

FILED

12 APR 12 PM 1:53

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

June 2011 Grand Jury

BY:

DEPUTY

1 UNITED STATES OF AMERICA,

) Case No.

12 CR 1434 H

2 )  
3 )  
4 )  
5 )  
6 )  
7 )  
8 )  
9 )  
10 )  
11 )  
12 )  
13 )  
14 )  
15 )  
16 )  
17 )  
18 )  
19 )  
20 )  
21 )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )  
Plaintiff,

I N D I C T M E N T

v.

Title 18, U.S.C., Sec. 242 -  
Deprivation of Rights, Under Color  
of Law.

LUIS E. FONSECA,

Defendant.

The grand jury charges:

On or about July 26, 2011, in the Southern District of California, defendant LUIS E. FONSECA, while acting under color of law as a United States Border Patrol Agent, kned and choked UA#1, willfully depriving him of the right, secured and protected by the Constitution and the laws of the United States, to be free from the use of unreasonable force by a law enforcement officer, resulting in bodily injury to UA#1; all in violation of Title 18, United States Code, Section 242.

DATED: April 12, 2012

A TRUE BILL:

\_\_\_\_\_  
Foreperson

LAURA E. DUFFY  
United States Attorney

By: \_\_\_\_\_  
TIMOTHY D. COUGHLIN  
Assistant U.S. Attorney

TDC:vp:San Diego  
4/10/12