

CRIMINAL COMPLAINT

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<p>UNITED STATES DISTRICT COURT</p> <p>UNITED STATES OF AMERICA V. Victor Manuel GUILLEN-Castro</p> <p>Year of Birth: 1980</p> <p>Country of Citizenship: El Salvador</p> <p>A098 350 155</p> <p>Case Control # TCA-0908-1639</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">District ARIZONA</td> <td style="text-align: center;"> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">FILED</td> <td style="text-align: center;">LODGED</td> </tr> <tr> <td style="text-align: center;">RECEIVED</td> <td style="text-align: center;">COPY</td> </tr> <tr> <td colspan="2" style="text-align: center;"> <div style="border: 1px solid black; padding: 5px; margin: 5px auto; width: 80%;"> AUG 27 2009 </div> </td> </tr> <tr> <td colspan="2" style="text-align: center;"> <small>CLERK U S DISTRICT COURT DISTRICT OF ARIZONA</small> </td> </tr> <tr> <td colspan="2" style="text-align: center;"> <small>BY _____ DEPUTY</small> </td> </tr> </table> </td> </tr> <tr> <td colspan="2" style="text-align: center;"> DOCKET NO. </td> </tr> <tr> <td colspan="2" style="text-align: center;"> MAGISTRATE CASE NO. <div style="font-size: 24pt; font-weight: bold; text-align: center;">09-02105M</div> </td> </tr> </table>	District ARIZONA	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">FILED</td> <td style="text-align: center;">LODGED</td> </tr> <tr> <td style="text-align: center;">RECEIVED</td> <td style="text-align: center;">COPY</td> </tr> <tr> <td colspan="2" style="text-align: center;"> <div style="border: 1px solid black; padding: 5px; margin: 5px auto; width: 80%;"> AUG 27 2009 </div> </td> </tr> <tr> <td colspan="2" style="text-align: center;"> <small>CLERK U S DISTRICT COURT DISTRICT OF ARIZONA</small> </td> </tr> <tr> <td colspan="2" style="text-align: center;"> <small>BY _____ DEPUTY</small> </td> </tr> </table>	FILED	LODGED	RECEIVED	COPY	<div style="border: 1px solid black; padding: 5px; margin: 5px auto; width: 80%;"> AUG 27 2009 </div>		<small>CLERK U S DISTRICT COURT DISTRICT OF ARIZONA</small>		<small>BY _____ DEPUTY</small>		DOCKET NO.		MAGISTRATE CASE NO. <div style="font-size: 24pt; font-weight: bold; text-align: center;">09-02105M</div>	
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Complaint for violation of Title 8 United States Code § 1326(a) and (b)(1); 1325

NAME OF JUDGE OR MAGISTRATE	OFFICIAL TITLE	LOCATION
	United States Magistrate	Tucson, Arizona

DATE OF OFFENSE	PLACE OF OFFENSE	ADDRESS OF ACCUSED (if known)
On or about August 26, 2009	At or near Naco, Arizona	La Libertad, El Salvador

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

COUNT 1: On or about August 26, 2009, at or near Naco, Arizona, in the District of Arizona, Victor Manuel GUILLEN-Castro, 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 Phoenix, Arizona on June 30, 2009, and not having obtained the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a) and 1326 (b)(1).

COUNT 2: On or about August 26, 2009, at or near Naco, Arizona, in the District of Arizona, Victor Manuel GUILLEN-Castro, 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.

BASIS OF COMPLAINANTS CHARGE AGAINST THE ACCUSED:

Victor Manuel GUILLEN-Castro is a citizen of El Salvador. On June 30, 2009, Victor Manuel GUILLEN-Castro was lawfully denied admission, excluded, deported, and removed from the United States through Phoenix, Arizona. On August 26, 2009, agents found GUILLEN-Castro in the United States at or near Naco, Arizona. GUILLEN-Castro did not obtain the express consent of the Attorney General or the Secretary of DHS to re-apply for admission to the United States. Furthermore, as evidenced from his illegal presence in the United States, Victor Manuel GUILLEN-Castro entered the United States from the United States of Mexico, at a time and place other than as designated by Immigration Officers of the United States.

MATERIAL WITNESSES IN RELATION TO THIS CHARGE
 Border Patrol Agent(s) **Steven Hughitt**

<p>DETENTION REQUESTED Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge. AUTHORIZED BY: SAUSA</p>	<p>SIGNATURE OF COMPLAINANT (official title) OFFICIAL TITLE Senior Patrol Agent</p>
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<p>Sworn to before me and subscribed in my presence,</p> <p>SIGNATURE OF MAGISTRATE (1) </p>	<p>DATE August 27, 2009</p>
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1) See Federal Rules of Criminal Procedure rules 3 and 54.
 AO 91 (Rev. 11/82)