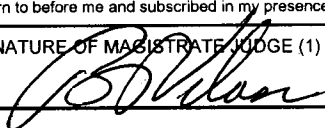


CRIMINAL COMPLAINT

UNITED STATES DISTRICT COURT		District	FILED ☒ ARIZONA RECEIVED ☐ LODGED ☐ COPY ☐	
UNITED STATES OF AMERICA V. Gerardo Octavio DE LA PUENTE-Garcia Year of Birth: 1969 Country of Citizenship: Mexico A091 638 249 Case Control # PTCA101001878		DOCKET NO.	NOV 30 2009 CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
		MAGISTRATE CASE NO.	8Y 09- 3578M DEPUTY	
Complaint for violation of Title 8 United States Code § 1326 (b)(2)				
NAME OF JUDGE OR MAGISTRATE		OFFICIAL TITLE	LOCATION	
		United States Magistrate Judge	Tucson, Arizona	
DATE OF OFFENSE	PLACE OF OFFENSE	ADDRESS OF ACCUSED (if known)		
On or about October 28, 2009	At or near Arivaca, Arizona	Sinaloa, Mexico		
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION: On or about October 28, 2009, at or near Arivaca, Arizona, in the District of Arizona, Gerardo Octavio DE LA PUENTE-Garcia, 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 San Ysidro, California on August 5, 2009, and not having obtained the express consent of the Attorney General or the Secretary of DHS to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a), enhanced by Title 8, United States Code, Section 1326 (b)(2).				
BASIS OF COMPLAINANTS CHARGE AGAINST THE ACCUSED: Gerardo Octavio DE LA PUENTE-Garcia is a citizen of Mexico. On August 5, 2009, Gerardo Octavio DE LA PUENTE-Garcia was lawfully denied admission, excluded, deported, and removed from the United States through San Ysidro, California. On October 28, 2009, agents found Gerardo Octavio DE LA PUENTE-Garcia in the United States at or near Arivaca, Arizona. Gerardo Octavio DE LA PUENTE-Garcia did not obtain the express consent of the Attorney General or the Secretary of DHS to re-apply for admission to the United States.				
MATERIAL WITNESSES IN RELATION TO THIS CHARGE Border Patrol Agents(s) EDWARDS, Robert W.				
DETENTION REQUESTED Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge. AUTHORIZED BY AUSA AEM		SIGNATURE OF COMPLAINANT (official title)  OFFICIAL TITLE Border Patrol Agent		
Sworn to before me and subscribed in my presence,				
SIGNATURE OF MAGISTRATE JUDGE (1)		DATE		
		October 30, 2009		

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