

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

UNITED STATES OF AMERICA
vs.
VIDAL-AVILA, CASTULO

CRIMINAL COMPLAINT
CASE: 09-35572M
Citizenship: MEXICO

I state that I am a Border Patrol Agent and that this complaint is based on the following facts: COUNT 1: On or about November 22, 2009, at or near Tucson, Arizona, in the District of Arizona, Castulo VIDAL-Avila, an alien, entered, and was found in the United States of America after having been denied admission, excluded, deported, and removed from the United States through Nogales, Arizona on June 12, 2008, and not having obtained the express consent of the Attorney General or the Secretary of DHS to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326. COUNT 2: That on or about November 21, 2009, at or near Nogales, Arizona, in the District of Arizona, Castulo VIDAL-Avila, an alien, did unlawfully enter the United States of America from the United States of Mexico, at a time and place other than as designated by Immigration Officers of the United States of America, in violation of Title 8, United States Code, Section 1325.

Castulo VIDAL-Avila is a citizen of Mexico. On June 12, 2008, Castulo VIDAL-Avila was lawfully denied admission, excluded, deported, and removed from the United States through Nogales, Arizona. On November 22, 2009, agents found Castulo VIDAL-Avila in the United States at or near Tucson, Arizona. Castulo VIDAL-Avila did not obtain the express consent of the Attorney General or the Secretary of DHS to re-apply for admission to the United States. Castulo VIDAL-Avila, an alien, was found by agents in the United States of America without proper immigration documents. Furthermore, Castulo VIDAL-Avila admitted to entering the United States of America from the United States of Mexico illegally, without then being inspected by immigration officers, on November 21, 2009, at or near Nogales, Arizona.

11/23/2009
File Date

at Tucson, Arizona



Signature of Complainant

Sworn to before me and subscribed in my presence,

Honorable Jennifer Guerin
United States Magistrate Judge



Signature of Judicial Officer

FBI Number: 048503CC5