



Department of Justice

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Western District of Kentucky

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**ILLEGAL ALIEN FELON ARRESTED IN POSSESSION OF LOADED .357 MAGNUM
REVOLVER IN BOWLING GREEN, KENTUCKY**

- Gun found in hidden compartment of car with \$42,000.00 cash*
- Prior 1998 drug conviction in California*

LOUISVILLE, KY - Francisco Javier Vargas-Cuevas, a/k/a Esteban Vargas, age 48, of Bowling Green, Kentucky 42101, in Warren County, was arrested on November 15, 2007. He was charged in a complaint filed in U.S. District Court in Bowling Green with violating federal immigration and firearm laws, David L. Huber, United States Attorney for the Western District of Kentucky, and Paul Vido, Special Agent in Charge of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Louisville Field Division, jointly announced today. Vargas-Cuevas was deported from the United States in 1998 after serving a three year prison term for Conspiracy to Manufacture Methamphetamine.

According to the affidavit of a Special Agent with ATF, On November 15, 2007, at approximately 9:55 a.m., a Kentucky State Police Trooper observed a white Pontiac Grand Am traveling South on KY 100 at the city limits of Franklin, Kentucky. The Trooper observed the vehicle driving side to side in the roadway and initiated a traffic stop in the 1000 block of KY 100. During the traffic stop, the driver of the vehicle was identified as Esteban Vargas. Vargas gave consent to search the vehicle. The Trooper advised Vargas of his Miranda Rights. Vargas

indicated he understood his Miranda Rights and signed a written Waiver of Rights.

A K-9 unit assisted with the search and the K-9 dog indicated a positive scent on the inside rear driver's side panel. Further inspection of the panel revealed an electronic opening device had been installed to open the panel. Upon opening the compartment, officers located a plastic grocery bag containing \$42,000.00 in U.S. currency. Officers removed the grocery bag and also observed a loaded Smith and Wesson, .357 magnum revolver in the bottom of the compartment. Further inspection revealed an identical hidden compartment on the passenger side panel which was also opened and found to be empty.

During an interview, Vargas stated that the vehicle belonged to his brother who currently resides in Mexico. Vargas stated he was illegally in the United States and admitted that in 1998 he had been convicted for drug conspiracy in California. Vargas stated he served two years in prison and was then deported to Mexico. Vargas admitted that he immediately returned to the United States where he had remained for approximately eight years, including the past six months in Kentucky. Vargas denied any knowledge of the U.S. currency or the firearm located inside the vehicle.

A Special Agent with the Immigration and Customs Enforcement Agency ("ICE") checked the U.S. immigration databases for any legal entry into the U.S. using Vargas' claimed name and date of birth. The checks were negative. Further, it appears from the immigration record that Vargas did not receive permission from the Attorney General or his successors to re-enter the United States. The ICE Agent identified Esteban Vargas as an alias name used by Francisco Javier Vargas-Cuevas. Immigration records confirmed that Vargas-Cuevas was deported from the United States in 1998 after serving a three year prison term for Conspiracy to Manufacture Methamphetamine. An Immigration Detainer has been filed against Francisco

Javier Vargas-Cuevas a/k/a Esteban Vargas.

United States Attorney David L. Huber praised the efforts of ATF, ICE, Kentucky State Police, Bowling Green Police Department and Warren County / Bowling Green Drug Task Force in their effective response to these very serious offenses.

Assistant United States Attorney Jo E. Lawless is prosecuting the case. The Bowling Green Field Office of ATF conducted the investigation in partnership with ICE, the Kentucky State Police, Bowling Green Police Department and Warren County / Bowling Green Drug Task Force conducted the investigation , as part of ATF's mandated mission to reduce violent crime and other threats to public safety.

In the event of a conviction, the maximum potential penalties are 30 years' imprisonment, a \$500,000.00 fine, and supervised release for a period of 3 years. As noted above, Vargas-Cuevas faces deportation.

A criminal Complaint is an accusation only and that person is presumed innocent until and unless proven guilty.

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