

UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING
NOV 5 AM 11:16
MARGARET BOHRING, CLERK
CHEYENNE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERTO PALACIOS-GRIMALDO,

Defendant.

CRIMINAL COMPLAINT

Case Number: 24mj-128-ABJ


I, Logan Baumgart, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

COUNT ONE

On or about November 22, 2024, in the District of Wyoming, the Defendant, **ROBERTO PALACIOS-GRIMALDO**, being an alien and having been previously excluded, removed, and deported from the United States on or about November 16, 2016, was knowingly found in the United States, without having received the express consent of the Attorney General of the United States or his successor, the Secretary of Homeland Security, to reapply for admission to the United States.

In violation of 8 U.S.C. § 1326(a).

I further state that I am a Deportation Officer with the United States Department of Homeland Security, Immigration and Customs Enforcement and that this complaint is based on the following facts: *see attached sworn statement.*



Signature of Complainant
Logan Baumgart

Sworn to and subscribed by telephone

12-05-2024 11:02 a.m. at

Date
HON. SCOTT P. KLOSTERMAN
United States Magistrate Judge

Name & Title of Judicial Officer

Cheyenne, Wyoming

City and State



Signature of Judicial Officer



**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT
DEPORTATION OFFICER LOGAN BAUMGART
U.S. v. ROBERTO PALACIOS-GRIMALDO**

1. I, Logan M. Baumgart, am a Deportation Officer (DO) of the United States Department of Homeland Security, Immigration and Customs Enforcement (hereafter referred to as ICE), assigned to the Casper, Wyoming, ICE office.

2. I have been employed as a Deportation Officer with the Enforcement and Removal Operations office in Casper, Wyoming, since July 2021. I have over ten years' experience enforcing Immigration and Customs laws within the United States. I have successfully completed the United States Border Patrol Basic Academy (BPA) training course at the Federal Law Enforcement Training Center in Artesia, New Mexico, and the Immigration and Customs Enforcement Detention and Removal Operations (DRO) Basic Immigration Law Enforcement Training Program training course at the Federal Law Enforcement Training Center in Charleston, South Carolina. Based on my training and experience in the investigation of federal immigration laws and my investigation of the facts outlined below, I have reason to believe that **ROBERTO PALACIOS-GRIMALDO** is unlawfully present in the United States after having been previously removed from the United States by ICE.

3. On November 22, 2024, **PALACIOS-GRIMALDO** was arrested by the Sheridan Police Department in Sheridan, Wyoming, for Driving While Under the Influence of Alcohol. **PALACIOS-GRIMALDO** informed deputies during processing that he was born in Mexico.

4. On November 25, 2024, ICE DO Brett Layman reviewed the Computer Linked Application System (CLAIMS) database and found no record or indication that **PALACIOS-**

GRIMALDO had previously applied to either the Attorney General of the United States or his successor, the Secretary of Homeland Security, for permission to re-enter the United States after having been formally removed.

5. On November 25, 2024, DO Layman obtained the fingerprints of **PALACIOS-GRIMALDO** from the Sheridan County Detention Center, Sheridan, Wyoming. These fingerprints were submitted to ICE's biometric identification system (IDENT) and were found to match the pre-existing immigration record associated with **PALACIOS-GRIMALDO**. These fingerprints were also submitted to the Next Generation Identification (NGI) system and were found to match a pre-existing record associated with **PALACIOS-GRIMALDO**.

6. On November 26, 2024, DO Layman conducted an interview of **PALACIOS-GRIMALDO** via telephone at the Sheridan County Detention Center. Prior to the interview, **PALACIOS-GRIMALDO** was advised of his rights, per *Miranda*, after which **PALACIOS-GRIMALDO** chose to waive those rights and would answer questions without the presence of an attorney. **PALACIOS-GRIMALDO** provided a sworn statement admitting his true identity to be **PALACIOS-GRIMALDO**, stating that he was a citizen and national of Mexico who had previously been ordered removed, and subsequently removed to Mexico; and who had illegally re-entered the United States without authorization from the Attorney General of the United States or his successor, the Secretary of Homeland Security.

7. On December 3, 2024, your affiant reviewed electronic immigration records pertaining to **PALACIOS-GRIMALDO**, including: 1) electronic records indicating **PALACIOS-GRIMALDO** being removed via Expedited Removal to Mexico at Laredo, Texas,

dated September 20, 2016; and 2) electronic records indicating **PALACIOS-GRIMALDO** had been formally removed via Reinstatement of Prior Deportation Order to Mexico at Del Rio, Texas, International Bridge on November 16, 2016.

8. On December 3, 2024, your affiant reviewed the criminal history related to **PALACIOS-GRIMALDO** which revealed: 1) a conviction for Illegal Entry into the United States, in violation of 8 U.S.C. § 1325, entered on October 25, 2016, in the United States District Court, Western District of Texas, Del Rio Division, for which the sentenced imposed was (25) twenty-five days confinement with the Bureau of Prisons; and 2) a conviction for Driving Under the Influence of Alcohol entered on November 25, 2024, in the Circuit Court, Sheridan County, Sheridan, Wyoming, for which the sentenced imposed was (20) twenty days in jail.

END OF AFFIDAVIT

PENALTY SUMMARY

DEFENDANT NAME: ROBERTO PALACIOS-GRIMALDO

DATE: December 5, 2024

INTERPRETER NEEDED: Yes

VICTIM(S): No

OFFENSE/PENALTIES: 8 U.S.C. § 1326(a)
(Illegal Reentry)

0-2 YEARS IMPRISONMENT
UP TO \$250,000 FINE
UP TO 1 YEAR SUPERVISED RELEASE
\$100 SPECIAL ASSESSMENT

AGENT: Logan Baumgart, DHS, ICE

AUSA: Cameron J. Cook, United States Attorney

ESTIMATED TIME OF TRIAL: 1-5 Days

WILL THE GOVERNMENT SEEK DETENTION IN THIS CASE: Yes

ARE THERE DETAINERS FROM OTHER JURISDICTIONS: No