

UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA

V.

Tyrone Williams

Joe LNU

Abel LNU

Fatima LNU

CRIMINAL COMPLAINT

Case Number:

H-2003-409M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about May 13, 2003 in Harris and Cameron County, in the Southern District of Texas defendant(s) did,

(Track Statutory Language of Offense)

knowingly conspiring together and with others, known and unknown, to knowingly transport eighty-five (85) aliens within the United States, knowing, or in reckless disregard of the fact that an alien had come to, entered, or remained in the United States in violation of law, transports, or moves or attempts to transport or move such alien within the United States in furtherance of such violation of law; and did knowingly conceal, harbor, or shield from detection such alien,

in violation of Title 8 and 18 United States Code, Section(s) 1324(a)(1)(A)(ii)(iii) and 371.

I further state that I am a(n) Special Agent and that this complaint is based on the following facts:

See Attached Affidavit of Immigration Special Agent (insert name here)

Continued on the attached sheet and made a part of this complaint:

[X] Yes [] No

[Signature]

Signature of Complainant

Steven E. Greenwell

Printed Name of Complainant

Sworn to before me and signed in my presence,

May 14, 2003 Date

at Houston, Texas City and State

Frances H. Stacy Name and Title of Judicial Officer United States Magistrate Judge

[Signature] Signature of Judicial Officer

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Steven E. Greenwell, being duly sworn, do depose and state as follows:

1. That I am a Special Agent with the Bureau of Immigration and Customs Enforcement (ICE) and have been employed as a Special Agent with the Bureau of Immigration and Customs Enforcement, formerly the Immigration and Naturalization Service, since 1997. Prior to becoming a Special Agent I was employed with the United States Border Patrol as a Patrol Agent for one year. I have specialized knowledge of immigration laws, fraudulent schemes, and alien smuggling methods perpetrated to circumvent those laws. I have gained this knowledge as a result of both professional training and the professional experience described above.
2. Your affiant has been working in the Anti-Smuggling Unit of the Bureau of Immigration and Customs Enforcement, formerly the Immigration and Naturalization Service, for three and one half years. In that time I have participated in approximately 75 alien smuggling investigations, many of which were highway interdiction cases involving alien smuggling vehicles. I have also conducted investigations involving the use of tractor-trailers as the mode of transportation for undocumented aliens. I have reviewed many documents from various sources including intelligent bulletins and statements made by witnesses involved in other tractor-trailer investigations. This documentation indicates that the tractor-trailer vehicle is the predominant mode of travel being used to transport undocumented aliens from the U.S. Mexico border area. The alien smuggling organizations are utilizing this mode of transportation to circumvent U.S. Border Patrol checkpoints.
3. On May 14, 2003 at approximately 5:15am, a black male named Tyrone Williams entered the Twelve Oaks Medical Center, located at 6700 Bellaire Blvd., and appeared to the staff that was on duty to be extremely anxious and nervous. The nurse that was on duty wrote in the medical report that the truck driver (WILLIAMS) was very anxious. WILLIAMS stated to the nurse that he had been involved in an incident in Victoria with his truck. The Emergency Physician Record states that WILLIAMS reported to hospital officials that he had parked his trailer at a truck stop in the valley. When he returned to his truck he entered the cab and drove off stating that the trailer he was pulling was supposed to be empty. WILLIAMS said that he pulled his tractor-trailer over to the side of the road after being flagged down by another driver in the Victoria area. When he stopped and looked in his trailer he found nearly 50 illegal immigrants in the trailer. In shock, fear, and confusion he detached the trailer from the semi-tractor in Victoria and drove to Houston.
4. Local police in Victoria responded and discovered approximately 17 dead undocumented aliens in the trailer. A search of the immediate area resulted in the detention of other undocumented aliens who had been in the trailer.

5. At approximately 6:00am Interim District Director for ICE Michael McMahon was contacted by the Texas Department of Public Safety Command Center (DPS). DPS informed Director McMahon of the aforementioned circumstances. ICE Senior Special Agent Thomas Cason was dispatched to Twelve Oaks Medical Center and arrived at approximately 7:20am accompanied by FBI Special Agent Gary Thomas. Agent Cason observed the semi-tractor parked in the north parking lot of the hospital with New York License plate 47525-PA. The semi-tractor is registered to Salem Truck Leasing Inc., located at 9505 Avenue D, Brooklyn NY.

6. Agents Cason and Thomas entered the hospital and were directed to WILLIAMS by hospital staff. WILLIAMS was in a treatment room when Agents Cason and Thomas approached and identified themselves as federal agents. WILLIAMS was asked by agents his name and to produce some form of identification. WILLIAMS produced a New York driver's license, social security card and alien registration card identifying him as Tyrone Williams. WILLIAMS was then asked if the semi-tractor outside was his vehicle to which he replied yes. WILLIAMS was then advised of his Miranda rights by Agent Thomas. WILLIAMS stated that while heading northbound on Highway 77 he was flagged down by another trucker informing him that he had a problem with his trailer. He stated that he pulled his truck over in Victoria, went to the back of the trailer and opened the door. Upon opening the doors he observed approximately 50 undocumented aliens. WILLIAMS admitted that he panicked, unhooked the trailer and drove to Houston.

7. Interviews with the staff at the hospital indicate that WILLIAMS was accompanied by a black female who departed shortly after their arrival. Upon questioning by Agents Cason and Thomas, Williams stated that he had met a black female named FATIMA (LNU), from Ohio at a truck stop in Harlingen, Texas and given her a ride. WILLIAMS stated that she had departed the hospital with his cellular phone.

8. On May 14, 2003, Oscar ESTRADA, one of the surviving witnesses, was interviewed. ESTRADA stated that the group of undocumented aliens was loaded into the trailer from the brush in the Texas border area by a black male and a black female. ESTRADA stated after some time in the trailer the truck stopped. According to Estrada both the black male and black female went into the Hilltop Exxon Truck Stop located at Highway 77 southbound to purchase multiple gallons of water. Both the black male and black female then returned to the truck, opened the trailer doors and began handing the gallons of water to the occupants of the trailer. Estrada stated that when the black male and black female the saw the bodies of the dead aliens they left the trailer doors open and began to disconnect the trailer from the semi-tractor. While the black male and black female were engaged in unhooking the trailer many of the undocumented alien began fleeing from the scene. ESTRADA stated that he was going to pay \$1,000 dollars to an unknown individual for his smuggling fees.

WILLIAMS INITIALLY REQUESTED AN ATTORNEY AND THE INTERVIEW WAS TERMINATED. WILLIAMS THEN REQUESTED TO SPEAK TO AN AGENT. WILLIAMS WAS THEN ADVISED OF HIS MIRANDA RIGHTS AGAIN AS INDICATED BELOW.

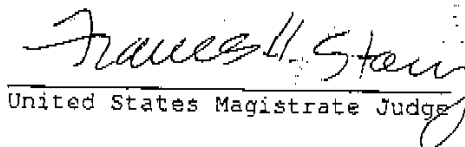
9. On May 14, 2003, at approximately 5:30pm WILLIAMS was informed of his rights per Miranda by ICE agents Greenwell and Lamb and waived those rights. During the course of the interview WILLIAMS stated that on May 13, 2003, he met with two hispanic males in Harlingen, Texas where he had driven his tractor trailer rig. WILLIAMS identified those two males as Joe (last name unknown) and Abel (last name unknown). WILLIAMS admitted to entering into an agreement with Joe LNU and Abel LNU to transport a group of illegal aliens to Robstown, Texas in the trailer of his truck. WILLIAMS stated that as per instruction from Joe and Abel, he followed a vehicle to a rural location outside of Harlingen. He remained in the cab of the tractor trailer while aliens loaded into the back of the trailer. WILLIAMS stated that he could hear the noise from the people getting into the trailer and he could feel the truck rocking back and forth as they loaded. WILLIAMS stated that he was then lead back out to the highway where he began heading north towards Houston. WILLIAMS stated that he was told there were sixteen aliens in the back of the truck and he was to be paid twenty-five hundred dollars to transport the group to Robstown, Texas. WILLIAMS was contacted on his cell phone while in route and told that he would be paid an additional twenty-five hundred dollars if he continued on to the Houston area. WILLIAMS said that as he approached Victoria, Texas, he noticed, in his rearview mirror, that a light was dangling from his trailer. He pulled over at a truck stop in Victoria to investigate the dangling light, he heard banging and screaming coming from the trailer of the truck. WILLIAMS stated that he opened the door of the trailer and saw a large group of people, some of who were laying in the prone position. WILLIAMS stated "there appeared to be something wrong with them". WILLIAMS also stated that he heard a female voice screaming over and over "el nino!". WILLIAMS said he went into the truck stop and bought twenty bottles of water and gave it to the people in his trailer. He stated that he then became afraid, unhooked the trailer, left it at the truck stop and began driving north towards Houston until he arrived at the Hospital where he was later encountered.

Based upon the foregoing information, I believe, based upon my training and experience that there is probable cause to believe that the DEFENDANT WILLIAMS, Tyrone is in violation Title 8 United States Code Section 1324, (a) (1) (A) (iii) and Title 18, United States Code, Section 371.



Steven E. Greenwell
Special Agent ICE

Sworn to and subscribed before me
this 14th Day of May 2003.



United States Magistrate Judge