

New plea helps man avoid deportation

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Body

Andres Morales, a Mexican citizen who has lived almost all of his life in Hazelwood, has **avoided** being **deported** over an old drug charge, thanks to a compromise his attorney worked out with St. Louis County prosecutors.

Morales, 26, was arrested at the Texas border in March when he tried to return from a visit to Mexico. U.S. immigration officials had discovered he pleaded guilty in 1998 to possessing marijuana with intent to distribute. The felony guilty **plea** would require him to be **deported** from this country, immigration officials said.

It was crushing news for Morales, who had lived in Hazelwood since the age of 1, attended local schools, played soccer at St. Louis Community College at Florissant Valley and enjoyed working in the family restaurant, Pueblo Nuevo, with his mother, Bertha Morales, and his sister.

The case epitomized the get-tough posture of U.S. immigration officials, who in the wake of the Sept. 11 attacks have stepped up enforcement of immigration laws. Friends rallied around Morales, vouched for his character and described the **deportation** as too harsh a punishment for an activity that has involved all too many American teenagers.

Morales, however, found a way to remain with his family by withdrawing the guilty **plea** he made in 1998, then entering an agreement with prosecutors under which he would plead guilty to a misdemeanor for marijuana possession, said his attorney, Frank Kaveney.

Because the **new** charge is a misdemeanor, not a felony, it enables Morales to remain in the country, Kaveney said.

Yet even with a misdemeanor, under federal law, Morales could be **deported** if the amount of marijuana he was found to have possessed was more than 30 grams or he intended to distribute it, Kaveney said. So the **plea** stipulated that Morales possessed 29 grams or less of marijuana and that it was only for his personal use, Kaveney said.

Morales entered the negotiated **plea** Nov. 29 in St. Louis County Circuit Court before Judge Carolyn Whittington. She sentenced him to spend 30 nights in St. Louis County Jail under a work-release program and then to wear an electronic monitoring device for 90 additional days while he works at the restaurant.

The **plea** "brings closure to this youthful indiscretion, which occurred when Andres was 19 years old," Kaveney said.

He said Morales had had no brushes with the law since 1998, a fact that justified the outcome.

John Quarenghi, the prosecutor who handled the case, could not be reached for comment.

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Kaveney said the Morales family would have no comment.

Jason Hilsabeck, a mortgage banker in Hazelwood who has known Andres Morales since the age of about 4, said he was pleased to hear of the plea deal.

Morales "takes care of his family a lot, and he runs the Pueblo Nuevo," he said. "It's nice for him to be here with his family."

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