

CRIMINAL COMPLAINT

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DISTRICT OF ARIZONA
 DOCKET NO. MAY 24 2007
 CLERK U S DISTRICT COURT
 DISTRICT OF ARIZONA
 MAGISTRATE'S CASE NO. _____ DEPUTY
 BY _____

United States District Court

United States of America
v.
Eduardo RODRIGUEZ-DIAZ
 DOB: 1947; U.S. Citizen

07-02107M

Complaint for violation of Title 21 United States Code §§ 841(a)(1) & 841(b)(1)(B)(vii)

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

On or about May 24, 2007, at or near Amado, in the District of Arizona, **Eduardo RODRIGUEZ-DIAZ** did knowingly and intentionally possess with intent to distribute 100 kilograms or more, but less than 1,000 kilograms of marijuana, that is, approximately 995 kilograms of marijuana, a Schedule I controlled substance; in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(vii).

BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

On May 24, 2007, at approximately 12:15 a.m., a U.S. Border Patrol (USBP) Canine Agent was working the primary lanes at the USBP Checkpoint in Amado, AZ. Agents encountered **Eduardo RODRIGUEZ-DIAZ** driving a 1995 Kenworth tractor trailer. The canine alerted positive to the presence of contraband emanating from the trailer. The driver, **RODRIGUEZ-DIAZ**, appeared nervous and was shaking. **RODRIGUEZ-DIAZ** stated his destination was Tucson, despite his bill of lading stating the cargo destination was Phoenix. A canine alerted positively again at secondary inspection. Agents could also smell the odor of marijuana emanating from the closed cargo door of the trailer. A subsequent search led agents to find 145 bundles of marijuana weighing a total of approximately 995 kilograms hidden among soda bottles.

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.

Baumann/emj

AUTHORIZED BY: *[Signature]*

Sworn to before me and subscribed in my presence.

SIGNATURE OF COMPLAINANT (official title)

[Signature] Scott Christian

OFFICIAL TITLE Special Agent
DEA

SIGNATURE OF MAGISTRATE JUDGE¹⁾

[Signature]

DATE
May 24, 2007

¹⁾ See Federal rules of Criminal Procedure Rules 3 and 54