



Written by [Kelly Holt](#) on August 27, 2010

Controversy Over Status of Illegal Convicted In Killing

In January 2008, the suspect entered a negotiated plea to a charge of failure to stop at, or return to, the scene of an accident in the death of Aubrey Sosebee, an 83-year-old World War II veteran run over while retrieving his mail. Campo-Duarte was sentenced to two years in prison and three years probation and was released for time served. Since his release Campo-Duarte, who is in the country illegally, has been arrested repeatedly for traffic violations.



A little more than a year ago, he was arrested for driving without a license and released the same day on \$760 bond. Last October, he was arrested on the same charge once again.

The Atlanta Journal Constitution (AJC) reported that Campo-Duarte was then voluntarily deported, according to the [Gwinnett County](#) Sheriff's Office. Whether he'll be involuntarily deported following his latest charge remains uncertain.

The victim's family is surprised the illegal immigrant is still in the country after serving his sentence, but his current whereabouts are no mystery. He's been in custody since May 28, after being charged with disorderly conduct and unlicensed driving. He would have been eligible for a \$1,983 bond had he not violated probation.

The repercussions of violating voluntary deportation — which permits an individual to exit the country at his or her own expense within a designated amount of time — could be much more severe.

Boston attorney Joshua Goldstein, [who writes a blog on immigration law](#), wrote recently: "the consequences of failing to comply with a voluntary departure order may be worse than deportation itself." Penalties include fines of \$3,000 along with a 10-year bar from any appeal or adjustment of a removal order, or change of status.

Gwinnett Sheriff Butch Conway has placed a hold on Campo-Duarte under [287\(g\)](#), a partnership with the federal government that trains deputies to identify illegal immigrants in the county jail, then hand them over to Immigration and Customs Enforcement (ICE) for possible deportation. ICE spokeswoman Barbara Gonzalez said she couldn't discuss the specifics of Campos-Duarte's case without his permission.

Stacey Bourbonnais, spokeswoman for the Sheriff's Department, told Fox that police handed Campo-Duarte over to ICE in 2009 after his arrest for unlicensed driving. "The judge, I guess, allowed him to voluntarily deport. He either didn't leave the country as agreed or he left and came back." Added Conway, "They put him on the honor system, more or less." He hopes Campo-Duarte, who is from Mexico, will be deported, "but that's not my decision to make," he told the AJC.

One angry reader commented on MyFoxAtlanta's website "Can we deport the judges?"



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Thumbnail: Celso Campo-Duartes; Gwinnet County Jail.



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