

November 07, 2025
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: Fidel Morales
DEPUTY

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE INES PINO-AYALA,

Defendant.

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CRIMINAL NO. EP-25-MJ-5911-MAT

STIPULATION OF FACTS

TO THE HONORABLE MIGUEL A. TORRES, MAGISTRATE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS:

For purposes of this case and the Bench Trial scheduled for Friday, November 7, 2025, the parties enter into the following stipulations and request that the Court consider the following stipulations:

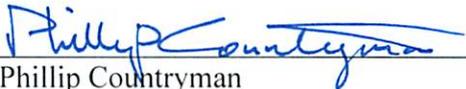
1. The events relevant to this case occurred on October 21, 2025.
2. The events relevant to this case occurred within the Western District of Texas.
3. On October 21, 2025, defendant Jose Ines Pino-Ayala was apprehended by a United States Border Patrol Agent.
4. The apprehension occurred after Mr. Pino illegally crossed into the United States from Mexico.
5. The apprehension occurred in an area just north of the Rio Grande River approximately one-half mile west of the Paso Del Norte Port of Entry in El Paso, Texas.
6. The location Mr. Pino illegally crossed into the United States is not a Port of Entry or a location designated by immigration officials as a place for entry into the United States.
7. Mr. Pino is a citizen and native of El Salvador.

8. Prior to crossing into the United States, Mr. Pino did not receive permission from the United States government to enter the United States.
9. At the time of his apprehension, Mr. Pino did not possess any valid United States immigration documents that would allow him to enter or remain in the United States legally.
10. The area where Mr. Pino was apprehended is within a restricted military area, referred to as a "National Defense Area."
11. The National Defense Area where Mr. Pino was apprehended incorporates federal land along the U.S./Mexico border between the Rio Grande River and the U.S. border wall approximately 63 miles in length from the Texas/New Mexico border to the town of Fort Hancock in El Paso and Hudspeth Counties, Texas.
12. Within the National Defense Area are postings warning people in both English and Spanish that the area is restricted.
13. These postings are on signs attached to stakes in the ground that are placed at different intervals within the National Defense Area.
14. The area where Mr. Pino was apprehended is currently undergoing maintenance work, to include earth moving work, by the International Boundary and Water Commission. Earth moving equipment and construction workers currently occupy the area.
15. Because of the maintenance work being done in the area where Mr. Pino was apprehended, some of the National Defense Area postings in that area have been damaged or are missing.
16. It is not clear that there were any National Defense Area postings at the location where Mr. Pino illegally entered the United States.
17. At the time of Mr. Pino's apprehension, there were no military personnel present in the area.
18. At the time of Mr. Pino's apprehension, there was no military equipment present in the area.
19. Upon questioning by United States Border Patrol Agents, Mr. Pino stated that he did not know the area where he crossed illegally into the United States was a restricted military area.
20. If Mr. Pino were to testify at trial, he would testify that he did not know the area was a restricted military area.

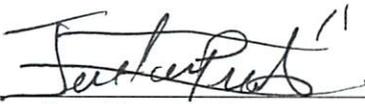
SIGNED AND AGREED TO this the 7th day of November 2025.

Respectfully Submitted,

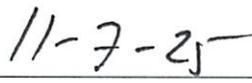
JUSTIN R. SIMMONS
UNITED STATES ATTORNEY

By: 
Phillip Countryman
Assistant U.S. Attorney
Texas Bar#24094380
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El Paso, Texas 79901
(915) 534-6884

I have consulted with my attorney and discussed the contents of these stipulations with him. I am satisfied with his legal representation, and I hereby stipulate to the facts contained therein.



Jose Ines Pino-Ayala
Defendant

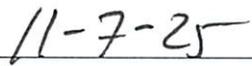


Date

I am counsel for Jose Ines Pino-Ayala. I have carefully reviewed this stipulation of facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.



Shane McMahon
Attorney for Defendant



Date