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**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Benito BERNARDINO-Acevedo

GARCIA-Corres, Pedro

A79 155 894

YOB: 1975

Citizen of Mexico

Defendant

Magistrate Case No. 07-2923M

COMPLAINT FOR VIOLATION OF

Title 8, United States Code, Section 1326(a),
enhanced by (b)(1) Re-entry After Removal
(Felony).

The undersigned complainant being duly sworn states:

COUNT I

That on or about May 1, 2004, Defendant Benito BERNARDINO-Acevedo, an alien, entered or attempted to enter the United States, and on or about May 30, 2007 was found in the United States at or near Yuma, Arizona within the District of Arizona, after having been previously denied admission, excluded, deported, or removed from the United States to Mexico through the port of Calexico, California on or about March 23, 2004. The Secretary of the Department of Homeland Security not theretofore having consented to any reapplication by the Defendant for admission into the United States, in violation of Title 8, United States Code, Section 1326(a), enhanced by (b)(1) (Felony).

And the complainant further states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Sworn to before me and subscribed in my presence,

June 1, 2007

Date

at

Yuma, Arizona

City and State

Jay R. Irwin, U.S. Magistrate

Name & Title of Judicial Officer

Signature of Judicial Officer



Signature of Complainant

David Bon

Senior Patrol Agent

1 UNITED STATES OF AMERICA

2 V.

3 Benito BERNARDINO-Acevedo

4 GARCIA-Corres, Pedro

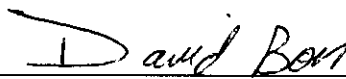
5 A79 155 894

6 **STATEMENT OF FACTUAL BASIS**

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8 The complainant states that this complaint is based upon the statements of the
9 apprehending officers, that the Defendant was found and arrested on or about May 30, 2007,
10 near Yuma, Arizona. Questioning of the Defendant by agents revealed that the Defendant was
11 a citizen of Mexico, and was not in possession of valid documents allowing him to enter or
12 remain in the United States.

13
14 By questioning the Defendant and through record checks, agents determined that on or
15 about March 23, 2004, the Defendant had been removed from the United States through the
16 port of Calexico, California, subsequent to a conviction in Superior Court, State of California,
17 Monterey County, on or about September 29, 1993, for the crime of Inflict Corporal Injury to
18 Spouse/Cohab, a felony.

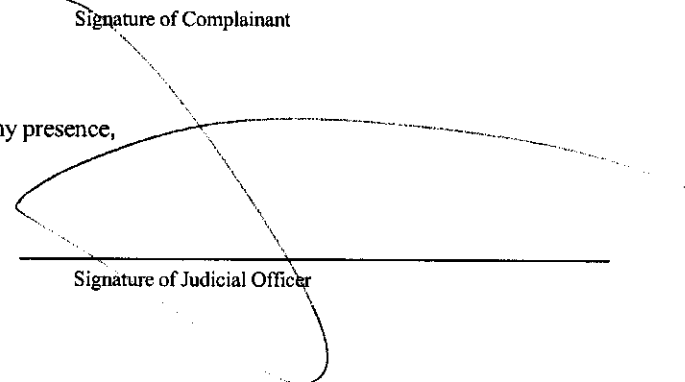
19
20 Agents determined that on or about May 1, 2004, the Defendant re-entered the United
21 States without the Secretary of the Department of Homeland Security having consented to
22 reapplication by the Defendant for admission into the United States.

23
24 
Signature of Complainant

25
26 Sworn to before me and subscribed in my presence,

27
28 June 1, 2007

29 Date


Signature of Judicial Officer