

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA * CRIMINAL NO. 07-197

 v. * SECTION: "A"

EFRAIN ISIDRO PINEDA-LOZANO *
a/k/a Richard Lozano
a/k/a Mario Efran Solis *
a/k/a Pedro Pagoada
a/k/a Richard Solis *

* * *

FACTUAL BASIS

Were this matter brought to trial the United States would prove, through competent witnesses and documentary evidence, the following beyond a reasonable doubt.

On or about April 22, 2007, defendant Efrain Isidro Pineda-Lozano (hereafter Pineda), a citizen of Honduras and an alien of the United States, was found in Jefferson Parish in the Eastern District of Louisiana. Pineda had been arrested and ordered deported from the United States to Honduras on two (2) previous occasions. Pineda's first deportation occurred on September 12, 1993 after his 1992 conviction in San Francisco, California for possession with intent to distribute cocaine. Specifically, Pineda

was convicted of possession with intent to distribute cocaine in Cause Number 144221 in the Superior Court of California, County of San Francisco. He received a sentence of three (3) years probation. Pineda's second deportation occurred on June 14, 2000, after his 1997 conviction in federal district court in Idaho for illegal re-entry after deportation subsequent to the commission of an aggravated felony. He received a sentence of forty-eight (48) months incarceration.

Since his last deportation, Pineda has not received the requisite consent of the United States Attorney General or his designated successor, the Secretary of the Department of Homeland Security, to reapply for admission into the United States.

After being advised of his constitutional rights, Pineda admitted the foregoing facts to agents of Immigration and Customs Enforcement.

EFRAIN ISIDRO PINEDA-LOZANO
Defendant

DATE

ROMA A. KENT, ESQ.
Counsel for Efrain I. Pineda-Lozano

DATE

IRENE GONZÁLEZ
Assistant United States Attorney

DATE