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**Kenneth J. Gonzales, United States
Attorney**

Contact: Terri Abernathy, Senior Litigation
Counsel

575-522-2338 ext. 233

terri.abernathy@usdoj.gov

BORDER PATROL AGENT AND GIRLFRIEND ARRESTED ON FEDERAL FIREARMS TRAFFICKING CHARGES FILED IN TEXAS

LAS CRUCES – U.S. Attorney Kenneth J. Gonzales for the District of New Mexico announced that a federal grand jury sitting in the El Paso Division of the U.S. District Court for the Western District of Texas has [indicted](#) Ricardo Montalvo, 28, and Carla Gonzales-Ortiz, 29, both residents of El Paso, Tex., on conspiracy, firearms and smuggling charges.

Montalvo is an agent with the U.S. Border Patrol who has been on administrative desk duty since January 2011, when the investigation into the case was initiated. Montalvo's girlfriend, Gonzales-Ortiz, is a Mexican citizen who is a legal permanent resident. Montalvo and Gonzales-Ortiz were arrested without incident this morning, and will make their initial appearances tomorrow before a U.S. Magistrate Judge in the El Paso Division of the U.S. District Court for the Western District of Texas.

Montalvo and Gonzales-Ortiz are charged in a 20-count indictment, which was filed under seal on April 4, 2012, and was unsealed earlier today. The indictment alleges that, between November 2010 and January 2011, Montalvo and Gonzales-Ortiz participated in a conspiracy to illegally purchase firearms, ammunition and high-capacity magazines of the type for which there was a ready market among the Mexican Cartels. The defendants allegedly made these purchases knowing that the firearms, ammunition and magazines were intended to be illegally exported to Mexico.

During the three-month period covered by the indictment, Montalvo, Gonzales-Ortiz and others allegedly obtained nine firearms by falsely claiming that they were the actual purchasers of the firearms, when in fact they were acting as "straw purchasers" who were buying the firearms on behalf of others. According to the indictment, Montalvo allegedly purchased approximately 20,000 rounds of ammunition and 97 high-capacity magazines, including ten 100-round magazines for 5.56 mm rifles and ten 75-round drum magazines for 7.62x39 mm rifles, during this period. Montalvo also allegedly purchased four 37 mm flare launchers, which are desired by Mexican Cartels because they may be converted easily into grenade launchers.

The indictment charges Montalvo and Gonzales-Ortiz with conspiracy to make false statements in connection with the acquisition of firearms and smuggling goods out of the United States. If convicted of this charge, each defendant could receive a sentence of five years of imprisonment and a \$250,000 fine. The indictment also charges Montalvo with seven counts of making false statements during the purchase of a firearm and Gonzales-Ortiz with two count of making false statements during the purchase of a firearm. A conviction on any one of these false statement counts carries a maximum penalty of five years of imprisonment and a \$250,000 fine. Montalvo additionally is charged with 10 counts of purchasing and receiving ammunition and magazines knowing that these goods were intended for illegal export from the United States. The maximum penalty on any one of the exportation counts is ten years of imprisonment and a \$250,000 fine.

The case is being prosecuted by Assistant U.S. Attorneys Nathan J. Lichvarcik and Mark Saltman of the Las Cruces office of the U.S. Attorney's Office for the District of New Mexico, and was investigated by the Bureau of Alcohol, Tobacco, Firearms & Explosives and U.S. Customs and Border Protection, Office of Internal Affairs.

An indictment is only an accusation. All criminal defendants are entitled to a presumption of innocence until proven guilty beyond a reasonable doubt.

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