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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ISIDRO DE JESUS-MAYO,

Defendant.

Case No. 2:25-CR-00447-DAK

**UNITED STATES' SENTENCING
MEMORANDUM**

HONORABLE DALE A. KIMBALL

The United States, by and through its counsel, Assistant United States Attorney Bryan N. Reeves, hereby files its Sentencing Memorandum. In this case Isidro De Jesus-Mayo (the Defendant) entered into a 1326 Fast-Track plea agreement where the United States offered a four-level reduction for the Defendant's participation in the program.

GUIDELINES AND PRESENTENCE REPORT

With the four-level fast track reduction applied, the United States agrees the Defendant' total offense level is 15 with a criminal history category of V. The applicable guideline imprisonment range is **37 months to 46 months**.

SENTENCING FACTORS

The relevant sentencing factors are set forth in 18 U.S.C. § 3553(a). While all the factors are important in determining the sentence, the United States focuses on the most relevant factors as they pertain to the facts in this case and the history of this Defendant.

The Defendant is a 44-year-old native and citizen of Mexico. PSR at 3.

The Defendant is not lawfully in the United States, and he was deported to Mexico on three prior occasions. First, immigration officials formally removed the Defendant on December 20, 2007. PSR ¶¶ 5 and 39. Secondly, he was formally removed on December 22, 2018. PSR ¶ 40. Third, after his federal conviction for felony Illegal Reentry, the Defendant was removed on July 23, 2021. The Defendant has an active detainer through Immigration and Customs Enforcement and he entered federal custody on or about December 17, 2025. At the conclusion of his sentence, immigration authorities will take the Defendant into immigration custody and will process him for a reinstatement of his prior removal order.

When evaluating the nature and the circumstances of the offense, it appears this Defendant has illegally navigated the United States border with Mexico undetected on at least four occasions. It is important to note that his removal on July 23, 2021, was effectuated after he was convicted in the United States District Court, District of Utah, for the offense of felony Illegal Reentry of a Previously Removed Alien. Here the Defendant was sentenced to 16 months imprisonment with 36 months of supervised release to follow. PSR ¶ 31. This facts demonstrates that when the Defendant illegally reentered the U.S. for a fourth time, he was keenly aware of the potential federal criminal

consequences for his actions.

The history and characteristics of this Defendant shed further light into various crimes he's perpetrated while inside the United States. This defendant's actions over the years demonstrate (1) a heightened disregard for U.S. immigration laws and the criminal justice system and (2) the real danger this Defendant poses to the public at large.

In October of 2007, the Defendant was convicted of narcotics trafficking. With his state sentence suspended he was deported in December of that same year. Five years later, in September of 2013, he is back in Farmington, Utah where he sexually abused a 13-year-old victim twenty times spanning a period of several months. This abuse included vaginal, anal and oral sex. The Defendant was approaching 32 years old at the time he abused this child. The Defendant was sentenced in June 2014, paroled in December 2018 and removed from the United States a few days later. However, the Defendant remained undeterred and in July 2019 he was encountered by law enforcement in Farmington, Utah, providing a false name to officers. Subsequently, the Defendant was convicted in federal court for Illegal Reentry in September 2020 and sentenced to 16 months imprisonment, 36 months supervised release. He was again removed on July 23, 2021. On a date unknown to law enforcement, he circumvented U.S Border Patrol agents a fourth time and was later encountered in Layton, Utah while driving under the influence. Again, the Defendant provided a false name to law enforcement officers.

When evaluating the seriousness of the Defendant's offense, in this case the Defendant's offense is extremely serious. Here, the Defendant reentered the United States fully understanding the potential criminal consequences of his behavior and yet he

chose to come back to the United States unlawfully. Not only did he choose to take that first step to reenter illegally but once in the United States, he chose to engage in one of the most serious and heinous criminal actions— the physical, emotional and phycological victimization of a child by sexual abuse. His criminal actions were so serious that his state criminal conviction would require the Defendant, for public safety reasons, to register as a sex offender. As outlined in the Statement in Advance of Plea of Guilty, the Defendant has acknowledged that he understands that under the Sex Offender Registration and Notification Act (SORNA), a federal law, he must register and keep the registration current and that he must update that registration within three days after any change. He has further acknowledged that if he fails to abide by the Sex Offender Registration and Notification Act that it could lead to a prosecution under 18 U.S.C. § 2250 (Failure to Register). For the safety of the public, the Defendant has a lifetime sex offender registration requirement in Utah.

When evaluating what sentence is sufficient but not greater than necessary to promote respect for the law, provide just punishment for the offense and to afford adequate deterrence (both general and specific), the United States recommends this court impose a sentence at the high-end of the advisory guideline range, specifically **46 months imprisonment with 36 months supervised release** to follow.

In summary, this Defendant has three prior deportations from the United States, and he remains undeterred. His prior criminal activities include narcotics trafficking, the sexual abuse of a minor and attempts to mislead and elude law enforcement by providing false information to officers. This Defendant requires a high-end sentence so that he

understands that he cannot return to the United States or upon a fifth return he will face serious criminal penalties such as new charges for 18 U.S.C. § 2250 (Failure to Register) and 8 U.S.C. § 1326 (Reentry of Removed Aliens). Furthermore, criminal defendants like Isidro De Jesus-Mayo must be deterred from coming back for the protection of the public. Because the Defendant must register as a sex offender, each time he returns unlawfully and does not register, he poses a significantly higher risk to the public than other registered sex offenders who are rigorously monitored by the state. Therefore, a high-end supervisory guideline range sentence of 46 months is appropriate and measured to deter this Defendant's future criminal conduct and to protect the public.

CONCLUSION

After evaluating all the 3553(a) factors along with the specific considerations outlined above, the United States recommends that a sentence of **46 months imprisonment with 36 months Supervised Release** is sufficient but not greater than necessary.

DATED the 16th day of February 2026.

MELISSA HOLYOAK
United States Attorney

/s/ Bryan N. Reeves
BRYAN N. REEVES
Assistant United States Attorney