

OAO91 (Rev. 12/03) Criminal Complaint

UNITED STATES DISTRICT COURT 2007 APR 30 PM 2:17

DISTRICT OF VERMONT
BY _____
DEPUTY CLERK

UNITED STATES OF AMERICA
V.
SORIN VELCU

CRIMINAL COMPLAINT

Case Number: 2:07-mj-40-1

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about April 29, 2007 in Franklin County, in the _____ District of Vermont defendant(s) did,

(Track Statutory Language of Offense)

reentered the United States after having been previously denied admission, excluded, deported or removed without obtaining consent of the Attorney General of the United States for readmission into the United States and that he entered the United States at a time and place other than as designated by immigration officers

in violation of Title 8 United States Code, Section(s) 1326(a) and 1325.

I further state that I am a(n) Lead Border Patrol Agent for DHS and that this complaint is based on the following facts:

Official Title

See attached Affidavit

Continued on the attached sheet and made a part of this complaint: Yes No

James B Brant
Signature of Complainant

James Bradley Brant
Printed Name of Complainant

Sworn to before me and signed in my presence,

4/30/2007
Date

at Burlington Vermont
City State

Jerome J. Niedermeier U.S. Magistrate Judge
Name of Judge Title of Judge

Jerome J. Niedermeier
Signature of Judge

I, James Bradley Brant, being duly sworn, state as follows:

1. I am a lead Border Patrol Agent with the Department of Homeland Security, U.S. Border Patrol, stationed in Swanton, Vermont. I have been an Agent in the Border Patrol since 1998. I was stationed in Douglas, Arizona from September of 1998 to September of 2005, when I transferred to Border Patrol Headquarters in Washington, DC. I was promoted to the position of Lead Border Patrol Agent in October of 2006.

2. This affidavit is offered to demonstrate that probable cause exists to believe that SORIN VELCU, an alien, was found in Alburg, Vermont, after having been previously denied admission, excluded, deported or removed from the United States, and had not obtained the consent of the Attorney General of the United States for readmission into the United States, in violation of 8 U.S.C. § 1326(a) and that he entered the United States at a time and place other than as designated by immigration officers, in violation of 8 U.S.C. § 1325.

3. On April 29, 2007 at approximately 4:00 PM, Swanton Sector Radio notified Swanton Station Border Patrol Agents that two vehicles had entered the United States at the Blair Road near Alburg, Vermont. The Blair Road allows vehicle access between the United States and Canada and does not have a Port of Entry located on it. Vehicles that cross into the United States at the Blair Road are advised to report for inspection at the Alburg Port of Entry.

4. Border Patrol Agent Oquendo, of the Swanton Border Patrol Station, attempted to perform a vehicle stop on the Blair Road in order to determine the immigration status of the vehicles' occupants. The second of the vehicles fled back into Canada, while the lead vehicle continued south onto US Highway 2, traveling east towards Alburg, Vermont. To be inspected at the Alburg Port of Entry, as required, the vehicle should have turned north onto Route 225.

5. Agent Oquendo performed a vehicle stop of the vehicle that continued traveling eastbound on Highway 2 towards Alburg. He discovered that the vehicle contained 3 occupants: SORIN VELCU, the male driver, ALISA SARDARU, the female passenger and 16 year old wife of the driver, and a two-year old boy.

6. Both VELCU and SARDARU produced Canadian immigration documents. Neither of them possessed immigration documents allowing them to enter or remain in the United States. All three of the vehicle's occupants were transported to the Swanton Border Patrol Station for processing.

7. Records checks revealed that the McAllen Border Patrol Station in McAllen, Texas arrested VELCU on 8/26/05. VELCU was scheduled for a hearing before an Immigration Judge on 2/2/06. VELCU did not appear at this hearing and was ordered removed in absentia on 2/8/06.

8. Records checks show that after his arrest in Texas, VELCU was warned that if he failed to appear at the scheduled hearing, he might be ordered removed.

9. Records checks also revealed that on 9/9/05, the Royal Canadian Mounted Police apprehended VELCU as he was being smuggled north into Canada.

10. I advised VELCU of his Miranda Rights per Form I-214, using Interpretalk interpreter # 1150 (Romanian) at 9:00 PM on April 29, 2007. VELCU stated that he was willing to answer questions and make a statement.

11. VELCU stated that his name was Sorin VELCU and that he was born in Craiova, Romania. He also stated that he currently lives in Montreal. VELCU stated that when he encountered the Border Patrol today, he was looking for a place to go camping and to buy camping equipment. He also stated the second vehicle was driven by his friends Traian and Mihela, who also planned to go camping with them. The vehicle driven by VELCU did not contain any equipment or clothing one would normally take camping. In fact, most of the female clothing contained within the vehicle appeared to be very formal in nature. VELCU stated that he could not read French or English and did not realize he had driven across the border between the United States and Canada.

12. VELCU also stated that he had traveled from Romania to Mexico and crossed the border into the United States, where the police arrested him. He then stated that he asked for asylum and was given papers that gave him the right to be in the United States and that scheduled him for an interview. He then stated that he did not go to the interview. Instead he traveled to Canada, where the Canadian police arrested him. He stated that he asked for political asylum in Canada, because his wife and child lived there.


13. I asked VELCU why he didn't appear for his immigration hearing and VELCU stated that he had always planned to travel through the United States and into Canada to be with his wife and child. VELCU stated that he was not aware that he had been ordered removed in absentia.

14. Records checks conducted since VELCU's most recent arrest show that after his 2005 arrest in Texas, VELCU stated that he had entered the United States to escape his cruel neighbors and that he intended to reside in Washington, D.C..

15. Based on the foregoing, there is probable cause to believe that Sorin VELCU has committed the crimes of reentering the United States after being excluded, in violation of 8

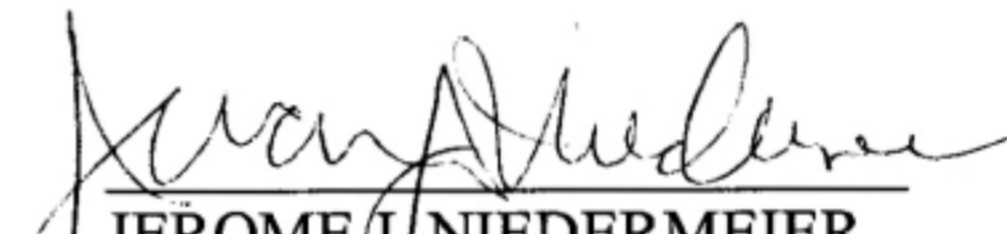
U.S.C. § 1326, and entering the United States at a time and place other than as designated by immigration officers, in violation of 8 U.S.C. § 1325.

Dated at Burlington, in the District of Vermont, this 30th day of April, 2007.



JAMES BRADLEY BRANT
Lead Border Patrol Agent
U.S. Border Patrol

Sworn to and subscribed before me this 30th day of April, 2007.



JEROME J. NIEDERMEIER
United States Magistrate Judge

United States District Court

OCT - 8 2015

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

David J. Bradley, Clerk

UNITED STATES OF AMERICA

v.

Alisa Romana Sardaru

CRIMINAL COMPLAINT

Case Number: M-15-1755-M

IAE YOB: 1991

Romania

(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 October 5, 2015 in Starr County, in

the Southern District of Texas


(Track Statutory Language of Offense)

being then and there an alien who had previously been deported from the United States to Romania in pursuance of law, and thereafter was found near Roma, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Senior Patrol Agent and that this complaint is based on the following facts:

Alisa Romana Sardaru was encountered by Border Patrol Agents near Roma, Texas on October 06, 2015. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on October 06, 2015, near Roma, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on March 30, 2015, through Baltimore, MD. Prior to Deportation/Exclusion the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On February 22, 2013, the defendant was convicted of Burglary of an Occupied Structure and Grand Theft and sentenced to one (1) year nine (9) months thirteen (13) days probation.

Approved by


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

Yes No

Sworn to before me and subscribed in my presence,

October 8, 2015


Signature of Complainant

Israel Perez

Senior Patrol Agent

Peter E. Ormsby, U.S. Magistrate Judge

Name and Title of Judicial Officer


Signature of Judicial Officer