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## 4 plead guilty in Sun Drywall case

**Judge accepts plea agreements; sentencing set for August**

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By Jonathon Shacat  
Herald/Review

Published on Thursday, June 12, 2008

TUCSON — Four of the eight people charged in a case alleging that Sun Drywall and Stucco Inc. in Sierra Vista employed individuals who are unauthorized to work in the United States pleaded guilty in plea agreements during hearings Wednesday in federal court.

In March 2007, eight people were charged with conspiring to harbor or shield from detection illegal workers from Mexico and knowingly hiring or aiding in the hiring of the workers over a 12-month period.

On Wednesday, U.S. District Judge Raner Collins accepted plea agreements from four of them, including Edward Durgin, Joaquin Neave, Omar Reyes and Jose Gutierrez Tapia. He also scheduled sentencing hearings for them in August.

Durgin pleaded guilty to a misdemeanor for employing unauthorized aliens and continuing to employ illegal aliens. Neave and Reyes pleaded guilty to a misdemeanor for conspiracy to employ unauthorized aliens and continuing to employ illegal aliens.

The charges are punishable by a maximum fine of \$3,000 for each unauthorized alien and a term of imprisonment of up to six months. Their plea agreements, which are similar, stipulate they will be sentenced to between zero months and six months in prison.

Tapia pleaded guilty to a felony charge of conspiracy to knowingly hiring at least 10 illegal aliens within a 12-month period.

The charge carries a maximum penalty of a fine of up to \$250,000 and up to five years in prison. His plea agreement stipulates that he will be sentenced to imprisonment for a range of between zero months and 33 months, depending on his criminal history. It also stipulates he will be fined \$15,000.

His plea agreement is contingent upon guilty pleas of the other seven defendants in the case.

If any of the co-defendants do not plead guilty, the government reserves the right to withdraw from the plea agreement.

Durgin, Neave and Reyes will be sentenced during separate hearings on Aug. 25, and Tapia will be sentenced on Aug. 26.

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The other four defendants in the case are Efrain Silvain Avechuco, Ivan Hardt, Carol Hill and Santiago Trejo Ramirez. Hill is scheduled to appear in court for a change of plea hearing on Monday.

On Dec. 12, 2005, Immigration and Customs Enforcement agents performed form I-9 inspections at the business.

Some 115 forms were inspected and agents notified Hardt and Hill that 11 of the forms belonged to individuals who provided fraudulent permanent resident alien cards and that they could not work there, according to the U.S. government.

Over the course of the next year, ICE agents apprehended most of the 11 individuals. They were still working at the business.

In 2006, about 30 individuals were apprehended and arrested for illegally working at the business, the government said.

The individuals were not presented for inspection on Dec. 12, 2005, but the vast majority of them were working for the business at the time.

In July 2006, ICE agents compared Arizona Department of Economic Security wage and reporting information with the total number of I-9 forms that were provided during the inspection. They determined that 329 employees worked for the business at the time, but only 115 forms had been presented.

Agents discovered some discrepancies, according to the government. For instance, seven individuals provided for inspection were not reported to Department of Economic Security, and 10 of the 329 reported to Department of Economic Security were not presented for inspection.

Also, agents submitted the 329 names to the Social Security Administration to verify if they matched with Social Security number records. Some 134 of them did not match.

Records obtained during the search revealed the business received “no match” letters from the Social Security Administration informing it that it employed almost 100 employees with Social Security numbers that did not match records, according to the government.

herald/review reporter Jonathon Shacat can be reached at 515-4693 or [jonathon.shacat@bisbeereview.net](mailto:jonathon.shacat@bisbeereview.net).

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