

AFFIDAVIT

I, **Bennie Bryant Jr.**, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief:

On February 23, 2024, in the Middle District of Georgia, the defendant, Diego IBARRA, an alien, did knowingly possess a fraudulent United States Permanent Resident card after having been processed as an expedited removal with credible fear into the United States on April 30, 2023. Defendant knew the permanent resident card was fraudulent because he had not lawfully received a permanent resident card from United States Citizenship and Immigration Services.

I am an investigator and law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), and am empowered to conduct investigations of, and make arrests for, offenses enumerated in Title 18, United States Code, Title 26, United States Code, and other violations of federal law. the Department of Homeland Security ("DHS"), Immigration and Customs Enforcement ("ICE"), Homeland Security Investigations ("HSI"), and have been since May 2019.

1. As an HSI SA, my duties and responsibilities include the investigation of civil, immigration and criminal violations of the United States Code, to include investigating criminal organizations that operate to obtain, import, and transport fraudulent identification.
2. From September 2008 to September 2014, I was a Border Patrol Agent with the United States Border Patrol. In that capacity, I conducted multiple criminal investigations for violations of federal and state laws including, but not limited to,

alien smuggling, human trafficking, drug smuggling, child pornography, benefit fraud, and organized criminal activity.

3. From September 2014 to May 2016, I was an Intelligence Analyst for the National Targeting Center, National Security and Threat Analysis Division, where I provided intelligence support to field agents regarding counterterrorism, transnational gang identification, and immigration benefit fraud.
4. From May 2016 to August 2017, I was an Intelligence Analyst for HSI where I provided intelligence support to field agents regarding drug trafficking, money laundering, and confidential informant files.
5. From August 2017 to May 2019, I was a Postal Inspector with the United States Postal Inspection Service ("USPIS"), assigned to the prohibited mailings and narcotics team, where I was responsible for investigating illegal controlled substances being distributed through the U.S. mail.
6. During my law enforcement career, I have participated in numerous criminal investigations. I am personally familiar with and have used all routine methods of investigation, including, but not limited to, visual surveillance, electronic surveillance, informant and witness interviews, interrogation, and undercover operations. I have closely participated in multiple fraudulent document investigations that resulted in several arrests and seizures concerning drug fraudulent documents used to gain immigration benefits.
7. I make this affidavit in support of an application for the issuance of a criminal complaint for Diego IBARRA for violations of Title 18 U.S.C. 1546(a).
8. I am currently assigned to the Homeland Security Investigations (HSI) Resident Agent in Charge (RAC) Gainesville office. I am designated by the Attorney

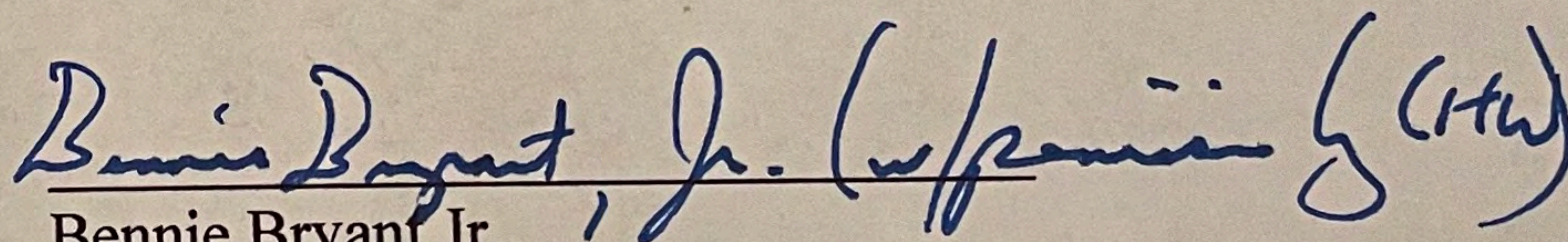
General of the United States and the Secretary of Homeland Security to enforce the Immigration Laws and Regulations of the United States and any other laws or regulations designated by the Attorney General. Your affiant has reviewed the immigration records for **Diego IBARRA** contained in Alien Immigration File # A 240516225. The file contains identifying information for the subject of the file, in this case **Deigo IBARRA**, and includes fingerprints of the subject regardless of the name used by the subject at any given time.

9. That Alien Immigration File # A 240516225 reflects the following:

- a. On or about April 30, 2023, **Diego IBARRA** was encountered by the United States Border Patrol, El Paso Texas Sector. On or about April 30, 2023 **Diego IBARRA** was processed for immediate removal pursuant to the expedited removal procedures. **Diego IBARRA** claimed fear of return to Venezuela. Due to a finding of credible fear, **Diego IBARRA** was released to New York, New York pending adjudication of his claim for asylum.
- b. On or about September 25, 2023, **Diego IBARRA** was arrested by Athens Clarke County Police Department for driving under the influence of alcohol and driving without a license.
- c. On or about October 27, 2023, **Diego IBARRA** was arrested by Athens Clarke County Police Department for theft by shoplifting.
- d. On or about December 8, 2023, **Diego IBARRA** was arrested by Athens Clarke County Police Department for failure to appear for a finger printable offense.

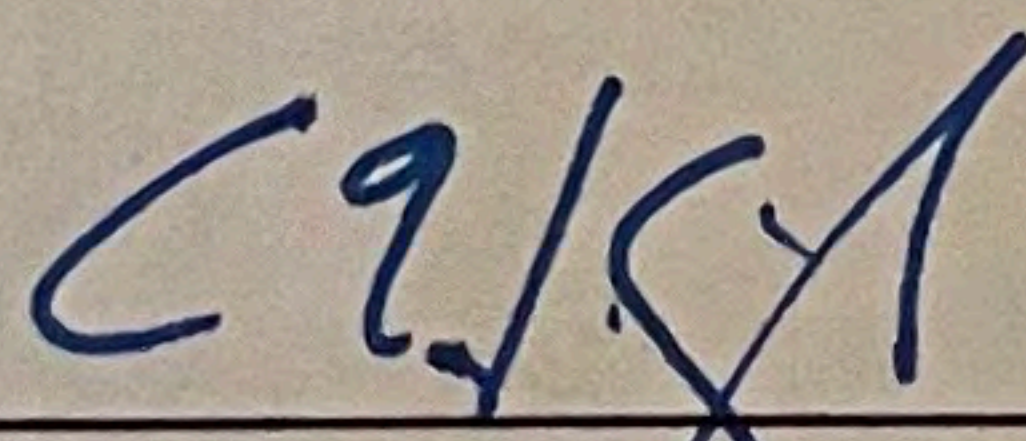
e. HSI has confirmed via records checks that **Diego IBARRA** has not applied for or lawfully obtained a permanent resident card by United States Citizenship and Immigration Services (USCIS).

10. On February 23, 2024, HSI was made aware of **Diego IBARRA** presence in the United States because of a detention by the Athens Clarke County Police Department in Georgia. Officer Tim Johnson encountered **Diego IBARRA** walking down the street. **Diego IBARRA** matched the description of a suspect in a homicide investigation. **Diego IBARRA** presented a United States permanent resident card to Officers as identification. The permanent resident card listed the name **Diego Jose IBARRA** with a USCIS #: 099-179-154. Through record checks with the Law Enforcement Service Center (LESC) the permanent resident card was determined to be fraudulent. Through records checks and fingerprints, HSI confirmed that **Diego IBARRA** (Alien Immigration File # A 240 516 225) is a citizen of Venezuela and was processed as an expedited removal with credible fear on April 30, 2024.


Bennie Bryant Jr.
Special Agent, ICE/HSI

Sworn to and subscribed ~~before~~ *by telephone*

~~me~~ this 23rd day of February 2024


Charles H. Weigle
United States Magistrate Judge
Middle District of Georgia