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UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

Daniel QUINONES-Beltran,  
Defendant.

07-00771M

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, Alien Eluding Examination and Inspection by Immigration Officers of the United States, a misdemeanor offense, in violation of Title 8, United States Code, Section 1325. This plea will occur no later than the time set for the detention hearing/preliminary hearing.

2. The government will dismiss Count 1 of the complaint, Illegal Re-Entry After Deportation, a felony, in violation of Title 8, United States Code, Section 1326(a). This charge, if proven, carries a maximum sentence of two (2) years imprisonment, \$250,000

1 fine, one year supervised release and a \$100 special assessment. The government will  
2 dismiss this charge at the time of sentencing.

3 3. The maximum penalties for the offense to which I am pleading are six (6) months  
4 in custody, a \$5,000 fine and a \$10 special assessment.

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6 4. Pursuant to this plea agreement, the government and the defendant stipulate and  
7 agree to a consecutive sentence of sixty days (60) of imprisonment in a United States  
8 Marshal Service facility.

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10 5. The parties waive a Pre-sentence Report and agree that sentencing will occur on  
11 the date of the change of plea.

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13 6. Pursuant to this plea, the defendant waives: (1) any right to appeal the Court's  
14 entry of judgment against defendant; (2) any right to appeal the imposition of sentence  
15 upon defendant under Title 18, United States Code, Section 3742 (sentence appeals); and  
16 (3) any right to collaterally attack defendant's conviction and sentence under Title 28,  
17 United States Code, Section 2255, or any other collateral attack.  
18


19 **7. Factual Basis for Plea:**

20 I, Daniel QUINONES-Beltran, am a citizen of Mexico. On or about June 25,  
21 2007, at or near Amado, in the District of Arizona, I, Daniel QUINONES-  
22 Beltran, was found in the United States. I admit that prior to my re-entry, I  
23 was lawfully denied admission, excluded, deported and removed from the  
24 United States through Nogales, Arizona on October 26, 2006. I did not obtain  
25 the express consent of the Attorney General or the Secretary of the Department  
26 of Homeland Security to re-apply for admission to the United States prior to  
27 my illegal entry into the United States. Furthermore, as evidenced by my  
28 illegal presence in the United States, I admit that I entered the United States  
from the Republic of Mexico, at

1  
2 a time and place other than as designated by Immigration Officers of the  
3 United States.

4 Dated this 29 day of June, 2007.  
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6


7 ~~X Daniel Quinones B~~  
8 Daniel QUINONES-Beltran,  
9 Defendant

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12 Defense Counsel

13 David  
14 Alvarez  
15 AFPD

DANIEL G. KNAUSS  
United States Attorney  
District of Arizona

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17 Assistant U.S. Attorney

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