

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FILED

2013 MAY -1 PM 5: 20

UNITED STATES OF AMERICA,

Plaintiff,

v.

- (1) JULIO ADRIAN PESQUEIRA-GALAVIZ, a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
- (2) RAMON EDUARDO NUNEZ, a.k.a. Sargento, a.k.a. Ramon Nunez-Lares,
- (3) MAURO GALAVIZ-MARIN, a.k.a. Mauro Marin, a.k.a. Mauro Galaviz, a.k.a. Mauro Galaviz-Marin, a.k.a. Nana,
- (4) JESUS GUADALUPE GALAVIZ, a.k.a. Chuy, a.k.a. Jesus Guadalupe Galaviz-Valenzuela,
- (5) ISIAHA ANDRES RIDENHOWER, a.k.a. Andy, a.k.a. Andres,
- (6) DANIEL ARMENDARIZ, a.k.a. Danny Armendariz,
- (7) LINDA YVETTE ARMENDARIZ,
- (8) RUBEN ARMENDARIZ,
- (9) JESSE HECTOR ANDUJO,
- (10) AARON NICODEMUS DOMINGUEZ-HYATT, and
- (11) OMAR PEREZ, a.k.a. Piso,

Defendants.

§ SEALED **CLERK, U.S. DISTRICT COURT**
§ SUPERSEDING INDICTMENT **WESTERN DISTRICT OF TEXAS**

BY [Signature]
DEPUTY

CRIMINAL NO. EP-12-CR-02611-FM

- § CT 1: 18:371 & 18:924(a)(1)(A) – Conspiracy and False Statement During Purchase of a Firearm;
- § CT 2: 18:924(a)(1)(A) – False Statement During Purchase of a Firearm
- § CT 3: 18:2 & 18:924(a)(1)(A) – Aid & Abet and False Statement During Purchase of a Firearm;
- § CT 4: 18:2 & 18:924(a)(1)(A) – Aid & Abet and False Statement During Purchase of a Firearm;
- § CT 5: 18:2 & 18:924(a)(1)(A) – Aid & Abet and False Statement During Purchase of a Firearm;
- § CT 6: 18:2 & 18:924(a)(1)(A) – Aid & Abet and False Statement During Purchase of a Firearm;
- § CT 7: 18:371 & 18:554(a) – Conspiracy to Export Firearm;
- § CT 8: 18:2 & 18:554(a) – Aid & Abet Attempt to Export Firearm; and
- § CT 9: 18:371 & 18:924(h) – Conspiracy to Transfer a Firearm for Use in a Crime of Violence or Drug Trafficking Crime
- § CT 10: 18:2 & 18:924(a)(1)(A) – Aid & Abet and False Statement During Purchase of a Firearm;
- § CT 11: 18:2 & 18:924(a)(1)(A) – Aid & Abet and False Statement During Purchase of a Firearm;
- § CT 12: 18:2 & 18:924(a)(1)(A) – Aid & Abet and False Statement During Purchase of a Firearm;
- § CT 13: 18:2 & 18:924(a)(1)(A) – Aid & Abet and False Statement During Purchase of a Firearm;
- § CT 14: 18:2 & 18:924(a)(1)(A) – Aid & Abet and False Statement During Purchase of a Firearm;

§ **Notice of Government's Demand for Forfeiture**

THE GRAND JURY CHARGES:

INTRODUCTION AND GENERAL ALLEGATIONS

1. At all times material to this Superseding Indictment in the Western District of Texas, District of New Mexico, the Republic of Mexico, and elsewhere Defendants:

- JULIO ADRIAN PESQUEIRA-GALAVIZ (1), a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
- RAMON EDUARDO NUNEZ (2),

a.k.a. Sargento, a.k.a. Ramon Nunez-Lares,
MAURO GALAVIZ-MARIN (3),
a.k.a. Mauro Marin, a.k.a. Mauro Galaviz, a.k.a. Mauro Galaviz-Marin, a.k.a. Nana,
JESUS GUADALUPE GALAVIZ (4),
a.k.a. Chuy, a.k.a. Jesus Guadalupe Galaviz-Valenzuela,
ISAAH ANDRES RIDENHOWER (5),
a.k.a. Andy, a.k.a. Andres,
DANIEL ARMENDARIZ (6),
a.k.a. Danny Armendariz,
LINDA YVETTE ARMENDARIZ (7),
RUBEN ARMENDARIZ (8),
JESSE HECTOR ANDUJO (9),
AARON NICODEMUS DOMINGUEZ-HYATT (10), and
OMAR PEREZ (11),
a.k.a. Piso

were residents of or present in El Paso County Texas, which is in the Western District of Texas. They and others known and unknown to the Grand Jury were members and associates of a criminal organization, engaged in the illegal trafficking of firearms in association with and in furtherance of the drug trafficking crimes, crimes of violence, and related illegal activities of the Sinaloa Drug Cartel or Drug Trafficking Organization (SDTO).

2. **Witness "A":** At all times material to this Superseding Indictment, a person identified as Witness "A" was a member of the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) who posed in an undercover capacity as an illicit firearms seller.

3. **Witness "B":** At all times material to this Superseding Indictment, a person identified as Witness "B" was a member of the ATF who posed in an undercover capacity as an illicit firearms seller who negotiated the sale of four (4) AK-47 assault rifles to "Subject 1."

4. **"Subject 1":** At all times material to this Superseding Indictment, a person identified as "Subject 1" was a resident of El Paso County, Texas.

5. **"Subject 2":** At all times material to this Superseding Indictment, a person identified as "Subject 2" was a resident of El Paso County, Texas. "Subject 1" introduced

Witness "B" to "Subject 2" as the individual to whom "Subject "1" was transferring four (4) AK-47s.

6. **"Subject 3":** At all times material to this Superseding Indictment, a person identified as "Subject 3" resided in the Republic of Mexico and was associated with a "sicario" (assassin or hit men) enforcement squad aligned with the SDTO. Noel SALGUEIRO-Nevarez, a.k.a. Flaco, a.k.a. El Viejo (SALGUEIRO) led the "sicario" enforcement squads aligned with the SDTO.

7. **"Subject 4":** At all times material to this Superseding Indictment, a person identified as "Subject 4" was a resident of El Paso County, Texas.

8. **Federal Firearm Licensees (FFLs):** FFLs are federally licensed firearms dealers who sell firearms as part of their livelihood. At all times material to this Superseding Indictment, Witnesses "C," "D," "E," "F," "G," "H," and "I" were FFLs.

9. **Mexican Drug Cartels and Their "Sicario" Enforcement Squads**

a. The SDTO is a Mexican drug cartel. Joaquin Guzman Loera a.k.a. El Chapo or Chapo Guzman is head of the SDTO.

b. The Vicente Carrillo Fuentes Drug Trafficking Organization (VCFDTO) is a Mexican drug cartel. Vicente Carrillo Fuentes is head of the VCFDTO.

10. **Battle for Control of the Juarez Plaza**

a. Since approximately 2006, the SDTO and VCFDTO have been locked in a vicious and bloody battle to gain control of a drug trafficking corridor, referred to as a "Plaza", between the State of Chihuahua, Mexico and the United States of America. The main battlefield has been Ciudad Juarez, Chihuahua, Mexico. Ciudad Juarez abuts the United States of America at the city of El Paso, Texas.

b. Both the SDTO and VCFDTO have conscripted mercenary foot soldiers to wage their war. These mercenaries are often referred to in Spanish as “sicarios.” The “sicarios” work in teams known as enforcement squads. These bands of “sicarios” carry out coordinated attacks using extreme violence to perpetuate the killings and kidnappings of rival cartel members.

c. SALGUEIRO directed the “sicario” enforcement squads, known as the “gente nueva” (new people) on behalf of the SDTO. The SDTO’s “sicario” enforcement squads, among other methods, rely on corrupt members of Mexican law enforcement agencies to provide information on the location of rival cartel members. The corrupt members of Mexican law enforcement also provide logistical support during “sicario” operations, including clearing target locations of legitimate law enforcement presence, or directing traffic to facilitate the “sicario” operation. The main targets of the “gente nueva” are individuals associated or aligned with the VCFDTO.

d. “La Linea” (the line) is the primary enforcement arm of the VCFDTO. “La Linea” operates in the State of Chihuahua, Mexico, including Ciudad Juarez. This band of “sicarios” is responsible for carrying out assassinations, home invasions, and kidnappings among other violent acts upon individuals associated or aligned with the SDTO.

11. **Arming the “Sicario” Enforcement Squads**

a. The SDTO and VCFDTO outfit their “sicario” enforcement squads with various weapons, including military style semi-automatic firearms. The “sicarios” weapons of choice, among others, are the AK-47 assault rifle, referred to as a “Cuerno de chivo” or “cuerno”; the AR-15 referred to as an “R quince”; and the Draco 7.62 x 39 caliber pistol referred to as “chivito” because it resembles a smaller version of the AK-47 assault rifle. The laws of the Republic of Mexico heavily restrict the sale, acquisition and possession of firearms, which make

it difficult for the SDTO and VCFDTO to acquire the necessary firearms in the Republic of Mexico.

b. SDTO and VCFDTO recruit or place operatives in the United States to coordinate the purchase and export of firearms from the United States to Mexico for the "sicario's" use in the enforcement operation. SDTO and VCFDTO recruit United States citizens or other lawfully permitted individuals in the United States to purchase firearms from United States authorized FFLs, which will then be exported to Mexico for use by the "sicario" enforcement groups. These individuals are commonly referred to as "Straw Purchasers." Frequently, Mexico-based members of SDTO and VCFDTO turn to relatives or close friends to assist them in their illegal activities because of a pre-existing relationship built on trust.

12. **The Statutory and Regulatory Framework**

a. FFLs are required by law to maintain records relating to the sale of firearms to consumers. One of the records required to be kept by FFLs is the Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473 (Form 4473).

b. Form 4473 requires a purchaser/transferee, of a firearm to truthfully answer whether or not the firearms being purchased are being acquired on behalf of another person. It is illegal to state on Form 4473 that a person is the "actual buyer" of the firearm if the firearm is purchased at the request of, or with the money from a third party. Purchasers or transferees, acting as "Straw Purchasers", attempt to circumvent this legal requirement by lying on Form 4473, stating they were purchasing the firearms for themselves, when, in fact, the firearms were purchased for or on behalf of another person.

c. The Arms Export Control Act (AECA), as amended, and codified at 22 U.S.C. §§2751 to 2799aa-2, authorizes the President to control the export of commodities, services and technologies designated as "defense articles" and "defense services" in furtherance of the security

and foreign policy interests of the United States. The articles and services so designated constitute the U.S. Munitions List (USML), which is published at 22 C.F.R. § 121. The AECA provides that individuals or entities seeking to export articles or services listed in the USML must first register with and obtain an export license from the U.S. Department of State Directorate of Defense Trade Controls (DOS). The President has delegated to DOS the authority to designate defense articles and defense services, and to issue regulations governing the licensing of designated materials.

d. The DOS regulations implementing the provisions of the AECA are entitled the International Traffic in Arms Regulations (ITAR), Title 22, Code of Federal Regulations, Sections 120-130 (Subchapter M). The ITAR identify by category the defense-related articles and services that are covered by the USML, and establish the requirements and procedures for registering with and obtaining a license from DOS for the export of any such materials. Among other requirements, the ITAR requires an applicant for an export license to identify the ultimate and final destination of the goods or services.

e. Category I of the USML covers several classifications of firearms, including non-automatic and semi-automatic firearms up to .50 caliber. 22 C.F.R. § 121.1 Category I (a). At all times material to this Superseding Indictment, the following weapons were covered by Category I of the USML, and were defense articles that could not be exported from the United States without a license issued by the DOS:

- (1) Barrett Model 95, .50 caliber rifle;
- (2) Century Arms Model WASR-10 7.62 x 39 caliber rifle;
- (3) Springfield Armory MIA, .308 caliber rifle;
- (4) Rock River Arms Model LAR 8, .308 caliber rifle;
- (5) Aero Precision, model SP22, 7.62 x 39 caliber rifle;
- (6) Colt, Custom model, .38 caliber pistol;

- (7) Romarm Draco 7.62 x 39 caliber pistol;
- (8) Century International Arms Model AK Bull Pup 7.62 x 39 caliber rifle;
- (9) Kel-Tec RFN .308 caliber rifle;
- (10) Norinco, Model 56S-1, 7.62 x 39 caliber rifle, Serial Number MS011091;
- (11) Norinco, Model 56S-1, 7.62 x 39 Caliber rifle, Serial Number 50987;
- (12) Poly Tech, Model AK-47S, 7.62 x 39 caliber rifle, Serial Number 386DF-02533;
- (13) Poly Tech, Model AK-47/S, 7.62 x 39 caliber rifle, Serial Number 386P4704216;
- (14) Century International Arms, Model WASR 10, 7.69x39 caliber rifle, Serial Number 1965 JL 1908;
- (15) Century International Arms, Model WASR 10, 7.69x39 caliber rifle, Serial Number, 1985 PM 1163;
- (16) Century Arms, Model WASR 10, 7.69x39 caliber pistol, Serial Number 1969 BO3591;
- (17) Century Arms, Model WASR 10, 7.69x39 caliber rifle, Serial Number 10, SBG 1306 76RO;
- (18) Springfield Armory, Model M1A, 308 caliber rifle, Serial Number 260 443;
- (19) Century Arms, Model WASR 10, 7.69x39 caliber rifle, Serial Number 1967 AF 0292;
- (20) Century Arms, Model WASR 10, 7.69x39 caliber rifle Serial Number, 1966 AC 2954;
- (21) Century Arms International, 7.69x39 caliber rifle, Serial Number 1983 NR 5704;
- (22) Century Arms International, 7.69x39 caliber rifle, Serial Number 1967 AF 1983;
and
- (23) Century Arms International, 7.69x39 caliber rifle, Serial Number 1977 HB 6213.

SPECIFIC ALLEGATIONS

COUNT ONE

(18 U.S.C. § 371 & 18 U.S.C. § 924(a)(1)(A))

1. Paragraphs 1 through 12 of the Introduction and General Allegations to this Superseding Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

2. Beginning in or about July 2010, and continuing through and including on or about the date of the return of this Superseding Indictment, in the Western District of Texas, the Defendants,

**JULIO ADRIAN PESQUEIRA-GALAVIZ (1),
a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares,
MAURO GALAVIZ-MARIN (3),
a.k.a. Mauro Marin, a.k.a. Mauro Galaviz, a.k.a. Mauro Galaviz-Marin, a.k.a. Nana,
ISIAH ANDRES RIDENHOWER (5),
a.k.a. Andy, a.k.a. Andres,
DANIEL ARMENDARIZ (6),
a.k.a. Danny Armendariz,
LINDA YVETTE ARMENDARIZ (7),
RUBEN ARMENDARIZ (8),
JESSE HECTOR ANDUJO (9),
AARON NICODEMUS DOMINGUEZ-HYATT (10), and
OMAR PEREZ (11),
a.k.a. Piso,**

knowingly, intentionally, and unlawfully conspired, combined, and confederated, and agreed with others to the Grand Jury known and unknown, to commit offenses against the United States, in violation of Title 18, United States Code, Section 924(a)(1)(A); that is to say, they conspired to make a false statement and representation to a person licensed under the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Witnesses "C", "D", "E", "F" "G," "H," and "I" licensed dealers, in that the defendants did cause a false entry on a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, to the

effect that they were the transferees of the firearms listed below, whereas in truth and in fact, they were purchasing the firearms on behalf of and transferring the firearms to another person.

The firearms referenced above are as follows:

- (1) Barrett Model 95, .50 caliber rifle;
- (2) Century Arms Model WASR-10 7.62 x 39 caliber rifle;
- (3) Springfield Armory MIA, .308 caliber rifle;
- (4) Rock River Arms Model LAR 8, .308 caliber rifle;
- (5) Aero Precision, model SP22, 7.62 x 39 caliber rifle;
- (6) Colt, Custom model, .38 caliber pistol;
- (7) Romarm Draco 7.62 x 39 caliber pistol;
- (8) Century International Arms Model AK Bull Pup 7.62 x 39 caliber rifle;
- (9) Kel-Tec RFN .308 caliber rifle;
- (10) Century International Arms, Model WASR 10, 7.69x39 caliber rifle, Serial Number 1965 JL 1908;
- (11) Century International Arms, Model WASR 10, 7.69x39 caliber rifle, Serial Number, 1985 PM 1163;
- (12) Century Arms, Model WASR 10, 7.69x39 caliber pistol, Serial Number 1969 BO3591;
- (13) Century Arms, Model WASR 10, 7.69x39 caliber rifle, Serial Number 10, SBG 1306 76RO;
- (14) Springfield Armory, Model M1A, 308 caliber rifle, Serial Number 260 443;
- (15) Century Arms, Model WASR 10, 7.69x39 caliber rifle, Serial Number 1967 AF 0292;
- (16) Century Arms, Model WASR 10, 7.69x39 caliber rifle Serial Number, 1966 AC 2954;
- (17) Century Arms International, 7.69x39 caliber rifle, Serial Number 1983 NR 5704;

(18) Century Arms International, 7.69x39 caliber rifle, Serial Number 1967 AF 1983; and

(19) Century Arms International, 7.69x39 caliber rifle, Serial Number 1977 HB 6213.

OVERT ACTS

In furtherance of the conspiracy and to effect the objects thereof, in the Western District of Texas, the District of New Mexico, the Republic of Mexico and elsewhere, one or more of the defendants or conspirators, both indicted and unindicted, committed and caused to be committed, at least one of the following overt acts:

a. On September 29, 2010, **JULIO ADRIAN PESQUEIRA-GALAVIZ (PESQUEIRA)**, purchased a Century Arms, model AK Bullpup, 7.62 x 39 caliber rifle bearing serial number 2003254 and a Kel-Tec, model RFN, .308 caliber rifle bearing serial number T0759, from Sportsman's Elite, located at 7500 N. Mesa Street, El Paso, Texas. **PESQUEIRA** used his duly issued Arizona Driver's License D04674741 as identification for this firearms purchase. On the Form 4473, **PESQUEIRA** certified that he was "the actual transferee/buyer of the firearms."

b. On or about November 15, 2010, **RAMON EDUARDO NUNEZ (NUNEZ)** gave "Subject 2" two (2) handguns and four (4) magazines with instructions to smuggle the guns to the State of Chihuahua, Mexico. **NUNEZ** told "Subject 2" that "Subject 2" would give the two (2) handguns and four (4) magazines to **PESQUEIRA** in the State of Chihuahua, Mexico. "Subject 2" smuggled the two (2) handguns and four (4) magazines to **PESQUIERA** as instructed.

c. On or about December 8, 2010, **ISAIAH ANDRES RIDENHOWER (RIDENHOWER)** purchased a Barrett Model 95, .50 caliber rifle bearing serial number 1129, from the Collector's Gun Exchange located at 7126 N. Mesa, El Paso, Texas 79912.

RIDENHOWER used his duly issued Texas Driver's License 14759772 as identification for this firearms purchase. On the Form 4473, **RIDENHOWER** certified that he was "the actual transferee/buyer of the firearm."

d. On or about January 6, 2011, **PESQUEIRA** purchased a Century Arms, model Draco 7.62 x 39 caliber pistol bearing serial number 1968BL2882, from Sportsman's Elite located at 7500 N. Mesa Street, El Paso, Texas using his duly issued Texas Driver's License 34276769, signing his name as Julio Pezqueira, as identification for this firearms purchase. On the Form 4473, **PESQUEIRA** certified that he was "the actual transferee/buyer of the firearm."

e. On or about January 13, 2011, **DANIEL ARMENDARIZ (D. ARMENDARIZ)** purchased a Century Arms Model WASR-10 7.62 x 39 caliber rifle bearing serial number 1979IS1474, from the Collector's Gun Exchange located at 7126 N. Mesa, El Paso, Texas 79912. **D. ARMENDARIZ** used his Texas Commercial Driver's License 19409320 as identification for this firearms purchase. On the Form 4473, **D. ARMENDARIZ** certified that he was "the actual transferee/buyer of the firearm."

f. On January 22, 2011, "Subject 1" attempted to purchase a firearm from Witness "C" using an expired Texas Identification card belonging to someone other than "Subject 1." Witness "C" refused to sell "Subject 1" firearms at which point "Subject 1" asked Witness "C" if he would agree to sell "Subject 1" the firearms in an unreported, commonly referred to as an "off the books," transaction. Witness "C" refused and subsequently referred "Subject 1" to Witness "A."

g. On or about January 24, 2011, "Subject 1" contacted Witness "A" to inquire about purchasing firearms in an "off the books" transaction. Witness "A" referred "Subject 1" to Witness "B." Subject "1" contacted Witness "B" on approximately the same day to discuss the "off the books" firearms transaction. Between January 24, 2011 and January 27, 2011, "Subject

1” negotiated the “off the books” firearms transaction with Witness “B.” “Subject 1” was seeking to buy AK-47s from Witness “B” in the “off the books” transaction.

h. On or about January 25, 2011, Witness “B” met with “Subject 1” to negotiate the purchase of the AK-47s. “Subject 1” agreed to pay three thousand (USD \$3,000) dollars for the AK-47s. During the meeting, “Subject 1” told Witness “B” that the AK-47s would be sent to the Republic of Mexico.

i. On or about January 27, 2011, Witness “B” and “Subject 1” met outside a bar in El Paso, Texas. Prior to this meeting, “Subject 2” had provided “Subject 1” with three thousand (USD \$3,000) dollars. “Subject 1” took possession of four (4) AK-47s from Witness “B” in exchange for three thousand (USD \$3,000) dollars. Upon taking possession of the AK-47s Subject “1” was detained. ATF agents seized the AK-47s. “Subject 1” introduced Witness “B” to “Subject 2” as the individual to whom “Subject “1” was transferring the four (4) AK-47s.

j. “Subject 2” took possession of the four (4) AK-47s from Witness “B” on or about January 27, 2012. “Subject 2” told ATF agents that the four (4) AK-47s were supposed to be exported to the Republic of Mexico later that day. Upon “Subject 2” taking possession of the four (4) AK-47s, ATF agents detained “Subject 2” and seized the firearms. Immigration and Customs Enforcement (ICE) agents provided “Subject 2” a receipt for the seized AK-47s.

k. On or about January 27, 2011, **D. ARMENDARIZ** purchased a Springfield Armory MIA, .308 caliber rifle bearing serial number 192279 from Collector’s Gun Exchange located at 7126 N. Mesa, El Paso, Texas 79912. **D. ARMENDARIZ** used his duly issued Texas Commercial Driver’s License 19409320 as identification for this firearms transaction. On the Form 4473, **D. ARMENDARIZ** certified that he was “the actual transferee/buyer of the firearm.”

l. On or about January 27, 2011, **NUNEZ** talked to "Subject 2" on the telephone concerning the purchase of the AK-47s.

m. On or about January 27, 2011, **RUBEN ARMENDARIZ**, purchased a Century International Arms, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1965JL1908 and a Century International Arms, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1985PM1163, from Sportsman's Elite, located at 7500 N. Mesa, Ste. 105, El Paso, Texas 79912. **RUBEN ARMENDARIZ** used his duly issued Texas Driver's License 17224770 as identification for this firearms purchase. On the Form 4473, **RUBEN ARMENDARIZ** certified that he was "the actual transferee/buyer of the firearm."

n. On or about January 27, 2011, **JESSE HECTOR ANDUJO** purchased a Century Arms, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1969BO3591, from Sportsman's Elite, located at 7500 N. Mesa, Ste. 105, El Paso, Texas 79912. **JESSE HECTOR ANDUJO** used his duly issued Texas Driver's License 28757174 as identification for this firearms purchase. On the Form 4473, **JESSE HECTOR ANDUJO** certified that he was "the actual transferee/buyer of the firearm."

o. On or about January 29, 2011, **AARON NICODEMUS DOMINGUEZ-HYATT** purchased a Century Arms, model WASR-10, 7.62 x 39 caliber rifle bearing serial number SBG 1306 76RO and a Springfield Armory, model M1A, .308 caliber rifle bearing serial number 260 443, from Collector's Gun Exchange, located at 7126 N. Mesa, El Paso, Texas 79912. **AARON NICODEMUS DOMINGUEZ-HYATT** used his duly issued Florida Driver's License D552 014 84 2910 and his Texas Voter Registration Card as identification for this firearms purchase. On the Form 4473, **AARON NICODEMUS DOMINGUEZ-HYATT** certified that he was "the actual transferee/buyer of the firearm."

p. On or about February 1, 2011, **PESQUEIRA** and **NUNEZ** met with **LINDA YVETTE ARMENDARIZ (L. ARMENDARIZ)** at a restaurant in El Paso, Texas.

q. On or about February 1, 2011, **NUNEZ** met with **L. ARMENDARIZ** at the Country Wide Shooters Exchange store located at 3950 Doniphan, El Paso, Texas 79912.

r. On or about February 1, 2011, **L. ARMENDARIZ** purchased a Rock River Arms Model LAR 8, .308 caliber rifle bearing serial number ACM000696 rifle, an Aero Precision, model SP22, 7.62 x 39 caliber rifle bearing serial number OCO 747, and a Colt, Custom model, .38 caliber pistol, bearing serial number ELCEN47C3, at the Collector's Gun Exchange located at 7126 N. Mesa, El Paso, Texas 79912. **L. ARMENDARIZ** used her duly issued Texas Driver's License 21339015 as identification for this firearms transaction. On the Form 4473, **L. ARMENDARIZ** certified that she was "the actual transferee/buyer of the firearm."

s. On or about February 5, 2011 **JESSE HECTOR ANDUJO** purchased a Century Arms, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1967AF0292 and a Century Arms, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1966AC2954, from Sportsman's Elite, located at 7500 N. Mesa, Ste. 105, El Paso, Texas 79912. **JESSE HECTOR ANDUJO** used his duly issued Texas Driver's License 28757174 as identification for this firearms purchase. On the Form 4473, **JESSE HECTOR ANDUJO** certified that he was "the actual transferee/buyer of the firearm."

t. On or about February 9, 2011 **OMAR PEREZ a.k.a. Piso** purchased a Century Arms International, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1983 NR 5704, a Century Arms International, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1967 AF 1983 and a Century Arms International, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1977 HB 6213, from Country Wide Shooters, located at 3950 Doniphan, El Paso, Texas, 79925. **OMAR PEREZ a.k.a. Piso** used his duly issued Texas

Driver's License 01473909 as identification for this firearms purchase. On the Form 4473, **OMAR PEREZ a.k.a. Piso** certified that he was "the actual transferee/buyer of the firearm."

u. On or about June 10, 2011, **MAURO GALAVIZ-MARIN (M. GALAVIZ)** spoke to "Subject 2" on the telephone regarding the seizure of the four (4) AK-47s on or about January 27, 2011.

v. On or about June 11, 2011, **M. GALAVIZ, JESUS GUADALUPE GALAVIZ (J. GALAVIZ)**, and a female went to "Subject 2's" residence in El Paso County, Texas. "Subject 2" provided **M. GALAVIZ** the ICE receipt for the seized firearms. **M. GALAVIZ** advised "Subject 2" that he needed to show the ICE receipt to as yet unidentified co-conspirators. During the meeting, **J. GALAVIZ**, in coded language, told "Subject 2" that the gun seizure slowed their ability to engage in drug trafficking. **J. GALAVIZ** also asked "Subject 2" if he would travel to Mexico, pick up an undisclosed amount of cocaine, and then import the cocaine to the United States in the near future. **J. GALAVIZ** further advised "Subject 2", in coded language, that **PESQUEIRA** was then presently in Mexico negotiating a drug trafficking transaction.

w. On or about June 14, 2011, **M. GALAVIZ** met with "Subject 2." **M. GALAVIZ** advised "Subject 2" that he met with as yet unidentified co-conspirators in Mexico concerning the firearm seizure. **M. GALAVIZ** told "Subject 2" that the as yet unidentified co-conspirators in Mexico wanted "Subject 2" to repay the money "Subject 2" lost when "Subject 2" attempted to buy the firearms. **M. GALAVIZ** offered to contribute one thousand (USD \$1,000) dollars towards the debt. **M. GALAVIZ** told "Subject 2", in coded language, that there would be no drug trafficking activity until the debt was repaid.

x. On or about June 21, 2011, **J. GALAVIZ** asked "Subject 2" if he would be willing to transport twenty to fifty "blocks" of cocaine from El Paso, Texas to an as yet

unidentified co-conspirator in the Kansas City, Kansas area. **J. GALAVIZ** advised "Subject 2" that transporting the cocaine load would pay off the debt created by the AK-47 seizure in January 2011.

y. On or about July 18, 2011, **J. GALAVIZ** spoke to "Subject 3" on the telephone and discussed the ongoing violence against the "cochinos" (pigs) – a coded reference to operatives from the VCFDTO. "Subject 3" was in the Republic of Mexico. **J. GALAVIZ** and "Subject 3" also discussed receiving backup and support from "the animal" or "Jaguar," which was the code name for a high ranking SDTO member. **J. GALAVIZ** asked "Subject 3" if he had any "jugetes" or toys, which was a coded reference for firearms. **J. GALAVIZ** told "Subject 3" that he wanted to go to Mexico to conduct an enforcement operation to earn some money.

z. On or about July 18, 2011, **PESQUEIRA** spoke to "Subject 3" on the telephone and asked "Subject 3" if he was working (conducting enforcement operations). "Subject 3" was in the Republic of Mexico. **PESQUEIRA** asked "Subject 3" whether he had any firearms. "Subject 3" advised **PESQUEIRA** that he had three (3) firearms at his disposal. **PESQUEIRA** said they should stay in contact so they can conduct an enforcement operation targeting a person who had killed their relative in early July 2011. "Subject 3" told **PESQUEIRA** that he did not have any money until he went to go see the old man ("Viejo" an alias for **SALGUEIRO**).

aa. On or about July 19, 2011, "Subject 3" spoke to **PESQUEIRA** on the telephone and told him that he would be participating in an enforcement operation wherein he would obtain intelligence from corrupt Mexico law enforcement officers who would provide him with the necessary information to facilitate the enforcement operation. "Subject 3" was calling from the Republic of Mexico. **PESQUEIRA** and "Subject 3" discussed plans to form an enforcement group and to obtain the necessary firearms and personnel to bring their plans to fruition, including available firearms, export of firearms and key enforcement personnel. **PESQUEIRA**

also told "Subject 3" that "El Viejo" (SALGUEIRO), wanted to meet with him. **PESQUEIRA** offered to send a "Chivito" (Draco 7.62 x 39 caliber handgun) or AK-47 to "Subject 3" in the Republic of Mexico.

bb. On or about August 4, 2011, **J. GALAVIZ** met with "Subject 2". **J. GALAVIZ** advised "Subject 2" that **J. GALAVIZ** settled "Subject 2's" debt with **M. GALAVIZ** stemming from the AK-47 seizure. **J. GALAVIZ** told "Subject 2" that he could repay the debt to **J. GALAVIZ** by transporting marijuana loads within the United States.

cc. On or about April 22, 2012, **J. GALAVIZ** spoke with "Subject 4" on the telephone. **J. GALAVIZ** asked "Subject 4" whether he knew an individual that could lend him "una cortita" ("a short one") which is a coded reference to a small handgun. "Subject 4" suggested to **J. GALAVIZ** that he should borrow **PESQUEIRA's** gun. **J. GALAVIZ** responded that **PESQUEIRA's** gun was too big. **J. GALAVIZ** explained to "Subject 4" that he needed the gun to do "un jalecillo" ("a small job"). "Subject 4" told **J. GALAVIZ** that he would contact an as yet unidentified individual to see if he or she would lend him a hand gun. "Subject 4" asked **J. GALAVIZ** whether the job would make good money. **J. GALAVIZ** told "Subject 4" that the job was "worth it." **J. GALAVIZ** also told "Subject 4" that he would pay both "Subject 4" and the individual who lent him the gun "something" with the money earned from the job.

dd. On or about June 15, 2012, **PESQUEIRA** reported to the El Paso Police Department that his Century Arms Draco 7.62 x 39 caliber pistol bearing serial number 1968BL2882 had been lost on or around March 15, 2012. Draco pistols are commonly referred to as "Chivitos."

All in violation of Title 18, United States Code, Sections 371 and 924(a)(1)(A).

COUNT TWO
(18 U.S.C. § 924(a)(1)(A))

3. Paragraphs 1 through 12 of the Introduction and General Allegations to this Superseding Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

4. That on or about September 29, 2010, in the Western District of Texas, the Defendant, **JULIO ADRIAN PESQUEIRA, a.k.a. Tato, a.k.a. Julio Pezqueira-Galaviz**, did knowingly, intentionally, and unlawfully make a false statement and representation to a person licensed under the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Witness "C", a licensed dealer, in that the defendant did cause a false entry on a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, that **PESQUEIRA** was the transferee of a model AK Bullpup, 7.69x39 caliber rifle bearing serial number 2003254 and a Kel-Tec, model RFN, .308 caliber rifle bearing serial number T0759, in violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNT THREE
(18 U.S.C. § 2 & 18 U.S.C. § 924(a)(1)(A))

5. Paragraphs 1 through 12 of the Introduction and General Allegations and the Overt Acts to this Superseding Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

6. That on or about December 8, 2010, in the Western District of Texas, the Defendants,

**JULIO ADRIAN PESQUEIRA-GALAVIZ (1),
a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares, and
ISAIAH ANDRES RIDENHOWER (5),
a.k.a. Andy, a.k.a. Andres,**

aiding and abetting each other, did knowingly, intentionally, and unlawfully make a false statement and representation to a person licensed under the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Witness "E", a licensed dealer, in that the defendants did cause a false entry on a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, that **RIDENHOWER** was the transferee of a Barrett Model 95, .50 caliber rifle bearing serial number 1129, in violation of Title 18, United States Code, Section 2 and Title 18, United States Code, Section 924(a)(1)(A).

COUNT FOUR

(18 U.S.C. § 2 & 18 U.S.C. § 924(a)(1)(A))

7. Paragraphs 1 through 12 of the Introduction and General Allegations to this Superseding Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

8. That on or about January 13, 2011, in the Western District of Texas, the Defendants,

**JULIO ADRIAN PESQUEIRA-GALAVIZ (1),
a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares,
DANIEL ARMENDARIZ (6), and
a.k.a. Danny Armendariz,**

aiding and abetting each other, did knowingly, intentionally, and unlawfully make a false statement and representation to a person licensed under the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Witness "C", a licensed dealer, in that the defendants did cause a false entry on a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, that **D. ARMENDARIZ** was the transferee of a Century Arms Model WASR-10 7.62 x 39 caliber rifle bearing serial number 1979IS1474, in violation of Title 18, United States Code, Section 2 and Title 18, United States Code, Section 924(a)(1)(A).

COUNT FIVE

(18 U.S.C. § 2 & 18 U.S.C. § 924(a)(1)(A))

9. Paragraphs 1 through 12 of the Introduction and General Allegations to this Superseding Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

10. That on or about January 27, 2011, in the Western District of Texas, the Defendants,

**JULIO ADRIAN PESQUEIRA-GALAVIZ (1),
a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares,
DANIEL ARMENDARIZ (6), and
a.k.a. Danny Armendariz,**

aiding and abetting each other, did knowingly, intentionally, and unlawfully make a false statement and representation to a person licensed under the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Witness "D", a licensed dealer, in that the defendants did cause a false entry on a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, that **D. ARMENDARIZ** was the transferee of a Springfield Armory MIA, .308 caliber rifle bearing serial number 192279, in violation of Title 18, United States Code, Section 2 and Title 18, United States Code, Section 924(a)(1)(A).

COUNT SIX

(18 U.S.C. § 2 & 18 U.S.C. § 924(a)(1)(A))

11. Paragraphs 1 through 12 of the Introduction and General Allegations to this Superseding Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

12. That on or about February 1, 2011, in the Western District of Texas, the Defendants,

JULIO ADRIAN PESQUEIRA-GALAVIZ (1),

**a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares, and
LINDA YVETTE ARMENDARIZ (7),**

aiding and abetting each other, did knowingly, intentionally, and unlawfully make a false statement and representation to a person licensed under the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Witness "E", a licensed dealer, in that the defendants did cause a false entry on a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, that **L. ARMENDARIZ** was the transferee of a Rock River Arms Model LAR 8, .308 caliber rifle bearing serial number ACM000696 rifle, an Aero Precision, model SP22, 7.62 x 39 caliber rifle bearing serial number OCO 747, and a Colt, Custom model, .38 caliber pistol, bearing serial number ELCEN47C3, in violation of Title 18, United States Code, Section 2 and Title 18, United States Code, Section 924(a)(1)(A).

COUNT SEVEN

(18 U.S.C. § 371 & 18 U.S.C. § 554(a))

13. Paragraphs 1 through 12 of the Introduction and General Allegations and Paragraphs a to dd of the Overt Acts section to this Superseding Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

14. Beginning on or about July 1, 2010, and continuing through and including on or about the date of the return of this Superseding Indictment, in the Western District of Texas, the Defendants,

**JULIO ADRIAN PESQUEIRA-GALAVIZ (1),
a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares,
MAURO GALAVIZ-MARIN (3),
a.k.a. Mauro Marin, a.k.a. Mauro Galaviz, a.k.a. Mauro Galaviz-Marin, a.k.a. Nana,**

knowingly, intentionally, and unlawfully conspired, combined, and confederated, and agreed with others to the Grand Jury known and unknown, to commit offenses against the United States,

in violation of Title 18 United States Code Section 544(a), that is to say, they conspired to export from the United States, any merchandise, object and article, to wit: firearms, contrary to any law and regulation of the United States, all in violation of Title 18, United States Code, Sections 371 and 554 (a).

COUNT EIGHT

(18 U.S.C. § 2 & 18 U.S.C. § 554(a))

15. Paragraphs 1 through 12 of the Introduction and General Allegations to this Superseding Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

16. That beginning on or about January 22, 2011, and continuing through and including in and around June, 2011, in the Western District of Texas, the Defendants,

**JULIO ADRIAN PESQUEIRA-GALAVIZ (1),
a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares,
MAURO GALAVIZ-MARIN (3), and
a.k.a. Mauro Marin, a.k.a. Mauro Galaviz, a.k.a. Mauro Galaviz-Marin, a.k.a. Nana,
JESUS GUADALUPE GALAVIZ (4),
a.k.a. Chuy, a.k.a. Jesus Guadalupe Galaviz-Valenzuela,**

knowingly, intentionally, and unlawfully aided and abetted others to the Grand Jury known and unknown to fraudulently and knowingly export or send from the United States, or attempt to export and send from the United States, any merchandise, object and article, to wit: firearms, contrary to any law and regulation of the United States, all in violation of Title 18, United States Code, Sections 2 and 554 (a).

COUNT NINE

(18 U.S.C. § 371 & 18 U.S.C. § 924(h))

17. Paragraphs 1 through 12 of the Introduction and General Allegations and Paragraphs a to dd of the Overt Acts section to this Superseding Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

18. Beginning on or about July 1, 2010, and continuing through and including on or about the date of the return of this Superseding Indictment, in the Western District of Texas, the Defendants,

**JULIO ADRIAN PESQUEIRA-GALAVIZ (1),
a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares, and
MAURO GALAVIZ-MARIN (3),
a.k.a. Mauro Marin, a.k.a. Mauro Galaviz, a.k.a. Mauro Galaviz-Marin, a.k.a. Nana,**

knowingly, intentionally, and unlawfully conspired, combined, and confederated, and agreed with others to the Grand Jury known and unknown, to commit offenses against the United States, in violation of Title 18, United States Code, Section 924(h), to wit; knowingly transfer a firearm, knowing that the firearm would be used in a crime of violence and drug trafficking crime, all in violation of Title 18, United States Code, Sections 371 & 924(h).

COUNT TEN

(18 U.S.C. § 2 & 18 U.S.C. § 924(a)(1)(A))

19. Paragraphs 1 through 12 of the Introduction and General Allegations and the Overt Acts to this Superseding Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

20. That on or about January 27, 2011, in the Western District of Texas, the Defendants,

**JULIO ADRIAN PESQUEIRA-GALAVIZ (1),
a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares, and
RUBEN ARMENDARIZ (8)**

aiding and abetting each other, did knowingly, intentionally, and unlawfully make a false statement and representation to a person licensed under the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Witness "F", a licensed dealer, in that the

defendants did cause a false entry on a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, that **RUBEN ARMENDARIZ** was the transferee of a Century International Arms, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1965JL1908 and a Century International Arms, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1985PM1163 , in violation of Title 18, United States Code, Section 2 and Title 18, United States Code, Section 924(a)(1)(A).

COUNT ELEVEN

(18 U.S.C. § 2 & 18 U.S.C. § 924(a)(1)(A))

21. Paragraphs 1 through 12 of the Introduction and General Allegations and the Overt Acts to this Superseding Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

22. That on or about January 27, 2011, in the Western District of Texas, the Defendants,

**JULIO ADRIAN PESQUEIRA-GALAVIZ (1),
a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares, and
JESSE HECTOR ANDUJO (9),**

aiding and abetting each other, did knowingly, intentionally, and unlawfully make a false statement and representation to a person licensed under the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Witness "G," a licensed dealer, in that the defendants did cause a false entry on a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, that **JESSE HECTOR ANDUJO** was the transferee of a Century Arms, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1969BO3591 , in violation of Title 18, United States Code, Section 2 and Title 18, United States Code, Section 924(a)(1)(A).

COUNT TWELVE

(18 U.S.C. § 2 & 18 U.S.C. § 924(a)(1)(A))

23. Paragraphs 1 through 12 of the Introduction and General Allegations and the Overt Acts to this Superseding Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

24. That on or about January 29, 2011, in the Western District of Texas, the Defendants,

**JULIO ADRIAN PESQUEIRA-GALAVIZ (1),
a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares, and
AARON NICODEMUS DOMINGUEZ-HYATT (10),**

aiding and abetting each other, did knowingly, intentionally, and unlawfully make a false statement and representation to a person licensed under the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Witness "H," a licensed dealer, in that the defendants did cause a false entry on a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, that **AARON NICODEMUS DOMINGUEZ-HYATT** was the transferee of a Century Arms, model WASR-10, 7.62 x 39 caliber rifle bearing serial number SBG 1306 76RO and a Springfield Armory, model M1A, .308 caliber rifle bearing serial number 260 443, in violation of Title 18, United States Code, Section 2 and Title 18, United States Code, Section 924(a)(1)(A).

COUNT THIRTEEN

(18 U.S.C. § 2 & 18 U.S.C. § 924(a)(1)(A))

25. Paragraphs 1 through 12 of the Introduction and General Allegations and the Overt Acts to this Superseding Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

26. That on or about February 5, 2011, in the Western District of Texas, the Defendants,

**JULIO ADRIAN PESQUEIRA-GALAVIZ (1),
a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares, and
JESSE HECTOR ANDUJO (9),**

aiding and abetting each other, did knowingly, intentionally, and unlawfully make a false statement and representation to a person licensed under the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Witness "G", a licensed dealer, in that the defendants did cause a false entry on a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, that **JESSE HECTOR ANDUJO** was the transferee of a Century Arms, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1967AF0292 and a Century Arms, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1966AC2954, in violation of Title 18, United States Code, Section 2 and Title 18, United States Code, Section 924(a)(1)(A).

COUNT FOURTEEN

(18 U.S.C. § 2 & 18 U.S.C. § 924(a)(1)(A))

27. Paragraphs 1 through 12 of the Introduction and General Allegations and the Overt Acts to this Superseding Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein.

28. That on or about February 9, 2011, in the Western District of Texas, the Defendants,

**JULIO ADRIAN PESQUEIRA-GALAVIZ (1),
a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares, and
OMAR PEREZ (11),
a.k.a. Piso,**

aiding and abetting each other, did knowingly, intentionally, and unlawfully make a false statement and representation to a person licensed under the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Witness "I", a licensed dealer, in that the defendants did cause a false entry on a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, that **OMAR PEREZ a.k.a. Piso** was the transferee of a Century Arms International, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1983 NR 5704, a Century Arms International, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1967 AF 1983 and a Century Arms International, model WASR-10, 7.62 x 39 caliber rifle bearing serial number 1977 HB 6213 , in violation of Title 18, United States Code, Section 2 and Title 18, United States Code, Section 924(a)(1)(A).

NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE
AS TO COUNTS ONE THROUGH SIX AND COUNTS TEN THROUGH FOURTEEN
(18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c))

As a result of committing on or more of the offenses alleged in Counts One through Six and Count Nine of this Superseding Indictment, Defendants,

JULIO ADRIAN PESQUEIRA-GALAVIZ (1),
a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares,
MAURO GALAVIZ-MARIN (3),
a.k.a. Mauro Marin, a.k.a. Mauro Galaviz, a.k.a. Mauro Galaviz-Marin, a.k.a. Nana,
JESUS GUADALUPE GALAVIZ (4),
a.k.a. Chuy, a.k.a. Jesus Guadalupe Galaviz-Valenzuela,
ISAIAH ANDRES RIDENHOWER (5),
a.k.a. Andy, a.k.a. Andres,
DANIEL ARMENDARIZ (6),
a.k.a. Danny Armendariz, and
LINDA YVETTE ARMENDARIZ(7),
RUBEN ARMENDARIZ (8),
JESSE HECTOR ANDUJO (9),
AARON NICODEMUS DOMINGUEZ-HYATT (10), and
OMAR PEREZ (11),
a.k.a. Piso,

shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), any and all firearms and ammunition involved in or used in the commission of the offenses.

NOTICE OF GOVERNMENT'S DEMAND FOR FORFEITURE
AS TO COUNTS SEVEN AND EIGHT

(18 U.S.C. §§ 554 and 981(a)(1)(C), 19 U.S.C. § 1595a(d) and 28 U.S.C. § 2461(c))

Upon conviction of one or more of the offenses set forth in Counts Seven and Eight of this Superseding Indictment, Defendants,

JULIO ADRIAN PESQUEIRA-GALAVIZ (1),
a.k.a. Tato, a.k.a., Julio Pezqueira-Galaviz,
RAMON EDUARDO NUNEZ (2),
a.k.a. Sargento, a.k.a. Ramon Nunez-Lares,
MAURO GALAVIZ-MARIN (3), and
a.k.a. Mauro Marin, a.k.a. Mauro Galaviz, a.k.a. Mauro Galaviz-Marin, a.k.a. Nana,
JESUS GUADALUPE GALAVIZ (4),
a.k.a. Chuy, a.k.a. Jesus Guadalupe Galaviz-Valenzuela,

shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses, and pursuant to 18 U.S.C. § 554, 19 U.S.C. § 1595a(d) and 28 U.S.C. § 2461(c), any and all merchandise exported or sent from the United States and attempted to be exported or sent from the United States contrary to law, and the proceeds and value thereof, and any and all property used to facilitate the exporting or sending of such merchandise, the attempted exporting or sending of such merchandise, and the receipt, purchase, transportation, concealment, or sale of such merchandise prior to exportation.

Substitute Assets Provision

If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;

- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.


A TRUE BILL
**ORIGINAL SIGNATURE
REDACTED PURSUANT TO
E-GOVERNMENT ACT OF 2002**

FOREPERSON OF THE GRAND JURY

ROBERT PITMAN
UNITED STATES ATTORNEY

BY: 

Assistant United States Attorney
Western District of Texas

BY: 

Assistant United States Attorney
Western District of Texas