

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

UNITED STATES OF AMERICA : CRIMINAL NO. \_\_\_\_\_  
v. : DATE FILED: \_\_\_\_\_  
JAVIER ALVARO-OCHOA : VIOLATIONS: 8 U.S.C. §§ 1326 (a) and  
a/k/a "Javier Ochoa-Alvaro" (b)(1) (Illegal reentry  
a/k/a "Javier Alvaro" : after removal - 1 Count)  
Notice of Prior Conviction

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about September 3, 2003, in Delaware County, in the Eastern District of Pennsylvania, the defendant

JAVIER ALVARO-OCHOA,  
a/k/a "JAVIER OCHOA-ALVARO,"  
a/k/a "JAVIER ALVARO,"

an alien and a subject of Mexico, who had previously been deported from the United States on or about May 1, 2001, was found in the United States, having knowingly and unlawfully reentered the United States without first applying to the Attorney General of the United States 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) and (b)(1).

NOTICE OF PRIOR CONVICTION

The defendant was convicted in the United States District Court for the District of Delaware, Criminal No. 99-72, of entry without inspection on or about March 31, 2000 for which he received a sentence of 24 months imprisonment.

A TRUE BILL:

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FOREPERSON

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PATRICK L. MEEHAN  
United States Attorney