

U.S. DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
FILED 3-15-2018
WILLIAM W. BLEVINS
CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 18-017
v. * SECTION: "I"
MARVIN DAVID OYUELA LOPEZ *
* * *



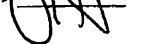
FACTUAL BASIS

The defendant, MARVIN DAVID OYUELA LOPEZ ("OYUELA"), 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 January 8, 2018, the ICE Pacific Enforcement Response Center ("PERC"), located in Laguna Niguel, California, received an alert that OYUELA had been arrested in Jefferson Parish on outstanding traffic attachments. After determining that OYUELA was eligible for deportation, officials at PERC sent a message to the local ICE office informing them that OYUELA was being held by the Jefferson Parish Sheriff's Office. On January 12, 2018, a Deportation Officer arrested OYUELA and transported him to the New Orleans Field Office for processing. After reviewing his alien file, the officer confirmed that OYUELA had been previously deported from the United States on December 10, 2013.


Documentation from OYUELA's Alien File, including a Warrant of Removal/Deportation, complete with the defendant's fingerprints, photographs and signature,

AUSA 
Defendant 
Defense Counsel 

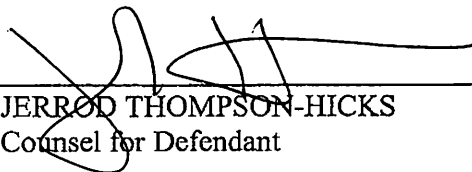
confirmed that the defendant was removed from the United States to Mexico on December 10, 2013. A qualified Fingerprint Specialist would testify that the fingerprints of the individual documented in the Alien File containing the Warrant of Removal/Deportation and the fingerprints of the defendant are 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 OYUELA 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.

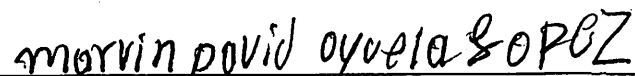
OYUELA acknowledges that he was convicted of possession of cocaine on September 30, 2013, in the 24th Judicial District Court in Jefferson Parish, Louisiana.

 3-15-2018

SPIRO G. LATSIS Date
Assistant United States Attorney

 3/15/18

JERROD THOMPSON-HICKS Date
Counsel for Defendant



MARVIN DAVID OYUELA LOPEZ Date
Defendant