ACW 9144 1/16/14

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA

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TRICT COURT	FILEL
OF CALIFORNIA	JAN 1 6 2014
Magistrate Docket No.	CLEAK LEST STRICT COURT SOUTHER OF CALIFORN DEPUTY
<b>COMPLAINT FOR VIOLATION OF:</b>	
Title 8, USC 1326 Deported Alien Found In The United States	

Armando CHAVEZ-Tapia
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Output

Defendant.

Plaintiff,

V.

UNITED STATES OF AMERICA,

**\*14 NJ** 0 142

The undersigned complainant being, duly sworn, states:

On or about January 15, 2014, within the Southern District of California, defendant, Armando CHAVEZ-Tapia, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

IGNATURE OF COMPLAINANT

Jonathan Burland Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE.

THIS 16th DAY OF January, 2014.

United States Magistrate Judge

50x11/2

## CONTINUATION OF COMPLAINT: Armando CHAVEZ-Tapia

## PROBABLE CAUSE STATEMENT

On January 15, 2014, Border Patrol Agent K. Richardson was assigned to linewatch duties in the Campo Border Patrol Station area of responsibility. At approximately 7:15 p.m., Agent Richardson was advised of four suspected illegal immigrants crossing into the United States near an area known to Border Patrol Agents as, "Circle T." This area is approximately eighteen miles east of the Tecate, Calfornia Port of Entry and approximately 100 yards north of the United States/Mexico International Boundary.

Agent Richardson responded to the area and found one individual lying under a tree attempting to conceal himself. Agent Richardson identified himself as a United States Border Patrol Agent and conducted an immigration inspection. The individual, later identified as the defendant Armando CHAVEZ-Tapia, stated he is a citizen of Mexico not in possession of any documentation allowing him to enter or remain in the United States legally. At approximately 7:45 p.m., Agent Richardson placed CHAVEZ under arrest.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on January 6, 2014 through Calexico, California. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Jonathan Burland Border Patrol Agent

WILLIAM MCCURINE J U.S. Magistrate Judge 1- 16- 14 Date/Time