



**ADRIAN MOLINA  
ELTON VASQUEZ  
JOHN RODRIGUEZ  
DAVID CORTEZ  
and  
ENCARNACION PEREZ**

did knowingly and willfully conspire and agree together and with each other, and with other persons known and unknown to the Grand Jurors to Violate Title 18, United States Code, Section 924(a)(1)(A), that is, the object of their conspiracy and agreement was to knowingly make false statements and representations with respect to the information required to be kept in the records of a licensed dealer under Chapter 44 of Title 18, United States Code.

**MANNER AND MEANS OF THE CONSPIRACY**

1. It was part of the conspiracy that, the defendant, **EMMANUEL RAMIREZ**, enlisted and directed **CARLOS GARCIA** to recruit individuals which included, the defendants, **BRYANT GUILLEN, EFRAIN VILLARREAL ROQUE BRIAGAS, DAVID LUCAS AND ANN ZARATE**, to purchase firearms for or to recruit others to purchase weapons for, the defendant, **EMMANUEL RAMIREZ**, who would then send the weapons to Mexico.

2. As part of the conspiracy, **DAVID LUCAS**, at the behest of **CARLOS GARCIA**, recruited the defendants, **ADRIAN MOLINA, ELTON VASQUEZ, JOHN RODRIGUEZ, DAVID CORTEZ** and **ENCARNACION PEREZ**, to purchase firearms for the defendant, **EMMANUEL RAMIREZ**.

3. As part of the conspiracy, **BRYANT GUILLEN**, at the behest of **CARLOS GARCIA**, recruited the defendants, **JUAN OLVERA, ZACARIAS GARCIA**, and **JESUS MARTINEZ**, to purchase firearms for the defendant, **EMMANUEL RAMIREZ**.

4. It was further part of the conspiracy that, the defendant, **EMMANUEL RAMIREZ**, would provide co-conspirator, **CARLOS GARCIA**, the money for the purchase of the weapons and instruct **CARLOS GARCIA** as to which weapons to buy. **CARLOS GARCIA** would then provide the money to the co-conspirators and inform the co-conspirators as to which weapons to buy. The co-conspirators would be paid a fee for each weapon they purchased.

5. Finally, it was also part of the conspiracy that the purchasers of the firearms, which included the defendants, **EFRAIN VILLARREAL, ROQUE BRIAGAS, ANN ZARATE, JUAN OLVERA, ZACARIAS GARCIA, JESUS MARTINEZ, ADRIAN MOLINA, ELTON VASQUEZ, JOHN RODRIGUEZ, DAVID CORTEZ, and ENCARNACION PEREZ**, would acquire and attempt to acquire firearms from licensed dealers by knowingly making false and fictitious statements and representations with respect to the information required to be kept in the records of a licensed dealer under Chapter 44 of Title 18, United States Code.

#### **OVERT ACTS:**

1. On or about June 25, 2007, the defendant, **EMMANUEL RAMIREZ**, provided money to defendant, **CARLOS GARCIA**, for the purchase of a firearm by defendant **ANN ZARATE**.
2. On or about June 25, 2007, the defendant, **ANN ZARATE**, purchased one Berretta, 9mm handgun, serial number BER459346, from Academy Sports and Outdoors #34 in McAllen, Texas, by knowingly making a false statement and representation.

3. On or about August, 2007, the defendant **BRYANT GUILLEN** approached the defendant **JUAN OLVERA** and recruited him to purchase firearms for **CARLOS GARCIA**.
4. On or about August 30, 2007, the defendant, **EMMANUEL RAMIREZ**, provided money to **CARLOS GARCIA**, for the purchase of firearms by **BRYANT GUILLEN** and **JUAN OLVERA**.
5. On or about August 30, 2007, the defendant, **JUAN OLVERA**, purchased two Beretta, 9mm handguns, serial numbers BER467644 and BER467654, from Academy Sports and Outdoors #30 in Brownsville, Texas, by making a false statement and representation.
6. On or about September, 2007, the defendant, **BRYANT GUILLEN**, asked, the defendant, **ZACARIAS GARCIA**, if he wanted to make some money by purchasing firearms for an associate of Guillen's.
7. On or about September 18, 2007, the defendant, **EMMANUEL RAMIREZ**, provided money to **CARLOS GARCIA**, for the purchase of firearms by **BRYANT GUILLEN** and **ZACARIAS GARCIA**.
8. On or about September 18, 2007, the defendant, **ZACARIAS GARCIA**, purchased two Beretta, 9mm handguns, serial numbers BER463551 and BER463552, from Academy Sports and Outdoors #34 in McAllen, Texas, by making a false statement and representation.
9. On or about September, 2007, the defendant, **BRYANT GUILLEN**, asked, the defendant, **JESUS MARTINEZ**, if he wanted to make some money by purchasing firearms for an associate of Guillen's.

10. On or about September 2, 2007, the defendant, **EMMANUEL RAMIREZ**, provided money to **CARLOS GARCIA**, for the purchase of firearms by **BRYANT GUILLEN** and **JESUS MARTINEZ**.
11. On or about September 2, 2007, the defendant, **JESUS MARTINEZ**, purchased two Beretta, 9mm handguns, serial numbers BER463383 and BER464404, from Academy Sports and Outdoors #30 in Brownsville, Texas, by making a false statement and representation.
12. On or about September 12, 2007, the defendant, **EMMANUEL RAMIREZ**, provided money to **CARLOS GARCIA**, for the purchase of firearms by **ROQUE BRIAGAS**.
13. On or about September 12, 2007, the defendant, **ROQUE BRIAGAS**, purchased two Beretta, 9mm handguns, serial numbers BER451478 and M9-109786, from Academy Sports and Outdoors #34 in McAllen, Texas, by making a false statement and representation.
14. On or about November 29, 2007, the defendant, **EMMANUEL RAMIREZ**, provided money to **CARLOS GARCIA**, for the purchase of firearms by **EFRAIN VILLARREAL**.
15. On or about November 29, 2007, the defendant, **EFRAIN VILLARREAL**, purchased two Beretta, 9mm handguns, serial numbers BER473921 and PX31589, from Academy Sports and Outdoors #131 in McAllen, Texas, by making a false statement and representation.
16. On or about December, 2007, the defendant, **DAVID LUCAS**, asked, the defendant, **ADRIAN MOLINA**, if he wanted to make some money by purchasing firearms for an associate of Lucas'.

17. On or about December 15, 2007, the defendant, **EMMANUEL RAMIREZ**, provided money to **CARLOS GARCIA**, for the purchase of firearms by **DAVID LUCAS** and **ADRIAN MOLINA**.

18. On or about December 15, 2007, the defendant, **ADRIAN MOLINA**, purchased two Beretta, 9mm handguns, serial numbers BER475515 and BER475456, from Academy Sports and Outdoors #30 in Brownsville, Texas, by making a false statement and representation.

19. On or about December, 2007, the defendant, **DAVID LUCAS**, asked, the defendant, **ELTON VASQUEZ**, if he wanted to make some money by purchasing firearms for an associate of Lucas'.

20. On or about December 12, 2007, the defendant, **EMMANUEL RAMIREZ**, provided money to **CARLOS GARCIA**, for the purchase of firearms by **DAVID LUCAS** and **ELTON VASQUEZ**.

21. On or about December 15, 2007, the defendant, **ELTON VASQUEZ**, purchased two Beretta, 9mm handguns, serial numbers BER467893 and BER475512, from Academy Sports and Outdoors #30 in Brownsville, Texas, by making a false statement and representation.

22. On or about December, 2007, the defendant, **DAVID LUCAS**, asked, the defendant, **ADRIAN MOLINA**, if he wanted to make some money by purchasing firearms for an associate of Lucas'.

23. On or about December 14, 2007, the defendant, **EMMANUEL RAMIREZ**, provided money to **CARLOS GARCIA**, for the purchase of firearms by **DAVID LUCAS** and **JOHN RODRIGUEZ**.

24. On or about December 14, 2007, the defendant, **JOHN RODRIGUEZ**, purchased three Beretta, 9mm handguns, serial numbers BER475453, BER473847 and BER473846, from Academy Sports and Outdoors #30 in Brownsville, Texas, by making a false statement and representation.

25. On or about December, 2007, the defendant, **DAVID LUCAS**, asked, the defendant, **DAVID CORTEZ**, if he wanted to make some money by purchasing firearms for an associate of Lucas'.

26. On or about December 6, 2007, the defendant, **EMMANUEL RAMIREZ**, provided money to **CARLOS GARCIA**, for the purchase of firearms by **DAVID LUCAS** and **DAVID CORTEZ**.

27. On or about December 6, 2007, the defendant, **DAVID CORTEZ**, purchased three Beretta, 9mm handguns, serial numbers BER473928, BER473922 and BER467836, from Academy Sports and Outdoors #131 in McAllen, Texas, by making a false statement and representation.

28. On or about December, 2007, the defendant, **DAVID LUCAS**, asked, the defendant, **ENCARNACION PEREZ**, if he wanted to make some money by purchasing firearms for an associate of Lucas'.

29. On or about December 12, 2007, the defendant, **EMMANUEL RAMIREZ**, provided money to **CARLOS GARCIA**, for the purchase of firearms by **DAVID LUCAS** and **ENCARNACION PEREZ**.

30. On or about December 12, 2007, the defendant, **ENCARNACION PEREZ**, purchased three Beretta, 9mm handguns, serial numbers BER467883, BER474907 and BER475449, from Academy Sports and Outdoors #131 in McAllen, Texas, by making a false statement and representation.

In violation of Title 18, United States Code, Sections 371, 924(a)(1)(A) and Title 18, United States Code, Section 2.

COUNT TWO

On or about June 25, 2007, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,**  
**CARLOS GARCIA,**  
**and**  
**ANN ZARATE**

knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Academy Sports and Outdoors #34 in McAllen, Texas, a person licensed under the provisions of Chapter 44 of Title 18, United States Code, in that the defendant, **ANN ZARATE**, did execute a United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, to the effect that she was the actual buyer of one Beretta, 9mm handgun, serial number BER459346, whereas in truth and in fact, she was acquiring the firearms on behalf of another person,



In violation of Title 18, United States Code, Section 924(a)(1)(A) and Title 18, United States Code, Section 2.

COUNT THREE

On or about August 30, 2007, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,  
CARLOS GARCIA,  
BRYANT GUILLEN  
and  
JUAN OLVERA**

knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Academy Sports and Outdoors #30 in Brownsville, Texas, a person licensed under the provisions of Chapter 44 of Title 18, United States Code, in that the defendant, **JUAN OLVERA**, did execute a United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of two Beretta, 9mm handguns, serial numbers BER467644 and BER467654, whereas in truth and in fact, he was acquiring the firearms on behalf of another person,

In violation of Title 18, United States Code, Section 924(a)(1)(A) and Title 18, United States Code, Section 2.

COUNT FOUR

On or about September 23, 2007, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,  
CARLOS GARCIA,  
BRYANT GUILLEN  
and  
ZACARIAS GARCIA,**

knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Academy Sports and Outdoors #34 in McAllen, Texas, a person licensed under the provisions of Chapter 44 of Title 18, United States Code, in that the defendant, **ZACARIAS GARCIA**, did execute a United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of two Beretta, 9mm handguns, serial numbers BER464252 and BER463546, whereas in truth and in fact, he was acquiring the firearms on behalf of another person,

In violation of Title 18, United States Code, Section 924(a)(1)(A) and Title 18, United States Code, Section 2.

COUNT FIVE

On or about August 30, 2007, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,  
CARLOS GARCIA,  
BRYANT GUILLEN  
and  
JESUS MARTINEZ**

knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records

of Academy Sports and Outdoors #30 in Brownsville, Texas, a person licensed under the provisions of Chapter 44 of Title 18, United States Code, in that the defendant, **JESUS MARTINEZ**, did execute a United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of two Beretta, 9mm handguns, serial numbers BER463383 and BER4644404, whereas in truth and in fact, he was acquiring the firearms on behalf of another person,

In violation of Title 18, United States Code, Section 924(a)(1)(A) and Title 18, United States Code, Section 2.

COUNT SIX

On or about November 14, 2007, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,  
CARLOS GARCIA,  
and  
ROQUE BRIAGAS**

knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Academy Sports and Outdoors #30 in Brownsville, Texas, a person licensed under the provisions of Chapter 44 of Title 18, United States Code, in that the defendant, **ROQUE BRIAGAS**, did execute a United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of two Beretta, 9mm handguns, serial numbers BER464257

and BER473981, whereas in truth and in fact, he was acquiring the firearms on behalf of another person,

In violation of Title 18, United States Code, Section 924(a)(1)(A) and Title 18, United States Code, Section 2.

COUNT SEVEN

On or about November 30, 2007, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,  
CARLOS GARCIA,  
and  
EFRAIN VILLARREAL**

knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Academy Sports and Outdoors #34 in McAllen, Texas, a person licensed under the provisions of Chapter 44 of Title 18, United States Code, in that the defendant, **EFRAIN VILLARREAL**, did execute a United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of two Beretta, 9mm handguns, serial numbers BER464293 and BER473946, whereas in truth and in fact, he was acquiring the firearms on behalf of another person,

In violation of Title 18, United States Code, Section 924(a)(1)(A) and Title 18, United States Code, Section 2.

COUNT EIGHT

On or about December 15, 2007, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,  
CARLOS GARCIA,  
DAVID LUCAS  
and  
ADRIAN MOLINA**

knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Academy Sports and Outdoors #30 in Brownsville, Texas, a person licensed under the provisions of Chapter 44 of Title 18, United States Code, in that the defendant, **ADRIAN MOLINA**, did execute a United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of two Beretta, 9mm handguns, serial numbers BER475515 and BER475456, whereas in truth and in fact, he was acquiring the firearms on behalf of another person,

In violation of Title 18, United States Code, Section 924(a)(1)(A) and Title 18, United States Code, Section 2.

COUNT NINE

On or about December 12, 2007, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,  
CARLOS GARCIA,  
DAVID LUCAS  
and  
ELTON VASQUEZ**

knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Academy Sports and Outdoors #30 in Brownsville, Texas, a person licensed under the provisions of Chapter 44 of Title 18, United States Code, in that the defendant, **ELTON VASQUEZ**, did execute a United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of two Beretta, 9mm handguns, serial numbers BER467893 and BER475512, whereas in truth and in fact, he was acquiring the firearms on behalf of another person,

In violation of Title 18, United States Code, Section 924(a)(1)(A) and Title 18, United States Code, Section 2.

COUNT TEN

On or about December 14, 2007, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,  
CARLOS GARCIA,  
DAVID LUCAS  
and  
JOHN RODRIGUEZ**

knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Academy Sports and Outdoors #30 in Brownsville, Texas, a person licensed under the provisions of Chapter 44 of Title 18, United States Code, in that the defendant, **JOHN RODRIGUEZ**, did execute a United States Department of Justice, Bureau of Alcohol,

Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of three Beretta, 9mm handguns, serial numbers BER475453, BER473847, and BER473846, whereas in truth and in fact, he was acquiring the firearms on behalf of another person,

In violation of Title 18, United States Code, Section 924(a)(1)(A) and Title 18, United States Code, Section 2.

COUNT ELEVEN

On or about December 28, 2007, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,  
CARLOS GARCIA,  
DAVID LUCAS  
and  
DAVID CORTEZ**

knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Academy Sports and Outdoors #34 in McAllen, Texas, a person licensed under the provisions of Chapter 44 of Title 18, United States Code, in that the defendant, **DAVID CORTEZ**, did execute a United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of three Beretta, 9mm handguns, serial numbers BER467843, BER467841, and BER467844, whereas in truth and in fact, he was acquiring the firearms on behalf of another person,

In violation of Title 18, United States Code, Section 924(a)(1)(A) and Title 18, United States Code, Section 2.

COUNT TWELVE

On or about January 10, 2008, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,  
CARLOS GARCIA,  
DAVID LUCAS  
and  
ENCARNACION PEREZ**

knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Academy Sports and Outdoors #131 in McAllen, Texas, a person licensed under the provisions of Chapter 44 of Title 18, United States Code, in that the defendant, **ENCARNACION PEREZ**, did execute a United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives Form 4473, Firearms Transaction Record, to the effect that he was the actual buyer of three Beretta, 9mm handguns, serial numbers BER475055, BER467853, and BER473589, whereas in truth and in fact, he was acquiring the firearms on behalf of another person,

In violation of Title 18, United States Code, Section 924(a)(1)(A) and Title 18, United States Code, Section 2.

COUNT THIRTEEN

On or about August 15, 2007, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,  
and  
CARLOS GARCIA,**



knowingly exported and sent from the United States to the Republic of Mexico, merchandise, that is: a Beretta, 9mm handgun, serial number BER463635, contrary to the law and regulations of the United States.

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

COUNT FOURTEEN

On or about December 7, 2007, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,  
and  
CARLOS GARCIA,**

knowingly exported and sent from the United States to the Republic of Mexico, merchandise, that is: a Beretta, 9mm handgun, serial number BER473982, contrary to the law and regulations of the United States.

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

COUNT FIFTEEN

On or about December 15, 2007, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,  
and  
CARLOS GARCIA,**

knowingly exported and sent from the United States to the Republic of Mexico, merchandise, that is: a Beretta, 9mm handgun, serial number BER475457, contrary to the law and regulations of the United States.

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

**COUNT SIXTEEN**

From on or about June 25, 2007, the exact date unknown, to on or about January 12, 2008, the exact date unknown, in the Southern District of Texas, and within the jurisdiction of the court, the defendants,

**EMMANUEL RAMIREZ,  
and  
CARLOS GARCIA,**

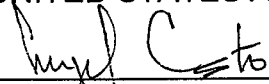
knowingly exported and sent from the United States to the Republic of Mexico, any merchandise, article and object, that is: more than sixty (60) semi-automatic Beretta handguns, contrary to the law and regulations of the United States.

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

A TRUE BILL:

\_\_\_\_\_  
FOREPERSON OF THE GRAND JURY

DONALD J. DeGABRIELLE JR.  
UNITED STATES ATTORNEY

  
\_\_\_\_\_  
ANGEL CASTRO  
Assistant United States Attorney