



# Department of Justice

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**PRESIDENT OF GARCIA LABOR COMPANIES RECEIVES 15-MONTH SENTENCE  
FOR CONSPIRING TO PROVIDE ILLEGAL WORKERS TO NATIONAL AIR CARGO  
FIRM**

*Ordered to forfeit \$12 million in proceeds from crime*

CINCINNATI – Maximino Garcia, president and co-owner of two temporary labor service companies, was sentenced in United States District Court here today to 15 months imprisonment followed by three years of supervised release, and fined \$25,000 for his role in a conspiracy that provided hundreds of illegal aliens to work at a national air cargo firm in Wilmington, Ohio. Garcia was also ordered to forfeit \$12 million representing the proceeds of the crime.

Gregory G. Lockhart, United States Attorney for the Southern District of Ohio, Julie L. Myers, Assistant Secretary for U.S. Immigration and Customs Enforcement (ICE); William Cotter, Special Agent in Charge, U.S. Social Security Administration Office of Inspector General, Chicago Region, and Gordon S. Heddell, Inspector General, United States Department of Labor, announced the sentence handed down today by Senior United States District Judge S. Arthur Spiegel.

Garcia owned Garcia Labor Company, Inc, incorporated in Morristown, Tennessee, and Garcia Labor Company of Ohio, Inc, based in Wilmington, Ohio. Garcia and the companies pleaded guilty on October 3, 2006 to one count of conspiracy to encourage and induce and aid and abet illegal aliens to reside or remain in the United States for the purpose of commercial advantage or private financial gain.

Beginning in December 1999, Garcia's companies began contracting with ABX Air, Inc., a cargo transportation company which operates an airline providing package sorting, handling, and line-haul services in Wilmington, Ohio, to provide temporary workers to sort freight.

“The workforce of temporary laborers assigned to ABX was almost entirely made up of Hispanic workers of Mexican origin who, for the most part, did not read, write, or speak English,” Lockhart said. “Until at least mid-2003, applicants filled out employment eligibility

forms, known as I-9 forms, which were pre-printed to list two specific forms of identification: a Resident Alien card and a Social Security card.”

“Today’s sentence includes the largest forfeiture amount ever ordered in an illegal labor case,” said Julie Myers, Assistant Secretary for U.S. Immigration and Customs Enforcement (ICE). “Companies that use cheap, illegal alien labor as a business model should be on notice. ICE is dramatically enhancing its enforcement efforts against illegal employment schemes.”

Gordon S. Heddell, Inspector General, United States Department of Labor, stated: “Companies and individuals that circumvent the foreign labor certification process to commit immigration fraud through the hiring of undocumented workers must be held accountable for their actions. My office will continue to work closely with the Office of Inspector General, Social Security Administration, the U.S. Immigration and Customs Enforcement, and the U.S. Attorneys’ Offices on such cases to help ensure the integrity of our nation’s immigration laws.”

The Social Security Administration issued a number of notices in 2002, 2003, and 2004 in which hundreds of Hispanic workers employed by Garcia Labor were listed as using invalid Social Security account numbers. Despite such notices, Garcia Labor continued to employ these workers and took no substantive action to determine whether they were authorized to work in the United States.

In January 2005, the Transportation Security Administration conducted a regulatory compliance inspection of ABX Air, Inc. and the Wilmington Air Park. As a result of that inspection, ABX Air, Inc.’s contract with Garcia Labor Company of Ohio, Inc. was terminated after it was determined that virtually every one of its 400 workers was using an invalid or fraudulent Social Security account number.

Two others pleaded guilty in the case and have been sentenced. Gina Luciano, director of Human Relations for Garcia Labor Company in Tennessee, was sentenced on February 15, 2007 to eight months imprisonment followed by two years of supervised release and fined \$7,000. Dominga McCarroll, Garcia’s sister and former vice president of the two companies was sentenced on the same day to two months imprisonment followed by two years of supervised release and fined \$5,000.

Lockhart commended the cooperative investigation by agents of ICE, Social Security and the Department of Labor Inspector General, along with the Clinton County Sheriff’s Office, as well as Assistant U.S. Attorney Anne Porter, who prosecuted the case.

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