

For Immediate Release
September 2, 2011

**EL PASO MAN CHARGED WITH CAUSING THE
“LAST CHANCE FIRE” IN LINCOLN NATIONAL FOREST**

ALBUQUERQUE – United States Attorney Kenneth J. Gonzales announced that **Rodrigo Ulloa-Esquivel**, 29, of El Paso, Texas, has been indicted on criminal offenses arising out of a wildfire that burned through the Last Chance Canyon of the Lincoln National Forest in Eddy County, New Mexico (Last Chance Fire) in late April and early May of 2011. Special Agents of the United States Forest Service (USFS) arrested Ulloa-Esquivel in El Paso without incident on August 31, 2011. Ulloa-Esquivel made his initial appearance on a three-count indictment in the federal courthouse in Las Cruces this morning.

The indictment charges Ulloa-Esquivel with: Count 1, setting fire to public lands without authority, which carries a maximum penalty of five years imprisonment and a \$250,000 fine; Count 2, leaving a fire unattended, which carries a maximum penalty of six months imprisonment and a \$100,000 fine; and Count 3, false statements, which carries a maximum penalty of five years imprisonment and a \$250,000 fine.

According to the indictment, on April 24, 2011, Ulloa-Esquivel set underbrush, grass and other flammable materials on fire when he burned toilet paper on fire near a campsite at the Last Chance Canyon in the area known as the Guadalupe Ranger District in the Lincoln National Forest. It further alleges that Ulloa-Esquivel left the area of the fire without totally extinguishing the fire, which spread beyond his control and damaged structures, forest land and other property. The indictment alleges that, on April 28, 2011, Ulloa-Esquivel made false statements to a USFS agent who was investigating the Last Chance Fire. Specifically, Ulloa-Esquivel allegedly stated that he had not seen a fire and did not learn about a fire until he and others departed from the camping area even though he knew that he started the fire and knew about the fire before he

departed the campsite.

According to USFS reports, the Last Chance Fire burned for several days and was declared controlled on May 9, 2011. The fire consumed 53,342 acres and caused damage to four structures in the Sitting Bulls Falls Recreation area located in the Lincoln National Forest. The initial estimated cost to suppress the fire is \$2.3 million. The initial estimate to repair the damages to structures in the recreational area is \$67,500.

U.S. Attorney Gonzales noted that, “Every year New Mexicans see the devastation to lives and property caused by uncontrolled wildfires. The year’s wildfires have been particularly costly, both in terms of the damage to private property and public lands as well as the firefighting costs. It is incumbent on everyone who enter into our national forests and parks to take active responsibility in reducing the risk of wildfires.”

“Our National Forests are among our most precious resources and every visitor has an obligation to act responsibly. As evidenced by this wildfire, careless acts can devastate our landscape, and individuals who commit those acts will be held accountable,” said Robin Poague, Special Agent in Charge, U.S. Department of Agriculture, Forest Service Southwestern Region.

The case is being prosecuted by the U.S. Attorney’s Las Cruces Branch Office, and was investigated by the USFS with assistance from the National Park Service and the Eddy County Sheriff’s Office. The USFS, Bureau of Land Management and Queen Volunteer Fire Department participated in the fire suppression effort.

As a reminder, charges in indictments are only accusations. All criminal defendants are presumed innocent unless proven guilty beyond a reasonable doubt.

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