

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**UNITED STATES OF AMERICA**

\*

**CRIMINAL DOCKET NO. 11-269**

v.

\*

**SECTION: L**

**SEBANIA ICAL-ICAL**

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**FACTUAL BASIS**

Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the indictment now pending against the defendant:

The Defendant, **SEBANIA ICAL-ICAL** (hereinafter “**ICAL**”) has agreed to plead guilty as charged to the two-count indictment charging him with illegal use of a social security number, in violation of Title 42, United States Code, Section 408(a)(7)(B), and false statements on a passport application in violation of Title 18, United States Code, Section 1542.

An Agent from U.S. Department of State, Diplomatic Security Service (DSS) would testify that on or about October 17, 2011, **ICAL** entered the New Orleans, Louisiana passport office and applied for a U.S. passport under the name of Luis Miguel Lopez Rivera. The agent would further

testify that **ICAL** presented a Puerto Rican birth certificate, a social security card with the number XXX-XX-4968, and an Alabama identification card all three bearing the name Luis Miguel Rivera Lopez.

An Agent from U.S. Immigration and Customs Enforcement, Homeland Security Investigations (HSI) would testify that on or about October 17, 2011, HSI agents responded to a call from DSS agents that **ICAL** was present at the passport office in New Orleans, Louisiana and was applying for a passport. The agent would testify that HSI agents encountered **ICAL** at the passport office, that **ICAL** was advised of his Miranda rights in Spanish, and that he agreed to make a statement. The agent would testify that **ICAL** admitted to HSI agents that he was not Luis Miguel Rivera Lopez but was **SEBANIA ICAL-ICAL** and that he was not born in Puerto Rico but in fact was born in Guatemala. The agent would further testify that **ICAL** admitted he knowingly and willfully used the Puerto Rican birth certificate and social security card with the number XXX-XX-4968, both in the name of Luis Miguel Rivera Lopez, to apply for a U.S. passport for himself.

An official with the Social Security Administration would testify that the social security number XXX-XX-4968 used was not assigned to **ICAL**.

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JOSEPH LA ROCCA  
Special Assistant United States Attorney

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Date

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SEBANIA ICAL-ICAL  
Defendant

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Date

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ROMA A. KENT  
Attorney for ICAL-ICAL

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Date