

**CONTINUATION OF CRIMINAL COMPLAINT**

I, Alexander Carlson, declare the following under penalty of perjury:

1. I am a Border Patrol Agent with the United States Department of Homeland Security, United States Border Patrol (USBP). I have been employed in this capacity since March 2010. Currently, I am assigned to the Sault Sainte Marie Border Patrol Station. In such capacity, which requires me to identify, locate, apprehend and remove aliens who are in violation of the Immigration and Nationality Act (INA), I investigate criminal immigration violations.
2. The information set forth below is for the limited purpose of establishing probable cause. Therefore, this affidavit does not necessarily contain all of the information collected during my investigation.
3. Eliud CRUZ-Chavez is a thirty-two year old male, native and citizen of Mexico, who last entered the United States at or near an unknown place, on or about an unknown date without being admitted, inspected or paroled by an Immigration Officer.
4. On July 14, 2005, CRUZ-Chavez was ordered removed in absentia by an Immigration Judge in Memphis, TN.
5. On July 28, 2006, Border Patrol Agents arrested CRUZ-Chavez and served him with a Notice of Intent/ Decision to Reinstate Prior Order of Removal and a Warrant of Removal/Deportation. He was removed to Mexico via Harlingen, TX August 31, 2006.
6. On June 5, 2008, CRUZ- Chavez was removed from the United States to Mexico via New Orleans, LA after having a prior order of removal reinstated.
7. On June 16, 2011, CRUZ-Chavez was removed from the United States to Mexico through Brownsville, TX after having a prior order of removal reinstated.
8. On October 25, 2011, CRUZ-Chavez was arrested by the Drug Enforcement Administration in McAllen, TX for a second-degree felony in violation of Texas Health and Safety Code § 481.121(B)(5) Possession of Marijuana less than or equal to 2,000LBS and greater than 50LBS, CRUZ-Chavez was convicted on March 26, 2012 and sentenced to probation for 3 years and \$2,000 fine.
9. On March 27, 2012, Immigration Customs Enforcement Agents encountered CRUZ-Chavez at the Starr County Jail in Rio Grande City, Texas. He was removed from the United States to Mexico via Brownsville, TX the same day.
10. On July 28, 2012, CRUZ-Chavez was removed from the United States to Mexico via the Laredo, TX after having a prior order of removal reinstated.

11. On August 31, 2012, Immigration Customs Enforcement Agents encountered CRUZ-Chavez in Starr County Jail. On September 1, 2012 CRUZ-Chavez was removed from the United States to Mexico via Brownsville, TX after having a prior order of removal reinstated.
12. On September 13, 2012, Border Patrol Agents arrested CRUZ-Chavez in Rio Grande City, TX. On or about September 14, 2012 CRUZ-Chavez was convicted of 8 USC 1325 Illegal Entry and sentenced to 45 days. On October 26, 2012, CRUZ-Chavez was removed from the United States to Mexico via Laredo, TX after having a prior order of removal reinstated.
13. On February 11, 2013, CRUZ-Chavez was arrested by Border Patrol Agents in Rio Grande City, TX. On or about February 13, 2013, CRUZ-Chavez was convicted of 8 USC 1325 Illegal Entry and sentenced to 60 Days. On May 20, 2013, CRUZ-Chavez was removed from the United States to Mexico via Laredo, TX after having a prior order of removal reinstated.
14. On August 12, 2013, CRUZ-Chavez was arrested by Border Patrol Agents in Rio Grande City, TX. On or about August 13, 2013, CRUZ-Chavez was convicted of 8 USC 1325 Illegal Entry, and sentenced to 150 days. On January 17, 2014, CRUZ-Chavez was removed from the United States to Mexico via Laredo, TX after having a prior order of removal reinstated.
15. On July 27, 2014, CRUZ-Chavez was arrested by Border Patrol Agents in Rio Grande City, TX and was removed from the United States to Mexico via Hidalgo, Texas on the same day after having a prior order of removal reinstated.
16. In December of 2016, Supervisory Border Patrol Agent (SBPA) J. McCormack received information from a Michigan State Police (MSP) Trooper regarding individuals that were encountered. Some of the individuals presented forms of identification from Mexico to the Trooper during a vehicle stop. The Trooper stated that the suspects were going to be in Elmira, MI driving a silver 2007 Chevrolet Suburban (TN#XXXXF4).
17. SBPA McCormack conducted records checks on the information provided by the Michigan State Police. One person was identified as Eliud CRUZ-Chavez (A#XXX XXX 532). It was discovered in the records checks conducted on the name and date of birth that CRUZ-Chavez was previously removed from the United States as an undocumented alien from Mexico.
18. On 01/12/2017, Border Patrol Agents J. Caldwell and J. Smith were in Elmira, MI and noticed a white 2008 Chevy Silverado bearing Tennessee license plate TNXXXX1C on highway 131.
19. Agents noticed that the white truck stop at a BP gas station located at the corner of Highway 131 and M-32. The truck pulled up to a gas pump. When two marked Border Patrol Units pulled into the gas station, the occupants of the truck then appeared to react

to their presence by pulling away from the gas pump without getting gas or exiting the vehicle. Agent Caldwell pulled alongside the white truck attempting to exit the gas station parking lot with his window rolled down. The occupants of the white truck rolled down all of its windows to talk with Agent Caldwell. After the windows were rolled down, Agent Caldwell noticed that multiple passengers matched the physical descriptions and photographs obtained by the immigration records checks. One passenger was identified as Eliud CRUZ-Chavez.

20. Eliud CRUZ-Chavez freely stated that he was a citizen and a national of Mexico who was not in possession of any U.S. immigration document that would allow him to stay, to work, or to live in the U.S. legally. CRUZ-Chavez was subsequently placed under arrest for being illegally present in the U.S. The fingerprint grabber mobile query system was used at the scene and confirmed this information. CRUZ-Chavez was transported to the Sault Sainte Marie Border Patrol Station for processing.
21. Once at the Sault Sainte Marie Border Patrol Station, Eliud CRUZ-Chavez's fingerprints and photograph were obtained and inputted into the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification System (IAFIS). The results show that CRUZ-Chavez is a citizen of Mexico who received 10 prior removals from the United States, 7 of which were after his conviction of a felony offense.
22. CRUZ-Chavez has not obtained the express consent of the Attorney General or the Secretary of the Department of Homeland Security to enter or reapply for admission into the United States, in violation of Title 8, United States Code, Section 1326(a), (b)(1).