



FOR IMMEDIATE RELEASE
Wednesday, April 9, 2008

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

MEXICAN MAN FACES FEDERAL CHARGES FOR ROLLOVER THAT CAUSED 28 INJURIES AND ONE DEATH

TUCSON, Ariz.- After an investigation into an April 7th rollover near Benson, Ariz. that left one woman dead and many others hospitalized, Jesus Espinoza-Martinez, 31, of Mexico was arrested charged with one count of Transporting Illegal Aliens for Profit Resulting in Death and one count of Bringing Illegal Aliens into the United States for Profit. Espinoza-Martinez made his initial appearance in Tucson federal court this afternoon and is scheduled for Detention and Preliminary hearings on Friday, April 11, 2008 at 10:30 a.m.

On April 7, 2008, 32 illegal aliens, including two juveniles, were traveling westbound on Interstate 10 in a van driven by Jesus Espinoza-Martinez. Border Patrol agents noted the suspicious van and followed it to investigate further. Agents eventually located the van where it had rolled off the road, down an embankment and eventually rested on its side.

As result of the rollover, one female illegal alien died at the scene. Two male illegal aliens are in a coma and in critical condition. Three male illegal aliens were transported to Phoenix hospitals and five other illegal aliens are at local area hospitals. Twenty-nine of the 32 illegal aliens were provided medical treatment. All 32 individuals admitted that they were not citizens or nationals of the U.S. and that they did not have permission to be in the United States legally.

Espinoza-Martinez was subsequently interviewed by ICE agents. After *Miranda* warnings, he denied being the driver of the rollover van but during the interview agents noticed that the he had a bruise which ran diagonally from his left upper shoulder his lower right waist, indicative of a seatbelt bruise from the driver's side seatbelt. Material witnesses confirmed that Espinoza-Martinez had been the driver of the van.

A conviction for Transporting Illegal Aliens for Profit Resulting in Death carries a maximum penalty of life imprisonment, a \$250,000 fine or both. A conviction for Bringing Illegal Aliens into the United States for Profit carries a minimum mandatory sentence of 3 or 5 years depending on the number of illegal aliens brought into the United States, with a maximum penalty of 15 years imprisonment, a \$250,000 fine or both. In determining an actual sentence, the assigned judge 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.

A criminal complaint is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation in this case was conducted by U.S. Immigration and Customs Enforcement, U.S. Border Patrol and the Arizona Department of Public Safety. The prosecution is being handled by Munish Sharda and Ann DeMarais, Assistant U.S. Attorneys, District of Arizona, Tucson.

CASE NUMBER: 08-07614M
RELEASE NUMBER: 2008-086(Espinoza-Martinez)

###

For more information on the U.S. Attorney's Office, District of Arizona, visit <http://www.usdoj.gov/usao/az>