

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

Southern District of Texas
FILED

APR 17 2015

David J. Bradley, Clerk of Court

United States of America
v.
Orlando Castaneda-DIAZ

Case No.

C-15-461m

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.


On or about the date(s) of April 16, 2015 in the county of Brooks in the Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. Section 911	False Claim to United States Citizenship

This criminal complaint is based on these facts:

On or about April 16, 2015, the defendant, a citizen and national of Mexico, attempted to claim United States Citizenship when he presented United States Border Patrol agents with a fraudulently obtained Texas Driver's License [redacted] and a fraudulent Texas Birth Certificate [redacted] in the name [redacted] David [redacted]. The real [redacted] David [redacted] (DOB [redacted]) is a United States Border Patrol agent who is not the defendant.

Continued on the attached sheet.


 Complainant's signature
 John W. Alsup, Special Agent
 Printed name and title

Sworn to before me and signed in my presence.

Date: 04/17/2015


 Judge's signature
 U.S. Magistrate Judge
 Printed name and title

City and state: Corpus Christi, Texas

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT FOR

Orlando Castaneda-Diaz
DPOB: May 6, 1990; Mexico

1. I, John Alsup, being duly sworn, do hereby depose and state that I am a Special Agent (SA) of the U.S. Department of State, Diplomatic Security Service (DSS), currently assigned to the Houston Field Office, located in Houston, Texas. My duties include conducting criminal investigations involving the use of counterfeit passports, visas, and other fraudulent identity documents. The information in this Affidavit is based on my personal knowledge of this case and upon information provided to me by other government agencies. Through the course of my investigation, I have obtained probable cause to believe that Orlando Castaneda-Diaz, hereinafter referred to as DIAZ, made a false claim to being a United States Citizen, in violation of Title 18 United States Code, Section 911.

2. This Affidavit is for the purpose of securing probable cause. It is not intended to include each and every fact or matter observed by me or known to the government.

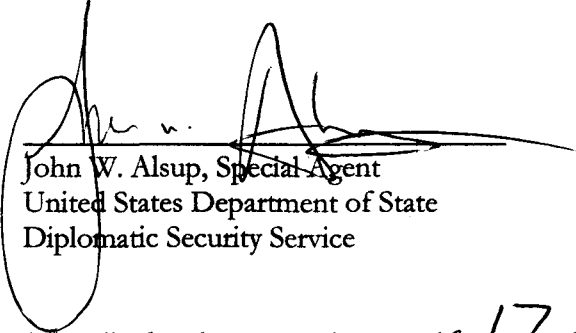
3. On or about April 16, 2015, Orlando Castaneda-DIAZ, a citizen of Mexico and no other country, was traveling on Greyhound bus #9550 towards Houston, Texas. At approximately 01:00 on April 16, 2015, during an immigration inspection by the United States Border Patrol (USBP) at the Falfurrias, TX Border Patrol inland checkpoint, USBP agents asked DIAZ to provide identification. DIAZ provided agents with a Texas Driver License (TXDL) [REDACTED] in the name [REDACTED] David [REDACTED] (DOB: [REDACTED]), and a Texas Birth Certificate (TXBC) [REDACTED] in the same name. A visual comparison between the photograph on the TXDL and DIAZ was made. USBP agents determined DIAZ not to be the individual in the TXDL. USBP agents further recognized the individual in the TXDL to be a USBP agent based in the Falfurrias region.

4. After admitting to USBP agents he was illegally present in the United States, a Social Security Card in the name [REDACTED] David [REDACTED] with Social Security Number (SSN) [REDACTED] was found to be in DIAZ's wallet.

5. On April 16, 2015, your Affiant interviewed DIAZ at the USBP Falfurrias station in Falfurrias, Texas. DIAZ admitted that he is a citizen of Mexico, and that he knew the Texas Driver's License [REDACTED], the Texas Birth Certificate [REDACTED], and the Social Security Card with SSN [REDACTED] were fake documents. DIAZ further admitted he had paid an individual \$2,000 in Matamoros, Mexico for the three documents. DIAZ stated he had never met the true ID, [REDACTED] David [REDACTED] (DOB: [REDACTED]).

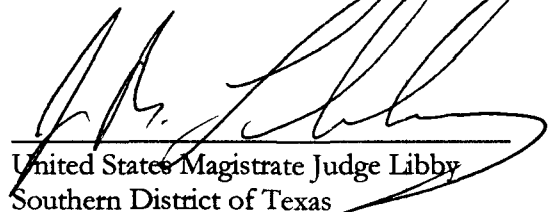
6. DIAZ admitted he illegally and without prior authorization crossed from Mexico into the United States on Sunday, April 12, 2015. He stated he then shaved his hair once in the United States so as to appear more similar to the photograph in the purchased TXDL.

7. Based on all the above information, there is probable cause to believe Orlando Castaneda-DIAZ has violated Title 18 United States Code, Section 911, "False Claim to United States Citizenship", in that he unlawfully and knowingly possessed and attempted to use counterfeit, altered, stolen, or fraudulently obtained birth and identification documents as evidence of United States Citizenship. This belief is based on statements by Orlando Castaneda-DIAZ, our investigation, database records, and the fraudulent documents which he presented to United States Border Patrol agents during an immigration inspection on April 16, 2015.



John W. Alsup, Special Agent
United States Department of State
Diplomatic Security Service

Subscribed and sworn before me this 17 day of April 2015



United States Magistrate Judge Libby
Southern District of Texas