

AO 91 (Rev. 02/09) Criminal Complaint

Tolson

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States of America

v.

2/1 Jorge SANTANA Jr. (USA)
Javier GONZALEZ ("")
3 Mario Alberto PALACIOS-Andrade
Defendant

Case No. B-13-809-MJ

United States District Court
Southern District of Texas
FILED

SEP 20 2013

David J. Bradley, Clerk of Court

CRIMINAL COMPLAINT

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

On or about the date of September 19, 2013 in the county of Cameron in the Southern District of Texas, the defendant violated 22 U. S. C. § 2778 an offense described as follows:

Knowingly and willfully export and cause to be exported into the United Mexican States from the United States of America a defense article, that is, to wit: three (3) handguns, four (4) handgun magazines and 6,040 rounds of rifle and handgun ammunition which are designated as defense articles on the United States Munitions List, without having first obtained from the Department of State a license for such export or written authorization for such export.

This criminal complaint is based on these facts:

See Attachment "A".

Continued on the attached sheet

Refugio Hernandez
Complainant's signature
Refugio Hernandez, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 09/20/2013

City and state: Brownsville, Texas

Felix Recio
Judge's signature
Felix Recio, U.S. Magistrate
Printed name and title

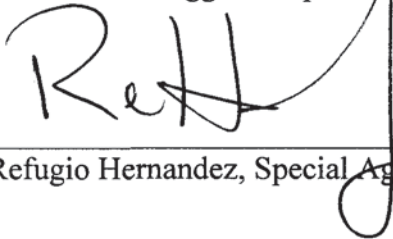
Attachment A

On September 19, 2013, United States (U.S.) Customs and Border Protection (CBP) Officers were conducting South-bound inspection operations at the Gateway Port of Entry (Gateway POE), Brownsville, TX. CBP Officers selected a white Ford F-250 bearing Texas license plates with three (3) male occupants for inspection. The driver identified as Mario Alberto PALACIOS-Andrade a Mexican national with a valid visitor's visa, and passengers Jorge SANTANA, Jr., and Javier GONZALEZ, both United States Citizens, gave a negative declaration for monies, weapons, and ammunition. The vehicle and the three (3) occupants were referred to the secondary inspection area.

CBP Officers inspected the vehicle and discovered: one (1) .357 caliber Glock 32 pistol; one (1) Ruger 9mm pistol; one (1) .40 caliber Smith and Wesson pistol; one (1) .357 caliber magazine; two (2) 9mm magazines; one (1) Smith and Wesson .40 caliber magazine; 5,440 cartridges of 7.62 caliber ammunition; 200 cartridges of .45 caliber ammunition; and 400 cartridges of .38 super caliber ammunition concealed in the F-250's fuel tank. A total of 6,040 cartridges of ammunition were concealed in the fuel tank.

SANTANA and GONZALEZ admitted to wrapping the weapons and ammunition and concealing them in the fuel tank for the purpose of smuggling them into Mexico. SANTANA and GONZALEZ stated that they knew it was illegal to export magazines and ammunition from the U.S. into Mexico. SANTANA and GONZALEZ further stated that they did not have nor had they ever applied for a Department of State License to export firearms and ammunition.

PALACIOS admitted to agreeing with persons unknown to take a vehicle from Mexico to Houston, TX with the intent for the vehicle to be utilized at a later date to smuggle weapons and ammunitions into Mexico for a monetary gain.



Refugio Hernandez, Special Agent

Sworn to before me and signed in my presence on September 20, 2013, in Brownsville, Texas.



Felix Recio
United States Magistrate Judge