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7 UNITED STATES DISTRICT COURT

8 DISTRICT OF ARIZONA

9 United States of America,

10 Plaintiff,

11 v.

12 **Hector AMADOR-Rincon**

13 Defendant.

07-07680M

PLEA AGREEMENT
(Flip-Flop)

Fast Track 5K3.1

14
15 The parties enter into the following agreement:

16 1. Defendant will enter a plea to Count 2 of the complaint, Fraud and Related Activity
17 in Connection With Identification Documents, a misdemeanor offense, in violation of Title
18 18, United States Code, Section 1028(a). This plea will occur no later than the time set for
19 detention hearing/preliminary hearing.

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21 2. The government will dismiss Count 1 of the complaint, Aggravated Identity Theft,
22 a felony, in violation of Title 18, United States Code, Section 1028A. This charge, if proven,
23 carries a minimum mandatory two-year sentence consecutive to any other sentence imposed,
24 a fine of \$250,000, three years supervised release, and a \$100 special assessment. The
25 government will dismiss this charge at the time of sentencing.
26

1 3. The maximum penalties for the offense to which I am pleading are not more than
2 one (1) year in custody, a \$100,000 fine, \$25 special assessment, and up to one year
3 supervised release.
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5 4. Pursuant to this plea agreement, the government and the defendant stipulate and
6 agree to a sentence of 75 days of imprisonment.
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8 5. The parties waive a Pre-Sentence Investigation Report and agree that sentencing
9 will occur on the date of the change of plea.

10 6. Defendant waives: (1) any right to appeal the Court's entry of judgment against the
11 defendant; (2) any right to appeal the imposition of sentence upon defendant under Title 18,
12 United States Code, Section 3742 (sentence appeals); and (3) any right to collaterally attack
13 defendant's conviction and sentence under Title 28, United States Code, Section 2255, or any
14 other collateral attack.
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1 **7. Factual Basis for Plea:**

2 On or about February 12, 2007, at or near Nogales, in the District of Arizona, I, **Hector**
3 **AMADOR-Rincon**, presented a Border Crossing Document, Form DSP-150 that was originally
4 issued to a person in the name of Francisco Javier HINOSTROZA-Urias. I knew that the
5 Border Crossing Document was issued in a name other than my own yet presented it as
6 proof of my lawful authority to enter into the United States so that I could gain unlawful
7 entry into the United States. I am a Mexican citizen present in the United States illegally.

8 Dated this 15th day of Feb., 2007.

9
10 Hector Amador Rincon
11 **Hector AMADOR-Rincon**
12 Defendant

13 [Signature]
14 Defense Counsel

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16 DANIEL G. KNAUSS
17 United States Attorney
18 District of Arizona

19 [Signature]
20 Assistant U.S. Attorney

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