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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
**'08 MJ 3598**

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
v. )  
)  
Oscar )  
Fernando )  
RAMIREZ-Delgado )  
)  
Defendant, )  
)  
\_\_\_\_\_ )

Magistrate Case Number: \_\_\_\_\_ BY: *te* DEPUTY  
COMPLAINT FOR VIOLATION OF  
Title 21, U.S.C., Sections 952 and 960  
Importation of a Controlled Substance

The undersigned complaint being duly sworn states:

On or about November 20, 2008, within the Southern District of California, Oscar Fernando RAMIREZ-Delgado, did knowingly and intentionally import approximately 24.72 kilograms of methamphetamine, a Schedule II Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

*[Signature]*  
\_\_\_\_\_  
SIGNATURE OF COMPLAINANT  
SPECIAL AGENT  
U.S. IMMIGRATION and  
CUSTOMS ENFORCEMENT

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS *21<sup>st</sup>* DAY OF  
NOVEMBER, *2008*.

*[Signature]*  
\_\_\_\_\_  
MAGISTRATE JUDGE

*DJA*  
*11/20/08*  
*ECL*

### STATEMENT OF FACTS

At approximately 0230 hours on November 20, 2008, Oscar RAMIREZ-Delgado applied for admission into the United States from the Republic of Mexico via the Otay Mesa, California, Port of Entry in a 2003 Acura MDX bearing California license plates 4ZYG516. Canine Enforcement Officer (CEO) Jorge Castilla was conducting pre-primary roving operations when he utilized his assigned service canine, "Rocky", to screen the vehicle driven by RAMIREZ awaiting inspection on lane 3. "Rocky" alerted and indicated to the rear undercarriage area of the vehicle. CEO Castilla followed the vehicle to the primary booth and informed the primary officer of the alert by "Rocky." CEO Castilla radioed for assistance. CEO Castilla had "Rocky" screen the inside of the vehicle and received a second positive alert in the rear cargo floor area of the vehicle.

Customs and Border Protection Officer (CBPO) J. Simon asked RAMIREZ for his documents and noticed RAMIREZ's hand was shaking when he handed over his I-551 card. RAMIREZ explained he was going to work on Heritage Road and that he lived in Imperial Beach, CA. CBPO Simon obtained a total of two negative declarations from RAMIREZ. During his inspection, CBPO Simon noticed the vehicle was void of any personal items. CBPO Simon also saw RAMIREZ had only one key on the key ring and he did not have a lunch with him. RAMIREZ stated the vehicle was his and handed CBPO Simon the vehicle registration. RAMIREZ was handcuffed and escorted to the security office.

An inspection of the vehicle resulted in the discovery of 23 packages of a white crystalline substance concealed inside the rocker panels of the vehicle. A random sample of one of the packages field-tested positive for the presence of methamphetamine. The total weight of the package containing methamphetamine was approximately 24.72 kilograms.

Immigration and Customs Enforcement Special Agents (SA) Scott Lensky and Jamisha Johnson interviewed RAMIREZ. RAMIREZ waived his Miranda rights and admitted he was being paid \$5000 to drive the vehicle to the Jack-in-the-Box near the Otay Mesa POE. RAMIREZ knew he was smuggling either marijuana or cocaine into the US. RAMIREZ stated this is his third smuggling venture.

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Special Agent Scott Lensky  
Immigration & Customs Enforcement