

# United States District Court

Clerk, U.S. District Court  
Southern District of Texas  
FILED

SOUTHERN DISTRICT OF TEXAS

FEB 21 2017

CORPUS CHRISTI DIVISION

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

Garcia, Jose

San Pablo El Grande, Hidalgo, Mexico

CASE NUMBER:

C-17-180M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 19, 2017 in Duval county, in the Southern District of Texas defendants(s) did,

being then and there an alien who had previously been ordered deported or has departed the United States while an order of Deportation is outstanding was thereafter found in the United States near Freer, Texas in Duval County, within the Southern District of Texas. The said Defendant having not obtained the consent of the Attorney General of the United States (prior to March 01, 2003) or of the Secretary of the Department of Homeland Security (March 01, 2003 and thereafter) for reapplication by the said defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Official Title

Jose Garcia was 1 of 2 subjects Laredo Sector Border Patrol Agents encountered walking in the brush in the Tres Arroyos Ranch near Freer, Texas in Duval County. After a brief interview, it was determined that subject was a citizen of Mexico with no legal right to enter or remain in the United States. The subject was placed under arrest and advised of his rights. Record checks revealed that the subject was ordered removed on December by an Immigration official in Atlanta, Georgia and was subsequently removed on January 7th, 2010 via Laredo, Texas POE. Jose Garcia was last removed on March 30th, 2013 in Eagle Pass, Texas.

There is no record that the subject has applied for or received permission from the Attorney General of the United States (prior to March 01, 2003) or the Secretary of the Department of Homeland Security (March 01, 2003 and thereafter) for reapplication for admission into the United States.

Continued on the attached sheet and made a part hereof:

Yes  No

  
Signature of Complainant  
**Damien Cardenas**  
Border Patrol Agent

Sworn to before me and subscribed in my presence, and probable cause found on

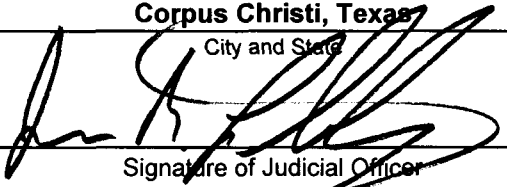
February 21, 2017

Date

at

**Jason B. Libby**  
U.S. Magistrate Judge

Name and Title of Judicial Officer

Corpus Christi, Texas  
City and State  
  
Signature of Judicial Officer