

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

* CRIMINAL NO. 20-46

v.

* SECTION: "J"

ANIBAL LEONEL LOPEZ-DIAZ

*

a/k/a Velasquez-Diaz, Alfredo

*

a/k/a Velasquez, Alfredo Diaz

* * *




FACTUAL BASIS

The defendant, ANIBAL LEONEL LOPEZ-DIAZ (hereinafter "**LOPEZ**"), has agreed to plead guilty as charged to the one-count indictment of charging him with illegal reentry of a previously removed alien in violation of Title 8, United States Code, Section 1326(a) and 1326(b)(1).

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 February 22, 2020, **LOPEZ** was arrested by Louisiana State Police for DUI. Following his arrest, officials with the Terrebonne Parish Correctional Center determined that **LOPEZ** was in the country illegally, so they informed ICE ERO of his presence in their facility. Based on this information, an officer with ICE took **LOPEZ** into immigration custody for processing. During questioning, **LOPEZ** claimed that he was a citizen of Guatemala, and that he re-entered the country in March 2007 by walking across the border somewhere in Arizona. He also admitted to being previously removed and that he subsequently re-entered the country without

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Defendant
Defense Counsel


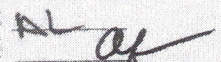





permission from U.S. authorities.

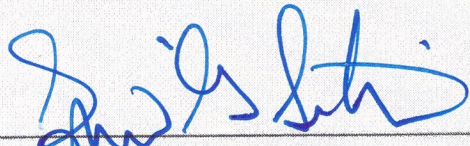
The Officer then ran **LOPEZ'S** fingerprints through various databases and confirmed that he had been previously removed on February 28, 2007. The A-file also showed that **LOPEZ** used the alias Alfredo Velasquez-Diaz and claimed to be a Mexican national during his previous ICE arrest. In light of this, the ICE Officer compared a current photo of **LOPEZ** with the pictures of him from the 2007 removal. The Officer concluded that the photos of the person that was removed in 2007 match the photos of this defendant. The Officer also advised that the defendant's prints and the prints in the computer system all matched.

A records check revealed that **LOPEZ** had been previously deported on February 28, 2007, and that he 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 **LOPEZ** had no claim to United States citizenship.

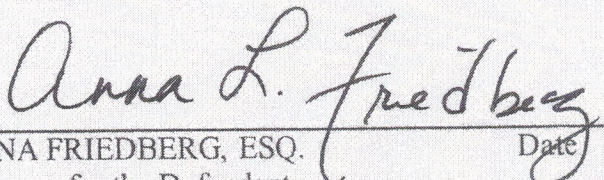
Testimony of an official from U.S. Citizenship and Immigration Services regarding record checks conducted through the Computer Linked Application Information Management System would show that the defendant, **LOPEZ**, did not receive consent from the U.S. Attorney General or his designated successor, the Secretary of the Department of Homeland Security, to

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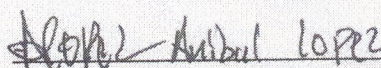
apply for readmission or receive permission to reenter the United States since the time of the defendant's previous removal.

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SPIRO G. LATSI
Assistant United States Attorney Date

 8-7-20

ANNA FRIEDBERG, ESQ.
Attorney for the Defendant Date

 8/7/20

ANIBAL LEONEL LOPEZ-DIAZ
Defendant Date