

JUN 06 2019

SOUTHERN DISTRICT OF TEXAS

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA
V.
Ivan Dario PUGA-Moreno

CRIMINAL COMPLAINT

Case Number: **C-19-2253M**

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about 6/5/2019 in Nueces County, in the

(Date)

Southern District of Texas defendant, **Ivan Dario PUGA-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) Special Agent and that this complaint is based on the following facts:
Official Title

See Attached Affidavit of ICE Special Agent **Eric Martinez**

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

Yes No

Eric Martinez
Signature of Complainant

Eric Martinez
Printed Name of Complainant

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found:

June 6, 2019

Date

at

Corpus Christi, Texas
City and State

Jason B. Libby U.S. Magistrate Judge
Name and Title of Judicial Officer

Jason B. Libby
Signature of Judicial Officer

AFFIDAVIT:

On June 5, 2019, at approximately 05:15 hours, the United States Border Patrol Office received a call from the Corpus Christi Police Department regarding two undocumented aliens who were encountered on a road near Robstown, TX. The two undocumented aliens had informed a Nueces County Sherriff Deputy that they were unlawfully present in the United States. The two undocumented aliens informed the Deputy they had left a vehicle accident involving eighteen undocumented aliens. USBP Agents arrived at the scene and conducted an immigration inspection and took custody of the two undocumented aliens. The two undocumented aliens were transported to a hospital in Corpus Christi, TX.

On June 5, 2019, at approximately 06:55 hours, USBP agents discovered the wrecked Suburban in Robstown, TX. Approximately six individuals were in the vehicle and appeared to be incoherent. An additional seven individuals were discovered in or near the vehicle and required medical assistance. USBP contacted emergency medical services. Emergency medical units arrived via halo flight and ambulance and transported the seven individuals to two local hospitals in Corpus Christi, TX.

On June 5, 2019, at approximately 08:15 hours, USBP contacted HSI Corpus Christi and requested assistance regarding the wrecked Suburban.

On June 5, 2019, at approximately 09:00 hours, HSI Corpus Christi S/A's responded to the vehicular accident in Robstown, TX. S/A's observed six male individuals inside of the suburban which were incoherent. Several Mexican and Central American identity cards were discovered in the suburban. A Justice of the Peace subsequently arrived and pronounced the six male individuals as deceased.

On June 5, 2019, in the morning, HSI S/A Eric Martinez and S/A Mike Chastain arrived at the two hospitals in Corpus Christi, TX. S/A's spoke to medical staff and USBP Agents at the scene. The nine individuals which had been transported to the hospital by ambulance had been identified as citizens of either Mexico or Central America. The only coherent hospitalized individual at the time was identified by S/A Martinez as Juan Carlos VALLEJO-Lopez.

S/A Martinez briefly spoke with VALLEJO-LOPEZ to ascertain some information. VALLEJO stated he was a citizen of Guatemala. VALLEJO informed S/A Martinez that he and thirteen other aliens had been smuggled by a guide through the brush for approximately three days. VALLEJO stated they had all been picked up alongside a road by an unknown male in a suburban type vehicle. VALLEJO stated the brush guide had been in the vehicle with them. VALLEJO stated the driver wound up wrecking the vehicle.

On June 5, 2019, at approximately 10:45 hours, a female individual identified as Lora GARCIA spoke with USBP Agent Jose Barrientos outside a hospital in Corpus Christi. GARCIA informed BPA Barrientos, she was looking for her brother-in-law who was

involved in the accident in Robstown, TX. GARCIA stated she saw the vehicle accident on FACEBOOK and the news. GARCIA stated her brother-in-law's name was Juan Manuel GARCIA-SALAZAR, aka: CHINO. GARCIA provided Juan GARCIA's cell phone number which ended in 1120. GARCIA stated the driver of the wrecked vehicle known as IVAN LNU had been utilizing CHINOS phone to communicate with GARCA and IVAN's girlfriend.

On June 5, 2019, at approximately 14:00 hours, HSI S/A Eric Martinez and S/A Agustin Olivarez met with GARCIA and conducted an interview of GARCIA in Robstown, TX. GARCIA stated on June 5, 2019, at approximately 04:00 hours, she received a call from Elena RUIZ. GARCIA stated RUIZ was the girlfriend of the driver who GARCIA identified as IVAN LNU. RUIZ informed GARCIA that IVAN and Juan GARCIA had been involved in a serious wreck in Robstown, TX along with about twenty other people.

GARCIA stated on June 5, 2019, at approximately 04:30 hours, she received a call from IVAN. IVAN informed GARCIA that he and CHINO had been involved in a wreck and had suffered serious bodily injury. IVAN stated he had broken ribs, internal bleeding, and was bleeding blood from his mouth. IVAN stated he was with several other individuals and that they needed medical attention and asked GARCIA if she could help him.

On June 5, 2019, at approximately 14:12 hours, GARCIA contacted Elena RUIZ and spoke with her via a recorded call. S/A Martinez and S/A Agustin Olivarez listened to the conversation. RUIZ informed GARCIA that IVAN had informed RUIZ that CHINO had been pinned in the truck and that IVAN absconded from the scene. RUIZ told GARCIA that IVAN stated he had absconded from the scene and had been with a large group of people. RUIZ stated IVAN had contacted RUIZ utilizing CHINO's phone. RUIZ informed GARCIA that IVAN indicated he was hiding in a neighborhood in town.

On June 5, 2019, at approximately 16:24 hours, GARCIA spoke with IVAN. GARCIA asked IVAN if he had been driving the wrecked vehicle. IVAN stated that he had been driving the vehicle and had wrecked the vehicle. IVAN stated he had hit something. IVAN initially stated CHINO had been taken by ambulance along with other people. IVAN stated he had been hiding and had observed the ambulance and law enforcement at the accident scene.

GARCIA informed IVAN that GARCIA had checked the hospitals and that CHINO was not at the hospital. GARCIA told IVAN the news had reported some aliens were deceased and others were at the hospital. IVAN asked GARCIA if GARCIA had checked with Immigration. IVAN told GARCIA that CHINO had been trapped and pinned by the metal from the wrecked vehicle.

On June 5, 2019, HSI S/A Agustin Olivarez and S/A Ruben Rendon conducted an interview of Elena RUIZ at the HSI Office in Corpus Christi, TX. RUIZ previously had met with S/A's outside the HSI Office in Corpus Christi, TX, and stated she wanted to

cooperate. S/A Olivarez read RUIZ her Miranda Rights in the English language. RUIZ stated she was willing to provide a statement without the presence of an attorney.

RUIZ stated she was the girlfriend of IVAN Dario PUGA-Moreno. RUIZ stated PUGA is an illegal alien and is friends with CHINO. PUGA and CHINO are from the same town in Mexico. RUIZ stated IVAN and CHINO had informed her on June 4, 2019, that they were going to be smuggling approximately twenty aliens in a vehicle. RUIZ stated PUGA had contacted her prior to departing Falfurrias, TX, and told RUIZ they were getting ready to smuggle the approximately twenty aliens.

RUIZ stated on June 5, 2019, early in the morning at approximately 04:00 hours, she had received a call from CHINO's cellphone. RUIZ stated she answered the call but spoke with PUGA. PUGA stated he had wrecked the vehicle and that CHINO was hurt and trapped in the vehicle. PUGA told RUIZ he attempted to free CHINO but could not get him out of the vehicle. PUGA told RUIZ he had been driving the vehicle and had hit something. PUGA told RUIZ that he was scared and ran from the scene with four other aliens. PUGA told RUIZ he was hurt and had broken bones and internal bleeding. PUGA told RUIZ he desperately needed help and needed to get picked up.

RUIZ stated she communicated with PUGA by calling CHINO's phone. PUGA coordinated with RUIZ and set up a pick-up location. RUIZ stated she borrowed a white Toyota Corolla from a friend and went to pick up PUGA. RUIZ stated she arrived on Callicoatte Road near Robstown, TX, on June 5, 2019, at approximately 13:00 hours, and picked up PUGA and four other illegal aliens. RUIZ stated she observed PUGA had a broken arm and was hurt. RUIZ stated she observed one of the smuggled aliens had cuts on his face. RUIZ transported PUGA and the four aliens to Corpus Christi, TX.

RUIZ stated she arrived at a relative's home located near Crocket Elementary School in Corpus Christi, TX. RUIZ stated PUGA began getting angry at her and RUIZ told PUGA to leave the home. RUIZ observed PUGA and the four aliens depart on foot from the home.

RUIZ stated PUGA had reached out to PUGA's friend known as TINO GUTIERREZ. PUGA had informed RUIZ that GUTIERREZ was traveling from Houston, TX, to help PUGA.

RUIZ viewed a photo lineup containing an array of 6 male individuals. RUIZ identified Ivan PUGA. Record checks conducted revealed the person identified was Ivan Dario PUGA-Moreno, a citizen of Mexico, and a prior deported alien.

AUSA Julie Hampton was notified and agreed to prosecute PUGA for violation of Title 8

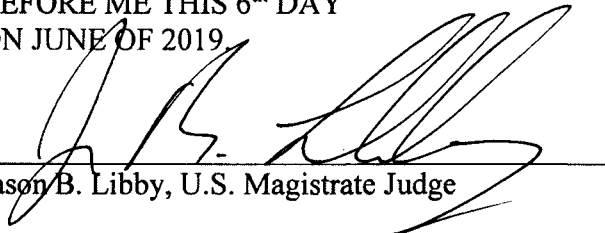
USC 1324.



Eric Martinez
Special Agent
Homeland Security Investigations

Submitted by reliable electronic means, sworn to,
Signature attested telephonically per
Fed.R.Crim.P.4.1, and probable cause found:

SUBSCRIBED AND SWORN TO
BEFORE ME THIS 6th DAY
ON JUNE OF 2019.



Jason B. Libby, U.S. Magistrate Judge