



*Office of the United States Attorney
District of Arizona*

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For Information Contact Public Affairs
SANDY RAYNOR
Telephone: (602) 514-7625
Cell: (602) 525-2681

MEXICAN MAN CONVICTED ON DRUG, FIREARMS AND IMMIGRATION OFFENSES

TUCSON, Ariz. - Urbano Nario-Marquez, 35, a Mexican citizen, was found guilty of Possession With Intent to Distribute Cocaine, Possession With Intent to Distribute Cocaine Base, Possession of a Firearm by a Convicted Felon, Possession of a Firearm by an Illegal Alien, and Possession of a Firearm in Relation to a Drug Trafficking Offense, by a federal jury in Tucson, Ariz. The case was tried before U.S. District Court Judge Frank R. Zapata from January 29 - 30, 2008. The defendant is being held in custody pending sentencing, which is set before Judge Zapata on March 31, 2008.

The evidence during trial showed that on September 1, 2005, Nario-Marquez, a convicted felon unlawfully in the U.S., was stopped by Tucson Police Department officers in Tucson, Ariz., for traffic violations and found in his possession were eight packages of crack cocaine with a total weight of 7.8 grams, two packages of powder cocaine with a total weight of 8.2 grams and a loaded .38 caliber handgun. Nario-Marquez was arrested for providing false information to law enforcement after he gave officers a false name. A search of Nario-Marquez's vehicle subsequent to his arrest revealed the cocaine, cocaine base, and the firearm inside a bag on the floorboard of the vehicle. Nario-Marquez denied knowledge of the drugs and firearm inside the bag, but his behavior during the investigation indicated that he was aware of the bag's illicit contents. Nario-Marquez initially failed to stop for the officers, and attempted to enter the garage of a residence. Once the officers were able to stop Nario-Marquez, they witnessed him attempt to conceal the bag.

Following the jury trial last week, Nario-Marquez pleaded guilty on February 1, 2008 to two additional charges of Possession of a Firearm by a Convicted Felon and Possession of a Firearm by an Illegal Alien, as well as one charge of Illegal Re-Entry After Deportation, stemming from the defendant's apprehension on a supervised release warrant on April 17, 2006. On that date, Deputy U.S. Marshals apprehended Nario-Marquez and found him in possession of a firearm, a loaded .22 caliber revolver. Investigation revealed that Nario-Marquez had been deported on February 22, 2000, and July 1, 2003, following convictions in both Pima County Superior Court and U.S. District Court in Tucson. In connection with his guilty plea to these three charges, he also admitted to having violated his supervised release conditions.

A conviction for Possession of a Firearm in Relation to a Drug Trafficking Offense carries a minimum penalty of five years to a maximum of life in prison. A conviction for Possession With Intent to Distribute Cocaine Base carries a minimum penalty of five years to a maximum of 40 years in prison. Convictions for Possession With Intent to Distribute Cocaine and Illegal Re-Entry After Deportation both carry a maximum penalty of 20 years in prison. Convictions for Possession of a Firearm by a Convicted Felon and Possession of a Firearm by an Illegal Alien both carry a maximum penalty of 10 years in prison. A violation of federal supervised release carries a maximum penalty of

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two years in prison. In determining an actual sentence, Judge Zapata will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

The investigation leading to the convictions was conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives, the U.S. Marshals Service, U.S. Immigration and Customs Enforcement and the Tucson Police Department. The prosecution was handled by Angela W. Woolridge, Assistant U.S. Attorney, District of Arizona, Tucson, Ariz.

CASE NUMBERS: CR-06-1498-TUC-FRZ
 CR-06-1499-TUC-FRZ
 CR-01-1662-TUC-FRZ

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