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CLERK OF DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2009 Grand Jury

CR 09 00825

UNITED STATES OF AMERICA,	)	No. CR
)	
Plaintiff,	)	<u>I N D I C T M E N T</u>
)	
v.	)	[18 U.S.C. § 371: Conspiracy;
	)	18 U.S.C. § 922(a)(1)(A): Engaging
EDGARDO PRADO CASTANEDA,	)	in the Business of Dealing in
aka "Primo,"	)	Firearms Without a License; 18
VICENTE GARCIA,	)	U.S.C. § 922(g)(1): Felon in
aka "Chevy," and	)	Possession of a Firearm and/or
STEVEN SCOTT BLANKS,	)	Ammunition; 26 U.S.C. § 5861(d):
	)	Possession of an Unregistered
Defendants.	)	Firearm]
)	

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 371]

A. OBJECT OF THE CONSPIRACY

Beginning on or about October 16, 2008, and continuing to on or about May 21, 2009, in Los Angeles and Riverside Counties, within the Central District of California, defendants EDGARDO PRADO CASTANEDA, also known as ("aka") "Primo" ("CASTANEDA"), VICENTE GARCIA, aka "Chevy" ("GARCIA"), and STEVEN SCOTT BLANKS

1 ("BLANKS"), and others known and unknown to the Grand Jury,
2 conspired and agreed with each other to knowingly and
3 intentionally engage in the business of dealing in firearms
4 without a license, in violation of Title 18, United States Code,
5 Section 922(a)(1)(A).

6 B. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE
7 ACCOMPLISHED

8 The object of the conspiracy was to be accomplished in
9 substance as follows:

10 1. An unindicted co-conspirator would contact and
11 negotiate with prospective buyers to sell firearms for a certain
12 price, and would arrange to sell the firearms to the buyers at
13 certain locations.

14 2. Defendants CASTANEDA and GARCIA would provide firearms
15 for sale to the unindicted co-conspirator.

16 3. Defendants CASTANEDA and GARCIA would contact and
17 negotiate with prospective buyers to sell firearms for a certain
18 price, and would arrange to sell the firearms to the buyers at
19 certain locations.

20 4. Defendants CASTANEDA and GARCIA, alone or together,
21 would meet with the buyers.

22 5. Defendants CASTANEDA and GARCIA would obtain and
23 deliver the firearms to the buyers.

24 6. Defendant BLANKS would deliver the firearms to the
25 buyers.

26 7. Defendants CASTANEDA, GARCIA, and BLANKS would accept
27 payment for the firearms.

28 \\

1 C. OVERT ACTS

2 In furtherance of the conspiracy and to accomplish the
3 object of the conspiracy, defendants CASTANEDA, GARCIA, and
4 BLANKS, and others known and unknown to the Grand Jury, committed
5 various overt acts within the Central District of California, on
6 or about the following dates, including, but not limited to, the
7 following:

8 1. On October 16, 2008, the unindicted co-conspirator met
9 with a Bureau of Alcohol, Tobacco, Firearms, and Explosives
10 Confidential Informant (the "CI"), and the unindicted co-
11 conspirator told the CI that he had firearms for sale.

12 2. On October 20, 2008, the unindicted co-conspirator met
13 with the CI in front of defendant GARCIA's residence in Azusa,
14 California and displayed several firearms to the CI.

15 3. On October 20, 2008, defendant GARCIA confirmed the
16 specific prices for the firearms offered for sale to the CI.

17 4. On October 20, 2008, the unindicted co-conspirator
18 delivered three firearms to the CI, namely: (1) a Marlin model
19 60 .22 caliber rifle, bearing serial number 16398110; (2) an
20 Olympic Arms AR-15-type rifle, bearing serial number B12789; and
21 (3) a Bushmaster model XM 15 (AR-15-type) rifle, bearing serial
22 number L040027.

23 5. On October 20, 2008, the unindicted co-conspirator
24 accepted a \$3,000 payment from the CI for the Marlin model 60 .22
25 caliber rifle, bearing serial number 16398110, the Olympic Arms
26 AR-15-type rifle, bearing serial number B12789, and the
27 Bushmaster model XM 15 (AR-15-type) rifle, bearing serial number
28 L040027.

1 6. On October 30, 2008, the unindicted co-conspirator told
2 the CI that he had an "Uzi" firearm and a fully automatic M-11-
3 type firearm for sale and that each firearm would cost \$1,400.

4 7. On October 30, 2008, the unindicted co-conspirator told
5 the CI that he had an AR-15-type firearm that the unindicted co-
6 conspirator would give to the CI that day in exchange for a later
7 payment.

8 8. On October 30, 2008, the unindicted co-conspirator met
9 with the CI at the unindicted co-conspirator's residence in
10 Duarte, California, and the unindicted co-conspirator delivered
11 three firearms to the CI, namely: (1) a Bushmaster model M17S
12 .223 caliber rifle, bearing serial number P06724; (2) a Norinco
13 model 320 9mm caliber rifle, bearing serial number MSA09131; and
14 (3) a SWD model M-11 9mm caliber pistol, bearing serial number
15 89-0002328.

16 9. On October 30, 2008, the unindicted co-conspirator
17 accepted a \$2,800 payment from the CI for the Norinco model 320
18 9mm caliber rifle, bearing serial number MSA09131, and the SWD
19 model M-11 9mm caliber pistol, bearing serial number 89-0002328.

20 10. On January 5, 2009, the unindicted co-conspirator met
21 with the CI and delivered a Llama model Micro Max .32 caliber
22 pistol, bearing serial number 71040854701, to the CI.

23 11. On January 5, 2009, the unindicted co-conspirator
24 accepted a \$500 payment from the CI for the Llama model Micro Max
25 .32 caliber pistol, bearing serial number 71040854701.

26 12. On January 21, 2009, the unindicted co-conspirator told
27 the CI that he would have more firearms for sale soon.

28 13. On January 27, 2009, the unindicted co-conspirator told

1 the CI that had more firearms for sale, including two rifles that
2 he was selling for \$400.

3 14. On January 27, 2009, the unindicted co-conspirator met
4 with the CI and delivered a .22 caliber rifle of unknown
5 manufacture, bearing serial number 51103, and a Colt model 20 .22
6 caliber rifle, bearing serial number 23975441, to the CI.

7 15. On January 27, 2009, the unindicted co-conspirator
8 accepted a \$400 payment from the CI for the .22 caliber rifle of
9 unknown manufacture, bearing serial number 51103, and the Colt
10 model 20 .22 caliber rifle, bearing serial number 23975441.

11 16. On January 28, 2009, defendant GARCIA met with the CI
12 and asked the CI if the CI was the person who had been purchasing
13 firearms from the unindicted co-conspirator.

14 17. On January 28, 2009, defendant GARCIA arranged a
15 meeting between himself, the CI, and defendant CASTANEDA after
16 the CI told defendant GARCIA that the CI had been purchasing
17 firearms from the unindicted co-conspirator.

18 18. On January 28, 2009, defendant CASTANEDA, defendant
19 GARCIA, and the CI met and agreed that the unindicted co-
20 conspirator was responsible for paying defendant CASTANEDA for
21 the firearms that defendant CASTANEDA had supplied to the
22 unindicted co-conspirator and that the unindicted co-conspirator
23 had sold to the CI.

24 19. On January 28, 2009, defendant CASTANEDA told the CI
25 that defendant CASTANEDA could obtain whatever firearms the CI
26 wanted to purchase and that the CI should contact defendant
27 GARCIA to arrange for such purchases.

28 20. On January 28, 2009, defendant GARCIA told the CI that

1 he would coordinate the firearms transactions with the CI after
2 defendant GARCIA became more comfortable with the CI.

3 21. On February 4, 2009, defendant GARCIA told the CI that
4 he had a pistol and two AR-15-type rifles for sale and that the
5 AR-15-type rifles would cost \$1,500 each.

6 22. On February 4, 2009, defendant GARCIA met with the CI
7 at defendant GARCIA's residence in Azusa, California, and
8 defendant GARCIA agreed to sell two AR-15-type firearms to the CI
9 for \$3,000.

10 23. On February 4, 2009, defendant GARCIA called defendant
11 CASTANEDA to arrange for the delivery of two AR-15-type firearms
12 to defendant GARCIA's residence.

13 24. On February 4, 2009, defendant CASTANEDA delivered two
14 AR-15-type firearms in his vehicle to defendant GARCIA's
15 residence.

16 25. On February 4, 2009, defendant CASTANEDA displayed and
17 handed to the CI two AR-15-type firearms, namely: (1) an
18 Armalite Eagle Arms model M15A2 (AR-15-type) 5.56mm caliber
19 rifle, bearing serial number 38818; and (2) an Olympic Arms model
20 MFR (AR-15-type) .223 caliber rifle, bearing serial number 6009.

21 26. On February 4, 2009, defendant CASTANEDA accepted
22 \$3,000 in payment from the CI for the Armalite Eagle Arms model
23 M15A2 (AR-15-type) 5.56mm caliber rifle, bearing serial number
24 38818, and the Olympic Arms model MFR (AR-15-type) .223 caliber
25 rifle, bearing serial number 6009.

26 27. On February 24, 2009, defendant GARCIA called the CI,
27 told the CI that defendant CASTANEDA had more firearms for sale,
28 and arranged to meet the CI at defendant GARCIA's residence to

1 conduct a firearms transaction.

2 28. On February 24, 2009, defendant GARCIA met with the CI
3 at defendant GARCIA's residence in Azusa, California, displayed
4 three pistols that defendant GARCIA had for sale, and told the CI
5 that defendant CASTANEDA would bring more firearms.

6 29. On February 24, 2009, defendant CASTANEDA delivered two
7 more pistols to the CI at defendant GARCIA's residence.

8 30. On February 24, 2009, defendants CASTANEDA and GARCIA
9 negotiated the price for the five pistols they made available for
10 sale to the CI, namely: (1) a Tanfoglio model Witness P .45
11 caliber pistol, bearing serial number EA01155; (2) a Tanfoglio
12 model EA .380 caliber pistol, bearing serial number EA20334; (3)
13 a Bersa model 383a .380 caliber pistol, bearing serial number
14 248032; (4) a Ruger model Single Six .22 caliber revolver,
15 bearing serial number 435296; and (5) a Taurus unknown model .38
16 caliber revolver bearing serial number 1814716 ("the five
17 pistols").

18 31. On February 24, 2009, defendant GARCIA accepted from
19 the CI \$2,100 of the \$2,400 total price for the five pistols.

20 32. On February 25, 2009, defendant GARCIA told the CI that
21 defendant CASTANEDA had nine firearms for sale for a price of
22 \$2,800.

23 33. On February 25, 2009, defendant GARCIA met with the CI
24 and further negotiated the sale of the nine firearms that
25 defendants GARCIA and CASTANEDA had for sale.

26 34. On February 25, 2009, defendant GARCIA told the CI that
27 he had access to a "Streetsweeper" firearm.

28 35. On February 25, 2009, defendant CASTANEDA called

1 defendant GARCIA, and defendants CASTANEDA and GARCIA agreed that
2 defendant GARCIA and the CI would pick-up the firearms from
3 defendant CASTANEDA's residence in Azusa, California.

4 36. On February 25, 2009, defendant GARCIA drove the CI to
5 defendant CASTANEDA's residence in Azusa, California, and
6 defendant CASTANEDA delivered a box to defendant GARCIA's truck
7 that contained seven firearms, namely: (1) a Remington model 13T
8 .22 caliber rifle, bearing no serial number; (2) a Remington
9 model 14 .22 caliber rifle, bearing no serial number; (3) a
10 Marlin model 39A .22 caliber rifle, bearing serial number J12996;
11 (4) a Harrington and Richardson model Huntsman .45 caliber rifle,
12 bearing serial number AJ268794; (5) a Ruger model Mark I .22
13 caliber pistol, bearing serial number 11-02307; (6) a Ruger
14 unknown model .22 caliber pistol, bearing serial number 113437;
15 and (7) a Ruger model Single Six .22 caliber revolver, bearing
16 serial number 506422 ("the seven firearms").

17 37. On February 25, 2009, defendant GARCIA drove his truck
18 to his residence and delivered the seven firearms to the CI's
19 vehicle.

20 38. On February 25, 2009, defendants GARCIA and CASTANEDA
21 negotiated the payment for the seven firearms with the CI and
22 agreed that the CI could pay \$2,100 for the seven firearms and
23 needed to pay the \$300 the CI still owed for the five pistols
24 defendants GARCIA and CASTANEDA sold to the CI the previous day.

25 39. On March 6, 2009, defendant GARCIA told the CI that he
26 had five firearms for sale.

27 40. On March 11, 2009, defendant GARCIA accepted a \$1,000
28 down payment from the CI for five firearms.

1 41. On March 11, 2009, defendant GARCIA obtained five
2 firearms from a house in Glendora, California, namely: (1) a
3 Mauser model Sabre 12-gauge shotgun, bearing serial number
4 M29477; (2) a model R310AB 12-gauge shotgun of unknown
5 manufacture, bearing serial number G085933; (3) a Winchester
6 model Defender 12-gauge shotgun, bearing serial number L815968;
7 (4) a Norinco model MAK 90 Sporter (AK-47-type) 7.62mm caliber
8 rifle, bearing serial number 9421951; and (5) a SWD model
9 Streetsweeper 12-gauge shotgun, bearing serial number 8063 ("the
10 five Glendora firearms").

11 42. On March 11, 2009, defendant GARCIA delivered the five
12 Glendora firearms to the CI.

13 43. On April 14, 2009, defendant GARCIA told the CI that
14 defendant CASTANEDA had several firearms for sale and that
15 defendant CASTANEDA would contact the CI directly regarding these
16 firearms.

17 44. On April 14, 2009, defendant CASTANEDA called the CI
18 and told the CI that defendant CASTANEDA had two AK-47-type
19 machineguns, two semi-automatic AK-47-type machineguns, and an
20 UZI-type machinegun for sale for \$1,300 each.

21 45. On April 15, 2009, defendant GARCIA met with the CI to
22 arrange for the purchase of firearms.

23 46. On April 15, 2009, defendant GARCIA directed the CI to
24 follow him to the location where the firearms were stored, and
25 defendant GARCIA led the CI to the location where the firearms
26 were stored.

27 47. On April 15, 2009, defendant GARCIA accepted \$4,050 in
28 payment for three firearms, namely: (1) a Chinese made unknown

1 model (AK-47-type) 7.62mm caliber machinegun, bearing serial
2 number 8414837; (2) a Ewbank Manufacturing model EMAKM (AK-47-
3 type) 7.62mm caliber rifle, bearing an obliterated serial number;
4 and (3) an AA Arms model AP9 (TEC-9-type) 9mm caliber pistol,
5 bearing serial number 033237 ("the three firearms").

6 48. On April 15, 2009, defendant GARCIA directed the CI
7 where to park his car so that two unknown males could load the
8 three firearms into the CI's car.

9 49. On May 21, 2009, defendant GARCIA told the CI that more
10 firearms were available for sale.

11 50. On May 21, 2009, defendant GARCIA told the CI to meet
12 defendant GARCIA at defendant GARCIA's residence and that
13 defendant GARCIA would direct the CI to the location where the
14 firearms were kept.

15 51. On May 21, 2009, defendant GARCIA directed the CI to
16 meet with "Steve" at "Steve's" residence at an address in Norco,
17 California.

18 52. On May 21, 2009, defendant BLANKS met with the CI at
19 defendant BLANKS' residence, located at the address in Norco,
20 California, that the CI had been given by defendant GARCIA.

21 53. On May 21, 2009, defendant BLANKS delivered two
22 firearms to the CI, namely: (1) a Ruger model Mini 14 .223
23 caliber bearing rifle, bearing serial number 18448516; and (2) a
24 Cobray M-11-type 9mm caliber machinegun, bearing no serial number
25 ("the two firearms").

26 54. On May 21, 2009, defendant BLANKS accepted \$2,400 in
27 payment from the CI for the two firearms.

28

COUNT TWO

[18 U.S.C. § 922(a)(1)(A)]

From on or about February 4, 2009, through on or about April 15, 2009, in Los Angeles and Riverside Counties, within the Central District of California, defendant EDGARDO PRADO CASTANEDA, also known as "Primo," not being a licensed importer, licensed manufacturer, or licensed dealer, knowingly engaged in the business of importing, manufacturing, and dealing in firearms as follows:

<u>DATE</u>	<u>FIREARMS</u>
February 4, 2009	(1) an Armalite Eagle Arms model M15A2 (AR-15-type) 5.56mm caliber rifle, bearing serial number 38818; and
	(2) an Olympic Arms, model MFR .223 caliber rifle, bearing serial number 6009.
February 24, 2009	(1) a Tanfoglio model Witness P .45 caliber pistol, bearing serial number EA01155;
	(2) a Tanfoglio model EA .380 caliber pistol, bearing serial number EA20334;
	(3) a Bersa model 383a .380 caliber pistol, bearing serial number 248032;
	(4) a Ruger model Single Six .22 caliber revolver, bearing serial number 435296;
	and
	(5) a Taurus, unknown model, .38 caliber revolver, bearing serial number 1814716.
February 25, 2009	(1) a Remington, model 13T .22 caliber rifle, bearing no serial number;

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FIREARMS

- (2) a Remington, model 14 .22 caliber rifle, bearing no serial number;
 - (3) a Marlin model 39A .22 caliber rifle, bearing serial number J12996;
 - (4) a Harrington and Richardson model Huntsman .45 caliber rifle, bearing serial number AJ268794;
 - (3) a Ruger model Mark I .22 caliber pistol, bearing serial number 11-02307;
 - (4) a Ruger, unknown model .22 caliber pistol, bearing serial number 113437; and
 - (5) a Ruger model Single Six .22 caliber revolver, bearing serial number 506422.
- April 15, 2009
- (1) a Chinese-made, unknown model (AK-47-type) 7.62mm caliber machinegun, bearing serial number 8414837;
 - (2) a Ewbank Manufacturing model EMAKM (AK-47-type) 7.62mm caliber rifle, with an obliterated serial number; and
 - (3) an AA Arms model AP9 (TEC 9-type) 9mm caliber pistol, bearing serial number 033237.

COUNT THREE

[18 U.S.C. § 922(g)(1)]

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2
3 On or about March 11, 2009, in Los Angeles County, within
4 the Central District of California, defendant VICENTE GARCIA,
5 also known as "Chevy" ("GARCIA"), knowingly possessed firearms,
6 namely: (1) a Mauser model Sabre 12-gauge shotgun, bearing
7 serial number M29477; (2) a Winchester model Defender 12-gauge
8 shotgun, bearing serial number L815968; (3) a Norinco AK-47-type
9 model MAK 90 Sporter 7.62mm caliber rifle, bearing serial number
10 9421951; and (4) an SWD model Streetsweeper 12-gauge shotgun,
11 bearing serial number 8063.

12 Such possession occurred after defendant GARCIA had been
13 convicted of a crime punishable by a term of imprisonment
14 exceeding one year, namely, Receiving Stolen Property in
15 violation of California Penal Code Section 496, in the Superior
16 Court of the State of California, County of Los Angeles, case
17 number KA054371, on or about November 1, 2001.

COUNT FOUR

[26 U.S.C. § 5861(d)]

On or about May 21, 2009, in Riverside County, within the Central District of California, defendant STEVEN SCOTT BLANKS ("BLANKS") knowingly possessed a firearm, namely, a Cobray M-11-type 9mm caliber machinegun, bearing no serial number, which defendant BLANKS knew to be a machinegun as defined in Title 26, United States Code, Section 5845(b), and which had not been registered to defendant BLANKS in the National Firearms Registration and Transfer Record, as required by Chapter 53, Title 26, United States Code.

A TRUE BILL

157

Foreperson

THOMAS P. O'BRIEN
United States Attorney

*Daniel A. Goodman, Asst U.S. Atty
Deputy Chief, Criminal Division, FDR:*

CHRISTINE C. EWELL
Assistant United States Attorney
Chief, Criminal Division

ROBERT E. DUGDALE
Assistant United States Attorney
Chief, Violent & Organized Crime Section

KEVIN M. LALLY
Assistant United States Attorney
Deputy Chief, Violent & Organized Crime Section

SHAWN J. NELSON
Special Assistant United States Attorney
Violent & Organized Crime Section

JUSTIN R. RHOADES
Assistant United States Attorney
Violent & Organized Crime Section