

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

NOV 12 2008

DAVID J. WILAND, CLERK  
BY  
DEPUTY \_\_\_\_\_

SHERMAN DIVISION

UNITED STATES OF AMERICA §  
§  
VS. §  
§  
VICTOR MANUEL VILLALPANDO (1) §  
NORBERTO ESTRADA (2) §

Criminal No. 4:08CR 214  
Judge Schell

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

COUNT I

Violation: 18 U.S.C. § 371 and 18 U.S.C. § 922(k) (Conspiracy to Possess firearms with obliterated serial numbers)

From on or about April 1, 2008 and continuing through November 12, 2008, in the Eastern District of Texas and elsewhere, the Defendants,

**VICTOR MANUEL VILLALPANDO  
NORBERTO ESTRADA**

did knowingly and willfully combine, conspire, confederate and agree with others known and unknown to the Grand Jury, to commit an offense against the United States, namely: to possess firearms which had the importer's or manufacturer's serial number removed, obliterated, or altered, and which had been shipped or transported in interstate or foreign commerce, contrary to Title 18, United States Code, Section 922(k), all in violation of Title 18 United States Code Section 371.

**THE MANNER AND MEANS OF THE CONSPIRACY**

It was a part of the conspiracy that the Defendant's, VICTOR MANUEL VILLALPANDO and NORBERTO ESTRADA would obtain firearms which had been purchased by various straw purchasers and which had the serial numbers obliterated from various individuals in and around the Eastern District of Texas;

It was further a part of the conspiracy that the Defendant's, VICTOR MANUEL VILLALPANDO and NORBERTO ESTRADA would transport the firearms with the obliterated serial numbers to a common staging location in or around the Eastern District of Texas for preparation for transportation and importation to United States of Mexico.

**OVERT ACTS**

In furtherance of the aforesaid conspiracy and to affect and accomplish the objects thereof, Defendant's VICTOR MANUEL VILLALPANDO and NORBERTO ESTRADA on October 23, 2008, in the Eastern District of Texas, did knowingly possess the following firearms which had obliterated serial numbers:

1. a Smith and Wesson, Model SW40VE, 40 caliber semi-automatic pistol;
2. a DC industries Incorporated, Model AMD-65, 7.62 x 39mm rifle;
3. Romarm/Cugir, WASR-10/63, 7.62 x 39mm rifle (partial 1974);
4. CN Romarm SA Cugir, 7.62 x 39mm rifle (partial R0);
5. CN Romarm SA Cugir, 7.62 x 39mm rifle (partial FP4330);
6. CN Romarm SA Cugir, 7.62 x 39mm rifle (partial 91336);
7. CN Romarm SA Cugir, 7.62 x 39mm rifle (partial LM3467);
8. CN Romarm SA Cugir, 7.62 x 39mm rifle;

9. CN Romarm SA Cugir, 7.62 x 39mm rifle (partial 1983);
10. CN Romarm SA Cugir, 7.62 x 39mm rifle (partial 1976);
11. Romania/ARMexim, 7.62 x 39mm rifle (partial AK2958).

All in violation of Title 18, United States Code, Section 371.

COUNT II

Violation: 18 U.S.C. § 922(k)  
(Possession of a firearm with an obliterated  
serial number)

On or about October 23, 2008, in the Eastern District of Texas, VICTOR MANUEL VILLALPANDO and NORBERTO ESTRADA, Defendants herein, did knowingly possess the following firearms:

1. a Smith and Wesson, Model SW40VE, 40 caliber semi-automatic pistol;
2. a DC industries Incorporated, Model AMD-65, 7.62 x 39mm rifle;
3. Romarm/Cugir, WASR-10/63, 7.62 x 39mm rifle (partial 1974);
4. CN Romarm SA Cugir, 7.62 x 39mm rifle (partial R0);
5. CN Romarm SA Cugir, 7.62 x 39mm rifle (partial FP4330);
6. CN Romarm SA Cugir, 7.62 x 39mm rifle (partial 91336);
7. CN Romarm SA Cugir, 7.62 x 39mm rifle (partial LM3467);
8. CN Romarm SA Cugir, 7.62 x 39mm rifle;
9. CN Romarm SA Cugir, 7.62 x 39mm rifle (partial 1983);
10. CN Romarm SA Cugir, 7.62 x 39mm rifle (partial 1976);
11. Romania/ARMexim, 7.62 x 39mm rifle (partial AK2958).

which had the importer's or manufacturer's serial number removed, obliterated, or altered, and

which had been shipped or transported in interstate or foreign commerce, in violation of Title 18, United States Code, Section 922(k).

COUNT III

Violation: 18 U.S.C. §§ 554 and 2  
(Smuggling goods from the United States)  
and (Aiding and Abetting)

From on or about April 1, 2008 and continuing through October 23, 2008, in the Eastern District of Texas and elsewhere, the Defendants,

**VICTOR MANUEL VILLALPANDO  
NORBERTO ESTRADA**

aided and abetted by others, knowingly attempted to export and send from the United States to the United States of Mexico, any merchandise, article, and object, that is: 20 firearms, approximately 4,000 rounds of ammunition, other firearm related maintenance merchandise, contrary to the laws and regulations of the United States.

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

A TRUE BILL



GRAND JURY FOREPERSON

REBECCA A. GREGORY  
UNITED STATES ATTORNEY



ERNEST GONZALEZ  
ASSISTANT U. S. ATTORNEY

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE EASTERN DISTRICT OF TEXAS**

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**UNITED STATES OF AMERICA**

§

**VS.**

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**Criminal No. 4:08CR** \_\_\_\_\_

§

**Judge** \_\_\_\_\_

§

**VICTOR MANUEL VILLALPANDO (1)**

§

**NORBERTO ESTRADA (2)**

§

**NOTICE OF PENALTY**

**COUNT I and II**

**Violation:** 18 U.S.C. § 922(k)

**Penalty:** Imprisonment for not more than five (5) years, a fine not to exceed \$250,000, or both, and a term of supervised release of not more than three (3) years.

**Special Assessment:** \$100.00

**COUNT III**

**Violation:** Title 18, United States Code, Section 554

**Penalty:** Not more than ten years imprisonment, a fine not to exceed \$250,000, or both; supervised release of not more than five years;

**Special Assessment:** \$100.00