PROB 12C
(6/16)

Report Date: October 30, 2023

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 01, 2023

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Marcial Bravo Zambrano Case Number: 0980 4:15CR06049-EFS-20

Address of Offender: [redacted] Benton City, Washington 99320

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: May 7, 2019

Original Offense:	Conspiracy to Distribute 500 Grams or More of a Mixture or Substance Containing a Detectable Amount of Methamphetamine, 5 Kilograms or More of Cocaine, 1 Kilogram of More of Heroin and 400 Grams or More of Conspiracy to Distribute, 21 U.S.C. § 846	
Original Sentence:	Prison - 28 months; TSR - 36 months	Type of Supervision: Supervised Release
Revocation Sentence: (11/30/2021)	Prison - time served (27 days) TSR - 35 months	
Asst. U.S. Attorney:	Stephanie A. Van Marter	Date Supervision Commenced: November 30, 2021
Defense Attorney:	Nick Mirr	Date Supervision Expires: Tolling

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PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 8/25/2023.

On December 20, 2021, Mr. Zambrano reported to the probation office and the conditions of supervision from his revocation judgment were reviewed with Mr. Zambrano. He signed a copy of his conditions and by doing so, he acknowledged understanding all of his conditions of supervision. He was also provided a copy of the signed document.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number	Nature of Noncompliance
6	**Standard Condition #2**: After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when to report to the probation officer, and you must report to the probation officer as instructed. **Supporting Evidence**: Mr. Zambrano is considered in violation of his term of supervised release by failing to report to the probation officer as instructed on August 28, 2023.

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

As noted in violation 4 of the petition dated August 25, 2023, Mr. Zambrano failed to report as instructed on that same day, and called this officer at 11:45 a.m. to advise he was in Oregon visiting his daughter, and would not make his appointment. He was questioned about why he left the district without permission; Mr. Zambrano said his daughter called him the prior evening (August 24, 2023), stating she was in Oregon and wanted to see him, and also mentioned she was not feeling well. He immediately traveled to Oregon that same evening, and said he did not call this officer as it was late and he knew the call would go unanswered. Mr. Zambrano asked for another opportunity to gain compliance and stated he would report in on Monday, August 28, 2023, without fail. This officer confirmed he should report on Monday, August 28, 2023,but remained skeptical that he would follow through.

Mr. Zambrano failed to report as indicated, and did not contact this officer until August 30, 2023, at which time he stated he could not report because his ride from Portland was taking longer in returning. He stated he called this officer on August 28, 2023, numerous times and I did not answer. This officer informed him I was in the office that day and no calls, missed calls, or voice mails were received from him. I confirmed receiving one call on Tuesday, August 29, 2023, at 12:15 p.m., which was 4 seconds long, in which he said his name and that he wanted to talk.

7 **Mandatory Condition #1**: You must not commit another federal, state or local crime.

Supporting Evidence: Mr. Zambrano is considered to be in violation of his term of supervised release by resisting arrest on or about October 24, 2023.

On October 24, 2023, Benton County Sheriff's Office deputies responded to 10903 West 464 PR NW, Benton City, Washington, for a report of an unconscious female at the location. Upon arriving, medics advised the female, Saray Bravo Zambrano, was now conscious and refused medical transport. Ms. Zambrano and Marcial Bravo Zambrano were both found to have warrants of arrest. Mr. Zambrano was re-contacted outside of the residence, but began walking toward his front door. He was advised he was not free to leave, and he attempted to flee inside the doorway. Two officers had a hold of Mr. Zambrano and he tried to fight their attempts to place him into custody. Officers had to physically pry Mr. Zambrano's right hand and left leg off the door frame entry way. He continued to fight outside of the residence and was eventually forced down to the ground to effect the arrest.

Mr. Zambrano was subsequently charged with resisting arrest in Benton County District Court, case 3A0138730. He appeared for an initial arraignment on October 25, 2023, and was appointed legal counsel. At that time probable cause was found, he entered a not guilty plea, and was released on personal recognizance. A pretrial hearing is currently scheduled for October 31, 2023.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 30, 2023

s/SanJuanita B. Coronado

SanJuanita B. Coronado
Supervisory U.S. Probation Officer

THE COURT ORDERS

[ ] No Action
[ ] The Issuance of a Warrant
[ ] The Issuance of a Summons
[X] The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
[ ] Defendant to appear before the Judge assigned to the case.
[X] Defendant to appear before the Magistrate Judge.
[ ] Other

Edward F. Shea

Signature of Judicial Officer

November 1, 2023

Date