

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

**FELONY**

**INDICTMENT FOR REENTRY OF REMOVED ALIEN**

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO.
v.	*	SECTION:
MARTIN CLEMENTE-GUTIERREZ a/k/a Efracio Marin	*	VIOLATION: 8 U.S.C. § 1326(a)
	* * *	

The Grand Jury charges that:

**COUNT 1**

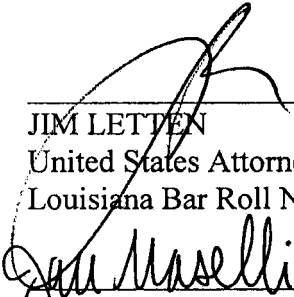
On or about March 15, 2012, in the Eastern District of Louisiana, the defendant, **MARTIN CLEMENTE-GUTIERREZ, a/k/a Efracio Marin**, an alien, was found in the United States after having been officially deported and removed therefrom to Mexico on or about March 11, 2011, at or near Laredo, Texas, and without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, as provided for in Title 6, United States Code, Sections 202(3), 202(4), and 557, having expressly consented to the defendant's reapplication for admission into the United States; all in violation of Title 8, United States Code, Section 1326(a).


**NOTICE OF SENTENCING ENHANCEMENT**

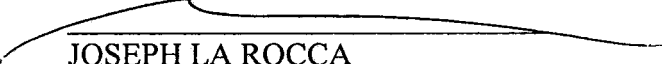
Now comes the United States of America, by and through Jim Letten, the United States Attorney for the Eastern District of Louisiana, to give notice that on or about November 29, 2007, in the 183<sup>rd</sup> District Court, Harris County, Texas, the defendant, **MARTIN CLEMENTE-GUTIERREZ, a/k/a Efracio Marin**, was convicted of attempt deadly conduct. Because of this felony conviction, if the defendant is convicted for a violation of Title 8, United States Code, Section 1326(a), the defendant's sentence will be subject to a maximum sentence of imprisonment for not more than 10 years. Title 8, United States Code, Section 1326(b)(1).

A TRUE BILL:

\_\_\_\_\_  
FOREPERSON

  
\_\_\_\_\_  
JIM LETTEN  
United States Attorney  
Louisiana Bar Roll Number 8517

  
\_\_\_\_\_  
JAN MASELLI MANN  
First Assistant U.S. Attorney  
Louisiana Bar Roll Number 9020

  
\_\_\_\_\_  
JOSEPH LA ROCCA  
Special Assistant United States Attorney  
Louisiana Bar Roll Number 27719

New Orleans, Louisiana  
March 23, 2012