



FOR IMMEDIATE RELEASE
Wednesday, August 27, 2008

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DRIVER OF ROLLOVER CRASH THAT KILLED 9 INDICTED BY FEDERAL GRAND JURY

PHOENIX - Brian Guzman-Ochoa, aka Martin Brian Guzman-Ochoa, 32, of Hermosillo, Sonora, Mexico was indicted yesterday by a federal grand jury in Phoenix for charges related to a vehicle rollover crash on August 7, 2008, in which nine people died. Guzman-Ochoa was identified as the driver of the vehicle at the time of the collision as alleged in the criminal complaint. The 6-count indictment charges him with transportation of illegal aliens resulting in death, transportation of illegal aliens, bringing in illegal aliens and re-entry after deportation. Guzman remains in federal custody pending an arraignment on these charges.

On the morning of August 7, 2008, officers from the Arizona Department of Public Safety responded to a single vehicle collision on Highway 79 near Florence, Ariz. The collision involved 19 people, all alleged illegal aliens. The 10 that were injured, including Guzman-Ochoa, were transported to local hospitals. One of the injured remains hospitalized.

A conviction for transportation of illegal aliens resulting in death carries a maximum penalty of life in prison, or the death penalty, a \$250,000 fine or both. A conviction for transportation of illegal aliens carries a maximum penalty of 20 years in prison, a \$250,000 fine or both. The maximum penalty for bringing in illegal aliens increases with multiple charges; if convicted Guzman-Ochoa faces between 3-15 years in prison, a \$250,000 fine or both on these counts. The maximum penalty for a conviction of re-entry after deportation is two years in prison, 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.

An indictment 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 and the Arizona Department of Public Safety with assistance from U.S. Border Patrol. The prosecution is being handled by Brian E. Kasprzyk and Lisa J. Settel, Assistant U.S. Attorneys, District of Arizona, Phoenix.

CASE NUMBER: CR08-0990-PHX
RELEASE NUMBER: 2008-220(Guzman-Ochoa)

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