

ORDERED SEALED BY COURT

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 JUN 26 AM 9:19 55

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESUS NAVARRO-MONTES,

Defendant.

Magistrate Case No. 08 MJ 1955

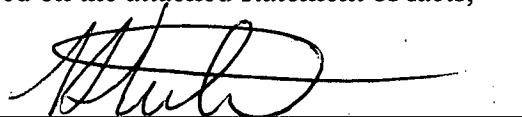
COMPLAINT FOR VIOLATION OF
Title 21, United States Code,
Section 841(a)(1) – Possession Of
Controlled Substance With Intent To
Distribute (Felony)

DEPUTY

The undersigned complainant being duly sworn states:

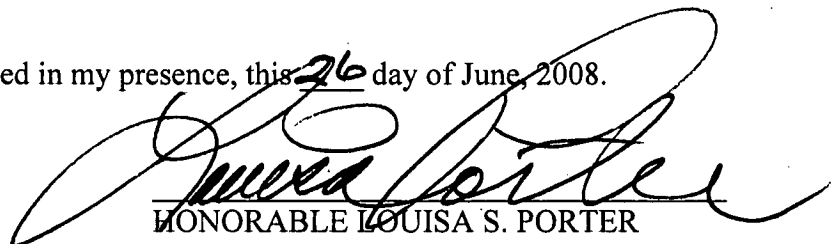
That on or about September 23, 2007, within the Southern District of California, defendant Jesus Navarro-Montes did knowingly and intentionally possess with intent to distribute approximately 445.32 kilograms (979.7 pounds) of marijuana, a Schedule I controlled substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 841(a)(1).

The complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



Agent Thomas Steele
United States Border Patrol

Sworn to before me and subscribed in my presence, this 26 day of June, 2008.



HONORABLE LOUISA S. PORTER
UNITED STATES MAGISTRATE JUDGE

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Statement of Facts

This statement of facts is based on the investigation and information provided to United States Border Patrol Agent Thomas Steele.

On September 23, 2007, Border Patrol agents were conducting surveillance in the Imperial Sand Dunes area located approximately 34 miles east of Calexico, CA. This area is made up of large and small sand dunes with valleys between them. The International Boundary in this area is a sandy road marked with concrete monuments. The International Boundary varies between approximately one-half mile to several miles south of Interstate 8.

At approximately 4:15 p.m., Agent Michael Harrington observed a silver Toyota pickup truck and a blue Ford pickup truck exit the Imperial Sand Dunes through an area known as Buttercup Campground. Agents had been conducting surveillance of this area for approximately 11 hours prior to seeing these two pickup trucks exit the sand dunes. No other vehicles matching the description of these two pickup trucks had been observed entering or exiting the sand dunes prior to Agent Harrington's observation.

The silver Toyota pickup truck exited Buttercup Campground and entered Interstate 8 traveling eastbound. The pickup truck failed to yield to Border Patrol agents, and agents successfully deployed a controlled tire deflation device on three of the pickup truck's tires. The pickup truck did not yield but continued eastbound on Interstate 8 for approximately one mile before exiting the interstate and driving southbound through the desert. The pickup truck continued through the desert for several minutes before becoming stuck in the sand.

The pickup truck driver, later identified as Jesus NAVARRO-Montes, and a female passenger exited the truck and began running southbound. Agents apprehended NAVARRO-Montes and the female passenger. As agents approached the open doors of the pickup truck, they smelled the distinct odor of raw marijuana and observed bundles of suspected marijuana in the truck.

NAVARRO-Montes and the female passenger were taken into custody and placed in a Border Patrol vehicle. The female passenger was able to take control of the Border Patrol vehicle, and both the female passenger and NAVARRO-Montes absconded to Mexico in the Border Patrol vehicle.

Inspection of the Toyota pickup truck revealed a total of ninety-one (91) packages with a combined weight of 445.32 kilograms (979.7 pounds). Two of the packages were randomly selected, and both field-tested positive for marijuana.