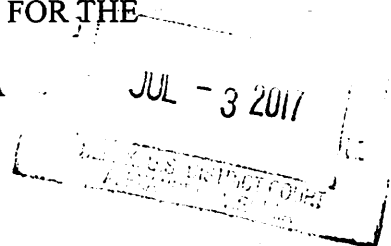


IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No.: 17-MJ-312
	)	
MARLO DANILO RIVAS MENDEZ	)	
a/k/a: "Marlon Ribas-Mendez"	)	
Defendant.	)	

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, Kevin Ho, being duly sworn state the following:

1. I am a Deportation Officer with the United States Immigration and Customs Enforcement (ICE) at Fairfax, Virginia. I have been employed with ICE for more than seven years. I was previously employed as a Customs and Border Protection Enforcement Officer for the U.S. Customs & Border Protection and its predecessor, the United States Immigration and Naturalization Service, since April 1996. During that time, I have received specialized training and have conducted numerous investigations relating to administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code.

2. My duties as a Deportation Officer with ICE include investigating administrative and criminal violations of the Immigration and Nationality Act and Title 8 of the United States Code and seeking, when applicable, prosecution and removal of violators. I have received training in general law enforcement, including training in Title 8 of the United States Code.

3. This affidavit is submitted in support of a criminal complaint charging MARLO DANILO RIVAS MENDEZ, with Escape from Custody of an Officer, in violation of 18 U.S.C. 751(a). As described herein, RIVAS MENDEZ, a citizen of El Salvador, is an alien who was arrested by the Department of Homeland Security, Immigration and Customs Enforcement, and was put in custody within the Eastern District of Virginia, while being transported from Loudoun County to the ICE office in Fairfax, Virginia and escaped from the transporting vehicle. This affidavit is also submitted in support of an arrest warrant.

4. The facts and information contained in this affidavit are based upon my training and experience, participation in immigration investigations, personal knowledge, and observations during the course of this investigation, as well as the observations of other agents involved in this investigation. All observations not personally made by me were related to me by the individuals who made them or were conveyed to me by my review of records, documents, and other physical evidence obtained during the course of this investigation. This affidavit contains information necessary to support probable cause, and it is not intended to include each and every fact and matter observed by me or known to the Government.

5. A review of ICE's computer records revealed that RIVAS MENDEZ, born August 20, 1989, in El Salvador, was previously removed from the United States five times. RIVAS MENDEZ was previously removed: a) December 7, 2007, b) November 17, 2011, c) May 3, 2012, d) June 25, 2014, and e) January 14, 2016.

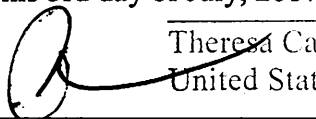
6. On or about July 3, 2017, U.S. Immigration and Customs Enforcement in Lorton, Virginia, received information from the Loudoun County Adult Detention Center located in Leesburg, Virginia, which is in the Eastern District of Virginia, that RIVAS MENDEZ, a native and citizen of El Salvador, was being detained at the Loudoun County Adult Detention Center after being arrested for drunk in public violation. An immigration detainer was lodged on July 3, 2017.

7. On July 3, 2017, RIVAS MENDEZ was picked up by Immigration Center of America transportation officers Abu Shahjahan and Anthony Wilson and was being transported back to the ICE office in Fairfax, VA. During the transport, RIVAS MENDEZ complained to the transporting officers that the handcuffs were too tight. The officers stopped the transporting vehicle between exit 6 and exit 8 of Dulles Greenway, which is in the Eastern District of Virginia, and opened the door. After loosening the first handcuff, RIVAS MENDEZ struck Officer Shahjahan and escaped on foot.

8. Based the foregoing, I submit that there is probable cause to believe that on or about July 3, 2017, in Loudoun County, Virginia, within the Eastern District of Virginia, the defendant MARLO DANILO RIVAS MENDEZ, did unlawfully and knowingly escape from the custody of an ICE transportation officer where his custody was for exclusion or expulsion proceedings under Immigration laws in violation of Title 18, United States Code §751(a).

  
Kevin Ho  
Deportation Officer  
United States Immigration and  
Customs Enforcement

Subscribed to and Sworn Before Me  
This 3rd day of July, 2017.

  
Theresa Carroll Buchanan  
United States Magistrate Judge

Hon. Theresa Carroll Buchanan  
United States Magistrate Judge

Alexandria, Virginia