

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA * **CRIMINAL DOCKET NO. 07-419**

V. *

RAMON ENRIQUE CALDERA MENDEZ * **VIOLATION: 42 U.S.C. § 408(a)(7)(B)**
also known as
Carlos Rodriguez
Carlos Rodriguez Nunez *

* * *

FACTUAL BASIS

_____ Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the indictment now pending against the defendant:

The Defendant, **RAMON ENRIQUE CALDERA MENDEZ** (hereinafter “**CALDERA MENDEZ**”) has agreed to plead guilty to the two-count Indictment that charges him with misuse of a Social Security Number in violation of Title 42, United States Code, Section 408(a)(7)(B).

A Special Agent with Social Security Administration would testify that on or about September 21, 2004 in the Eastern District of Louisiana the defendant **CALDERA MENDEZ** did falsely represent with the intent to deceive on an Employment Eligibility Verification Form (I-9) that his Social Security Number was XXX-XX-6784, when in fact, the number was not assigned to the defendant at all. In addition, the agent would testify that the Social Security Number is actually assigned to an individual named Carlos Rodriguez that resides in Massachusetts.

A Special Agent with Social Security Administration would testify that on or about January 10, 2005 in the Eastern District of Louisiana the defendant **CALDERA MENDEZ** did falsely represent with the intent to deceive on an Employment Eligibility Verification Form (I-9) that his Social Security Number was XXX-XX-6784, when in fact, the number was not assigned to the defendant at all. In addition, the agent would testify that the Social Security Number is assigned to an individual named Carlos Rodriguez that resides in Massachusetts. The defendant used Social Security Number XXX-XX-6784 to obtain employment within the United States in violation of Federal Immigration law on both occasions.

An agent with Immigration and Customs Enforcement would testify that the defendant was lawfully admitted into the United States on March 14, 1996 on a (B-1) business visa and overstayed his visa. Subsequently, he was ordered deported on April 24, 1997 by an Immigration Judge here in the Eastern District of Louisiana. The defendant has remained in the United States since his order of deportation.

On February 1, 2008, pursuant to his deportation order the defendant was arrested by Immigration and Customs Enforcement. He was transferred to ICE Field Office in New Orleans for immigration processing within the Eastern District of Louisiana. Upon questioning the defendant, the ICE special agent determined that the defendant was a citizen of Venezuela and present without the permission of the Secretary of Homeland Security or his designee. The defendant was transferred into Federal deportation custody on February 1, 2008.

W. SCOTT LARAGY
Assistant United States Attorney
LA Bar Roll No. 25755

Date

RAMON ENRIQUE CALDERA MENDEZ

Date

ROMA KENT
Attorney for Defendant

Date