

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

UNITED STATES OF AMERICA

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CRIMINAL COMPLAINT

v.

Reynaldo BAZAN (1)  
 Saul BAZAN (2)  
 Obed MARTINEZ (3)  
 Carlos BAZAN (4)

CASE NO. 4:11-MJ-071

**AMENDED CRIMINAL COMPLAINT**

Complainant Brandon S. Chenault, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

**Conspiracy to Deal in Firearms  
 Without a License**

**From on or about October, 2010, until the return of this complaint, in the Fort Worth Division of the Northern District of Texas, and elsewhere, the defendants, Reynaldo BAZAN, Saul BAZAN, Obed MARTINEZ and Carlos BAZAN, each defendant not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did combine, conspire, confederate, and agree together willfully and unlawfully to engage in the business of dealing in firearms and in the course of such business to receive firearms in interstate commerce, and one or more of the said defendants did an act to effect the object of the conspiracy.**

**In violation of 18 U.S.C. § 371 and 922(a)(1)(A).**

I am a Special Agent assigned to the Fort Worth office of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). The information set out herein is based on my own investigation and statements and reports of the within named law enforcement officers.

1. Complainant, Brandon S. Chenault, is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Complainant is currently assigned to the Fort Worth, Texas Field Office of the ATF. Complainant has been a Special Agent for the ATF for the past ten years.

2. This complaint is based upon the Complainant's interviews of witnesses and review of physical evidence, and other information related to Complainant by Special Agents with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) and Special Agents with the Department of Homeland Security (ICE).

3. Sometime during October of 2010, Affiant was notified by a local Federally Licensed Firearm Dealer <sup>FF-1</sup> (FFL) of suspicious firearm purchases made by several individual appearing to be associated to each other. Information received from this FFL indicated that **Carlos BAZAN, Reynaldo BAZAN, Saul BAZAN and Obed MARTINEZ** had, on numerous occasions, purchased several similar assault type rifles with cash. On each occasion, the purchaser filled out ATF form 4473, stating that the persons buying the firearm was the true purchaser. The FFL further stated that the aforementioned suspects appeared to be associated due to the fact that each had, on at least one occasion, accompanied one or more of the above individuals while purchasing a firearm(s).

4. On January 25, 2011, ATF Special Agent (SA) Dan Kaase received information that several of the above individuals had also been purchasing firearms from various <sup>FFL-2</sup> [REDACTED] stores in the Tarrant County, Fort Worth, Texas area. An employee of <sup>FFL-2</sup> [REDACTED], which is also

an FFL, stated that he/she contacted ATF because of suspicious firearm purchases by **Carlos BAZAN, Reynaldo BAZAN, Saul BAZAN, and Obed MARTINEZ.**

This employee stated that on numerous occasions, the aforementioned suspects would accompany one another during the firearms purchases (different individuals on different occasions) and that they were buying multiple similar assault type weapons and paying in cash.

5. On January 25, 2011, ATF SA Dan Kaase received a call from <sup>FFL-1</sup> [REDACTED] T<sup>[REDACTED]</sup>, another FFL in Fort Worth, Texas, advising that **Saul BAZAN** had just arrived at the store and was in the process of purchasing firearms. Affiant, and additional ATF Agents, established surveillance around the location and waited for Saul BAZAN to depart the business.

6. While awaiting **Saul BAZAN's** departure, SA Kaase received another call from <sup>FFL-2</sup> [REDACTED] <sup>FFL-2</sup> [REDACTED] advising that an employee at an <sup>FFL-2</sup> [REDACTED] store in Fort Worth, TX notified them that a person identifying himself as **Reynaldo BAZAN** was at their store, in the process of <sup>FFL-2</sup> purchasing firearms. <sup>FFL-2</sup> [REDACTED] sold **Reynaldo BAZAN** two assault type rifles and related **Reynaldo BAZAN's** vehicle description and license plate to Kaase.

7. On this same date, ATF agents observed **Saul BAZAN** and attempted to follow him as he departed <sup>FFL-1</sup> [REDACTED] Fort Worth, TX. Due to traffic, **Saul BAZAN'S** vehicle was lost during the surveillance. ATF Surveillance units immediately drove to the residences identified by **Reynaldo BAZAN** and **Saul BAZAN** on their ATF 4473's Firearms Transaction Record Part I-Over-the

Counter forms. ATF Agents observed the vehicle driven by **Saul BAZAN**, as well as the vehicle which was described to SA Kaase by <sup>FEL-2</sup> [REDACTED] as being driven by **Reynaldo BAZAN**, at **Reynaldo BAZAN'S** residence at 733 Isbell, River Oaks, Texas.

8. On this same date, ATF established surveillance at the residence of 733 Isbell, Fort Worth, Texas. Later in the evening hours, approximately five (5) men, including **Reynaldo BAZAN** and **Saul BAZAN** were observed in the back yard area of the residence, where SA Kaase saw the men standing around what appeared to be a large fire in the back area of the yard. Complainant also witnessed the glow of a fire and an unknown individual carrying what appeared to be a gas can in the back yard area. There was a burn ban in effect at the time that the fire was witnessed. Complainant knows that the burning of firearms boxes, firearms manuals, and firearms receipts is a practice used by a previous group of firearms traffickers investigated by ATF, the Drug Enforcement Agency (DEA) and Immigration and Customs Enforcement (ICE) in the North Texas area.

9. DPS intelligence obtained from the Texas Work Force Commission indicated that **Carlos BAZAN** has no record for employment.

10. Intelligence information from ICE shows that **Saul BAZAN** has made five (5) border crossings mainly in the Brownsville, TX area from October 2010 through January 2, 2011, possibly using (2) different vehicles. An input error may be the cause of the discrepancy in the vehicles as the license plate numbers recorded are only one digit off. This vehicle is registered to **Saul BAZAN**. DPS

intelligence obtained from the Texas Work Force Commission shows that **Saul BAZAN** was employed by Palm Harbor Genpar LLC et al, Global Imaging Systems Inc., et 655 Richland Hills Dr., Ste 125, San Antonio, TX, 78245-2149, and Dambold & Wilson Pipeline Construction Inc., 2286 N. Cardinal Rd., Azle, TX 76020-6512. Approximate total wages over nine years from 2<sup>nd</sup> quarter 2001 through the 3<sup>rd</sup> quarter 2010 is \$99,764.58.

11. Intelligence information from ICE shows that **Reynaldo BAZAN** made one (1) border crossing in Brownsville, TX on January 3, 2011 using a vehicle registered in his name. DPS intelligence obtained from the Texas Work Force Commission shows that **Reynaldo BAZAN** worked for Universal Forest Products Hol Company inc., et al, Saint Louis, MO 63166-0283 (616) 364-6161. His estimated total wages from 2<sup>nd</sup> quarter 2009 through the 3<sup>rd</sup> quarter 2010 is \$92,216.18.

12. Intelligence information from ICE shows that **Obed MARTINEZ** has made no border crossings during the reported time period. DPS intelligence obtained from the Texas Work Force Commission shows that **Obed MARTINEZ** worked for Assured Personnel Inc., 3015 Avenue E, Arlington, TX 76011-5211 (817) 633-2500 and Universal Forest Products Hol Company inc., et al, Saint Louis, MO 63166-0283 (616) 364-6161. His estimated total wages from 3<sup>rd</sup> quarter 2008 through the 3<sup>rd</sup> quarter 2010 is \$51,219.09.

FFL - 1

13. On February 18, 2011, an employee of [REDACTED] contacted SA Kaase stating that firearms were being purchased at that time, by **Reynaldo** and **Saul BAZAN**. The employee told SA Kaase that they each had purchased two (2) rifles.

FFL - 1

14. SA Kaase, along with additional ATF and ICE Agents went to [REDACTED] before **BAZAN(s)** departure from the store. At approximately 1:50 pm, Agents observed **Reynaldo** and **Saul** leave the gun store carrying four black long gun cases and get into a red Ford pickup, Texas license plate number 97XHG5 (registered to **Saul BAZAN**). Agents followed the vehicle to **Reynaldo BAZAN's** residence, the premises located at 733 Isbell Rd, River Oaks, TX, where Complainant observed **Reynaldo** and **Saul BAZAN** each take two of the black gun cases into the residence, through the front door.

15. On March 17, 2011, Affiant was advised that a firearm purchased by **Reynaldo BAZAN** (Bushmaster, model XM15-E2S, .223 caliber rifle, serial number: BFI658675) had been recovered in Mexico. Information suggests that this firearm had been involved in an altercation with the Mexican Navy whereupon 8 individuals were killed. As of this date, to Complainant's knowledge none of the other firearms purchased by this group have been recovered.

16. From October 2010, through the present, the group has purchased approximately One Hundred and Twenty Nine firearms, and assorted ammunition with cash. The approximate total of cash funds expended by members of the group from October 2010 through the present is more than \$100,000.00. In this same six month timeframe, individually, **Reynaldo BAZAN** has purchased 43 firearms; **Saul BAZAN** has purchased 41 firearms; **Carlos BAZAN** has purchased 27 firearms; and **Obed MARTINEZ** has purchased 11 firearms.

17. A majority of the firearms purchased by the above group have been assault type rifles of similar make and caliber. Below is a list with the approximate number of similar make and caliber rifles collectively purchased by the group:

Forty one (41) Bushmaster .223 caliber/556mm rifles;  
Twenty one (21) DPMS .223 caliber/556mm rifles;  
Eleven (11) Rock River .223 caliber/556mm rifles;  
Fifteen (15) Smith & Wesson 223 caliber/556mm rifles;  
Six (6) 223 caliber/556mm rifles; and,  
Eleven (19) Century 7.62x39 rifles.

18. The above purchases were staggered among various FFL's and only purchased in small numbers, usually two (2) at a time. Complainant has queried ATF records for each of the above named defendants. None of the defendants, **Reynaldo BAZAN, Saul BAZAN, Obed MARTINEZ and Carlos BAZAN** holds a Federal license to deal in firearms.

19. I have not listed all the facts known to me regarding this case. I have only listed those facts I believe necessary to establish probable cause to believe that the defendants committed the crime listed above.



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Brandon S. Chenault  
Special Agent, ATF

Sworn to before me, and subscribed in my presence

March 24, 2011, at 11:04 a.m./p.m.

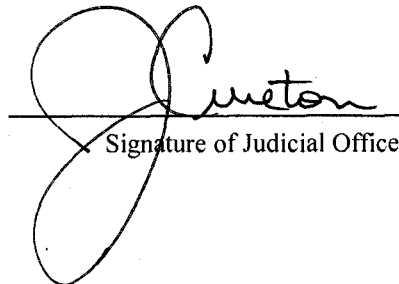
Date and Time Issued

at Fort Worth Texas

City and State

U. S. Magistrate Judge Jeffrey L. Cureton

Name and Title of Judicial Officer



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Signature of Judicial Officer