

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. \_\_\_\_\_  
v. : DATE FILED: \_\_\_\_\_  
ANDRES SANTIAGO FERNANDEZ-CRUZ : VIOLATION: 8 U.S.C. § 1326(a), (b)(2)  
(Reentry after deportation)

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about August 19, 2003, at Philadelphia, in the Eastern District of Pennsylvania, the defendant,  
ANDRES SANTIAGO FERNANDEZ-CRUZ,  
an alien and a subject of the Dominican Republic, who previously had been deported from the United States on or about August 22, 2001, was found in the United States, without first having applied to the United States Attorney General or his successor, the Secretary for Homeland Security (Title 6, United States Code, Sections 202(3), (4) and 557), for permission to reapply for admission, and without receiving in response the express consent of the Attorney General or his successor to reapply for admission.

In violation of Title 8, United States Code, Section 1326(a), (b)(2).

NOTICE OF PRIOR CONVICTION

The defendant ANDRES SANTIAGO FERNANDEZ-CRUZ committed the offense charged in Count 1 of this Indictment after having been convicted of a felony, namely:

On or about January 13, 1997, in the District Court of Southern Essex in Lynn, Massachusetts, the defendant pled guilty to the offenses of conspiracy and manufacturing, distributing, and dispensing of heroin.

A TRUE BILL:

\_\_\_\_\_  
FOREPERSON

\_\_\_\_\_  
PATRICK L. MEEHAN  
United States Attorney