



**U.S. Department of Justice  
U.S. Attorney's Office  
Western District of Texas**

**Johnny Sutton, U.S. Attorney**

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**FOR IMMEDIATE RELEASE**

Shana Jones, Special Assistant  
Daryl Fields, Public Information Officer  
(210) 384-7440

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**EL PASO MAN TO SERVE 70 MONTHS IN FEDERAL PRISON  
FOR ASSAULT ON BORDER PATROL AGENT**

**United States Attorney Johnny Sutton** announced that 28-year-old Gerardo Felipe Ortiz of El Paso was sentenced to 70 months in federal prison for trying to run over a Border Patrol agent with his car in April of last year.

“Border patrol agents have tough and dangerous jobs and occasionally they are put in life threatening situations. When an agent reasonably believes that he is about to be hurt or killed, he has every right to defend himself,” stated U.S. Attorney Johnny Sutton. “Anyone who tries to injure a United States Border Patrol agent will face serious consequences for their actions just like Mr. Ortiz did today.”

On April 17, 2007, Border Patrol agents Federico Figueroa and Jose O. Garcia were parked in a local business parking lot when they witnessed a suspicious transaction between Ortiz and another individual involving a large amount of cash. Both agents approached Ortiz after he got into his vehicle. They identified themselves as federal agents and repeatedly instructed Ortiz to turn off the engine and exit the vehicle. Ortiz disregarded the agents instructions and fled the scene in his truck. Agent Figueroa, in fear of being seriously injured or killed, quickly moved to avoid being hit by Ortiz and fired one round from his issued handgun. Ortiz was arrested by FBI agents at Thomason Hospital later that day after he sought treatment for a gunshot wound to his left hand and right shoulder. Authorities also recovered Ortiz’s vehicle from the hospital parking lot. On November 7, 2007, a federal jury convicted Ortiz of one count of assault of a federal officer.

The case was investigated by agents with the Federal Bureau of Investigation, United States Immigration and Customs Enforcement, United States Customs and Border Protection and the El Paso Police Department. Assistant United States Attorneys William Lewis and George Leal prosecuted this case on behalf of the Government.

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