

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

UNITED STATES OF AMERICA * **CRIMINAL NO. 18-147**

v. * **SECTION: "H"**

PAULO EMILIO OSABAS-MUNGUIA, *
a/k/a "Pablo OSABAS-MUNGUIA" *

* * *

FACTUAL BASIS

In support of the guilty plea of the defendant, **PAULO EMILIO OSABAS-MUNGUIA a/k/a "Pablo OSABAS-MUNGUIA" ("OSABAS-MUNGUIA")**, to Count 1 of the Bill of Information for Illegal Re-entry of a Removed Alien, the Government submits that should this matter have gone to trial, the Government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the Bill of Information now pending against the defendant:

On April 18, 2018, the New Orleans Fugitive Operation Team (FOT) observed Paulo Emilio **OSABAS-MUNGUIA ("OSABAS-MUNGUIA")** exiting his residence located in Metairie, Louisiana and entering a 2012 Red Dodge Ram truck bearing the company name "Osabassiding LLC Siding Installation." FOT members conducted a traffic stop on the vehicle in the 2600 block of Beverly Dr., and N. Labarre Rd., Metairie, Louisiana 70001. Using fingerprint identification analysis, FOT members identified **OSABAS-MUNGUIA** as an illegal alien who had been removed from the United States twice before. **OSABAS-MUNGUIA** was then arrested and transported to the New Orleans Field Office for further processing.

U.S. Immigration records revealed that **OSABAS-MUNGUIA** had been assigned Alien Registration Number XXX XXX 656. A search of Immigration records also showed that on May 4, 2009, **OSABAS-MUNGUIA** was apprehended by United States Border Patrol Agents in Eagle Pass, Texas and served with a Notice and Order of Expedited Removal (Form I-860). On May 8, 2009, **OSABAS-MUNGUIA** was found guilty of Illegal Entry in violation of Title 8, United States Code, Section 1325 by the United States Magistrate in Del Rio, Texas and was sentenced to 6 days imprisonment followed by unsupervised probation. On July 1, 2009, **OSABAS-MUNGUIA** was physically removed from the United States to Nicaragua.


On August 5, 2009, **OSABAS-MUNGUIA** was again found in the United States illegally in Eagle Pass, Texas by United States Border Patrol Agents and served with a Notice of Intent/Decision to Reinstate Prior Order. On August 12, 2009, he was physically removed from the United States to Nicaragua.

Law enforcement computer records as well as **OSABAS-MUNGUIA**'s Alien Registration File No. XXX XXX 456 revealed the following:


OSABAS-MUNGUIA is a native and citizen of Nicaragua who has no claim of United States citizenship or lawful immigration status. **OSABAS-MUNGUIA** entered the United States unlawfully on or about an unknown time and unknown date. There is no record of **OSABAS-MUNGUIA** ever having received express permission to re-enter the United States from the Attorney General, the Secretary of the

Department of Homeland Security or any Immigration Officer, after having been previously removed from the United States, all in violation of Title 8, United States Code. Section 1326(a), to wit: Reentry of a Removed Alien.

READ AND APPROVED:


MICHAEL M. SIMPSON (Date) 8/2/18
Assistant United States Attorney


7/31/18
PAULO EMILIO OSABAS-MUNGUIA (Date)
Defendant


7/31/18
CRAIG D. LITTLE (Date)
Attorney for the Defendant