

For Immediate Release  
January 10, 2012

**FEDERAL JURY CONVICTS GUATEMALAN NATIONAL OF  
ILLEGAL RE-ENTRY AFTER DEPORTATION**

ALBUQUERQUE – This afternoon, a federal jury sitting in Albuquerque convicted **Marcos Cota-Silvestre**, 49, of re-entering the United States without authorization after previously having been deported after a two-day trial. The jury deliberated for approximately 45 minutes before returning the guilty verdict. Cota-Silvestre has been in federal custody since his arrest on December 9, 2009. He remains detained pending his sentencing hearing, which has yet to be scheduled.

U.S. Attorney Kenneth J. Gonzales said that the evidence at trial established that a U.S. Border Patrol agent encountered Cota-Silvestre hiding under a bush in Sunland Park, N.M., on December 9, 2009. When questioned by the Border Patrol agents at the Santa Teresa Port of Entry, Cota-Silvestre admitted that he was a citizen and national of Guatemala without any immigration status in the United States. The evidence also established that Cota-Silvestre entered the United States illegally by crossing the United States-Mexico international boundary on foot on December 9, 2009, at a location approximately seven miles east of the Santa Teresa Port of Entry. During routine processing, Border Patrol agents learned that Cota-Silvestre previously had been deported from the United States to Mexico on September 15, 2009, after several felony convictions including an aggravated felony conviction for shoplifting in the State of Georgia. A review of immigration records revealed that there was no evidence that Cota-Silvestre had received permission to reapply for admission into the United States.

At sentencing, Cota-Silvestre faces a maximum sentence of 20 years of imprisonment and a \$250,000 fine. He will be deported to Guatemala when he completes his prison sentence.

This case was investigated by U.S. Border Patrol and is being prosecuted by Assistant  
U.S. Attorneys C. Paige Messec and Norman Cairns.

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