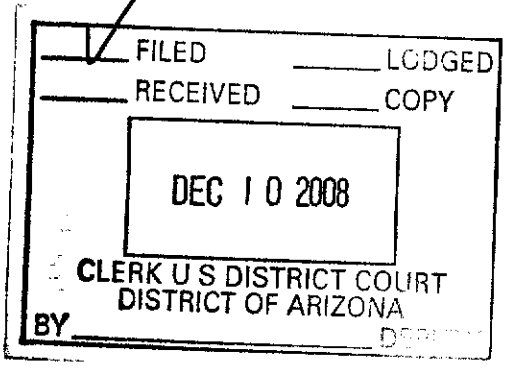


1 DIANE J. HUMETEWA
United States Attorney
2 District of Arizona
JOELYN D. MARLOWE
3 Assistant United States Attorney
Arizona State Bar No. 009206
4 405 West Congress Street, Suite 4800
Tucson, Arizona 85701-5040
5 Telephone: (520) 620-7300
joelyn.marlowe@usdoj.gov
6 Attorneys for Plaintiff



SEALED

7 UNITED STATES DISTRICT COURT
8 DISTRICT OF ARIZONA

08-01853M

9 **United States of America,**)
10 **Plaintiff,**)
11 **v.**)
12 **Aldo Arizmendiz,**)
13 **Joel Arizmendiz,**)
14 **Jose Arizmendiz,**)
15 **Fernando Lopez,**)
16 **Juan Carlos Medina Duarte,**)
17 **Alejandro Medrano,**)
18 **Jesus Medrano,**)
19 **Michael Moreno,**)
20 **Hernan Ramos,**)
21 **Seth Rutledge,**)
22 **Defendants.**)

COMPLAINT

Violations:

- 18 U.S.C. § 371
- 18 U.S.C. § 922(a)(6)
- 18 U.S.C. § 924(a)(2)

(Conspiracy to Defraud; False Statement During Purchase of a Firearm)

COUNT 1

21 1. From a time unknown including on or about May 6, 2006, and continuing through on
22 or about September 13, 2008, in the District of Arizona, and elsewhere, **Aldo Arizmendiz,**
23 **Joel Arizmendiz, Jose Arizmendiz, Fernando Lopez, Juan Carlos Medina Duarte,**
24 **Alejandro Medrano, Jesus Medrano, Michael Moreno, Hernan Ramos, Seth Rutledge,**
25 named herein as defendants and co-conspirators, did willfully, knowingly, and unlawfully
26 combine, conspire, confederate and agree together and with others known and unknown, to

1 make false statements in connection with the acquisition of firearms from federally licensed
2 dealers of the United States, in violation of Title 18, United States Code, Sections 922(a)(6)
3 and 924(a)(2); all in violation of Title 18, United States Code, Section 371.

4 **OVERT ACTS AND BASIS OF COMPLAINANT'S CHARGE AGAINST THE**
5 **DEFENDANTS**

6 2. Special Agents of the Alcohol, Tobacco, and Firearms Bureau (ATF) conducted an
7 investigation which included but was not limited to a review of the Bureau of Alcohol,
8 Tobacco, Firearms and Explosives Form 4473 (hereafter 4473) in each of the firearm
9 purchases referenced below. Further, ATF Special Agents conducted surveillance, recorded
10 firearms transactions, and identified the dates and times that the conspirators herein crossed
11 the international border either in vehicles or on foot.

12 3. As part, and in furtherance, of the conspiracy, at least one of the conspirators
13 performed or caused to be performed at least one of the following overt acts, among others,
14 in the District of Arizona and elsewhere, including, but not limited to, the following:

15 4. On or about February 23, 2008, at or near Phoenix, Arizona, **Hernan Ramos**, falsely
16 represented on the 4473 that he was the actual purchaser of a firearm, that is, an Izhmash,
17 Saiga, .762 caliber rifle, bearing serial number H07100980, from a federally licensed firearms
18 dealer.

19 5. From on or about February 23, 2008, until a time on or about June 7, 2008, **Hernan**
20 **Ramos**, together with others known and unknown, transferred the Izhmash, Saiga, .762
21 caliber rifle, bearing serial number H07100980, to the actual purchaser.

22 6. On or about June 7, 2008, Mexican law enforcement recovered the Izhmash, Saiga,
23 .762 caliber rifle, bearing serial number H07100980, at or near Aqua Prieta, Mexico.

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26

1 7. On or about May 18, 2008, at or near the Arizona State Fairgrounds, **Alejandro**
2 **Medrano** purchased two (2) .223 caliber rifles for approximately \$1334.74 from Mad Dawg
3 Global, a federally licensed firearms dealer, and falsely represented on the 4473 that he was
4 the actual purchaser.

5 8. On or about May 20, 2008, before noon, at or near the Douglas Port of Entry,
6 **Alejandro Medrano** entered the United States from Mexico on foot, and **Hernan Ramos**
7 entered the United States in a vehicle approximately twenty minutes later.

8 9. On or about May 20, 2008, at approximately 2:30 p.m., at or near Tucson, Arizona,
9 **Alejandro Medrano** and **Hernan Ramos** went together to Mad Dawg Global, a federally
10 licensed firearms dealer, where **Alejandro Medrano** purchased eight (8) .223 caliber rifles
11 for approximately \$5338.95 and falsely represented on the 4473 that he was the actual
12 purchaser.

13 10. On or about May 21, 2008, at or near the Douglas Port of Entry, **Hernan Ramos**
14 entered the United States from Mexico in a vehicle and then returned to Mexico less than two
15 hours later in the same vehicle through the Douglas Port of Entry.

16 11. On or about June 17, 2008, at or near Tucson, Arizona, **Alejandro Medrano** and
17 **Hernan Ramos** went together to Mad Dawg Global, a federally licensed firearms dealer,
18 where **Hernan Ramos** purchased six (6) .223 caliber rifles for approximately \$4800.00 and
19 falsely represented on the 4473 that he was the actual purchaser. Both **Alejandro Medrano**
20 and **Hernan Ramos** placed the six (6) rifles in the back seat of their vehicle.

21 12. On or about June 17, 2008, **Alejandro Medrano** drove **Hernan Ramos's** vehicle
22 with **Hernan Ramos** as a passenger from Mad Dawg Global in Tucson, Arizona, to the
23 Douglas Port of Entry where they both entered into Mexico with at least the six (6) .223
24 caliber rifles in the vehicle.

25 13. On or about July 19, 2008, at or near a Phoenix gun show, in Phoenix, Arizona, **Joel**
26 **Arizmendiz** purchased two (2) .45 caliber pistols for approximately \$1000.00; **Alejandro**

1 **Medrano** purchased one (1) .308 caliber rifle for approximately \$1000.00; **Jesus Medrano**
2 purchased two(2) .38 Super caliber pistols and one (1) .308 caliber rifle for approximately
3 \$3800.00; and **Seth Rutledge** purchased two (2) .38 Super caliber pistols for approximately
4 \$2800.00. Each defendant falsely represented on the respective 4473 that he was the actual
5 purchaser of the firearms.

6 14. On or about July 20, 2008, in the early morning and within minutes of each other, at
7 or near the Douglas Port of Entry, **Alejandro Medrano** entered the United States driving a
8 vehicle registered to **Joel Arizmendiz**, and **Juan Carlos Medina Duarte** entered on foot
9 through the pedestrian lane.

10 15. On or about July 20, 2008, **Aldo Arizmendiz**, **Joel Arizmendiz**, **Alejandro**
11 **Medrano**, and **Seth Rutledge** were together at a Phoenix gun show, at or near Phoenix,
12 Arizona. After **Alejandro Medrano** appeared to indicate the firearms to be purchased, **Aldo**
13 **Arizmendiz** purchased one (1) .308 caliber rifle for approximately \$1000.00; **Joel**
14 **Arizmendiz** purchased one (1) .308 caliber rifle for approximately \$1000.00; and **Seth**
15 **Rutledge** purchased three (3) .308 caliber rifles for approximately \$3500.00. Each defendant
16 falsely represented on the respective 4473 that he was the actual purchaser of the firearms.

17 16. On or about July 30, 2008, at or near Phoenix, Arizona, **Joel Arizmendiz** purchased
18 one (1) .223 caliber rifle and one (1) 9mm pistol for approximately \$1300.00; **Jose**
19 **Arizmendiz** purchased one (1) .38 Super caliber pistol for approximately \$800.00; **Juan**
20 **Carlos Medina Duarte** purchased two (2) .38 Super caliber pistols and one (1) Beretta for
21 approximately \$2500.00; and **Seth Rutledge** purchased four (4) .38 Super caliber pistols for
22 approximately \$15,500.00. The defendants purchased the firearms from three different
23 federally licensed firearms dealers. Each defendant represented on the respective 4473 that
24 he was the actual purchaser of the firearms.

25 17. On or about August 2, 2008, in the early morning and within a minute of each other,
26 at or near the Douglas Port of Entry, **Alejandro Medrano** entered the United States driving

1 a vehicle registered to **Jose Arizmendiz**, and **Juan Carlos Medina Duarte** entered on foot
2 through the pedestrian lane.

3 18. On or about August 10, 2008, in the evening, at or near the Douglas Port of Entry,
4 **Aldo Arizmendiz**, **Alejandro Medrano**, and **Juan Carlos Medina Duarte**, entered the
5 United States in a vehicle together approximately one minute prior to **Michael Moreno**,
6 **Jesus Medrano**, and **Jose Arizmendiz** who also entered the United States in a vehicle
7 together.

8 19. On or about August 13, 2008, in the evening, at or near the Douglas Port of Entry,
9 **Alejandro Medrano** and **Juan Carlos Medina Duarte** entered the United States driving a
10 vehicle which had entered into Mexico approximately fifteen minutes earlier.

11 20. On or about August 14, 2008, Mexican law enforcement recovered two firearms in
12 Cananea, Sonora, Mexico, the .38 Super caliber pistol purchased by **Jose Arizmendiz** on or
13 about August 2, 2008, together with a Ruger purchased by **Jose Arizmendiz** on or about May
14 6, 2006.

15 21. On or about August 16, 2008, **Aldo Arizmendiz**, **Fernando Lopez**, **Alejandro**
16 **Medrano**, **Jesus Medrano**, and **Michael Moreno** were together at a Phoenix gun show, at
17 or near Phoenix, Arizona. **Aldo Arizmendiz** purchased two (2) .223 caliber rifles and two
18 (2) .308 caliber rifles for approximately \$3700.00; **Fernando Lopez** attempted to purchase
19 one (1) .308 caliber rifle and falsely represented on the 4473 that he did not have a felony
20 conviction; **Jesus Medrano** attempted to purchase two (2) .308 caliber rifles; and **Michael**
21 **Moreno** purchased one (1) .308 caliber rifle and one (1) .38 Super caliber pistol for
22 approximately \$1000.00. Each defendant falsely represented on the respective 4473 that he
23 was the actual purchaser of the firearms.

24 22. On or about August 17, 2008, in the early morning and within a minute of each other,
25 at or near the Douglas Port of Entry, **Alejandro Medrano** entered the United States driving
26 a vehicle, and **Joel Arizmendiz** and **Juan Carlos Medina Duarte** entered on foot through

1 the pedestrian lane.

2 23. On or about August 28, 2008, at or near Phoenix, Arizona, **Michael Moreno**
3 purchased two (2) .38 Super caliber pistols for approximately \$1800.00, from Bear Arms, a
4 federally licensed firearm dealer, and falsely represented on the 4473 that he was the actual
5 purchaser.

6 24. On or about August 31, 2008, in the early morning and within minutes of each other,
7 at or near the Douglas Port of Entry, **Alejandro Medrano** entered the United States driving
8 a vehicle registered to a person known to be associated with **Seth Rutledge**; **Fernando**
9 **Lopez** entered the United States driving a vehicle registered to himself; and **Joel Arizmendiz**
10 and **Juan Carlos Medina Duarte** entered on foot through the pedestrian lane.

11 25. Law enforcement has determined that from a time unknown continuing through on
12 or about September 13, 2008, and to include the firearms described in the above paragraphs,
13 the conspirators have purchased at least eighty (80) firearms for approximately \$80,000.00.

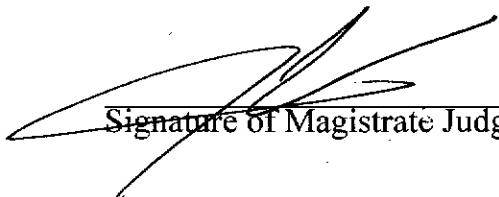
14 26. *The affidavit of Brandon Garcia is incorporated herein by this reference.*
15 Being duly sworn, I declare that the foregoing is true and correct to the best of my
16 knowledge.

16 DATE: Dec. 9, 2008

17 
18 _____
19 Signature of Complainant
Special Agent

20 Joelyn D. Marlowe
21 AUTHORIZED BY: AUSA Joelyn D. Marlowe
22 **Recommend Detention**

23 Sworn to before me and subscribed in my presence.

24 
25 _____
26 Signature of Magistrate Judge