

REDACTED COPY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

FILED

2011 AP 13 PM 1:47

WESTERN DISTRICT OF TEXAS
U.S. CLERK'S OFFICE

UNITED STATES OF AMERICA

§ Cause No.:

§
§

INDICTMENT

v.

§
§

[Vio: COUNTS ONE & FOUR: 18
U.S.C. §§ 922(a)(6) & 2, Aiding and
Abetting False Statement in Acquisition of
Firearm; COUNTS TWO & FIVE: 18
U.S.C. §922(g)(1) & §924(a)(2), Felon in
Possession of a Firearm; COUNT
THREE: 18 U.S.C. § 922(a)(6), False
Statement in Acquisition of Firearm.]

ISRAEL CANTU
MARIA MONTELONGO ZAVALA
JOSE YTUARTE

§
§

BY: _____ DEPUTY

THE GRAND JURY CHARGES:

DRI 1 CR0661

COUNT ONE

[18 U.S.C. §§ 922(a)(6), 924(a)(2), & 2]

On or about July 9, 2010, in the Western District of Texas, the Defendant,

ISRAEL CANTU

in connection with the acquisition of a firearm, a Romanian WASR-10 7.62 x 39 rifle, serial number 1988-ACT 3528, from Day Arms Corporation, a federally licensed firearms dealer, did knowingly aid and abet the making of a false and fictitious oral or written statement, which statement was intended and likely to deceive the dealer as to a fact material to the lawfulness of such sale of the said firearm, in that the Defendant aided and abetted Maria Montelongo Zavala, who represented that she was the actual buyer of the firearm, when in fact she was not the actual buyer of the firearm; in violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.

COUNT TWO

[18 U.S.C. §922(g)(1) & §924(a)(2)]

That on or about July 9, 2010, in the Western District of Texas, Defendant,

ISRAEL CANTU

having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: the Defendant was convicted in the 290th District Court of Bexar County, Texas, of Unauthorized Use of a Vehicle, in Cause No. 2000-CR-4122w; and the Defendant was convicted in the 144th District Court of Bexar County, Texas, of Theft of Property Greater than \$20,000, in Cause No. 2003-CR-9546; did knowingly possess in and affecting commerce a firearm, a Romanian WASR-10 7.62 x 39 rifle, serial number 1988-ACT 3528, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT THREE

[18 U.S.C. §§ 922(a)(6) & 924(a)(2)]

On or about July 9, 2010, in the Western District of Texas, the Defendant,

MARIA MONTELONGO ZAVALA

in connection with the acquisition of a firearm, a Romanian WASR-10 7.62 x 39 rifle, serial number 1988-ACT 3528, from Day Arms Corporation, a federally licensed firearms dealer, knowingly made a false and fictitious oral or written statement, which statement was intended and likely to deceive the dealer as to a fact material to the lawfulness of such sale of the said firearm to the Defendant, in that the Defendant represented that she was the actual buyer of the firearm, when in fact she was not the actual buyer of the firearm; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT FOUR

[18 U.S.C. §§ 922(a)(6), 924(a)(2), & 2]

On or about July 17, 2010, in the Western District of Texas, the Defendant,

JOSE YTUARTE

in connection with the acquisition of a firearm, a Romanian WASR-10 7.62 x 39 rifle, serial number

1972 CC 0989, from Day Arms Corporation, a federally licensed firearms dealer, did knowingly aid and abet the making of a false and fictitious oral or written statement, which statement was intended and likely to deceive the dealer as to a fact material to the lawfulness of such sale of the said firearm, in that the Defendant aided and abetted Amanda Torres Ytuarte, who represented that she was the actual buyer of the firearm, when in fact she was not the actual buyer of the firearm; in violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.

COUNT FIVE
[18 U.S.C. §922(g)(1) & §924(a)(2)]

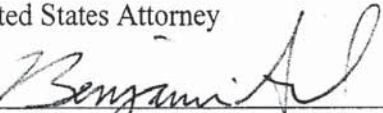
That on or about March 10, 2011, in the Western District of Texas, Defendant,

JOSE YTUARTE

having been convicted of a crime punishable by imprisonment for a term exceeding one year, to wit: the Defendant was convicted on or about March 8, 2004, in the 186th District Court of Bexar County, Texas, of Possession of a Controlled Substance; did knowingly possess in and affecting commerce a firearm, a Beretta, Model M-9, 9mm pistol, serial number 1206354, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

A TRUE BILL.

JOHN E. MURPHY
United States Attorney

By: 
BENJAMIN D. SEAL
Assistant United States Attorney

SEALED:
UNSEALED: XX

PERSONAL DATA SHEET
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

DR11CR0661

COUNTY: Bexar

USAO#: 2011R03676

DATE: April 13, 2011

MAG. CT. #: MATTER

AUSA: BENJAMIN D. SEAL

DEFENDANT: ISRAEL CANTU

CITIZENSHIP: United States

INTERPRETER NEEDED: No

Language: English

DEFENSE ATTORNEY: Not assigned yet

ADDRESS OF ATTORNEY: Not assigned yet

DEFENDANT IS: _____

DATE OF ARREST: _____

BENCH WARRANT NEEDED: _____

PROBATION OFFICER: N/A

NAME AND ADDRESS OF SURETY: N/A

YOUTH CORRECTIONS ACT APPLICABLE: NO

PROSECUTION BY: INDICTMENT

OFFENSE: (Code & Description): COUNT 1: 18 U.S.C. §§ 922(a)(6) & 2, Aiding and Abetting False Statement in Acquisition of Firearm; COUNT 2: 18 U.S.C. §922(g)(1) & §924(a)(2), Felon in Possession of Firearm.

OFFENSE IS A: FELONY

MAXIMUM SENTENCE: On all counts: 10 years imprisonment; a \$250,000 fine; 3 years of supervised release; and a \$100 special assessment.

PENALTY IS MANDATORY: YES & NO

REMARKS: See above W/DT-CR-3

SEALED:
UNSEALED: XX

PERSONAL DATA SHEET
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

DR11CR0661

COUNTY: Bexar

USAO#: 2011R03676

DATE: April 13, 2011

MAG. CT. #: MATTER

AUSA: BENJAMIN D. SEAL

DEFENDANT: MARIA MONTELONGO ZAVALA

CITIZENSHIP: United States

INTERPRETER NEEDED: No

Language: English

DEFENSE ATTORNEY: Not assigned yet

ADDRESS OF ATTORNEY: Not assigned yet

DEFENDANT IS: _____ DATE OF ARREST: _____

BENCH WARRANT NEEDED _____

PROBATION OFFICER: N/A

NAME AND ADDRESS OF SURETY: N/A

YOUTH CORRECTIONS ACT APPLICABLE: NO

PROSECUTION BY: INDICTMENT

OFFENSE: (Code & Description): COUNT 3: 18 U.S.C. § 922(a)(6), False Statement in Acquisition of Firearm.

OFFENSE IS A: FELONY

MAXIMUM SENTENCE: On all counts: 10 years imprisonment; a \$250,000 fine; 3 years of supervised release; and a \$100 special assessment.

PENALTY IS MANDATORY: YES & NO

REMARKS: See above W/DT-CR-3

SEALED:
UNSEALED: XX

PERSONAL DATA SHEET
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

DR11CR0661

COUNTY: Bexar

USAO#: 2011R03676

DATE: April 13, 2011

MAG. CT. #: MATTER

AUSA: BENJAMIN D. SEAL

DEFENDANT: JOSE YTUARTE

CITIZENSHIP: United States

INTERPRETER NEEDED: No

Language: English

DEFENSE ATTORNEY: Not assigned yet

ADDRESS OF ATTORNEY: Not assigned yet

DEFENDANT IS: _____ DATE OF ARREST: _____

BENCH WARRANT NEEDED: _____

PROBATION OFFICER: N/A

NAME AND ADDRESS OF SURETY: N/A

YOUTH CORRECTIONS ACT APPLICABLE: NO

PROSECUTION BY: INDICTMENT

OFFENSE: (Code & Description): COUNT 4: 18 U.S.C. §§ 922(a)(6) & 2, Aiding and Abetting False Statement in Acquisition of Firearm; COUNT 5: 18 U.S.C. §922(g)(1) & §924(a)(2), Felon in Possession of Firearm.

OFFENSE IS A: FELONY

MAXIMUM SENTENCE: On all counts: 10 years imprisonment; a \$250,000 fine; 3 years of supervised release; and a \$100 special assessment.

PENALTY IS MANDATORY: YES & NO

REMARKS: See above W/DT-CR-3