

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

A091 (Rev. 8/01) Criminal Complaint

OCT 04 2017

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS**

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

V.

Juan Enrique ESCOBEDO-Moreno

CRIMINAL COMPLAINT

Case Number: **C-17-1015M-1**

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about October 3, 2017 in Brooks County, in the Southern District of Texas defendant, **Juan Enrique ESCOBEDO-Moreno**

did knowingly or in a reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transport, or move or attempt to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law

in violation of Title 8 United States Code, Section(s) 1324.
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:
Official Title

See Attached Affidavit of U.S. Border Patrol Agent **Jaime Trevino**

Continued on the attached sheet and made a part of this complaint:

Yes No

Sworn to before me and signed in my presence, and probable cause found on the:

J. Trevino
Signature of Complainant
Jaime Trevino
Printed Name of Complainant

October 4, 2017
Date
Jason B. Libby U.S. Magistrate Judge
Name and Title of Judicial Officer

at Corpus Christi, Texas
City and State
J. B. Libby
Signature of Judicial Officer

AFFIDAVIT

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

SYNOPSIS:

On October 3, 2017, Falfurrias, Texas Border Patrol Agents encountered and arrested Juan Enrique ESCOBEDO-Moreno attempting to smuggle one undocumented alien through the Falfurrias, Texas Border Patrol Checkpoint.

FACTS PROBABLE CAUSE:

On October 3, 2017, Border Patrol Agent (BPA) Ruben Morales, was assigned checkpoint duties at the Falfurrias, Texas Border Patrol Checkpoint. At approximately 12:00 a.m., a Purple Tractor Trailer approached his primary inspection lane. BPA Morales asked the driver of the vehicle, later identified as Juan Enrique ESCOBEDO-Moreno, if he was a United States citizen. ESCOBEDO-Moreno, stated "no, I am a resident." BPA Morales then asked ESCOBEDO-Moreno where he was coming from to which he replied "Edinburg". BPA Morales then asked ESCOBEDO-Moreno what he had inside the trailer and ESCOBEDO-Moreno replied "watermelons". BPA Morales asked ESCOBEDO-Moreno where he was going and he replied "Houston". BPA Morales asked ESCOBEDO-Moreno if he would give consent to further search the tractor trailer to which he replied "yes". Before sending ESCOBEDO-Moreno to secondary for further inspection, BPA Morales asked ESCOBEDO-Moreno if there was anyone else with him inside the tractor, he replied "no". At this time ESCOBEDO-Moreno was directed to park in the secondary area in order to conduct a further inspection.

While in secondary inspection area, BPA Oscar Garcia conducted a search inside the tractor and found subject Roberto RICO-Duran hidden inside a closet directly behind the driver's seat. After taking RICO-Duran out of the closet, an immigration inspection was conducted and it was determined RICO-Duran was a citizen of Mexico and in the United States illegally. ESCOBEDO-Moreno, along with RICO-Duran, were then placed under arrest and escorted into the Falfurrias Border Patrol Checkpoint.

While inside the Falfurrias Checkpoint, a search of ESCOBEDO-Moreno was done and \$658 was found on his person. BPA Morales asked ESCOBEDO-Moreno why he had that amount of money on him and ESCOBEDO-Moreno replied "my boss gave me \$500 for my trip expenses and the rest of the money is my personal money".

NOTE:

Upon further inspection, it was determined that the closet could not be opened from the inside.

**MIRANDA RIGHTS WARNING: Principal
Juan Enrique ESCOBEDO-Moreno**

ESCOBEDO-Moreno was read his Miranda Rights and Warnings in his language of preference, Spanish, as per Service Form CBP I-214 by BPA Ruben Morales and witnessed by BPA Martin Soto. ESCOBEDO-Moreno signed stating that he read and understood his rights. ESCOBEDO-Moreno was willing to make a statement without a lawyer present.

PRINCIPAL STATEMENT: (Synopsis of Video Statement)

ESCOBEDO-Moreno stated that today, October 3, 2017, he was at a market in McAllen, Texas where he met a man named Jose. ESCOBEDO-Moreno stated that Jose asked him to take someone north to Houston, Texas for him. ESCOBEDO-Moreno was hesitant at first, but then agreed. ESCOBEDO-Moreno then stated that today, October 3, 2017, he drove north to Monte Cristo road in Edinburg, Texas, where he went to a warehouse to pick up watermelons. Once ESCOBEDO-Moreno arrived at the warehouse, he began to do his log book. ESCOBEDO-Moreno stated that Jose then showed up with a person, identified as Roberto RICO-Duran, and both men exited the vehicle. ESCOBEDO-Moreno stated that he put RICO-Duran into his tractor and placed him inside the cab closet. ESCOBEDO-Moreno stated that once he was loaded with the watermelons, he continued north on 281 headed to his destination of Houston, Texas. ESCOBEDO-Moreno stated he did not make any stops once leaving the warehouse in Edinburg, Texas.

(End of Statement)

ADDITIONAL INFORMATION:

While ESCOBEDO-Moreno was in the holding cell, BPA Morales asked him how much he was being paid by RICO-Duran to be smuggled to Houston, to which he replied "he did not pay me anything". I then asked ESCOBEDO-Moreno who was going to pay him and he replied "Jose was going to pay me \$2,500 once I successfully made it to Houston".

**MIRANDA RIGHTS WARNING: Material Witness
Roberto RICO-Duran**

RICO-Duran was read his Miranda Rights and Warnings in his language of preference, Spanish, as per Service Form CBP I-214 by BPA Morales and witnessed by BPA Soto. RICO-Duran signed stating that he read and understood his rights. RICO-Duran was not willing to make a statement without a lawyer present.

RICO-Duran STATEMENT:

Did not wish to make a statement.

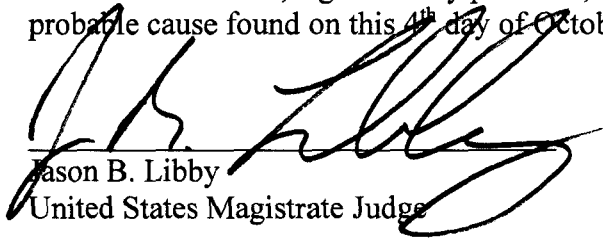
DISPOSITION:

The case was presented to AUSA Amanda Gould, who accepted prosecutions of Juan Enrique ESCOBEDO-Moreno for 8 USC 1324 Alien Smuggling. Roberto RICO-Duran will be held as a material witness in this case. The tractor was seized for its use in alien smuggling. The trailer and commodity will be reverted back to the shipper.



Jaime Trevino
Border Patrol Agent

Sworn to before me, signed in my presence, and
probable cause found on this 4th day of October 2017.



Jason B. Libby
United States Magistrate Judge