

# United States District Court

## DISTRICT OF ARIZONA

12/07

UNITED STATES OF AMERICA

V.

Arnold GARCIA-Estrella

Citizen of Mexico

YOB: 1975

087756554

Illegal Alien

CRIMINAL COMPLAINT

CASE NUMBER: 09-9461 MP

Cygnus Systems, Inc. v. Microsoft Corporation, et al

Doc. 69 Att. 1

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

### COUNT I

That on or about March 15, 2009, near Sasabe, Arizona in the District of Arizona, Defendant Arnold GARCIA-Estrella, an alien, did knowingly and willfully enter the United States at a time or place other than as designated by Immigration Officers of the United States of America, in violation of Title 8, United States Code, Section 1325 (Misdemeanor).

Continued on the attached sheet and made a part hereof.  Yes  No

*Miguel Barrera*

Signature of Complainant

Miguel Barrera

Senior Patrol Agent

*Locia 24 1451*

Sworn to before me and subscribed in my presence,

December 9, 2009

Date

at

Yuma, Arizona

City and State

Jay R. Irwin, U.S. Magistrate

Name & Title of Judicial Officer

Signature of Judicial Officer

STATEMENT OF FACTUAL BASIS

Defendant: Arnold GARCIA-Estrella

Dependents: 2-Mexican

**IMMIGRATION HISTORY:** The Defendant is an illegal alien.

**CRIMINAL HISTORY:**

<u>DATE</u>	<u>LOCATION</u>	<u>OFFENSE</u>	<u>DISPOSITION</u>
9/2/05	Sheriff's Office Sacramento	Possess Cntrl Sub	Unknown
1/26/06	Sheriff's Office Sacramento	Possess Cntrl Sub/Paraphernalia	Unknown
11/07/09	Police Department Wickenburg	Liqor-Poss Open Cont in Veh	Unknown

Narrative: The Defendant, a citizen of Mexico and illegally within the United States, was encountered by Yuma Border Patrol agents near Wickenburg, Arizona.

The Defendant was questioned as to his citizenship and immigration status. Agents determined that the Defendant is an undocumented National of Mexico and illegally in the United States.

The Defendant was transported to the Yuma station for processing. During processing, questioning and computer record checks the above criminal and immigration information was obtained as it relates to this Defendant.

The Defendant last entered the United States illegally without inspection near Sasabe, Arizona on March 15, 2009.

Charges: 8 USC§1325 (Misdemeanor)

*Miguel Barrera*  
\_\_\_\_\_  
Signature of Complainant

Sworn to before me and subscribed in my presence,

December 9, 2009  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Judicial Officer

**Probable Cause Statement**

I, Senior Patrol Agent Miguel Barrera, declare under penalty of perjury, the following is true and correct:

**STATEMENT OF FACTUAL BASIS**

Defendant: Arnold GARCIA-Estrella

Dependents: 2-Mexican

**IMMIGRATION HISTORY:** The Defendant is an illegal alien.

**CRIMINAL HISTORY:**

**DATE LOCATION DISPOSITION**

**OFFENSE**

DATE	LOCATION	DISPOSITION	OFFENSE	STATUS
9/2/05	Sheriff's Office Sacramento		Possess Cntrl Sub	Unknown
1/26/06	Sheriff's Office Sacramento		Possess Cntrl Sub/Paraphernalia	Unknown
11/07/09	Police Department Wickenburg		Liqor-Poss Open Cont in Veh	Unknown

Narrative: The Defendant, a citizen of Mexico and illegally within the United States, was encountered by Yuma Border Patrol agents near Wickenburg, Arizona.

The Defendant was questioned as to his citizenship and immigration status. Agents determined that the Defendant is an undocumented National of Mexico and illegally in the United States.

The Defendant was transported to the Yuma station for processing. During processing, questioning and computer record checks the above criminal and immigration information was obtained as it relates to this Defendant.

The Defendant last entered the United States illegally without inspection near Sasabe, Arizona on March 15, 2009.

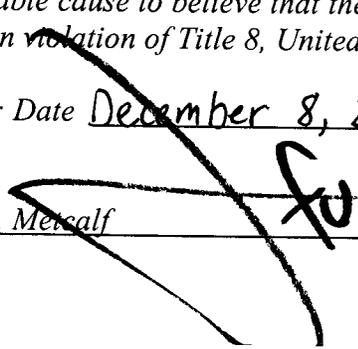
Executed on: December 8, 2009 Time: 6:49 AM

Signed: Miguel Barrera Senior Patrol Agent

**Finding of Probable Cause**

On the basis of the facts presented in the foregoing Probable Cause Statement, consisting of one page, I find probable cause to believe that the defendant named therein committed the offense on March 15, 2009 in violation of Title 8, United States Code, Section (s) 1325 1326.

Finding made on: Date December 8, 2009 Time 2:40 PM

Signed: James F. Mersalf  United States Magistrate Judge