

RESOLUTION

WHEREAS, on April 17, 2012, Jabin Akeem Bogan, a 27 year old Dallas based trucker was arrested by Mexican customs officials at the Juarez, Chihuahua, port of entry;

WHEREAS, Jabin Akeem Bogan was immediately transported to Mexico City and subsequently placed in federal prison in Villa Aldama, Veracruz, where he remains incarcerated to this date;

WHEREAS, on May, 2012, an 'auto formal de prision' (commitment order/formal charge) was issued charging Mr. Bogan with violating Article 84, Section 1 of the Mexican Federal Firearm Act of 1972 for "clandestinely introducing arms into Mexico used exclusively by the military," punishable by 5 to 30 years term of imprisonment (See attached document Resolution to Initiate Preliminary Investigation, marked as Exhibit A);

WHEREAS, on April 17, 2012, at approximately noon, Mexican customs agents indicated in their preliminary investigation that Mr. Bogan's ". . . tractor trailer entered national territory ending up positioned a little before the entry lanes to the grounds of the Cordova-Americas International Free Bridge, TRYING TO MANUEVER A RETURN THROUGH A NON-AUTHORIZED ROUTE . . ." (See attached Resolution to Initiate Preliminary Investigation, marked as Exhibit B);

WHEREAS, on May 14, 2012, Federal Judge Carlos Miguel Garcia Trevino of the 5th Judicial District of the State of Chihuahua also concluded that Mr. Bogan attempted to return to the U.S. upon concluding he entered Mexico (See attached Mexican Legal Document C.P. 94/2012-1-2, page 3, last paragraph, marked as Exhibit C)

WHEREAS, on May 29, 2012, Ms. America Zubia Saenz, Chief of X-Ray Department assigned to the Customs office declared under oath before Judge Carlos Miguel Garcia Trevino that she was one of the arresting and investigating officers and that in unequivocal terms the ammo was not hidden and did not and does not consider the ammo to be hidden (clandestine) (See attached statement of America Zubia Saenz, marked as Exhibit D);

WHEREAS, on May 29, 2012, Mexican Customs Officer, Federico Arturo Anaya Camarena, Merchandize Verifier, assigned to the Juarez Customs office testified under oath before Federal District Judge Carlos Miguel Garcia Trevino that the ammo was on pallets with plastic coverings but did not consider them to be concealed, or hidden or clandestine (See attached statement marked as Exhibit F);

WHEREAS, on May 29, 2012, Mexican Customs Foreign Officer, Adriana Ramirez Magallanes who was one of the investigating officers present at the time of Mr. Bogan's arrest that the ammo was in open view and not considered to be hidden or concealed (See attached statement marked as Exhibit G);

WHEREAS, family, friends, community organizations and federal representatives have worked tirelessly for the immediate resolution and release of Mr. Bogan;

WHEREAS, said organizations respectfully request that Mexican Federal Judge Carlos Miguel Garcia Trevino resolve this matter judiciously in accordance with the facts of this case; and

WHEREAS, supporters of Mr. Bogan request that the Mexican Attorney General's office review the facts of this case and release Mr. Bogan without political considerations;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor and City Council request a vigorous review of the facts and conditions of the continuing incarceration of Mr. Bogan; and

THAT the Mayor and City Council strenuously urge the American Ambassador to Mexico and the State Department to help resolve the release of Mr. Bogan.

ADOPTED THIS _____ DAY OF _____, 2012.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Sylvia Borunda Firth
City Attorney