

unlawfully conspired with each other and with individuals known and unknown to the grand jury to:

a. defraud the United States by deceitful and dishonest means by impeding and obstructing the lawful government functions of the ATF in enforcing federal firearms laws and in preventing illegal firearms trafficking;

b. knowingly cause false representations to be made with respect to information required to be kept in the records of a federal firearms licensee, licensed under Chapter 44 of Title 18, United States Code, an offense against the United States in violation of Title 18, United States Code, Section 924(a)(1)(A).

Methods of the Conspiracy

2. It was part of the conspiracy that **OSWALDO RAFAEL BORREGO-RAMOS AKA: "BALDO", JOSE AURELIO TOBIAS AKA: "WAYO", GLORIA ESTHER ALMANZA,**

CARLOS PICAZIO, and ALEJANDRO RIVERA-RUIZ completed sales of firearms through individuals who falsely claimed to be the true purchasers of the firearms (the "Straw Purchasers"), disguising the identity of the true purchaser.

3. It was further part of the conspiracy that **OSWALDO RAFAEL BORREGO-RAMOS AKA: "BALDO", JOSE AURELIO TOBIAS AKA: "WAYO", GLORIA ESTHER ALMANZA**

CARLOS PICAZIO, and ALEJANDRO RIVERA-RUIZ would create and cause to be created records retained by licensed firearms dealers that

falsely represented the identities of the purchasers, concealing the identity of the true purchaser from ATF.

Overt Acts

4. In furtherance of the conspiracy and to accomplish its unlawful objectives, the following overt acts, among others, were committed in the Southern District of Texas:

a. **OSWALDO RAFAEL BORREGO-RAMOS AKA: "BALDO" and JOSE AURELIO TOBIAS AKA: "WAYO"** would choose firearms that they wanted to purchase but did not want to sign for on Form 4473 certifying each as the buyer of the firearm, and would pay for these firearms.

b. **OSWALDO RAFAEL BORREGO-RAMOS AKA: "BALDO" and JOSE AURELIO TOBIAS AKA: "WAYO"** recruited Straw Purchasers to pose as the true purchasers of the firearms listed in Counts TWO through EIGHT of this indictment.

c. **JOSE AURELIO TOBIAS AKA: "WAYO", GLORIA ESTHER ALMANZA**

CARLOS PICAZIO, and ALEJANDRO RIVERA-RUIZ made false representations to Kirkpatrick G&A, Jacaman Guns & Ammo, Academy #73, all of them being federal firearms licensees in Laredo, Texas, regarding the identities of the true purchasers of the firearms listed in Counts TWO through EIGHT in their respective log of firearms acquisitions and dispositions.

d. The offenses described in Counts TWO through EIGHT of this Indictment are hereby incorporated by reference and alleged as overt acts in furtherance of the conspiracy.

In violation of Title 18, United States Code, Section 371 and 924(a)(1)(A).

COUNT TWO
(False Statements in Firearm Transactions)

On or about November 9, 2010, in the Southern District of Texas, **Defendant,**

JOSE AURELIO TOBIAS AKA: "WAYO",

in connection with the acquisition of a firearm, that is a Bushmaster, model XM15-E2S, a semi-automatic rifle in .223 caliber, serial number _____ knowingly aided, abetted, and willfully caused the making of false statements and representations with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Kirkpatrick G&A. Specifically, **JOSE AURELIO TOBIAS AKA: "WAYO"** certified that she was the actual buyer of the firearm when in fact, as **JOSE AURELIO TOBIAS AKA: "WAYO"** knew, these statements were false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT THREE
(False Statements in Firearm Transactions)

On or about January 5, 2012, in the Southern District of Texas, **Defendant,**

GLORIA ESTHER ALMANZA,

in connection with the acquisition of a firearm, that is a Century Arms, WASR-10, a semi-automatic rifle in 7.62x39 millimeter, serial number _____, knowingly aided, abetted, and willfully caused the making of false statements and representations with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Jacaman Guns & Ammo. Specifically, **GLORIA ESTHER ALMANZA** certified

that she was the actual buyer of the firearm when in fact, as **GLORIA ESTHER ALMANZA** knew, these statements were false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT FOUR
(False Statements in Firearm Transactions)

On or about November 6, 2010, in the Southern District of Texas, **Defendant**,

in connection with the acquisition of a firearm, that is a Beretta, model 92FS, a semi-automatic pistol in 9 millimeter, serial number . . . knowingly aided, abetted, and willfully caused the making of false statements and representations with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Kirkpatrick G&A. Specifically, . . . certified that he was the actual buyer of the firearm when in fact, as . . . knew, these statements were false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT FIVE
(False Statements in Firearm Transactions)

On or about January 28, 2011, in the Southern District of Texas, **Defendant**,

in connection with the acquisition of a firearm, that is a High Standard, model HAS-15, a semi-automatic rifle in .223 caliber, serial number . . . knowingly aided, abetted, and willfully

caused the making of false statements and representations with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Jacaman Guns and Ammo. Specifically, _____ certified that he was the actual buyer of the firearm when in fact, as _____ knew, these statements were false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT SIX
(False Statements in Firearm Transactions)

On or about February 4, 2011, in the Southern District of Texas, **Defendant,**

in connection with the acquisition of a firearm, that is a Bushmaster, XM15-E2S, a semi-automatic rifle in .223 caliber, serial number _____, knowingly aided, abetted, and willfully caused the making of false statements and representations with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Jacaman Guns and Ammo. Specifically, _____ certified that he was the actual buyer of the firearm when in fact, as _____ knew, these statements were false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT SEVEN
(False Statements in Firearm Transactions)

On or about January 5, 2012, in the Southern District of Texas, **Defendant,**

CARLOS PICAZIO,

in connection with the acquisition of a firearm, that is a Century International Arms, model WASR-10, a semi-automatic rifle in 7.62x39 millimeter, serial number _____ knowingly aided, abetted, and willfully caused the making of false statements and representations with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Jacaman Guns and Ammo. Specifically, **CARLOS PICAZIO** certified that he was the actual buyer of the firearm when in fact, as **CARLOS PICAZIO** knew, these statements were false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT EIGHT
(False Statements in Firearm Transactions)

On or about November 20, 2010, in the Southern District of Texas, **Defendant,**

ALEJANDRO RIVERA-RUIZ,

in connection with the acquisition of a firearm, that is a Del Ton Inc., model DTI-15, a semi-automatic rifle in .223 caliber, serial number _____ knowingly aided, abetted, and willfully caused the making of false statements and representations with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Jacaman Guns & Ammo. Specifically, **ALEJANDRO RIVERA-RUIZ** certified that he was the

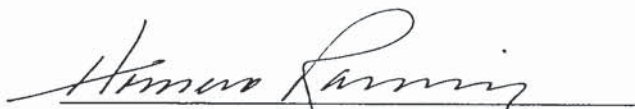
actual buyer of the firearm when in fact, as **ALEJANDRO RIVERA-RUIZ** knew, these statements were false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

A TRUE BILL:

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ORIGINAL SIGNATURE ON FILE

KENNETH MAGIDSON
UNITED STATES ATTORNEY



JOSE HOMERO RAMIREZ
Assistant United States Attorney

