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CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

~~08 CR 2343 H~~  
~~08 CR 2443 H~~

June 2008 Grand Jury

|                            |   |                                 |
|----------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA,  | ) | Criminal Case No. _____         |
|                            | ) |                                 |
| Plaintiff,                 | ) | <u>I N D I C T M E N T</u>      |
|                            | ) |                                 |
| v.                         | ) | Title 8, U.S.C., Secs. 1326(a)  |
|                            | ) | and (b) - Attempted Entry After |
| GILBERTO GONZALEZ-AGUILAR, | ) | Deportation                     |
|                            | ) |                                 |
| Defendant.                 | ) |                                 |

The grand jury charges:

On or about May 16, 2008, within the Southern District of California, defendant GILBERTO GONZALEZ-AGUILAR, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e., conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act to wit, crossing the border from Mexico into the United States, that was a substantial step toward committing the offense, all in violation of Title 8, United States Code, Sections 1326(a) and (b).

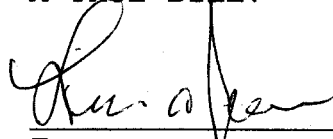
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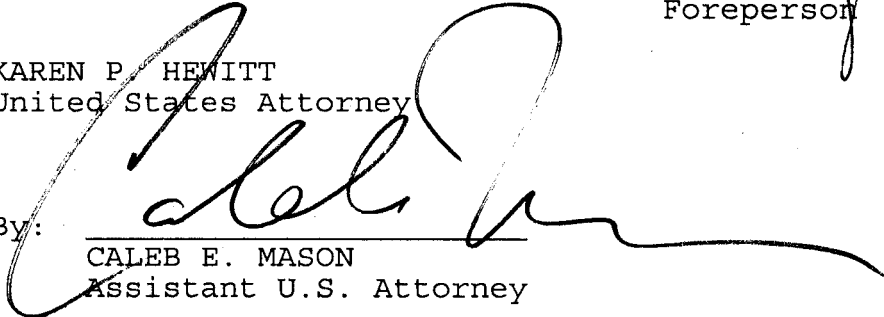
It is further alleged that defendant GILBERTO GONZALEZ-AGUILAR was removed from the United States subsequent to June 5, 1989.

DATED: July 16, 2008.

A TRUE BILL:

  
\_\_\_\_\_  
Foreperson

KAREN P. HEWITT  
United States Attorney

By:   
\_\_\_\_\_  
CALEB E. MASON  
Assistant U.S. Attorney