

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Juan Carlos Barrera	PRINCIPAL	United States
YOB: 1992		
Odilon Oyervides Jr.	CO-PRINCIPAL	United States
YOB: 1988		
Isaac Villareal	CO-PRINCIPAL	United States
YOB: 1995		

Case Number:
M-19-1879-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 8, 2019 in Starr County, in the Southern District of Texas defendants(s) did, *(Track Statutory Language of Offense)*

knowing or in reckless disregard of the fact that Victor Manuel Barahona -Mejia, citizen of El Salvador, Heriberto Montor-Villasenor, citizen of Mexico, Domingo Bernane Ajpop -Tzaj, citizen of Guatemala, Ahunner Cabrera-Gomez, citizen of Honduras, and Osman Josue Bonilla -Cortes, citizen of Honduras, along with sixty-eight (68) other undocumented aliens, for a total of seventy-three (73), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempted to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, to -wit: a residence located in El Sauz, Texas,

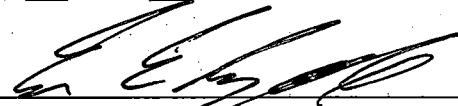
in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On August 8, 2019, Border Patrol Agents responded to a Texas Department of Public Safety (DPS) call for assistance. Upon arrival, the DPS Trooper advised agents that she was waved down by a male subject, later identified as Victor Manuel Barahona-Mejia, a citizen of El Salvador, while traveling on F.M. 649. The trooper further stated that Barahona advised her that he had escaped from a nearby ranch where he, as well as approximately one hundred and thirty (130) other people, were being held against their will, physically assaulted and threatened.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

Yes No



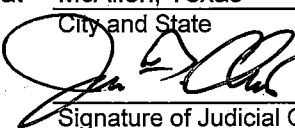
 Signature of Complainant
 Ernie Bergollo Senior Patrol Agent

 Printed Name of Complainant

Approved by Robert Guerrero AUSA
Sworn to before me and subscribed in my presence,

August 9, 2019 - 10:44 a.m.
Date

at McAllen, Texas

 City and State


 Signature of Judicial Officer

Juan F. Alanis, U. S. Magistrate Judge
Name and Title of Judicial Officer

Agents interviewed **Barahona** and were provided with the same version of events, as well as the location of the ranch. Based off of the information provided, agents contacted the Starr County Sheriff's Office (SCSO), the Department of Homeland Security (DHS) Air and Marine Operations (AMO), National Guard Air assets, as well as additional DPS Troopers for further assistance.

Agents determined that, based on the dangerous nature of the situation, immediate action was necessary for the safety of the people being held against their will. Border Patrol Agents, along with the aforementioned law enforcement agencies, responded to the ranch identified by **Barahona**:

Upon arrival to the ranch, law enforcement officers observed approximately thirty (30) individuals running from an aluminum structure on the property. A total of seventy-three (73) individuals were apprehended in or near the aluminum structure and around or near the ranch. One of the subjects, **Heriberto Montor-Villasenor**, a citizen of Mexico, was found in the possession of two (2) cellular phones. Agents questioned **Montor** regarding the cellular phones. **Montor** claimed that one cellular phone belong to him, but the other cellular phone was given to him by a smuggler to use when they needed supplies. **Montor** granted agents consent to search both phones, and showed agents who he would contact when requesting supplies. Agents researched the number and determined that the number belonged to **Odilon Oyervides Jr.**

All seventy-three (73) subjects were interviewed by Border Patrol Agents and determined to be illegally present in the United States. The subjects were transported to the Rio Grande Border Patrol Station for processing.

During transportation, **Barahona** observed a black Dodge Dakota with a "Night Runner" decal parked at a store, and informed the transport officer that the Dakota belonging to one of the smugglers was parked at the store. This information was relayed to Border Patrol Agents in the area.

Responding agents located the Dakota parked with a black Toyota Tacoma and a yellow Smart Car. The agents observed a male subject exit the Dakota and board the rear, driver-side area of the Tacoma. Agents further observed another subject exit the yellow Smart Car and enter the front, passenger-side of the Tacoma. This information was relayed to Texas DPS Troopers for assistance.

A DPS Trooper responded and located the black Tacoma. The trooper noticed that neither the driver nor front-seat passenger were wearing their seat belts and conducted a traffic stop. Agents responded to the traffic stop and recognized the driver as **Juan Carlos Barrera**, a United States Citizen, the front-seat passenger, as **Isaac Villarreal**, a United States Citizen, and the rear seat passenger, as **Odilon Oyervides Jr.**, a United States Citizen. Agents recognized these individuals from their associations with prior alien smuggling events.

Based on the identification by **Barahona**, the three subjects were detained for further investigation and transported to the Rio Grande City Border Patrol Station for questioning and processing.

Principal Statement 1

Juan Carlos Barrera, a United States Citizen, was advised of his Miranda Rights, stated he understood his Rights, and refused to provide a sworn statement.

Principal Statement 2

Odilon Oyervides Jr., a United States Citizen, was advised of his Miranda Rights, stated he understood his Rights, and refused to provide a sworn statement.

Principal Statement 3

Isaac Villarreal, a United States Citizen, was advised of his Miranda Rights, stated he understood his Rights, and refused to provide a sworn statement.

Material Witness 1

Victor Manuel Barahona-Mejia, a citizen of El Salvador, was advised of his Miranda Rights, stated he understood his Rights, and agreed to provide a sworn statement.

Barahona claimed he made his smuggling arrangements and was to pay a total of \$11,000. **Barahona** illegally entered the United States and was picked up and eventually transported to the ranch from where he fled. **Barahona** claimed he spent approximately fifteen (15) days at the ranch before fleeing. **Barahona** stated that there was over one hundred and thirty (130) undocumented aliens at the ranch. **Barahona** indicated that one of the vehicles that dropped off undocumented aliens was a Dodge Dakota. **Barahona** decided to flee the ranch because they were being mistreated by two caretakers who had Tasers.

Barahona was presented with a photo lineup, and identified **Juan Carlos Barrera** as one of the subjects who had a Taser and would kick some of the undocumented aliens. **Barahona** stated that the subject he identified would also carry a gun and on one occasion fired it into the nearby brush and threatened the undocumented aliens with it.

Barahona was presented with a second photo lineup, and identified as **Gustavo Alanis Jr.** as the subject who he believed was in charge.

Barahona was presented with a third photo lineup, and identified **Odilon Oyervides Jr.** as the other subject who had a Taser and would mistreat them.

Material Witness 2

Heriberto Montor-Villasenor, a citizen of Mexico, was advised of his Miranda Rights, stated he understood his Rights, and agreed to provide a sworn statement.

Montor made his smuggling arrangements through a person he knew in the United States, who contacted a smuggler. **Montor** claimed he was to pay a total of \$7,000. **Montor** crossed the Rio Grande River and was picked up and eventually transported to the ranch he was encountered. **Montor** claimed that, when he was dropped off, there were two (2) or three (3) trucks dropping off approximately thirty (30) people at the same time. **Montor** stated that when they arrived there was approximately seventy-seven (77) people already at the ranch.

Montor was presented with a photo lineup, and identified **Juan Carlos Barrera** as one of the subjects who would drop off food and as one of the caretakers. **Montor** further stated that this subject pointed a pistol at him.

Montor was presented with a second photo lineup, and identified **Odilon Oyervides Jr.** as one of the subjects who would drop off food and as one of the caretakers.

Montor was presented with a third photo lineup, and identified **Gustavo Alanis Jr.** as one of the caretakers.

Material Witness 3

Domingo Bernane Ajpop-Tzaj, a citizen of Guatemala, was advised of his Miranda Rights, stated he understood his Rights, and agreed to provide a sworn statement.

Ajpop claimed his family made his smuggling arrangements and was to pay 110,000 Quetzal. **Ajpop** crossed the Rio Grande River and eventually transported to the ranch he was encountered.

Ajpop was presented with a photo lineup, and identified **Juan Carlos Barrera**, as one of the subjects who gave them instructions while staying at the ranch on how to behave and who threatened them with a pistol. **Ajpop** stated that he once saw **Barrera** hold a pistol to another undocumented alien's head, and on a separate event saw **Barrera** shooting the pistol.

Ajpop was presented with a second photo lineup, and identified **Odilon Oyervides Jr.** as one of the caretakers.

Material Witness 4

Ahunner Cabrera-Gomez, a citizen of Honduras, was advised of his Miranda Rights, stated he understood his Rights, and agreed to provide a sworn statement.

Cabrera claimed he made his smuggling arrangements and paid approximately \$4,300 to be smuggled into the United States. **Cabrera** crossed the Rio Grande River in a raft and was eventually transported to a stash residence by two male subjects. **Cabrera** claimed that there were approximately fifty (50) other undocumented aliens already at the stash residence. **Cabrera** stated that the two subjects would drop off food and water. **Cabrera** further stated that the two subjects were violent and had a firearm and Taser while he was at the stash residence. On one occasion, one of the subjects struck a man with the Taser. After the fourth day, **Cabrera** and all the undocumented aliens at the stash residence were transported to the ranch he was encountered.

Cabrera was presented with a photo lineup, and identified **Juan Carlos Barrera** as one of the subjects who transported him, dropped off food and water, and was the subject who struck a man with a Taser.

Cabrera was presented with a second photo lineup, and identified **Odilon Oyervides Jr.** as the other subject who was the driver of the vehicle that transported him and dropped off food and water.

Cabrera was presented with a third photo lineup, and identified **Isaac Villarreal** as one of the subjects who brought food and water to the ranch for the aliens being housed there.

Cabrera was presented with a fourth photo lineup and identified **Gustavo Alaniz Jr.**, as one of the subjects who asked if they were being fed and if they were in good health.

Material Witness 5

Osman Josue Bonilla-Cortes, a citizen of Honduras, was advised of his Miranda Rights, stated he understood his Rights, and agreed to provide a sworn statement.

Bonilla claimed he made his smuggling arrangements and was to pay a total of \$6,500. **Bonilla** crossed the river on a raft with three other people. **Bonilla** was eventually picked up and transported to the ranch where he was encountered.

Bonilla was presented with a photo lineup, and identified **Gustavo Alanis Jr.** as the person in charge of controlling his group.

Bonilla was presented with a photo lineup, and identified **Odilon Oyervides Jr.** as the person in charge of taking food.

Bonilla was presented with a photo lineup, and identified **Juan Carlos Barrera** as the person who would show up with a Taser, drop off food and water and terrorize the people who would ask for something.

Bonilla was presented with a photo lineup, and identified **Isaac Villarreal** as one of the subjects that would terrorize and intimidate the undocumented aliens at the ranch as well as dropping off water and food to the aliens.