

United States Courts
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION

DEC 20 2018

David J. Bradley
Clerk of Court

UNITED STATES OF AMERICA

v.

CRIMINAL NUMBER

JOSE J. SOTO
DEREK QUINTANILLA
SAMUEL CARDENAS
ALEX BAUTISTA
GINA GIBEAUT-MORALES
JUAN JOSE GARCIA-CRUZ
HECTOR HUGO OLIVAS

V-18-145

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INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

Beginning on or about November 1, 2017 and continuing through the date of the indictment, in the Southern District of Texas and within the jurisdiction of the Court, Defendants,

JOSE J. SOTO,
DEREK QUINTANILLA,
SAMUEL CARDENAS,
ALEX BAUTISTA,
GINA GIBEAUT-MORALES,
JUAN JOSE GARCIA-CRUZ,
HECTOR HUGO OLIVAS,

did fraudulently and knowingly export and send, and attempt to export and send from the United States to the United Mexican States, merchandise, articles, and objects, that is: one and more of the following rounds of ammunition:

1. 19,994 rounds of .223 caliber ammunition

2. 10,236 rounds of 7.62 caliber ammunition
3. 499 rounds of 50 caliber ammunition
4. 100 AK-47 style firearms
5. 101 AR-15 style firearms
6. 2,200 AK-47/AR-15 high capacity magazines

contrary to the laws and regulations of the United States, to wit, Title 22, United States Code, Section 2278(b)(2) and Section 2278(c), and Title 22, Code of Federal Regulations, Sections 121.1, 123.1, 127.1, and did receive, conceal, buy, sell, and in any manner facilitated the transportation, concealment, and sale of said merchandise, articles, and objects, prior to exportation, knowing the same to be intended for exportation contrary to said laws and regulations of the United States.

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

COUNT TWO

Beginning on or about November 1, 2017 and continuing through the date of indictment, in the Southern District of Texas and within the jurisdiction of the Court, Defendants,

JOSE J. SOTO,
DEREK QUINTANILLA,
SAMUEL CARDENAS,
ALEX BAUTISTA,
GINA GIBEAUT-MORALES,
JUAN JOSE GARCIA-CRUZ,
HECTOR HUGO OLIVAS,

did willfully, knowing, and unlawfully conspire with each other and with others known and unknown to the grand jury to commit offenses against the United States, to wit:

to fraudulently and knowingly export and send from the United States, and attempt to export and send from the United States, any merchandise, object and article contrary to law and regulation

of the United States, that is defense articles, to wit: firearms, magazines, ballistic helmets, and ammunition and to receive, conceal, buy, sell and in any manner facilitate the transportation, concealment, and sale of said firearms, magazines, ballistic helmets, and ammunition, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States, in violation of 18 U.S.C. § 554;

Methods of the Conspiracy

It was part of the conspiracy that GINA GIBEAUT-MORALES, JUAN JOSE GARCIA-CRUZ, and HECTOR HUGO OLIVAS acquired ammunition from JOSE J. SOTO and SAMUEL CARDENAS for delivery to persons known and unknown to the grand jury, knowing them to be exported to buyers in the United Mexican States.

Overt Acts

In furtherance of the conspiracy and to accomplish its unlawful objectives, the following overt acts, among others, were committed in the Southern District of Texas:

1. On or about November 30, 2018, JOSE J. SOTO and SAMUEL CARDENAS placed ammunition in a storage unit on San Bernardo Avenue, Laredo, Texas.
2. On or about November 30, 2018, GINA GIBEAUT-MORALES received ammunition from a storage unit on San Bernardo Avenue, Laredo, Texas.
3. On or about November 30, 2018, JUAN JOSE GARCIA-CRUZ received ammunition from a storage unit on San Bernardo Avenue, Laredo, Texas.
4. On or about November 30, 2018, HECTOR HUGO OLIVAS acquired ammunition for delivery from a storage unit on San Bernardo Avenue, Laredo, Texas.

In violation of Title 18, United States Code, Section 371 and Title 18, United States Code, Section 554(a).

COUNT THREE

From on or about November 1, 2017 to on or about December 6, 2018, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, the Defendants,

JOSE J. SOTO,
DEREK QUINTANILLA,
SAMUEL CARDENAS,
ALEX BAUTISTA,

each aiding and abetting and assisting one another, not being a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of dealing in the shipping and transporting of firearms in interstate or foreign commerce.

In violation of Title 18, United States Code, Sections 922(a)(1)(A), 923 (a), and 924(a)(1)(D) and 2.

A TRUE BILL:
ORIGINAL SIGNATURE ON FILE
FOREPERSON OF THE GRAND JURY

RYAN K. PATRICK
UNITED STATES ATTORNEY

By: *Patti Hubert Booth*
PATTI HUBERT BOOTH
Assistant United States Attorney