

MS

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED  
2008 AUG 5 AM 9:59  
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UNITED STATES OF AMERICA,

Plaintiff,

v.

Pablo PALACIOS-Romero,

Defendant

Magistrate Docket No. 1  
SOUTHERN DISTRICT OF CALIFORNIA


BY  DEPUTY  
COMPLAINT FOR VIOLATION OF:

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

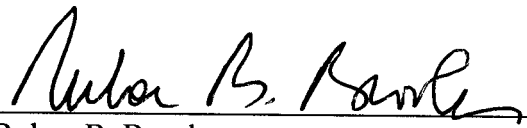
The undersigned complainant, being duly sworn, states:

On or about **August 4, 2008** within the Southern District of California, defendant, **Pablo PALACIOS-Romero**, 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 5<sup>th</sup> DAY OF AUGUST 2008

  
\_\_\_\_\_  
Ruben B. Brooks  
UNITED STATES MAGISTRATE JUDGE

9 8/4/08

MS6

**CONTINUATION OF COMPLAINT:  
Pablo PALACIOS-Romero**

**PROBABLE CAUSE STATEMENT**

On August 4, 2008, Border Patrol Agents T. Gadea and J. Obermeyer responded to a call for assistance via Department radio at approximately 1:00 a.m. from Border Patrol Agent J. Alba. The request was for help with a group of approximately sixteen possible illegal aliens who crossed the United States/Mexico International Border. This area is approximately five miles east of the Tecate, California Port of Entry.

Agent Alba also informed Agents Gadea and Obermeyer that the group was heading north near the landmark known locally as the Tire Shop. This area is Northeast of the Tecate, California Port of Entry. Upon arriving in the area Agents Gadea and Obermeyer found several sets of footprints. Agents Gadea and Obermeyer followed the footprints until Agent Gadea found sixteen subjects hiding in the brush. Agent Gadea identified himself to the group and questioned them as to their citizenship. All sixteen, including one later identified as the defendant **Pablo PALACIOS-Romero**, admitted to being citizens and nationals of Mexico without any valid immigration documents that would allow him or her to enter or remain in the United States legally. Agent Gadea placed the subjects under arrest and arranged for their transportation to the processing facility in Tecate, California.

Routine record checks of the defendant revealed an immigration history. The defendant's record was determined by a comparison of his immigration 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 July 14, 2008 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.