

Affidavit in Support of Criminal Complaint

I, Justin Speaks, being duly sworn, state as follows:

1. I am a Border Patrol Agent with the United States Department of Homeland Security, United States Border Patrol. I have been with the Border Patrol for more than 16 years. I am currently assigned to the Newport Border Patrol Station in Derby, Vermont (VT).
2. This affidavit is offered to demonstrate that probable cause exists to believe that Joneyker Rafael RAMOS Guillen, an alien from Venezuela, knowing that a person is an alien, brings to or attempts to bring to the United States in any manner whatsoever such person at a place other than a designated port of entry or place other than as designated by the Commissioner, regardless of whether such alien has received prior official authorization to come to, enter, or reside in the United States and regardless of any future official action which may be taken with respect to such alien in violation of 8 U.S.C. § 1324(a)(1)(A)(i); and that Byron Guillermo GONZABAY Giron, an alien from Ecuador; Lixia NONG, an alien from China; and Zhongyue XIANG, an alien from Portugal, entered or attempted to enter the United States at any time or place other than as designated by immigration officers, in violation of 8 U.S.C. § 1325(a)(1).
3. The information contained in this affidavit is based on my training and experience, my own investigation as well as information I received from other agents. This affidavit is intended to show that there is probable cause to believe that Joneyker Rafael RAMOS Guillen, Byron Guillermo GONZABAY Giron, Lixia NONG, and Zhongyue XIANG committed the foregoing offense and does not set forth all facts I know from my investigation into this matter. Any statements included herein are provided only in sum and substance and in part.
4. On December 23, 2025, at approximately 7:00 am, Newport Border Patrol Agents (BPAs) were notified by Swanton Sector Radio Communications of a subject entering the United States near the Monastery Trail in Troy, Vermont (VT). BPA Spencer responded to the area and began to search for signs of anyone entering the United States from Canada. BPA Spencer identified foot sign in the snow indicating approximately 5 individuals had traveled southbound through rugged tree covered terrain. BPA Spencer tracked the foot sign south to where it crossed Bear Mountain Rd.

5. At approximately 7:50 am, BPA Spencer saw subjects through the trees and brush. The subjects were walking just below a densely tree-covered ridge. The subjects were walking in a loose line westward toward the Village of North Troy, Vermont. BPA Spencer yelled to the subjects, "US Border Patrol, Don't Move". The subjects began running and crested the wooded ridge, one subject dropped their backpack before scrambling over the ridge. BPA Spencer pursued the subjects and, after a brief chase and track, apprehended a young female subject hiding behind a blown-down tree. BPA Spencer identified himself again as US Border Patrol Agent and questioned the subject regarding her citizenship and immigration status. The subject stated she was Chinese and produced a Chinese passport identifying herself as Lixia NONG. BPA Spencer asked NONG how many people were in the group she crossed the border with. NONG stated that she crossed alone. At approximately 0800 hours BPA Spencer took NONG into custody, cuffed her and assisted her through the rough terrain back out to Bear Mountain Road. BPA Spencer handed NONG off to another agent for transport back to the Newport Border Patrol Station and returned to the wooded area to search for the remaining subjects.
6. After approximately 10 minutes, BPA Spencer found sign for three subjects traveling southwest toward North Troy. BPA Spencer followed the sign and advised additional agents of the location and direction of travel of the three subjects. BPA Spencer tracked the subjects along the eastside of the North Troy Cemetery into the backyard of a home located at 115 Cemetery Rd. BPA Spencer again identified himself as a US Border Patrol Agent and ordered the subjects to stop. Two of the three male subjects stopped, were questioned regarding their citizenship and immigration status and were taken into custody. One subject presented an Ecuadoran passport identifying himself as GONZABAY, the other subject produced a passport issued by Brazil identifying himself as a 17-year-old juvenile. The third male subject, not burdened by a backpack, sprinted east into another densely wooded area, ran up a steep slope, and was lost from view. After handing off the two male subjects in custody to another agent, BPA Spencer pursued the adult male subject into the densely wooded area.
7. The subject left sign that began a track winding north back toward the border. BPA Spencer spotted the subject walking north on Cross Rd. and again ordered the subject to stop. The subject turned and looked toward BPA Spencer, then turned north and ran north on Cross Rd. BPA Spencer pursued

the subject north on Cross Rd. and the subject turned and ran east through another densely wooded area. BPA Spencer lost visual but relayed location and direction of travel to the additional agents searching nearby. BPA Spencer continued to search the area and was advised the subject was taken into custody further east from the last known location (by BPA Brandon Parent, as described below). BPA Spencer returned to the location where the group was initially spotted and retrieved the backpack that was abandoned by one of the subjects. BPA Spencer and BPA Yautz hiked to the initial location where the subjects crossed the border to obtain additional photographs. After careful examination of the foot sign crossing the international border, BPA Spencer suspected one additional subject has crossed and was still unaccounted for.

8. BPA Spencer and BPA Yautz returned to Bear Mountain Road. BPA Spencer resumed searching for the outstanding individual by driving east on Bear Mountain Rd. After driving approximately 400 yards, BPA Spencer encountered a female subject walking alongside Bear Mountain Rd. The female subject was carrying a backpack, had multiple layers of clothing and had packed snow on her boots and coat. The subject also had small sticks tangled in her hair and appeared exhausted. BPA Spencer called for assistance and questioned the female subject regarding her citizenship and immigration status. BPA Spencer requested immigration documents and the subject produced a photo of a passport issued by Portugal identifying herself as Zhongyue XIANG. BPA Spencer placed XIANG into custody and transported her back to the Newport Border Patrol Station for processing.
9. BPA Brandon Parent of the Richford Border Patrol Station arrived to assist at approximately 9:00 am. BPA Parent began his search to locate subjects who were suspected of illegally entering the United States and observed one male subject with dark clothing walking in an open field. As he began to close the distance with the subject, it appeared that the subject may have observed him and began to run. After an approximate 500-yard foot chase, the subject stopped evading and gave up. BPA Parent ordered him to the ground with his hands visible and he effected the arrest. The subject, later identified as RAMOS Guillen, stated that he had crossed the border illegally and was looking for his mother. He further stated that he is a citizen of Venezuela and did not possess the proper documentation to be in the United States legally. He was subsequently transported to the Newport Station for further investigation.

10. An image from surveillance in the vicinity of the Monastery Trail appears below of one of the subjects crossing the border.



The image is consistent with the general appearance, clothing, and personal property of RAMOS Guillen at the time of his apprehension.

11. RAMOS was interviewed at Newport Station. After waiving his Miranda rights, RAMOS initially denied any involvement with the group who had crossed the border, claiming he had been bird hunting and gotten lost. After additional questioning, RAMOS admitted to having brought the group across the border from Canada. RAMOS stated he was to be paid \$700. He admitted he suspected no one in the group had status to enter or remain in the United States.
12. GONZABAY-GIRON was interviewed at the Newport Station. After waiving his Miranda rights, GONZABAY-GIRON admitted he had crossed the border from Canada, and had hired someone to help him cross, agreeing to pay \$3,500. GONZABAY-GIRON stated that in addition to himself, there were two Chinese women and a young Brazilian in the group. GONZABAY-GIRON stated the

group was being led by a guide. GONZABAY-GIRON was shown a “six-pack” of photographs and identified RAMOS as the guide who had brought the group across the border.

13. The Brazilian juvenile was interviewed at the Newport Station. The juvenile admitted to having crossed the border from Canada, and having hired someone to help him cross, agreeing to pay \$2,500. The juvenile was shown a “six-pack” of photographs and identified RAMOS as the guide who had brought the group across the border.
14. Based on the foregoing, I submit there is probable cause to believe that RAMOS Guillen, an alien from Venezuela, knowingly brought or attempted to bring individuals the defendant knew to be aliens to the United States at a place other than as designated by the Secretary of Homeland in violation of 8 U.S.C. § 1324(a)(1)(A)(i); and that Byron Guillermo GONZABAY Giron, an alien from Ecuador; Lixia NONG, an alien from China; and Zhongyue XIANG, an alien from Portugal, entered or attempted to enter the United States at any time or place other than as designated by immigration officers, in violation of 8 U.S.C. § 1325(a)(1).

Dated at Burlington, in the District of Vermont on this 24th day of December, 2025.

JUSTIN SPEAKS
BORDER PATROL AGENT
DEPARTMENT OF HOMELAND SECURITY

Sworn to and subscribed by reliable electronic means in accordance with the requirements of Fed. R. Crim. P. 4.1, this 24th day of December, 2025.



HONORABLE KEVIN J. BOYLE
UNITED STATES MAGISTRATE JUDGE