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FILED	LODGED
RECEIVED	COPY
OCT 13 2009	
U.S. DISTRICT COURT DISTRICT OF ARIZONA	

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

Heidy Beatriz CAAL-Salvatierraz
Defendant.

09-613

PLEA AGREEMENT
(Flip-Flop)

Fast Track 5K3.1

The parties enter into the following agreement:

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

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

1 The elements of the offense are: (1) Defendant knowingly possessed an identification
2 document, authentication feature or false identification; (2) Defendant possessed the
3 document or feature with the intent to defraud the United States.
4

5 3. The maximum penalties for the offense to which I am pleading are not more
6 than one (1) year in custody, a \$100,000 fine, \$25 special assessment, and up to
7 one year supervised release.
8

9 4. Pursuant to this plea agreement, the government and the defendant stipulate
10 And agree to a sentence of 75 days of imprisonment in a United States Marshals facility.
11 The government will move to remit the special assessment.
12

13 5. The parties waive a Pre-Sentence Investigation Report and agree that
14 sentencing will occur on the date of the change of plea.

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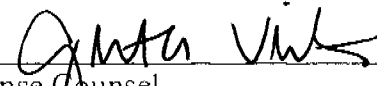
1 **7. Factual Basis for Plea:**

2 On or about October 7, 2009, at or near Nogales, in the District of Arizona, I, Heidi
3 Beatriz CAAL-Salvatierrez, presented a Permanent Resident Card, Form I-551 which
4 was issued in a name other than my own and to a real person as proof of my lawful
5 authority to enter into the United States so that I could gain unlawful entry into the
6 United States. I am a ~~Mexican~~ citizen present in the United States illegally.


7 Dated this 13th day of October, 2009.

*of Guatemala CMT
JHBCS*

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9 
10 Heidi Beatriz CAAL-Salvatierrez
11 Defendant

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14 Defense Counsel

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16 DENNIS K. BURKE
17 United States Attorney
18 District of Arizona

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20 Assistant U.S. Attorney
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