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Illegal Alien Charged With False Documents

FOR IMMEDIATE RELEASE

March 21, 2011

Anchorage, Alaska – United States Attorney Karen L. Loeffler announced today that an Anchorage resident was indicted by a federal grand jury in Anchorage, for one count of false claim to United States citizenship, and one count of false Social Security application.

The two-count indictment names Alvaro Jimenez-Aguilar, 41, a citizen of Costa Rica residing in Anchorage, as the sole defendant. He was arraigned before United States Magistrate Judge Deborah M. Smith on Friday, March 18, and is scheduled to plead guilty before Chief United States District Judge Ralph M. Beistline on March 23, 2011.

The indictment alleges that Jimenez-Aguilar assumed the identity of a deceased relative in order to remain illegally in the United States. The indictment further alleges that Jimenez-Aguilar was born in Costa Rica in 1969, and is a citizen and national of Costa Rica. The defendant was admitted to the United States March 11, 2008, as a B-2 Visitor for Pleasure. The B-2 visa was valid for six months, requiring him to depart the United States by September 2008. The Defendant failed to depart, and remained unlawfully in the United States.

According to the indictment, Andres Martin Kellerman was born in 1978, in Virginia and was a citizen of the United States. Kellerman drowned in a surfing accident in Costa Rica in 2003. The defendant married Kellerman's aunt in November 2008, in Alaska, using his true identity, Alvaro Jimenez-Aguilar. At the time of the marriage, both the defendant and his wife had overstayed their visas and were unlawfully present in the United States. His wife left the United States, returning to Costa Rica, and was denied reentry to the United States in December 2009.

The indictment alleges that between 2008 and 2009, the defendant obtained Kellerman's Virginia birth certificate, and on April 20, 2009 applied in person for a duplicate social security card in Kellerman's name. On April 20 and April 21, 2009, the defendant submitted applications to the Alaska Department of Motor Vehicles, using the name, social security account number, and date of birth belonging to his deceased nephew, and falsely claiming to be a citizen of the United States. In the April 21, 2009 application, he also registered to vote. The allegations go on to state that on March 31, 2010, the defendant applied for an Alaska Permanent Fund Dividend, again using Kellerman's identity, and again falsely claiming U.S. citizenship.

The defendant is charged with making false statements on the 2009 social security application and the 2010 PFD application. The maximum sentence on each charge is three years of imprisonment, a \$250,000 fine, and one year of supervised release. The case was investigated by Homeland Security Investigations. An indictment is only a charge and is not evidence of guilt. A defendant is presumed innocent and is entitled to a fair trial at which the government must prove guilt beyond a reasonable doubt.

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