

UNITED STATES DISTRICT COURT

United States District Court
Southern District of Texas
FILED

SOUTHERN DISTRICT OF TEXAS

AUG 14 2012 BM

LAREDO DIVISION

David J. Bradley, Clerk
Laredo Division

UNITED STATES OF AMERICA

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v.

ROBERT JACAMAN SR.
VERONICA JACAMAN

CRIMINAL NO.

L-12-0750

JOSE LUIS ESTRADA
CARLOS PICAZIO
MARIO RODRIGUEZ

INDICTMENT

THE GRAND JURY CHARGES THAT:

Introduction

1. A Federal Firearms Licensee ("FFL") is a business licensed under Chapter 44 of Title 18, United States Code, to engage in the business of dealing in firearms, ammunition, and firearms components.

2. At all times relevant to this indictment, **ROBERT JACAMAN SR.**, doing business as **JACAMAN GUNS AND AMMO**, is a dealer in firearms, ammunition, and firearms components, including high capacity firearm magazines, licensed under the provisions of Chapter 44 of Title 18 of the United States Code. **JACAMAN GUNS AND AMMO** is located in Laredo, Texas. **VERONICA JACAMAN** is an employee of **JACAMAN GUNS AND AMMO**.

3. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), is an agency within the United States Department of Justice. As part of its lawful functions,

ATF is responsible for enforcing federal firearms laws and preventing illegal firearms and ammunition trafficking. ATF issues licenses to firearms dealers and issues regulations governing the sale and distribution of firearms and ammunition.

4. Federal law prohibits certain categories of individuals, such as aliens illegally or unlawfully in the United States, aliens admitted into the United States under a nonimmigrant visa, and individuals convicted of a crime punishable by a term of imprisonment exceeding one year, from possessing firearms and ammunition in or affecting interstate commerce.

5. For this reason, firearms dealers are required to obtain information about the identity of individuals who sought to purchase firearms. Dealers are required to have each individual seeking to purchase a firearm complete an ATF Form 4473, or Firearms Transaction Record. The ATF Form 4473 requires the purchaser to provide his or her name, address, and other identifying information. The purchaser is also required to present valid government-issued photo identification to the dealer.

6. Federal law prohibits persons, including dealers, from selling or otherwise disposing of firearms and ammunition to certain categories of individuals, such as aliens illegally or unlawfully in the United States, aliens admitted into the United States under a nonimmigrant visa, and individuals convicted of a crime punishable by a term of imprisonment exceeding one year.

7. Only those persons possessing an export license from either the United States Department of State or the United States Department of Commerce may legally export certain ammunition and firearm components from the United States, including

ammunition in .223 caliber, 5.56mm, 7.62x39mm, and .40 caliber, and firearm components such as high capacity firearm magazines for AK-47 type rifles and AR-15 type rifles.

8. At all times relevant to this indictment, Defendants **ROBERT JACAMAN SR., VERONICA JACAMAN,** **JOSE LUIS ESTRADA, CARLOS PICAZIO, MARIO RODRIGUEZ,** and other persons known and unknown to the Grand Jurors, did not have, an export license from either the United States Department of State or the United States Department of Commerce.

COUNT ONE

(Conspiracy to Smuggle Ammunition and Firearm Magazines to Mexico)

1. The allegations of the Introduction to this Indictment are repeated and incorporated by reference.

2. From on or about January 11, 2012, the exact date being unknown, and continuing until on or about July 3, 2012, the exact date being unknown, in the Southern District of Texas, Laredo Division, the defendants,

**ROBERT JACAMAN SR.,
VERONICA JACAMAN,**

**JOSE LUIS ESTRADA,
CARLOS PICAZIO, and
MARIO RODRIGUEZ**

willfully, knowing, and 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 United States Customs Officers in enforcing export laws and in preventing illegal ammunition and high capacity firearm magazine smuggling;

b. fraudulently and knowingly export and send, and attempt to export and send from the United States to the Republic of Mexico, any merchandise, article, and object, that is: .223 caliber and 7.62x39mm ammunition, and high capacity firearm magazines in .223 caliber and 7.62x39mm, designed to fit AR15-type and AK47-type firearms, contrary to the laws and regulations of the United States, and did receive, conceal, buy, sell, and facilitate the transportation and concealment of said merchandise, articles, and objects prior to exportation, knowing the same to be intended for exportation contrary to said laws and regulations of the United States in violation of Title 18, United States Code, Section 554.

Methods of the Conspiracy

3. It was further part of the conspiracy that **ROBERT JACAMAN SR. and VERONICA JACAMAN** acquired large quantities of ammunition and high-capacity firearms magazines for sale and delivery to persons known to the Grand Jury, and to persons sent by persons known to the Grand Jury, including

JOSE LUIS ESTRADA, CARLOS PICAZIO, MARIO RODRIGUEZ, and other persons known and unknown to the Grand Jurors, who bought and facilitated the transportation, concealment, and sale of ammunition and firearm

magazines prior to exportation, knowing the ammunition and high capacity firearms magazines were intended to be exported to Mexico.

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. On or about January 11, 2012, **JOSE LUIS ESTRADA** hired **CARLOS PICAZIO** to drive to JACAMAN GUNS AND AMMO and pick up 9,500 rounds of 7.62x39mm ammunition.
 - b. On or about January 11, 2012, **CARLOS PICAZIO** drove to JACAMAN GUNS AND AMMO and picked up 9,500 rounds of 7.62x39mm ammunition.
 - c. On or about January 11, 2012, **JOSE LUIS ESTRADA** and **CARLOS PICAZIO** transferred the 9,500 rounds of 7.62x39mm ammunition to another vehicle and took the ammunition to a waiting semi-tractor and trailer with Mexican license plates located near an international bridge.
 - d. On or about February 29, 2012, **ROBERT JACAMAN SR.** ordered 40,000 rounds of .223 caliber ammunition from an out of state supplier of ammunition.
 - e. On or about March 14, 2012, persons known to the Grand Jury drove to JACAMAN GUNS AND AMMO, and asked **ROBERT JACAMAN SR. and VERONICA JACAMAN**, for "Baldo's" shipment.

f. On or about March 14, 2012, **ROBERT JACAMAN SR. and VERONICA JACAMAN** delivered 27,000 rounds of .223 caliber ammunition to persons known to the Grand Jury.

g. On or about March 29, 2012, **MARIO RODRIGUEZ** drove to JACAMAN GUNS AND AMMO and picked up 603 high capacity firearm magazines for .223 caliber, and 55 high capacity firearm magazines for 7.62mm.

h. On or about April 4, 2012,
drove to JACAMAN GUNS AND AMMO, picked up 130 high capacity firearm magazines for .223 caliber and 7.62mm, and left his car in downtown Laredo, with the firearm magazines in the car.

j. The offenses described in Counts TWO, and SEVEN through ELEVEN 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 554.

COUNT TWO
(Sale or Transfer to a Prohibited Person)

On or about March 14, 2012, in the Southern District of Texas, defendants

ROBERT JACAMAN SR. and
VERONICA JACAMAN,

aiding and abetting each other, knowingly sold and otherwise disposed of ammunition, that is, 27,000 rounds of .223 caliber, to a person known to the Grand Jury, knowing and

having reasonable cause to believe that the person known to the Grand Jury was an alien illegally and unlawfully in the United States.

In violation of Title 18, United States Code, Sections 922(d)(5)(A) and 924(a)(2), and 2.

COUNT THREE
(Sale or Transfer to a Prohibited Person)

On or about June 20, 2012, in the Southern District of Texas, defendants

ROBERT JACAMAN SR. and
VERONICA JACAMAN,

aiding and abetting each other, knowingly sold and otherwise disposed of ammunition, that is, 800 rounds of .223 caliber, to a person known to the Grand Jury, knowing and having reasonable cause to believe that a person known to the Grand Jury had been convicted of a crime punishable by imprisonment for a term exceeding one year.

In violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2), and 2.

COUNT FOUR
(Sale or Transfer to a Prohibited Person)

On or about June 26, 2012, in the Southern District of Texas, defendants

ROBERT JACAMAN SR., and
VERONICA JACAMAN,

aiding and abetting each other, knowingly sold and otherwise disposed of ammunition, that is, 1,000 rounds of .223 caliber, and 1,000 rounds of 7.62x39mm to a person known to the Grand Jury, knowing and having reasonable cause to believe that a person known

to the Grand Jury was an alien admitted into the United States under a nonimmigrant visa.

In violation of Title 18, United States Code, Sections 922(d)(5)(B) and 924(a)(2), and 2.

COUNT FIVE
(Sale or Transfer to a Prohibited Person)

On or about June 29, 2012, in the Southern District of Texas, defendants

ROBERT JACAMAN SR. and
VERONICA JACAMAN,

aiding and abetting each other, knowingly sold and otherwise disposed of ammunition, that is, 2,000 rounds of .223 caliber, to a person known to the Grand Jury, knowing and having reasonable cause to believe that a person known to the Grand Jury had been convicted of a crime punishable by imprisonment for a term exceeding one year.

In violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2), and 2.

COUNT SIX
(Sale or Transfer to a Prohibited Person)

On or about June 29, 2012, in the Southern District of Texas, defendants

ROBERT JACAMAN SR. and
VERONICA JACAMAN,

aiding and abetting each other, knowingly sold and otherwise disposed of a firearm, that is, a CMMG, Model 4SA, semi-automatic rifle, serial number _____ to a person known to the Grand Jury, knowing and having reasonable cause to believe that a person

known to the Grand Jury had been convicted of a crime punishable by imprisonment for a term exceeding one year.

In violation of Title 18, United States Code, Sections 922(d)(1) and 924(a)(2), and 2.

**COUNT SEVEN
(ILLEGAL EXPORT OF AMMUNITION)**

On or about January 11, 2012, in the Southern District of Texas, defendants

**ROBERT JACAMAN SR.,
VERONICA JACAMAN,
JOSE LUIS ESTRADA, and
CARLOS PICAZIO,**

aiding and abetting each other, did knowingly export and send and attempt to export and send from the United States to the Republic of Mexico, merchandise, articles or goods: that is, nine thousand five hundred (9,500) rounds of 7.62x39mm ammunition, contrary to the laws and regulations of the United States, to wit, Title 22, United States Code, Section 2778(b)(2) and Section 2778(c), and Title 22, Code of Federal Regulations, Section 121.1, 123.1, and 127.1, which prohibit any defense article which appears on the United States Munitions List without first obtaining a license and approval from the Department of State, and did receive, conceal, buy, sell, and in any manner did facilitate the transportation, concealment, and sale of such merchandise, article, and object, knowing the same to be intended for exportation contrary to said laws and regulations of the United States.

In violation of Title 18, United States Code, Sections 554 and 2, and Title 22, United States Code, Section 2778.

**COUNT EIGHT
(ILLEGAL EXPORT OF AMMUNITION)**

On or about March 14, 2012, in the Southern District of Texas, defendants

**ROBERT JACAMAN SR., and
VERONICA JACAMAN,**

aiding and abetting each other, did knowingly export and send and attempt to export and send from the United States to the Republic of Mexico, merchandise, articles or goods: that is, twenty seven thousand (27,000) rounds of .223 caliber ammunition, contrary to the laws and regulations of the United States, to wit, Title 22, United States Code, Section 2778(b)(2) and Section 2778(c), and Title 22, Code of Federal Regulations, Section 121.1, 123.1, and 127.1, which prohibit any defense article which appears on the United States Munitions List without first obtaining a license and approval from the Department of State, and did receive, conceal, buy, sell, and in any manner did facilitate the transportation, concealment, and sale of such merchandise, article, and object, knowing the same to be intended for exportation contrary to said laws and regulations of the United States.

In violation of Title 18, United States Code, Sections 554 and 2, and Title 22, United States Code, Section 2778.

**COUNT NINE
(ILLEGAL EXPORT OF FIREARM MAGAZINES)**

On or about March 29, 2012, in the Southern District of Texas, defendants

**ROBERT JACAMAN SR.,
VERONICA JACAMAN, and
MARIO RODRIGUEZ,**

aiding and abetting each other, did knowingly export and send and attempt to export and send from the United States to the Republic of Mexico, merchandise, articles or goods: that is, approximately 658 high-capacity assault rifle magazines, contrary to the laws and regulations of the United States, to wit, Title 22, United States Code, Section 2778(b)(2) and Section 2778(c), and Title 22, Code of Federal Regulations, Section 121.1, 123.1, and 127.1, which prohibit any defense article which appears on the United States Munitions List without first obtaining a license and approval from the Department of State, and did receive, conceal, buy, sell, and in any manner did facilitate the transportation, concealment, and sale of such merchandise, article, and object, knowing the same to be intended for exportation contrary to said laws and regulations of the United States.

In violation of Title 18, United States Code, Sections 554 and 2, and Title 22, United States Code, Section 2778.

**COUNT TEN
(ILLEGAL EXPORT OF FIRARM MAGAZINES)**

On or about April 4, 2012, in the Southern District of Texas, defendants

**ROBERT JACAMAN SR.,
VERONICA JACAMAN, and**

aiding and abetting each other, did knowingly export and send and attempt to export and send from the United States to the Republic of Mexico, merchandise, articles or goods: that is, 130 high-capacity assault rifle magazines, contrary to the laws and regulations of

the United States, to wit, Title 22, United States Code, Section 2778(b)(2) and Section 2778(c), and Title 22, Code of Federal Regulations, Section 121.1, 123.1, and 127.1, which prohibit any defense article which appears on the United States Munitions List without first obtaining a license and approval from the Department of State, and did receive, conceal, buy, sell, and in any manner did facilitate the transportation, concealment, and sale of such merchandise, article, and object, knowing the same to be intended for exportation contrary to said laws and regulations of the United States.

In violation of Title 18, United States Code, Sections 554 and 2, and Title 22, United States Code, Section 2778.

**COUNT ELEVEN
(ILLEGAL EXPORT OF AMMUNITION)**

On or about June 26, 2012, in the Southern District of Texas, defendants

**ROBERT JACAMAN SR., and
VERONICA JACAMAN,**

aiding and abetting each other, did knowingly export and send and attempt to export and send from the United States to the Republic of Mexico, merchandise, articles or goods: that is, one thousand (1,000) rounds of .223 caliber ammunition, and one thousand (1,000) rounds of 7.62x39mm ammunition, contrary to the laws and regulations of the United States, to wit, Title 22, United States Code, Section 2778(b)(2) and Section 2778(c), and Title 22, Code of Federal Regulations, Section 121.1, 123.1, and 127.1, which prohibit any defense article which appears on the United States Munitions List without first obtaining a license and approval from the Department of State, and did

receive, conceal, buy, sell, and in any manner did facilitate the transportation, concealment, and sale of such merchandise, article, and object, knowing the same to be intended for exportation contrary to said laws and regulations of the United States.

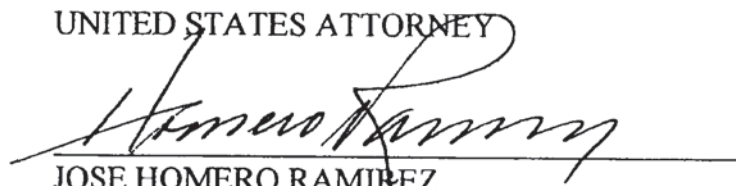
In violation of Title 18, United States Code, Sections 554 and 2, and Title 22, United States Code, Section 2778.

A TRUE BILL:

ORIGINAL SIGNATURE ON FILE

FOREMAN OF THE GRAND JURY

KENNETH MAGIDSON
UNITED STATES ATTORNEY



JOSE HOMERO RAMIREZ
Assistant United States Attorney

MGM

USA-74-24b
(Rev. 6-1-71)

LAREDO DIVISION

FILE: 2012R19224

INDICTMENT

CRIMINAL DOCKET

NO. _____

Filed: **AUG 14 2012**

Judge: _____

UNITED STATES OF AMERICA

ATTORNEYS:

KENNETH MAGIDSON, USA
JOSE HOMERO RAMIREZ, AUSA

VS.

Appt'd Private

ROBERT JACAMAN SR.

VERONICA JACAMAN

JOSE LUIS ESTRADA

CARLOS PICAZIO

MARIO RODRIGUEZ

MGM

- CHARGE: Ct. 1: Conspiracy to Defraud the United States of America [18 U.S.C. 371]
(TOTAL) Ct. 2: Sale of Ammo to alien [18 USC 922(d)(5)(A)]
COUNTS: Ct. 3: Sale of Ammo to convicted felon [18 USC 922(d)(1)]
(11) Ct. 4: Sale of Ammo to alien [18 USC 922(d)(5)(B)]
Ct. 5: Sale of Ammo convicted felon [18 USC 922(d)(1)]
Ct. 6: Sale of Firearms to convicted felon [18 USC 922(d)(1)]
Ct. 7-11: Smuggling Goods from the United States [18 U.S.C. 554 and 22 U.S.C. 2778]

- PENALTY: Cts. 1: 5 Yrs. and/or \$250,000.00, \$100 Spec Assessment
Not more than 3 years Supervise Release
- Cts. 2-6: 10 years and/ or 250,000.00, \$100 Spec Assessment
Not more than 3 years Supervise Release
- Cts. 7-11 10 years and /or 250,000.00, \$100 Spec Assessment
Not more than 3 years Supervise Release

In Jail: _____ NAME & ADDRESS

On Bond: _____ of County
PROCEEDINGS:

No Arrest: _____

