

AO 91 (Rev. 08/09) Criminal Complaint

**FILED**

**UNITED STATES DISTRICT COURT**

AUG 25 2010

for the

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature]  
DEPUTY CLERK

United States of America )

v. )

Marino CASTRO )

Case No. 2010-6541M-01

\_\_\_\_\_  
*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 23, 2010 in the county of Bexar in the  
Western District of Texas, the defendant(s) violated:

*Code Section*

Title 18 U.S.C, 371 to commit  
U.S.C. Section(s) 922(a)(6)

*Offense Description*

Conspiracy to provide false statements to a Federal  
Firearms Licensed dealer

This criminal complaint is based on these facts:

Continued on the attached sheet.

[Signature]  
*Complainant's signature*

Ronaldo J. Saenz/Special Agent, ICE

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 08/25/2010

[Signature]  
*Judge's signature*

City and state: Del Rio, Texas

U. S. Magistrate Judge

*Printed name and title*

**Victor Roberto García**  
**U.S. Magistrate Judge**

DR10-6581m-01

**United States vs. Marino CASTRO**

**AFFIDAVIT**

Your affiant, being duly sworn does depose and say:

That I am currently employed as a Special Agent with Immigration and Customs Enforcement and have been so employed for three years and I set forth the following information as probable cause to believe Marino CASTRO is in violation of 18 U.S.C. Sections 371 and 922(a)(6). This affidavit reflects the results of your affiant's investigation.

That on June 23, 2010, CASTRO asked a cooperating person (CP) to purchase firearms. The CP stated CASTRO would pay he/she \$200 for every gun purchased. After CP agreed, CASTRO instructed he/she to buy AK-47 rifles. CP stated CASTRO would call an individual named "Ron" to set up the firearm purchase.

That on the following day, the individual named "Ron" picked up CP with another associate and drove them to a Federal Firearms Licensee (FFL) and CP purchased three AK-47 rifles for CASTRO. CP admitted to filling out the ATF background form at the premises of the FFL in order to obtain the rifles. CP stated he/she was aware that it was illegal to purchase a firearm for another individual.

That "Ron" drove he/she and the associate back to CASTRO and CP provided the change to CASTRO and in return CASTRO paid CP \$400 for purchasing the firearms.

That ATF Special Agent Espinosa obtained the ATF F 4473 completed by CP from the FFL.

That on November 20, 2009, CASTRO was convicted for Illegal Transportation of Aliens for Commercial Advantage or Private financial gain and received nine months to be confined with the Bureau of Prisons and 36 months to supervised release.

Ronaldo J. Saenz  
Special Agent Immigration  
and Customs Enforcement