

CRIMINAL COMPLAINT

United States District Court	DISTRICT of ARIZONA
United States of America v. Francine BAUTISTA DOB: 1970; U.S. Citizen	DOCKET NO.
	MAGISTRATE'S CASE NO. 08-01525M
Complaint for violation of Title 21	United States Code § 841(a)(1) and (b)(1)(C)

COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

On or about January 22, 2008, at or near Highway 86, mile marker 145, in the District of Arizona, **Francine BAUTISTA** did knowingly and intentionally possess with intent to distribute 50 kilograms or more, but less than 100 kilograms of marijuana, that is, approximately 99 kilograms of marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections **841(a)(1) and 841(b)(1)(C)**

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DISTRICT OF ARIZONA	
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BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

On January 22, 2008, United States Border Patrol (USBP) Agents were operating a checkpoint on Highway 86 near mile marker 145. **Francine BAUTISTA** drove a vehicle to the checkpoint. A canine alerted to the presence of narcotics. USBP Agents asked for permission to search the vehicle and **BAUTISTA** refused. The agents then flagged down a Tohono O'odham officer and explained the situation to him. The officer asked **BAUTISTA** if she had anything in the trunk. **BAUTISTA** said it contained marijuana. The Tohono O'odham officer asked **BAUTISTA** for the trunk keys. She complied. The trunk was opened and agents discovered approximately 99 kilograms of marijuana.

MATERIAL WITNESSES IN RELATION TO THE CHARGE:

REQUEST DETENTION Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge. JJF/emj AUTHORIZED BY: AUSA <u><i>Jane [Signature]</i></u>	SIGNATURE OF COMPLAINANT (official title) <u><i>Jane [Signature]</i></u> SIO PCSII OFFICIAL TITLE Officer Tucson Police Department PIMA CO. SHERIFF'S
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Sworn to before me and subscribed in my presence.

SIGNATURE OF MAGISTRATE JUDGE ¹⁾	DATE January 31, 2008
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¹⁾ See Federal rules of Criminal Procedure Rules 3 and 54