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THOMAS E. MOSS  
UNITED STATES ATTORNEY  
MONTE J. STILES  
ASSISTANT UNITED STATES ATTORNEY  
DISTRICT OF IDAHO  
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U.S. COURTS

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JAN 10 2002

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

CR-02-003 SEJL

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
CRUZ RUBALCAVA-RODRIGUEZ, )  
 )  
Defendant. )

Case No. \_\_\_\_\_

INDICTMENT

8 U.S.C. § 1326(a) and (b)(1)

The Grand Jury charges:

COUNT ONE

Removed Alien Found in United States  
(8 U.S.C. § 1326(a) and (b)(1))

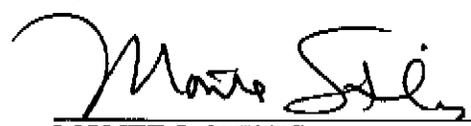
On or about June 29, 2001, the defendant, Cruz RUBALCAVA-Rodriguez, an alien who had been previously removed from the United States to Mexico on or about December 22, 1998, at or near El Paso, Texas, was found in the District of Idaho, the said defendant having not obtained the consent of the Attorney General of the United States for reapplication by the defendant for

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admission into the United States, in violation of Title 8, United States Code, Section 1326(a) and (b)(1).

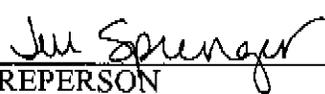
**DATED** this 8th day of January, 2002.

THOMAS E. MOSS  
United States Attorney  
By:



MONTE J. STILES  
Assistant United States Attorney

**A TRUE BILL:**

  
FOREPERSON

mjs\indict.err.wpd

**CRIMINAL COVERSHEET**

DEFENDANT'S NAME: Cruz RUBALCAVA-Rodriguez

Juvenile: No U.S. COURTS

DEFENDANT'S STREET ADDRESS: (In custody - Twin Falls)

Service Type: Warrant Non-Secret

DEFENSE ATTORNEY: S. Richard Rubin  
Address: 350 N. Ninth Street, #301  
Boise, ID 83702  
Telephone No.: (208) 388-1600

Interpreter: Yes  
If yes, language: Spanish FILED  
REC'D  
BURKE  
CLERK

INVESTIGATING AGENCY & AGENT: Claude A. Jackson  
INS/Border Patrol  
(208) 734-4362

EJL  
CR-02-003 S ~~FILED~~

**CASE INFORMATION:** (List any miscellaneous, magistrate, CVB or other related defendants/case numbers.)  
(Complaint filed as MS 5244)

**CRIMINAL CHARGING INFORMATION**

Complaint	<u>Yes</u> Indictment	Information	Superseding Indictment
<u>Yes</u> Felony	Class A Misdemeanor	Class B or C Misdemeanor (Petty Offense)	
County of Offense: <u>Twin Falls</u>		Estimated Trial Time: <u>2 Days</u>	

TITLE/SECTION	COUNTS	BRIEF DESCRIPTION	PENALTIES (Include Supervised Release and Special Assessments)
8 U.S.C. § 1326(a), (b)(1)	1	Removed Alien Found in United States	20 yrs. prison and/or \$250,000 fine; 5 yrs. supervised release; \$100 special assessment

Date: January 4, 2002

AUSA: Monte J. Stiles  
Telephone No.: (208) 334-1211