

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 19-135

v. * SECTION: "E"

DARLYS BARRIOS-HERRERA *
a/k/a DARLYS ELIZABETH *
BARRIOS-HERRERA *

* * *

FACTUAL BASIS

The defendant, **DARLYS BARRIOS-HERRERA** (hereinafter "**BARRIOS**"), has agreed to plead guilty as charged to the one-count bill of information charging her 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 June 17, 2019, a deputy with the St. Tammany Parish Sheriff's Office stopped a white Toyota Sienna minivan with Texas plates on the I-12 for a traffic violation. The van was occupied by a female (driver) and six adult males. During the stop, the officer tried to speak with the driver, **BARRIOS**, but he could not communicate with her because she did not speak English. The officer then called a Border Patrol agent to assist with the interview. **BARRIOS** told the agent that she is a citizen of Guatemala and that she entered the country without authorization. **BARRIOS** admitted that she had been previously deported about five years ago. The agent then administratively arrested **BARRIOS** who was determined to be in the country illegally, and

AUSA 
Defendant 
Defense Counsel 

transported her to his office for processing. A records check revealed that **BARRIOS** had been previously deported on September 17, 2014, and that she neither requested nor received permission from the United States Attorney General or his successor to reapply for admission to the United States. The records checks also confirmed that **BARRIOS** had no claim to United States citizenship.

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 the defendant, **BARRIOS**, 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.


 SPIRO G. LATSIIS Date 8/6/19
 Assistant United States Attorney


 SAMUEL J. SCHILLITANI, JR. Date 8/5/19
 Attorney for the Defendant


 DARLYS BARRIOS -HERRERA Date 8/6/19
 Defendant