



Written by [R. Cort Kirkwood](#) on August 11, 2025

DHS: NYT Misrepresents Deported Venezuelan Illegal ID'd as TdA Terror Gang Member

Yet another deported Venezuelan illegal alien whom the Department of Homeland Security (DHS) says is a Tren de Aragua (TdA) terror gang member is the subject of a tearful tale.

This time, the dangerous desperado is Merwil Gutiérrez, [whom *The New York Times* falsely called](#) an “immigrant” in its yammering yarn, which was headlined thusly:

ICE Deported Him. His Father Heard Nothing for Months. Then, a Call. Merwil Gutiérrez is one of many immigrants across the United States who have been taken into custody by federal authorities, their whereabouts unknown or unclear.



Stephanie Kraus/Wikimedia Commons

The *Times* strongly suggests that Gutiérrez, aka Merwil Alberto Gutierrez Flores, was wrongly deported — or “disappeared,” as far-left Democrats and illegal-alien sympathizers say. In fact, DHS alleges, he is a dangerous criminal.

Another SOB STORY from the [@nytimes](#). Merwil Alberto Gutierrez Flores was deported to CECOT because he is an associate of Tren de Aragua—a foreign terrorist organization—whose criminal record included an arrest for having a loaded firearm and ammunition feeding devices at a... [pic.twitter.com/L5309tZ6iJ](#)

— Homeland Security (@DHSgov) [August 10, 2025](#)

***Times* Story**

After calling Salvadoran illegal, wife-beater, MS-13 terror gang member, and human trafficking suspect [Kilmar Abrego Garcia](#) a “Maryland father,” the *Times* got down to business.

“Mr. Gutiérrez and his father arrived in the United States in 2023 after reaching the border with Mexico, where they used a Biden-era mobile app to start the process of applying for asylum and were put on a bus to New York City,” the far-left, pro-illegal-alien [newspaper reported](#):

They lived quietly in the Bronx, his family said, and Mr. Gutiérrez worked an overnight shift sorting packages near Kennedy Airport. They were continuing the often yearslong effort to obtain asylum and remained without legal status.



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On Feb. 24, when he was returning to his apartment building, law enforcement officials descended. They accused Mr. Gutiérrez of gun crimes and arrested him, though there is no indication charges against him were ultimately pursued. ...

On that February day, his cousin Luis Acosta heard a commotion outside of their apartment building and poked his head out of a third-floor window. He said he saw Mr. Gutiérrez talking to two men outside when officers with “N.Y.P.D.” and “F.B.I.” emblazoned on their clothing swarmed the building.

The agents asked Mr. Gutiérrez which of the men standing outside the building was named Angel. He did not answer the question and instead gave them his own name, Mr. Acosta said. Even though Mr. Gutiérrez was not the man they were looking for, an agent said to take him anyway, Mr. Acosta recalled. With that, Mr. Gutiérrez was handcuffed, pushed into a car and driven away.

In May, DHS clearly explained why Gutiérrez was deported, first to El Salvador’s CECOT terrorist prison, then to Venezuela. There, the [Times reported](#), his sister embraced him. The newspaper continued to claim that Gutiérrez is pure as the driven snow:

But there is no evidence that authorities in New York sought to follow through on ... charges. The Police Department has repeatedly said that there are “no arrests on file” for Mr. Gutiérrez, and no cases connected to him appear in state or federal databases.

The Real Record

Whatever doesn’t “appear in state or federal databases,” [DHS reported](#) — again, *in May* — that Gutiérrez and his padre did *not* enter the country using the Biden administration’s unlawful smartphone application.

[His deportation record says:](#)

On June 21, 2023, the United States Border Patrol (USBP) initially encountered and arrested Gutierrez Flores attempting to illegally enter the United States at or near Paso Del Norte, Texas.

The USBP found Gutierrez Flores had *unlawfully entered* the United States from Mexico ... at a time and place other than as designated by the Secretary of the Department of Homeland Security of the United States. The USBP transported Gutierrez Flores to the border patrol station for further processing using the E3/IDENT and IAFIS Systems. [Emphasis added.]

Perhaps the *Times* doesn’t understand that even the Biden administration required that CPB mobile requests for appointments for asylum claims be made in an approved region [before attempting](#) to cross the border. Those who landed at the border without an appointment *could not* apply for asylum. Not that it mattered. For the administration, again, released the pair to ensconce themselves in New York City. Once there, favorable notice in the *Times* should one or both be deported was guaranteed.

And it’s worth observing that the Biden administration [unlawfully released](#) the men. Gutiérrez’s



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immigration hearing was scheduled for February 1, 2027, *four years* after he was caught and released.

As for Gutiérrez's gun crimes, on February 24, [New York cops arrested](#) and charged him as follows:

Criminal Possession of A Weapon-2nd Degree: Loaded Firearm ... Criminal Possession
Weapon-2nd Degree: Loaded Firearm On School Grounds ... Criminal Possession Stolen
Property ... Unlawful Poss Certain Ammunition Feeding Devices.

Importantly, under "criminal affiliations," the [deportation record reveals](#) what is most dangerous about the man:

Subject has been identified as a[n] Associate/Active of Tren de Aragua.

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U.S. Department of Homeland Security		Subject ID : (b) (7)(E)		Record of Deportable/Inadmissible Alien	
Family Name (CAPS) GUTIERREZ FLORES, MERWIL ALBERTO		First	Middle	Sex M	Hair BLK
Country of Citizenship VENEZUELA	Passport Number and Country of Issue (b) (7)(E)	File Number (b) (7)(E)		Eyes GRN	Cmplxn MBR
U.S. Address		Date, Place, Time, and Manner of Last Entry 06/21/2023 Unknown Time, PDN, WI-Without Inspection		Height 66	Weight 132
Number, Street, City, Province (State) and Country of Permanent Residence		Passenger Boarded at		Occupation LABORER	
Date of Birth 06/05/2005	Age: 19	Date of Action 02/26/2025	Location Code NYC/NYC	Scars and Marks See Narrative	
City, Province (State) and Country of Birth CARACAS, VENEZUELA	AR ☒	Form : (Type and No.) Lifted ☐ Not Lifted ☐		F.B.I. Number (b) (7)(E)	
NIV Issuing Post and NIV Number	Social Security Account Name		☐ Single ☐ Divorced ☐ Married ☐ Widower ☐ Separated		
Date Visa Issued	Social Security Number		Method of Location/Apprehension NCA		
Immigration Record POSITIVE - See Narrative		Criminal Record		At/Near See I-831	
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)		Number and Nationality of Minor Children None		Date/Hour 02/26/2025 00:00	
Father's Name, Nationality, and Address, if Known GUTIERREZ, WILMER NATIONALITY: VENEZUELA		Mother's Present and Maiden Names, Nationality, and Address, if Known (b) (6), (b) (7)(C) NATIONALITY: VENEZUELA		By (b) (6), (b) (7)(C)	
Monies Due/Property in U.S. Not in Immediate Possession None Claimed	Fingerprinted? ☒ Yes ☐ No	Systems Checks See Narrative		Status at Entry	
Name and Address of (Last)(Current) U.S. Employer	Type of Employment	Salary	Employed from/to	Status When Found	
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.)		Length of Time Illegally in U.S.			
FIN: (b) (7)(E)		Left Index fingerprint		Right Index fingerprint	
					
SCARS MARKS AND TATTOOS None Indicated - NONE INDICATED					
IMMIGRATION RECORD History was expected but not provided					
Subject Health Status ... (CONTINUED ON I-831)					
Alien has been advised of communication privileges _____ (Date/Initials)		(b) (6), (b) (7)(C) RODRIGUEZ Deportation Officer _____ (Signature and Title of Immigration Officer)			
Distribution: A-FILE		Received: (Subject and Documents) (Report of Interview) Officer: (b) (6), (b) (7)(C) on: February 26, 2025 (time) Disposition: TURNED OVER TO Examining Officer: (b) (6), (b) (7)(C)			

Form I-213 (Rev. 08/01/07)



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U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name GUTIERREZ FLORES, MERWIL ALBERTO	File Number [REDACTED] (b)(7)(E)	Date 02/26/2025
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The subject claims good health.

Current Criminal Charges

02/25/2025 - 8 USC 1182 - ALIEN INADMISSIBILITY UNDER SECTION 212

Current Administrative Charges

02/25/2025 - 212a7AiI - IMMIGRANT WITHOUT AN IMMIGRANT VISA

Previous Criminal History

On 02/24/2025, the subject was arrested for the crime of "Possession Stolen Property" which is still pending.

On 02/24/2025, the subject was arrested for the crime of "Possession Of Weapon" which is still pending.

On 02/24/2025, the subject was arrested for the crime of "Weapon Offense" which is still pending.

On 02/24/2025, the subject was arrested for the crime of "Possession Of Weapon" which is still pending.

CRIMINAL AFFILIATIONS

Subject has been identified as a Associate/Active of Tren de Aragua

RECORDS CHECKED
(b)(7)(E)
[REDACTED]

FUNDS IN POSSESSION

United States Dollar 2.00

AT/NEAR

NEW YORK, NEW YORK

Record of Deportable/Excludable Alien:

Signature (b)(6), (b)(7)(C)	Title Deportation Officer
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U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name GUTIERREZ FLORES, MERWIL ALBERTO	File Number (b) (7)(E) Event No: (b) (7)(E)	Date 02/26/2025
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ENCOUNTER:
On February 25, 2025, Federal Bureau of Investigation (FBI) contacted New York City (NYC), Enforcement and Removal Operations (ERO) Officers in regard to GUTIERREZ FLORES, MERWIL #A (b) (6), (b) (7)(C), a 19 year old citizen and national of Venezuela. The FBI initiated an investigation in regards to GUTIERREZ FLORES for ongoing criminal activity. NYPD arrested GUTIERREZ FLORES for weapon related charges on February 24, 2025 which is currently pending disposition. At approximately 2300 hours, FBI NY turned GUTIERREZ FLORES custody over to NYC ERO Officers after their investigation concluded. At approximately 2302 hours NYC ERO arrested GUTIERREZ FLORES without incident pursuant to a Warrant for Arrest of Alien (Form I-200). NYC ERO Officers transported GUTIERREZ FLORES to 26 Federal Plaza, 10th Floor, New York, NY, 10278 for processing and a custody determination. GUTIERREZ FLORES is currently under 240 removal proceedings and currently pending seeing an immigration judge

ALIENAGE AND DEPORTABILITY:
GUTIERREZ FLORES is a male citizen and national of Venezuela. Database queries reveal, there are no known derivation of U.S. citizenship issues.

IMMIGRATION HISTORY:
On June 21, 2023, the United States Border Patrol (USBP) initially encountered and arrested GUTIERREZ FLORES attempting to illegally enter the United States at or near Paso Del Norte, Texas. The USBP found GUTIERREZ FLORES had unlawfully entered the United States from Mexico on June 21, 2023, at a time and place other than as designated by the Secretary of the Department of Homeland Security of the United States. The USBP transported GUTIERREZ FLORES to the border patrol station for further processing using the E3/IDENT and IAFIS Systems.

GUTIERREZ FLORES was processed as per Section 212(a) (7) (A) (i) (I) of the INA and was placed in 240 proceedings.

GUTIERREZ FLORES's EOIR hearing is scheduled for February 1, 2027, in New York, New Jersey.

PENDING APPLICATION(S):
(b) (6), (b) (7)(C)

HUMANITARIAN:
GUTIERREZ FLORES claims good health and is not taking any medication.

CRIMINAL HISTORY:
(b) (7)(E)

On February 24, 2025, GUTIERREZ FLORES was encountered pursuant to an arrest by New York City Police Department, in Bronx County, City New York, under Arrest Number#: (b) (7)(E)

The NYPD arrested and charged the subject with the following charges:

- Criminal Possession of A Weapon-2nd Degree: Loaded Firearm Section 265.03 (SUB 01B) of the New York State Penal Law.
- Criminal Possession Weapon-2nd Degree: Loaded Firearm On School Grounds Section 265.03 (SUB 01BS) of the New York State Penal Law.
- Criminal Possession Stolen Property-4th: Firearms Section 165.45 (SUB 04) of the New York State Penal Law.
- Unlawful Poss Certain Ammunition Feeding Devices: Not in Home/1st Off Section 265.37 of the New York State Penal Law.

Signature (b) (6), (b) (7)(C)	Title Deportation Officer
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U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name GUTIERREZ FLORES, MERWIL ALBERTO	File Number (b) (7)(E)	Date 02/26/2025
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MEDICAL HISTORY:
GUTIERREZ FLORES claims good health and is not taking any medication. ICE Health Service Corps (IHSC) cleared GUTIERREZ FLORES for confinement.

FUNDS:
GUTIERREZ FLORES is in possession of \$2.00 (seen, counted and vouched); G-589 #5303024.

FAMILY HISTORY:
GUTIERREZ FLORES has no family.

CONSULAR NOTIFICATION:
ERO NYC advised GUTIERREZ FLORES of his right to notify the consulate of Venezuela of his arrest/detention.
GUTIERREZ FLORES declined and ERO NYC did not notify Venezuela's consular officials of his arrest/detention.

IDENTIFICATION:
Subject did not provide ICE/ERO a valid Venezuela Passport or Cedula.

PHONE CALL:
GUTIERREZ FLORES did not make a phone call due to him not having his phone or remembering any phone numbers.

DNA SAMPLE:
DNA in CODIS.

MEALS:
ERO NYC provided GUTIERREZ FLORES a meal and water.

MILITARY:
GUTIERREZ FLORES stated he has never served with any of the United States military branches.

GANG/TERRORISM AFFILIATIONS:
GUTIERREZ FLORES stated he is not affiliated with any gangs or terrorist organizations.
(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

DISPOSITION:
On February 26, 2025, ERO NYC executed Forms: I-200, I-286, FD249, and provided GUTIERREZ FLORES the Online Detainee Locator System (ODLS) Privacy Notice and a List of Pro Bono Legal Service Providers.

BEDSPACE:
Approved by ERO NYC TRO SDDO. GUTIERREZ FLORES will be detained in ICE custody without bond, pending removal to Venezuela.

IDENTIFICATION:
Subject provided ICE/ERO with the following documentation on 02/25/2025.

Other Identifying Numbers

(b) (7)(E)
State Criminal Number/State Bureau Number (b) (6), (b) (7)(C), (b) (7)(E) (UNITED STATES)
..COMMENT: NY STATE CRIMINAL ID

Signature (b) (6), (b) (7)(C)	Title Deportation Officer
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That, of course, isn't true, the [Times claimed](#), citing Gutiérrez's attorney and family:

The Trump administration has repeatedly defended its decision to send hundreds of Venezuelan men to CECOT, claiming that many had ties to or tattoos associated with the street gang Tren de Aragua.

Mr. Gutiérrez has no tattoos, according to a federal immigration document and to his family and lawyers, who insist he has never belonged to a gang.

As if they would admit his membership if he were a member. And ever since February, Papa Gutiérrez "had stared at his son's bed wondering if he would ever see him resting there again."

"Another SOB STORY from the @nytimes," DHS wrote on X over a screenshot of the inaccurate headline.

Previous *Times* Falsehood

The erroneous report on Gutiérrez suggests that the *Times* just can't get the facts straight. In March, it falsely claimed that TdA was not tied to the corrupt dictatorship of Venezuelan strongman Nicolas Maduro.

In fact, a former top [CIA operative told](#) the *Miami Herald*, the gang is a paramilitary arm of the regime that it sent to the United States.

As for the media at large, they have repeatedly fallen for tales of woe, [including outright deportation hoaxes](#), at least one of which has been used to swindle money out of the gullible.



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