

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS, EL PASO DIVISION

FILED
02/13/2024
Clerk, U.S. District Court
Western District of Texas

By: V. Medina
Deputy

USA
vs.
(1) Heriberto Gonzalez-Macias

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CRIMINAL COMPLAINT
CASE NUMBER: EP:24-M -00654(1) - LS

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 **February 11, 2024** in **El Paso** county, in the **WESTERN DISTRICT OF TEXAS** defendant did, being an alien to the United States, enter, attempt to enter, or was found in the United States after having been previously excluded, deported, or removed from the United States without receiving permission to reapply for admission to the United States from the Attorney General of the United States and the Secretary of Homeland Security, the successor pursuant to Title 6, United States Code, Sections 202(3), 202(4), and 557

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

I further state that I am a **Border Patrol Agent** and that this complaint is based on the following facts: *"The DEFENDANT, Heriberto GONZALEZ-Macias, an alien to the United States and a citizen of Mexico was found approximately 6.6 miles west of the Fort Hancock Port of Entry in Fort Hancock, Texas in the Western District of Texas. From* **Continued on the attached sheet and made a part of hereof.**


Sworn to before me,

/s/ PONCE, CESAR
Signature of Complainant
Border Patrol Agent

February 13, 2024
Date

at EL PASO, Texas
City and State

LEON SCHYDLOWER
UNITED STATES MAGISTRATE JUDGE


Signature of Judicial Officer
**OATH TELEPHONICALLY SWORN
AT 11:25 A.M.
FED.R.CRIM.P. 4.1(b)(2)(A)**

CONTINUATION OF CRIMINAL COMPLAINT - EP:24-M -00654(1)

WESTERN DISTRICT OF TEXAS

(1) Heriberto Gonzalez-Macias

FACTS (CONTINUED)

statements made by the DEFENDANT to the arresting agent, the DEFENDANT was determined to be a native and citizen of Mexico, without immigration documents allowing him to be or remain in the United States legally. The DEFENDANT has been previously removed from the United States to Mexico on 05/15/2018 through San Ysidro, CA. The DEFENDANT has not previously received the expressed consent from the Attorney General of the United States or the Secretary of Homeland Security to reapply for admission into the United States.

Because this affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

IMMIGRATION HISTORY:

The DEFENDANT has been deported 5 time(s), the last one being to MEXICO on May 15, 2018, through SAN YSIDRO, CA

CRIMINAL HISTORY:

02/05/1991, GUTHRIE, OKLAHOMA, MANSLAUGHTER(F), CNV, 15 YEARS JAIL.

09/25/2006, OKLAHOMA CITY, OKLAHOMA, ILLEGAL IMPORTATION OF FIREARMS(F), CNV, 87 MONTHS JAIL, 36 MO S/R.

01/31/2013, OKLAHOMA CITY, OKLAHOMA, CONJOINT ROBBERY(F), CNV, 20 YEARS PRISON.