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March 16, 2010

### JOINT ATF-ICE INVESTIGATION LEADS TO ARREST OF THREE

(HOUSTON) – An 18-month joint Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and Immigration and Customs Enforcement (ICE) investigation has resulted in the arrest of three people in Houston as a result of the filing under seal of two separate complaints charging two with felony drug trafficking offenses and a third with felony gun violations, United States Attorney José Angel Moreno announced today. Both criminal complaints have now been unsealed.

On March 11, 2010 Joel Linares Soberanis, 35, A Guatemalan national and owner of Nationwide Import Car Salvage in Houston, Texas, and Fernando Argenis Huezco, 28, of Conroe, Texas, were arrested with warrants that issued following the filing of a criminal complaint which accused the men of conspiring to possess with intent to distribute 17.8 kilograms of heroin. Huezco was arrested approximately one block from his Conroe home. Linares was arrested at his place of business.

Customs and Border Protection officers at the Brownsville and Matamoros International Bridge discovered the heroin on Nov. 6, 2009 in the drive shaft of a dodge pick-up truck driven by a third person seeking to enter the United States from Mexico. The truck's registration, according to the complaint, showed Huezco as the first lien holder. Twenty-one minutes before the discovery and seizure of the heroin, records showed Huezco had crossed the same bridge as a pedestrian. The complaint alleges Huezco guided the driver from Houston to Mexico where Huezco allegedly arranged for the drive shaft containing the heroin to be mounted on the vehicle. Linares is alleged to have arranged for the driver and guide to travel from Houston to Mexico for the purpose of smuggling the heroin into the United States.

Today, after a hearing, United States Magistrate Judge Steven Wm. Smith found there was probable cause to bind the case over for consideration by a grand jury. Conspiracy to possess with intent to distribute more than one kilogram of heroin carries a mandatory minimum penalty of 10 years imprisonment up to life, and a \$4 million fine. The court has ordered Huezco may be released upon posting \$2,000 of a \$100,000 bond into the registry of the court and signature of two sureties. Additionally, Huezco will be subject to home confinement as a condition if released. As to Linares, the court is considering his release on bond but has reset the matter for tomorrow morning before deciding.

In a separate case arising from the same investigation, Huezco's common law wife, Jenni Otilia Cortez, 26, was arrested at her Conroe home on March 11, 2010. Cortez was charged in a separate sealed criminal complaint with making a false statement – falsifying her address -- in connection with the purchase of 43 firearms – semiautomatic pistols and rifles -- since September 2008 with an approximate cost of \$42,025. The complaint alleges that of the 43 firearms allegedly purchased and traced back to Jenni Cortez, 15 were discovered by law enforcement authorities in Mexico and in Guatemala. Three of these 15 were recovered within two weeks of their purchase.

Cortez appeared before U.S. Magistrate Judge Francis H. Stacy on Friday, March 12, 2010, and has been released on a \$25,000 bond. Making a false statement in the purchase of a firearm carries a maximum punishment of five years imprisonment and a \$250,000 fine.

The joint ATF-ICE investigation involved special agents of the ICE Brownsville and Houston offices, and ATF Houston. Assistant United States Attorney Megan Paulson will prosecute the case in the Brownsville Division.

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