traveling to Florida.

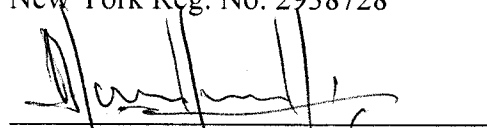
The government would further establish that the Visa Application submitted by the defendant, **MOJICA HERRERA**, contained material false statements and was used and relied upon by the defendant to gain entry into the United States, specifically the Eastern District of Louisiana, on September 28, 2015. The government would also establish that the defendant's Visa Application was relied upon by federal agencies of the executive branch including by the U.S. Customs and Border Protection in New Orleans and the State Department. The government would call witnesses to testify that the defendant's Visa Application is saved in electronic format by the State Department in Washington D.C. and is accessible throughout the United States including by federal officials with Homeland Security and the State Department in the Eastern District of Louisiana.

Various records and testimonial evidence, including testimony from representatives of the U.S. Department of Homeland Security, Homeland Security Investigations and the U.S. Customs and Border Patrol, and other witnesses would also be admitted to prove the facts set forth above.



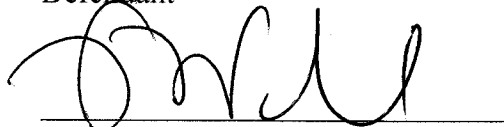
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7/20/16
Date



ALMA DE JESUS MOJICA HERRERA
Defendant

07-20-2016
Date



VALERIE JUSSSELIN
Counsel for Defendant

7-20-16
Date