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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

**FILED**

2008 APR 24 PM 2:39

CLERK OF DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
**08 MJ1271**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Valentin PEREZ-Rochin,

Defendant

) Magistrate Docket No.

) COMPLAINT FOR VIOLATION OF

) Title 8, U.S.C. Section 1326  
) Deported Alien Found in the  
) United States

The undersigned complainant, being duly sworn, states:

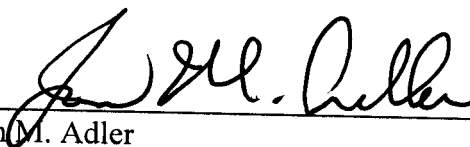
On or about **April 23, 2008** within the Southern District of California, defendant, **Valentin PEREZ-Rochin**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

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



\_\_\_\_\_  
SIGNATURE OF COMPLAINANT  
James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 24th DAY OF APRIL, 2008



\_\_\_\_\_  
Jan M. Adler  
UNITED STATES MAGISTRATE JUDGE

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**CONTINUATION OF COMPLAINT:  
Valentin PEREZ-Rochin**

**PROBABLE CAUSE STATEMENT**

On April 23, 2008, Officer M. Iwashita of the San Diego Police Department contacted Border Patrol Agent B. Soto of the United States Border Patrol requesting an immigration evaluation on an individual identified as the defendant **Valentin PEREZ-Rochin**. The defendant was initially encountered by San Diego Police on a traffic stop. Perez was transported to the San Diego Police Department. At the San Diego Police Department it was discovered that Perez was a deported alien.

At approximately 8:50 a.m., Border Patrol Agents Soto and E. Blas arrived at the San Diego Police Station and met with Officer Iwashita. Agents Soto and Blas approached the defendant and identified themselves as United States Border Patrol Agents. Agent Soto questioned the defendant as to his identity and his immigration status. The defendant stated his name as Valentin PEREZ-Rochin. Agent Soto asked the defendant about his citizenship and nationality. The defendant admitted to being a citizen and national of Mexico any immigration documents that would allow him to enter or remain in the United States legally. The defendant stated that he did not. The defendant was arrested and transported to the Chula Vista Border Patrol Station for processing

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **June 13, 2007** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen and national of Mexico illegally present in the United States. The defendant further admitted that he had been previously deported from the United States and has not applied or requested permission to re-enter the United States legally.