

United States District Court

for the
Western District of New York

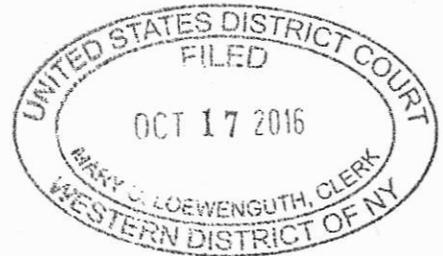
United States of America

Case No. 16-M- 147

v.

**SERGIO MUCINO, JOSE SANCHEZ-OCAMPO,
and MARGUIN SANCHEZ**

Defendants



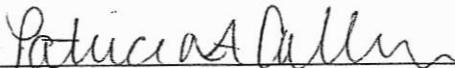
CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

Between in or about March 2014, and in or about October 2016, in the Western District of New York and elsewhere, the defendants, Sergio Mucino, José Sanchez-Ocampo, and Marguin Sanchez, did engage in a conspiracy to transport, harbor, and conceal unauthorized aliens in knowing or reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation, in violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) and 1324(a)(1)(A)(v)(I).

This Criminal Complaint is based on these facts:

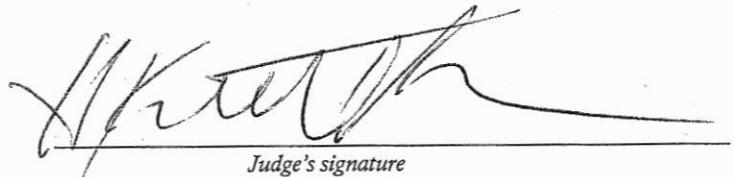
Continued on the attached sheet.


Complainant's signature

PATRICIA CALLERI, Special Agent HSI
Printed name and title

Sworn to before me and signed in my presence.

Date: October 17, 2016


Judge's signature

City and State: Buffalo, New York

H. KENNETH SCHROEDER, JR
UNITED STATES MAGISTRATE JUDGE
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

PATRICIA CALLERI, being duly sworn, deposes and says that:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the United States Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations (“HSI”) in Buffalo, NY. I have been employed as a SA since October of 2008 and in that capacity, I investigate suspected violations of federal immigration law, including violations pertaining to the harboring of unauthorized aliens and the hiring or recruitment of unauthorized aliens, in violation of Title 8, United States Code, Sections 1324 and 1324a.

2. This affidavit is submitted in support of an application for a criminal complaint charging SERGIO MUCINO, JOSE SANCHEZ-OCAMPO, and MARGUIN SANCHEZ with a violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii) (Harboring Aliens) and 1324(a)(1)(A)(v)(I) (Conspiracy). As explained in greater detail below, there is probable cause to believe that SERGIO MUCINO, JOSE SANCHEZ-OCAMPO, and MARGUIN SANCHEZ, employees and managers of restaurants known as Don Tequila and El Agave located in the Western District of New York, committed the offense of Conspiracy to Harbor Aliens.

3. The statements contained in this affidavit are based upon my investigation, information provided by other law enforcement personnel, confidential sources, and my training and experience as a Special Agent. Because this affidavit is being submitted for the limited purpose of establishing probable cause to conclude that SERGIO MUCINO, JOSE SANCHEZ-OCAMPO, and MARGUIN SANCHEZ committed the offense of Conspiracy to Harbor Aliens, I have not included each and every fact known to me concerning this investigation. Rather, I have set forth only those facts that I believe are necessary to justify a criminal complaint and arrest warrant.

4. Based upon my training and experience, as well as previous investigations into the operation of employing unauthorized aliens, to include encouraging the residence and harboring of aliens in and around the Buffalo, New York area, I have learned the following facts: employers who hire illegal aliens do not operate alone. They tend to conspire with additional individuals, identified as "managers," to assist in the day-to-day operations including hiring, paying, transporting and housing of these unauthorized aliens.

5. In this specific investigation, I have learned that SERGIO MUCINO, with the assistance of MARGUIN SANCHEZ, JOSE SANCHEZ-OCAMPO, and other unidentified managers, operates five (soon to be seven) restaurants located in the Buffalo, NY area, and employs unauthorized individuals who have been identified as relatives and/or individuals with a close personal relationship to SERGIO MUCINO, MARGUIN SANCHEZ and JOSE SANCHEZ-OCAMPO. In addition, SERGIO MUCINO, with the