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**Start Unique ID:**

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**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**IMMIGRATION HISTORY:**

On November 7, 2010, at approximately 1503 hours, while assigned to the ICE 287(g) program at the Maricopa County Sheriffs Office Lower Buckeye Jail, I encountered (b)(6),(b)(7)(C) (b)(6),(b)(7)(C). I identified myself as a trained ICE 287(g) officer and questioned subject as to her nationality and citizenship. Subject freely admitted that she is a citizen and national of Mexico and no other country. Subject freely admitted that she entered the United States without inspection at or near Nogales, Arizona on or about August 15, 2010. Subject has no known applications or petitions pending with United States Citizenship and Immigration Services. Subject claims no fear of returning to Mexico.

**ENCOUNTER:**

Subject was processed at the Maricopa County Sheriff's Office Lower Buckeye Jail and will be turned over to Phoenix ICE/DRO. Subject was arrested by Mesa Police Department on September (b)(6) 2010, for the following offense(s):

Count 1: TAKING IDENTITY OF ANOTHER, a class 4 FELONY, in violation of A.R.S. Section 13-2008A

Count 1: SHIOPLIFTING-REMOVAL OF GOODS, a class 1 MISD, in violation of A.R.S. Section 13-1805A1

**ENCOUNTER DISPOSITION:**

Subject was, on November (b)(6) 2010, convicted in the Superior Court of Arizona, Maricopa County, for the offense, Count 1, as amended: Solicitation to Take the Identity of Another, Class 6 undesignated felony, A.R.S. 13-2008, 1002, 604, 610, 701, 702, 707, 801, 802. Subject was sentenced to fifth teen (15) months probation with the Adult Probation Department.

Subject was, on November (b)(6) 2010, convicted in the Superior Court of Arizona, Maricopa County, for the offense, Count 2, as amended: Shoplifting, a Class 1 misdemeanor, A.R.S. 13-

1801, 1805, 604, 610, 707, 802. Subject was sentenced to fifth teen (15) months probation with the Adult Probation Department.

**CRIMINAL RECORD:**

-ARRESTED OR RECEIVED 2010/09 (b)  
(6) SID- (b)(7)(E)

AGENCY-POL DEPT-HQ RECORDS MESA (AZ0071700)

AGENCY CASE (b)(7)(E)

CHARGE 1-TAKING IDENTITY OF ANOTHER

CHARGE 2-SHOPLIFTING-REMOVAL OF GOODS

**IMMIGRATION APPREHENSIONS:**

Subject has been apprehended by Immigration on 1 occasion.

**IMMIGRATION DISPOSITION:**

Subject was processed for an I-862 Notice to Appear.

**HEALTH:**

When questioned, subject stated that she does not have medical issues and/or concerns. Subject appears to be in good health.

**GANG AFFILIATION:**

Subject has no known gang affiliation.

**CONSULAR NOTIFICATION:**

Subject was advised of her right to communicate with a Consular Officer from her country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

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**NARRATIVE:**

FBI: (b)(6),(b)(7)(C),  
(b)(7)(E)

SID: (b)(7)(E)

SANTA CLARA COUNTY JAIL PFN: DYY952

**METHOD AND LOCATION OF APPREHENSION:**

Subject came to the attention of Immigration & Customs Enforcement (ICE) pursuant to her incarceration at the Santa Clara County Jail which has its headquarters in San Jose, CA. On June (b)(7)(E) 2011, an I-247 Immigration Detainer was placed on file with jail staff.

**ALIENAGE AND REMOVABILITY:**

Subject is a 30-year-old female, native and citizen of Mexico since birth, who claims to have last entered the United States, without inspection, at or near an unknown place, on an unknown date in 2000. Subject claims to be married and mother of four U.S. Citizen children. Subject claims that both of her parents are natives and citizens of Mexico with no residency or citizenship status in the United States. Interview statements and a search of the CLAIMS system indicated no pending petitions or applications.

**IMMIGRATION HISTORY:**

This Agent was unable to locate a previously established A number for Subject through searches of the (b)(7)(E) systems.

**CRIMINAL HISTORY:**

Subject was arrested on warrants for the following:

06/ (b)(6) 2011

01: CRT ORDER BOOK

PC 242/243(E) BATTERY SPOUSE

PC 594(A)(2) VANDALISM: DAMAGE PROPERTY

DISPO: PENDING

CONVICTIONS:

02 (b)  
(6) /2009

242/243(E) BATTERY SPOUSE

DISPO: MISDEMEANOR SEN: 01 DAY JAIL

HEALTH AND HUMANITARIAN:

Subject claims and appears to be in good health.

Subject stated that she has fear of persecution or torture if she were to be removed from the United States to her country of citizenship.

Subject was advised of her consular communication rights and given a list of free legal services.

DISPOSITION:

Notice to Appear

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**NARRATIVE:**

On August (b)(6) 2011, (b)(6),(b)(7)(C) was arrested by the South Tucson Police Department for the offense(s): A.R.S. 13-1203+DV-ASSAULT. (b)(6),(b)(7)(C) was booked in to Pima County Adult Detention Center. Criminal charges currently pending.

On August (b)(6) 2011, (b)(6),(b)(7)(C) was encountered and interviewed by DHS/ICE (TUC AZ ERO CAP UNIT) and a detainer was placed on subject.

On September 2, 2011, (b)(6),(b)(7)(C) was released from the Pima County Adult Detention Center and was remanded to the custody of DHS/ICE (TUC AZ DRO CAP Unit) for processing.

IMMIGRATION HISTORY: (b)(6),(b)(7)(C) is a citizen and national of Mexico and no other country. She was born in Santana, Sonora, Mexico, as were her parents. She has never been a citizen or national of any country other than Mexico. Subject last entered the United States at Nogales, Arizona on July 5, 2010 with her B1-B2 Visa (b)(6),(b)(7)(C), visa expired on July 24, 2010. Subject was admitted by a Customs and Border Protection Officer as a nonimmigrant visitor with authorization to remain in the United States for a temporary period not to exceed 30 days. Subject has no legal documents with which to enter, work, or reside in the United States. Subject claims credible fear of being returned to her native country.

**CRIMINAL HISTORY:**

1-ARRESTED OR RECEIVED 2011/08/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT SOUTH TUCSON (AZ0100100)

AGENCY CASE- (b)(7)(E)

CHARGE 1-ASSAULT

CHARGE 2-VIOLATION OF PROMISE TO APPEAR

Disposition: Pending, next court hearing October (b)(6) 2011.

(b)(7)(E)

(b)(6),(b)(7)(C) is being processed for a Notice to Appear, removable from the United States per section 237 (a) (1) (B). He was fingerprinted, photographed, and enrolled into (b)(7)(E) and was advised of his communication and consular notification rights.

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**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**IMMIGRATION HISTORY:**

I encountered (b)(6),(b)(7)(C) on November (b)(6), 2011 at approximately 1040 hours while reviewing leads from the ICE 287(g) program at the Maricopa County jails. Subject had been arrested by the Phoenix Police Department, booked into the Fourth Avenue Central Intake Facility and a detainer placed by 287(g) personnel there. I identified myself as an ICE agent and questioned subject as to his nationality and citizenship.

Subject freely admitted that he is a citizen and national of MEXICO and no other country.

Subject freely admitted that he /she entered the United States without inspection at or near Nogales, AZ on or about August 08, 1992.

Subject has no known applications or petitions pending with the United States Citizenship and Immigration Service.

**Credible Fear:**

Subject claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship.

**ENCOUNTER:**

Subject was turned over to Phoenix ICE/ERO on November (b)(6), 2011. Subject was arrested by the Phoenix Police Department on November (b)(6), 2011 for the following offense(s):

LIQUOR-CONSUME IN PUBLIC, a class 2 misdemeanor, in violation of ARS 4-244.20

**ENCOUNTER DISPOSITION:**

LIQUOR-CONSUME IN PUBLIC, a class 2 misdemeanor, in violation of ARS 4-244.20

Disposition: Released-time expired

CRIMINAL RECORD:

1-ARRESTED OR RECEIVED 2005/09/09 SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT SCOTTSDALE (AZ0072500)

AGENCY CASE- (b)(7)(E)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE

CHARGE 3-EXTREME DUI-BAC .15 OR MORE

CHARGE 4-DRIVE W/LIC SUSP/REVOKE/CANC

COURT-POLICE DEPARTMENT SCOTTSDALE (AZ0072500)

CHARGE-DUI-LIQUOR/DRUGS/VAPORS/COMBO

SENTENCE-

COURT DISMISSAL

CHARGE-DUI W/BAC OF PT 10 OR MORE

SENTENCE-

COURT DISMISSAL

CHARGE-EXTREME DUI-BAC 15 OR MORE

SENTENCE-

GUILTY FINE Y JAIL 30 DAYS

CHARGE-DRIVE W/LIC SUSP/REVOKE/CANC

SENTENCE-

COURT DISMISSAL

2-ARRESTED OR RECEIVED 2011/08/06 SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)



AGENCY CASE- (b)(7)(E)

CHARGE 1-PUBLIC URINTAION/DEFECATION PR

COURT-

CHARGE-III/PUBLIC URINTAION/DEFECATION PR,MISD

SENTENCE-

III/CDD-201108 (b)(7)(E), GUILTY,CNV-YES ,JAIL 1 DAY

3-ARRESTED OR RECEIVED 2011/11/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-LIQUOR-CONSUME IN PUBLIC

IMMIGRATION APPREHENSIONS:

Subject has been apprehended by Immigration on one (1) occasions.

IMMIGRATION DISPOSITION:

Subject was processed for an I-862 Notice to Appear. On November 19, 2011 subject was terminated from the Alternatives to Detention program.

HEALTH:

When questioned, subject stated that he does not have medical issues and/or concerns. Subject appears to be in good health.

GANG AFFILIATION:

Subject has no known gang affiliation.

CONSULAR NOTIFICATION:

Subject was advised of his / her right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

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**End Unique ID:**

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**NARRATIVE:**

**IMMIGRATION HISTORY:**

(b)(6),(b)(7)(C) is not a citizen or national of the United States. Subject is a citizen or national of Mexico. Subject admitted that she entered the United States without inspection at or near Nogales, AZ on or about an unknown date. Subject has no applications or petitions pending with the United States Citizenship and Immigration Service. Subject claims no fear of returning to Mexico.

**ENCOUNTER:**

Subject was arrested by the Arizona Dept. of Transportation on December (b)(6) 2011 for the following offenses:

TAKING IDENTITY OF ANOTHER, a class 4 felony, in violation of A.R.S. Section 13-2008A

FORGERY-W/WRITTEN INSTRUMENT, a class 4 felony, in violation of A.R.S. Section 13-2002A1

FORGERY, a class 4 felony, in violation of A.R.S. Section 13-2002

**ENCOUNTER DISPOSITION:**

Subject was, on March (b)(6) 2012, convicted in the Superior Court of Arizona, Maricopa County for the offense of, Count 2: Forgery, a class 4 felony, in violation of A.R.S. Sections 13-2001, 13-2002, 13-2002(A)(1), 13-610, 12-114.01, 13-701, 13-702, and 13-801. Subject was sentenced to 90 days of incarceration in the Maricopa County Jail and to 1 year of unsupervised probation with the Adult Probation Department.

**CRIMINAL RECORD:**

1-ARRESTED OR RECEIVED 2011/12/ (b)(6) SID- (b)(7)(E)

AGENCY-DOT-INSPECTOR GEN PHOENIX (AZMVDPX00)

AGENCY CASE (b)(7)(E)

CHARGE 1-TAKING IDENTITY OF ANOTHER

COURT-

CHARGE-III/TAKING IDENTITY OF ANOTHER,FEL

SENTENCE-

III/CDD-201203 (b)(7)(C) COURT DISMISSAL,CNV-NO

CHARGE-III/FORGERY-POSS FORGED INSTRUMENT,FEL

SENTENCE-

III/CDD-201203 (b)(7)(C) GUILTY,CNV-YES ,JAIL 90 DAYS,PROBATION MARICOPA 1

YEARS,SENTENCE SUSPENDED

IMMIGRATION APPREHENSIONS:

Subject had no previous Immigration apprehensions.

IMMIGRATION DISPOSITION:

Subject was processed for an I-862, Notice to Appear.

HEALTH:

Subject stated that she did not have any medical issues or concerns. Subject appeared to be in good health.

Subject was questioned regarding her detention with the Maricopa County Sheriff's Office and stated that there were no issues or concerns.

(b)(7)(E)

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**NARRATIVE:**

FBI-(b)(6),(b)(7)(C) BOOKING# (b)(6),(b)(7)(C)

**METHOD OF LOCATION / APPREHENSION:**

SUBJECT came to the attention of Immigration and Customs Enforcement (ICE) pursuant to his incarceration at the Sacramento County Jail, Sacramento, California. SUBJECT is currently booked for the violation of:

- Misdemeanor VC 21650.1 bicycle to be operated in the same direction of traffic.
- Misdemeanor PC 853.7 failure to appear after written promise.
- Misdemeanor HS 11364 possession narcotic paraphernalia
- Misdemeanor PC 666 petty theft.

Subject was turned over to ICE custody without prosecution.

Subject claims to be a 38 year-male, native and citizen of Mexico. Further, subject claims to have last entered the United States on an unknown date at an unknown location without being inspected, admitted, or paroled by an Immigration Official. Subject freely admitted that he was living and working in the United States illegally.

**CRIMINAL HISTORY:**

(b)(7)(E)

(b)(7)(E)

(b)(7)(E)

07/(b)(7)(E)/1996, subject was convicted of misdemeanor 488 PC petty theft and sentenced 3 days confinement and 36 months probation.

09/[b] /2003, subject was convicted of misdemeanor 11377(A) HS possession controlled substance and sentenced 36 months probation.

09/[b] /2003, subject was convicted of misdemeanor 1320(B) PC failure to appear and sentenced 25 days confinement and 36 months probation.

09/[b] /2003, subject was convicted of misdemeanor 1320(B) PC failure to appear and sentenced 6 days confinement.

06/[b] /2001, subject was convicted of misdemeanor 666 PC petty theft with prior jail and sentenced 45 days confinement and 3 years probation.

06/[b] /2001, subject was convicted of misdemeanor 242 PC battery and sentenced 15 days confinement and 3 years probation.

06/[b] /2003, subject was convicted of felony 487(A) PC grand theft and sentenced 120 days confinement and 3 years probation.

05/[b] /1994, subject was convicted of misdemeanor 484 PC theft and sentenced 2 days confinement.

02/[b] /2000, subject was convicted of misdemeanor 23152(A) DUI and sentenced 10 days confinement and 4 years probation.

#### IMMIGRATION HISTORY:

Subject was issued a Voluntary Return on 07/[b] /1996 and 05/[b] /1994 back to Mexico.

Subject stated that his mother petitioned for him at an unknown location and unknown date. Series of record checks resulted in no pending petitions and/or applications filed with the CIS.

#### HEALTH AND HUMANITARIAN ASPECTS:

Subject claims no health problems.

Subject claims to have not served in the US Military.

Subject claims no gang affiliation.

Subject stated that he has no fear of persecution or torture should he be removed to his country of citizenship.

Subject will be served with a Notice to Appear.

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**Start Unique ID:**

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**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E).

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, the subject stated they were a citizen and national of Ecuador without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**



The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

Subject was a candidate and participant in the STRUCTURED EXPEDITED REMOVAL ADVISEMENT program as part of the OPERATION ALLIANCE TO COMBAT TRANS-NATIONAL THREATS 03/08/2012.

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**NARRATIVE:**

IMMIGRATION HISTORY: See attached records.

CRIMINAL HISTORY: See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona, and determined the subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that the subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Nogales Border Patrol Station, the subject was asked if they wanted to make a Sworn Statement as part of the Expedited Removal Proceedings. Service Forms I-867 A/B were read and explained to the subject. The subject understood and was willing to answer questions and give a statement without the presence of an attorney. The subject stated that they are a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also stated they illegally crossed the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

Subject is being processed for Expedited Removal. Subject was apprehended within fourteen days of his last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

Subject was a candidate of SERA (Structured Expedited Removal Advisement) on 06/06/2012.

TRAVEL HISTORY:

SUBJECT traveled from his domicile in Guatemala to Mexico by bus. SUBJECT then traveled through Mexico by bus to Sonora. SUBJECT stated that he did not encounter any Law Enforcement Officers while traveling in Mexico. SUBJECT then stated he crossed the United States/Mexico international boundary illegally, on foot and alone.

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**NARRATIVE:**

All questions regarding apprehension and detention with the Maricopa County Sheriffs Office have been addressed with no issues or concerns.

**INTERVIEW LANGUAGE / INTERPRETER INFORMATION:**

Subject both spoke and understood English without issue. Interpreter was not used during the interview.

**ADVISEMENTS:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**IMMIGRATION HISTORY:**

(b)(6),(b)(7)(C) was encountered on 06-11-2012 at approximately 2030 hours at the Maricopa County Fourth Avenue Jail. Subject had been arrested by the Mesa Police Department and booked in on one count of possession of a weapon by prohibited person, ARS 13-3102A4, one count of disorderly conduct/weapon/instrument ARS13-2904A6, and one count of threatening with intimidation/damage to property ARS 13-1202A1. Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). Subject claimed Mexican citizenship by virtue of birth. Subject freely admitted to having entered the United States without inspection at and is deemed inadmissible pursuant to Section 212a6Ai of the INA. A detainer was placed on the subject to hold him for further investigation upon release from local charges. Subjects mother is a LPR and file an I-130 for the subject and it was approved but no other action was taken. (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

**ENCOUNTER DISPOSITION:** CR2012-131329-001

Subject was on November (b)(6) 2012 convicted in the Superior Court of Arizona at Maricopa County of Count1 (Amended) Disorderly Conduct, a class 6 felony, in violation of ARS 13-2904,

13-3105, 13-701, 13-702, and 13-801, committed on June 6, 2012, for which the subject was sentenced to three years probation with the Adult Probation Department.

CRIMINAL HISTORY:

1-ARRESTED OR RECEIVED 2004/11/6, SID- (b)(7)(E)

AGENCY-POL DEPT-HQ RECORDS MESA (AZ0071700)

AGENCY CASE- (b)(7)(E)

CHARGE 1-DANGEROUS DRUG-POSS/USE

COURT-POL DEPT-HQ RECORDS MESA (AZ0071700)

CHARGE-AMENDED TO DRUG PARAPHERNALIA VIOLATION

SENTENCE-

GUILTY FINE Y PROBATION MARICOPA 12 MOS PUBLIC SERVICE

2-ARRESTED OR RECEIVED 2007/02/6, SID- (b)(7)(E)

AGENCY-POL DEPT-HQ RECORDS MESA (AZ0071700)

AGENCY CASE- (b)(7)(E)

CHARGE 1-DRIVE W/LIC SUSPENDED FTA/FTP

CHARGE 2-DRIVE W/LIC SUSPENDED FTA/FTP

COURT-POL DEPT-HQ RECORDS MESA (AZ0071700)

CHARGE-DRIVE W/LIC SUSPENDED FTA/FTP

SENTENCE-

COURT DISMISSAL

CHARGE-DRIVE W/LIC SUSPENDED FTA/FTP

SENTENCE-

COURT DISMISSAL

3-ARRESTED OR RECEIVED 2011/08/6, SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT GILBERT (AZ0071100)

AGENCY CASE- (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-DRIVE W/LIC SUSP/REVOKE/CANC

COURT-

CHARGE-III/DRIVE W/LIC SUSP/REVOKE/CANC,MISD

SENTENCE-

III/CDD-201206 (b)(7)(E) GUILTY,CNV-YES ,FINED YES,JAIL 4 DAS

4-ARRESTED OR RECEIVED 2011 (b)(7)(E) /12 SID (b)(7)(E)

AGENCY-POL DEPT-HQ RECORDS MESA (AZ0071700)

AGENCY CASE- (b)(7)(E)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE

COURT-

CHARGE-III/DUI-LIQUOR/DRUGS/VAPORS/COMBO,MISD

SENTENCE-

III/CDD-201205 (b)(7)(E) COURT DISMISSAL,CNV-NO

CHARGE-III/DUI W/BAC OF PT08 OR MORE CHANGED TO  
DUI/DRUGS/METABOLITE,MISD

SENTENCE-

III/CDD-201205 (b)(7)(E) GUILTY,CNV-YES ,FINED YES,JAIL 12 DAS

5-ARRESTED OR RECEIVED 2012/06 (b)(7)(E) /06 (b)(7)(E) SID- (b)(7)(E)

AGENCY-POL DEPT-HQ RECORDS MESA (AZ0071700)

AGENCY CASE- (b)(7)(E)

CHARGE 1-POSS WPN BY PROHIB PERSON

CHARGE 2-DISORD CONDUCT-WEAPON/INSTR

CHARGE 3-THREAT-INTIM W/INJ-DMGE PROP

COURT-

CHARGE-III/POSS WPN BY PROHIB PERSON CHANGED TO DISORDERLY  
CONDUCT,FEL

SENTENCE-

III/CDD-201211 (b) GUILTY,CNV-YES ,PROBATION MARICOPA 3  
YEARS,SENTENCE SUSPENDED

CHARGE-III/DISORD CONDUCT-WEAPON/INSTR,FEL

SENTENCE-

III/PENDING/NOT REPORTED

CHARGE-III/THREAT-INTIM W/INJ-DMGE PROP,MISD

SENTENCE-

III/CDD-201211 (b) COURT DISMISSAL,CNV-NO

IMMIGRATION APPREHENSIONS:

Subject has no known Immigration apprehensions.

IMMIGRATION DISPOSITION:

Subject was processed for an I-862 Notice to Appear.

HEALTH:

When questioned, subject stated that he does not have medical issues and/or concerns.  
Subject stated he is not taking medications at this time. Subject appears to be in good health.

GANG AFFILIATION:

Subject has no known gang affiliation.

COMMUNICATION RECORD:

Subject accepted to make a phone call. Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.



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**NARRATIVE:**

**IMMIGRATION HISTORY:**

I encountered (b)(6),(b)(7)(C) on 7/9/2012 at approximately 0800 hours. Subject had previously been transferred from MCSO 4th Avenue Jail to ICE/ERO on the night of 7/8/2012. Subject had been arrested by the Phoenix Police Department, booked into the Fourth Avenue Central Intake Facility and a detainer placed by an ICE agent there. I identified myself as an ICE agent and questioned subject as to his nationality and citizenship.

Subject freely admitted that he is a citizen and national of Mexico and no other country. Subject was admitted to the United States at Bridge of Americas, Texas on or about 9/14/2006 as a Non immigrant visa (B2) with authorization to remain in the United States for a temporary period not to exceed six months after date of entry. Subject has no known applications or petitions pending with the United States Citizenship and Immigration Service.

Subject has an active NTA and was released on \$2,500 bond on 6/1/2012. No future hearing date with the EOIR was able to be located in (b)(7)(C) or (b)(7)(E).

**ENCOUNTER:**

(b)(6),(b)(7)(C) was encountered on 07/1/2012 at approximately 0608 hours at the Maricopa County Fourth Avenue Jail. Subject had been arrested by the Phoenix Police Department on 07/1/2012 and booked in on charges of:

**COUNTS 1: CRIMINAL DAMAGE-DEFACE (ARS 13-1602A1)**

Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). Subject claims to be in the US illegally. Subject claimed MEXICAN citizenship by virtue of birth in CIUDAD JUAREZ, CHIHUAHUA, MEXICO. A detainer was placed on the subject to hold him for further investigation upon release from local charges. Subject was turned over to Phoenix ICE/ERO on 7/1/2012.

**ENCOUNTER DISPOSITION:**

**COUNTS 1: CRIMINAL DAMAGE-DEFACE (ARS 13-1602A1)**

Disposition: Guilty. Subject received two years probation and one day in jail.

CRIMINAL RECORD:

1-ARRESTED OR RECEIVED 2012/06/26 (b)(7)(E) SID (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E)

CHARGE 1-ASSAULT-INTENT/RECKLESS/INJURE

2-ARRESTED OR RECEIVED 2012/06 (b)(6)(b)(7)(E)

AGENCY-ICE/DRO PHOENIX (AZICE1400)

AGENCY CASE (b)(7)(E) NAME USED (b)(6)(b)(7)(C)

CHARGE 1-DEPORTABLE ALIEN

3-ARRESTED OR RECEIVED 2012/07 (b)(6) SID (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E)

CHARGE 1-CRIMINAL DAMAGE-DEFACE

IMMIGRATION APPREHENSIONS:

Subject has been apprehended by Immigration on one previous occasions.

IMMIGRATION DISPOSITION:

Subject was processed as a T-other. The subject's bond was revoked and he was sent back to ELOY SPC to await his next hearing date.

HEALTH:

When questioned, subject stated that he does not have medical issues and/or concerns. Subject appears to be in good health.

GANG AFFILIATION:

Subject has no known gang affiliation.

CONSULAR NOTIFICATION:

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

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**End Unique ID:**

16  
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**Start Unique ID:**

24

**NARRATIVE:**

Subject (b)(6),(b)(7)(C) came to the attention of Immigration Customs Enforcement on July 1, 2012 pursuant to his incarceration at the Sonoma County Jail. (b)(6),(b)(7)(C) was arrested for the alleged violation(s) of the California Penal Code:

273.5(A) PC-Inflict Corporal Injury to Spouse: Pending

An Immigration detainer was placed on July 1, 2012 by agent (b)(6) of secure communities after screening (b)(6),(b)(7)(C) subsequent to his incarceration in the Sonoma County Jail.

**IMMIGRATION HISTORY:**

(b)(6),(b)(7)(C) is a citizen and national of Mexico who claimed he last entered the United States on or about an unknown date at or through an unknown place, and was not then admitted or paroled by an Immigration officer. During an interview, (b)(6),(b)(7)(C) freely admitted to being in the United States illegally without permission or documentation. (b)(6),(b)(7)(C) was voluntarily returned to Mexico by the U.S. Border Patrol 5 times, most recently on June 27, 2009 according to (b)(7)(E) Records.

Record checks of (b)(7)(C) and (b)(7)(E) did not reveal any pending applications or petitions before the Department of Homeland Security.

(b)(7)(E) check was negative.

(b)(7)(E) record check was performed and revealed the following prior convictions.

9/1/2008 (b)(6) 12500(A) VC-Drive W/O License: Misdemeanor 4 days jail

(b)(6),(b)(7)(C) can be identified by the following:

CII: CA27984872

FBI: (b)(6),(b)(7)(C),(b)(7)(E)

(b)(6),(b)(7)(C) stated that he does not have any pending applications or petitions with the Department of Homeland Security.

(b)(6),(b)(7)(C) did not express fear of returning to his country of citizenship.

(b)(6),(b)(7)(C) claims and appears to be in good health.

(b)(6),(b)(7)(C) has been notified of his consular rights and has been given a copy of free legal services in the area.

As instructed, (b)(6),(b)(7)(C) is to be processed as notice to appear and will be provided a copy of such.

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**End Unique ID:**

24

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**Start Unique ID:**

47

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER HISTORY**

(b)(6),(b)(7)(C) D.O.B. (b)(6),(b)(7)(C) was encountered on July (b)(6),(b)(7)(C) 2012 at approximately 0730 hours at the Maricopa County Sheriff's Office Fourth Avenue Jail. Subject had been arrested by the Maricopa County Sheriff's Office Human Smuggling Unit and booked in on charges of Conspiracy to Commit Smuggling Humans (F4). Subject was questioned regarding her alienage and deportability by Agent (b)(6),(b)(7)(C). Subject stated that she is a citizen and national of GUATEMALA by virtue of birth in GUATEMALA. Subject admitted to her presence in the United States without the proper permission to be in, pass through or remain in the country legally. Subject entered at or near an unknown location on or about an unknown date. Subject claims no petitions or applications pending with US Citizenship and Immigration Service.

A detainer was placed on the subject to hold him for further processing upon release from local charges.

**ENCOUNTER**

Subject was turned over to Phoenix ICE/ERO on 09/20/2012. Subject was arrested by the Maricopa County Sheriffs Office on 07/16/2012 for the following offense(s):

Conspiracy to Commit Human Smuggling, a class 4 felony, in violation of A.R.S. 13-2319

Subject was interviewed in Spanish as I have a working knowledge of the Spanish language. Subject expressed understanding of the events taking place on today's date. Subject also stated that while in custody at the Maricopa County Sheriff's Office Jail, no detention issues or allegations of abuse were encountered.

**ENCOUNTER DISPOSITION**

Conspiracy to Commit Human Smuggling, a class 4 felony, in violation of A.R.S. 13-2319

Disposition: Guilty, sentenced to 1 (one) year probation.

#### IMMIGRATION HISTORY

Subject is not a national or citizen of the United States. Subject is a citizen of Guatemala.

Subject has no known Immigration apprehensions.

#### CREDIBLE FEAR

Subject claims no fear of political, religious or other persecution if removed from the United States to her country of citizenship.

#### CRIMINAL RECORD

1-ARRESTED OR RECEIVED 2012/07/ (b)  
(6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE PHOENIX (AZ0070000)

AGENCY CASE (b)(7)(E)

#### CHARGE 1-SMUGGLING HUMANS

Subject was, on 09/ (b)  
(6) /2012, convicted in the Superior Court of Arizona, Maricopa County, for the offense of Count 2 (As Amended): Solicitation To Commit Smuggling,, a class 6 undesignated felony, in violation of A.R.S. Section(s) 13-2319, 13-1002, 13-604, 13-610, 13-701, 13-702, 13-801, for which she was sentenced to 1 (one) year probation with the Arizona Adult Probation Department.

#### PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN

Subject does not appear to qualify for this form of prosecutorial discretion.

#### IMMIGRATION DISPOSITION

Subject was processed for an I-862 Notice to Appear.

#### HEALTH

When questioned, subject stated that she does not have medical issues and/or concerns. Subject appears to be in good health.

#### GANG AFFILIATION

Subject has no known gang affiliation.

#### CONSULAR NOTIFICATION

Subject was advised of her right to communicate with a Consular Officer from her country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject accepted.

(b)(7)(E)

(b)(7)(E)

(b)(7)(E)

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**End Unique ID:**

47

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**Start Unique ID:**

31

**NARRATIVE:**

**INTERVIEW LANGUAGE / INTERPRETER INFORMATION:**

Subject both spoke and understood Spanish without issue. I am proficient in the Spanish language. Interpreter was not used during the interview.

**ADVISEMENTS:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**IMMIGRATION HISTORY:**

On 07/06/2012 at 0900 Detention Officer (b)(6),(b)(7)(C) with Avondale Police Department Detention Center contacted the Phoenix LEAR unit in reference to (b)(6),(b)(7)(C) suspected illegal alien. Office (b)(6),(b)(7)(C) was the arresting officer with Avondale Police Department. On 07/06/2012 at 2123 hours the subject was arrested at (b)(6),(b)(7)(C) in Avondale, Arizona on a Warrant of Arrest, original arrest was for DUI. DR # (b)(6),(b)(7)(C) Agent (b)(6),(b)(7)(C) determined citizenship over the phone. The subject identified as (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) stated that he is a citizen of Mexico and is illegally present in the United States without the proper documentation to enter, pass through or remain in the United States. A detainer was placed on the subject and will be transported to the Phoenix Field Office at a later date.

**Alienage**

Subject is not a citizen or national of the United States and makes no claim to such. Subject freely admitted that he Oaxaca, Oaxaca, Mexico on 07/06/1980. Subject freely admitted that he is a citizen and national of Mexico and no other country.

**EWI**

Subject freely admitted that he entered the United States without inspection at or near an unknown location on or about 2003. Subject admits to having entered the United States

without inspection and at a place other than an open and designated Port of Entry and is deemed inadmissible per section 212 (a)(6)(A)(i) of the INA.

Subject has no known applications or petitions pending with the United States Citizenship and Immigration Service.

#### CREDIBLE FEAR

Subject claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship.

#### CAP Processing

Subject was turned over to Phoenix ICE/ERO on . Subject was arrested by the Avondale Police Department on 7/2012 for the following offense(s):

DUI-Liquor/DRUGS/VAPORS/COMBO, a class 1 misdemeanor, in violation of ARS 28-1301

Disposition: Convicted and released on time served

#### CRIMINAL RECORD:

Subject has the following criminal history:

1-ARRESTED OR RECEIVED 2003/06/ SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE PHOENIX (AZ0070000)

AGENCY CASE- (b)(7)(E)

CHARGE 1-CRIM TRESP 1ST DEG-LOOK IN

CHARGE 2-FALSE REPORT TO LAW ENFORCE

2-ARRESTED OR RECEIVED 2005/07/ SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT AVONDALE (AZ0070100)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-FAIL TO SHOW DRIV LIC OR ID

COURT-POLICE DEPARTMENT AVONDALE (AZ0070100)

CHARGE-FAIL TO SHOW DRIV LIC OR ID

SENTENCE-

COURT DISMISSAL PLED GUILTY TO CIV CHG OF SPEEDING AND FINED

3-ARRESTED OR RECEIVED 2005/11/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT GOODYEAR (AZ0071500)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-THEFT-CONTROL PROPERTY

COURT-POLICE DEPARTMENT GOODYEAR (AZ0071500)

CHARGE-THEFT-CONTROL PROPERTY

4-ARRESTED OR RECEIVED 2006/02/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT AVONDALE (AZ0070100)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-THEFT-MEANS OF TRANSPORTATION

CHARGE 2-FALSE REPORT TO LAW ENFORCE

COURT-POLICE DEPARTMENT AVONDALE (AZ0070100)

CHARGE-THEFT-MEANS OF TRANSPORTATION

SENTENCE-

NOT REFRD FOR PROSECUTION

CHARGE-FALSE REPORT TO LAW ENFORCE

SENTENCE-

NOT REFRD FOR PROSECUTION

5-ARRESTED OR RECEIVED 2006/03/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT GOODYEAR (AZ0071500)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-VIOLATION OF PROMISE TO APPEA

COURT-

CHARGE-III/VIOLATION OF PROMISE TO APPEAR,MISD

SENTENCE-

III/DDT-200603 (b)(7)(E) NO COMPLAINT FILED,CNV-NO

6-ARRESTED OR RECEIVED 2008/08/ (b)(7)(E) A SID- (b)(7)(E)

AGENCY-DPS-COMPL INFO SRV PHOENIX (AZCCHPX00)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-THEFT-MEANS OF TRANSPORTATION

CHARGE 2-FAIL TO SHOW DRIV LIC OR ID

COURT-

CHARGE-III/THEFT-MEANS OF TRANSPORTATION,FEL

SENTENCE-

III/DDT-200811 (b)(7)(E) COURT DISMISSAL,CNV-NO

CHARGE-III/FAIL TO SHOW DRIV LIC OR ID,MISD

SENTENCE-

III/PENDING/NOT REPORTED

7-ARRESTED OR RECEIVED 2008/11/ (b)(7)(E) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE PHOENIX (AZ0070000)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-CRIM TRESP 1ST DEG-LOOK IN

CHARGE 2-FALSE EMERG REPT-CAUSE ACTION

COURT-

CHARGE-III/CRIM TRESP 1ST DEG-LOOK IN,MISD

SENTENCE-

III/DDT-200812 (b)(7)(E) GUILTY,CNV-YES ,JAIL 5 DAS

CHARGE-III/FALSE EMERG REPT-CAUSE ACTION,MISD

SENTENCE-

III/DDT-200812 [REDACTED] GUILTY,CNV-YES ,JAIL 5 DAS

8-ARRESTED OR RECEIVED 2012/07/[REDACTED] SID-[REDACTED]

AGENCY-POLICE DEPARTMENT AVONDALE (AZ0070100)

AGENCY CASE-[REDACTED] NAME USED [REDACTED]

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

IMMIGRATION APPREHENSIONS:

Subject has been apprehended by Immigration on two occasions and given a voluntary return.

IMMIGRATION DISPOSITION:

Subject was processed for an I-862 Notice to Appear.

HEALTH:

When questioned, subject stated that he does not have medical issues and/or concerns. Subject stated he is not taking medications at this time. Subject appears to be in good.

GANG AFFILIATION:

Subject has no known gang affiliation.

COMMUNICATION RECORD:

SUBJECT was unable to contact anyone at 602-518-[REDACTED] and left a message.

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

[REDACTED]

Subject was interviewed in the Spanish language as I have a working knowledge of the Spanish language. Subject expressed understanding of the events taking place on today's date. Subject also stated that while in custody at the Avondale Police Department, no detention issues or allegations of abuse were encountered.

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**End Unique ID:**

31  
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**Start Unique ID:**

25

**NARRATIVE:**

Booking NO. (b)(7)(E)

(b)(6),(b)(7)(C) came to the attention of Immigration and Customs Enforcement pursuant to his incarceration at Kern County Jail (CRF), Bakersfield, CA. Agent (b)(6),(b)(7)(C) interviewed the subject on July 22, 2012.

Subject is a native and citizen of Mexico, who entered without being inspected and or admitted or paroled by an Immigration Officer on an unknown date at an unknown location.

On July (b)(6) 2012, subject was arrested by the Kern County Sheriffs Department for DISORDERLY CONDUCT; DRUNK, in violation of California Penal Code Section 647(F).

Disposition of case is unknown.

On January (b)(6) 2007, subject was convicted in the California Superior Court at Kern County for the offense of OBTAIN AID BY FRAUD OVER \$400.00, in violation of California Penal Code Section 10980 (C)(2). For this offense Subject was sentenced to three (3) days of incarceration.

Subject did not claim to have any petitions or applications pending before the Department of Homeland Security.

Subject unequivocally stated that he has not filed an appeal of his criminal convictions.

Additionally, Subject stated that he has no fear of torture or persecution if returned to Mexico.

Subject states he is in good health.

Subject will be served a Notice to Appear.

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**End Unique ID:**

25  
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**Start Unique ID:**

32

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(F) Systems.

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, the subject stated they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**



The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

32

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**Start Unique ID:**

33

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E) Systems.

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, the subject stated they were a citizen and national of EL SALVADOR without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

33

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**Start Unique ID:**

46

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER HISTORY:**

(b)(6),(b)(7)(C) was encountered on 08/11/2012 at approximately 0052 hours at the Maricopa County Fourth Avenue Jail. Subject had been arrested by the Phoenix Police Department on 08/06/2012 and booked in on charges of:

COUNTS 1: DRIVE W/LIC SUSP/REVOKE/CANC (ARS 28-3473A) CLS 1 MIS

COUNTS 1: DANGEROUS DRUG-POSS/USE (ARS 13-3407A1) CLS 4 FEL

COUNTS 1: DANGEROUS DRUG-POSS FOR SALE (ARS 13-3407A2) CLS 2 FEL

COUNTS 1: DRUG PARAPHERNALIA-POSSESS/USE (ARS 13-3415A) CLS 6 FEL

COUNTS 1: POSSES/USE WPN IN DRUG OFF (ARS 13-3102A8) CLS 4 FEL

Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). Subject claims to be in the US illegally. Subject claimed MEXICAN citizenship by virtue of birth in TIJUANA, BAJA CALIFORNIA, MEXICO. Subject freely admitted to having entered the United States without inspection and is deemed inadmissible pursuant to Section 212a6Ai of the INA.

A detainer was placed on the subject to hold him for further investigation upon release from local charges.

**IMMIGRATION HISTORY:**

Subject freely admitted that he entered the United States without inspection at or near an unknown location on or about an unknown date. Subject admits to having entered the United States without inspection and at a place other than an open and designated Port of Entry and is deemed inadmissible per section 212 (a)(6)(A)(i) of the INA.

IMMIGRATION APPREHENSIONS:

Subject has no prior apprehensions.

ENCOUNTER:

Subject was turned over to Phoenix ICE/ERO on 09/04/2012. Subject was arrested by the Arizona Department of Public Safety on 08/26/2012 for the following offense(s):

COUNTS 1: DRIVE W/LIC SUSP/REVOKE/CANC (ARS 28-3473A) CLS 1 MIS

COUNTS 1: DANGEROUS DRUG-POSS/USE (ARS 13-3407A1) CLS 4 FEL

COUNTS 1: DANGEROUS DRUG-POSS FOR SALE (ARS 13-3407A2) CLS 2 FEL

COUNTS 1: DRUG PARAPHERNALIA-POSSESS/USE (ARS 13-3415A) CLS 6 FEL

COUNTS 1: POSSES/USE WPN IN DRUG OFF (ARS 13-3102A8) CLS 4 FEL

ENCOUNTER DISPOSITION:

COUNTS 1: DRIVE W/LIC SUSP/REVOKE/CANC (ARS 28-3473A) CLS 1 MIS

Disposition: Released Court Order

COUNTS 1: DANGEROUS DRUG-POSS/USE (ARS 13-3407A1) CLS 4 FEL

Disposition: No charges submitted by arresting agency

COUNTS 1: DANGEROUS DRUG-POSS FOR SALE (ARS 13-3407A2) CLS 2 FEL

Disposition: No charges submitted by arresting agency

COUNTS 1: DRUG PARAPHERNALIA-POSSESS/USE (ARS 13-3415A) CLS 6 FEL

Disposition: No charges submitted by arresting agency

COUNTS 1: POSSES/USE WPN IN DRUG OFF (ARS 13-3102A8) CLS 4 FEL

Disposition: No charges submitted by arresting agency

CRIMINAL RECORD:

1-ARRESTED OR RECEIVED 2007/06/26 SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT SURPRISE (AZ0072700)

AGENCY CASE (b)(7)(E)

CHARGE 1-13-3904A VIOLATION OF PROMISE TO APPEAR MIS

CHARGE 2-FALSE REPORT TO LAW ENFORCE

CHARGE 3-FAIL TO SHOW DRIV LIC OR ID

CHARGE 4-DRIVE W/LIC SUSPENDED FTA/FTP

COURT-

CHARGE-III/VIOLATION OF PROMISE TO APPEAR,MISD

SENTENCE-

III/PENDING/NOT REPORTED

CHARGE-III/FALSE REPORT TO LAW ENFORCE,MISD

SENTENCE-

III/CDD-201208 (b)(7)(E) COURT DISMISSAL,CNV-NO

CHARGE-III/FAIL TO SHOW DRIV LIC OR ID,MISD

SENTENCE-

III/CDD-201208 (b)(7)(E) COURT DISMISSAL,CNV-NO

CHARGE-III/DRIVE W/LIC SUSPENDED FTA/FTP,MISD

SENTENCE-

III/CDD-201208 (b)(7)(E) GUILTY,CNV-YES ,FINED 550,JAIL 12DY

2-ARRESTED OR RECEIVED 2012/08 (b)(7)(E) SID- (b)(7)(E)

AGENCY-DPS-COMPL INFO SRV PHOENIX (AZCCHPX00)

AGENCY CASE (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-POSSESS/USE WPN IN DRUG OFF

CHARGE 2-DANGEROUS DRUG-POSS/USE

CHARGE 3-DANGEROUS DRUG-POSS FOR SALE

CHARGE 4-DRUG PARAPHERNALIA-POSSESS/USE

CHARGE 5-FAILURE TO APPEAR 2ND DEG

CHARGE 6-FAILURE TO APPEAR 2ND DEG

CHARGE 7-FAILURE TO APPEAR 2ND DEG

CHARGE 8-FAILURE TO APPEAR 2ND DEG

CHARGE 9-DRIVE W/LIC SUSP/REVOKE/CANC

IMMIGRATION DISPOSITION:

Subject was processed for an I-862 Notice to Appear.

PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN:

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security. Subject claims that he:

Entered the United States at the age of 6,

Has continuously resided in the United States for 20 years,

Subject attended High School (Peoria High School) but did not graduate; subject completed 11 grade before dropping out.

Has NOT demonstrated good moral character, and

Is currently 26 years old.

Subject does not appear to qualify for this form of prosecutorial discretion.

HEALTH:

When questioned, subject stated that he/she does not have medical issues and/or concerns.

Subject stated she is not taking medications at this time. Subject appears to be in good health.

CONSULATE:

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

GANG AFFILIATION:

\*\*\*Subject self-admitted that he was an active member of the street gang ?Surenos?. Subject claims to be inactive for the last 8 years. Subject was active for 4 years. \*\*\*

COMMUNICATION RECORD:

Subject called (b)(6),(b)(7)(C) (Girlfriend ) at 602-399-(b)(6),  
(b)(7)(C)

(b)(7)(E)

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**End Unique ID:**

46

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2-ARRESTED OR RECEIVED 2012/08 [REDACTED] SID- [REDACTED]

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- [REDACTED] NAME USED- [REDACTED]

CHARGE 1-SHOPLIFTING

IMMIGRATION APPREHENSIONS (IDENT):\*\*\*

Subject has no immigration history.

Subject was questioned regarding her apprehension/detention with the Maricopa County Sheriff's Office and stated that there was no issues or concerns.

Subject has a 15 year old child at home.

IMMIGRATION DISPOSITION:

Subject requested a hearing with an Immigration Judge. Subject was processed for an I-862 Notice to Appear.

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**End Unique ID:**

37

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**Start Unique ID:**

38

**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**IMMIGRATION HISTORY:**

Subject is a native and citizen of Honduras. Subject last entered the United States as set forth above and was not then admitted or paroled after inspection by an Immigration Officer. Subject has no applications or petitions pending with United States Citizenship and Immigration Services. Subject claims no fear of returning to Honduras.

**ENCOUNTER:**

Subject was encountered in Mesa, AZ at a known (b)(6),(b)(7)(C) gang house. Subject was arrested for being in the US without inspection.

2126(a)(i) and 8USC1182

**CRIMINAL HISTORY:**

Subject has no known criminal history

**IMMIGRATION APPREHENSIONS:**

Subject does not have any prior immigration apprehensions.

**IMMIGRATION DISPOSITION:**

Subject is being processed as a NTA.

**HEALTH:**

When questioned, subject stated that he does not have medical issues and/or concerns. Subject appears to be in good health.

**GANG AFFILIATION:**

Subject was encountered at a known (b)(6),(b)(7)(C) gang house

CONSULAR NOTIFICATION:

Subject declined his right to communicate with the Honduras Consular's Office

(b)(7)(E)

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**End Unique ID:**

38  
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**Start Unique ID:**

45

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E) Systems.

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center the subject stated they were a citizen and national of El Salvador without the necessary legal documents to enter, pass through, or remain in the united states. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

45

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**Start Unique ID:**

44

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E) Systems.

**IMMIGRATION VIOLATION:**

At the Nogales Border Patrol Station, the subject stated they were a citizen and national of El Salvador without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

Subject (b)(6),(b)(7)(C)

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**End Unique ID:**

44

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**Start Unique ID:**

132

**NARRATIVE:**

ADDENDUM added by (b)(6),(b)(7)(C) g) Designated Immigration Officer at ASPC-Alhambra, Phoenix, Arizona on December (b) 2013.

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3 REGARDING NOTICIATION OF ARREST, CHARGES TO BE PRESENTED IF APPLICABLE, AND THE RIGHT TO LEGAL REPRESENTATION AT NO COST TO THE GOVERNMENT.

**IMMIGRATION HISTORY:**

On February (b) 2013 at approximately 10:00 a.m., while assigned to the ICE 287(g) program at the Arizona Department of Corrections Alhambra Intake and Reception Facility, I, Designated Immigration Officer (b)(6),(b)(7)(C) encountered and interviewed (b)(6),(b)(7)(C) (b)(6). No interpreter was used. The interview was conducted in Spanish and I, Designated Immigration Officer (b)(6), have a good working knowledge of the Spanish language. I, Designated Immigration Officer (b)(6),(b)(7)(C) identified myself as a trained ICE 287(g) Officer and questioned subject as to his nationality and citizenship. Subject freely admitted that he is a citizen of Mexico and no other country. Subject does not have any fear of returning to Mexico or being removed from the United States but would like to see an Immigration Judge in order to see if he can remain in the United States. Subject is a native and citizen of Mexico who last entered the United States at or near Lukeville, Arizona on or about January 1, 2005 without being admitted or paroled after inspection by an Immigration Officer. Subject claims he has no applications or petitions pending.

Subject has no prior Removal/Voluntary Returns on file.

**CURRENT ENCOUNTER:**

(CR2012-147229-001 SE) Subject was on February (b) 2013 convicted in the Superior Court of Arizona, Maricopa County, for the offense of COUNT 1: AGGRAVATED ACTUAL PHYSICAL CONTROL WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS, a Class 4 Felony, in violation of A.R.S. Sections 28-1381(A)(1), 1383(A)(1), 28-3001, 28-3304, 28-3305, 28-3315, 13-701, 13-702, and 13-801 committed on September (b) 2013. Subject was sentenced to the Arizona Department of Corrections for a term of 4 MONTHS.

CRIMINAL RECORD:

IMMIGRATION APPREHENSIONS:

Subject has no known Immigration apprehensions/encounters.

IMMIGRATION DISPOSITION:

Detainer placed. (Subject was furnished with a copy of Detainer)

Subject was processed for an I-862 Notice to Appear (NTA).

HEALTH:

Subject claims that he does not have any medical issues and/or concerns. Subject appears to be in good health and stated that his health status was "Good."

GANG AFFILIATION:

Subject has no known gang affiliation.

CONSULAR NOTIFICATION:

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36(1)(b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

(b)(7)(E)

A copy of this I-213 will be forwarded to Phoenix Records for creation of A-File in CIS.

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PRIOR NARRATIVE

(b)(6),(b)(7)(C) was encountered on 09/2012 at approximately 1508 hours at the Maricopa County Fourth Avenue Jail. Subject had been arrested by the Chandler Police Department on 09/2012 and booked in on charges of:

COUNTS 1: AGG DUI-LIC SUSP/REV FOR DUI (ARS 28-1383A1) CLS 4 FEL

Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C)  
Subject claims to be in the US illegally. Subject claimed MEXICAN citizenship by virtue of birth in ESTADO DE MEXICO, MEXICO. Subject freely admitted to having entered the United States without inspection and appears to be inadmissible pursuant to Section 212a6Ai of the INA.

A detainer was placed on the subject to hold him for further investigation upon release from local charges.

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**End Unique ID:**

132

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**Start Unique ID:**

50

**NARRATIVE:**

**INTERVIEW LANGUAGE / INTERPRETER INFORMATION:**

Subject both spoke and understood Spanish without issue. I am proficient in the Spanish language. Interpreter was not used during the interview.

**ADVISEMENTS:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**IMMIGRATION HISTORY:**

On 09/2012 at 0355 hours (b)(6),(b)(7)(C) was booked into MCSO Jail by Phoenix PD for charges of:

CRIMINAL DAMAGE-DEFACE (M1) ARS 13-1602A1

VIOLATION OF PROMISE TO APPEAR (M2) ARS 13-3904A

DUI-LIQUOR/DRUGS/VAPORS/COMBO (M) ARS 28-1381A1

FAIL TO SHOW DRIV LIC OR ID (M1) ARS 28-1595B

DUI W/BAC OF .08 OR MORE (M) ARS 28-1595B

EXTREME DUI-BAC .15 OR MORE (M) ARS 28-1382A

LIQ-MINOR DRIVE AFTER DRINKING (M) ARS 4-244.33

Subject was interviewed by ICE Agent (b)(6),(b)(7)(C) in regard to his status in the United States.

Subject stated that he is a citizen of MEXICO by virtue of birth.

Subject also stated that he is illegally present in the United States and last entered the United States without being inspected by Immigration Official.

Detainer was created, subject to be transfered to Phoenix ICE Office upon release on local charges for further investigation.

Subject is not a citizen or national of the United States and makes no claim to such. Subject freely admitted that he was born in San Juan El Rio, Queretaro, Mexico on (b)(6),(b)(7)(C) Subject freely admitted that he is a citizen and national of Mexico and no other country.

Subject freely admitted that he entered the United States without inspection at or near Nogales, Arizona on or about 09/01/2003. Subject admits to having entered the United States without inspection and at a place other than an open and designated Port of Entry and is deemed inadmissible per section 212 (a)(6)(A)(i) of the INA.

Subject has no known applications or petitions pending with the United States Citizenship and Immigration Service.

Subject claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship.

Subject was turned over to Phoenix ICE/ERO on 10/09/2012. Subject was arrested by the Phoenix Police Department on 09/(b)(6)/(6)/2012 for the following offenses:

CRIMINAL DAMAGE-DEFACE (M1) ARS 13-1602A1

VIOLATION OF PROMISE TO APPEAR (M2) ARS 13-3904A

DUI-LIQUOR/DRUGS/VAPORS/COMBO (M) ARS 28-1381A1

FAIL TO SHOW DRIV LIC OR ID (M1) ARS 28-1595B

DUI W/BAC OF .08 OR MORE (M) ARS 28-1595B

EXTREME DUI-BAC .15 OR MORE (M) ARS 28-1382A

LIQ-MINOR DRIVE AFTER DRINKING (M) ARS 4-244.33

ENCOUNTER DISPOSITION:

CRIMINAL DAMAGE-DEFACE (M1) ARS 13-1602A1

Disposition: R/CASE DSMSD

VIOLATION OF PROMISE TO APPEAR (M2) ARS 13-3904A

Disposition: RLSD-CRT ORDER

DUI-LIQUOR/DRUGS/VAPORS/COMBO (M) ARS 28-1381A1

Disposition: RLSD-CRT-ORDER

FAIL TO SHOW DRIV LIC OR ID (M1) ARS 28-1595B

Disposition: RLSD-TIME-EXPIR

DUI W/BAC OF .08 OR MORE (M) ARS 28-1595B

Disposition: RLSD-CRT-ORDER

EXTREME DUI-BAC .15 OR MORE (M) ARS 28-1382A

Disposition: RLSD-TIME-EXPIR

LIQ-MINOR DRIVE AFTER DRINKING (M) ARS 4-244.33

Disposition: RLSD-CRT-ORDER

CRIMINAL RECORD:

Subject has the following criminal history:

1-ARRESTED OR RECEIVED 2006/10/10 (b)(7)(E) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE RIVERSIDE (CA0330000)

AGENCY CASE (b)(7)(E)

CHARGE 1-001 COUNTS OF DUI ALCOHOL/DRUGS

CHARGE 2-001 COUNTS OF DUI ALCOHOL/0.08 PERC

CHARGE 3-001 COUNTS OF DRIVE W/O LICENSE

2-ARRESTED OR RECEIVED 2012/09/20 (b)(7)(E) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-CRIMINAL DAMAGE-DEFACE

CHARGE 2-VIOLATION OF PROMISE TO APPEAR

CHARGE 3-FAILURE TO APPEAR 2ND DEG

CHARGE 4-DUI W/BAC OF .08 OR MORE

CHARGE 5-EXTREME DUI-BAC .15 OR MORE

CHARGE 6-FAIL TO SHOW DRIV LIC OR ID

CHARGE 7-LIQ-MINOR DRIVE AFTER DRINKING

COURT-

CHARGE-III/CRIMINAL DAMAGE-DEFACE,MISD

SENTENCE-

III/CDD-201209 (b) COURT DISMISSAL,CNV-NO

CHARGE-III/VIOLATION OF PROMISE TO APPEAR,MISD

SENTENCE-

III/CDD-201209 (b) COURT DISMISSAL,CNV-NO

CHARGE-III/FAILURE TO APPEAR 2ND DEG,MISD

SENTENCE-

III/PENDING/NOT REPORTED

CHARGE-III/DUI W/BAC OF PT08 OR MORE,MISD

SENTENCE-

III/PENDING/NOT REPORTED

CHARGE-III/EXTREME DUI-BAC PT15 OR MORE,MISD

SENTENCE-

III/PENDING/NOT REPORTED

CHARGE-III/FAIL TO SHOW DRIV LIC OR ID,MISD

SENTENCE-

III/CDD-201209 (b) GUILTY,CNV-YES ,JAIL 1 DAY

CHARGE-III/LIQ-MINOR DRIVE AFTER DRINKING,MISD

SENTENCE-

III/PENDING/NOT REPORTED

IMMIGRATION APPREHENSIONS:

Subject has no known Immigration apprehensions.

PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security. Subject claims that HE

Entered the United States at the age of 14,

Has continuously resided in the United States for 9 years,

Did not attend high school and did not obtain a general equivalency diploma (GED)

Has demonstrated good moral character, and

Subject is currently 23 years old.

Subject does not appear to qualify for this form of relief. Subject has never attended school in the United States.

IMMIGRATION DISPOSITION:

Subject was processed for an I-862 Notice to Appear.

HEALTH:

When questioned, subject stated that he does not have medical issues and/or concerns.

Subject stated he is not taking medications at this time. Subject appears to be in good health.

GANG AFFILIATION:

Subject has no known gang affiliation.

COMMUNICATION RECORD:

SUBJECT declined to make a phone call.

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.



(b)(7)(E)

(b)(7)(E)

(b)(7)(E)

(b)(7)(E)

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**End Unique ID:**

50

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**Start Unique ID:**

36

**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3 REGARDING NOTIFICATION OF ARREST, CHARGES TO BE PRESENTED IF APPLICABLE, AND THE RIGHT TO LEGAL REPRESENTATION AT NO COST TO THE GOVERNMENT.

**IMMIGRATION HISTORY:**

On September <sup>(b)</sup><sub>(7)(C)</sub> 2012 at approximately 9:49 a.m., while assigned to the ICE 287(g) program at the Arizona Department of Corrections Alhambra Intake and Reception Facility, Designated Immigration Officer <sup>(b)(6),(b)(7)(C)</sup> encountered and interviewed <sup>(b)(6),(b)(7)(C)</sup>. <sup>(b)(6),(b)(7)(C)</sup> No interpreter was used. The interview was conducted in Spanish and Designated Immigration Officer <sup>(b)(6),(b)(7)(C)</sup> is fluent in Spanish. Designated Immigration Officer <sup>(b)(6),(b)(7)(C)</sup> identified herself as a trained ICE 287(g) Officer and questioned subject as to his nationality and citizenship. Subject freely admitted that he is a citizen of Mexico and no other country. Subject does not have any fear of returning to Mexico or being removed from the United States. Subject is a native and citizen of Mexico who last entered the United States at or near Douglas, Arizona on or about September 1, 2007 without being admitted or paroled after inspection by an Immigration Officer. Subject has no applications or petitions pending.

Subject has 4 prior Voluntary Returns on file.

**CURRENT ENCOUNTER:**

(CR2007-111240-001 DT) Subject was, on September <sup>(b)</sup> 2012 convicted in the Superior Court of Arizona, Maricopa County, for the offense of COUNT 1: (as amended) SOLICITATION TO COMMIT TAKING THE ID OF ANOTHER, a Class 6 Felony, in violation of A.R.S. Section 13-2001, 2008, 1002, 610, 701, 702, and 801, committed on February <sup>(b)</sup> 2007. Subject was sentenced to the Arizona Department of Corrections for a term of one (1) year.

(CR2012-120403-001 DT) Subject was, on September <sup>(b)</sup> 2012 convicted in the Superior Court of Arizona, Maricopa County, for the offense of COUNT 1: (as amended) SOLICITATION TO COMMIT TAKING THE ID OF ANOTHER, a Class 6 , in violation of A.R.S. Section 13-2001, 2008, 1002, 610, 701, 702, and 801, committed on April <sup>(b)</sup> 2012. Subject was placed under the supervision of the Adult Probation Department for period of one (1) year.

CRIMINAL RECORD:

1-ARRESTED OR RECEIVED 2007/02/ (b)(7)(E) SID- (b)(7)(E)

AGENCY-DPS-COMPL INFO SRV. PHOENIX (AZCCHPX00)

AGENCY CASE (b)(7)(E)

CHARGE 1-CRIM POSS OF FORGERY DEVICE

CHARGE 2-NARCOTIC DRUG-POSSESS/USE

CHARGE 3-DRUG PARAPHERNALIA-POSSESS/USE

CHARGE 4-POSS CANCELLED-FALSE DRIV LIC

CHARGE 5-LIQUOR-OPEN CONTAINER IN VEH

COURT-DPS-COMPL INFO SRV. PHOENIX (AZCCHPX00)

CHARGE-CRIM POSS OF FORGERY DEVICE

SENTENCE-

NOT REFRD FOR PROSECUTION

CHARGE-NARCOTIC DRUG-POSSESS/USE

SENTENCE-

NOT REFRD FOR PROSECUTION

CHARGE-DRUG PARAPHERNALIA-POSSESS/USE

SENTENCE-

NOT REFRD FOR PROSECUTION

CHARGE-POSS CANCELLED-FALSE DRIV LIC

SENTENCE-

NOT REFRD FOR PROSECUTION

CHARGE-LIQUOR-OPEN CONTAINER IN VEH

SENTENCE-

NOT REFRD FOR PROSECUTION

2-ARRESTED OR RECEIVED 2012/04 (b)  
(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E)

CHARGE 1-FORGERY

CHARGE 2-FORGERY

CHARGE 3-FORGERY-POSS FORGED INSTRUMENT

CHARGE 4-POSS WPN BY PROHIB PERSON

COURT-

CHARGE-III/FORGERY,FEL

SENTENCE-

III/PENDING/NOT REPORTED

CHARGE-III/FORGERY,FEL

SENTENCE-

III/PENDING/NOT REPORTED

CHARGE-III/FORGERY-POSS FORGED INSTRUMENT,FEL

SENTENCE-

III/PENDING/NOT REPORTED

CHARGE-III/POSS WPN BY PROHIB PERSON,FEL

SENTENCE-

III/CDD-201204 ( ) NO COMPLAINT FILED,CNV-NO

IMMIGRATION APPREHENSIONS:

Subject has four prior known Immigration apprehensions/encounters.

IMMIGRATION DISPOSITION:

Detainer placed. (Subject was furnished a copy of the Detainer.)

Subject was processed for an I-862 Notice to Appear (NTA).

**HEALTH:**

Subject claims that he does not have any medical issues and/or concerns. Subject appears to be in good health and stated that his health status was "Good."

**GANG AFFILIATION:**

Subject has no known gang affiliation.

**CONSULAR NOTIFICATION:**

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36(1)(b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

(b)(7)(E)

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**End Unique ID:**

36  
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**Start Unique ID:**

54

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, the subject stated they were a citizen and national of Honduras without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

54  
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**Start Unique ID:**

52

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, the subject stated they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**



The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

52

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**Start Unique ID:**

34

**NARRATIVE:**

**ENCOUNTER:**

On September (b) 2012, the Pinal County Sheriff's Department contacted Florence Detention Center in regards to a subject that was being released from their custody. Subject (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) was in custody for Failure to Appear. Subject was then transported to Florence Detention Center for further processing.

**INTERVIEW:**

Upon arrival at the Florence Detention Center in Florence, Arizona Immigration Enforcement Agent (b)(6),(b)(7)(C) identified himself as an officer of the service and proceeded to question the subject as to his name and country of citizenship. The subject stated that his name is (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) and that he is a native and citizen of Mexico by birth. When questioned as to his manner and date of entry into the United States, he freely admitted that he entered at a place other than a designated Port of Entry and was not inspected by an Immigration Official. Subject stated that he last entered through Sasabe, Arizona on September 12, 2012 (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) was not in possession of any valid immigration documents allowing him to enter, reside, remain or work in the United States legally. On September 19, 2012 after receiving documents on the above subject, I IEA (b)(6),(b)(7)(C) reprocessed this event in (b)(7)(E) as an NTA and changed the disposition.

**CRIMINAL HISTORY:**

1-ARRESTED OR RECEIVED 2012/08/ (b)(6),(b)(7)(C)

AGENCY-CBP-OBP SECTOR HQS TUCSON (AZCBP1600)

AGENCY CASE- (b)(7)(E)

CHARGE 1-ALIEN INADMISSIBILITY UNDER SECTION 212

2-ARRESTED OR RECEIVED 2012/09/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT ELOY (AZ0110500)

AGENCY CASE: (b)(7)(E) NAME USED: (b)(6),(b)(7)(C)

CHARGE 1-INTERFER W/JUDICIAL PROCEEDING

3-ARRESTED OR RECEIVED 2012/09 (b)(6),(b)(7)(C)

AGENCY-ICE-DET/REM FLORENCE (AZICE1300)

AGENCY CASE: (b)(7)(E)

CHARGE 1-RE-ENTRY OF REMOVED ALIENS

IMMIGRATION HISTORY:

(b)(6),(b)(7)(C) was granted a Voluntary Departure under safeguards, by an Immigration Judge and returned to Mexico on August 22, 2012 thru the Nogales Port of Entry.

IMMIGRATION VIOLATION:

Section 212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

PETITIONS/APPLICATIONS PENDING:

(b)(6),(b)(7)(C) has no petitions or applications pending with Bureau of Citizenship and Immigration Services.

CONSULAR NOTIFICATION:

(b)(6),(b)(7)(C) was notified of his right to communicate with a Consular Officer from his country as per article 36(1)(b) of the Vienna Convention on Consular Relations. Subject declined to speak with a consular officer at this time.

MILITARY SERVICE:

(b)(6),(b)(7)(C) claims to have not served in the United States Armed Forces.

MISCELLANEOUS/HEALTH:

(b)(6),(b)(7)(C) was provided with a list of free legal services. Subject appears to be in good physical and mental health and states that he has no fear of persecution, torture, or physical harm if returned to his native country of Mexico.

PROSECUTORIAL DISCRETION:

(b)(6),(b)(7)(C) was screened for prosecutorial discretion eligibility. Subject does not meet the qualifications.

**DISPOSITION:**

(b)(6),(b)(7)(C) will be processed as an NTA. Subject will be served with form I-862, I-286 AND I-200.

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**End Unique ID:**

34

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**Start Unique ID:**

53

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E) Systems.

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center the subject stated they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the united states. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time.. The subject further stated they do not fear persecution or torture if returned to their country of citizenship..

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

53

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**Start Unique ID:**

149

**NARRATIVE:**

**ENCOUNTER:**

(b)(6),(b)(7)(C) here on referred to as (b)(6),(b)(7)(C) was encountered as a result of a Secure Communities lead. (b)(6),(b)(7)(C) was turned over to ICE custody by the Pima County Sheriff's Office.

**CRIMINAL HISTORY:**

2/2011 Seattle PD: Theft; disposition unknown (juvenile encounter)

5/2012 Tucson PD: Agg Robbery, Armed Robbery, Kidnap; DISPO: plead to felony Robbery, 30 days in Pima County jail, 3 years probation

**CITIZENSHIP:**

(b)(6),(b)(7)(C) is a native and citizen of Somalia with no claim to United States citizenship and (b)(6),(b)(7)(C)

**IMMIGRATION HISTORY:**

(b)(6),(b)(7)(C) entered the United States at Newark, New Jersey on 1/2009 (b)(6),(b)(7)(C)

**VIOLATION:**

(b)(6),(b)(7)(C) is amenable to Service action under Section 237(a)(2)(A) of the INA, in that, (b)(6),(b)(7)(C) was convicted of a crime involving moral turpitude within 5 years of entry to the United States.

**RECOMMENDATION/DISPOSITION:**

(b)(6),(b)(7)(C) is being placed into removal proceedings and served with a Notice to Appear before an Immigration judge, and an I-826, I-286, I-200, and given a list of free legal services.

**FAMILY:**

(b)(6),(b)(7)(C) claims to have no further family residing within the United States.

MEDICAL CONDITION:

(b)(6),(b)(7)  
(C) claims to be in good health.

TRAVEL DOCUMENT:

(b)(6),(b)(7)  
(C) has no passport or papers from his country of nationality.

MISCELLANEOUS

(b)(6),(b)(7)  
(C) will be held in ICE custody pending removal proceedings.

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**End Unique ID:**

149

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**Start Unique ID:**

51

**NARRATIVE:**

Subject given proper advice in accordance with 8 CFR 287.3.

**ENCOUNTER**

On 10/10/2012 at approximately 1300hrs, Apache County jail faxed over a booking form to the Phoenix LEAR unit regarding one individual they had in custody. [REDACTED] was arrested on 10/10/2012 for CRIMINAL DAMAGE. Officer [REDACTED] was the arresting officer, no badge number was provided. IEA [REDACTED] interviewed the subject telephonically, in which the subject admitted to being in the United States illegally.

The subject was turned over to the Phoenix ERO Office on today's after having been arrested on 10/10/2012 by the Arizona Department of Public Safety for the following offenses:

-CHARGE 1- CRIMINAL DAMAGE

-DISPO- GUILTY - 10 DAYS JAIL/FINES

Subject was interviewed in the Spanish language as I have a working knowledge of the Spanish language. Subject expressed understanding of the events taking place on today's date.

**IMMIGRATION HISTORY**

Subject is not a national or citizen of the United States. Subject is a citizen of MEXICO. Subject last entered the United States as set forth above and was not at that time inspected by an Immigration Officer. Subject has no petitions currently pending with US CIS and claims no fear of returning to his home country of MEXICO. Subject has 1 prior Voluntary Return to Mexico in 2000.

**CRIMINAL HISTORY**

1-ARRESTED OR RECEIVED 2004/06/10 SID- [REDACTED]

AGENCY-SAINT JOHNS PD SAINT JOHNS (AZ0010300)

AGENCY CASE- [REDACTED]

CHARGE 1-AGG ASLT-DEADLY WPN/DANG INST.

CHARGE 2-LIQUOR-CONSUME IN VEHICLE

COURT-SAINT JOHNS PD SAINT JOHNS (AZ0010300)

CHARGE-AGG ASLT-DEADLY WPN/DANG INST.

SENTENCE-

NO COMPLAINT FILED

CHARGE-LIQUOR-CONSUME IN VEHICLE

SENTENCE-

NO COMPLAINT FILED

2-ARRESTED OR RECEIVED 2004/07/26 (b)(7)(E) SID- (b)(7)(E)

AGENCY-SAINT JOHNS PD SAINT JOHNS (AZ0010300)

AGENCY CASE (b)(7)(E)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

COURT-SAINT JOHNS PD SAINT JOHNS (AZ0010300)

CHARGE-AMENDED TO DUI W/BAC OF PT.10. OR MORE

SENTENCE-

GUILTY FINE Y JAIL 4 DAS

DISPOSITION

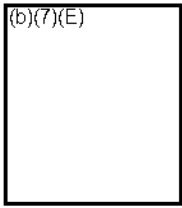
Subject will be issued form I-862 Notice to Appear on today's date.

HEALTH

Subject claims to have no health issues

CONSULAR NOTIFICATION

Subject was given the opportunity to speak with the consulate of his native country, which he declined.



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**End Unique ID:**

51

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**Start Unique ID:**

48

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

Subject was advised of his rights under Miranda vs. Arizona on 10/10/2012 at 0300 hours. Subject elected to waive HIS rights under Miranda vs. Arizona and answer questions at that time.

**ENCOUNTER HISTORY:**

(b)(6),(b)(7)(C) was encountered on October 10, 2012 at approximately 2130 hours at the Maricopa County Sheriff's Office Fourth Avenue Jail. Subject was arrested by the Phoenix Police Department, and booked in for:

STREET VENDING VIOLATION (PHX31-24)

FAIL TO SHOW ID OR DL A.R.S (28-1595B)

Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). Subject stated that he is a citizen and national of Mexico by virtue of birth in Mexico. Subject claimed not to have any documentation to enter pass through or remain in the United States legally. Subject claimed to have entered the United States Illegally on an unknown date in 2002 at or near an unknown location. Subject claims both of his parents were born in Mexico and are now deceased.

Subject has NO PETITIONs pending with US CIS.

A detainer was placed on the subject to hold him for further investigation upon release from local charges.

**ENCOUNTER:**

Subject was turned over to Phoenix ICE/ERO on 10/10/2012. Subject had been arrested by Phoenix Police Department for the following offense(s):

STREET VENDING VIOLATION (PHX31-24)

FAIL TO SHOW ID OR DL (ARS 28-1595B)

Subject was interviewed in ENGLISH as I have a working knowledge of the ENGLISH LANGUAGE. Subject expressed understanding of the events taking place on today's date. Subject also stated that while in custody at the Maricopa County Sheriff's Office Jail, no detention issues or allegations of abuse were encountered.

ENCOUNTER DISPOSITION:

STREET VENDING VIOLATION, a class 1 misdemeanor, in violation of (PHX31-24)

Disposition: RLSD-TIME EXPIR

FAIL TO SHOW ID OR DL, a class 2 misdemeanor, in violation of (ARS 28-1595B)

Disposition: RLSD-TIME EXPIR

IMMIGRATION HISTORY:

Subject is not a national or citizen of the United States. Subject is a citizen of MEXICO.

Subject has no known Immigration apprehensions.

CREDIBLE FEAR:

Subject claims NO FEAR of political, religious or other persecution if removed from the United States to HIS country of citizenship.

CRIMINAL RECORD:

1-ARRESTED OR RECEIVED 2012/10/10/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-FAIL TO SHOW DRIV LIC OR ID

CHARGE 2-STREET VENDING VIOLATION

Subject was, on 10/10/2012, convicted in the Phoenix Municipal Court of Arizona, Maricopa County, for the offense of FAIL TO SHOW ID OR DL, a class2 Misdemeanor, in violation of A.R.S. Section(s) ARS 28-1595B for which he was sentenced to 1 day.

IMMIGRATION DISPOSITION:

Subject was processed for an I-862 Notice to Appear.

HEALTH:

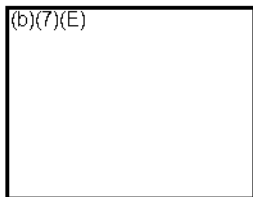
When questioned, subject stated that he DOES NOT have medical issues and/or concerns.  
Subject appears to be in GOOD health.

GANG AFFILIATION:

Subject HAS NO known gang affiliation.

CONSULAR NOTIFICATION:

Subject was advised of his right to communicate with a Consular Officer from HIS country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject DECLINED.



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**End Unique ID:**

48

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**Start Unique ID:**

49

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Subject is not a citizen or national of the United States. Subject is a citizen or national of Mexico. Subject admitted that he entered the United States without inspection at or near Douglas, AZ on or about an unknown date. Subject has no applications or petitions pending with the United States Citizenship and Immigration Service. Subject claims no fear of returning to Mexico.

**ENCOUNTER:**

Subject was arrested by the Phoenix Police Dept. on October (b)(6) 2012 for the following offenses:

FAIL TO SHOW DRIV LIC OR ID, a class 1 misdemeanor, in violation of A.R.S. Section 28-1595B

VIOLATION OF PROMISE TO APPEAR, a class 2 misdemeanor, in violation of A.R.S. Section 13-3904A

**ENCOUNTER DISPOSITION:**

FAIL TO SHOW DRIV LIC OR ID, a class 1 misdemeanor, in violation of A.R.S. Section 28-1595B

Disposition: Convicted

VIOLATION OF PROMISE TO APPEAR, a class 2 misdemeanor, in violation of A.R.S. Section 13-3904A

Disposition: Dismissed

**CRIMINAL RECORD:**

1-ARRESTED OR RECEIVED 1998/05 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT ALBUQUERQUE (NM0010100)

AGENCY CASE (b)(7)(E)

CHARGE 1-K40A PATRONIZE PROSTITUTES

2-ARRESTED OR RECEIVED 2012/10/ (b)(7)(E) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-VIOLATION OF PROMISE TO APPEAR

CHARGE 2-FAIL TO SHOW DRIV LIC OR ID

IMMIGRATION APPREHENSIONS:

Subject had no previous Immigration apprehensions.

IMMIGRATION DISPOSITION:

In reference to memorandum dated June 15, 2012 from the Secretary of Homeland Security in regards to Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children, subject did not meet all the criteria in that he did not enter the United States before the age of sixteen, he is not currently in school, he has not graduated from high school, he has not obtained a general education development certificate, he is not an honorably discharged veteran of the Coast Guard or Armed Forces of the United States, he has not demonstrated good moral character, and he is over the age of thirty. Subject was processed for an I-862, Notice to Appear.

HEALTH:

Subject stated that he did not have any medical issues or concerns. Subject appeared to be in good health.

CONSULAR NOTIFICATION:

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36(1)(b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

(b)(7)(E)

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**End Unique ID:**



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**Start Unique ID:**

121

**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**ENCOUNTER:**

I encountered (b)(6),(b)(7)(C) on 10/10/2012 at approximately 1000 hours while assigned to the Maricopa County Fourth Avenue Central Intake Facility. Subject had been arrested by the Mesa Police Department for the following offense:

AGG TAKING ID-TO GAIN EMPLOYMENT, a class 3 felony, in violation of ARS 13-2009A3

I identified myself as an ICE agent and questioned subject as to her nationality and citizenship. Subject freely admitted that she is a citizen and national of Mexico and no other country. Subject freely admitted that she entered the United States without inspection at or near El Paso, Texas on or about an unknown date. Subject was not in possession of any documents allowing her to lawfully enter, remain or pass through the United States. A detainer was placed on the subject.

**IMMIGRATION HISTORY:**

On January 1, 2013, (b)(6),(b)(7)(C) was turned over to Immigration and Customs Enforcement upon release from Maricopa County Lower Buckeye Jail. (b)(6),(b)(7)(C) stated that her true and correct name is (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) freely admitted to being a citizen and national of Mexico by birth and that she entered the United States on 08/20/2001 with inspection.

(b)(6),(b)(7)(C) admitted that she has remained in the United States, past the expiration of her B-2 Visa of six (6) months expiring on February 19, 2002. (b)(6),(b)(7)(C) claims not to have an application and/or petition pending with United States Citizenship and Immigration Services.

(b)(6),(b)(7)(C) was questioned regarding her alienage and deportability by Agent (b)(6),(b)(7)(C). Subject claims to be in the US illegally. Subject claimed MEXICAN citizenship by virtue

of birth in Coahuila, MEXICO. Subject freely admitted to having over stayed in United States without permission there for being removable pursuant to Section 237aB1 of the INA.

**PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN:**

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security.

Subject does not appear to qualify for this form of prosecutorial discretion.

**DISPOSITION OF CURRENT OFFENCE:**

Subject was found guilty of Count 1 (Amended) Criminal Impersonation a Class six(6) Felony as per ARS 13-201, 2006, 610, 701, 702, and 801. Date of offence: 12/[b]/2010. Subject was incarcerated for 90 days and placed on one (1) year probation.

**CRIMINAL HISTORY:**

1-ARRESTED OR RECEIVED 2012/10/[b] SID-[b](7)(E)

AGENCY-POL DEPT-HQ RECORDS MESA (AZ0071700)

AGENCY CASE-[b](7)(E)

CHARGE 1-AGG TAKING ID-TO GAIN EMPLMNT

RECORD UPDATED 2012/10/23

**IMMIGRATION APPREHENSIONS (IDENT):**

[b](6),(b)(7)(C) has no [b](7)(C) apprehension history, however subject has a [b](7) lookout due to overstay.

**HEALTH:**

[b](6),(b)(7)(C) claims to have no health issues and appears to be in good health.

**GANG AFFILIATION:**

[b](6),(b)(7)(C) has no known gang affiliation.

**TELEPHONE CALL:**

[b](6),(b)(7)(C) declined a phone call at this time.

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) was advised of her right to communicate with a Consular Officer from her country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations.

**IMMIGRATION DISPOSITION:**

(b)(6),(b)(7)(C) was processed for an I-862 Notice to Appear.

(b)(7)(E)

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**End Unique ID:**

121

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**Start Unique ID:**

77

**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**ENCOUNTER:**

I encountered (b)(6),(b)(7)(C) on Oct (b)(6) 2012 at approximately 0410hours while assigned as a liaison at the 4th Ave Jail in Maricopa County. Subject's release date is unknown at this time. I identified myself as an ICE agent and questioned subject as to his nationality and citizenship.

Subject freely admitted that he is a citizen and national of MEXICO and no other country and stated he is in the United States illegally. Subject freely admits to entering the United States at or near an unknown location on an unknown date and time.

Subject had been arrested by Phoenix Police Department and booked in on charges for:

DUI-LIQUOR/DRUGS/VAPORS/COMBO, a class 1 misdemeanor, in violation of ARS 28-1381A1

DUI W/BAC OF .08 OR MORE, a class 1 misdemeanor, in violation of ARS 28-1381A2

A detainer was placed by IEA (b)(6),(b)(7)(C)

**IMMIGRATION HISTORY:**

On December (b)(6) 2012, (b)(6),(b)(7)(C) was turned over to Immigration and Customs Enforcement upon release from Maricopa County Lower Buckeye Jail. (b)(6),(b)(7)(C) stated that his true and correct name is (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) freely admitted to being a citizen and national of Mexico by birth and that he entered the United States on an unknown date in 2011, at Lukeville, AZ. (b)(6),(b)(7)(C) does not have an application and/or petition pending with United States Citizenship and Immigration Service.

(b)(6),(b)(7)(C) was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). (b)(6),(b)(7)(C) claims to be in the US illegally. (b)(6),(b)(7)(C) claimed MEXICAN citizenship by virtue of birth in Morelos, MEXICO. Subject freely admitted to being in the United States without permission there for being removable pursuant to Section 212a6Ai of the INA.

**PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN:**

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security.

Subject claims that he last entered the United States at the age of 23. Subject claims continuously resided in the United States for 1 year; Subject stated he did not attend high school in the United States. Subject claimed to not to have graduated from high nor received a GED. Subject is not an honorably discharged veteran from the SERVICE, and is currently 24 years old.

Subject does not appear to qualify for this form of prosecutorial discretion.

CRIMINAL HISTORY:

1-ARRESTED OR RECEIVED 2007/06/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-ASSAULT

CHARGE 2-DISORDERLY CONDUCT

2-ARRESTED OR RECEIVED 2010/10/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE

CHARGE 3-EXTREME DUI-BAC .15 OR MORE

COURT - CHARGE-III/DUI-LIQUOR/DRUGS/VAPORS/COMBO, MISD

SENTENCE - III/CDD-201011 (b)(6) GUILTY, CNV-YES, FINED YES, JAIL 24 DAS

CHARGE-III/DUI W/BAC OF PT08 OR MORE, MISD

SENTENCE - III/CDD-201011 (b)(6) COURT DISMISSAL, CNV-NO

CHARGE-III/EXTREME DUI-BAC PT15 OR MORE, MISD

SENTENCE - III/CDD-201011(b) COURT DISMISSAL, CNV-NO

3-ARRESTED OR RECEIVED 2012/10(b)(6)(b)(7)(E) SID-(b)(7)(E)

AGENCY-DPS-COMPL INFO SRV PHOENIX (AZCCHPX00)

AGENCY CASE-DPS2012044540 NAME USED(b)(6),(b)(7)(C)

CHARGE 1-AGG DUI-LIC SUSP/REV FOR DUI

CHARGE 2-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 3-DUI W/BAC OF .08 OR MORE

CHARGE 4-EXTREME DUI-BAC .15-.20

4-ARRESTED OR RECEIVED 2012/10(b)(6)(b)(7)(E) SID-(b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE-(b)(7)(E) NAME USED(b)(6),(b)(7)(C)

CHARGE 1-FAILURE TO APPEAR 2ND DEG

CHARGE 2-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 3-DUI W/BAC OF .08 OR MORE

CHARGE 4-EXTREME DUI-BAC .15-.20

CHARGE 5-EXTREME DUI-BAC > .20

CHARGE 6-LIQ-MINOR DRIVE AFTER DRINKING

RECORD UPDATED 2012/11/05

IMMIGRATION APPREHENSIONS (b)(7)(E):

(b)(6),(b)(7)(C) has three prior VR on 02/13/2007 thru Tecate, CA, VR on 02/15/200701/11/2010 thru Otay Mesa, CA, and VR under safe guard on 11/24/2007 thru Nogales, AZ.

HEALTH:

(b)(6),(b)(7)(C) appears to be in good health, and claims to be in good health.

GANG AFFILIATION:

(b)(6),(b)(7)(C) has no known gang affiliation.

**TELEPHONE CALL:**

(b)(6),(b)(7)(C) completed a phone call at this time to (b)(6),(b)(7)(C) girlfriend at (602) 434-  
(b)(6),(b)(7)(C)

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations.

**IMMIGRATION DISPOSITION:**

(b)(6),(b)(7)(C) was processed as a Notice to Appear (NTA).

(b)(7)(E)

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**End Unique ID:**

77

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**Start Unique ID:**

117.

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER HISTORY:**

(b)(6),(b)(7)(C) was encountered on October (b)(6) 2012 at approximately 1630 hours at the Maricopa County Sheriff's Office Fourth Avenue Jail. Subject was arrested by the Arizona Department of Public Safety and booked in on charges of DUI, DUI .08 or more and Ext. DUI. Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). Subject stated that he is a citizen and national of Mexico by virtue of birth in Jalisco, Mexico. Subject admitted to his presence in the United States without the proper permission to be in, pass through or remain in the country legally. A record and fingerprint check revealed that the subject was arrested by US Border Patrol and granted a voluntary return on 11/16/2000 and 11/20/2000. A detainer was placed on the subject to hold him for further processing upon release from local charges.

Subject had been arrested by Arizona Department of Public Safety and booked in on charges for:

DUI-liquor/DRUGS/VAPORS/COMBO, in violation of A.R.S. 28-1381A1

DUI .08 or more, in violation of A.R.S. 28-1381A2

Ext DUI-BAC .15-.20, in violation of A.R.S. 28-1382A1

**ENCOUNTER**

Subject was turned over to Phoenix ICE/ERO on December (b)(6) 2012. Subject was arrested by Arizona Department of Public Safety on October (b)(6) 2012 for the following offense(s):

DUI-liquor/DRUGS/VAPORS/COMBO, in violation of A.R.S. 28-1381A1

DUI .08 or more, in violation of A.R.S. 28-1381A2

Ext DUI-BAC .15-.20, in violation of A.R.S. 28-1382A1

Subject was interviewed in Spanish as I have a working knowledge of the Spanish Language.  
Subject expressed understanding of the events taking place on today's date.

#### ENCOUNTER DISPOSITION

DUI-liquor/DRUGS/VAPORS/COMBO, in violation of A.R.S. 28-1381A1

DUI .08 or more, in violation of A.R.S. 28-1381A2

Ext DUI-BAC .15-.20, in violation of A.R.S. 28-1382A1

Disposition: Subject was convicted on December (b)  
v 2012.

#### IMMIGRATION HISTORY

Subject is not a national or citizen of the United States. Subject is a citizen of Mexico.

Subject has not received permission from the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-enter the United States.

Subject has been apprehended by Immigration on 2 occasions.

#### CREDIBLE FEAR

Subject claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship.

#### CRIMINAL RECORD

1-ARRESTED OR RECEIVED 2006/12 (b)  
(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E)

CHARGE 1-CRIMINAL DAMAGE-DEFACE

COURT-POLICE DEPARTMENT PHOENIX (AZ0072300)

CHARGE-CRIMINAL DAMAGE-DEFACE

SENTENCE-

COURT DISMISSAL

2-ARRESTED OR RECEIVED 2012/10/[REDACTED] SID- [REDACTED]

AGENCY-DPS-COMPL INFO SRV. PHOENIX (AZCCHPX00)

AGENCY CASE- [REDACTED] NAME USED [REDACTED]

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE

CHARGE 3-EXTREME DUI-BAC .15-.20

RECORD UPDATED 2012/11/07

#### PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security.

Subject does not qualify for this form of prosecutorial discretion due to his age.

#### IMMIGRATION DISPOSITION

Subject was processed as a Notice to Appear I-862.

#### HEALTH

When questioned, subject stated that he does not have medical issues. Subject appears to be in good health.

#### GANG AFFILIATION

Subject has no known gang affiliation.

#### CONSULAR NOTIFICATION

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

[REDACTED]

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**End Unique ID:**

117

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**Start Unique ID:**

66

**NARRATIVE:**

ER

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, the subject stated they were a citizen and national of El Salvador without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

66

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**Start Unique ID:**

26

**NARRATIVE:**

IMMIGRATION RECORD: Subject is a native and citizen of Mexico. Subject last entered the United States as set forth above and was not then admitted or paroled after inspection by an Immigration Officer. Subject has no applications or petitions pending.

ENCOUNTER: (b)(6),(b)(7)(C) was encountered on 10-(b)(7)(C) 2012 at approximately 2130 hours at the Maricopa County Fourth Avenue Jail. Subject was arrested by the MCSO Human Smuggling Unit and booked in on one count of conspiracy to commit smuggling of humans, in violation of ARS 13-2319. Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). Subject claimed Mexican citizenship by virtue of birth. Subject freely admitted entering the United States without inspection. Subject has one prior immigration encounter and was voluntarily returned on 10-03-2012. A detainer was placed at that time pending further processing and disposition.

DISPOSITION FROM MCSO: Subject's charges were dismissed and subject was released to ICE custody on January (b)(7)(C) 2013.

CRIMINAL HISTORY: Subject has a DUI conviction and was arrested for Human Smuggling, no disposition is given.

IMMIGRATION HISTORY: Subject has one prior VR.

Subject appears to be in good health.

Subject accepted his free phone call and contacted his wife.

Subject was processed for an NTA.

(b)(7)(E)

(b)(7)(E)

SEX RACE BIRTH DATE HEIGHT WEIGHT EYES HAIR

M W (b)(6),(b)(7)(C) 506 160 BROWN BLACK

BIRTH CITY BIRTH PLACE

UNREPORTED MEXICO

OTHER BIRTH SOCIAL

DATES SCARS-MARKS-TATTOOS SECURITY MISC NUMBERS

(b)(6),(b)(7)(C) NONE NONE AR-205387265

ALIAS NAME(S)

(b)(6),(b)(7)(C) (b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C) (b)(6),(b)(7)(C)

- FBI IDENTIFICATION RECORD -

WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE  
DIRECTLY WITH THE AGENCY THAT FURNISHED THE DATA TO THE FBI.

NAME FBI NO. DATE REQUESTED

(b)(6),(b)(7)(C),(b)(7)(E)

SEX RACE BIRTH DATE HEIGHT WEIGHT EYES HAIR

M W (b)(6),(b)(7)(C) 506 160 BRO BLK

BIRTH PLACE

MEXICO

PATTERN CLASS CITIZENSHIP

UC UC UC UC UC UC UC UC UC UC UC UNITED STATES

UC UC UC UC UC UC UC UC UC UC UC

UC UC UC UC UC UC UC UC UC UC UC

1-ARRESTED OR RECEIVED 2007/06/ (b)(6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE VISALIA (CA0540000)

AGENCY CASE- (b)(7)(E)



CHARGE 1-001 COUNTS OF DUI ALCOHOL/DRUGS

2-ARRESTED OR RECEIVED 2007/11 <sup>(b)</sup><sub>(6)</sub> SID- <sup>(b)</sup><sub>(7)</sub>(E)

AGENCY-SHERIFF'S OFFICE VISALIA (CA0540000)

AGENCY CASE- <sup>(b)</sup><sub>(7)</sub>(E) NAME USED- <sup>(b)</sup><sub>(6)</sub>, <sup>(b)</sup><sub>(7)</sub>(C)

CHARGE 1-001 COUNTS OF DUI ALCOHOL/DRUGS

COURT-SUPERIOR COURT VISALIA (CA054093J)

CHARGE-23152 A VC-DUI ALCOHOL DRUGS

SENTENCE-

DISMISSED

CHARGE-23152 B VC-DUI ALCOHOL 0 08 PERCENT

SENTENCE-

CONVICTED-PROB/JAIL

CHARGE-12500 A VC-DRIVE W O LICENSE

SENTENCE-

CONVICTED-PROB/JAIL -060MO PROBATION

-060DS JAIL - FINE - CONSECUTIVE

-FOR CERT INFO SEE AUTO

3-ARRESTED OR RECEIVED 2010/09 <sup>(b)</sup><sub>(6)</sub> SID- <sup>(b)</sup><sub>(7)</sub>(E)

AGENCY-POLICE DEPARTMENT DINUBA (CA0540100)

AGENCY CASE- <sup>(b)</sup><sub>(7)</sub>(E) NAME USED- <sup>(b)</sup><sub>(6)</sub>, <sup>(b)</sup><sub>(7)</sub>(C)

CHARGE 1-001 COUNTS OF DRIVE W/O LICENSE

4-ARRESTED OR RECEIVED 2010/11 <sup>(b)</sup><sub>(6)</sub> SID- <sup>(b)</sup><sub>(7)</sub>(E)

AGENCY-SHERIFF'S OFFICE VISALIA (CA0540000)

AGENCY CASE- <sup>(b)</sup><sub>(7)</sub>(E) NAME USED- <sup>(b)</sup><sub>(6)</sub>, <sup>(b)</sup><sub>(7)</sub>(C)

CHARGE 1-001 COUNTS OF DUI,ALCOHOL/DRUGS

5-ARRESTED OR RECEIVED 2010/11/ (b)(6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE VISALIA (CA0540000)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF DUI,ALCOHOL/DRUGS

6-ARRESTED OR RECEIVED 2010/11/ (b)(6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE VISALIA (CA0540000)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF DUI,ALCOHOL/DRUGS

7-ARRESTED OR RECEIVED 2012/08/ (b)(6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE VISALIA (CA0540000)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF DUI,ALCOHOL/DRUGS

8-ARRESTED OR RECEIVED 2012/10/ (b)(6)

AGENCY-ICE BAKERSFIELD (CAICE0400)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-ALIEN REMOVAL UNDER SECTION 212 AND 237

9-ARRESTED OR RECEIVED 2012/10/ (b)(6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE PHOENIX (AZ0070000)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-SMUGGLING HUMANS

10-ARRESTED OR RECEIVED 2013/01/ (b)(6)

AGENCY-ICE/DRO PHOENIX (AZICE1400)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-ALIEN INADMISSIBILITY UNDER SECTION 212

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**End Unique ID:**

26

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**Start Unique ID:**

67.

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, the subject stated they were a citizen and national of Ecuador without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

67  
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**Start Unique ID:**

68

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E).

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, the subject stated that they were a citizen and national of El Salvador without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time.. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

68

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**Start Unique ID:**

89

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER HISTORY**

(b)(6),(b)(7)(C) was arrested by the Phoenix PD for FTP/DUI warrant out of Chandler. When interviewed by IEA (b)(6),(b)(7)(C) the subject freely stated that he was born in and a citizen of MEXICO had entered the US illegally. Subject stated he been returned voluntarily on 2008. Checks indicate a VR 04/11/2008 through Nogales AZ with the (b)(6),(b)(7)(C) (b)(6),(b)(7)(C)

A detainer was placed pending the outcome of local charges.

**ENCOUNTER**

Subject was turned over to Phoenix ICE/ERO on November (b)(6) 2012. Subject was arrested by the Phoenix Police Department on October (b)(6) 2012 for the following warrant from Chandler, Arizona:

DUI W/BAC OF .08 OR MORE, a misdemeanor, in violation of ARS 28-1381A2

Disposition: Convicted, time expired.

**IMMIGRATION HISTORY**

Subject was re-interviewed regarding their immigration status by Agent (b)(6),(b)(7)(C) on November (b)(6) 2012.

Subject is not a citizen or national of the United States. Subject is a native and citizen of Mexico. Subject last entered the United States on an unknown date in 2008 through an unknown place and was not then admitted or paroled after inspection by an Immigration Officer. Subject has no applications or petitions pending with United States Citizenship and Immigration Services. Subject claims no fear of returning to Mexico.



Subject has three prior immigration apprehension. Subject's last encounter was on April 11, 2008.

#### CREDIBLE FEAR

Subject claims no fear of political, religious or other persecution if removed from the United States to their country of citizenship.

#### CRIMINAL RECORD

1-ARRESTED OR RECEIVED 2007/06 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT CHANDLER (AZ0070500)

AGENCY CASE- (b)(7)(E)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE

CHARGE 3-EXTREME DUI-BAC .15 OR MORE

COURT-POLICE DEPARTMENT CHANDLER (AZ0070500)

CHARGE-DUI-LIQUOR/DRUGS/VAPORS/COMBO

SENTENCE-

COURT DISMISSAL

CHARGE-DUI W/BAC OF PT 10 OR MORE

SENTENCE-

GUILTY FINE Y JAIL 10 DAS

CHARGE-EXTREME DUI-BAC 15 OR MORE

SENTENCE-

COURT DISMISSAL

#### PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security.

Subject does not appear to qualify for this form of prosecutorial discretion. Subject is over the age of 30 & significant misdemeanor arrest. Subject poses a threat to public safety.

#### IMMIGRATION DISPOSITION

Subject requested and was processed for an I-862 Notice to Appear.

#### HEALTH

When questioned, subject stated that they do not have medical issues and/or concerns. Subject appears to be in good health.

#### GANG AFFILIATION

Subject has no known gang affiliation.

#### CONSULAR NOTIFICATION

Subject was advised of their right to communicate with a Consular Officer from their country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations.

#### TELEPHONE RIGHTS

When asked subject accepted call. Subject called his girlfriend (b)(6),(b)(7)(C) 602-680-

(b)(6).

(b)(7)(E)

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**End Unique ID:**

89  
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**Start Unique ID:**

88

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER:**

Subject expressed understanding of the events taking place on today's date. All questions regarding apprehension and detention with the Maricopa County Sheriff's Office have been addressed with no issues or concerns.

I encountered SUBJECT on 11/11/2012 at approximately 0900 hours while reviewing leads from the ICE Criminal Alien Program from the Maricopa County jails.

On 10/11/2012 subject was booked into Maricopa 4th Ave Jail by Phoenix Police Department for charges of: DRIVE W/LIC SUSP/REVOKE/CANC (M1), WARRANT ? DRIVE W/LIC SUSPENDED FTA/FTP (M1). Subject was interviewed by an ICE Agent in regard to his status in the United States. Subject claimed to be the Citizen of Mexico and that he is illegally present in the United States at this time. Detainer was created.

The subject was turned over to the Phoenix ERO Office on today's date.

Subject freely admitted that he is a citizen and national of Mexico and no other country.

Subject freely admitted that he entered the United States without inspection at unknown location on unknown date.

Subject has no known applications or petitions pending with the United States Citizenship and Immigration Service.

**CRIMINAL HISTORY:**

1-ARRESTED OR RECEIVED 2002/01/16 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT GONZALES (CA0270300)

AGENCY CASE-15093

CHARGE 1-001 COUNTS OF USE FALSE CITIZEN/ETC DOC

2-ARRESTED OR RECEIVED 2002/01/26/ (b) (6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE SALINAS (CA0270000)

AGENCY CASE- (b)(7)(E)

CHARGE 1-001 COUNTS OF DISORD CONDUCT,UI/DRUG

CHARGE 2-001 COUNTS OF USE FALSE CITIZEN/ETC DOC

COURT-

CHARGE-114 PC-USE FALSE CITIZENSHIP ETC DOCUMENTS

SENTENCE-

DISMISSED/FURTHERANCE OF JUSTICE

CHARGE-647 F PC-DISORDERLY CONDUCT INTOX DRUG ALCOH

SENTENCE-

CONVICTED

3-ARRESTED OR RECEIVED 2002/09/14/ (b) (6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE SALINAS (CA0270000)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF DUI ALCOHOL/DRUGS

CHARGE 2-001 COUNTS OF DUI ALCOHOL/0.08 PERCENT

4-ARRESTED OR RECEIVED 2002/10/16/ (b) (6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT GONZALES (CA0270300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-001 COUNTS OF REC KNWN STOLN PROP \$400+

5-ARRESTED OR RECEIVED 2002/10/16/ (b) (6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE SALINAS (CA0270000)

AGENCY CASE- (b)(7)(E)

CHARGE 1-001 COUNTS OF REC KNWN STOLN PROP \$400+

CHARGE 2-001 COUNTS OF FALSE ID TO SPECIFIC PO S

CHARGE 3-001 COUNTS OF DRIVE W/O LICENSE

6-ARRESTED OR RECEIVED 2003/07/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT GONZALES (CA0270300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF DISRD CONDUCT,DRUG W/ALC

7-ARRESTED OR RECEIVED 2005/02/ (b)(6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE SALINAS (CA0270000)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF REC KNWN STOLN PROP \$400+

8-ARRESTED OR RECEIVED 2005/02/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT GONZALES (CA0270300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF DISRD CONDUCT,DRUG W/ALC

CHARGE 2-001 COUNTS OF REC KNWN STOLN PROP \$400+

9-ARRESTED OR RECEIVED 2005/06/ (b)(6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE SALINAS (CA0270000)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF DUI,ALCOHOL/DRUGS

CHARGE 2-001 COUNTS OF DRIVE W/O LICENSE

10-ARRESTED OR RECEIVED 2012/10/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE: (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-FAILURE TO APPEAR 2ND DEG

CHARGE 2-FAIL TO SHOW DRIV LIC OR ID

CHARGE 3-FAIL TO SHOW DRIV LIC OR ID

CHARGE 4-DRIVE W/LIC SUSP/REVOKE/CANC

CHARGE 5-DRIVE W/LIC SUSPENDED FTA/FTP

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\* .. WANTED .. \*

\* .. \*

\* .. CONFIRM THAT WARRANT IS STILL OUTSTANDING .. \*

\* .. \*

\* .. AGENCY-SHERIFF'S OFFICE SALINAS (CA0270000) .. \*

\* .. WANTED-NCIC (b)(7)(E) .. \*

\* .. (b)(6),(b)(7)(C) .. \*

\* .. FAILURE TO APPEAR - SEE MIS (IDENTIFY .. \*

\* .. ORIGINAL OFFENSE) .. \*

\* .. CASE (b)(7)(E) .. \*

\* .. DATE OF WARRANT 04/ /2005 .. \*

\* .. NOTIFY CA0270000 SHERIFF'S OFFICE SALINAS CA .. \*

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RECORD UPDATED 2012/10/31

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Sheriff's Office at Salinas, CA contacted at 831-755-(b)(6) Warrant active, but according to Salinas Attorney's Office will not extradite from Arizona State.

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**ENCOUNTER DISPOSITION:**

**DRIVE W/LIC SUSPENDED FTA/FTP (M1) - RLSD OR**

**IMMIGRATION HISTORY:**

Subject is not a national or citizen of the United States. Subject is a citizen of MEXICO. Subject last entered the United States as set forth above and was not at that time inspected by an Immigration Officer.

Subject has one previous Voluntary Departure back to Mexico.

**Credible Fear:**

Subject claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship.

**IMMIGRATION DISPOSITION:**

Subject was processed for an I-862 Notice to Appear.

**HEALTH:**

Subject claims and appears in good health.

**GANG AFFILIATION:**

Subject has no known gang affiliation.

**CONSULAR NOTIFICATION:**

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

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**End Unique ID:**

88

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**Start Unique ID:**

97

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, the subject stated they were a citizen and national of Ecuador without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

97  
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**Start Unique ID:**

98

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, the subject stated they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

98

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**Start Unique ID:**

90

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

Subject was advised of his rights under Miranda vs. Arizona on November (b) 2012 at 1030 hours. Subject elected to waive his rights under Miranda vs. Arizona and answer questions at that time.

**ENCOUNTER HISTORY:**

(b)(6),(b)(7)(C) was encountered on November (b) 2012 at approximately 0520hours while assigned as a liaison at the 4th Ave Jail in Maricopa County. Subject's release date is unknown at this time. I identified myself as an ICE agent and questioned subject as to his nationality and citizenship.

Subject freely admitted that he is a citizen and national of Mexico and no other country. Subject stated that he illegally entered the United States at the NOG POE on an unknown date and time in the month of December; the year 2008. Subject claimed to not have any pending applications or petitions to change his immigration status. Systems checks indicate that the subject has known immigration encounters.

Subject had been arrested by Phoenix Police Department and booked in on charges for:

DUI-LIQUOR/DRUGS/VAPORS/COMBO, a class 1 misdemeanor, in violation of ARS 28-1381A1

DUI W/BAC OF .08 OR MORE, a class 1 misdemeanor, in violation of ARS 28-1381A2

EXTREME DUI-BAC .15 OR MORE, a class 1 misdemeanor, in violation of ARS 28-1382A

A detainer was placed by IEA (b)(6),(b)(7)(C)

Subject to be transfer to Phoenix ICE Office upon release on local charges for further investigation.

**ENCOUNTER:**

(b)(6),(b)(7)(C) was turned over to Phoenix ICE/ERO on November (b)(6) 2012. Subject was arrested by the Phoenix Police Department on November (b)(6) 2012 for the following offense(s):

DUI-LIQUOR/DRUGS/VAPORS/COMBO, a class 1 misdemeanor, in violation of ARS 28-1381A1

DUI W/BAC OF .08 OR MORE, a class 1 misdemeanor, in violation of ARS 28-1381A2

EXTREME DUI-BAC .15 OR MORE, a class 1 misdemeanor, in violation of ARS 28-1382A

(b)(6),(b)(7)(C) was interviewed in Spanish as I have a working knowledge of the language. Subject expressed understanding of the events taking place on today's date. Subject also stated that while in custody at the Maricopa County Sheriff's Office Jail, no detention issues or allegations of abuse were encountered.

#### ENCOUNTER DISPOSITION:

DUI-LIQUOR/DRUGS/VAPORS/COMBO, a class 1 misdemeanor, in violation of ARS 28-1381A1

(b)(6),(b)(7)(C) was Released O.R. His next court date is December (b)(6) 2012.

#### IMMIGRATION HISTORY:

(b)(6),(b)(7)(C) is not a national or citizen of the United States. Subject is a citizen of Mexico.

Subject last entered the United States as set forth above and was not then admitted or paroled after inspection by an Immigration Officer.

Subject has been apprehended by Immigration on two prior occasions which resulted in Voluntary Returns.

#### CREDIBLE FEAR:

(b)(6),(b)(7)(C) claims no fear of political or religious persecution if removed from the United States to his country of citizenship.

#### CRIMINAL RECORD:

FBI # (b)(6),(b)(7)(C),  
(b)(7)(F)

1-ARRESTED OR RECEIVED 2008/07/(b)(6) SID-(b)(7)(E)

AGENCY-DPS-COMPL INFO SRV PHOENIX (AZCCHPX00)

AGENCY CASE-(b)(7)(E)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE

CHARGE 3-EXTREME DUI-BAC .15 OR MORE

2-ARRESTED OR RECEIVED 2012/11/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT, PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6), (b)(7)(C)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE

CHARGE 3-EXTREME DUI-BAC .15 OR MORE

PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN:

(b)(6), (b)(7)(C) was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security..... Subject claims that he:

Entered the United States at the age of 35.

Has continuously resided in the United States for 4 years,

Is not currently attending school / Did not attend / graduate from high school and did not obtain a general equivalency diploma (GED) / Is not an honorably discharged veteran from the service,

Has demonstrated good moral character, and

Is currently 49 years old.

(b)(6), (b)(7)(C) does not qualify for this form of prosecutorial discretion.

Subject does not qualify for DACA.

IMMIGRATION DISPOSITION:

(b)(6), (b)(7)(C) was processed for an I-862 Notice to Appear.

HEALTH:

When questioned (b)(6),(b)(7)(C) stated that he has diabetes; however he does not take medication. He states that he has learned how to control it by eating healthy and exercising. Subject appears to be in good health.

**GANG AFFILIATION:**

(b)(6),(b)(7)(C) has no known gang affiliation.

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

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**End Unique ID:**

90  
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**Start Unique ID:**

99

**NARRATIVE:**

CRIMINAL HISTORY: See records.

IMMIGRATION HISTORY: See records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America. After determining that this subject was an alien who illegally entered the United States, the subject was arrested and transported to the Tucson Sector Coordination Center for further processing using the DHS Databases.

**CRIMINAL VIOLATION:**

At the Tucson Sector Coordination Center, the subject was advised of his administrative rights. The subject acknowledged understanding these rights and agreed to answer questions and give a sworn statement. The subject again stated he was a citizen and national of El Salvador without the necessary legal documents to enter, pass through, or to remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an immigration officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of the right to communicate with a consular officer from his country as per Article 36(a)(b) of the Vienna Convention of Consular Relations. The subject acknowledged understanding the right but declined to speak with anyone at this time. The subject further stated he does not fear persecution or torture if returned to his country of citizenship.

**DISPOSITION:**

Subject is being processed for Expedited Removal. Service Form I-867 A/B was read and explained to the subject. Subject was apprehended within fourteen days of his last entry into

the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

99

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**Start Unique ID:**

100

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E) Systems.

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, the subject stated they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

100

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**Start Unique ID:**

39

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Subject is not a citizen or national of the United States. Subject is a citizen or national of Mexico. Subject admitted that she entered the United States without inspection at or near Nogales, AZ on or about an unknown date. Subject has no applications or petitions pending with the United States Citizenship and Immigration Service. Subject claims no fear of returning to Mexico.

**ENCOUNTER:**

Subject was arrested by the Phoenix Police Dept. on June (b) 2012 for the following offense:

ORG RETAIL THEFT-MERCHANDISE, a class 4 felony, in violation of A.R.S. Section 13-1819A

**ENCOUNTER DISPOSITION:**

Subject was, on November (b) 2012, convicted in the Superior Court of Arizona, Maricopa County, for the offense of, Count 1 (as amended): Solicitation to Commit Organized Retail Theft, a class 6 undesignated felony, in violation of A.R.S. Sections 13-1801, 13-1002, 13-1819, 13-301, 13-302, 13-303, 13-304, 13-701, 13-105, 13-702, 13-604, 13-707, 13-802, and 13-801. Subject was sentenced to 2 years of supervised probation with the Adult Probation Department.

**CRIMINAL RECORD:**

1-ARRESTED OR RECEIVED 2012/06 (b) (6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-ORG RETAIL THEFT-MERCHANDISE

COURT-

CHARGE-III/ORG RETAIL THEFT-MERCHANDISE,FEL

SENTENCE-

III/CDD-201206(b) NO COMPLAINT FILED,CNV-NO

CHARGE-III/ORG RETAIL THEFT-ARTIFICE,FEL

SENTENCE-

III/PENDING/NOT REPORTED

IMMIGRATION APPREHENSIONS:

Subject had no previous Immigration apprehensions.

IMMIGRATION DISPOSITION:

In reference to memorandum dated June 15, 2012 from the Secretary of Homeland Security in regards to Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children, subject did not meet all the criteria in that she has not demonstrated good moral character, and she has been convicted of a felony offense. Subject stated that she is still enrolled at Esperanza High School in Phoenix, AZ. Subject was processed for an I-862, Notice to Appear.

HEALTH:

Subject stated that she is prescribed medication to treat a mood disorder. Subject has no medication in her possession.

CONSULAR NOTIFICATION:

Subject was advised of her right to communicate with a Consular Officer from her country as per Article 36(1)(b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

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**End Unique ID:**

39  
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**Start Unique ID:**

4

**NARRATIVE:**

All questions regarding apprehension and detention with the Maricopa County Sheriffs Office have been addressed with no issues or concerns.

**ADVISEMENTS:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER AND IMMIGRATION HISTORY:**

(b)(6),(b)(7)(C) was encountered on 11-(b)2012 at approximately 1500 hours at the Maricopa County Fourth Avenue Jail. Subject was arrested by the AZ Motor Vehicle Services and booked in on two counts of forgery-offers forged instrument in violation of ARS 13-2002A3, one count of taking identity of another in violation of ARS 13-2008A. Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). Subject claimed Guatemalan citizenship by virtue of birth. Subject freely admitted to having entered the United States without inspection at Nogales, AZ in March 2006. Subject currently has an active case and is out on a \$5,000 bond. Case # (b)(7)(E) a detainer was placed at that time pending further processing and disposition. Subject has no known applications or petitions pending with the United States Citizenship and Immigration Service.

**ENCOUNTER DISPOSITION:**

Subject was convicted on January (b) 2013, in the Superior Court of Arizona at Maricopa County of Count 1: (Amended) CRIMINAL IMPERSONATION, a class 6 felony, in violation of ARS 13-2001, -2006, -610, 701, -702, -801, committed on February (b) 2012, for which the subject was sentenced to twelve months probation with the Adult Probation Department.

**CRIMINAL RECORD:**

1-ARRESTED OR RECEIVED 2010/05 (b)(6).

AGENCY-ICE/DRO PHOENIX (AZICE1400)

AGENCY CASE- (b)(7)(E)

CHARGE 1-ALIEN INADMISSIBILITY UNDER SECTION 212

2-ARRESTED OR RECEIVED 2012/11/ (b)(6) SID- (b)(7)(E)

AGENCY-DOT-INSPECTOR GEN PHOENIX (AZMVDPX00)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-FORGERY-OFFERS FORGED INSTRUM

CHARGE 2-FORGERY-OFFERS FORGED INSTRUM

CHARGE 3-TAKING IDENTITY OF ANOTHER

COURT-

CHARGE-III/FORGERY-OFFERS FORGED INSTRUM CHANGED TO CRIMINAL  
IMPERSONATION,FEL

SENTENCE-

III/CDD-201301 (b)(6) GUILTY,CNV-YES ,JAIL 90 DAYS,PROBATION MARICOPA  
12 MONTHS,SENTENCE SUSPENDED

CHARGE-III/FORGERY-OFFERS FORGED INSTRUM,FEL

SENTENCE-

III/CDD-201301 (b)(6) COURT DISMISSAL,CNV-NO

CHARGE-III/TAKING IDENTITY OF ANOTHER,FEL

SENTENCE-

III/PENDING/NOT REPORTED

IMMIGRATION APPREHENSIONS:

Subject has been apprehended by Immigration on two previous occasions.

IMMIGRATION DISPOSITION:

Subjects Immigration bond of 5,000.00 will be revoked and remanded into custody.



**HEALTH:**

When questioned, subject stated that he does not have medical issues and/or concerns. Subject stated he is not taking medications at this time. Subject appears to be in good health.

**GANG AFFILIATION:**

Subject has no known gang affiliation.

**COMMUNICATION RECORD:**

Subject accepted to make a phone call. Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

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**End Unique ID:**

4

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**Start Unique ID:**

101

**NARRATIVE:**

**CRIMINAL HISTORY :**

None.

**IMMIGRATION HISTORY:**

None.

**ENCOUNTER:** A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by Immigration Officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Sector Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**CRIMINAL VIOLATION:**

At the Tucson Sector Coordination Center, subject admitted he was a national and citizen of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an immigration officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

Subject was notified of the right to communicate with a consular officer from his country as per Article 36(a)(b) of the Vienna Convention of Consular Relations. The Guatemalan Consulate was closed and subject was advised to speak with the consulate during regular business hours.

Subject further stated that he did not fear persecution and/or torture if he were to return to his country of citizenship. Subject appears to be in good health. Subject spoke to (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) for several minutes. Contact information for uncle is (401)654-(b)(6),(b)(7)(C), (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) PROVIDENCE, RI 02909.

**DISPOSITION:**

Subject is being served with a Warrant of Arrest/Notice to Appear (I-862), per Section 212(a)(6)(A)(i) of the INA. Subject is an unaccompanied Juvenile.

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**End Unique ID:**

101

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**Start Unique ID:**

95

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Subject is not a citizen or national of the United States. Subject is a citizen or national of Mexico. Subject admitted that he entered the United States without inspection at or near Brownsville, TX on or about November 01, 2008. Subject has no applications or petitions pending with the United States Citizenship and Immigration Service. Subject claims no fear of returning to Mexico.

**ENCOUNTER:**

Subject was arrested by the Glendale Police Dept. on November (b)(7)(D) 2012 for the following offenses:

ASSAULT-INTENT/RECKLESS INJURE, a class 1 misdemeanor and Domestic Violence offense, in violation of A.R.S. Section 13-1203A1

THREAT-INTIM W/INJ-DMGE PROP, a class 1 misdemeanor and Domestic Violence offense, in violation of A.R.S. Section 13-1202A1

**ENCOUNTER DISPOSITION:**

ASSAULT-INTENT/RECKLESS INJURE, a class 1 misdemeanor and Domestic Violence offense, in violation of A.R.S. Section 13-1203A1

Disposition: Guilty (Sentenced to 60 days in jail and to 12 months of probation)

THREAT-INTIM W/INJ-DMGE PROP, a class 1 misdemeanor and Domestic Violence offense, in violation of A.R.S. Section 13-1202A1

Disposition: Guilty (Sentenced to 60 days in jail and to 12 months of probation)

**CRIMINAL RECORD:**

1-ARRESTED OR RECEIVED 2012/11/ (b)(7)(D) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT GLENDALE (AZ0071300)

AGENCY CASE (b)(7)(E)

CHARGE 1-ASSAULT-INTENT/RECKLESS/INJURE

CHARGE 2-THREAT-INTIM W/INJ-DMGE PROP

IMMIGRATION APPREHENSIONS:

Subject had one previous Immigration apprehension on October (b) 2008 which resulted in a voluntary return to Mexico.

IMMIGRATION DISPOSITION:

Subject was processed for an I-862, Notice to Appear.

HEALTH:

Subject stated that he did not have any medical issues or concerns. Subject appeared to be in good health.

CONSULAR NOTIFICATION:

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36(1)(b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

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**End Unique ID:**

95  
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**Start Unique ID:**

103

**NARRATIVE:**

IMMIGRATION HISTORY: NO PRIOR IMMIGRATION HISTORY

CRIMINAL HISTORY: NO PRIOR CRIMINAL HISTORY

**ENCOUNTER:**

A Border Patrol Agent encountered SUBJECT in the District of Arizona. A Border Patrol Agent determined subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that SUBJECT was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, SUBJECT was asked if he wanted to make a Sworn Statement as part of the Expedited Removal Proceedings. Service Form I-867 A/B was read and explained to SUBJECT. The subject understood and was willing to answer questions and give a statement. Subject again stated he was a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. Subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of the right to communicate with a consular officer from their country as per Article 36(a) (b) of the Vienna Convention of Consular Relations. The subject acknowledged understanding the right but declined to speak with anyone at this time. The subject further stated he does not fear persecution or torture if returned to his country of citizenship.

**TRAVEL:**

SUBJECT traveled from his domicile in Guatemala to Mexico by bus. SUBJECT states he was illegally smuggled into Mexico by bus. SUBJECT traveled through Mexico to Sonora. SUBJECT then stated he along with seven undocumented aliens crossed the United States/Mexico international boundary illegally, on foot.

**DISPOSITION:**

Subject is being processed for Expedited Removal. Subject was apprehended within fourteen days of his last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

103

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**Start Unique ID:**

102

**NARRATIVE:**

IMMIGRATION HISTORY: None found.

CRIMINAL HISTORY: None Found.

**ENCOUNTER:**

On November 16, 2012 a Border Patrol Agent encountered (b)(6),(b)(7)(C) near Quijotoa, AZ. The agent identified himself as a U.S. Border Patrol Agent. Being that he was in a group of adult illegal aliens and the proximity of the border he determined that (b)(6),(b)(7)(C) had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America. After determining that (b)(6),(b)(7)(C) had illegally entered the United States, he was transported to the Tucson Sector Coordination Center for processing using (b)(7)(E) Systems.

**CRIMINAL VIOLATION:**

At the Tucson Sector Coordination Center, I questioned (b)(6),(b)(7)(C). He admitted he was a national and citizen of Honduras. The subject admitted to illegally crossing the international boundary without being inspected by an immigration officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) appears to be in good health. He was notified of his right to communicate with his country's Consular Officer as per Article 36(a)(b) of the Vienna Convention of Consular Relations. Subject could not establish contact with Honduran Consulate after several attempts. Subject states he has no family living in the United States. The juvenile further stated that he does not fear persecution or torture if returned to Honduras.

**TRAVEL INFORMATION:**

(b)(6),(b)(7)(C) stated that he traveled to the Mexican border by bus. (b)(6),(b)(7)(C) then entered Mexico illegally. (b)(6),(b)(7)(C) claims that he then



traveled through Mexico by bus. (b)(6),(b)(7)(C) then crossed the U.S./Mexico International Boundary illegally on foot.

**DISPOSITION:**

(b)(6),(b)(7)(C) is being served with a Warrant of Arrest/Notice to Appear (I-862), and placed in removal proceedings, per Section 212(a)(6)(A)(i) of the INA. Subject is an unaccompanied Juvenile.

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**Addendum**

On February 20, 2013, Phoenix Southwest Juvenile Facility provided PHO/ERO with a copy of alien's birth certificate. The birth certificate indicates that subject's correct date of birth is (b)(6),(b)(7)(C), which will make this subject an adult. Subject will be taken into custody and transported to an ICE Detention Center. Copy of birth certificate is located in A-File.

(b)(7)(E)

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(b)(7)(E) Deportation Officer-PHO ERO

Date: 02/20/2013

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**End Unique ID:**

102

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**Start Unique ID:**

92

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER HISTORY:**

(b)(6),(b)(7)(C) was encountered on November (b) 2012 at approximately 1120 hours at the Maricopa County Sheriff's Office Fourth Avenue Jail.

Subject had been arrested by the Glendale Police Department and booked in on charges of:

ASSAULT-INTENT/RECKLESS/INJURE, a class 3 misdemeanor, in violation of ARS 13-1203A3

LIQ-UNDER 21 ANY LIQ IN BODY, a class 2 misdemeanor, in violation of ARS 4-244.41

Subject was questioned regarding his nationality and citizenship by Agent (b)(6),(b)(7)(C)

Subject stated that he was born in Mexico. (b)(7)(E) subject last entered the United States with a B2 Visa on 05/05/2011. (b)(7)(E) subject departed the United States on 05/19/2011.

**ENCOUNTER:**

(b)(6),(b)(7)(C) was turned over to Phoenix ICE/ERO on November (b) 2012. Subject was arrested by the Glendale Police Department on November (b)(6) 2012 for the following offense(s):

ASSAULT-INTENT/RECKLESS/INJURE, a class 3 misdemeanor, in violation of ARS 13-1203A3

LIQ-UNDER 21 ANY LIQ IN BODY, a class 2 misdemeanor, in violation of ARS 4-244.41

(b)(6),(b)(7)(C) was interviewed in English. Subject expressed understanding of the events taking place on today's date.

**ENCOUNTER DISPOSITION:**

ASSAULT-INTENT/RECKLESS/INJURE, a class 3 misdemeanor, in violation of ARS 13-1203A3

Disposition: Case Dismissed

LIQ-UNDER 21 ANY LIQ IN BODY, a class 2 misdemeanor, in violation of ARS 4-244.41

Disposition: Case Dismissed

(b)(6),(b)(7)(C) was, on November (b)(6),(b)(7)(C) 2012 convicted in the Glendale City Court, Maricopa County, for the offense of: Count A, Disorderly Conduct, a class one misdemeanor in violation of ARS 13-2904A1, for which subject was sentenced to 11 day's in jail, with credit for 11 days served.

#### IMMIGRATION HISTORY:

(b)(6),(b)(7)(C) is not a national or citizen of the United States. Subject is a citizen of Mexico. Subject was admitted to the United States at Salt Lake City, Utah on or about May 5, 2011 as a NIV/B2 with authorization to remain in the United States for a temporary period not to exceed November 4, 2011.

(b)(7)(E) subject departing the United States on May 19, 2011. Subject states that he never left the United States after he was admitted on May 5, 2011. There is no record of subject legally entering the United States after May 19, 2011.

Subject has no known Immigration apprehensions.

#### CRIMINAL HISTORY:

Negative (b)(7)(E) and No Known Prior Criminal History.

FBI# (b)(6),(b)(7)(C), (b)(7)(E)

1-ARRESTED OR RECEIVED 2012/11 (b)(6),(b)(7)(C) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT GLENDALE (AZ0071300)

AGENCY CASE (b)(7)(E)

CHARGE 1-ASSAULT-INTENT/RECKLESS/INJURE

CHARGE 2-ASSAULT-INTENT/RECKLESS/INJURE

COURT-

CHARGE-III/ASSAULT-INTENT/RECKLESS/INJURE,MISD

SENTENCE-

III/PENDING/NOT REPORTED

CHARGE-III/ASSAULT-INTENT/RECKLESS/INJURE,MISD

SENTENCE-

III/CDD-2012117 COURT DISMISSAL,CNV-NO

CREDIBLE FEAR:

(b)(6),(b)(7)(C) claims no fear of political or religious persecution if removed from the United States to his country of citizenship.

PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN:

(b)(6),(b)(7)(C) was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security.

Subject claims that he entered the United States at the age of 17. (b)(6),(b)(7)(C) claims to have continuously resided in the United States for a period of 1 year. (b)(6),(b)(7)(C) did not attend school in the United States. Subject is not an honorably discharged veteran from the service. (b)(6),(b)(7)(C) claims to not have demonstrated good moral character, and is currently 19.

(b)(6),(b)(7)(C) does not qualify for this form of prosecutorial discretion, due to the fact that he has failed to meet all the criteria placed in order to grant this discretion.

IMMIGRATION DISPOSITION:

(b)(6),(b)(7)(C) was processed for an I-862 Notice to Appear/Detained.

HEALTH:

When questioned, (b)(6),(b)(7)(C) stated that he does not have medical issues and/or concerns. Subject appears to be in good health.

\*\*\*\*\*Subject has a piercing on his left cheek. He stated that he cannot remove it. It has to be surgically removed.\*\*\*\*\*

TELEPHONE:

(b)(6),(b)(7)(C) accepted a telephone call on November 29, 2012 at 0938-0941 to his (b)(6),(b)(7)(C) (623) 435 (b)(6), (b)(7)(C)

**GANG AFFILIATION:**

(b)(6),(b)(7)(C) has no known gang affiliation.

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

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**End Unique ID:**

92  
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**Start Unique ID:**

58

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Nogales Border Patrol Station, the subject stated they were a citizen and national of Mexico without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The

(b)(6),(b)(7)(C)

**TRAVEL:**

SUBJECT traveled from their domicile in China on 8/18/2012 to the Beijing airport. On 8/19/2012 SUBJECT traveled to Cuba by plane and stayed there for about four weeks. SUBJECT states he also traveled from Cuba to Mexico by plane, which he illegally entered all countries without the necessary documents. SUBJECT then stated he had a guide which led him into Mexico. SUBJECT then stated that he along with a group of 2 other undocumented aliens crossed the United States/ Mexico international boundary illegally on foot.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

58

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**Start Unique ID:**

56

**NARRATIVE:**

IMMIGRATION HISTORY: None found.

CRIMINAL HISTORY: None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by the Secretary of Homeland Security of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Nogales, AZ, Border Patrol Station, the subject stated they were a citizen and national of China without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an immigration officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**TRAVEL:**

The subject stated that they flew from the Fu Zhou Airport to the Beijing, China, Airport. On 08/17/2012, subject stated that he left from Beijing, China and arrived in Russia on 08/20/2012.



Subject then stated that he flew from Russia on 08/21/2012 and arrived in Cuba on 08/21/2012. On 09/30/2012, the subject stated that he flew from Cuba and arrived in Belize. From Belize he made his way to Mexico with no assistance from any guides.

**DISPOSITION:**

The subject is being held in Service custody pending Expedited Removal proceedings as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

I-77# 5258299

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**End Unique ID:**

56

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**Start Unique ID:**

120

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**IMMIGRATION HISTORY:**

Subject is not a citizen or national of the United States. Subject is a citizen and national of Mexico. Subject last entered the United States at an unknown Place on or about 09/09/2001. Subject was not then admitted or paroled by an Immigration Official. Subject has no known applications or petitions pending with the United States Citizenship and Immigration Service. Subject claims no fear of returning to Mexico

**ENCOUNTER:**

(b)(6),(b)(7)(C) was encountered on 11/17/2012 at approximately 1300 hours at the Maricopa County Sheriff's Office 4th Ave Jail. Subject was questioned regarding her alienage and deportability by Agent (b)(6),(b)(7)(C). Subject claims to be in the United States illegally. Subject freely admitted that he entered the United States without inspection at or near unknown place on or about unknown date. Subject has no petitions pending with United States Citizenship and Immigration Service. Subject claimed to be a citizen of Mexico, by virtue of birth in Jojutla, Morelos, Mexico. Records check in (b)(7)(E) returned no information. Records check in (b)(7)(E) returned no hits. A detainer was placed on the subject to hold her for further investigation upon release from local charges.

Subject had been arrested by the Phoenix Police Department on 11/16/2012 and booked in on charges of:

FORGERY-OFFERS FORGED INSTRUM, a class 4 felony, in violation of ARS 13-2002A3

**ENCOUNTER DISPOSITION:**

Subject was, on 1/17/2013, convicted in the Superior Court of Arizona, Maricopa County, for the offense of Count 1(AMENDED) SOLICITATION TO COMMIT FORGERY , a class 6 undesignated

felony, in violation of A.R.S. Section(s) 13-2002, 13-2001, 13-1002, 13-604, 13-610, 13-701, 13-702, 13-707, 13-801, and 13-802.

CRIMINAL RECORD:

1-ARRESTED OR RECEIVED 2012/11 (b)  
(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E)

CHARGE 1-FORGERY-OFFERS FORGED INSTRUM.

COURT-

CHARGE-III/FORGERY-OFFERS FORGED INSTRUM,FEL

SENTENCE-

III/CDD-201211 (b)(6) NO COMPLAINT FILED,CNV-NO

CHARGE-III/FORGERY-OFFERS FORGED INSTRUM,FEL

SENTENCE-

III/PENDING/NOT REPORTED

IMMIGRATION APPREHENSIONS:

Subject has no known Immigration apprehensions.

HEALTH:

When questioned, subject stated that she does not have medical issues and/or concerns. Subject appears to be in good health.

GANG AFFILIATION:

Subject has no known gang affiliation.

CONSULAR NOTIFICATION:

Subject was advised of her right to communicate with a Consular Officer from her country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN:

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security. Subject claims that she entered the United States at the age of 20, has continuously resided in the United States for 11 years. Subject did not attend or graduate from high school and did not obtain a general equivalency diploma (GED). Subject is currently 31 years old. Subject does not appear to qualify for this form of prosecutorial discretion.

**PHONE CALL:**

Subject was given an opportunity to make a free domestic call. Subject contacted her friend

(b)(6),(b)(7)(C) (602) 507 (b)(6),(b)(7)(C)

**IMMIGRATION DISPOSITION:**

Subject requested a hearing before an Immigration Judge. Subject was processed for an I-862 Notice to Appear.

(b)(7)(E)

I-77# 2126468

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**End Unique ID:**

120  
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**Start Unique ID:**

55

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Nogales Border Patrol Station, the subject stated they were a citizen and national of Mexico without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The

(b)(6),(b)(7)(C)

**TRAVEL:**

SUBJECT traveled from their domicile in China in a con ex box to various locations. Subjects states he lost track of time and had no idea where he was. SUBJECT then stated that he along with a group of 4 other undocumented aliens crossed the United States/ Mexico international boundary illegally on foot.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

55

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**Start Unique ID:**

57

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Nogales Border Patrol Station, the subject stated they were a citizen and national of Mexico without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The (b)(6),(b)(7)(C)

**TRAVEL:**

SUBJECT traveled from their domicile in China in a container box to various locations. Subject states he lost track of time and had no idea where he was. SUBJECT then stated that he along with a group of 4 other undocumented aliens crossed the United States/ Mexico international boundary illegally on foot.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

57

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**Start Unique ID:**

59

**NARRATIVE:**

IMMIGRATION HISTORY: None found.

CRIMINAL HISTORY: None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by the Secretary of Homeland Security of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Nogales, AZ, Border Patrol Station, the subject stated they were a citizen and national of China without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an immigration officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**TRAVEL:**

Subject stated that in August of 2012, he flew from Beijing, China to Cuba. When he arrived in Cuba the subject stated that he was taken to a location where he was placed in a small dark

room with now windows. He stated that he spent approximately one month at this location. He was then handed off to another smuggler where they used various modes of transportation including automobiles, boats and planes. He stated that at times they climbed over hills and mountains. During his travels he states that he quickly lost track of time. The subject states that when he arrived at the International Border Fence, the subject was directed to cross at the indicated spot by the smuggler.

**DISPOSITION:**

The subject is being held in Service custody pending Expedited Removal proceedings as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

I-77# 5257983

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**End Unique ID:**

59

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**Start Unique ID:**

75

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER HISTORY**

(b)(6),(b)(7)(C) was encountered on 11/11/2012 at 2230 hours Phoenix LEAR received a call from Detective (b)(6),(b)(7)(C) of the Phoenix Police department on an illegal alien. Det. (b)(6),(b)(7)(C) was called to (b)(6),(b)(7)(C) Goodyear, AZ on an investigative lead for a suspect accused of armed robbery (b)(6),(b)(7)(C) was a person of interest at the time. Upon further investigation the evidence was deemed insufficient to proceed with prosecution. During Phoenix PD's investigation the subject claimed that he is a citizen of Trinidad and was in the United States illegally after overstaying his B2 visa. Agent (b)(6),(b)(7)(C) performed record checks on the subject and confirmed that he is a B2 overstay with a weapons conviction out of New York State. Agent's from Phoenix LEAR will respond to the main Phoenix PD location on 620 Washington, Phoenix, AZ and will transport the subject for further investigation.

Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). Subject claims to be in the United States illegally. Subject freely admitted that he entered the United States on a B-2 visitor visa on 10/16/2005 in New York, New York at JFK airport. Subject has no petitions pending with USCIS. Subject claimed Trinidad and Tobago citizenship by virtue of birth in San Fernando, Trinidad and Tobago.

**ENCOUNTER**

Subject was turned over to Phoenix ICE/ERO on November 11/2012 by Phoenix, PD.

**ENCOUNTER DISPOSITION**

Subject was processed for an I-862 Notice to Appear.

**IMMIGRATION HISTORY**

Subject is not a national or citizen of the United States. Subject is a citizen of Trinidad and Tobago. Subject overstayed on a B2 visitor visa. The departure date for the subject was 04/19/2006.

Subject has no known prior Immigration apprehensions.

#### CREDIBLE FEAR

Subject claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship.

#### CRIMINAL RECORD

1-ARRESTED OR RECEIVED 2009/08/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT NEW YORK (NY0303000)

AGENCY CASE- (b)(7)(E)

CHARGE 1-CRIM POSS WEAP-4TH: FIREARM/WEP CLASS A MISDEMEANOR

CHARGE 2-VIOL OF LOC LAW VIOL

PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security. Subject claims that he: Subject entered the United States at the age of 17. Subject has not continuously resided in the United States. Did not attend or graduate from high school and did not obtain a general equivalency diploma (GED). Is currently 24 years old. Subject does not appear to qualify for this form of prosecutorial discretion.

#### IMMIGRATION DISPOSITION

Subject was processed for an I-862 Notice to Appear.

#### HEALTH

When questioned, subject stated that he does not have medical issues and/or concerns. Subject appears to be in good health.

#### GANG AFFILIATION

Subject has no known gang affiliation.

#### CONSULAR NOTIFICATION

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject accepted.

(b)(7)(E)



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**End Unique ID:**

75

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**Start Unique ID:**

60

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona, and determined the subject had unlawfully entered the United States of America at a time and place other than as designated by immigration officers of the United States of America.

After determining that the subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Detention Center for further processing using the (b)(7)(E) and (b)(7)(E)

**TRAVEL DATA:** The subject traveled from his hometown in India by plane to Mexico border by plane stopping in countries unknown to the subject. . The subject claims that he traveled across Mexico by car until he arrived at the United States/ Mexico border. The subject stated to have entered the United States near Nogales, Arizona.

**IMMIGRATION VIOLATION:**

At the Nogales Detention Center, the subject was asked if they wanted to make a Sworn Statement as part of the Expedited Removal Proceedings. Service Form I-867 A/B was read and explained to the subject. The subject understood and was willing to answer questions and give a statement without the presence of an attorney. The subject stated that they are a citizen and national of India without the necessary legal documents to enter, pass through, or remain in the United States. The subject also stated they illegally crossed the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The

(b)(6),(b)(7)(C)

DISPOSITION:

This subject is being processed for an Expedited Removal. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary. Subject will be held for a credible fear hearing.

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**End Unique ID:**

60

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**Start Unique ID:**

62

**NARRATIVE:**

IMMIGRATION HISTORY: See record checks.

CRIMINAL HISTORY: See record checks.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona, and determined the subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that the subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Nogales Border Patrol Station, the subject was asked if they wanted to make a Sworn Statement as part of the Expedited Removal Proceedings. Service Forms I-867 A/B were read and explained to the subject. The subject understood and was willing to answer questions and give a statement without the presence of an attorney. The subject stated that they are a citizen and national of China without the necessary legal documents to enter, pass through, or remain in the United States. The subject also stated they illegally crossed the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The

(b)(6),(b)(7)(C)



(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

**DISPOSITION:**

The subject is being processed for an Expedited Removal as per 212(a)(7)(A)(i)(I) of the INA. The subject was apprehended within 14 days of their last entry into the United States and within 100 air miles from the United States/Mexico International Boundary. Service Forms I-296 and I-860 will be executed on the subject.

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**End Unique ID:**

62

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**Start Unique ID:**

61

**NARRATIVE:**

IMMIGRATION HISTORY: See record checks.

CRIMINAL HISTORY: See record checks.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona, and determined the subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that the subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Nogales Border Patrol Station, the subject was asked if they wanted to make a Sworn Statement as part of the Expedited Removal Proceedings. Service Forms I-867 A/B were read and explained to the subject. The subject understood and was willing to answer questions and give a statement without the presence of an attorney. The subject stated that they are a citizen and national of China without the necessary legal documents to enter, pass through, or remain in the United States. The subject also stated they illegally crossed the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

**DISPOSITION:**

The subject is being processed for an Expedited Removal as per 212(a)(7)(A)(i)(I) of the INA. The subject was apprehended within 14 days of their last entry into the United States and within 100 air miles from the United States/Mexico International Boundary. Service Forms I-296 and I-860 will be executed on the subject.

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**End Unique ID:**

61

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**Start Unique ID:**

6

**NARRATIVE:**

**ADVISEMENTS:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**INTERVIEW LANGUAGE / INTERPRETER INFORMATION:**

Subject both spoke and understood English without issue. Interpreter was not used during the interview.

**IMMIGRATION HISTORY:**

Subject is not a citizen or national of the United States and makes no claim to such. Subject freely admitted that he was born in (b)(6), (b)(7)(C) Subject freely admitted that he is a citizen and national of MEXICO and no other country.

Subject freely admitted that he entered the United States without inspection at an unknown location on or about 01/01/1992. Subject admits to having entered the United States without inspection and at a place other than an open and designated Port of Entry and appears inadmissible per section 212 (a)(6)(A)(i) of the INA.

Subject filed an I-485 Application to Register Permanent Residence or Adjust Status on 03/22/2011 which is PENDING.

Subject claims no fear of political, religious, racial or other form of persecution if removed from the United States to his country of citizenship.

**ENCOUNTER:**

Subject was turned over to Phoenix ICE/ERO on 12/ (b)(6) 2012.

(b)(6), (b)(7)(C) was encountered on November (b)(6) 2012 at approximately 1411 hours at the Maricopa County Sheriff's Office Fourth Avenue Jail. Subject had been arrested by the Peoria Police Department and booked in on charges of ASSAULT-

INTENT/RECKLESS/INJURE, a class 3 misdemeanor, in violation of ARS 13-1203A3, DISORDERLY CONDUCT, a class 1 misdemeanor, in violation of ARS 13-2904A1. Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). Subject stated that he is a citizen and national of Mexico. Subject admitted to his presence in the United States without the proper permission to be in, pass through or remain in the country legally. Fingerprints revealed that subject has at least one prior apprehension by Immigration in 09/13/2010. Subject claims he has petitions or applications pending with US Citizenship and Immigration Service. Subject currently has an active case with Immigration.

A detainer was placed on the subject to hold him for further processing upon release from local charges.

#### ENCOUNTER DISPOSITION:

Subject was, on December (b) 2012, convicted in the Peoria Municipal Court, Maricopa County, for the offense of, Count 1: Assault/ DV, a class 1 Misdemeanor, in violation of A.R.S. Sections 13-1203(A1) and 13-3601(A), for which you were ordered to attend ACCS classes beginning 01/15/2013.

#### CRIMINAL RECORD:

Subject has the following criminal history:

1-ARRESTED OR RECEIVED 2010/08, (b)(6), SID (b)(7)(E)

AGENCY-POLICE DEPARTMENT GLENDALE (AZ0071300)

AGENCY CASE (b)(7)(E)

CHARGE 1-NARCOTIC DRUG-POSSESS/USE

CHARGE 2-MARIJUANA-POSSESS/USE

CHARGE 3-DRUG PARAPHERNALIA-POSSESS/USE

COURT-

CHARGE-III/NARCOTIC DRUG-POSSESS/USE, FEL

SENTENCE- III/CDD-201111 (b)(6) COURT DISMISSAL,CNV-NO

CHARGE-III/MARIJUANA-POSSESS/USE, FEL

SENTENCE- III/CDD-201111 (b)(6), COURT DISMISSAL, CNV-NO

CHARGE-III/DRUG PARAPHERNALIA-POSSESS/USE, FEL

SENTENCE- III/CDD-201008 (b) NO COMPLAINT FILED, CNV-NO

2-ARRESTED OR RECEIVED 2012/11/ (b) (6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PEORIA (AZ0072100)

AGENCY CASE- (b)(7)(E)

CHARGE 1-ASSAULT-INTENT/RECKLESS/INJURE

CHARGE 2-DISORDERLY CONDUCT-FIGHTING

IMMIGRATION APPREHENSIONS:

Subject has been apprehended by Immigration on one (1) occasion. Subject has an active case ((b)(7)(E)). Subject was issued an NTA I-862 on 09/13/2010. Subject posted a \$4000.00 bond on 10/04/2010. Subject's next EOIR hearing is scheduled for 04/23/2013 in Phoenix, AZ.

HEALTH:

When questioned, subject stated that he does not have medical issues and/or concerns. Subject stated he is not taking medications at this time. Subject states he is in good health.

Subject has no known gang affiliation.

IMMIGRATION DISPOSITION:

Subject was processed for an I-862 Notice to Appear on 09/13/2012. Due to a CIMT conviction, subject will be remanded into custody.

COMMUNICATION RECORD:

SUBJECT contacted (b)(6),(b)(7)(C) at 623-826- (b)(6), (b)(7)(C)

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject DECLINED.

I- 77# 2125983

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**End Unique ID:**

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**Start Unique ID:**

64.

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona, and determined the subject had unlawfully entered the United States of America at a time and place other than as designated by immigration officers of the United States of America.

After determining that the subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Detention Center for further processing using the (b)(7)(E) and (b)(7)(E)

**TRAVEL DATA:** The subject traveled from their hometown in China to the Mexico border by plane stopping in countries unknown to the subject. The subject stated that they crossed in to Mexico illegally on foot. The subject claims that they traveled across Mexico by car until they arrived at the United States/ Mexico border. The subject stated to have entered the United States near Nogales, Arizona.

**IMMIGRATION VIOLATION:**

At the Nogales Detention Center, the subject was asked if they wanted to make a Sworn Statement as part of the Expedited Removal Proceedings. Service Form I-867 A/B was read and explained to the subject. The subject understood and was willing to answer questions and give a statement without the presence of an attorney. The subject stated that they are a citizen and national of China without the necessary legal documents to enter, pass through, or remain in the United States. The subject also stated they illegally crossed the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.



**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The subject further stated that they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

This subject is being processed for an Expedited Removal. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary. Subject will be transferred to Tucson coordination center awaiting removal.

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**End Unique ID:**

64

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**Start Unique ID:**

105

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Station for further processing using the

(b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Tucson Station, the subject stated they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(a) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. An Expedited Removal was issued as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

105

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**Start Unique ID:**

104

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, the subject stated they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

104  
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**Start Unique ID:**

65

**NARRATIVE:**

IMMIGRATION HISTORY: NO PRIOR IMMIGRATION HISTORY

CRIMINAL HISTORY: NO PRIOR CRIMINAL HISTORY

**ENCOUNTER:**

A Border Patrol Agent encountered (b)(6),(b)(7)(C) in the District of Arizona. A Border Patrol Agent determined subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that (b)(6),(b)(7)(C) was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Processing Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Nogales Processing Center, (b)(6),(b)(7)(C) was asked if he wanted to make a Sworn Statement as part of the Expedited Removal Proceedings. Service Form I-867 A/B was read and explained to (b)(6),(b)(7)(C). The subject understood and was willing to answer questions and give a statement. Subject again stated he was a citizen and national of India without the necessary legal documents to enter, pass through, or remain in the United States. Subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of the right to communicate with a consular officer from their country as per Article 36(a) (b) of the Vienna Convention of Consular Relations. The subject acknowledged understanding the right but declined to speak with anyone at this time. The

(b)(6),(b)(7)(C)

**TRAVEL:**

(b)(6),(b)(7)(C) traveled from his domicile in India to Mexico. (b)(6),(b)(7)(C) states he first traveled by plane from New Delhi to Dubai, Argentina, Ecuador and then Guatemala. From Guatemala he states a guide walked them across the border into Mexico. (b)(6),(b)(7)(C) traveled through Mexico to Sonora on foot and by vehicle. (b)(6),(b)(7)(C) then stated he along with one other undocumented alien crossed the United States/Mexico international boundary illegally, on foot.

**DISPOSITION:**

Subject is being processed for Expedited Removal. Subject was apprehended within fourteen days of his last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

65  
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**Start Unique ID:**

106

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Subject has no prior apprehensions.

**CRIMINAL HISTORY:**

None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by the Secretary of Homeland Security of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Sector Detention Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject again stated that they were a citizen and national of El Salvador without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time.

**DISPOSITION:**



The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

106

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**Start Unique ID:**

107

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Subject has no prior apprehensions.

**CRIMINAL HISTORY:**

None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by the Secretary of Homeland Security of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Sector Detention Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject again stated that they were a citizen and national of El Salvador without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

107  
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**Start Unique ID:**

29

**NARRATIVE:**

On November (b)(6),(b)(7)(C) 2012, (b)(6),(b)(7)(C) was encountered in the Pima County Jail by the DHS/ICE (TUC ERO CAP UNIT) subsequent to his arrest by the Tucson Police Department for the offense of Extreme DUI-BAC .15 or More. An Immigration detainer was placed.

On November (b)(6),(b)(7)(C) 2012, (b)(6),(b)(7)(C) was interviewed by the DHS/ICE (TUC ERO CAP UNIT) to gather his biographical information and confirm his Immigration record.

On December (b) 2012, subject was turned over to DHS/ICE (TUC ERO CAP UNIT) for processing.

IMMIGRATION RECORD: (b)(6),(b)(7)(C) is a citizen and national of Mexico and no other country. He was born in Mexico, his parents are citizens and nationals of Mexico. (b)(6),(b)(7)(C) stated that he last entered the United States on or about March 4, 2011 at or near Nogales, Arizona and was then admitted as a Non-Immigrant, Visitor for pleasure. He claims no service in the United States Military and no fear of being returned to his home country.

IMMIGRATION HISTORY: 1 recidivist hit on (b)(7)(E) biographical information only.

As per (b)(7)(E) records checks conducted revealed positive for Nonimmigrant Border Crossing Card #NGL000182983, with the most recent crossing date of March 4, 2011 at Nogales, Arizona (POE).

As per CCD, records checks conducted revealed positive for Nonimmigrant Border Crossing Card # (b)(6),(b)(7)(C) in which expired on March 5, 2011.

(b)(6),(b)(7)(C) was not in possession of his DSP-150 at the time of his arrest.

CRIMINAL RECORD: On October (b) 2012, (b)(6),(b)(7)(C) was convicted in the Tucson City Court at Pima County for the offense of Extreme DUI-BAC, in violation of A.R.S. 28-1382.

On October (b) 2012, (b)(6),(b)(7)(C) was Court Ordered to appear at the Pima County Jail to serve his 30 day sentence.

CRIMINAL HISTORY: See Rap Sheet.

(b)(6),(b)(7)(C) is removable from the United States per section 237(a)(1)(B) of the INA.

(b)(6),(b)(7)(C) will be fingerprinted, photographed and enrolled in (b)(7)(E) by Immigration Enforcement Agent (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) will also be advised of his communication and consular notification rights.

(b)(6),(b)(7)(C) claims and appears to be in good health.

DISPOSITION: (b)(6),(b)(7)(C) was processed and served with a Notice to Appear/Warrant of Arrest.

NO WANTS/WARRANTS

(b)(7)(E)

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**End Unique ID:**

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**Start Unique ID:**

76

**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**IMMIGRATION VIOLATION**

(b)(6),(b)(7)(C) stated that he is a Mexican citizen Gomez (b)(6),(b)(7)(C) stated that he entered the United States illegally near Sasabe, Arizona on 11/22/2012. (b)(6),(b)(7)(C) has not received permission from the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-enter the United States. (b)(6),(b)(7)(C) has no applications or petitions pending with United States Citizenship and Immigration Services. (b)(6),(b)(7)(C) claims no fear of returning to his country.

**ENCOUNTER**

At approximately 0745 hours on 11/24/2012, the Phoenix ERO LEAR Unit received a call from the Phoenix Police Department (PPD) regarding a drop house they had discovered at (b)(6),(b)(7)(C) in Phoenix, AZ. Officer (b)(6),(b)(7)(C) stated PPD had responded to a suspicious person complaint by a resident next door and that while investigating the incident, officers noticed a blood trail leading to the response address. Officers performed a welfare check at (b)(6),(b)(7)(C) and discovered fifteen (15) subjects inside. ICE Agent (b)(6),(b)(7)(C) conducted a brief telephone interview with one (1) of the subjects, who admitted to being a citizen of Mexico present in the United States without inspection. Agent (b)(6),(b)(7)(C) were dispatched to the scene to transport the subjects to the Phoenix ERO Field Office for further investigation and processing. HSI duty agent (b)(6),(b)(7)(C) was contacted by the LEAR Unit at about 0815 hours and later informed that HSI would also respond to evaluate the subjects and scene. As all fifteen (15) subjects claimed to be Mexican citizens, (b)(6),(b)(7)(C) of the Mexican Consulate in Phoenix was contacted at about 1045 hours following the subjects' arrival and in-processing at the field office.

**CRIMINAL HISTORY**

None

**CREDIBLE FEAR**

(b)(6),(b)(7)(C) was asked if he feared harm, persecution or torture if returned to his country of Guatemala. He expressed no fear of being returned.

#### COUNSULAR NOTIFICATION

(b)(6),(b)(7)(C) was advised of his right to speak to the Mexican Consulate. (b)(6),(b)(7)(C) was advised of his right to speak to the Mexican Consulate in accordance with their right to communicate with a Consular Officer from their country as per Article (1) (b) of the Vienna Convention on Consular Relations. (b)(6),(b)(7)(C) first claimed to be Mexican but after speaking to the Mexican Consulate he stated he was from Guatemala.

#### COMMUNICATIONS RECORD:

(b)(6),(b)(7)(C) was offered and accepted a phone call. (b)(6),(b)(7)(C) declined to make a phone call.

#### HEALTH:

(b)(6),(b)(7)(C) claims and appears to be in good health condition.

#### GANG AFFILIATION:

(b)(6),(b)(7)(C) claims no gang affiliation.

#### DISPOSITION

(b)(6),(b)(7)(C) was processed as a Noticed to Appear

(b)(7)(E)

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**End Unique ID:**

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**Start Unique ID:**

94

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER HISTORY:**

(b)(6),(b)(7)(C) was encountered on November (b)(6) 2012 at approximately 2337 hours while assigned as a liaison at the 4th Ave Jail in Maricopa County. Subject's release date is unknown at this time. I identified myself as an ICE agent and questioned subject as to his nationality and citizenship.

Subject freely admitted that he is a citizen and national of Honduras and no other country. Subject stated he illegally entered the United States at Nogales, AZ in the year 1992. Subject claimed to have a pending applications or petitions to change his immigration status. Systems checks indicate subject has prior immigration encounters. (3) Voluntary Returns in 2000

Subject had been arrested by Phoenix Police Department and booked in on charges for:

CNT-1-DUI-LIQUOR/DRUGS/VAPORS/COMBO, a class 1 misdemeanor, in violation of ARS 28-1381A1

CNT-1- DUI W/BAC OF .08 OR MORE, a class 1 misdemeanor, in violation of ARS 28-1381A2

CNT-1- EXTREME DUI-BAC .15 OR MORE, a class 1 misdemeanor, in violation of ARS 28-1382A

CNT-1- FAIL TO SHOW DRIV. LIC OR ID, a class 1 misdemeanor, in violation of ARS 28-1595B

CNT-1-DRIVE I LANE: UNSAFE LANE CH, a class C, violation of ARS 28-729.1

A detainer was placed by IEA (b)(6),(b)(7)(C)

**ENCOUNTER**

Subject was turned over to Phoenix ICE/ERO on December (b)(6) 2012. Subject was arrested by Phoenix Police on November (b)(6),(b)(7)(C) 2012 for the following offense(s):



CNT-1-DUI-LIQUOR/DRUGS/VAPORS/COMBO, a class 1 misdemeanor, in violation of ARS 28-1381A1

CNT-1- DUI W/BAC OF .08 OR MORE, a class 1 misdemeanor, in violation of ARS 28-1381A2

CNT-1- EXTREME DUI-BAC .15 OR MORE, a class 1 misdemeanor, in violation of ARS 28-1382A

CNT-1- FAIL TO SHOW DRIV LIC OR ID, a class 1 misdemeanor, in violation of ARS 28-1595B

CNT-1-DRIVE I LANE: UNSAFE LANE CH, a class C, violation of ARS 28-729.1

Subject was interviewed in Spanish as I have a working knowledge of the Spanish Language. Subject expressed understanding of the events taking place on today's date.

#### ENCOUNTER DISPOSITION

CNT-1-DUI-LIQUOR/DRUGS/VAPORS/COMBO, a class 1 misdemeanor, in violation of ARS 28-1381A1

CNT-1- DUI W/BAC OF .08 OR MORE, a class 1 misdemeanor, in violation of ARS 28-1381A2

CNT-1- EXTREME DUI-BAC .15 OR MORE, a class 1 misdemeanor, in violation of ARS 28-1382A

CNT-1- FAIL TO SHOW DRIV LIC OR ID, a class 1 misdemeanor, in violation of ARS 28-1595B

CNT-1-DRIVE I LANE: UNSAFE LANE CH, a class C, violation of ARS 28-729.1

Disposition: Subject charge of CNT-1- EXTREME DUI-BAC .15 OR MORE, a class 1 misdemeanor, in violation of ARS 28-1382A was convicted on December 11, 2012. Subject all other charges were dismissed.

#### IMMIGRATION HISTORY

Subject is not a national or citizen of the United States. Subject is a citizen of Mexico.

Subject has not received permission from the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-enter the United States.

Subject has been apprehended by Immigration on 4 occasions.

#### CREDIBLE FEAR

Subject claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship.

#### CRIMINAL RECORD

1-ARRESTED OR RECEIVED 2000/02/ (b) (6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-POSS WPN BY PROHIB PERSON

COURT-POLICE DEPARTMENT PHOENIX (AZ0072300)

CHARGE-POSS WPN BY PROHIB PERSON

SENTENCE-

NO COMPLAINT FILED

2-ARRESTED OR RECEIVED 2012/11/ (b) (6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE

CHARGE 3-EXTREME DUI-BAC .15 OR MORE

CHARGE 4-FAIL TO SHOW DRIV LIC OR ID

RECORD UPDATED 2012/11/25

PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security.

Subject does not qualify for this form of prosecutorial discretion due to his current age.

IMMIGRATION DISPOSITION

Subject was processed as a Notice to Appear I-862.

HEALTH

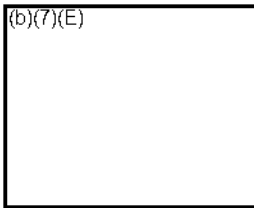
When questioned, subject stated that he does not have medical issues. Subject appears to be in good health.

#### GANG AFFILIATION

Subject has no known gang affiliation.

#### CONSULAR NOTIFICATION

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.



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**End Unique ID:**

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**Start Unique ID:**

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**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER HISTORY**

(b)(6),(b)(7)(C) was encountered on November (b) 2012 at approximately 0155hours while Agent (b)(6),(b)(7)(C) was assigned as a liaison at the 4th Ave Jail in Maricopa County. Subject was booked by the Phoenix Police Department on local charges. Subject's release date is unknown at this time. Agent (b)(6),(b)(7)(C) identified himself as an ICE agent and questioned subject as to his nationality and citizenship. Subject freely admitted that he is a citizen and national of Mexico and no other country. Subject stated he illegally entered the United States at unknown place and time. Subject claimed not to have any pending applications or petitions to change his immigration status. Systems checks indicate subject has (1) prior immigration encounter (Voluntary Return 10/20/2009).

**ENCOUNTER**

Subject was turned over to Phoenix ICE/ERO on November (b) 2012. Subject was arrested by the Phoenix Police Department on November (b) 2012 for the following offense(s):

FAIL TO SHOW DRIV LIC OR ID, a class 1 misdemeanor, in violation of ARS 28-1595B

Disposition: Convicted

FAILURE TO APPEAR 2nd DEG, a class 1 misdemeanor, in violation of ARS 13-2506A

Disposition: Dropped

DRIVE W/LIC SUSPENDED FTA/FTP, a class 1 misdemeanor, in violation of ARS 28-3473C

Disposition: Pending, released on an order of recognizance.

**IMMIGRATION HISTORY**

Subject was re-interviewed regarding their immigration status by Agent (b)(6),(b)(7)(C) on November 27, 2012.

Subject is not a citizen or national of the United States. Subject is a native and citizen of Mexico. Subject last entered the United States on an unknown date through an unknown place and was not then admitted or paroled after inspection by an Immigration Officer. Subject has no applications or petitions pending with United States Citizenship and Immigration Services.

#### CREDIBLE FEAR

Subject claims no fear of political, religious or other persecution if removed from the United States to their country of citizenship.

#### CRIMINAL RECORD

1-ARRESTED OR RECEIVED 2003/07/ (b)(6),(b)(7)(C) SID- (b)(6),(b)(7)(C)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(6),(b)(7)(C)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .10 OR MORE

CHARGE 3-EXTREME DUI-BAC .15 OR MORE

COURT-POLICE DEPARTMENT PHOENIX (AZ0072300)

CHARGE-DUI-LIQUOR/DRUGS/VAPORS/COMBO

SENTENCE-

GUILTY FINE Y

CHARGE-DUI W/BAC OF PT 10 OR MORE

SENTENCE-

COURT DISMISSAL

CHARGE-EXTREME DUI-BAC .15 OR MORE

SENTENCE-

GUILTY FINE Y JAIL 30 DAS

2-ARRESTED OR RECEIVED 2009/09/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E)

CHARGE 1-FAILURE TO APPEAR 2ND DEG

CHARGE 2-VIOLATION OF PROMISE TO APPEAR

CHARGE 3-EXTREME DUI-BAC .15 OR MORE

CHARGE 4-FAIL TO SHOW DRIV LIC OR ID

COURT-

CHARGE-III/FAILURE TO APPEAR 2ND DEG,MISD

SENTENCE-

III/DDT-200909 (b)(6) NO COMPLAINT FILED,CNV-NO

CHARGE-III/VIOLATION OF PROMISE TO APPEAR,MISD

SENTENCE-

III/DDT-200909 (b)(6) COURT DISMISSAL,CNV-NO

CHARGE-III/EXTREME DUI-BAC .15 OR MORE,MISD

SENTENCE-

III/DDT-200909 (b)(6) GUILTY,CNV-YES ,JAIL 3 DAS

CHARGE-III/FAIL TO SHOW DRIV LIC OR ID,MISD

SENTENCE-

III/DDT-200909 (b)(6) GUILTY,CNV-YES ,JAIL 1 DAY

3-ARRESTED OR RECEIVED 2012/11/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E)

CHARGE 1-FAILURE TO APPEAR 2ND DEG

CHARGE 2-FAIL TO SHOW DRIV LIC OR ID.

CHARGE 3-DRIVE W/LIC SUSPENDED FTA/FTP.

PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security.

Subject does not appear to qualify for this form of prosecutorial discretion.

IMMIGRATION DISPOSITION

Subject requested and was processed as an I-862 Notice to Appear.

HEALTH

When questioned, subject stated that they do not have medical issues and/or concerns. Subject appears to be in good health. "

GANG AFFILIATION

Subject has no known gang affiliation.

CONSULAR NOTIFICATION

Subject was advised of their right to communicate with a Consular Officer from their country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations.

(b)(7)(E)



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**End Unique ID:**

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**Start Unique ID:**

27

**NARRATIVE:**

IMMIGRATION HISTORY:

(b)(6),(b)(7)(C)

None noted.

CRIMINAL HISTORY: FBI#

(b)(6),(b)(7)(C),(b)(7)(E)

None noted.

**NARRATIVE**

Pursuant to section 235(b)(1) of the Immigration and Nationality Act (ACT), 8 U.S.C 1225(b)(1), the Department of Homeland Security has determined that (b)(6),(b)(7)(C) is inadmissible to the United States under section 212 (a)(7)(A)(i)(I) of the Act, as amended, and therefore is subject to removal, in that: she is an immigrant not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Immigration and Nationality Act.

On 11/26/2012, at approximately 2010 hours, BPA (b)(6),(b)(7)(C) encountered (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) in the vicinity of San Luis, Arizona. Through initial field questioning it was determined that (b)(6),(b)(7)(C) is a citizen and national of Mexico illegally in the United States. At that time, (b)(6),(b)(7)(C) was taken into custody and transported to the Yuma, Arizona Border Patrol Station for processing.

At the station, (b)(6),(b)(7)(C) biographical information, fingerprints, and photo were submitted into all available databases.

On 11/27/2012 at 0940 hours I read (b)(6),(b)(7)(C) her Miranda rights via form I-214, Agent (b)(6),(b)(7)(C) witnessed this advisement and waiver as to rights. The interview began at 0945 hours.

(b)(6),(b)(7)(C) admitted that her true and correct name is (b)(6),(b)(7)(C). (b)(6),(b)(7)(C) stated that she was born in Guatemala City, Guatemala. (b)(6),(b)(7)(C) stated that she is a citizen and national of Guatemala and does not possess any immigration documents that would allow him to enter or remain in the United States legally. Both of (b)(6),(b)(7)(C) parents were born in



Guatemala. Both of his parents are citizens and nationals of Guatemala. Neither (b)(6),(b)(7)(C) nor her parents have ever been citizens or nationals of any other countries.

(b)(6),(b)(7)(C) stated that she deliberately crossed into the United States illegally afoot by crossing the United States/Mexico International Boundary approximately 1 mile west of the San Luis, Arizona. (b)(6),(b)(7)(C) stated that her intentions after crossing the border illegally were to travel to Los Angeles, California to reside and find employment. (b)(6),(b)(7)(C) stated that she was well aware that crossing the border in the manner in which he did was illegal.

(b)(6),(b)(7)(C) was read the statement of rights and consequences contained on form I-867 and advised of her right to speak with his consulate office.

(b)(6),(b)(7)(C) stated that she would like to speak to the consulate office, and arrangements were made for her to do so.

(b)(6),(b)(7)(C) stated she has no petitions filed on his behalf.

(b)(6),(b)(7)(C) claimed no fear of persecution or torture if returned to his native country of Guatemala.

(b)(6),(b)(7)(C) was served with I-860, I-867 A/B.

(b)(6),(b)(7)(C) is being presented for prosecution under 8 USC 1325 Illegal Entry and removed under 8 USC 1182 Alien Inadmissibility.

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**End Unique ID:**

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**Start Unique ID:**

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**NARRATIVE:**

ENCOUNTER DATA

Subject (b)(6),(b)(7)(C) was encountered at the Washoe County Jail located in Reno, Nevada on (b) November 2012 during routine jail checks. Subject stated that he is a citizen and national of Mexico by virtue of birth. Subject was not in possession of valid immigration documents allowing him to be or remain in the United States legally.

ENTRY DATA

Subject stated that he entered the United States by foot from San Luis, Arizona on or about May of 2008, without inspection by an U.S. Immigration Officer.

IMMIGRATION HISTORY

(b)(7)(E) database checks indicate that in 2008, Subject was voluntarily returned to Mexico 3 times at the U.S. boarder while attempting to enter without inspection.

CRIMINAL HISTORY

Criminal history checks for (b)(6),(b)(7)(C) were (b)(7)(E) and showed that Subject has been arrested and or convicted for the following:

07/(b)(6)/2009: Sparks PD, 1 Count (M) PETIT LARCENY (Disposition: Guilty on 07/(b)(6)/2009. Fine paid).

11/(b)/2012: Reno PD, 1 Count (M) DOMESTIC BATTERY (Disposition: Pending).

11/(b)/2012: Reno PD, 1 Count (F) BATTERY W/DW (Disposition: Pending).

(b)(7)(E) records checks for outstanding wants, warrants and lookouts were (b)(7)(E)

BASIS FOR ICE CHARGES

(b)(6),(b)(7)(C) makes no claim to USC or LPR and is amenable to removal under 212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that Subject is an alien

present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

**DISPOSITION**

Subject stated he did not complete high school or obtain a GED in the U.S.

Subject claims no gang affiliation.

Subject makes no claims of United States military service.

Subject was advised of his right to speak to a consulate officer from his country.

Subject states he has no fear of persecution or torture if removed to his country.

Subject has no immigration petitions or applications pending or approved.

Subject does not appear to be 212(h) waiver eligible.

Subject was issued a Notice to Appear.

Subject was provided a list of free legal services.

Subject will be provided with a free domestic telephone call.

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**End Unique ID:**

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**Start Unique ID:**

78

**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**ENCOUNTER:**

On 01/[REDACTED]/2012 at 0655 hours [REDACTED] was booked into MCSO Jail by Phoenix PD for charges of:

DUI-LIQUOR/DRUGS/VAPORS/COMBO (M1) ARS 28-1381A1

DUI W/BAC OF .08 OR MORE (M1) ARS 28-1381A2

EXTREME DUI-BAC .15-.20 (M1) ARS 28-1382A1

NO VALID DR LICENSE/ENDORSEMENT (C) ARS 28-3151A

Subject was interviewed by ICE Agent [REDACTED] in regard to his status in the United States.

Subject stated that he is a citizen of GUATEMALA by virtue of birth.

Subject also stated that he is illegally present in the United States and last entered the United States without being inspected by an Immigration Official. Subject claims he last entered the US near Sasabe, AZ in 2005.

Appears Subject has no prior immigration apprehensions/removals per record check in [REDACTED]

Detainer was created, subject to be transfer to Phoenix ICE Office upon release on local charges for further investigation.

**IMMIGRATION HISTORY:**

On December [REDACTED] 2012, [REDACTED] was turned over to Immigration and Customs Enforcement upon release from Maricopa County Lower Buckeye Jail. [REDACTED] stated that his true and correct name is [REDACTED]. [REDACTED] freely admitted to being a citizen and national of Guatemala by birth and that he entered the United States on

or about 12/26/2005 at or near Sasabe, AZ. (b)(6),(b)(7)(C) does not have an application and/or petition pending with United States Citizenship and Immigration Services.

(b)(6),(b)(7)(C) was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). (b)(6),(b)(7)(C) claims to be in the US illegally. (b)(6),(b)(7)(C) claimed GUATEMALAN citizenship by virtue of birth in, Mazaltenanro, Guatemala. Subject freely admitted to being in the United States without permission there for being removable pursuant to Section 212a6Ai of the INA.

(b)(6),(b)(7)(C) has no fear of returning to his home country of Guatemala.

(b)(6),(b)(7)(C) pleaded guilty to count 3;

CNT-3- EXTREME DUI-BAC .15-.20, a class 1 misdemeanor, in violation of ARS 28-1382A1, and was sentenced to 30 incarceration with 21 days credit.

(b)(6),(b)(7)(C) was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security.

Subject does not appear to qualify for this form of prosecutorial discretion.

#### CRIMINAL HISTORY:

1-ARRESTED OR RECEIVED 2012/12/20 SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE

CHARGE 3-EXTREME DUI-BAC .15-.20

RECORD UPDATED 2012/12/20

IMMIGRATION APPREHENSIONS (b)(7)(C):

(b)(6),(b)(7)(C) has no apprehension history

#### HEALTH:

(b)(6),(b)(7)(C) claims not to have any medical issues, and appears to be in good health.

**GANG AFFILIATION:**

(b)(6),(b)(7)(C) has no known gang affiliation.

**TELEPHONE CALL:**

(b)(6),(b)(7)(C) completed a phone call to (b)(6),(b)(7)(C) at (602) 383 (b)(6),(b)(7)(C)

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations. Subject declined to contact the consular office at this time.

**IMMIGRATION DISPOSITION:**

(b)(6),(b)(7)(C) was processed for an I-862 Notice to Appear.

I77# 2126651

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**End Unique ID:**

78

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**Start Unique ID:**

108

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Guatemala, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, the subject stated they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

108  
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**Start Unique ID:**

109

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See Attached Records.

**CRIMINAL HISTORY:**

See attached Records.

**ENCOUNTER:**

A Border Patrol Agent encountered subject in the District of Arizona. A Border Patrol Agent determined subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that the subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Detention Center for further processing using the (b)(7)(E) and (b)(7)(E).

**IMMIGRATION VIOLATION:**

At the Nogales Detention Center, the subject was asked if they wanted to make a Sworn Statement as part of the Expedited Removal Proceedings. Service Form I-867 A/B was read and explained to the subject. The subject understood and was willing to answer questions and give a statement. The subject again stated that they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**TRAVEL HISTORY:**

Subject stated that she left her country of origin of Guatemala on or about October 15, 2012 and traveled to Honduras in order to live with her sister. Subject stated that she left her sisters house in Honduras on or about November 15, 2012 and traveled to the Honduras/Mexico

International Boundary. Subject stated that she illegally entered into Mexico by sneaking onto a bus. Subject stated that she traveled by bus for approximately 2 days and arrived in Tenosique, Tabasco, Mexico. Subject stated that she then took a train from Tenosique, Tabasco, Mexico to Nogales, Sonora, Mexico for approximately 10 days. Subject stated that she stayed in a hotel in Nogales, Sonora for one night before making arrangements with an alien smuggler. Subject stated that the smuggling arrangements were going to be approximately \$3,500.00 USD for her to be smuggled from Nogales, AZ to Baltimore, MD with family. Subject stated that she illegally entered the U.S./Mexico International Border on or about December 2, 2012 and walked for about 2 days before being apprehended by Border Patrol.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated that they understood their right but declined to speak with anyone at this time. The

(b)(6),(b)(7)(C)

**DISPOSITION:**

The subject is being processed for Expedited Removal. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

(b)(6),(b)(7)(C)

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**End Unique ID:**

109  
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**Start Unique ID:**

86

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Naco Station for further processing using the

(b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Naco Station, the subject stated they were a citizen and national of El Salvador without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**TRAVEL INFORMATION:**

Subject stated she left her home in El Salvador by bus on the 25th of October, 2012 and crossed into Guatemala legally on the 26th. She further stated that she continued traveling by bus and crossed illegally into Mexico. Subject remembers stopping in Guadalajara, Mexico. Subject claimed that she stayed in a house in Cananea, Sonora, Mexico while waiting approximately ten days, to cross into the United States on the 3rd of December, 2012.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

86

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**Start Unique ID:**

110

**NARRATIVE:**

IMMIGRATION HISTORY: See record checks.

CRIMINAL HISTORY: See record checks.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona, and determined the subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that the subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Nogales Border Patrol Station, with the help of an interpreter, the subject was asked if they wanted to make a Sworn Statement as part of the Expedited Removal Proceedings. Service Forms I-867 A/B were read and explained to the subject. The subject understood and was willing to answer questions and give a statement without the presence of an attorney. The subject stated that they are a citizen and national of China without the necessary legal documents to enter, pass through, or remain in the United States. The subject also stated they illegally crossed the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The

(b)(6),(b)(7)(C)

**TRAVEL:**

The subject stated she did not know how she traveled from China to Mexico. The subject states she was illegally smuggled into Mexico. The subject stated she did not know how she traveled to Sonora Mexico. The subject then stated she, along with a group of one other undocumented aliens crossed the United States/Mexico international boundary illegally, on foot.

**DISPOSITION:**

The subject is being processed for an Expedited Removal as per 212(a)(7)(A)(i)(I) of the INA. The subject was apprehended within 14 days of their last entry into the United States and within 100 air miles from the United States/Mexico International Boundary. Service Forms I-296 and I-860 will be executed on the subject. The subject will be transported to the Tucson Sector Coordination Center, where they will be held in Service custody pending removal proceedings.

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**End Unique ID:**

110

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**Start Unique ID:**

41

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Willcox Border Patrol Station, the subject stated they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

41

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**Start Unique ID:**

40

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Willcox Station for further processing using the

(b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Willcox Station, the subject stated they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

40

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**Start Unique ID:**

111

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Tucson Coordination Center, the subject stated they were a citizen and national of GUATEMALA without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

111  
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**Start Unique ID:**

96

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER:**

I encountered SUBJECT on 12/17/2012 at approximately 0500 hours while reviewing leads from the ICE Criminal Alien Program from the Tempe City Jails.

On 12/17/2012 at 0120 hours Officer (b)(6),(b)(7)(C) of the Tempe City Jail, contacted the Phoenix LEAR unit, in reference to one (1) suspected illegal alien. Officer (b)(6),(b)(7)(C) stated that the subject (b)(6),(b)(7)(C) was encountered in parked vehicle (no description) at (b)(6),(b)(7)(C) Arizona. Subject was arrested for no driver's license and false information to law Enforcement. Agent (b)(6),(b)(7)(C) determined citizenship over the phone. The subject stated that he is a citizen of Mexico and is illegally present in the United States without the proper documentation to enter, pass through or remain in the United States. A detainer was placed on the subject and faxed to Tempe City jail. Subject will be transported to the Phoenix Field Office for further processing and disposition.

The subject was turned over to the Phoenix ERO Office on today's date.

Subject freely admitted that he is a citizen and national of Mexico and no other country.

Subject freely admitted that he entered the United States without inspection at or near San Ysidro, CA on or about 07/30/2002.

Subject has no known applications or petitions pending with the United States Citizenship and Immigration Service.

**CRIMINAL HISTORY:**

1-ARRESTED OR RECEIVED 2007/07 (b)(6),(b)(7)(E) SID (b)(6),(b)(7)(E)

AGENCY-POLICE DEPARTMENT EL MONTE (CA0192200)

AGENCY CASE- (b)(7)(E)

CHARGE 1-001 COUNTS OF CARRY CON/DIRK OR DAGGER

COURT-MUNICIPAL COURT EL MONTE (CA019113J)

CHARGE-12020 A. 1. PC-MANUFACTURE POS DANG WPN ETC

SENTENCE-

CONVICTED-PROB/JAIL.....-003YR. PROBATION.

-010DS. JAIL.....-..... RESTN.....-..... IMP. SEN SS

-FOR CERT INFO SEE AUTO

2-ARRESTED OR RECEIVED 2012/12 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT TEMPE (AZ0072900)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-FALSE REPORT TO LAW ENFORCE

RECORD UPDATED 2012/12/13

ENCOUNTER DISPOSITION:

FALSE REPORT TO LAW ENFORCE - RLSD O.R., NEXT COURT DATE ON 01/18/2013.

PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN:

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security. Subject claims that he:

Entered the United States at the age of 15,

Has continuously resided in the United States for 10 years,

Attended high school but did not graduate or did not obtain a general equivalency diploma (GED)

Is currently 26 years old.

Subject does not appear to qualify for this form of prosecutorial discretion.

**IMMIGRATION HISTORY:**

Subject is not a national or citizen of the United States. Subject is a citizen of MEXICO. Subject last entered the United States as set forth above and was not at that time inspected by an Immigration Officer.

Subject has one Voluntary Return back to Mexico on 07/14/2002.

**Credible Fear:**

Subject claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship.

**IMMIGRATION DISPOSITION:**

Subject requested and was processed for an I-862 Notice to Appear.

**HEALTH:**

Subject claims and appears in good health.

**GANG AFFILIATION:**

Subject has no known gang affiliation.

**CONSULAR NOTIFICATION:**

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

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**End Unique ID:**

96  
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**Start Unique ID:**

125

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER HISTORY:**

On December (b) 2012 around 0530 hours (b)(6),(b)(7)(C) was booked into Maricopa County Jail by Phoenix Police Department for charges of:

AGG DUI-PASSENGER UNDER 15 (F6) ARS 28-1383A3

Subject was interviewed by an ICE Agent in regard to his status in the United States.

Subject stated that he is a citizen of Guatemala by virtue of birth.

Subject also stated that he is illegally present in the United States and last entered the United States without being inspected by Immigration Official on or about 2002 at or near Sasabe, AZ.

Detainer was created, subject to be transfer to Immigration and Customs Enforcement (ICE) Office upon release on local charges for further processing.

**ENCOUNTER:**

(b)(6),(b)(7)(C) was turned over to Phoenix ICE/ERO on January (b) 2013. Subject was arrested by the Phoenix Police Department on December (b)(6),(b)(7)(C) 2012 for the following offense(s):

AGG DUI-PASSENGER UNDER 15 (F6) ARS 28-1383A3

(b)(6),(b)(7)(C) was interviewed in Spanish as I have a working knowledge of the language. Subject expressed understanding of the events taking place on today's date.

**ENCOUNTER DISPOSITION:**



(b)(6),(b)(7)(C) was, on January (b)(6) 2013 convicted in the Superior Court of Arizona, Maricopa County, for the offense of: Count 1: AGGRAVATED DUI, a class 6 undesignated felony, in violation of A.R.S. 28-1383(A)(3), for which subject was sentenced to 10 day's in the Maricopa county jail and 2 years of unsupervised probation with the Adult Probation Department (APD).

#### IMMIGRATION HISTORY:

(b)(6),(b)(7)(C) is not a national or citizen of the United States. Subject is a citizen of Guatemala. Subject has no known Immigration apprehensions.

#### CREDIBLE FEAR:

(b)(6),(b)(7)(C) claims no fear of political or religious persecution if removed from the United States to his country of citizenship.

#### CRIMINAL RECORD:

(b)(7)(E) and no known prior criminal history.

FBI # (b)(6),(b)(7)(C),  
(b)(7)(E)

1-ARRESTED OR RECEIVED 2012/12/ (b)(6),(7)(E) SID (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E)

CHARGE 1-AGG DUI-PASSENGER UNDER 15

CHARGE 2-AGG DUI-PASSENGER UNDER 15

#### DEFERRED ACTION FOR CHILDHOOD ARRIVALS ELIGIBILITY:

(b)(6),(b)(7)(C) was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security.

Subject claims that he entered the United States at the age of 15.

Subject claims to have continuously resided in the United States for a period of 11 years.

Subject did not attend school in the United States.

Subject did not graduate from high school and did not obtain a general equivalency diploma (GED)

Subject is not an honorably discharged veteran from the service,

Subject has not demonstrated good moral character, and is currently 25.

(b)(6),(b)(7)(C) does not qualify for this form of prosecutorial discretion, due to the fact that he has failed to meet all the criteria placed in order to grant this discretion.

**IMMIGRATION DISPOSITION:**

(b)(6),(b)(7)(C) was processed for an I-862 Notice to Appear.

**HEALTH:**

When questioned, (b)(6),(b)(7)(C) stated that he does not have medical issues and/or concerns. Subject appears to be in good health.

**GANG AFFILIATION:**

(b)(6),(b)(7)(C) has no known gang affiliation.

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

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**End Unique ID:**

125  
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**Start Unique ID:**

112

**NARRATIVE:**

IMMIGRATION HISTORY: NO PRIOR IMMIGRATION HISTORY

CRIMINAL HISTORY: NO PRIOR CRIMINAL HISTORY

**ENCOUNTER:**

A Border Patrol Agent encountered SUBJECT in the District of Arizona. A Border Patrol Agent determined subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that SUBJECT was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Sector Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Tucson Sector Coordination Center, SUBJECT was asked if she wanted to make a Sworn Statement as part of the Expedited Removal Proceedings. Service Form I-867 A/B was read and explained to SUBJECT. The subject understood and was willing to answer questions and give a statement. Subject again stated they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. Subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of the right to communicate with a consular officer from their country as per Article 36(a) (b) of the Vienna Convention of Consular Relations. The subject acknowledged understanding the right but declined to speak with anyone at this time. The subject further stated she does not fear persecution or torture if returned to their country of citizenship.

**TRAVEL:**

SUBJECT traveled from their domicile in Guatemala to Sonora, Mexico by bus. SUBJECT stated that they were smuggled into Mexico illegally on a bus. Upon reaching Sonora, Mexico, SUBJECT then stated that after reaching Sonora they crossed the United States/Mexico international boundary illegally, on foot.

**DISPOSITION:**

Subject is being processed for Expedited Removal. Subject was apprehended within fourteen days of his last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

112

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**Start Unique ID:**

113

**NARRATIVE:**

I-213 AMENDED ON 11/31/2012 by AGENT (b)(6),(b)(7)(C)

According to the subject's birth certificate his true and correct name and date of birth is (b)(6),(b)(7)(C) (b)(6),(b)(7)(C). Since the subject is not a juvenile, he was transported to the Phoenix Field Office for further processing.

\*\*\*\*\*

IMMIGRATION HISTORY: NO PRIOR IMMIGRATION HISTORY

CRIMINAL HISTORY: NO PRIOR CRIMINAL HISTORY

**ENCOUNTER:**

A Border Patrol Agent encountered SUBJECT in the District of Arizona. A Border Patrol Agent determined subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that SUBJECT was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Sector Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject understood and was willing to answer questions and give a statement. Subject again stated he was a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. Subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of the right to communicate with a consular officer from their country as per Article 36(a) (b) of the Vienna Convention of Consular Relations. The subject spoke with

a consular official of Guatemala. The subject further stated he does not fear persecution or torture if returned to his country of citizenship. Subject does not have any contact information for family here in the United States. Subject attempted to reach his brother (b)(6),(b)(7)(C) at (213) 281-(b)(6),(b)(7)(C) however this number was incorrect when dialed.

**TRAVEL:**

SUBJECT traveled from their domicile in Guatemala to Mexico by bus. SUBJECT states they were illegally smuggled into Mexico by bus. SUBJECT traveled through Mexico to Sonora. SUBJECT then stated that she along with a group of other undocumented aliens crossed the United States/Mexico international boundary illegally, on foot.

**DISPOSITION:**

(b)(6),(b)(7)(C) is being served with a Warrant of Arrest/Notice to Appear (I-862), and placed in removal proceedings, per Section 212(a)(6)(A)(i) of the INA. Subject is an unaccompanied juvenile.

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**End Unique ID:**

113

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**Start Unique ID:**

118

**NARRATIVE:**

**INTERVIEW LANGUAGE / INTERPRETER INFORMATION:**

Subject both spoke and understood Spanish without issue. I am proficient in the Spanish language. Interpreter was not used during the interview.

**ADVISEMENTS:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**IMMIGRATION HISTORY:**

I, Agent (b)(6), (b)(7)(C) encountered the Subject at the Phoenix ERO Field Office on 12/ /2012 at approximately 0930 hours. Subject had been arrested by the BUCKEYE POLICE DEPARTMENT. I questioned subject as to his nationality and citizenship. Subject is not a citizen or national of the United States and makes no claim to such. Subject freely admitted that he was born in CIUDAD JUAREZ, CHIHUAHUA, MEXICO on (b)(6), (b)(7)(C) Subject freely admitted that he is a citizen and national of MEXICO and no other country.

Subject freely admitted that he entered the United States without inspection at or near EAGLE PASS, TX in AUGUST 24, 2001. Subject admits to having entered the United States without inspection and at a place other than an open and designated Port of Entry and is deemed inadmissible per section 212 (a)(6)(A)(i) of the INA.

Subject has no known applications or petitions pending with the United States Citizenship and Immigration Service.

Subject claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship.

**ENCOUNTER:**

(b)(6),(b)(7)(C) was encountered on 12/17/2012 at approximately 0700 hours at the Maricopa County Lower Buckeye Jail. Subject had self-surrendered at the jail following his conviction for DUI ARS 28-1381A1. Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C)

Subject claimed Mexican citizenship by virtue of birth in Ciudad Juarez, Chihuahua, Mexico. Subject freely admitted to having entered the United States without inspection at or near Eagle Pass, TX on or about February, 2000 and appears to be inadmissible pursuant to Section 212a6Ai of the INA.

Upon conducting checks, subject has been previously encountered by BP on 2 known occasions. Subject appears to have been VR'd in August of 2001 even though he claimed to have never been removed from the United States and never encountered by any immigration officers/agents.

A detainer was placed on the subject to hold him for further investigation upon release from local charges.

#### ENCOUNTER DISPOSITION:

Subject served 1 day incarceration at MCSO Lower Buckeye Jail on 12/17/2012 for DUI ARS 28-1381A1.

#### CRIMINAL RECORD:

Subject had the following criminal history:

1-ARRESTED OR RECEIVED 2012/06 (b)(6) SID (b)(7)(E)

AGENCY-POLICE DEPARTMENT BUCKEYE (AZ0070300)

AGENCY CASE (b)(7)(E)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE

#### IMMIGRATION APPREHENSIONS:

As per (b)(7) subject has 2 previous Immigration apprehensions/ encounters.

#### IMMIGRATION DISPOSITION:

Due to DUI conviction, subject is processed for an I-862 Notice to Appear.



**HEALTH:**

When questioned, subject stated that he does not have medical issues and/or concerns. Subject stated he is not taking medications at this time. Subject states he is in good health.

**GANG AFFILIATION:**

Subject has no known gang affiliation.

**COMMUNICATION RECORD:**

Subject called his wife [REDACTED] at telephone # 623-297 [REDACTED]. Subject was advised of his right to communicate with a Consular Officer from his country, to which subject DECLINED.

I-77# 2126721

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**End Unique ID:**

118  
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**Start Unique ID:**

127

**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**ENCOUNTER:**

(b)(6),(b)(7)(C) D.O.B. (b)(6),(b)(7)(C) was encountered on December (b) 2012 at approximately 0715 hours at the Maricopa County Sheriff's Office Fourth Avenue Jail.

Subject had been arrested by the Phoenix Police Department and booked in on charges of:

DUI-LIQUOR/DRUGS/VAPORS/COMBO, a class 1 misdemeanor, in violation of ARS 28-1381A1

DUI W/BAC OF .08 OR MORE, a class 1 misdemeanor, in violation of ARS 28-1381A2

EXTREME DUI-BAC >.20, a class 1 misdemeanor, in violation of ARS 28-1382A2

EXTREME DUI-BAC >.20, a class 1 misdemeanor, in violation of ARS 28-1382A2

Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C) Subject stated that he is a citizen and national of Guatemala. Subject admitted to his presence in the United States without the proper permission to be in, pass through or remain in the country legally. Fingerprints revealed that subject has no prior apprehensions by Immigration. Subject claims no petitions or applications pending with US Citizenship and Immigration Service.

A detainer was placed on the subject to hold him for further processing upon release from local charges.

**IMMIGRATION HISTORY:**

On January (b) 2013, (b)(6),(b)(7)(C) was turned over to Immigration and Customs Enforcement upon release from Maricopa County Lower Buckeye Jail (b)(6),(b)(7)(C) stated that his true and correct name is (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) freely admitted to being a citizen and national of GUATEMALA by birth. (b)(6),(b)(7)(C) claimed that he entered the United States on or about an unknown date at or near Nogales, AZ. MUNOZ

(b)(6),(b)(7)(C) does not have an application and/or petition pending with United States Citizenship and Immigration Services.

(b)(6),(b)(7)(C)

was questioned regarding his alienage and deportability by Agent

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

claims to be in the US illegally. (b)(6),(b)(7)(C) claimed GUATEMALAN

citizenship by virtue of birth in, Genovacoasta Guatemala. Subject freely admitted to being in the United States without permission there for being removable pursuant to Section 212a6Ai of the INA.

(b)(6),(b)(7)(C)

has no fear of returning to his home country of Guatemala.

(b)(6),(b)(7)(C)

has not served in the United States Military Forces.

(b)(6),(b)(7)(C)

was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security.

(b)(6),(b)(7)(C)

claims that he last entered the United States at the age of 16. Subject claims continuously resided in the United States for 11 years; Subject stated he did not attend high school in the United State. Subject did not graduate from high school and did not obtain a general equivalency diploma (GED). Is not an honorably discharged veteran from the SERVICE, and is currently 27 years old.

Subject does not appear to qualify for this form of prosecutorial discretion.

#### CRIMINAL HISTORY:

(b)(6),(b)(7)(C)

has no (b)(7)(E) criminal history.

(b)(7)(E)

#### COURT DISPOSITION:

Count 4 (AMENDED) Driving or Being in Actual Physical Control With an Alcohol Concentration of .20 or more Within Two Hours of Driving or Being in Actual Physical Control, a class 1 misdemeanor, committed on 8/□/2010, in violation of ARS sections 28-1382(A)(2). Subject was sentenced to 45 days incarceration in the county jail and 18 months? unsupervised probation with the Adult Probation Department.

#### IMMIGRATION APPREHENSIONS

(b)(7)(E)

(b)(6),(b)(7)(C)

has no apprehension in history in (b)(7)(E)

(b)(7)(E)

#### HEALTH:

(b)(6),(b)(7)(C)

claims not to have any medical issues, and appears to be in good health.

#### GANG AFFILIATION:

(b)(6),(b)(7)(C) has no known gang affiliation.

**TELEPHONE CALL:**

(b)(6),(b)(7)(C) declined to complete a phone at this time.

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations. Subject declined to contact the consular office at this time.

**IMMIGRATION DISPOSITION:**

(b)(6),(b)(7)(C) was processed for an I-862 Notice to Appear.

I77# 2126139

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**End Unique ID:**

127

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**Start Unique ID:**

80

**NARRATIVE:**

**INTERVIEW LANGUAGE / INTERPRETER INFORMATION:**

Subject both spoke and understood Spanish without issue. I am proficient in the Spanish language. Interpreter was not used during the interview.

**ADVISEMENTS:**

Subject was given appropriate advice in accordance with 8 CFR 287.3.

**IMMIGRATION HISTORY:**

Subject is not a citizen or national of the United States and makes no claim to such. Subject freely admitted that he was born in NAULCALPA DE JUAREZ, MEXICO, MEXICO on (b)(6),(b)(7)(C) Subject freely admitted that he is a citizen and national of MEXICO and no other country.

Subject freely admitted that he entered the United States without inspection at or near DOUGLAS, AZ on DECEMBER 14, 2004 at approximately 2200hrs. Subject admits to having entered the United States without inspection and at a place other than an open and designated Port of Entry and is deemed inadmissible per section 212 (a)(6)(A)(i) of the INA.

Subject has no known applications or petitions pending with the United States Citizenship and Immigration Service.

Subject claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship.

**ENCOUNTER:**

On 12/1/2012 at 0845 hours (b)(6),(b)(7)(C) was booked into MCSO Jail by Phoenix PD on charges of:

DANGEROUS DRUG- POSS/USE (F4) ARS 13-3407A1

MARIJUANA-POSSESS/USE (F6) ARS 13-3405A1

DRUG PARAPHERNALIA-POSSESS/USE (F6) ARS 13-3415A

Subject was interviewed by ICE Agent (b)(6),(b)(7)(C) in regard to his status in the United States.

Subject stated that he is a citizen of MEXICO by virtue of birth.

Subject also stated that he is illegally present in the United States and has no current applications pending with USCIS.

Searches in (b)(7)(E) revealed negative results.

Detainer was created, subject to be transfer to Phoenix ICE Office upon release on local charges for further investigation.

ENCOUNTER DISPOSITION:

Subject was on January (b)(7)(E) 2013, convicted in the Superior Court of Arizona, Maricopa County, for the offense of, Count 1 (as amended): Solicitation to Commit Possession of Dangerous Drugs, a class 6 undesignated felony, in violation of A.R.S. Sections 13-1002, 13-3401, 13-3407(A)(1), 13-3416, 13-3418, 13-610, 12-269, 13-701, 13-702, 13-801, 13-707, 13-802, 13-604, 13-901.01(D) and 13-901.01(H)(4), for which subject was sentenced to 18 months of unsupervised probation with the Adult Probation Department.

CRIMINAL RECORD:

Subject has the following criminal history as per IAFIS:

1-ARRESTED OR RECEIVED 2012/12/ (b)(7)(E) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-MARIJUANA-POSSESS/USE

CHARGE 2-DANGEROUS DRUG-POSS/USE

CHARGE 3-DRUG PARAPHERNALIA-POSSESS/USE

IMMIGRATION APPREHENSIONS:

Subject has NOT been encountered/ apprehended by Immigration as per (b)(7)(E)

IMMIGRATION DISPOSITION:

Due to Criminal History, subject was processed for an I-862 Notice to Appear.

**HEALTH:**

When questioned, subject stated that he does not have medical issues and/or concerns. Subject stated he is not taking medications at this time. Subject states he is in good health.

**GANG AFFILIATION:**

Subject has no known gang affiliation.

**COMMUNICATION RECORD:**

Subject accepted his phone call. Subject called his (b)(6),(b)(7)(C) at 602-374-(b)(6),(b)(7)(C). Subject was advised of his right to communicate with a Consular Officer from his country, to which subject DECLINED.

I-77# 2126547.

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**End Unique ID:**

80.

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**Start Unique ID:**

87

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Brian A. Terry Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Brian A. Terry Border Patrol Station, the subject stated they were a citizen and national of Ecuador without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**



The subject is being held under Service custody pending removal proceedings. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

87

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**Start Unique ID:**

9

**NARRATIVE:**

**ADVISEMENTS:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**IMMIGRATION HISTORY:**

I encountered (b)(6),(b)(7)(C) on December (b) 2012 at approximately 0130 hours while reviewing releases from the Maricopa County jail. Subject had been encountered by the Phoenix Police Department, booked into the Maricopa County jail, and a detainer placed by an ICE agent there. I identified myself as an ICE agent and questioned subject as to his nationality and citizenship.

Subject is not a citizen or national of the United States and makes no claim to such. Subject freely admitted that he was born in Morelia, Michoacan, Mexico on July 25, 1994. Subject freely admitted that he is a citizen and national of Mexico and no other country.

Subject freely admitted that he entered the United States without inspection at an unknown location on an unknown date in 1997. Subject admits to having entered the United States without inspection and at a place other than an open and designated Port of Entry and is deemed inadmissible per section 212 (a)(6)(A)(i) of the INA.

Subject was apprehended on December 30, 2010 and placed in removal proceedings. He was released from ERO custody on February 11, 2011 to the custody of his sponsor. Subject's next court date, for his Master Hearing, is September 12, 2013.

Subject has no known applications or petitions pending with the United States Citizenship and Immigration Service.

Subject claims no fear of political, religious, racial or other form of persecution if removed from the United States to his country of citizenship.

**ENCOUNTER:**

(b)(6),(b)(7)(C) was arrested by Phoenix PD on criminal charges. Subject claimed Mexican citizenship by birth. Records checks indicate subject has an (b)(6),(b)(7)(C). Subject was previously placed (as a juvenile) by ORR in 2011, and has the next IJ hearing on 09/12/2013. Subject also has juvenile convictions.

A detainer was placed for further processing after local charges are satisfied.

Subject was turned over to Phoenix ICE / ERO on December (b)(6) 2012. Subject was arrested by the Phoenix Police Department on December (b)(6),(b)(7)(C) 2012 for the following offense:

Criminal Trespassing 3RD Degree / Property, a class 1 misdemeanor, in violation of ARS 13-1502A1

CRIMINAL RECORD:

1-ARRESTED OR RECEIVED 2010/12 (b)(6),(b)(7)(C)

AGENCY-ICE-OFC OF INVEST PHOENIX (AZICE0000)

AGENCY CASE (b)(7)(E)

CHARGE 1-ALIEN INADMISSIBILITY UNDER SECTION 212

2-ARRESTED OR RECEIVED 2012/08 (b)(6),(b)(7)(C) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-CRIMINAL DAMAGE-DEFACE

COURT-CHARGE-III/CRIMINAL DAMAGE-DEFACE,MISD

SENTENCE-III/CDD-201208 (b)(6),(b)(7)(C) COURT DISMISSAL,CNV-NO

3-ARRESTED OR RECEIVED 2012/12 (b)(6),(b)(7)(C) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-CRIM TRESP 1ST DEG-LOOK IN

RECORD UPDATED 2012/12/26

IMMIGRATION APPREHENSIONS:

Subject has been apprehended by Immigration on one occasion and placed in removal proceedings.

Subject was arrested by Phoenix Police Department on two different occasions after being bonded out from Immigration.

**ADDITIONAL INFORMATION:**

When questioned, subject stated that he does have medical issues and/or concerns. Subject stated he is not taking medications for asthma at this time. Subject appears to be in good health.

Subject claims to have not served in the United States military.

**TELEPHONE CALL:**

Subject contacted his (b)(6),(b)(7)(C) at 623-251-(b)(6),(b)(7)(C) on 12-27-2012 at 0251 hours.

**MEXICAN CONSULATE:**

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

**GANG MEMBER:**

Subject is a documented member of the (b)(6),(b)(7)(C) criminal gang. He self admitted being a member of the (b)(6),(b)(7)(C). He stated he was 14 years old when he was jumped into the gang. He stated his job was to graffiti the walls in his neighborhood and jump other people from other gangs.

(b)(7)(E)

**IMMIGRATION DISPOSITION:**

Subject admits to have entered without inspection on an unknown date in 1997 and was placed in removal proceedings in 2010. Subject appears to have been released as a juvenile from O.R.R on his own recognizance to his parents in February 2011 and has a Master hearing scheduled for September 12, 2013. His current criminal charges, for criminal damage, were dismissed.

This year alone he was encountered twice by Phoenix Police Department for the charges mentioned above. Request subject be placed in mandatory detention due to his self admittance of being a gang member and have his master hearing be pushed to an earlier date in 2013.

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**End Unique ID:**

9

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**Start Unique ID:**

128

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Subject is not a citizen or national of the United States. Subject is a citizen or national of Mexico. Subject admitted that he entered the United States without inspection at or near San Luis, AZ on or about February 18, 2005. Subject has no applications or petitions pending with the United States Citizenship and Immigration Service. Subject claims no fear of returning to Mexico.

**ENCOUNTER:**

Subject was arrested by the Mesa Police Dept. on December (b)(6) 2012 for the following offenses:

PROBATION VIOLATION, a class 1 misdemeanor, in violation of A.R.S. Section 13-901C

FALSE REPORT TO LAW ENFORCE, a class 1 misdemeanor, in violation of A.R.S. Section 13-2907.01A

**ENCOUNTER DISPOSITION:**

PROBATION VIOLATION, a class 1 misdemeanor, in violation of A.R.S. Section 13-901C

Disposition: Convicted

FALSE REPORT TO LAW ENFORCE, a class 1 misdemeanor, in violation of A.R.S. Section 13-2907.01A

Disposition: Convicted (Sentenced to 20 days in jail)

**CRIMINAL RECORD:**

1-ARRESTED OR RECEIVED 2007/06 (b)(6) SID- (b)(7)(E)

AGENCY-POL DEPT-HQ RECORDS MESA (AZ0071700)

AGENCY CASE (b)(7)(E)

CHARGE 1-ASSAULT-INTENT/RECKLESS/INJURE

COURT-POL DEPT-HQ RECORDS MESA (AZ0071700)

CHARGE-ASSAULT-INTENT/RECKLESS/INJURE

SENTENCE-

GUILTY FINE Y PROBATION MARICOPA 24 MOS

2-ARRESTED OR RECEIVED 2012/12 (b)  
(6) SID- (b)(7)(E)

AGENCY-POL DEPT-HQ RECORDS MESA (AZ0071700)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-FALSE REPORT TO LAW ENFORCE

IMMIGRATION APPREHENSIONS:

Subject had one previous Immigration apprehension on February 16, 2005 which resulted in a voluntary return to Mexico.

IMMIGRATION DISPOSITION:

Subject was processed for an I-862, Notice to Appear.

HEALTH:

Subject stated that he did not have any medical issues or concerns. Subject appeared to be in good health.

CONSULAR NOTIFICATION:

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36(1)(b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

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**End Unique ID:**

128

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**Start Unique ID:**

79

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER HISTORY**

On 12/12/2012 Phoenix Police arrested (b)(6),(b)(7)(C) Eric for:

ARMED ROBBERY WITH DEADLY WEAPON. (F2). ARS 13-1904A1

ATTEMPT TO COMMIT ARMED ROBBERY WITH DEADLY WEAPON. (F3) ARS 13-190A1

Subject was questioned about his place of birth and citizenship by IEA (b)(6),(b)(7)(C) Subject claimed to be a NAT USC, but record checks come back (b)(7)(E) with the name and date of birth given. Subject was ten printed with (b)(7)(E) results. The on duty SDDO informed me to put in a USC claim and no detainer for further investigation.

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

On 12/12/2012 at 0800 above subject was re-interviewed by ICE Agent (b)(6),(b)(7)(C) Subject identified himself as (b)(6),(b)(7)(C)

Subject stated that he was born in MEXICO and that he is a citizen of MEXICO.

Subject was re-interviewed this morning. I asked him his name and DOB, and he identified himself as (b)(6),(b)(7)(C) with the correct DOB. I asked him where he was born and he stated MEXICO. I asked him what country he was a citizen of and he stated that he has been here since he was 2. I asked him again what country he was a citizen of and he said again that he has been here since he was 2. I asked him a third time, and he said he was a Mexican citizen. He repeated it, and then I asked him if he had any immigration documents or petitions filed and he said no, and he said that he was in the US illegally.

I explained to him that he was going to have an immigration hold placed on him and he asked what that meant. I explained to him that since he was in the US illegally he was going to come into ICE custody. I asked him if he understood what that meant and he acknowledged that he understood.

Detainer was created, subject to be transfer to Phoenix ICE Office upon release on local charges for further investigation.

#### ENCOUNTER

Subject was turned over to Phoenix ICE/ERO on 01/17/2012. Subject was arrested by the Phoenix Police Department on 12/16/2012 for the following offense(s):

ARMED ROBBERY WITH DEADLY WEAPON. (F2). ARS 13-1904A1

ATTEMPT TO COMMIT ARMED ROBBERY WITH DEADLY WEAPON. (F3) ARS 13-190A1

Subject expressed understanding of the events taking place on today's date. Subject also stated that while in custody at the Maricopa County Sheriff's Office Jail, no detention issues or allegations of abuse were encountered.

#### ENCOUNTER DISPOSITION

ARMED ROBBERY WITH DEADLY WEAPON. (F2). ARS 13-1904A1

ATTEMPT TO COMMIT ARMED ROBBERY WITH DEADLY WEAPON. (F3) ARS 13-190A1

Disposition: Not Filed By County Attorney

#### IMMIGRATION HISTORY

Subject is not a national or citizen of the United States. Subject is a citizen of Mexico.

Subject HAS NOT received permission from the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-enter the United States.

Subject has no known Immigration apprehensions.

#### CREDIBLE FEAR

Subject claims NO FEAR of political, religious or other persecution if removed from the United States to HIS country of citizenship.

#### CRIMINAL RECORD

1-ARRESTED OR RECEIVED 2012/12/12, (b)(6), (b)(7)(E) SID (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E)

CHARGE 1-ARMED ROBBERY-WITH DEADLY WPN

CHARGE 2-ARMED ROBBERY-WITH DEADLY WPN

RECORD UPDATED 2012/12/27

#### PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security. Subject claims that HE:

Entered the United States at the age of AGE 2,

Has continuously resided in the United States for 17 years,

Is currently attending (b)(6), (b)(7)(C) School and is in (b)(6), (b)(7)(C) grade,

Has demonstrated good moral character, and

Is currently 19 years old.

Subject DOES appear to qualify for this form of prosecutorial discretion.

#### IMMIGRATION DISPOSITION

Subject was processed for an I-862 Notice to Appear.

#### HEALTH

When questioned, subject stated that he DOES NOT have medical issues and/or concerns. Subject appears to be in GOOD health.

#### GANG AFFILIATION

Subject HAS known gang affiliation, with (b)(6), (b)(7)(C) out of Avondale, Arizona. Subject was a documented gang member by Officer (b)(6), (b)(7)(C) out of Avondale Police Department. Subject has (b)(6), (b)(7)(C) tattooed on his chest, as well as (b)(6), (b)(7)(C) on chest, (b)(6), (b)(7)(C) as well on his chest. Subject (b)(6), (b)(7)(C) indicative of gang affiliation.

\*\*\*Based on subject being affiliated with a Nationwide violent gang subject will remain in ICE custody.\*\*\*

#### CONSULAR NOTIFICATION

Subject was advised of his right to communicate with a Consular Officer from HIS country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject DECLINED.

(b)(7)(E)



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**End Unique ID:**

79  
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**Start Unique ID:**

114

**NARRATIVE:**

**IMMIGRATION HISTORY:**

None found.

**CRIMINAL HISTORY:**

None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Guatemala, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Sonoita Border Patrol Station, the subject stated they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood this right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending Formal Removal. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and they stated they understood and were willing to answer questions at this time. The subject was apprehended within fourteen days of their last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

114

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**Start Unique ID:**

42

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Subject has no previous immigration history.

**CRIMINAL HISTORY:**

None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Guatemala, at a time and place other than as designated by The Secretary of Homeland Security of the United States of America.

After determining that this subject was an alien who illegally entered the United States, the subject was arrested and transported to the Willcox, Arizona Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E).

**IMMIGRATION VIOLATION:**

The subject again stated they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or to remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of the right to communicate with a Consular Officer from their country as per Article 36(a)(b) of the Vienna Convention of Consular Relations. The subject acknowledged understanding the right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject is being served a Warrant of Arrest/Notice to Appear (I-862), and placed in removal proceedings, per Section 212(a)(6)(A)(i) of the INA.

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**End Unique ID:**

42

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**Start Unique ID:**

43

**NARRATIVE:**

I-77# 5445368

**IMMIGRATION HISTORY:**

None found.

**CRIMINAL HISTORY:**

None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Willcox Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**CRIMINAL VIOLATION:**

At the Willcox Border Patrol Station, the subject was advised of their rights. The subject acknowledged understanding these rights and the differences between administrative and criminal rights. The subject agreed to answer questions and agreed to give a statement. The subject again stated they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an immigration officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of the right to communicate with a consular officer from their country as per Article 36(a)(b) of the Vienna Convention of Consular Relations. The subject

acknowledged understanding the right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture of returned to their country of citizenship.

**DISPOSITION:**

The subject was served a Notice to Appear and Warrant for Arrest (I-862/I-200) and is being held in service custody pending their immigration hearing.

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**End Unique ID:**

43

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**Start Unique ID:**

115

**NARRATIVE:**

**IMMIGRATION HISTORY:**

None found.

**CRIMINAL HISTORY:**

None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Sonoita Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

At the Sonoita Border Patrol Station, the subject stated she was a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of her right to communicate with a Consular Officer from her country as per Article 36(1) (b) of the Vienna Convention on Consular Relations. The subject indicated she understood this right but declined to speak with anyone at this time. The subject further stated she does not fear persecution or torture if returned to her country of citizenship.

**DISPOSITION:**

The subject is being held under Service custody pending her removal. Expedited Removal as per Section 235(b)(1)(A)(iii) of the INA. Service Form I-867 A/B was read and explained to the subject in the Spanish language and she stated she understood and was willing to answer questions at this time. The subject was apprehended within fourteen days of her last entry into the United States and within 100 air miles from the United States / Mexico international boundary.

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**End Unique ID:**

115

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**Start Unique ID:**

119

**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**ENCOUNTER:**

(b)(6),(b)(7)(C) was encountered on December (b)(6) 2012 at approximately 0434hours while assigned as a liaison at the 4th Ave Jail in Maricopa County. Subject's release date is unknown at this time. I identified myself as an ICE agent and questioned subject as to his nationality and citizenship.

Subject freely admitted that he is a citizen and national of Guatemala and no other country. Subject stated he illegally entered the United States at Douglas, AZ in the year 2001. Subject claimed to not have any pending applications or petitions to change his immigration status. Systems checks indicate subject has one prior immigration encounter, Voluntary Return in 1998.

Subject had been arrested by Phoenix Police Department and booked in on charges for:

CNT-1- FAIL TO SHOW DRIV LIC OR ID, a class 1 misdemeanor, in violation of ARS 28-1595B

A detainer was placed by IEA (b)(6),(b)(7)(C)

**IMMIGRATION HISTORY:**

On December (b)(6),(b)(7)(C) 2012, (b)(6),(b)(7)(C) was turned over to Immigration and Customs Enforcement upon release from Maricopa County 4th AVE Jail. (b)(6),(b)(7)(C) stated that his true and correct name is (b)(6),(b)(7)(C). (b)(6),(b)(7)(C) freely admitted to being a citizen and national of El Salvador by birth, not a citizen of Guatemala as he had told the ICE Agent at Maricopa County Jail. (b)(6),(b)(7)(C) claimed that he entered the United States on or about 2001 at or near Lukeville, AZ. (b)(6),(b)(7)(C) does not have an application and/or petition pending with United States Citizenship and Immigration Services.

(b)(6),(b)(7)(C) was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). (b)(6),(b)(7)(C) claims to be in the US illegally. (b)(6),(b)(7)(C) claimed EL SALVADOR citizenship by

virtue of birth in, Texistepeque, El Salvador. Subject freely admitted to being in the United States without permission there for being removable pursuant to Section 212a6Ai of the INA.

(b)(6),(b)(7)(C) has no fear of returning to his home country of El Salvador.

(b)(6),(b)(7)(C) was found guilty of; FAIL TO SHOW DRIV LIC OR ID, a class 1 misdemeanor, in violation of ARS 28-1595B and sentenced to time served.

(b)(6),(b)(7)(C) was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security.

Subject does not appear to qualify for this form of prosecutorial discretion.

#### CRIMINAL HISTORY:

1-ARRESTED OR RECEIVED 2003/06/ (b)(6),(b)(7)(C) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE

CHARGE 3-EXTREME DUI-BAC .18 OR MORE

CHARGE 4-LIQUOR-POSS OPEN CONT IN VEH

2-ARRESTED OR RECEIVED 2012/12/ (b)(6),(b)(7)(C) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-FAIL TO SHOW DRIV LIC OR ID

RECORD UPDATED 2012/12/30

#### IMMIGRATION APPREHENSIONS (IDENT):

(b)(6),(b)(7)(C) has one apprehension in history, (b)(6),(b)(7)(C) was VR'ed under AKA (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) a Mexican Citizen on 03/13/1998 thru Douglas, AZ.

#### HEALTH:

(b)(6),(b)(7)(C) claims not to have any medical issues, and appears to be in good health.

**GANG AFFILIATION:**

(b)(6),(b)(7)(C) has no known gang affiliation.

**TELEPHONE CALL:**

(b)(6),(b)(7)(C) declined to complete a phone at this time.

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations. Subject declined to contact the consular office at this time.

**IMMIGRATION DISPOSITION:**

(b)(6),(b)(7)(C) was processed for an I-862 Notice to Appear.

I77# 2126663.

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**End Unique ID:**

119

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**Start Unique ID:**

131

**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**IMMIGRATION STATUS:**

Subject is a native and citizen of Mexico who was last admitted into the United States at Douglas, Arizona on February 7, 2008, as a nonimmigrant Temporary Visitor for Pleasure (B2) with authorization to remain in the United States for a temporary period not to exceed August 6, 2008. Subject remained in the United States beyond August 6, 2008, without authorization from the Department Of Homeland Security. Subject has no other petitions or applications pending with United States Citizenship and Immigration Services. Subject claims no fear of returning to his or her country.

**ENCOUNTER:**

Subject was processed at the Maricopa County Sheriffs Office Lower Buckeye Jail and turned over to Phoenix ICE/DRO on February 10, 2013. Subject was arrested by the Phoenix Police Department on December 16, 2012 for the following offense(s):

Count 1: Extreme DUI -Bac.15-20, a class 1 misd, in violation of A.R.S. Section 28-1382A1.

**ENCOUNTER DISPOSITION:**

Subject was released as time served .

**CRIMINAL HISTORY:**

1-ARRESTED OR RECEIVED 2012/12 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE



CHARGE 3-EXTREME DUI-BAC > .20

CHARGE 4-FAIL TO SHOW DRIV LIC OR ID

CHARGE 5-LIQUOR-POSS OPEN CONT IN VEH

**IMMIGRATION APPREHENSIONS:**

Subject has multiple known admitted crossing within 75 miles ,No know Immigration apprehensions.

**HEALTH:**

When questioned, subject stated that he does not have medical issues and/or concerns. Subject appears to be in good health.

**GANG AFFILIATION:**

Subject has no known gang affiliation.

**CONSULAR NOTIFICATION:**

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined

**IMMIGRATION DISPOSITION:**

Subject was processed for an I-862 Notice to Appear.

(b)(7)(E)

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**End Unique ID:**

131  
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**Start Unique ID:**

81

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER HISTORY**

(b)(6),(b)(7)(C) was encountered on January (b) 2013 at approximately 13:40 hours while Agent (b)(6),(b)(7)(C) was assigned as a liaison at the 4th Avenue Jail in Maricopa County. Agent (b)(6),(b)(7)(C) identified himself as an ICE Agent and questioned subject as to his nationality and citizenship. Subject freely admitted that he is a citizen and national of Guatemala and does not have permission to be in the United States legally. Subject stated he entered the United States without inspection. (b) Checks all came back (b)(7)(E) for immigration encounters under the name (b)(6),(b)(7)(C)

Subject was 2-printed and came back to (b)(6),(b)(7)(C). Subject confirmed (b)(6),(b)(7)(C) is a false identity that he used so that he would not get removed to Guatemala. Subject states (b)(6),(b)(7)(C) is his true name and identity.

Subject had been arrested by Phoenix Police Department and booked in on charges for:

EXTREME DUI-BAC >.20, a class 1 misdemeanor, in violation of ARS 28-1382A2

A detainer was placed by IEA (b)(6),(b)(7)(C)

**ENCOUNTER**

Subject was turned over to Phoenix ICE/ERO on January (b) 2013. Subject was arrested by the Phoenix Police Department on January (b) 2013 for the following offense(s):

EXTREME DUI-BAC >.20, a class 1 misdemeanor, in violation of ARS 28-1382A2

Disposition: Convicted

**IMMIGRATION HISTORY**

Subject is not a citizen or national of the United States.. Subject is a native and citizen of Guatemala. Subject last entered the United States as set forth above and was not then admitted or paroled after inspection by an Immigration Officer.. Subject has no applications or petitions pending with United States Citizenship and Immigration Services.

Subject has been apprehended by Immigration on three occasions.. Subject's last encounter was on March 11, 2006.

#### CREDIBLE FEAR

Subject claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship.

#### CRIMINAL RECORD

Negative (b)(7)  
(E)

#### PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security.. Subject does not appear to qualify for this form of prosecutorial discretion.

#### IMMIGRATION DISPOSITION

Subject requested and was processed for an I-862 Notice to Appear..

#### HEALTH

When questioned, subject stated that he does not have medical issues and/or concerns. Subject appears to be in good health.

#### GANG AFFILIATION

Subject has no known gang affiliation.

#### CONSULAR NOTIFICATION

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations.

(b)(7)(E)

(b)(7)(E)

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**End Unique ID:**

81

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**Start Unique ID:**

85

**NARRATIVE:**

(b)(6),(b)(7)(C) was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

(b)(6),(b)(7)(C) did not indicate any mistreatment or discrimination while in MCSO custody.

**IMMIGRATION HISTORY:**

(b)(6),(b)(7)(C) is a national and citizen of GUATEMALA. She was born on (b)(6),(b)(7)(C) in Retalhuleu, Retalhuleu, Guatemala. She last entered the United States via an unknown place on or about an unknown date, without being admitted or paroled after inspection by an Immigration officer. She claims no fear of political, religious or other persecution if removed from the United States to her country of citizenship.

She has no petitions and or applications pending with the United States Citizenship Immigration Service.

**ENCOUNTER:**

On 01/11/2012 around 0530 hours subject was booked into Maricopa County Jail by Phoenix Police Department for charges of:

DUI-LIQUOR/DRUGS/VAPORS/COMBO (M1) ARS 28-1381A1

DUI W/BAC OF .08 OR MORE (M1) ARS 28-1381A2

EXTREME DUI-BAC .15 OR MORE (M1) ARS 28-1382A

LIQUOR POSS OPEN CONT IN VEH (M1) ARS 4-521A2

FAILURE TO APPEAR 2 ND DEG (M1) ARS 13-2506A

CONTRIB DELINQ/DEPEND OF MINOR (M1) ARS 13-3613A

## TRAFFIC OFFENSES

Subject was interviewed by IEA (b)(6),(b)(7)(C) in regard to her status in the United States.

Subject stated that she is a citizen Of Guatemala by virtue of birth.

Subject also stated that she is illegally present in the United States and last entered the United States without being inspected by Immigration Official on or about 1995 at unknown location.

Detainer was created, subject to be transfer to Immigration and Customs Enforcement (ICE) Office upon release on local charges for further investigation.

## ENCOUNTER DISPOSITION:

(b)(6),(b)(7)(C) was found guilty at the Phoenix Municipal Court County of Maricopa Phoenix Arizona for: DUI-LIQUOR/DRUGS/VAPORS/COMBO (M1) ARS 28-1381A1; CONTRIB DELINQ/DEPEND OF MINOR (M1) ARS 13-3613A; DUI W/BAC OF .08 OR MORE (M1) ARS 28-1381A2; for which she serve 33 days in jail

## CRIMINAL RECORD:

1-ARRESTED OR RECEIVED 2006/08/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E)

CHARGE 1-ENDANGER LIFE/HEALTH OF MINOR

CHARGE 2-ENDANGER LIFE/HEALTH OF MINOR

CHARGE 3-ENDANGER LIFE/HEALTH OF MINOR

COURT-POLICE DEPARTMENT PHOENIX (AZ0072300)

CHARGE-ENDANGER LIFE/HEALTH OF MINOR

SENTENCE- NO COMPLAINT FILED

CHARGE-ENDANGER LIFE/HEALTH OF MINOR

SENTENCE- NO COMPLAINT FILED

CHARGE-ENDANGER LIFE/HEALTH OF MINOR

SENTENCE- NO COMPLAINT FILED

2-ARRESTED OR RECEIVED 2013/01/14 SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-FAILURE TO APPEAR 2ND DEG

CHARGE 2-CONTRIB DELINQ/DEPEND OF MINOR

CHARGE 3-CONTRIB DELINQ/DEPEND OF MINOR

CHARGE 4-CONTRIB DELINQ/DEPEND OF MINOR

CHARGE 5-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 6-DUI W/BAC OF .08 OR MORE

CHARGE 7-EXTREME DUI-BAC .15 OR MORE

CHARGE 8-LIQUOR-POSS OPEN CONT IN VEH

RECORD UPDATED 2013/01/23

HEALTH:

When questioned, (b)(6),(b)(7)(C) stated (b)(6),(b)(7)(C) but is not taking any medication.

GANG AFFILIATION:

(b)(6),(b)(7)(C) claims no gang affiliation.

TELEPHONE CALL:

(b)(6),(b)(7)(C) made a free three minute phone call to (b)(6),(b)(7)(C) at 602 754 (b)(6),(b)(7)(C)

CONSULAR NOTIFICATION:

(b)(6),(b)(7)(C) was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations. She also contacted the Guatemalan Consulate on 02/10/2013.

PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN:

Subject is not eligible under the DACA program due to her age.

IMMIGRATION DISPOSITION:

(b)(6),(b)(7)(C) was processed as a Notice to Appear Detained.

(b)(7)(E)

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**End Unique ID:**

85  
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**Start Unique ID:**

71

**NARRATIVE:**

FBI: (b)(7)(E),(b)(6),  
(b)(7)(C)

SID (b)(7)(E)

SANTA CLARA COUNTY PFN: DRR422

**METHOD OF LOCATION/APPREHENSION:**

SUBJECT was initially encountered by Secure Communities pursuant to his incarceration at the Santa Clara County Jail, San Jose, CA, on December (b) 2012. However, no Immigration Detainer due to the fact that subject was no longer in custody. Subject's information was forwarded to Fugitive Operations. On January (b) 2013, pursuant to an approved Fugitive Operations Field Operations Worksheet, Immigration & Customs Enforcement (ICE) Enforcement & Removal Operations (ERO) FUGOPS SNJ conducted a field operation in search of target (b)(6),(b)(7)(C). Primary address for target was (b)(6),(b)(7)(C) San Jose, 95116.

At approximately 0745 hrs, Officers (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) approached the Residential Address in plain clothes, with police identifiers patches and ICE badges displayed. Contact was made with (b)(6),(b)(7)(C) at the front door, Officer (b)(6),(b)(7)(C) asked (b)(6),(b)(7)(C) if officers could enter and talk with him. (b)(6),(b)(7)(C) gave consent to officers to enter the residence. (b)(6),(b)(7)(C) was verbally identified by Officer (b)(6),(b)(7)(C) and was arrested and taken into custody without incident. At the time of arrest, the above officers identified themselves as Immigration Officers.

**ALIENAGE AND REMOVABILITY:**

Subject is a 34-year-old male, native and citizen of Mexico since birth, who claims to have last entered the United States, without inspection, at or near an unknown place on or about an unknown date in 2001. Subject stated that he is single. Subject claims that both of his parents are natives and citizens of Mexico with no residency or citizenship status in the United States. Interview statements and a search of the (b)(6),(b)(7)(C) indicated no pending petitions or applications.

**CRIMINAL HISTORY:**

According to SUBJECT's criminal history report SUBJECT has been convicted on September (b) 2012 for the following criminal offense in the State of California, County of Santa Clara:

PC 647(b) Solicit Prostitution (Misdemeanor)

On January (b) 2002 subject was convicted VC 20002 Hit and Run, and VC 12500(a) Drive Without a License(Misdemeanor)

SUBJECT'S criminal history report is included in this file for reference.

**IMMIGRATION HISTORY:**

Subject was previously encountered by U.S. Border Patrol on April 12, 2000 and was voluntarily returned to Mexico.

Except for what is mentioned, SUBJECT disclaimed any other ties, equities or petitions pending before Citizenship and Immigration Services in his behalf.

A review of agency indices resulted in no pending applications, petitions, or appeals found for the SUBJECT.

**HEALTH AND HUMANITARIAN ASPECTS:**

Subject stated he has no medical problems and appears in good health.

SUBJECT stated he has no fear of torture or persecution should he be removed from the United States to his country of Citizenship.

**RECOMMENDATIONS:**

Subject wishes to go before the Immigration Judge to determine if he may remain in the United States. Subject to be served a Notice to Appear.

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**End Unique ID:**

71

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**Start Unique ID:**

30

**NARRATIVE:**

\*\*ICE RECORDS SHOW SUBJECT NAME TO BE (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) WAS GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**ENCOUNTER:**

On 01/06/2013 at 0200 hours (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) was booked into MCSO Jail by Phoenix PD on charges of:

DRIVE W/LIC SUSP/REVOKE/CANC (M1) ARS 28-3473A

FALSE REPORT TO LAW ENFORCE (M1) ARS 13-2907.01A

DISPLAYING SUSPENDED PLATE (C) ARS 28-4139A

FAIL TO PRODUCE EVIDENCE OF FI (C) ARS 28-4135C

NO VALID DR LICENSE/ENDORSEMENT (C) ARS 28-3151A

Subject was interviewed by ICE Agent (b)(6),(b)(7)(C) in regard to his status in the United States.

Subject stated that he is a citizen of MEXICO by virtue of birth.

Subject also stated that she is illegally present in the United States and has recently been released on bond from Immigration custody.

Searches in (b)(7)(E) and (b) revealed ARN (b)(6),(b)(7)(C) and shows the subject being released on a \$1500 bond on 07/27/2012.

Due to the new charges, a detainer was created, subject to be transfer to Phoenix ICE

Office upon release on local charges for further investigation.

**ENCOUNTER DISPOSITION:**

(b)(6),(b)(7)(C) was released from MCSO Lower Buckeye Jail on 01/01/2013. Disposition of charges are as follows:

DRIVE W/LIC SUSP/REVOKE/CANC (M1) ARS 28-3473A, GUILTY PLEA

FALSE REPORT TO LAW ENFORCE (M1) ARS 13-2907.01A, DISMISSED

DISPLAYING SUSPENDED PLATE (C) ARS 28-4139A, GUILTY PLEA

FAIL TO PRODUCE EVIDENCE OF FI (C) ARS 28-4135C, RELEASED ON OWN RECOGNIZANCE.

(b)(6),(b)(7)(C) has a court date of 01/25/2013 at 1100 hours in the PHOENIX MUNICIPAL COURT.

NO VALIDR LICENSE/ENDORSEMEN (C) ARS 28-3151A, GUILTY PLEA

#### IMMIGRATION HISTORY:

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) is a native and citizen of MEXICO.

(b)(6),(b)(7)(C) last entered the United States illegally as set forth above and was not admitted or paroled by an Immigration Officer.

(b)(6),(b)(7)(C) has NO applications or petitions pending with United States Citizenship and Immigration Services.

(b)(6),(b)(7)(C) appears to have (1) prior immigration apprehension on 07/11/2012

(b)(7)(E), (b)(6),(b)(7)(C) was released from ELOY, AZ on 07/27/2012 on a \$1500.00 bond.

(b)(6),(b)(7)(C) has an INITIAL IMMIGRATION HEARING on 10/01/2013.

\*\*\*\*\*

It appears that this is the SIXTH TIME (b)(6),(b)(7)(C) has been arrested on these types of charges.

\*\*\*\*\*

#### CRIMINAL HISTORY:

1-ARRESTED OR RECEIVED 1999/05 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-SHOPLIFTING F.

COURT-POLICE DEPARTMENT PHOENIX (AZ0072300)

CHARGE-SHOPLIFTING

SENTENCE-

NO COMPLAINT FILED

2-ARRESTED OR RECEIVED 2000/07/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-SHOPLIFTING-REMOVAL OF GOODS

COURT-POLICE DEPARTMENT PHOENIX (AZ0072300)

CHARGE-SHOPLIFTING-REMOVAL OF GOODS

SENTENCE-

GUILTY JAIL 1 DAY

3-ARRESTED OR RECEIVED 2003/02 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-DRIVE W/LIC SUSPENDED FTA/FTP

CHARGE 2-FAIL TO SHOW DRIV LIC OR ID

COURT-POLICE DEPARTMENT PHOENIX (AZ0072300)

CHARGE-DRIVE W/LIC SUSPENDED FTA/FTP

SENTENCE-

GUILTY FINE Y

CHARGE-FAIL TO SHOW DRIV LIC OR ID

SENTENCE-

GUILTY JAIL 1 DAY

4-ARRESTED OR RECEIVED 2005/02/ (b) (6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-FAILURE TO APPEAR 2ND DEG

CHARGE 2-FAILURE TO APPEAR 2ND DEG

CHARGE 3-FALSE REPORT TO LAW ENFORCE

CHARGE 4-VIOLATION OF PROMISE TO APPEAR

CHARGE 5-FAIL TO SHOW DRIV LIC OR ID

CHARGE 6-FAIL TO SHOW DRIV LIC OR ID

5-ARRESTED OR RECEIVED 2007/01/ (b) (6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-ASSAULT-TOUCHED TO INJURE

COURT-POLICE DEPARTMENT PHOENIX (AZ0072300)

CHARGE-ASSAULT-TOUCHED TO INJURE

SENTENCE-

COURT DISMISSAL

6-ARRESTED OR RECEIVED 2012/07/ (b) (6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-FAIL TO SHOW DRIV LIC OR ID

CHARGE 2-DRIVE W/LIC SUSP/REVOKE/CANC

COURT-

CHARGE-III/FAIL TO SHOW DRIV LIC OR ID,MISD

SENTENCE-

III/CDD-201207(b) GUILTY,CNV-YES ,JAIL 1 DAY

CHARGE-III/DRIVE W/LIC SUSP/REVOKE/CANC,MISD

SENTENCE-

III/CDD-201207(b) GUILTY,CNV-YES ,JAIL 1 DAY

7-ARRESTED OR RECEIVED 2013/01(b) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E)

CHARGE 1-FALSE REPORT TO LAW ENFORCE

CHARGE 2-DRIVE W/LIC SUSP/REVOKE/CANC

IMMIGRATION DISPOSITION:

(b)(6),(b)(7)(C) Arnas BOND WILL BE REDETERMINED.

PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN:

(b)(6),(b)(7)(C) was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security.

(b)(6),(b)(7)(C) DOES NOT APPEAR TO QUALIFY for this form of Prosecutorial Discretion.

HEALTH:

(b)(6),(b)(7)(C) claims and appears to be in GOOD health.

GANG AFFILIATION:

(b)(6),(b)(7)(C) CLAIMS NO GANG AFFILIATION.

CREDIBLE FEAR:

(b)(6),(b)(7)(C) claims NO CREDIBLE FEAR of returning to MEXICO.

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) was offered the ability to contact the Mexican Consulate on this day.

(b)(6),(b)(7)(C) DECLINED.

**TELEPHONE RIGHTS:**

(b)(6),(b)(7)(C) was offered a free phone call courtesy of the United States government.

(b)(6),(b)(7)(C) DECLINED.

I-77: 2467893

FBI: (b)(6),(b)(7)(C),(b)(7)(E)

SID: (b)(6),(b)(7)(C)

FINS

(b)(7)(E)

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**End Unique ID:**

30  
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**Start Unique ID:**

72

**NARRATIVE:**

**SUBJECT:** (b)(6),(b)(7)(C)

**FBI:** (b)(6),(b)(7)(C),  
(b)(7)(E)

**CII#** (b)(7)(E)

**ALIEN FILE NUMBER:** (b)(6),(b)(7)(C)

**METHOD AND LOCATION OF APPREHENSION:**

On January (b) 2013, pursuant to an approved Fugitive Operations Field Operations Worksheet, Immigration & Customs Enforcement (ICE) Enforcement & Removal Operations (ERO) Fugitive Operations (FUGOPS) San Jose Sub-Office (SNJ) conducted a field operation in search of target (b)(6),(b)(7)(C). Last known address of subject was determined to be (b)(6),(b)(7)(C) Morgan Hill, CA 95037.

At approximately 0820 hours, Deportation Officer (DO) (b)(6),(b)(7)(C) Immigration, DO (b)(6),(b)(7)(C) Enforcement Agent (IEA) (b)(6),(b)(7)(C) and Supervisory Detention and Deportation Officer (SDDO) (b)(6),(b)(7)(C) received information that the Subject was currently at his employment located on Monterey Road and West Dunne Ave. At the employment, SDDO (b)(6),(b)(7)(C) spoke with the onsite supervisor/foreman who directed the officers to the Subject's location. SDDO (b)(6),(b)(7)(C) and IEA (b)(6),(b)(7)(C) observed an adult male, later identified as (b)(6),(b)(7)(C) walking toward them. At this time, SDDO (b)(6),(b)(7)(C) and IEA (b)(6),(b)(7)(C) approached the Subject, with visible police markings and badges displayed. SDDO (b)(6),(b)(7)(C) identified himself as an officer with ICE and asked the Subject his name and identification. The Subject stated his name was (b)(6),(b)(7)(C). The Subject was positively identified as the Subject for which the administrative warrant was issued. Subject was arrested and taken into custody without incident.

**ALIENAGE AND REMOVABILITY:**

Subject is a 23-year-old male, native and citizen of Mexico since birth, who claims to have last entered the United States, without inspection, at or near unknown location on or about an unknown date.

Subject makes no other claim to lawful immigration status. Identity of subject was confirmed by (b)(7)(E) and (b)(7)(E)

Interview statements and a search of the (b)(7)(E) indicated no pending petitions or applications. Per a Board of Immigration Appeals website search this Subject has no appeals pending.

#### IMMIGRATION HISTORY:

All relevant ICE databases were queried and revealed subject having one prior encounter with US Border Patrol, resulting in a voluntary return of the Subject from the United States to Mexico.

##### Voluntary Return History:

Apprehension Date: 01/(b)(6)/2005

Apprehension location: Calexico, Arizona

Disposition: Voluntary Return from the United States to Mexico

Date Returned to Mexico: 01/22/2005

Per the BIA and 9th Circuit Court of Appeal website, subject has no known applications or appeals pending. Databases show no other lawful immigration status for subject.

#### CRIMINAL HISTORY:

RAP sheet is within A-File for reference. (b)(7)(E) revealed subject does not have any active/outstanding wants or warrants. Subject criminal history revealed the following convictions:

Conviction Date: 02/(b)(6)/2010

Case Number: (b)(7)(E)

Location: Morgan Hill, California

Offenses: 148(A)(1) PC-OBSTRUCT/ETC PUBLIC OFFICER/ETC

Status: Convicted / Misdemeanor

Sentence: (5) Days Weekend Work / Probation / Fine

Conviction Date: 11/11/2007

Case Number: (b)(7)(E)

Location: Gilroy, California

Offenses: 23152(B) VC-DUI ALCOHOL/0.08 PERCENT

Status: Convicted / Misdemeanor

Sentence: (6) Days Jail / Probation / Fine

Subject's criminal history report is included in this file for reference. A check of the California Appellate Court Website revealed that subject has no appeals pending.

**HEALTH AND HUMANITARIAN:**

Subject claims to be single

Subject claims (2) minor USC children and that both children live with their birth mother.

Subject claims that both of his parents are natives and citizens of Mexico with no residency or citizenship status in the United States.

Subject claims and appears to be in good health.

Subject stated that he has no fear of persecution or torture if he were to be removed from the United States to his country of Mexico.

Subject was advised of his consular communication rights and given a list of free legal services.

Subject claims not to be in and or affiliated with a gang/s.

**DISPOSITION:**

Based on the above information, Subject is amenable to removal pursuant to:

Section 212 (a) (6) (A) (i) of the INA.

Subject is herein processed for a Notice to Appear

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**End Unique ID:**

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**Start Unique ID:**

74

**NARRATIVE:**

Subject (b)(6),(b)(7)(C) was encountered by ICE Agent (b)(6),(b)(7)(C) on 01/(b)2013 pursuant to his incarceration at the Contra Costa County Jail, California on the following offense:

23152(A) VC-DUI ALCOHOL/ DRUGS

23152(B) VC-DUI ALCOHOL/0.08 PERCENT

DISPO: Per CCCJ - Released of his own recognizance

**PRIOR CONVICTIONS:**

11/(b)2006 23152(B) VC-DUI ALCOHOL/0.08 PERCENT/ MISD/ 2 DAYS JAIL/ 3 YRS PROB

12/(b)2006 23152(B) VC-DUI ALCOHOL/0.08 PERCENT/ 2 DAYS WORK PROG

10/(b)2010 14601.5(A) VC-DRIVE: LIC SUS/ ETC: DUI/ RFUSE TEST/ 5 DAYS WORK PROG

ICE Agent (b)(6),(b)(7)(C) placed an ICE Detainer on 01/(b)2013. ICE Agent (b)(6),(b)(7)(C) processed the case. On 1/(b)2013, subject was released to ICE custody. ICE Agent (b)(6),(b)(7)(C) re-interviewed the subject (b)(6),(b)(7)(C) identified himself as an ICE Agent prior to conducting an interview. Subject claimed to be a 48 year old male, citizen and native of Veracruz, Mexico who made no claims to lawful immigration status in the United States. Subject claimed that he last entered the United States in 1996 at or near San Diego, California. Subject claimed that he was not admitted, inspected, or paroled in to the United States at time of entry.

Immigration checks were conducted and returned (b)(7)(E)

Subject can be identified by the following:

FBI: (b)(6),(b)(7)(C),(b)(7)(E)

SID: (b)(7)(E)

Subject stated that he has no applications or petitions before the Department of Homeland Security. (b)(7)(E) came back (b)(7)(E)

(b)(6),(b)(7)(C)

Subject has been notified of his Consular Rights.

Subject stated and appears to be in good health.

Subject is to be processed as Notice to Appear / No Bond.

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**End Unique ID:**

74

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**Start Unique ID:**

23

**NARRATIVE:**

First Entry: 2002

(b)(7)(E)

Searched by: BPA (b)(6), (b)(7)(C)

Witnessed by: BPA (b)(6), (b)(7)(C)

**CRIMINAL HISTORY:**

December (b)(6) 2012, Disorderly Conduct/ Domestic Violence. (b)(6), (b)(7)(C) was convicted by the Bullhead City Municipal Court and sentenced to 90 days jail time. (b)(6), (b)(7)(C) has 25 days served and granted 65 days suspended if his probationary terms are met.

**IMMIGRATION HISTORY:**

One (1) voluntary return.

**ENCOUNTER:**

On January (b)(6) 2013, I, Agent (b)(6), (b)(7)(C) was dispatched to the Mohave County Jail in Kingman, Arizona to pick up (b)(6), (b)(7)(C) in order to fulfill an I-247 immigration detainer. I identified myself as a United States Border Patrol Agent and questioned the subject as to his citizenship. (b)(6) said he was a citizen of Mexico. I asked if he had any immigration documents to be in and/or remain within the United States. (b)(6), (b)(7)(C) responded "no." I asked when he last entered the United States. (b)(6), (b)(7)(C) told me he last entered the United States in May of 2002 near Sasabe, Arizona. I determined that (b)(6), (b)(7)(C) was illegally present in the United States and transported him to the Blythe Border Patrol Station for processing.

(b)(7)(E)

(b)(6), (b)(7)(C) fingerprints and biographical data were entered into the (b)(7)(E) database.

Information obtained from the computer records check revealed the above stated criminal history and one prior voluntary return.

**PROCESSING INTERVIEW:**

(b)(6),(b)(7)(C) states that he last entered the United States illegally from Mexico on May 11, 2002 by walking through the desert and that he knew it was against the law to enter the United States in that manner. (b)(6),(b)(7)(C) stated after he crossed the border he was taken to Phoenix, Arizona. He left Phoenix, traveled to New York and worked in a kitchen as a cook for one year. He claims he left New York because he was not getting paid enough. His cousin lived in Bullhead City, Arizona so he went there to find work. Once (b)(6),(b)(7)(C) took up residence in Bullhead City, Arizona he started working for a concrete company called Stewart Concrete. (b)(6),(b)(7)(C) also claims he works "side jobs" for cash in order to support his family.

**MISCELLANEOUS:**

(b)(6),(b)(7)(C) claims and appears to be in good health.

(b)(6),(b)(7)(C) claims no fear of persecution or torture if returned to his native country of Mexico.

**DISPOSITION:**

(b)(6),(b)(7)(C) is being served a Warrant of Arrest/Notice to Appear. (b)(6),(b)(7)(C) is being presented for 8 USC 1182, Removal Proceedings.

**CONSULAR RIGHTS:**

(b)(6),(b)(7)(C) was advised of his right to speak to the Mexican Consulate and declined at this time.

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**End Unique ID:**

23

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**Start Unique ID:**

20

**NARRATIVE:**

Criminal History: (b)(7)(E) Records checks revealed that (b)(6),(b)(7)(C) was negative for criminal history and was issued FBI # (b)(6),(b)(7)(C), (b)(7)(E)

Immigration History: Subject had no prior immigration history. Current immigration status is reflected in the booking sheet.

Apprehending Agent: BPA (b)(6), (b)(7)(C)

Processing Agent: BPA (b)(6),(b)(7)(C)

**Encounter:**

As inferred from field processing form I-826, on 01/18/2013 at approximately 12:25 P.M., Border Patrol Agent (b)(6), (b)(7)(C) apprehended (b)(6),(b)(7)(C) near San Miguel, Arizona during normal Border Patrol duties. (b)(6),(b)(7)(C) was arrested and transported to the Law Enforcement Center for questioning and processing. See attached G-166 for further information on the encounter.

**Immigration Violation:**

At the Law Enforcement Center, (b)(6),(b)(7)(C) freely admitted to being a citizen and national of Guatemala who entered the United States near Sasabe, Arizona on 01/18/2013 at approximately 11:00 A.M. (b)(6),(b)(7)(C) states that he arrived in the United States at a time and place other than at a port of entry and was not inspected by proper Immigration officials. It was determined from the statements given that (b)(6),(b)(7)(C) is a citizen and national of Mexico having entered the United States illegally and in violation of law, without proper documents allowing him to enter, pass through, or remain in the United States legally.

OTM TRAVEL: (b)(6),(b)(7)(C) stated that he left Chiquimula Esquipulas, Guatemala on or about 12/29/2012 and entered into Mexico illegally on 01/18/2013. He traveled by various buses until arriving in an unknown city in Mexico. Once there he met with other people and rode in a car to the Mexico/United States border where they were dropped off and then

walked illegally into the United States. (b)(6),(b)(7)(C) also stated that he did not bribe or encounter any Mexican officials during his travels through Mexico.

#### Processing:

(b)(6),(b)(7)(C) was processed using Service Forms I-213, I-862, I-826, I-214, I-215, I-200, I-286, I-217, R-84, and 385 and entered into the (b)(7)(E) (b)(6),(b)(7)(C) indicated on form I-826 that he admits to being in the United States illegally.

(b)(7)(E)

The (b)(7)(E) System returned negative for immigration violation (b)(7)(E) result for criminal record. (b)(6),(b)(7)(C) has (b)(6),(b)(7)(C) and an FBI# (b)(6),(b)(7)(C), (b)(7)(E).

#### Miscellaneous Information:

(b)(6),(b)(7)(C) was issued a list of free legal services. (b)(6),(b)(7)(C) does not have any fear of persecution or torture if removed from the United States.

#### Consular notification:

(b)(6),(b)(7)(C) was notified of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations. He was asked if he wanted us to notify the consular officials of his country. (b)(6),(b)(7)(C) refused his right to contact a consular official of his country.

#### Disposition:

(b)(6),(b)(7)(C) is being held without bond as per the Tucson Sector Bond Schedule. (b)(6),(b)(7)(C) has been placed under Notice to Appear proceedings. Prosecution for 21 USC 841 is being sought against (b)(6),(b)(7)(C).

#### Other (MISC):

(b)(6),(b)(7)(C) claims to have no property or equity in the United States. (b)(6),(b)(7)(C) claims to be in good health. (b)(6),(b)(7)(C) is likely to abscond.

#### Property:

(b)(6),(b)(7)(C) stated that he is not in immediate possession of any personal property except one small bag of belongings with the I-77 #4959804.

Entry Grid: (b)(7)(E)

App Grid:

Prosecution Decline 01/22/2013

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**End Unique ID:**

20

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**Start Unique ID:**

123

**NARRATIVE:**

(b)(6),(b)(7)(C) DOB: (b)(6),(b)(7)(C) was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

(b)(6),(b)(7)(C) did not indicate any mistreatment or discrimination while in MCSO custody.

**IMMIGRATION HISTORY:**

(b)(6),(b)(7)(C) is a national and citizen of Mexico. He was born (b)(6),(b)(7)(C) in Tulancingo, Hidalgo, Mexico. He last entered the United States via Douglas, AZ on or about an unknown date, without being admitted, paroled or inspected by an Immigration Officer. Subject has multiple encounters in (b)(7)(C) with Border Patrol.

(b)(6),(b)(7)(C) claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship. He has no petitions and or applications pending with the United States Citizenship Immigration Service.

**ENCOUNTER:**

On 01/ /2013 around 0100 hours subject was booked into Maricopa County Jail by Phoenix Police Department for charges of:

FAILURE TO APPEAR 2 ND DEG (M1) ARS 13-2506A

Subject was interviewed by an ICE Agent in regard to his status in the United States.

Subject stated that he is a citizen of Mexico and no other country by virtue of birth in Mexico.

Subject admitted to enter the United States without inspection by an immigration officer on or about 2008, at unknown location.

Subject has multiple VRs.

Detainer was created, subject to be transfer to ICE custody for further investigation upon release on local charges.

CRIMINAL RECORD:

1-ARRESTED OR RECEIVED 2000/06 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .10 OR MORE

COURT-

CHARGE-III/DUI-LIQUOR/DRUGS/VAPORS/COMBO,MISD

SENTENCE-

III/DDT-200810 (b)(6) NOLO CONTENDERE PLEA, CNV-YES, FINED YES, JAIL 16

DAS

CHARGE-III/DUI W/BAC OF PT10 OR MORE, MISD

SENTENCE-

III/DDT-200810 (b)(6) COURT DISMISSAL, CNV-NO

END OF PART 1 - PART 2 TO FOLLOW

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

CRIMINAL JUSTICE INFORMATION SERVICES DIVISION

CLARKSBURG, WV 26306

(b)(7)(E)

ICN (b)(7)(E)

PART 2

- FBI IDENTIFICATION RECORD - FBI NO (b)(6),(b)(7)(C), (b)(7)(E)

2-ARRESTED OR RECEIVED 2002/11 (b)(6),(b)(7)(E) SID- (b)(7)(E)

AGENCY-POL DEPT-HQ RECORDS MESA (AZ0071700)

AGENCY CASE (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE

COURT-POL DEPT-HQ RECORDS MESA (AZ0071700)

CHARGE-DUI-LIQUOR/DRUGS/VAPORS/COMBO

SENTENCE-

COURT DISMISSAL

CHARGE-DUI W/BAC OF PT 10 OR MORE

SENTENCE-

COURT DISMISSAL

CHARGE-EXTREME DUI-BAC 15 OR MORE

SENTENCE-

GUILTY FINE Y JAIL TIME NOT SPECIFIED

3-ARRESTED OR RECEIVED 2007/09 (b)(6),(b)(7)(E) SID- (b)(7)(E)

AGENCY-POL DEPT-HQ RECORDS MESA (AZ0071700)

AGENCY CASE (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI/DRUGS/METABOLITE

COURT-POL DEPT-HQ RECORDS MESA (AZ0071700)

CHARGE-DUI-LIQUOR/DRUGS/VAPORS/COMBO

SENTENCE-

COURT DISMISSAL

CHARGE-DUI/DRUGS/METABOLITE

SENTENCE-

COURT DISMISSAL

END OF PART 2 - PART 3 TO FOLLOW

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

CRIMINAL JUSTICE INFORMATION SERVICES DIVISION

CLARKSBURG, WV 26306

(b)(7)(E)

(b)(6),(b)(7)(C)

PART 3

- FBI IDENTIFICATION RECORD - FBI (b)(6),(b)(7)(C),(b)(7)(E)

4-ARRESTED OR RECEIVED 2007/12 (b)(6),(b)(7)(C) SID (b)(6),(b)(7)(C)

AGENCY-POL DEPT-HQ RECORDS MESA (AZ0071700)

AGENCY CASE- (b)(6),(b)(7)(C) ME USED (b)(6),(b)(7)(C)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI/DRUGS/METABOLITE

CHARGE 3-VIOLATION OF PROMISE TO APPEAR

COURT-POL DEPT-HQ RECORDS MESA (AZ0071700)

CHARGE-DUI-LIQUOR/DRUGS/VAPORS/COMBO

SENTENCE-

COURT DISMISSAL

CHARGE-DUI/DRUGS/METABOLITE

SENTENCE-

COURT DISMISSAL

CHARGE-VIOLATION OF PROMISE TO APPEAR

SENTENCE-

COURT DISMISSAL

5-ARRESTED OR RECEIVED 2008/09/ (b) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PARADISE VALLEY (AZ0071900)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-FAIL TO SHOW DRIV LIC OR ID

6-ARRESTED OR RECEIVED 2008/09/ (b) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PARADISE VALLEY (AZ0071900)

AGENCY CASE- (b)(7)(E)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-FAIL TO SHOW DRIV LIC OR ID

7-ARRESTED OR RECEIVED 2008/09/ (b) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-FAILURE TO APPEAR 2ND DEG

COURT-

CHARGE-III/FAILURE TO APPEAR 2ND DEG, MISD

SENTENCE-

III/DDT-200809 (b) NO COMPLAINT FILED, CNV-NO

8-ARRESTED OR RECEIVED 2013/01 (b) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)



CHARGE 1-FAILURE TO APPEAR 2ND DEG.

END OF PART 3 - PART 4 TO FOLLOW

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

CRIMINAL JUSTICE INFORMATION SERVICES DIVISION

CLARKSBURG, WV 26306

(b)(7)(E)

(b)(6),(b)(7)(C)

**PART 4**

- FBI IDENTIFICATION RECORD - FBI NO- (b)(6),(b)(7)(C),  
(b)(7)(E)

**HEALTH:**

When questioned, (b)(6),(b)(7)(C) stated that he does not have medical issues and/or concerns. He appears to be in good health.

**GANG AFFILIATION:**

(b)(6),(b)(7)(C) has no known gang affiliation.

**TELEPHONE CALL:**

(b)(6),(b)(7)(C) accepted a free three minute phone call by ICE.

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations. He declined making contact with the Mexican Consulate.

**IMMIGRATION DISPOSITION:**

(b)(6),(b)(7)(C) was processed as a Notice to Appear.

(b)(7)(E)

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**End Unique ID:**

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**Start Unique ID:**

122

**NARRATIVE:**

(b)(6),(b)(7)(C) DOB (b)(6),(b)(7)(C) was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

(b)(6),(b)(7)(C) did not indicate any mistreatment or discrimination while in MCSO custody.

**IMMIGRATION HISTORY:**

(b)(6),(b)(7)(C) is a national and citizen of Mexico. He was born (b)(6),(b)(7)(C) in Ocotito Guerrero, Mexico. He last entered the United States via Nogales Arizona on or about an unknown date, without being admitted or paroled after inspection by an Immigration officer. He claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship.

**ENCOUNTER:**

On 01/01/2013 around 0400 hours (b)(6),(b)(7)(C) was booked into Maricopa County Jail by Phoenix Police Department for charges of:

**FAILURE TO SHOW DRIV LIC OR ID (M2) ARS 28-1595B TRAFFIC**

Subject was interviewed by an ICE Agent in regard to his status in the United States. Subject stated that he is a citizen of Mexico and no other country by virtue of birth in Mexico. Subject admitted to enter the United States without inspection by an immigration officer on or about unknown date, at Nogales Arizona. Detainer was created, subject to be transfer to ICE custody for further investigation upon release on local charges.

**ENCOUNTER DISPOSITION:**

(b)(6),(b)(7)(C) has a court date on March 20, 2013 for: Failure to Show Driver's License.

**CRIMINAL RECORD:**

1-ARRESTED OR RECEIVED 2006/12/(b)(6) SID-(b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE-(b)(7)(E)

CHARGE 1-DSCHRG FIREARM IN CITY LIMIT

COURT- CHARGE-III/DSCHRG FIREARM IN CITY LIMIT, MISD

SENTENCE- III/DDT-200701(b)(6)(b)(7)(C) GUILTY, CNV-YES, JAIL 2 MOS, PROBATION MARICOPA 2

YRS, 100808 PROB DISCHARGED DESIGNATED MISD, SENTENCE SUSPENDED

RECORD UPDATED 2008/11/14

**HEALTH:**

When questioned (b)(6),(b)(7)(C) stated he has no medical issues.

**GANG AFFILIATION:**

(b)(6),(b)(7)(C) claims no gang affiliation.

**TELEPHONE CALL:**

(b)(6),(b)(7)(C) made a free three minute phone call to the mother of his children (b)(6),(b)(7)(C) at 602 472 (b)(6),(b)(7)

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations. He declined making contact with the Mexican Consulate.

**IMMIGRATION DISPOSITION:**

(b)(6),(b)(7)(C) was processed as a Notice to Appear Detained in order to see an Immigration judge.

(b)(7)(E)

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**End Unique ID:**

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**Start Unique ID:**

18

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER HISTORY**

On January (b)(6), (b)(7)(C) 2013 at 0220 hours (b)(6), (b)(7)(C) (DOB (b)(6), (b)(7)(C)) was booked into MCSO Jail by Phoenix Police Department on charges of:

**DRIVE W/LIC SUSP/ REVOKE/CANC (M1) ARS 28-3473A**

Subject was interviewed by ICE Agent (b)(6), (b)(7)(C) in regard to his status in the United States. Subject stated that he is a citizen of Mexico by virtue of birth. Subject also stated that he is illegally present in the United States and has recently been released on bond from Immigration custody. Searches in (b)(7)(E) revealed (b)(6), (b)(7)(C) and shows the subject being released on a \$4500 bond on 03/27/2012.

Due to the new charges, a detainer was created and the subject to be transfer to Phoenix ICE Office upon release on local charges for bond redetermination.

**ENCOUNTER**

Subject was turned over to Phoenix ICE/ERO on January (b)(6), (b)(7)(C) 2013. Subject was arrested by the Phoenix Police Department on January (b)(6), (b)(7)(C) 2013 for the following offense(s):

**DRIVE W/LIC SUSP/REVOKE/CANC, a misdemeanor, in violation of ARS 28-3473A**

Disposition: Released time expired.

Subject also had an outstanding warrant for the following offenses committed on February (b)(6), (b)(7)(C) 2012:

**DUI-LIQUOR/DRUGS/VAPOR/COMBO, a misdemeanor, in violation of ARS 28-1381A1**

Disposition: Pending, next court date February (b)(6), (b)(7)(C) 2013 (TR2012122701).

DUI W/BAC OF .08 OR MORE, a misdemeanor, in violation of ARS 28-1381A2

Disposition: Pending, next court date February 7 2013 (TR2012122701).

#### IMMIGRATION HISTORY

Subject is not a citizen or national of the United States. Subject is a native and citizen of Mexico. Subject last entered the United States as set forth above and was not then admitted or paroled after inspection by an Immigration Officer. Subject has no applications or petitions pending with United States Citizenship and Immigration Services.

On March 1, 2012 subject was served with a Notice to Appear.

On March 27, 2012 subject posted a \$4,500 Immigration Bond.

Subject's EOIR hearing is set for April 25, 2013 at Phoenix, Arizona.

Subject has been apprehended by Immigration on three occasions.

#### CREDIBLE FEAR

Subject claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship.

#### CRIMINAL RECORD

1-ARRESTED OR RECEIVED 2009/11/11 (b)(6),(b)(7)(E) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PEORIA (AZ0072100)

AGENCY CASE- (b)(7)(E)

CHARGE 1-DRIVE W/LIC SUSPENDED FTA/FTP

COURT-

CHARGE-III/DRIVE W/LIC SUSPENDED FTA/FTP,MISD

SENTENCE-

III/CDD-201005 (b)(7)(E) GUILTY,CNV-YES ,FINED YES

2-ARRESTED OR RECEIVED 2012/02/14 (b)(6),(b)(7)(E) SID- (b)(7)(E)

AGENCY-DPS-COMPL INFO SRV PHOENIX (AZCCHPX00)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-AGG DUI-LIC SUSP/REV FOR DUI

CHARGE 2-FAILURE TO APPEAR 2ND DEG.

3-ARRESTED OR RECEIVED 2013/01/ (b)(7)(E) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT, PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO.

CHARGE 2-DUI W/BAC OF .08 OR MORE

CHARGE 3-DRIVE W/LIC SUSP/REVOKE/CANC

PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security.

Subject does not appear to qualify for this form of prosecutorial discretion.

IMMIGRATION DISPOSITION

Due to another DUI charge, subject's bond was canceled and he was remanded in ICE custody.

HEALTH

When questioned, subject stated that he does not have medical issues and/or concerns. Subject appears to be in good health.

GANG AFFILIATION

Subject has no known gang affiliation.

CONSULAR NOTIFICATION

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations.

(b)(7)(E)



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**End Unique ID:**

18  
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**Start Unique ID:**

124

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER**

On 01/[redacted]/2013 at 0300 hours [redacted] was booked into MCSO Jail by Phoenix PD for charges of: FAILURE TO PAY FINES, FEES (M) ARS13-810A. Subject was interviewed by ICE Agent [redacted] in regard to his status in the United States. Subject stated that he is a citizen of MEXICO by virtue of birth. Subject stated that he wanted to speak with an attorney only. Subject refused to answer further questions. Records check in [redacted] returned FINS [redacted] and FBI [redacted]. Subject appears to have two prior voluntary returns. A detainer was created, subject to be transfer to Phoenix ICE Office upon release on local charges for further investigation.

**ENCOUNTER DISPOSITION**

FAILURE TO PAY FINES, FEES (M) ARS13-810A

DISPOSITION: Subject's next court date is on 1/[redacted]/2013

**IMMIGRATION HISTORY**

Subject is not a national or citizen of the United States. Subject is a citizen of Mexico.

Subject has been apprehended by Immigration on 2 occasions.

**CREDIBLE FEAR**

Subject claims FEAR/NO FEAR of political, religious or other persecution if removed from the United States to HIS/HER country of citizenship.

**CRIMINAL RECORD**

1-ARRESTED OR RECEIVED 1999/06/[redacted] SID- [redacted]

AGENCY-POLICE DEPARTMENT GLENDALE (AZ0071300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-1315 AGG ASSLT/WEAPON F 13-1204A2 199906 (b)(6)

CHARGE 2-1315 AGG ASSLT/WEAPON F 13-1204A2 199906 (b)(6)

CHARGE 3-1315 AGG ASSLT/WEAPON F 13-1204A2 199906 (b)(6)

CHARGE 4-2999 CRIM DAMAGE-TAMPER F 13-1602A2 199906 (b)(6)

2-ARRESTED OR RECEIVED 2004/08 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-MARIJUANA-POSSESS/USE

CHARGE 2-DRUG PARAPHERNALIA-POSSESS/USE

CHARGE 3-DRIVE W/LIC SUSPENDED FTA/FTP

COURT-POLICE DEPARTMENT PHOENIX (AZ0072300)

CHARGE-DRIVE W/LIC SUSPENDED FTA/FTP

SENTENCE- GUILTY FINE Y

3-ARRESTED OR RECEIVED 2005/01 (b)(6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE PHOENIX (AZ0070000)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-MARIJUANA-POSSESS/USE

COURT-SHERIFF'S OFFICE PHOENIX (AZ0070000)

CHARGE-MARIJUANA-POSSESS/USE

SENTENCE- COURT DISMISSAL

4-ARRESTED OR RECEIVED 2005/07 (b)(6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE PHOENIX (AZ0070000)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-CRIM.TRESP.3RD.DEG/PROPERTY.

COURT-SHERIFF'S OFFICE PHOENIX (AZ0070000).

CHARGE-CRIM.TRESP.3RD.DEG/PROPERTY.

SENTENCE-..... GUILTY.FINE Y.

5-ARRESTED OR RECEIVED. 2008/05/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO.

CHARGE 2-DUI W/BAC OF .08 OR MORE

COURT-

CHARGE-III/DUI-LIQUOR/DRUGS/VAPORS/COMBO,MISD.

SENTENCE-..... III/05- (b)(6) 2008 GUILTY.CNV.YES.FINED.YES JAIL 10 DAS

CHARGE-III/DUI W/BAC OF .08 OR MORE MISD.

SENTENCE-..... III/05- (b)(6) 2008 COURT.DISSMISSAL.CNV.NO

IMMIGRATION DISPOSITION.

Subject was processed for an I-862 Notice to Appear..

HEALTH.

When questioned, subject stated that he DOES NOT have medical issues and/or concerns.  
Subject appears to be in GOOD health.

GANG AFFILIATION.

Subject HAS NO known gang affiliation.

CONSULAR NOTIFICATION.

Subject was advised of his right to communicate with a Consular Officer from HIS country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject DECLINED. .

(b)(7)(E)



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**End Unique ID:**

124

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**Start Unique ID:**

138

**NARRATIVE:**

\*\*\*\*\*ADDENDUM\*\*\*\*\*

Addendum

On February (b) 2013, Southwest Key Juvenile Facility provided PHO/ERO with a copy of alien's birth certificate. The birth certificate indicates that subject's his true name is (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) and his correct date of birth is (b)(6),(b)(7)(C) which will make this subject an adult. Subject will be taken into custody and transported to an ICE Detention Center. Copy of birth certificate is located in A-File.

(b)(7)(E)

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**IMMIGRATION HISTORY:**

None

**CRIMINAL HISTORY:**

None

**ENCOUNTER**

On January (b) 2013 Border Patrol Agents encountered (b)(6),(b)(7)(C) near Sasabe, AZ. The agent identified himself as a U.S. Border Patrol Agent. Being that he was in a group of adult illegal aliens and the proximity of the border he determined (b)(6),(b)(7)(C) had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America. After determining that (b)(6),(b)(7)(C) had illegally entered the United States, he was transported to the Tucson Sector Coordination Center for processing using (b)(7)(E)

**CRIMINAL VIOLATION:**

At the Tucson Sector Coordination Center, (b)(6),(b)(7)(C) was questioned and admitted to being a citizen of Guatemala. The subject admitted to illegally crossing the international boundary without being inspected by an immigration officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) appears to be in good health. He was notified of his right to communicate with his country's Consular Officer as per Article 36(a)(b) of the Vienna Convention of Consular Relations. The juvenile further stated that he does not fear persecution or torture if returned to Guatemala. The office to the Guatemalan Consulate was contacted on 01/24/2013 at 0240 hours.

**DISPOSITION:**

(b)(6),(b)(7)(C) is being served with a Warrant of Arrest/Notice to Appear, and placed in removal proceedings, per Section 212(a)(6)(A)(i) of the INA. He is an unaccompanied juvenile. (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) contacted his brother at (856)230 (b)(6),(b)(7)(C) and the following contact information was provided:

Uncle

(b)(6),(b)(7)(C)

(856)230 (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Swedesboro, NJ 08085

Property Tag #: 5445274

Q: Where does your family live?

A: Guatemala.

Q: With whom did you live before you left your country?

A: With my mother.

Q: Why did you leave your country?

A: To work.

Q: Do you have any family members in the United States?

A: Yes, I have an uncle.

Q: What was your final destination in the United States?

A: New Jersey

Q: Is this your first entry into the United States?

A: Yes.

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**End Unique ID:**

138

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**Start Unique ID:**

13

**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**IMMIGRATION HISTORY:**

The subject is not a citizen or national of the United States. The subject is a native and citizen of Mexico. The subject claims to have last entered the United States at or near Nogales, Arizona and on about an unknown date and time, without admission or parole after inspection by an Immigration Officer. The subject is currently in removal proceedings and pending a hearing with the Immigration Judge.

**CRIMINAL HISTORY:**

1-ARRESTED OR RECEIVED 2011/05/ (b)(6),(b)(7)(E) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT TEMPE (AZ0072900)

AGENCY CASE (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-DRIVE W/LIC SUSP/REVOKE/CANC

COURT-

CHARGE-III/DRIVE W/LIC SUSP/REVOKE/CANC,MISD

SENTENCE-

III/CDD-201105/ (b)(6),(b)(7)(E) GUILTY,CNV-YES ,JAIL 4 DAS

2-ARRESTED OR RECEIVED 2011/06/ (b)(6),(b)(7)(E)

AGENCY-ICE/DRO PHOENIX (AZICE1400)

AGENCY CASE (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-ALIEN INADMISSIBILITY UNDER SECTION 212

ENCOUNTER/ARREST:

The subject's case was reviewed by the Phoenix ICE/ERO ATD Task Manager during the course of regular docket management. Upon review after consultation with Behavioral Interventions (BI) it was discovered that the subject had 10 violations while enrolled with BI in the Intensive Supervision Appearance Program (ISAP) full-service program. Due to the subject's failure to comply with the terms of his I-220a though his violations while enrolled in ISAP, the subject's case was forwarded to the Secure Communities Arrest Unit for enforcement.

On 01/16/2013, at 0900 hours, (b)(6), (b)(7)(C) was encountered at the ATD Office at Thomas and 3rd Ave. ERO Officers identified themselves and questioned the subject regarding his alienage and removability. The subject freely admitted to being present without admission or parole after inspection by an Immigration Officer. The subject has 10 violations and was then arrested without incident and transported to the Phoenix Field Office for further processing.

The subject was fingerprinted through (b)(7)(E) confirming their criminal and immigration history.

#### COMMUNICATION PRIVLEDGES:

On 01/25/2013, Subject was offered to make a free 3-minute domestic phone call. The subject called his (b)(6), (b)(7)(C) at 480-829-(b)(6), (b)(7)(C).

#### DISPOSITION:

The subject's I-220a Order of Release of Recognizance was revoked and he was terminated from the ISAP full-service program. The subject was detained in the custody of Department of Homeland Security.

#### HEALTH:

The subject claims to be in good health.

(b)(7)(E)

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**End Unique ID:**

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**Start Unique ID:**

2

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER HISTORY**

Subject was encountered while self-surrendering at the MCSO Lower Buckeye Jail following his conviction for DUI. Subject has an active case (case (b)(7)(E)) and is currently out on a \$5,000 bond. However, this recent arrest and conviction for DUI came after the subject had posted bond. Subject appears to be in violation of the terms of his release. A detainer was placed at that time pending further processing and disposition.

**ENCOUNTER**

Subject was turned over to Phoenix ICE/ERO on 01/(b)(7)(E) 2013.

Subject was interviewed in Spanish as I have a working knowledge of the language. Subject expressed understanding of the events taking place on today's date. Subject also stated that while in custody at the Maricopa County Sheriff's Office Jail, no detention issues or allegations of abuse were encountered.

**ENCOUNTER DISPOSITION**

1. DUI-LIQUOR/DRUGS/VAPORS/COMBO a class 1 misdemeanor in violation of ARS 28-1381A

Subject was sentenced to 10 days of jail.

**IMMIGRATION HISTORY**

Subject is not a national or citizen of the United States. Subject is a citizen of Mexico.

Subject has an active case (case (b)(7)(E)) and is currently out on a \$5,000 bond

As per (b)(7)(E) subject has multiple Voluntary Returns

Subject has no petitions pending with US CIS.

#### CREDIBLE FEAR

Subject claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship.

#### CRIMINAL RECORD

1-ARRESTED OR RECEIVED 2011/10/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE (b)(7)(E)

CHARGE 1-FAIL TO SHOW DRIV LIC OR ID

CHARGE 2-DRIVE W/LIC SUSP/REVOKE/CANC

COURT-

CHARGE-III/FAIL TO SHOW DRIV LIC OR ID,MISD

SENTENCE-

III/CDD-201110 (b)(6) GUILTY,CNV-YES ,JAIL 1 DAY

CHARGE-III/DRIVE W/LIC SUSP/REVOKE/CANC,MISD

SENTENCE-

III/CDD-201110 (b)(6) GUILTY,CNV-YES ,JAIL 1 DAY

2-ARRESTED OR RECEIVED 2011/10/ (b)(6), (b)(7)(E)

AGENCY-ICE/DRO PHOENIX (AZICE1400)

AGENCY CASE (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-ALIEN INADMISSIBILITY UNDER SECTION 212

3-ARRESTED OR RECEIVED 2012/06/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT TEMPE (AZ0072900)

AGENCY CASE (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-DRIVE W/LIC SUSP/REVOKE/CANC

COURT-

CHARGE-III/DRIVE W/LIC SUSP/REVOKE/CANC CHANGED TO DRIVE W/LIC

SUSP/REVOKE/CANC,MISD

SENTENCE-

III/CDD-201207 (b)  
(1) GUILTY,CNV-YES ,FINED YES

4-ARRESTED OR RECEIVED 2012/11 (b)  
(6),f SID- (b)(7)(E)

AGENCY-POL DEPT-HQ RECORDS MESA (AZ0071700)

AGENCY CASE (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE

COURT-

CHARGE-III/DUI-LIQUOR/DRUGS/VAPORS/COMBO,MISD

SENTENCE-

III/CDD-201212 (b)  
(1) GUILTY,CNV-YES ,FINED YES,JAIL 10 DAS

CHARGE-III/DUI W/BAC OF PT08 OR MORE,MISD

SENTENCE-

III/CDD-201212 (b)  
(1) COURT DISMISSAL,CNV-NO

PROSECUTORIAL DISCRETION

Subject is currently 32 years old.

Subject does not appear to qualify for prosecutorial discretion.

IMMIGRATION DISPOSITION

Subject was processed as other subject has Active NTA, subject will be remanded into custody.

HEALTH

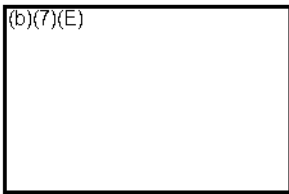
When questioned, subject stated that he does not have medical issues and/or concerns.  
Subject appears to be in good health.

#### GANG AFFILIATION

Subject has no known gang affiliation.

#### CONSULAR NOTIFICATION

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.



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**End Unique ID:**

2  
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**Start Unique ID:**

129

**NARRATIVE:**

All questions regarding apprehension and detention with the Maricopa County Sheriffs Office have been addressed with no issues or concerns.

**ADVISEMENTS:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**ENCOUNTER AND IMMIGRATION HISTORY:**

(b)(6),(b)(7)(C) (D.O.B. (b)(6),(b)(7)(C)) was encountered on 01/17/2013 at approximately 2215 hours at the Maricopa County Sheriff's Office Fourth Avenue Jail. Subject had been arrested by the Phoenix Police Department and booked in on charges of:

FORGERY-POSS FORGED INSTRUMENT, a class 4 felony, in violation of ARS 13-2002A2

Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). Subject stated that he is a citizen and national of Mexico by virtue of birth in Mexico City, Mexico. Subject admitted to his presence in the United States without the proper permission to be in, pass through or remain in the country legally. Subject claims to have entered the United States about 12 years ago through Nogales, AZ. Systems checks through (b)(7)(E) revealed that subject has no petitions or applications on file. Subject has no prior immigration apprehensions. Subject is not a citizen or national of the United States and makes no claim to such. Subject freely admitted that he was born in Mexico City, Mexico on (b)(6),(b)(7)(C). Subject freely admitted that he is a citizen and national of Mexico and no other country. Subject freely admitted that he entered the United States without inspection at or near Nogales, AZ on or about 07/01/2007. Subject admits to having entered the United States without inspection and at a place other than an open and designated Port of Entry and is deemed inadmissible per section 212 (a)(6)(A)(i) of the INA. Subject claims no fear of political, religious or other persecution if removed from the United States to his country of citizenship. A detainer was placed on the subject to hold him for further processing upon release from local charges.

ENCOUNTER DISPOSITION:

Charges not filed by the County Attornies Office and sent back to Phoenix Police Department on 01/29/2013 for more information.

CRIMINAL HISTORY:

1-ARRESTED OR RECEIVED 2013/01/ (b)(7)(E) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-FORGERY-POSS FORGED INSTRUMENT

IMMIGRATION APPREHENSIONS:

Subject has one known Immigration apprehensions.

IMMIGRATION DISPOSITION:

Subject was processed for an I-862 Notice to Appear.

HEALTH:

When questioned, subject stated that he does not have medical issues and/or concerns. Subject stated he is not taking medications at this time. Subject appears to be in good health.

GANG AFFILIATION:

Subject has no known gang affiliation.

COMMUNICATION RECORD:

Subject accepted to make a phone call. Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

(b)(7)(E)

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**End Unique ID:**



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**Start Unique ID:**

126

**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**IMMIGRATION HISTORY:**

(b)(6),(b)(7)(C) DOB: (b)(6),(b)(7)(C) is not a citizen or national of the United States. Subject is a native and citizen of Mexico. Subject claims to have entered the United States near Nogales, Arizona on or about November, 2007 and was not then admitted or paroled after inspection by an Immigration Officer. Subject has no applications or petitions pending with United States Citizenship and Immigration Services.

**ENCOUNTER/ARREST:**

Subject was encountered on 01/(b)(6),(b)(7)(C) 2013 at the MCSO 4th avenue Intake at approximately 0057 hrs. Subject was apprehended by Phoenix Police Department for:

Count 1: Liquor-Possession Open in Vehicle, a class 1 Misdemeanor, in violation of ARS 4-251A2

ICE CAP IEA (b)(6),(b)(7)(C) determined citizenship and alienage on subject.

Subject admitted to being a citizen and national of Mexico. Subject admits to being in the United States Illegally. Subject claims to have entered the United States at an unknown location in 2007. Subject does not have proper documentation to legally reside or remain in the United States. A detainer was placed on subject.

**ENCOUNTER DISPOSITION:**

Subject had been arrested by the Phoenix Police Department and booked in on charges for:

Count 1: LIQUOR-POSSESSION OPEN CONTAINER IN VEHICLE, a class 1 misdemeanor, in violation of A.R.S. Section, 4-251A2

Subject was, on January (b)(6),(b)(7)(C) 2013, convicted in the Phoenix Municipal Court, for the offense, Count 1: LIQUOR-POSSESSION OPEN CONTAINER IN VEHICLE ARS 4-251A2 committed on January (b)(6),(b)(7)(C) 2013. Subject was sentenced to 1 day in the County Jail.

INTERVIEW:

When interviewed subject claims his true and correct name is (b)(6),(b)(7)(C) DOB: (b)(6),(b)(7)(C)

CRIMINAL HISTORY:

1-ARRESTED OR RECEIVED 2013/01 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT, PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E)

CHARGE 1-LIQUOR-POSS OPEN CONT IN VEH

RECORD UPDATED 2013/01/27

IMMIGRATION APPREHENSIONS:

Subject has two (2) Prior Voluntary Returns one on 10/09/2007, and the second on 10/12/2007.

COMMUNICATION PRIVLEDGES:

On January 28, 2013 (b)(6),(b)(7)(C) was offered to make a free domestic phone call. Subject called his friend (b)(6),(b)(7)(C) at 0018hrs (602) 299- (b)(6),(b)(7)(C)

CONSULAR NOTIFICATION:

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which the subject declined.

HEALTH:

Subject claims good health.

GANGS:

Subject claims no gang affiliation.

IMMIGRATION DISPOSITION:

Subject was processed for an I-862 Warrant of Arrest/Notice to Appear.

PROSECUTORIAL DISCRETION:

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security. Subject does not qualify for prosecutorial discretion due his criminal history and did not attend any schools.

**CREDIBLE FEAR:**

Subject claims to have no credible fear of returning back to Mexico.

(b)(7)(E)

**End Unique ID:**

126

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**Start Unique ID:**

82

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**IMMIGRATION HISTORY:**

Subject is not a citizen or national of the United States. Subject is a citizen and national of Guatemala. Subject last entered the United States at or near unknown Place on or about January 26, 2013. Subject was not then admitted or paroled by an Immigration Official. Subject has no known applications or petitions pending with the United States Citizenship and Immigration Service. Subject claims no fear of political, religious or other persecution if removed from the United States to her country of citizenship.

**ENCOUNTER:**

On January (b)(6),(b)(7)(C) 2013, at approximately 2300 hours, Arizona Dept. of Public Safety Officer (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) contacted the Phoenix ICE LEAR Unit in reference to twenty-one subjects that he and other officers had in custody. Officer (b)(6),(b)(7)(C) encountered the subjects after he initiated a traffic stop on a vehicle for weaving in and out of lanes northbound on Loop 101 near the Broadway Rd. off ramp. Upon making contact with the driver, Officer (b)(6),(b)(7)(C) noticed the subjects in the vehicle. LEAR Agents (b)(6),(b)(7)(C) responded to the scene and determined that nineteen of the twenty-one subjects were present in the United States illegally. ICE HSI Duty Agent (b)(6),(b)(7)(C) was notified of the call and ICE HSI placed the remaining two subjects in custody for further investigation. The nineteen subjects were then transported to the Phoenix ICE ERO Field Office for processing and disposition.

(b)(6),(b)(7)(C) DOB: (b)(6),(b)(7)(C) was encountered at the scene.

**CRIMINAL RECORD:**

Subject has no known criminal history.

**IMMIGRATION APPREHENSIONS:**

Subject has no known Immigration apprehensions.

**HEALTH:**

When questioned, subject stated that she has blisters on her feet, due to walking.

**GANG AFFILIATION:**

Subject has no known gang affiliation.

**CONSULAR NOTIFICATION:**

Subject was advised of her right to communicate with a Consular Officer from her country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

**PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN:**

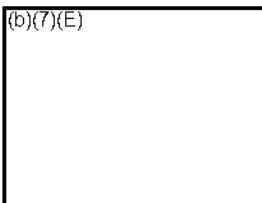
Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security. Subject claims that she entered the United States at the age of 31, has not continuously resided in the United States for at least 5 years. Subject did not attend or graduate from high school and did not obtain a general equivalency diploma (GED). Subject is currently 31 years old. Subject does not appear to qualify for this form of prosecutorial discretion.

**PHONE CALL:**

Subject was given an opportunity to make a free domestic call, to which the subject declined.

**IMMIGRATION DISPOSITION:**

Subject requested a hearing before an Immigration Judge. Subject was processed for an I-862 Notice to Appear.



I-77# 2468178

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**End Unique ID:**

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**Start Unique ID:**

73

**NARRATIVE:**

FBI: (b)(6),(b)(7)(C),(b)(7)(E)

SID: (b)(7)(E)

A#: (b)(6),(b)(7)(C)

**METHOD AND LOCATION OF APPREHENSION:**

(b)(6),(b)(7)(C) came to the attention of Immigration & Customs Enforcement (ICE) pursuant to his incarceration at the Contra Costa County, located in Martinez, California. On 12/1/2012 Agent (b)(6),(b)(7)(C) identified himself as an Immigration Enforcement Agent and interviewed the SUBJECT. Agent (b)(6),(b)(7)(C) then placed a detainer on the SUBJECT. SUBJECT was released into ICE custody on 01/1/2013.

**ALIENAGE AND REMOVABILITY:**

SUBJECT is an adult male, native and citizen of Mexico since birth. SUBJECT stated he entered the United States approximately in 1994-1995 at or near a location he doesn't remember, by way that he doesn't remember. SUBJECT claims to have entered with a student visa. This Agent conducted DHS systems checks and could not verify SUBJECT's claim of entry. SUBJECT does not have any documents to be in the United States legally.

**CRIMINAL HISTORY:**

06/1/2007 CAPD CONCORD

070KHG022-320713682A

001:BOOK / RELEASE

23152(A)/23152(B) VC-DUI:ALCOHOL/DRUGS

DISPO: CONVICTED-PROB/JAIL

CONV STATUS: MISDEMEANOR

SEN: 90 DAYS JAIL-PER COCO COUNTY CLERK

08/1/2007 CAPD CONCORD



070KHG022-320718110A

001:BOOK / RELEASE

23152(B) VC-DUI ALCOHOL/0.08 PERCENT

DISPO: CONVICTED-PROB/JAIL

CONV STATUS: MISDEMEANOR

SEN: 90 DAYS JAIL-PER COCO COUNTY CLERK

12/12/2012 (b)(6),(b)(7)(C)

CC12EQ697A-070KHG022

01: 23152 (A) VC-DUI ALCOHOL/DRUGS

02: 23152 (B) VC-DUI ALCOHOL/0.08 PERCENT

03: 14601.5 (A) VC-DRIVE: LIC SUS/ ETC: DUI/ RFUSE TST

\*ARREST FOR WARRANT ON 2 DUI CHARGES ABOVE

IMMIGRATION HISTORY:

SUBJECT information and fingerprints were entered into (b)(7)(E) SUBJECT does not have a prior immigration history.

Except for what is mentioned in this report, SUBJECT disclaims any other equities, ties, or petitions pending before the U.S. Department of Homeland Security or the U.S. Citizenship and Immigration Service on his behalf.

HEALTH AND HUMANITARIAN:

SUBJECT claims to be in good health.

SUBJECT stated that he DOES have fear should he be removed from the United States to his country of citizenship.

SUBJECT claims to have no gang affiliations.

DISPOSITION:

SUBJECT to be processed as Notice to Appear.

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**End Unique ID:**

73

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**Start Unique ID:**

130

**NARRATIVE:**

**ENCOUNTER:**

(b)(6),(b)(7)(C) was encountered on January (b)(6) 2013 at approximately 2000 hours at the Maricopa County Fourth Avenue Jail. Subject had been arrested by the Phoenix Police Department and booked in on charges of:

FAILURE TO PAY FINES/FEES. (M1) ARS 13-810A

Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). Subject claims that he was born in Los Angeles California. System checks in (b)(6),(b)(7)(C) were (b)(7)(E). (b)(7)(E) shows the subject was born in Mexico. (b)(6),(b)(7)(C) also verified that the subject was born in Mexico with the name of (b)(6),(b)(7)(C). Subject also has a long list of charges in (b)(7)(E).

A detainer was placed on the subject to hold him for further investigation upon release from local charges.

**INTERVIEW:**

At the Phoenix ERO office (b)(6),(b)(7)(C) freely admitted to being a citizen and national of Mexico present in the United States without being admitted or paroled after inspection by an Immigration Officer. He was not in possession of any documentation allowing him to legally reside or work in the United States. Subject states that his parents are citizens and nationals of Mexico. Subject stated that he last entered the United States near at an unknown location in 1992. Subject originally claimed that he had documents allowing him to be in the US legally then admitted that he had obtained false documents. Subject was extremely uncooperative and refused to answer most questions. There is missing information due to subject not willing to provide the information.

**CRIMINAL HISTORY:**

1-ARRESTED OR RECEIVED 1993/09/(b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT SAN FRANCISCO (CA0380100)

AGENCY CASE- (b)(7)(E)

CHARGE 1-DUI ALCO/DRUGS

CHARGE 2-PETTY THEFT

CHARGE 3-PETTY T. RETAIL MERCHANDISE/ETC

COURT-POLICE DEPARTMENT, SAN FRANCISCO (CA0380100)

CHARGE-484 A. PC-PETTY THEFT

SENTENCE-

PROS. REL-DET. ONLY-INTEREST OF JUSTICE

CHARGE-490.5 PC-PETTY THEFT, RETAIL MERCHANDISE

SENTENCE-

PROS. REL-DET. ONLY-INTEREST OF JUSTICE

2-ARRESTED OR RECEIVED 1994/01/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT, LOS ANGELES (CA0194200)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-F. ATT. ROBBERY

COURT-SUPERIOR COURT, LOS ANGELES (CA019293J)

CHARGE-211 PC-ROBBERY, SECOND DEGREE

SENTENCE-

CONVICTED-PROBATION.....-036MONTHS

PROBATION.....-133DAYS..... JAIL SS.....-

RESTN.....-..... IMP. SEN. SS.....-ATTEMPTED

3-ARRESTED OR RECEIVED 1994/07/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT, LOS ANGELES (CA0194200)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-F PANDERING

4-ARRESTED OR RECEIVED 1994/07/ [REDACTED] SID- [REDACTED]

AGENCY-POLICE DEPARTMENT LOS ANGELES (CA0194200)

AGENCY CASE- [REDACTED] NAME USED- [REDACTED]

CHARGE 1-M DISORDERLY CONDUCT PROST

COURT-MUNICIPAL COURT BEVERLY HILLS (CA019053J)

CHARGE-647 B PC-DISORDERLY CONDUCT PROSTITUTION

SENTENCE-

CONVICTED-PROB/JAIL -024MONTHS

PROBATION -030DAYS JAIL -

IMP SEN SS

5-ARRESTED OR RECEIVED 1994/08/ [REDACTED] SID- [REDACTED]

AGENCY-SHERIFF'S OFFICE NORWALK (CA0190000)

AGENCY CASE- [REDACTED] NAME USED [REDACTED]

CHARGE 1-DISORDERLY CONDUCT SOLICIT LEWD ACT

COURT-MUNICIPAL COURT BEVERLY HILLS (CA019053J)

CHARGE-647 A PC-DISORDERLY CONDUCT SOLICIT LEWD ACT

SENTENCE-

CONVICTED-PROB/JAIL -024MONTHS

PROBATION -005DAYS JAIL

6-ARRESTED OR RECEIVED 1995/02/ [REDACTED] SID- [REDACTED]

AGENCY-POLICE DEPARTMENT LOS ANGELES (CA0194200)

AGENCY CASE- [REDACTED] NAME USED- [REDACTED]

CHARGE 1-M DISORDERLY CONDUCT PROST

COURT-MUNICIPAL COURT BEVERLY HILLS (CA019053J)

CHARGE-647 B PC-DISORDERLY CONDUCT PROSTITUTION

SENTENCE-

CONVICTED-PROB/JAIL -024MONTHS

PROBATION -015DAYS JAIL -

IMP SEN SS

7-ARRESTED OR RECEIVED 1995/07/ (b)  
(6),f SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT LOS ANGELES (CA0194200)

AGENCY CASE- (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-M DISORDERLY CONDUCT PROST

COURT-MUNICIPAL COURT BEVERLY HILLS (CA019053J)

CHARGE-148 A PC-OBSTRUCTS RESISTS PUBLIC OFFICER ETC

SENTENCE-

DISMISSED/FOJ/PLEA TO OTHER CHARGE

CHARGE-647 B PC-DISORDERLY CONDUCT PROSTITUTION

SENTENCE-

CONVICTED-PROB/JAIL -024MONTHS

PROBATION -090DAYS JAIL -

IMP SEN SS

8-ARRESTED OR RECEIVED 1995/11/ (b)  
(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT LOS ANGELES (CA0194200)

AGENCY CASE- (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-M DISORDERLY CONDUCT

COURT-MUNICIPAL COURT BEVERLY HILLS (CA019053J)

CHARGE-647 B PC-DISORDERLY CONDUCT PROSTITUTION

SENTENCE-

CONVICTED-PROB/JAIL -024MONTHS

PROBATION -015DAYS JAIL -

IMP SEN SS

9-ARRESTED OR RECEIVED 1996/02/ (b) (6) SID- (b) (7) (E)

AGENCY-POLICE DEPARTMENT LOS ANGELES (CA0194200)

AGENCY CASE (b) (7) (E) NAME USED- (b) (6), (b) (7) (C)

CHARGE 1-M DISORD CONDUCT SOLICIT LEWD ACT

COURT-MUNICIPAL COURT BEVERLY HILLS (CA019053J)

CHARGE-647 A PC-DISORDERLY CONDUCT SOLICIT LEWD ACT

SENTENCE-

CONVICTED-PROB/JAIL -024MONTHS

PROBATION -060DAYS JAIL -

IMP SEN SS

10-ARRESTED OR RECEIVED 1996/04/ (b) (6) SID- (b) (7) (E)

AGENCY-POLICE DEPARTMENT LOS ANGELES (CA0194200)

AGENCY CASE (b) (7) (E) NAME USED- (b) (6), (b) (7) (C)

CHARGE 1-M WRT DISORD CONDUCT SOLICIT LEW ACT

CHARGE 2-M WRT#LAH95H0371901 DISORDERLY CONDUCT PROST

CHARGE 3-M WRT#LAH95H0248601 DISORDERLY CONDUCT PROST

11-ARRESTED OR RECEIVED 1998/04/ (b) (6) SID- (b) (7) (E)

AGENCY-POLICE DEPARTMENT LOS ANGELES (CA0194200)

AGENCY CASE (b) (7) (E) NAME USED- (b) (6), (b) (7) (C)

CHARGE 1-M. LOITERING TO ENGAGE IN PROSTITUTION

COURT-POLICE DEPARTMENT. LOS ANGELES (CA0194200)

CHARGE-653 22 A. PC-LOITER INTENT. PROSTITUTION

SENTENCE-

PROS. REL-DET. ONLY-LACK OF SUFF. EVID.

12-ARRESTED OR RECEIVED: 1998/04/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT. LOS ANGELES (CA0194200)

AGENCY CASE (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-M. LOITERING TO ENGAGE IN PROSTITUTION

CHARGE 2-M. WRT. DISORD. CONDUCT. SOLICIT. LEWD. ACT.

13-ARRESTED OR RECEIVED: 1999/07/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT. LOS ANGELES (CA0194200)

AGENCY CASE (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-647 (B)PC M. DISORDERLY CONDUCT. PROST.

14-ARRESTED OR RECEIVED: 1999/08/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT. LOS ANGELES (CA0194200)

AGENCY CASE (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF OBSTRUCT. PUBLIC OFFICER

15-ARRESTED OR RECEIVED: 2000/08/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT. LOS ANGELES (CA0194200)

AGENCY CASE (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF DRIVE W/O LICENSE

CHARGE 2-001 COUNTS OF FAIL T/APPEAR, WRIT. PROMIS.

16-ARRESTED OR RECEIVED: 2000/10/ (b)(6) SID- (b)(7)(E)



AGENCY-POLICE DEPARTMENT LOS ANGELES (CA0194200)

AGENCY CASE- (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF PROB VIOL,REAREST/REVOKE

17-ARRESTED OR RECEIVED 2007/03/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-BURGLARY 1ST DEGREE

CHARGE 2-CRIMINAL DAMAGE-DEFACE

COURT-

CHARGE-III/BURGLARY 1ST DEGREE,FEL

SENTENCE-

III/PENDING/NOT REPORTED

CHARGE-III/CRIMINAL DAMAGE-DEFACE,FEL

SENTENCE-

III/CDD-200703/ (b)(6) NO COMPLAINT FILED,CNV-NO

18-ARRESTED OR RECEIVED 2007/04/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT LOS ANGELES (CA0194200)

AGENCY CASE- (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF SOLICIT LEWD ACT

COURT-MUNICIPAL COURT BEVERLY HILLS (CA019053J)

CHARGE-647 A PC-DISORDERLY CONDUCT SOLICIT LEWD ACT

SENTENCE-

CONVICTED-PROB/JAIL -036MO PROBATION

-030DS JAIL - RESTN - WORK PROGRAM

- IMP SEN SS -FOR CERT INFO SEE AUTO

19-ARRESTED OR RECEIVED 2008/02, (b)(6), SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-BURGLARY 3RD DEGREE

COURT-

CHARGE-III/BURGLARY 3RD DEGREE CHANGED TO BURGLARY TOOLS

POSSESSION,FEL

SENTENCE-

III/DDT-200803 (b)(6), GUILTY,CNV-YES ,JAIL 3 MOS,PROBATION MARICOPA 2

YRS,PROB REVOKED PRISON 1 YR,SENTENCE SUSPENDED

20-ARRESTED OR RECEIVED 2011/08, (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-DANGEROUS DRUG-POSS/USE

CHARGE 2-DRUG PARAPHERNALIA-POSSESS/USE

CHARGE 3-FAILURE TO APPEAR 2ND DEG

CHARGE 4-DRIVE W/LIC SUSPENDED FTA/FTP

COURT-

CHARGE-III/DANGEROUS DRUG-POSS/USE,FEL

SENTENCE-

III/CDD-201108 (b)(6) COURT DISMISSAL,CNV-NO

CHARGE-III/DRUG PARAPHERNALIA-POSSESS/USE,FEL

SENTENCE-

III/CDD-201108(b) COURT DISMISSAL,CNV-NO

CHARGE-III/FAILURE TO APPEAR 2ND DEG,MISD

SENTENCE-

III/CDD-201108(b) NO COMPLAINT FILED,CNV-NO

CHARGE-III/DRIVE W/LIC SUSPENDED FTA/FTP,MISD

SENTENCE-

III/CDD-201012(b) GUILTY,CNV-YES ,FINED YES

RECORD UPDATED 2013/01/31

IMMIGRATION HISTORY:

Subject has no prior immigration violations

PHONE CALL: Subject made a phone call to his (b)(6),(b)(7)(C) at 0815 at # 480 381 (b)(6),(b)(7)(C)

CONSULAR NOTIFICATION:

(b)(6),(b)(7)(C) was notified of his right to communicate with a Consular Officer from his country as per article 36(1) (b) of the Vienna Convention on Consular Relations. Subject declined to speak with a consular officer at this time.

HEALTH:

Subject appears to be in good health and claims no medical problems.

Subject states that he has no fear of persecution, torture, or physical harm if returned to his native country of Mexico.

DISPOSITION (b)(6),(b)(7)(C) was processed for WA/NTA

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**End Unique ID:**

130

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**Start Unique ID:**

84

**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**ENCOUNTER:**

Subject was encountered on (b)(6),(b)(7)(C) at the MCSO 4th avenue Intake at approximately 0224 hrs. Subject was apprehended by Phoenix Police Department for:

Count 1: DUI-Liquor/Dugs/Vapors/Combo, a class 1 Misdemeanor, in violation of ARS 281381A1

Count 1: DUI W/Bac of .08 Or More, a class 1 Misdemeanor, in violation of ARS 28-1381A2

Count 1: Extreme Dui-Bac .15 or More, a class 1 Misdemeanor, in violation of ARS 28-1382A

Count 1: Fail to Show Driv Lic or ID, a class 1 Misdemeanor, in violation of ARS 28-1595B

Count 1: Failed to Produce Evidence of Fi, a Civil violation, in violation of ARS 28-4135C

ICE CAP IEA (b)(6),(b)(7)(C) determined citizenship and alienage on subject.

Subject admitted to being a citizen and national of Mexico. Subject then refused to answer any further questions. A detainer was placed on subject to further investigate.

**IMMIGRATION HISTORY:**

On February ( ), 2013, (b)(6),(b)(7)(C) was turned over to Immigrations and Customs Enforcement upon release from Maricopa County 4th AVE Jail. (b)(6),(b)(7)(C) stated that his true and correct name is (b)(6),(b)(7)(C). (b)(6),(b)(7)(C) freely admitted to being a citizen and national of Mexico by birth and that he entered the United States on or about an unknown date 2000 at or near Lukeville, AZ. There is no record of a lawful entry. (b)(6),(b)(7)(C) does not claim to have an application and/or petition pending with United States Citizenship and Immigration Services.

(b)(6),(b)(7)(C) was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). (b)(6),(b)(7)(C) claims to be in the US illegally. (b)(6),(b)(7)(C) claimed (b)(6),(b)(7)(C) citizenship by

virtue of birth in Mexico City DF, MEXICO.. Subject admits to having entered the United States without inspection and at a place other than an open and designated Port of Entry and is deemed inadmissible per section 212 (a)(6)(A)(i) of the INA.

(b)(6),(b)(7)(C) reported having no fear of returning to MEXICO.

(b)(6),(b)(7)(C) has not served in the United States Armed Forces.

PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN:

(b)(6),(b)(7)(C) was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security..

Subject does not appear to qualify for this form of prosecutorial discretion.

CRIMINAL HISTORY CHECKS:

1-ARRESTED OR RECEIVED 2012/08/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE: (b)(7)(E)

CHARGE 1-ASSAULT-INTENT/RECKLESS/INJURE

COURT - CHARGE-III/ASSAULT-INTENT/RECKLESS/INJURE, MISD.

SENTENCE - III/CDD-201212 (b)(6), COURT DISMISSAL, CNV-NO.

2-ARRESTED OR RECEIVED 2013/01/ (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE: (b)(7)(E)

CHARGE 1-DUI-LIQUOR/DRUGS/VAPORS/COMBO

CHARGE 2-DUI W/BAC OF .08 OR MORE

CHARGE 3-EXTREME DUI-BAC .15 OR MORE

CHARGE 4-FAIL TO SHOW DRIV LIC OR ID.

RECORD UPDATED 2013/01/31.

Disposition of Charges:

On 02/01/2013, (b)(6),(b)(7)(C) pled guilty in the Phoenix Municipal court for the offense of Count 1 Driving or Being in Actual Physical Control While Under the Influence of Intoxicating Liquor, Any Drug, Vapor Releasing Substance, a class 1 misdemeanor, in violation of ARS 28-1381 (A) (1), Offence Date; 01/30/2013, and sentenced to 20 days in custody of Maricopa County Jail and 12 months of probation.

**HEALTH:**

(b)(6),(b)(7)(C) claims no health issues and appears to be in good health.

**GANG AFFILIATION:**

(b)(6),(b)(7)(C) has no known gang affiliation.

**TELEPHONE CALL:**

(b)(6),(b)(7)(C) declined a phone call at this time.

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations. Subject declined to contact the Consular Officer at this time.

**IMMIGRATION DISPOSITION:**

(b)(6),(b)(7)(C) was processed for an I-862 Notice to Appear.

I77# 2467792

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**End Unique ID:**

84

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**Start Unique ID:**

83

**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**IMMIGRATION STATUS:**

Subject is not a citizen or national of the United States. Subject is a citizen and national of United Kingdom. The subject does not make any claims to having any applications or petitions pending with CIS. (b)(7)(V) indicates subject entered the United States October 25, 2011 and an outbound of November 8, 2011. Subject claims he never left. (b)(7)(E) database shows the subject was granted a 6 month visa extension of his April 25, 2012 departure date for a period not to exceed October 23, 2012. Subject claims no fear of returning to his country of citizenship, United Kingdom.

**ENCOUNTER:**

On 1/(b)(6)/2013, IEA (b)(6),(b)(7)(C) contacted Secure Communities in Phoenix requesting a detainer be created and faxed to Yavapai County Jail. IEA (b)(6),(b)(7)(C) stated that (b)(6),(b)(7)(C) is a citizen of the United Kingdom who was lawfully admitted to the United States with a B2 visa and overstayed his admission. Subject was arrested by ERO officers at the Cottonwood Police Station and taken to the Yavapai County Jail. A detainer was faxed over to the jail.

**TELEPHONE RIGHTS:**

The subject made a phone call to the United Kingdom Consulate (310) 481-(b)(6), however, there was no answer and he left a message @ 1545 hours.

**CRIMINAL HISTORY:**

1-ARRESTED OR RECEIVED 2013/01 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT COTTONWOOD (AZ0130300)

AGENCY CASE (b)(7)(E)

CHARGE 1-THREAT-INTIMIDATE

Subject known to associate with (b)(6),(b)(7)(C)

IMMIGRATION APPREHENSIONS (IDENT):

none

HEALTH:

The subject claims to have no known medical problems.

DISPOSITION:

Subject was processed as an I-862 WA/NTA on 02/4/2013.

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**End Unique ID:**

83

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**Start Unique ID:**

139

**NARRATIVE:**

IMMIGRATION HISTORY: None found.

CRIMINAL HISTORY: None found.

**ENCOUNTER**

A Border Patrol Agent encountered (b)(6),(b)(7)(C) in the District of Arizona. Being that he was in a group of adult illegal aliens and the proximity of the border, the Border Patrol Agent determined that (b)(6),(b)(7)(C) unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America. After determining that (b)(6),(b)(7)(C) was an alien who illegally entered the United States, (b)(6),(b)(7)(C) was transported to the Tucson Sector Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**CRIMINAL VIOLATION:**

At the Tucson Sector Coordination Center, I questioned (b)(6),(b)(7)(C). He admitted he was a national and citizen of Guatemala. The subject admitted to illegally crossing the international boundary without being inspected by an immigration officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) appears to be in good health. (b)(6),(b)(7)(C) was notified of his right to communicate with his country's Consular Officer as per Article 36(a)(b) of the Vienna Convention of Consular Relations. (b)(6),(b)(7)(C) further stated that he does not fear persecution or torture if returned to Guatemala.

**TRAVEL INFORMATION:**

(b)(6),(b)(7)(C) stated that he traveled from his home in Guatemala to Mexico. He then traveled through Mexico by bus. (b)(6),(b)(7)(C) does not know the names of any of the places he stayed in Mexico. He then crossed the U.S./Mexico International Boundary illegally on foot.

DISPOSITION:

(b)(6),(b)(7)(C) is being served with a Warrant of Arrest/Notice to Appear (I-862), and placed in removal proceedings, per Section 212(a)(6)(A)(i) of the INA. Subject is an unaccompanied juvenile. (b)(6),(b)(7)(C) broke to being a juvenile at the Tucson Coordination Center on February 2nd, 2013.

Q: Where does your family live?

A: Guatemala.

Q: With whom did you live before you left your country?

A: I was living with family.

Q: Why did you leave your country?

A: To work and live in the United States.

Q: Do you have any family members in the United States?

A: Yes.

Q: What was your final destination in the United States?

A: Tucson

Q: Is this your first entry into the United States?

A: Yes.

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Addendum

On February 20, 2013, Phoenix Southwest Juvenile Facility provided PHO/ERO with a copy of alien's birth certificate. The birth certificate indicates that subject's correct date of birth is (b)(6),(b)(7)(C) which will make this subject an adult. Subject will be taken into custody and transported to an ICE Detention Center. Copy of birth certificate is located in A-File.

(b)(7)(E)

\_\_\_\_\_  
(b)(6),(b)(7)(C) Deportation Officer-PHO ERO

Date: 02/20/2013

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**End Unique ID:**

139

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**Start Unique ID:**

21

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by the Secretary of Homeland Security of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Casa Grande Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject again stated that he was a citizen and national of Mexico without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The subject further stated that they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject was served with Service Forms I-862 Notice to Appear and I-200 Warrant of Arrest and is being held in service custody for OASIS..

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**End Unique ID:**

21

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**Start Unique ID:**

135

**NARRATIVE:**

IMMIGRATION HISTORY: None Found.

CRIMINAL HISTORY: None Found.

**ENCOUNTER:**

A Border Patrol Agent encountered (b)(6),(b)(7)(C) in the district of Arizona. Being that the subject was in a group of adult illegal aliens and the proximity of the border, the Border Patrol Agent determined the subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by immigration officers of the United States of America. After determining the subject was an alien who illegally entered the United States, the subject was transported to the Nogales Station for further processing using the (b)(7)(E) and (b)(7)(E)

**CRIMINAL VIOLATION:**

At the Nogales Station, I questioned the subject. The subject admitted the he was a national and citizen of Honduras. The subject admitted to illegally crossing the international boundary without being inspected by an immigration officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject appears to be in good health. The subject was notified of his right to communicate with his country's Consular Officer as per Article 36(a)(b) of the Vienna Convention of Consular Relations. The subject did not want to speak with the consulate at this time.

**DISPOSITION:**

TUCIO is being served with a Warrant of Arrest/Notice to Appear, and placed in removal proceedings, per Section 212(a)(6)(A)(i) of the INA. He is an unaccompanied juvenile.

Q: Where does your family live?

A: My family lives in Tegucigalpa, Honduras

Q: With whom did you live before you left your country?

A: I lived with my parents.

Q: Why did you leave your country?

A: To find work here.

Q: Do you have any family members in the United States?

A: No.

Q: What was your final destination in the United States?

A: Los Angeles.

Q: Is this your first entry into the United States?

A: Yes.

PROPERTY # 5449687

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Addendum

On February 20, 2013, Phoenix Southwest Juvenile Facility provided PHO/ERO with a copy of alien's birth certificate. The birth certificate indicates that subject's correct date of birth is (b)(6),(b)(7)(C) which will make this subject an adult. Subject will be taken into custody and transported to an ICE Detention Center. Copy of birth certificate is located in A-File.

(b)(7)(E) (b)(7)(E)

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(b)(6),(b)(7)(C) Deportation Officer-PHO ERO

Date: 02/20/2013

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**End Unique ID:**

135

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**Start Unique ID:**

15

**NARRATIVE:**

On February 17, 2013, (b)(6),(b)(7)(C) was encountered by DHS/ICE (TUC/ERO CAP Unit) and a detainer was placed on subject under the alias of (b)(6),(b)(7)(C) with D.O.B. (b)(6),(b)(7)(C)

On February 19, 2013, (b)(6),(b)(7)(C) was released from Pima County Jail to DHS/ICE (TUC/ERO CAP Unit) custody and was processed.

(b)(6),(b)(7)(C) is a citizen and national of Mexico and no other country. Subject was born in Mexico, as were his parents. Subject has never been a citizen or national of any country other than Mexico. Subject stated that he last entered the United States on or about, February 5, 2012 at or near Nogales, Arizona and was not then admitted or paroled after inspection by a Customs and Border Protection Officer. Subject claims no credible fear of being returned to his native country. Subject claims no service in the United States Armed Forces.

**IMMIGRATION RECORD:**

11/15/2011- Voluntary Departure by an Immigration Judge-Florence, Arizona.

**CRIMINAL RECORD:**

(b)(6),(b)(7)(C) was on, February 19, 2013, arrested by the Tucson Police Department for the offenses of Disorderly Conduct, in violation of A.R.S. 13-2904+DV, Criminal Damage, in violation of A.R.S. 13-1602+DV, (2 Counts) Contributing Delinquency/Dependency of Minor, in violation of 13-3613, and Failure to Appear 2nd Degree/Under 21 Liquor in Body, in violation of A.R.S. 13-2506. Charges are currently pending.

(b)(6),(b)(7)(C) is removable from the United States per section 212(a)(6)(A)(i) of the INA.

(b)(6),(b)(7)(C) was fingerprinted, photographed, enrolled into (b)(7)(E)

(b)(6),(b)(7)(C) was also advised of his communication and consular notification rights.

**DISPOSITION:** (b)(6),(b)(7)(C) was served with a Notice to Appear.

**NO WANTS/WARRANTS FOR FBI#** (b)(6),(b)(7)(C),(b)(7)(E)

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**End Unique ID:**

15  
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**Start Unique ID:**

136

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Subject has no previous apprehension(s) for illegal entry into the United States.

**CRIMINAL HISTORY:** None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject stated that they are a citizen and national of Pakistan without the necessary legal documents to enter, pass through, or remain in the United States. The subject also stated they illegally crossed the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The

(b)(6),(b)(7)(C)

**DISPOSITION:**

The subject was served Service Forms I-862 Notice to Appear and I-200 Warrant for Arrest. The subject will be held in service custody pending their removal proceedings/immigration hearing.

During an interview, (b)(6),(b)(7)(C) stated that his religion is Ahmedi. (b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)

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**End Unique ID:**

136

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**Start Unique ID:**

141

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Subject has four prior apprehensions.

**CRIMINAL HISTORY:**

None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by the Secretary of Homeland Security of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Sector Detention Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject again stated that they were a citizen and national of India without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The subject further stated that they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject was served with Service Forms I-862 Notice to Appear and I-200 Warrant of Arrest and is being held in service custody pending their immigration hearing.

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**End Unique ID:**

141

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**Start Unique ID:**

140

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Subject has four prior apprehensions.

**CRIMINAL HISTORY:**

None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by the Secretary of Homeland Security of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Sector Detention Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject again stated that they were a citizen and national of India without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The subject further stated that they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject was served with Service Forms I-862 Notice to Appear and I-200 Warrant of Arrest and is being held in service custody pending their immigration hearing.

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**End Unique ID:**

140

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**Start Unique ID:**

14

**NARRATIVE:**

On February 1, 2013, (b)(6),(b)(7)(C) was arrested as the driver of a 1999 Oldsmobile, bearing Arizona license plate (b)(6),(b)(7), on Interstate 10 and Eagle Mountain Road, near Desert Center, California. (b)(6),(b)(7)(C) admitted to Border Patrol Agent (b)(6),(b)(7)(C) that she is a citizen of Guatemala, illegally present in the United States. During the encounter, (b)(6),(b)(7)(C) was transporting three other illegal aliens. (b)(6),(b)(7)(C) admitted to Agent (b)(6),(b)(7)(C) that she was smuggling the three illegal aliens from Phoenix, Arizona to the Los Angeles, California area. (b)(6),(b)(7)(C) and the other three illegal aliens were taken into custody and transported to the Blythe, California Border Patrol Station for processing. For details of encounter see attached G-166 narrative created by Agent (b)(6),(b)(7)(C).

Once at the Blythe Station, (b)(6),(b)(7)(C) biographical data, fingerprints, and photograph were entered into the (b)(7)(E) database. Record checks revealed that (b)(6),(b)(7)(C) was apprehended on October 25, 2011, near Blythe, California, during (b)(7)(E). During the encounter (b)(6),(b)(7)(C) was transporting seven illegal aliens. (b)(6),(b)(7)(C) was given a Warrant of Arrest/ Notice to Appear and placed on Removal Proceedings under (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) subsequently was released on November 8, 2011 after posting a \$4500.00 bond and has a hearing scheduled for February 21, 2013, in Phoenix, Arizona.

(b)(6),(b)(7)(C) has no criminal record.

During questioning, (b)(6),(b)(7)(C) stated she last entered the United States illegally on July 25, 1999, near El Paso, Texas. (b)(6),(b)(7)(C) admitted that she has been apprehended by U. S. Border Patrol for transporting illegal aliens before.

On today's apprehension, (b)(6),(b)(7)(C) admitted that she was aware that Border Patrol Agents patrol near the Blythe, California general area. (b)(6),(b)(7)(C) stated that she was transporting the three illegal aliens to the Los Angeles, California area. (b)(6),(b)(7)(C) admitted that she traveled through Parker, Arizona and continued through the Vidal Junction, California area. (b)(6),(b)(7)(C) admitted that she intentionally took this route to circumvent Border Patrol near Blythe.

(b)(6),(b)(7)(C) claimed that she met the three illegal aliens at a gas station in the Phoenix area. According to (b)(6),(b)(7)(C), one of the illegal alien's brother asked if she could pick up his brother in Phoenix as a favor and transport him to Los Angeles.

During questioning of one of the illegal aliens apprehended with (b)(6),(b)(7)(C) identified as (b)(6),(b)(7)(C), (b)(6),(b)(7)(C) stated that (b)(6),(b)(7)(C) arrived at a stash house in Phoenix and picked him up along with the other two illegal aliens. (b)(6),(b)(7)(C) stated that if apprehended by Border Patrol, (b)(6),(b)(7)(C) instructed him to say that he was picked up at a gas station and was only going to pay her for gas. Furthermore, (b)(6),(b)(7)(C) stated that his family in Oaxaca, Mexico, made arrangements with a female smuggler nicknamed (b)(6),(b)(7)(C) to be smuggled into the United States and transported to Los Angeles. (b)(6),(b)(7)(C) stated that his family was to pay (b)(6),(b)(7)(C) \$3,000.00 U.S. Dollars for his smuggling fees.

During questioning of another illegal alien apprehended with (b)(6),(b)(7)(C) identified as (b)(6),(b)(7)(C), (b)(6),(b)(7)(C) also stated that (b)(6),(b)(7)(C) picked him up at a stash house in Phoenix. (b)(6),(b)(7)(C) also stated that his daughter who lives in Oxnard, California made the arrangements for him to be smuggled into the United States and transported to the Los Angeles, California area. (b)(6),(b)(7)(C) stated that his daughter was to pay \$3,000.00 U. S. Dollars for his smuggling fees. (b)(6),(b)(7)(C) also stated that if apprehended by Border Patrol, (b)(6),(b)(7)(C) instructed him to say that he was picked up at a gas station and was only paying for gas.

When (b)(6),(b)(7)(C) was confronted with the statements made by (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C), (b)(6),(b)(7)(C) continued to claim that she met the illegal aliens at a gas station and was only going to charge them gas money for the transportation to Los Angeles.

(b)(6),(b)(7)(C) states she is single and has one child born in the United States. (b)(6),(b)(7)(C) states she is receiving Nutrition Assistance (formerly the Food Stamp Program) in Arizona. (b)(6),(b)(7)(C) states she was in the process of receiving Arizona Health Care Cost Containment System (AHCCCS).

(b)(6),(b)(7)(C) states, she is currently living at (b)(6),(b)(7)(C).

(b)(6),(b)(7)(C) states, she does not wish to speak with the Guatemalan Consulate at this time.

(b)(6),(b)(7)(C) claims and appears to be in good health.

(b)(6),(b)(7)(C) is being provided a list of free legal services.

(b)(6),(b)(7)(C) is being processed and presented for bond revocation.

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**End Unique ID:**



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**Start Unique ID:**

133

**NARRATIVE:**

Subject was given appropriate advice in accordance with 8 CFR 287.3 regarding notification of arrest, charges to be presented if applicable, and the right to legal representation at no cost to the government.

**IMMIGRATION HISTORY:**

Subject is not a citizen or national of the United States. Subject is a citizen and national of Mexico. Subject last entered the United States at or near Nogales, Arizona on or about December 3, 2002. Subject was not then admitted or paroled by an Immigration Official. Subject has no known applications or petitions pending with the United States Citizenship and Immigration Service. Subject claims no fear of returning to Mexico

**ENCOUNTER:**

(b)(6),(b)(7)(C) was encountered on 02/27/2013 at approximately 2300 hours at the ERO Phoenix Field Office. Subject was transferred from the Maricopa County Sheriff's Office Lower Buckeye Facility. Subject was questioned regarding his alienage and deportability by Agent (b)(6),(b)(7)(C). Subject claims to be in the United States illegally. Subject freely admitted that he entered the United States without inspection at or near Nogales, Arizona on or about December 3, 2002. Subject has no petitions pending with United States Citizenship and Immigration Service. Subject claimed to be a citizen of Mexico, by virtue of birth in Nueva Italia, Michoacan, Mexico. Subject had been arrested by the Scottsdale Police Department on 02/27/2013 and booked in on charges of:

ASSAULT-INTENT/RECKLESS/INJURE, a class 1 misdemeanor, in violation of ARS 13-1203A1.

DISORDERLY CONDUCT-FIGHTING, a class 1 misdemeanor, in violation of ARS 13-2904A1.

**ENCOUNTER DISPOSITION:**

ASSAULT-INTENT/RECKLESS/INJURE, a class 1 misdemeanor, in violation of ARS 13-1203A1.

DISMISSED

DISORDERLY CONDUCT-FIGHTING, a class 1 misdemeanor, in violation of ARS 13-2904A1.  
CONVICTED (NON DV)

Subject was sentenced to a diversion program.

CRIMINAL RECORD:

1-ARRESTED OR RECEIVED 2013/02/16/ (b)(7)(E) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT SCOTTSDALE (AZ0072500)

AGENCY CASE (b)(7)(E)

CHARGE 1-ASSAULT-INTENT/RECKLESS/INJURE

CHARGE 2-DISORDERLY CONDUCT-FIGHTING

IMMIGRATION APPREHENSIONS:

Subject has (1) known Immigration apprehension. Subject was offered a Voluntary Return on 12/02/2002.

HEALTH:

When questioned, subject stated that he suffers from depression and alcohol abuse. Subject claims that he is not currently on medication.

Subject was being treated for psych issues at MCSO.

GANG AFFILIATION:

Subject has no known gang affiliation.

CONSULAR NOTIFICATION:

Subject was advised of his right to communicate with a Consular Officer from his country as per Article 36 (1) (b) of the Vienna Convention on Consular Relations, to which subject declined.

PROSECUTORIAL DISCRETION FOR CERTAIN CHILDREN:

Subject was considered for prosecutorial discretion with respect to individuals who came to the United States as children in accordance with the June 15, 2012 directive from the Secretary of Homeland Security. Subject claims that he entered the United States at or near Nogales, Arizona on or about 12/03/2012, the age of 19. Subject has continuously resided in the United States for 10 years. Subject did not attend or graduate from high school and did not obtain a

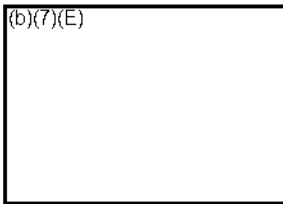
general equivalency diploma (GED). Subject is currently 29 years old. Subject does not appear to qualify for this form of prosecutorial discretion.

**PHONE CALL:**

Subject was given an opportunity to make a free domestic call. Subject contacted his cousin (480) 970-(b)(6),  
(b)(7)(C) at 0100 hours.

**IMMIGRATION DISPOSITION:**

Subject requested a hearing before an Immigration Judge. Subject was processed for an I-862 Notice to Appear.



I-77# 2468623

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**End Unique ID:**

133

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**Start Unique ID:**

116

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See records.

**CRIMINAL HISTORY:**

See records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by the Secretary of Homeland Security of the United States of America.

After determining that this subject, later identified as (b)(6),(b)(7)(C) was an alien whom illegally entered the United States, was arrested and transported to the Sonoita, AZ Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

(b)(6),(b)(7)(C) again stated that she was a citizen and national of Ecuador without the necessary legal documents to enter, pass through, or remain in the United States. (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

(b)(6),(b)(7)(C) was notified of her right to communicate with a Consular Officer from her country as per Article 36(1) (b) of the Vienna convention on Consular Relations. (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) indicated she understood her right and requested to speak with the Consular at this time. (b)(6),(b)(7)(C) stated that she did not want to give a sworn statement without a lawyer present.

**DISPOSITION:**

(b)(6),(b)(7)(C) was served with Service Forms I-862 Notice to Appear and I-200 Warrant of Arrest. (b)(6),(b)(7)(C) will be held in Service custody pending her removal proceedings/immigration hearing.

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**End Unique ID:**

116

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**Start Unique ID:**

137

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Subject has no previous apprehension for illegal entry into the United States.

**CRIMINAL HISTORY:** None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject stated that they are a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also stated they illegally crossed the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject was served Service Forms I-862 Notice to Appear and I-200 Warrant for Arrest. The subject will be held in service custody pending their removal proceedings/immigration hearing.

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**End Unique ID:**

137  
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**Start Unique ID:**

142

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject, later identified as (b)(6),(b)(7)(C) Alberto, in the District of Arizona. A Border Patrol Agent determined this subject had lawfully entered the United States of America from the United States of Mexico but violated the terms and conditions of his non-immigrant status.

After determining that this subject was an alien whom is currently out of status after legally entering the United States, the subject was arrested and transported to the Tucson Sector Detention Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject again stated that he is a citizen and national of Mexico without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to legally crossing the international boundary with a border crossing card (b)(6),(b)(7)(C) after being inspected by an Immigration Officer at a designated Port of Entry at approximately July of 2011. Subjects border crossing card expired in July 2011 and never returned to Mexico after his last crossing. Records show that (b)(6),(b)(7)(C) last crossing through a designated Port of Entry was on July 02, 2011.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The

subject further stated that they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject was served with Service Forms I-862 Notice to Appear and I-200 Warrant of Arrest. The subject will be held in Service custody pending their removal proceedings/immigration hearing.

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**End Unique ID:**

142

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**Start Unique ID:**

143

**NARRATIVE:**

IMMIGRATION HISTORY: SEE ATTACHED

CRIMINAL HISTORY: NO PRIOR CRIMINAL HISTORY

**ENCOUNTER:**

On February (b) (6), (b) (7)(C) 2013 Border Patrol Agent (b) (6), (b) (7)(C) responded to a request for assistance from Oro Valley Police. Upon arriving BPA (b) (6), (b) (7)(C) encountered (b) (6), (b) (7)(C) at Oro Valley Market Place, Tucson, AZ. BPA (b) (6), (b) (7)(C) questioned (b) (6), (b) (7)(C) in regards to his immigration status. (b) (6), (b) (7)(C) provided BPA (b) (6), (b) (7)(C) with an Arizona Identification Card at which point BPA (b) (6), (b) (7)(C) contacted (b) (6), (b) (7)(C) Sector Radio and requested a records check on (b) (6), (b) (7)(C). The records checks revealed negative results on any valid immigration status. BPA (b) (6), (b) (7)(C) then learned that (b) (6), (b) (7)(C) possesses a now expired Border Crossing Card (BCC), but failed to have the BCC present.

After determining that (b) (6), (b) (7)(C) was a non-immigrant alien who was in violation of the Border Crossing Card conditions BPA (b) (6), (b) (7)(C) placed (b) (6), (b) (7)(C) under arrest. After being arrested (b) (6), (b) (7)(C) was transported to the Tucson Sector Coordination Center for processing using (b) (7)(E) Systems.

**CRIMINAL VIOLATION:**

At the Tucson Sector Coordination Center, I questioned (b) (6), (b) (7)(C). He admitted he was a national and citizen of Mexico. The subject admitted to legally entering through the Nogales Port of Entry after being inspected by an immigration officer. (b) (6), (b) (7)(C) admitted to establishing permanent residence and seeking employment in the United States both of which are in violation of the BCC conditions.

**CONSULAR NOTIFICATION:**

(b) (6), (b) (7)(C) was notified of the right to communicate with a consular officer from his country as per Article 36(a) (b) of the Vienna Convention of Consular Relations. Subject spoke to his country's Consulate representative on 2/14/2013.

**DISPOSITION:**

(b)(6),  
(b)(7)(C) is being served with a Warrant of Arrest/Notice to Appear (I-862), and placed in removal proceedings, per Section 237(a)(1)(B) of the INA.

**ADDITIONAL INFORMATION:**

On May 24, 2006 (b)(6),  
(b)(7)(C) was granted a Voluntary Return to Mexico after entering without being admitted or inspected by an immigration official. Please refer to Event Identification Number

(b)(7)(E)

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**End Unique ID:**

143  
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**Start Unique ID:**

3

**NARRATIVE:**

**IMMIGRATION HISTORY:**

see record checks.

**CRIMINAL HISTORY:**

see record checks.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Nogales Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject stated that they are a citizen and national of El Salvador without the necessary legal documents to enter, pass through, or remain in the United States. The subject also stated they illegally crossed the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.

**TRAVEL HISTORY:**

Subject stated he left his home in El Salvador on January 27, 2013 and began traveling toward the United States. Subject stated that he took a bus from his home in La Union, El Salvador. Subject admitted crossing into both Mexico and the United States without legal documents allowing him to be in either country. Subject stated that he did not have to pay any bribes to Mexican Officials throughout the trip. Subject stated that he arrived in Sonora, Mexico on February 14, 2013, and that he crossed illegally with the rest of his group into the United States on the same day.

**DISPOSITION:**

The subject was served Service Forms I-862 Notice to Appear and I-200 Warrant for Arrest and I-848 El Salvadoran Rights. The subject will be held in service custody pending their removal proceedings/immigration hearing.

**PROPERTY:**

I-77 5447762

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**End Unique ID:**

3

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**Start Unique ID:**

69

**NARRATIVE:**

**ENCOUNTER**

(b)(6),(b)(7)(C) was apprehended subsequent to a vehicle stop of a 2000 Nissan Sentra (b)(6),(b)(7)(C) on Arizona Highway 93 mile marker 169 near Wikieup, Arizona. (b)(6),(b)(7)(C) freely admits to being a citizen and national of Mexico illegally present in the United States. For circumstances of the arrest see attached G-166F created by BPA (b)(6),(b)(7)(C) on 02/06/2013.

**ALIENAGE AND DEPORTABILITY**

(b)(6),(b)(7)(C) states she is a citizen and native of Mexico. (b)(6),(b)(7)(C) claims she last entered the United States by walking across the International Boundary through the desert near the Port of Entry at San Ysidro, California on November 15, 2004, entering illegally without admission or parole by a United States Immigration Officer.

**PROCESSING INTERVIEW**

(b)(6),(b)(7)(C) claims she has been living in Stockton, California for 4 years working in berry fields. She claims she then moved to Indianapolis, Indiana for 2 years. She claims she then moved back to Stockton, California where she has been living. She claims she was visiting friends in Phoenix, Arizona for 15 days and was in transit to Las Vegas, Nevada when she was apprehended.

**IMMIGRATION HISTORY**

None

**CRIMINAL HISTORY**

1-ARRESTED OR RECEIVED 2006/09/06 SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE FRENCH CAMP (CA0390000)

AGENCY CASE (b)(7)(E)

CHARGE 1-001 COUNTS OF DUI ALCOHOL/DRUGS

CHARGE 2-001 COUNTS OF DUI ALCOHOL/0.08 PERCENT

CHARGE 3-001 COUNTS OF DRIVE W/O LICENSE

COURT-MUNICIPAL COURT STOCKTON (CA039023J)

CHARGE-23152 B VC-DUI ALCOHOL 0 08 PERCENT

SENTENCE-

DISMISSED/FURTHERANCE OF JUSTICE

CHARGE-12500 A VC-DRIVE W O LICENSE

SENTENCE-

DISMISSED/FURTHERANCE OF JUSTICE

CHARGE-16028 A VC-FAIL PROVE FIN RSP PO REQUEST

SENTENCE-

DISMISSED/FURTHERANCE OF JUSTICE

CHARGE-23103 A VC-RECKLESS DRIVING HIGHWAY

SENTENCE-

CONVICTED-PROBATION -003YR PROBATION -

FINE - RESTN

2-ARRESTED OR RECEIVED 2006/10 (b)(6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE FRENCH CAMP (CA0390000)

AGENCY CASE (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF VEHICLE THEFT

CHARGE 2-001 COUNTS OF DUI,ALCOHOL/DRUGS

CHARGE 3-001 COUNTS OF DRIVE W/O LICENSE

CHARGE 4-001 COUNTS OF REC KNWN STOLN PROP \$400+

COURT-MUNICIPAL COURT STOCKTON (CA039023J)

CHARGE-23152 B VC-DUI ALCOHOL 0 08 PERCENT

SENTENCE-

DISMISSED/FURTHERANCE OF JUSTICE

CHARGE-12500 A VC-DRIVE W O LICENSE

SENTENCE-

DISMISSED/FURTHERANCE OF JUSTICE

CHARGE-SEE COMMENT FOR CHARGE

SENTENCE-

CONVICTED-PROBATION -003YR PROBATION -

FINE - RESTN

3-ARRESTED OR RECEIVED 2009/07/16 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT STOCKTON (CA0390500)

AGENCY CASE (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF BAT,SPOUSE/EX SP/DATE/ETC

COURT-MUNICIPAL COURT STOCKTON (CA039023J)

CHARGE-243 E PC-BATTERY SPOUSE ETC

SENTENCE-

DISMISSED

CHARGE-273A B PC-WILLFUL CRUELTY TO CHILD

SENTENCE-

DISMISSED

4-ARRESTED OR RECEIVED 2011/10/16 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT STOCKTON (CA0390500)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF SHOPLIFT

COURT-MUNICIPAL COURT STOCKTON (CA039023J)

CHARGE-484 A PC-THEFT

SENTENCE-

CONVICTED-PROBATION -003YR PROBATION -

FINE - RESTN

-FOR CERT INFO SEE AUTO

5-ARRESTED OR RECEIVED 2011/12 (b)(6) SID (b)(7)(E)

AGENCY-SHERIFF'S OFFICE FRENCH CAMP (CA0390000)

AGENCY CASE (b)(7)(E) NAME USED (b)(6),(b)(7)(C)

CHARGE 1-001 COUNTS OF PETTY THEFT

RECORD UPDATED 2011/12/30

MISCELLANEOUS

Health: (b)(6),(b)(7)(C) claims good health; complains of no medical problems and is taking no prescription medications.

Counterfeit documents: (b)(6),(b)(7)(C) presented no counterfeit documents

Gang affiliation: (b)(6),(b)(7)(C) claims no gang affiliation.

List of Legal Services provided.

U.S. MILITARY SERVICE

CORONA claims no service in the U.S. Military.

CONSULAR RIGHTS

(b)(6),(b)(7)(C) was advised of his communication privilege and right to contact the Mexican Consulate. (b)(6),(b)(7)(C) declined to contact the Mexican Consulate.

RECOMMENDATION

(b)(6),(b)(7)  
(C) is amenable to removal from the United States under section 212(a)(6)(A)(i) of the  
INA. (b)(6),(b)(7) was served a Notice to Appear and presented for 8 USC 1182 Removal  
Proceedings.

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**End Unique ID:**

69

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**Start Unique ID:**

144

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by the Secretary of Homeland Security of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Sector Detention Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject again stated that they were a citizen and national of Mexico without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The subject further stated that they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject was served with Service Forms I-862 Notice to Appear and I-200 Warrant of Arrest and is being held in service custody pending their immigration hearing.

Subject was interviewed to see if he qualified for Prosecutorial Discretion. Subject did not meet the guidelines for Prosecutorial Discretion. Subject admitted that he was not currently enrolled in school, or had not graduated from high school, or had not obtained a general education development certificate, or was not an honorably discharged veteran of the Coast Guard or Armed Forces of the United States.

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**End Unique ID:**

144

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**Start Unique ID:**

7

**NARRATIVE:**

SUBJECT GIVEN APPROPRIATE ADVICE IN ACCORDANCE WITH 8 C.F.R. 287.3.

**IMMIGRATION HISTORY:**

Subject is a native and citizen of Mexico. Subject last entered the United States as set forth above and was not then admitted or paroled after inspection by an Immigration Officer. Subject has no applications or petitions pending with United States Citizenship and Immigration Services.\* Subject claims no fear of returning to Mexico.

**ENCOUNTER:**

Subject was encountered during processing at Pinal County Jail for Failure to Appear in violation of A.R.S. 13-2506(A). Subject was arrested by Arizona Department of Safety on 02/2013 and is being held for these charges. Subject will be remanded to the custody of Immigration and Customs Enforcement upon resolution of his charges. A detainer I-247 has been placed with the facility pending final disposition of any state or local charges and a copy was provided to subject.

**INTERVIEW:**

On 02/2013, Pinal County Jail 287g Office identified himself as a Designated Immigration Officer and questioned the subject as to his true and correct name, as well as his country of citizenship. Subject stated that his name is and that he is native and citizen of Mexico, present in the United States without being admitted, paroled, or inspected by an U.S. Customs and Border Protection Officer. He was not in possession of any valid immigration documents allowing him to pass through, enter, or remain in the United States Legally. Subject stated that both of his parents are citizens and nationals of Mexico. Interview was conducted in Spanish by who is fluent in the Spanish language.

On February 2013, the subject was released from the Pinal County Jail on a \$310.00 bond. Pursuant to a placed detainer, he was transported to the Florence Detention Center for further processing. Upon arrival, Immigration Enforcement Agent (IEA) identified himself as an Immigration Enforcement Agent and questioned the subject as to his name and



country of citizenship. The subject stated that his name is (b)(6),(b)(7)(C) and that he is a native and citizen of Mexico by birth. When questioned as to his manner and date of entry into the United States, he freely admitted that he entered the United States on or about (b)(6),(b)(7)(C) near Douglas, Arizona, without being inspected or admitted by a United States Immigration officer.

ENCOUNTER DISPOSITION:

Subject will be served with forms I-862, I-200, and I-286. Subject will be processed as an NTA.

SQ11/NN13:

1-ARRESTED OR RECEIVED 2001/06 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT TEMPE (AZ0072900)

AGENCY CASE-TMP012596

CHARGE 1-SHOPLIFTING

COURT-POLICE DEPARTMENT TEMPE (AZ0072900)

CHARGE-SHOPLIFTING

SENTENCE-

GUILTY JAIL 1 DAY

2-ARRESTED OR RECEIVED 2002/12 (b)(6) SID- (b)(7)(E)

AGENCY-SHERIFF'S OFFICE PHOENIX (AZ0070000)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-FALSE REPORT TO LAW ENFORCE

COURT-SHERIFF'S OFFICE PHOENIX (AZ0070000)

CHARGE-FALSE REPORT TO LAW ENFORCE

SENTENCE-

GUILTY FINE Y.

3-ARRESTED OR RECEIVED 2003/08 (b)(6) SID- (b)(7)(E)

AGENCY-POLICE DEPARTMENT PHOENIX (AZ0072300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-FAILURE TO APPEAR 2ND DEG

CHARGE 2-VIOLATION OF PROMISE TO APPEAR

CHARGE 3-KNOWINGLY DISPLAY FLS LIC PLT

4-ARRESTED OR RECEIVED 2013/02 (b)(6) SID- (b)(7)(E)

AGENCY-DPS-COMPL INFO SRV PHOENIX (AZCCHPX00)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-FAILURE TO APPEAR 2ND DEG

5-ARRESTED OR RECEIVED 2013/02 (b)(6)

AGENCY-ICE-DET/REM FLORENCE (AZICE1300)

AGENCY CASE- (b)(7)(E) NAME USED- (b)(6),(b)(7)(C)

CHARGE 1-ALIEN INADMISSIBILITY UNDER SECTION 212

IMMIGRATION APPREHENSIONS (IDENT):

Subject was granted a Voluntary Return on March 21, 2000. No other immigration history.

IMMIGRATION DISPOSITION:

Subject requested a hearing with an Immigration Judge. Subject was processed for an I-862 Notice to Appear.

PETITIONS/APPLICATIONS PENDING:

Subject has no petitions or applications pending with Bureau of Citizenship and Immigration Services.

PHONE CALL:

Subject was afforded the opportunity to make a phone call

MISCELLANEOUS/HEALTH:

Subject appears to be in good physical and mental health and states that he has no fear of persecution, torture, or physical harm if returned to his native country of Mexico.

MILITARY SERVICE:

Subject claims to have never served in the United States Military.

PROSECUTORIAL DISCRETION:

Subject may qualify for prosecutorial discretion.

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**End Unique ID:**

7

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**Start Unique ID:**

134

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Expired Border Crossing Card.

**CRIMINAL HISTORY:**

None found.

**ENCOUNTER:**

On this date, I, Border Patrol Agent (b)(6),(b)(7)(C) responded to a call from a DPS Officer at Safford, AZ to determine alienage of (b)(6),(b)(7)(C). DPS Officer (b)(6),(b)(7)(C) had apprehended (b)(6),(b)(7)(C) during a traffic stop. I identified myself as a Border Patrol Agent to (b)(6),(b)(7)(C) and questioned her immigration status in the United States. (b)(6),(b)(7)(C) stated that she was a citizen and national of Mexico without the necessary legal documents to enter, pass through, or to remain in the United States. (b)(6),(b)(7)(C) stated that she legally entered the United States at about 02/16/2008 through the Douglas, AZ Port of Entry using her Border Crossing Card. (b)(6),(b)(7)(C) admitted that her Border Crossing Card was now expired. I ran record checks through Tucson Sector dispatch and confirmed that (b)(6),(b)(7)(C) had an expired Border Crosser Card and that she was illegally present in the United States without any pending petitions on her behalf. I determined that (b)(6),(b)(7)(C) was an alien who overstayed her visa and was illegally present in the United States and arrested and transported her to the Willcox Border Patrol Station for further processing using the (b)(7)(E) and (b)(7)(E).

**CRIMINAL VIOLATION:**

At the Willcox, AZ Border Patrol Station, the subject was advised of their administrative rights. The subject acknowledged understanding these rights. The subject again stated they were a citizen and national of Mexico without the necessary legal documents to enter, pass through, or to remain in the United States. The subject also admitted to legally crossing the international boundary at the Douglas, AZ Port of Entry, but overstaying her visa.

**CONSULAR NOTIFICATION:**

The subject was notified of the right to communicate with a consular officer from their country as per Article 36(a)(b) of the Vienna Convention of Consular Relations.. The subject acknowledged understanding the right but declined to speak with anyone at this time.. The subject further stated they do not fear persecution or torture if returned to their country of citizenship..

**DISPOSITION:**

The subject was served with Service Forms I-862 Notice to Appear and I-200 Warrant of Arrest.. The subject will be held in Service custody pending their Removal/Prosecution proceedings.

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**End Unique ID:**

134

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**Start Unique ID:**

17.

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Subject has no prior Voluntary Returns to her country.

**CRIMINAL HISTORY:**

None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by the Secretary of Homeland Security of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Station Detention Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject again stated that they were a citizen and national of Mexico without the necessary legal documents to enter, pass through, or remain in the United States.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The subject further stated that they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject was served with Service Forms I-862 Notice to Appear and I-200 Warrant of Arrest. The subject will be held in Service custody pending their removal proceedings/immigration hearing.

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**End Unique ID:**

17

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**Start Unique ID:**

70

**NARRATIVE:**

On February [REDACTED], 2013 at approximately 5:00 a.m., Officer [REDACTED] of the Lake Havasu City, Arizona Police Department called the Blythe Border Patrol Station requesting assistance with a subject who was not in possession of any United States Government issued identification document. Officer [REDACTED] had stopped the subject for a traffic violation and needed assistance identifying the subject since the subject only had foreign government identification. Border Patrol Agent [REDACTED] assisted with the request and interviewed a subject by the name of [REDACTED] BPA [REDACTED] identified herself telephonically to [REDACTED] as a Border Patrol Agent and questioned him as to his right to be in the United States.

[REDACTED] admitted to being a citizen and national of Mexico, and that he is in the United States without being admitted or paroled by an immigration officer. [REDACTED] also admitted that he arrived in the United States at a time and place other than as designated by the Attorney General or the Secretary of Homeland Security on or about 10/10/2003, near Nogales, Arizona. [REDACTED] admits that his parents are citizens and nationals of Mexico, were born in Mexico, and have never been citizens or nationals of any other country.

Consequently, BPA [REDACTED] then drove to Lake Havasu City, Arizona to transport [REDACTED] to the Blythe, California Border Patrol Station for processing.

Once in processing a query of [REDACTED] biographical information and biometrics was conducted in the [REDACTED] [REDACTED] had a positive match as a person having been arrested for driving under the influence in Lake Havasu City, Arizona in 2005. [REDACTED] was convicted and jailed for 15 days and also received a fine.

[REDACTED] has no previous immigration apprehensions on file.

[REDACTED] stated that he crossed the international boundary between Mexico and the United States on 10/10/2003 by walking through the desert near Nogales, Arizona. He further stated that he paid a smuggling fee of \$3500.00 US Dollars. [REDACTED] acknowledged that he knew that it was against the laws of the United States to cross the border illegally, but he did it anyways because he wanted to come to the United States to work. He also stated that he was in fact



arrested for DUI in Lake Havasu, but still would like to request an immigration hearing to find out if an Immigration Judge allows him to remain in the United States.

(b)(6),(b)(7)(C) claims and appears to be in good health. He does not wish to see a medical doctor at this time.

(b)(6),(b)(7)(C) was informed of his consular communication privileges and was allowed to contact the Mexican consulate in Yuma, Arizona, but he said he only had an answer machine telling him to leave a message. (b)(6),(b)(7)(C) was able to speak to his friend by the name of (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) is being processed with a Warrant of Arrest Notice to Appear and placed under Removal Proceedings, 8 USC 1182.

Due to detention center limitations (b)(6),(b)(7)(C) is being given a Notice to Appear and Released on Own Recognizance as approved by Deputy Chief (b)(6),(b)(7)(C)

(b)(6),(b)(7)(C) was given a copy of forms I-862, I-200, I-286, I-830 and I-220A.

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**End Unique ID:**

70  
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**Start Unique ID:**

145

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Subject has no prior Voluntary Return to his country.

**CRIMINAL HISTORY:**

None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by the Secretary of Homeland Security of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Sector Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject again stated that they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The subject further stated that they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject was served with Service Forms I-862 Notice to Appear and I-200 Warrant of Arrest. The subject will be held in Service custody pending their removal proceedings/immigration hearing.

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**End Unique ID:**

145

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**Start Unique ID:**

148

**NARRATIVE:**

**IMMIGRATION HISTORY:**

Subject has zero prior Voluntary Return to his country.

**CRIMINAL HISTORY:**

None found.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by the Secretary of Homeland Security of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Sector Detention Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject again stated that he was a citizen and national of El Salvador without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of his right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated he understood his right but declined to speak with anyone at this time. (b)(6),(b)(7)(C)  
(b)(6),(b)(7)(C)

**DISPOSITION:**

The subject was served with Service Forms I-862 Notice to Appear and I-200 Warrant of Arrest. The subject will be held in Service custody pending his removal proceedings/immigration hearing.

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**End Unique ID:**

148

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**Start Unique ID:**

146

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See attached records.

**CRIMINAL HISTORY:**

See attached records.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from Mexico, at a time and place other than as designated by the Secretary of Homeland Security of the United States of America.

After determining that this subject was an alien whom illegally entered the United States, the subject was arrested and transported to the Tucson Sector Detention Center for further processing using the (b)(7)(E) and (b)(7)(E)

**IMMIGRATION VIOLATION:**

The subject again stated that they were a citizen and national of Guatemala without the necessary legal documents to enter, pass through, or remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an Immigration Officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of their right to communicate with a Consular Officer from their country as per Article 36(1) (b) of the Vienna convention on Consular Relations. The subject indicated they understood their right but declined to speak with anyone at this time. The subject further stated that they do not fear persecution or torture if returned to their country of citizenship.

**DISPOSITION:**

The subject was served with Service Forms I-862 Notice to Appear and I-200 Warrant of Arrest and is being held in service custody pending their immigration hearing.

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**End Unique ID:**

146

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**Start Unique ID:**

147

**NARRATIVE:**

**IMMIGRATION HISTORY:**

See Records.

**CRIMINAL HISTORY:**

None indicated.

**ENCOUNTER:**

A Border Patrol Agent encountered this subject in the District of Arizona after he was requested by Tucson Police Department. A Border Patrol Agent determined this subject had unlawfully entered the United States of America from the United States of Mexico, at a time and place other than as designated by immigration officers of the United States of America. After determining that this subject was an alien who illegally entered the United States, the subject was arrested and transported to the Tucson Sector Coordination Center for further processing using the (b)(7)(E) and (b)(7)(E)

**CRIMINAL VIOLATION:**

At the Tucson Sector Coordination Center, the subject was advised of their administrative rights. The subject acknowledged understanding these rights and agreed to answer questions. The subject again stated they were a citizen and national of Mexico without the necessary legal documents to enter, pass through, or to remain in the United States. The subject also admitted to illegally crossing the international boundary without being inspected by an immigration officer at a designated Port of Entry.

**CONSULAR NOTIFICATION:**

The subject was notified of the right to communicate with a consular officer from their country as per Article 36(a)(b) of the Vienna Convention of Consular Relations. The subject acknowledged understanding the right but declined to speak with anyone except his wife (b)(6), (b)(7)(C) at this time. The subject further stated they do not fear persecution or torture if returned to their country of citizenship.



**DISPOSITION:**

As per his demand, the subject was served a Notice to Appear and Warrant for Arrest (I-862/I-200) and is being held in service custody pending their immigration hearing.

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**End Unique ID:**

147

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