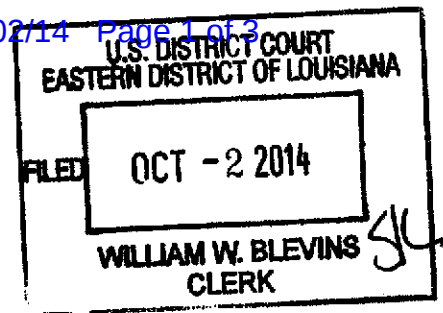




**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA * **CRIMINAL NO. 14-185 "J"**

v. *

NORWIN CASTELLON-LOPEZ *

* * *

FACTUAL BASIS

The defendant, **NORWIN CASTELLON-LOPEZ** (hereinafter "**CASTELLON-LOPEZ**"), 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 July 29, 2014, agents with Immigration and Customs Enforcement went to an apartment complex located in New Orleans, Louisiana for the purpose of locating and arresting a targeted fugitive who was not the defendant, **CASTELLON-LOPEZ**. When the agents knocked on the door of the targeted apartment, they were met by the defendant, **CASTELLON-LOPEZ**, who answered the door and consented for the agents to enter the residence. The agents asked

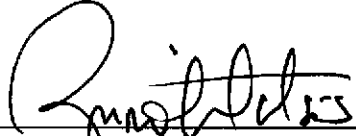
CASTELLON-LOPEZ if he knew the fugitive, and **CASTELLON-LOPEZ** responded in Spanish that he did not know the fugitive. (The targeted subject was found and arrested on the same premises.) The agents then asked the defendant if he was an American citizen, and **CASTELLON-LOPEZ** disclosed his name and that he was in the United States without authorization. The agents then detained **CASTELLON-LOPEZ** and he was taken to their office for additional records checks.

The agent would testify that he administratively processed **CASTELLON-LOPEZ** after he was taken into custody and conducted record checks through various U.S. Department of Homeland Security databases. These record checks confirmed that **CASTELLON-LOPEZ** was a citizen of Nicaragua and illegally present in the United States.

Documentation from Border Patrol records contained in the defendant's Alien File, including a Warrant of Removal/Deportation, complete with the defendant's fingerprints, photographs and signature, would demonstrate that the defendant, **CASTELLON-LOPEZ**, was removed from the United States to Nicaragua on December 22, 2010. 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 the defendant, **CASTELLON-LOPEZ**, 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.

 Oct 2, 2014
SPIRO G. LATSISS Date
Assistant United States Attorney

 _____
NORWIN CASTELLON-LOPEZ Date
Defendant

 10-2-14
VALERIE JUSSSELIN Date
Attorney for Defendant