

CONTINUATION OF CRIMINAL COMPLAINT

I, Alexander T. 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, I investigate criminal immigration violations, which requires me to identify, locate, apprehend, and remove aliens who are in violation of the Immigration and Nationality Act (INA).
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. The facts and evidence developed in this case establish probable cause to believe that Jose Antonio LOPEZ-RAMOS, a citizen of Mexico who has previously been removed from the United States, was found in the United States without having obtained the express prior consent of the Attorney General or the Secretary of Homeland Security to return or reapply for admission, in violation of 8 U.S.C. § 1326(a).
4. On February 17, 2007, LOPEZ-RAMOS attempted to enter the United States following an international flight from Mexico to the United States. LOPEZ-RAMOS was encountered by Customs and Border Protection Officers (CBPO) at the Atlanta International Airport in Atlanta, Georgia. CBPO discovered during the interview that LOPEZ-RAMOS was engaged in unauthorized employment during his prior admission on a B2-Visa (Visa for Pleasure) in 2006. CBPO also discovered that LOPEZ-RAMOS was now attempting to enter the United States to continue his unauthorized employment. CBPO established that LOPEZ-RAMOS was inadmissible under section 212(a)(7)(A)(i)(I) of the INA. LOPEZ-RAMOS was given an Expedited Removal and provided with a Form I-296 "Notice to Alien Ordered Removed/Departure Verification" which notified him that he was prohibited from entering, attempting to enter, or being in the United States for a period of five years without the express permission of the Attorney General. On February 18, 2007, LOPEZ-RAMOS was removed from the United States through Atlanta, Georgia to his native country of Mexico
5. LOPEZ-RAMOS's Alien File showed that, on July 14, 2014, LOPEZ-RAMOS was arrested by the United States Border Patrol in Texas for unlawfully entering the United States from Mexico. Under section 212(a)(9)(A)(ii) of the

INA, LOPEZ-RAMOS was issued a Reinstatement of his Final Order of Removal. He was also given a Form I-294, "Warning to Alien Ordered Removed or Deported," that informed him he could not enter, attempt to enter, or be in the United States for a period of 20 years without the express permission of the Secretary of Homeland Security. On August 12, 2014, LOPEZ-RAMOS departed the United States through Del Rio, Texas to his native country of Mexico.

6. Further review of LOPEZ-RAMOS's Alien File showed that, on February 17, 2015, LOPEZ-RAMOS was arrested by the United States Border Patrol in Texas for unlawfully entering the United States from Mexico. Under section 212(a)(9)(A)(ii) of the INA, LOPEZ-RAMOS was issued a Reinstatement of his Final Order of Removal. He was also given a Form I-294 that informed him he could not enter, attempt to enter, or be in the United States for a period of 20 years without the express permission of the Secretary of Homeland Security. In conjunction with receiving the Reinstatement of his Final Order of Removal, LOPEZ-RAMOS was prosecuted for improper entry by an alien in violation of 8 U.S.C. §1325(a)(1). On February 19, 2015, LOPEZ-RAMOS pleaded guilty to this offense in the Southern District of Texas and was sentenced to 10 days imprisonment and a \$10 special assessment. On February 28, 2015, LOPEZ-RAMOS departed the United States through Hidalgo, Texas to his native country of Mexico.
7. Since June 2016, the Sault Sainte Marie Border Patrol Station received multiple reports from concerned citizens regarding undocumented aliens living and working in Marquette, Michigan. These reports indicated that some of the undocumented aliens are working at the construction site of the new hospital located in Marquette, Michigan.
8. Agents investigated the reports and located a GMC Sierra with Florida license plate XXXX60. This vehicle was located at a local hotel in the Marquette area. Agents conducted records checks on the vehicle. The records checks revealed that the GMC Sierra is registered to an out of state construction company located in Florida. Through previous investigations and apprehensions, it has been established that out of state construction companies will often employ undocumented aliens. It has also been established that these out of state construction companies will utilize local hotels as a temporary residence for undocumented aliens during the construction project.
9. Agents conducted an investigation into the owner of the aforementioned construction company located in Florida. The records checks revealed that the owner of the company did not possess a valid driver's license or voter's

registration. In previous investigations and apprehensions, the undocumented aliens encountered would not possess a valid driver's license or voter's registration. Additional records checks on the owner revealed an Individual Taxpayer Identification Number (ITIN) associated with the owner's name and date of birth. According to the Internal Revenue Service, an ITIN is a number only issued to certain nonresident and resident aliens. The association of the ITIN to the owner of the Florida-based construction company would suggest that the owner maintained some type of immigration status in the United States. Agents followed up by conducting immigration records checks on the owner and were not able to establish that the owner was legally present in the United States. This information gave agents reasonable suspicion to believe that the owner of the Florida-based construction company was present in the United States illegally.

10. During the course of the investigation, agents discovered a second vehicle, a GMC Sierra with Florida license plate XXXX59, registered to the same Florida-based construction company. This vehicle was located at the same local hotel as the GMC Sierra Florida license plate XXXX60.
11. On December 19, 2017, Agents observed the GMC Sierra with Florida license plate XXXX59 exit the local hotel in Marquette, Michigan. A vehicle stop was conducted in an attempt to locate and interview the owner of the Florida-based construction company. There were multiple occupants in the vehicle. Agents began to identify the occupants in the vehicle. One of the occupants was Jose Antonio LOPEZ-RAMOS. Agents asked LOPEZ-RAMOS what country he was a citizen of and LOPEZ-RAMOS stated that he was a citizen of Mexico. Agents asked LOPEZ-RAMOS if he was in possession of any immigration documents that would allow him to be in or remain in the United States legally to wit LOPEZ-RAMOS claimed to have a work visa but was not in possession of it. Agents began running additional records checks on the remaining occupants. At that time, LOPEZ-RAMOS opened the rear-driver side door and attempted to flee. Agents pursued LOPEZ-RAMOS on foot for a short distance. The agents eventually caught LOPEZ-RAMOS without further incident. Upon further questioning LOPEZ-RAMOS admitted to being in the country illegally. LOPEZ-RAMOS also stated that he was not in possession of any immigration documents that would allow him to be in, work, or reside in the United States. LOPEZ-RAMOS was placed under arrest and was transported back to the Sault Sainte Marie Border Patrol Station for further processing.
12. Once at the Sault Sainte Marie Border Patrol Station, LOPEZ-RAMOS's fingerprints and photograph were obtained and entered into the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification System (IAFIS). The results show that LOPEZ-

RAMOS is a citizen and a national of Mexico who received one (1) Expedited Removal from the United States and two (2) Reinstatements of the Final Order of Removal. Records Checks revealed that LOPEZ-RAMOS possessed an Alien Number of XXX XXX 398.

13. During processing at the United States Border Patrol Station in Sault Sainte Marie, LOPEZ-RAMOS was notified of his rights on form I-214 "Warning as to Rights". LOPEZ-RAMOS signed Form I-214 affirming that he understood his rights. LOPEZ-RAMOS also signed the portion of I-214 waiving his rights. LOPEZ-RAMOS agreed to speak with agents and those questions were recorded on Form I-215 "Record of Sworn Statement in Affidavit Form". On Form I-215 LOPEZ-RAMOS states that his true and correct name is Jose Antonio LOPEZ-RAMOS. He also stated that he is a citizen and national of Mexico. He stated that he has been previously removed from the United States.
14. Agents involved in the current investigation have verified that LOPEZ-RAMOS 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. Agents have also verified that LOPEZ-RAMOS was provided a copy of Form I-294, "Warning to Alien Order Removed or Deported," during his arrests and removals in 2014 and 2015 by the United States Border Patrol in Texas. This form specifically advised LOPEZ-RAMOS of the requirements necessary to re-enter the United States, such as obtaining permission from the Secretary of Homeland Security to re-enter the United States.
15. I respectfully submit that the aforementioned facts establish probable cause to believe that Jose Antonio LOPEZ-RAMOS, being an alien who had previously been removed, was found in the United States without having obtained the express prior consent of the Attorney General or the Secretary of Homeland Security to return or reapply for admission, in violation of 8 U.S.C. § 1326(a).