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OF THE CENTRAL DISTRICT OF CALIF.  
FOR ALL FILES

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2009 Grand Jury

**CR 09 00825**

UNITED STATES OF AMERICA,	)	No. CR
	)	
Plaintiff,	)	<u>I N D I C T M E N T</u>
	)	
v.	)	[18 U.S.C. § 371: Conspiracy;
	)	18 U.S.C. § 922(a)(1)(A): Engaging
EDGARDO PRADO CASTANEDA,	)	in the Business of Dealing in
aka "Primo,"	)	Firearms Without a License; 18
VICENTE GARCIA,	)	U.S.C. § 922(g)(1): Felon in
aka "Chevy," and	)	Possession of a Firearm and/or
STEVEN SCOTT BLANKS,	)	Ammunition; 26 U.S.C. § 5861(d):
	)	Possession of an Unregistered
Defendants.	)	Firearm]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 371]

A. OBJECT OF THE CONSPIRACY

Beginning on or about October 16, 2008, and continuing to on or about May 21, 2009, in Los Angeles and Riverside Counties, within the Central District of California, defendants EDGARDO PRADO CASTANEDA, also known as ("aka") "Primo" ("CASTANEDA"), VICENTE GARCIA, aka "Chevy" ("GARCIA"), and STEVEN SCOTT BLANKS

1 ("BLANKS"), and others known and unknown to the Grand Jury,  
2 conspired and agreed with each other to knowingly and  
3 intentionally engage in the business of dealing in firearms  
4 without a license, in violation of Title 18, United States Code,  
5 Section 922(a)(1)(A).

6 B. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE  
7 ACCOMPLISHED

8 The object of the conspiracy was to be accomplished in  
9 substance as follows:

10 1. An unindicted co-conspirator would contact and  
11 negotiate with prospective buyers to sell firearms for a certain  
12 price, and would arrange to sell the firearms to the buyers at  
13 certain locations.

14 2. Defendants CASTANEDA and GARCIA would provide firearms  
15 for sale to the unindicted co-conspirator.

16 3. Defendants CASTANEDA and GARCIA would contact and  
17 negotiate with prospective buyers to sell firearms for a certain  
18 price, and would arrange to sell the firearms to the buyers at  
19 certain locations.

20 4. Defendants CASTANEDA and GARCIA, alone or together,  
21 would meet with the buyers.

22 5. Defendants CASTANEDA and GARCIA would obtain and  
23 deliver the firearms to the buyers.

24 6. Defendant BLANKS would deliver the firearms to the  
25 buyers.

26 7. Defendants CASTANEDA, GARCIA, and BLANKS would accept  
27 payment for the firearms.

28 \\

1 C. OVERT ACTS

2 In furtherance of the conspiracy and to accomplish the  
3 object of the conspiracy, defendants CASTANEDA, GARCIA, and  
4 BLANKS, and others known and unknown to the Grand Jury, committed  
5 various overt acts within the Central District of California, on  
6 or about the following dates, including, but not limited to, the  
7 following:

8 1. On October 16, 2008, the unindicted co-conspirator met  
9 with a Bureau of Alcohol, Tobacco, Firearms, and Explosives  
10 Confidential Informant (the "CI"), and the unindicted co-  
11 conspirator told the CI that he had firearms for sale.

12 2. On October 20, 2008, the unindicted co-conspirator met  
13 with the CI in front of defendant GARCIA's residence in Azusa,  
14 California and displayed several firearms to the CI.

15 3. On October 20, 2008, defendant GARCIA confirmed the  
16 specific prices for the firearms offered for sale to the CI.

17 4. On October 20, 2008, the unindicted co-conspirator  
18 delivered three firearms to the CI, namely: (1) a Marlin model  
19 60 .22 caliber rifle, bearing serial number 16398110; (2) an  
20 Olympic Arms AR-15-type rifle, bearing serial number B12789; and  
21 (3) a Bushmaster model XM 15 (AR-15-type) rifle, bearing serial  
22 number L040027.

23 5. On October 20, 2008, the unindicted co-conspirator  
24 accepted a \$3,000 payment from the CI for the Marlin model 60 .22  
25 caliber rifle, bearing serial number 16398110, the Olympic Arms  
26 AR-15-type rifle, bearing serial number B12789, and the  
27 Bushmaster model XM 15 (AR-15-type) rifle, bearing serial number  
28 L040027.

1           6.    On October 30, 2008, the unindicted co-conspirator told  
2 the CI that he had an "Uzi" firearm and a fully automatic M-11-  
3 type firearm for sale and that each firearm would cost \$1,400.

4           7.    On October 30, 2008, the unindicted co-conspirator told  
5 the CI that he had an AR-15-type firearm that the unindicted co-  
6 conspirator would give to the CI that day in exchange for a later  
7 payment.

8           8.    On October 30, 2008, the unindicted co-conspirator met  
9 with the CI at the unindicted co-conspirator's residence in  
10 Duarte, California, and the unindicted co-conspirator delivered  
11 three firearms to the CI, namely: (1) a Bushmaster model M17S  
12 .223 caliber rifle, bearing serial number P06724; (2) a Norinco  
13 model 320 9mm caliber rifle, bearing serial number MSA09131; and  
14 (3) a SWD model M-11 9mm caliber pistol, bearing serial number  
15 89-0002328.

16           9.    On October 30, 2008, the unindicted co-conspirator  
17 accepted a \$2,800 payment from the CI for the Norinco model 320  
18 9mm caliber rifle, bearing serial number MSA09131, and the SWD  
19 model M-11 9mm caliber pistol, bearing serial number 89-0002328.

20           10.   On January 5, 2009, the unindicted co-conspirator met  
21 with the CI and delivered a Llama model Micro Max .32 caliber  
22 pistol, bearing serial number 71040854701, to the CI.

23           11.   On January 5, 2009, the unindicted co-conspirator  
24 accepted a \$500 payment from the CI for the Llama model Micro Max  
25 .32 caliber pistol, bearing serial number 71040854701.

26           12.   On January 21, 2009, the unindicted co-conspirator told  
27 the CI that he would have more firearms for sale soon.

28           13.   On January 27, 2009, the unindicted co-conspirator told

1 the CI that had more firearms for sale, including two rifles that  
2 he was selling for \$400.

3 14. On January 27, 2009, the unindicted co-conspirator met  
4 with the CI and delivered a .22 caliber rifle of unknown  
5 manufacture, bearing serial number 51103, and a Colt model 20 .22  
6 caliber rifle, bearing serial number 23975441, to the CI.

7 15. On January 27, 2009, the unindicted co-conspirator  
8 accepted a \$400 payment from the CI for the .22 caliber rifle of  
9 unknown manufacture, bearing serial number 51103, and the Colt  
10 model 20 .22 caliber rifle, bearing serial number 23975441.

11 16. On January 28, 2009, defendant GARCIA met with the CI  
12 and asked the CI if the CI was the person who had been purchasing  
13 firearms from the unindicted co-conspirator.

14 17. On January 28, 2009, defendant GARCIA arranged a  
15 meeting between himself, the CI, and defendant CASTANEDA after  
16 the CI told defendant GARCIA that the CI had been purchasing  
17 firearms from the unindicted co-conspirator.

18 18. On January 28, 2009, defendant CASTANEDA, defendant  
19 GARCIA, and the CI met and agreed that the unindicted co-  
20 conspirator was responsible for paying defendant CASTANEDA for  
21 the firearms that defendant CASTANEDA had supplied to the  
22 unindicted co-conspirator and that the unindicted co-conspirator  
23 had sold to the CI.

24 19. On January 28, 2009, defendant CASTANEDA told the CI  
25 that defendant CASTANEDA could obtain whatever firearms the CI  
26 wanted to purchase and that the CI should contact defendant  
27 GARCIA to arrange for such purchases.

28 20. On January 28, 2009, defendant GARCIA told the CI that

1 he would coordinate the firearms transactions with the CI after  
2 defendant GARCIA became more comfortable with the CI.

3 21. On February 4, 2009, defendant GARCIA told the CI that  
4 he had a pistol and two AR-15-type rifles for sale and that the  
5 AR-15-type rifles would cost \$1,500 each.

6 22. On February 4, 2009, defendant GARCIA met with the CI  
7 at defendant GARCIA's residence in Azusa, California, and  
8 defendant GARCIA agreed to sell two AR-15-type firearms to the CI  
9 for \$3,000.

10 23. On February 4, 2009, defendant GARCIA called defendant  
11 CASTANEDA to arrange for the delivery of two AR-15-type firearms  
12 to defendant GARCIA's residence.

13 24. On February 4, 2009, defendant CASTANEDA delivered two  
14 AR-15-type firearms in his vehicle to defendant GARCIA's  
15 residence.

16 25. On February 4, 2009, defendant CASTANEDA displayed and  
17 handed to the CI two AR-15-type firearms, namely: (1) an  
18 Armalite Eagle Arms model M15A2 (AR-15-type) 5.56mm caliber  
19 rifle, bearing serial number 38818; and (2) an Olympic Arms model  
20 MFR (AR-15-type) .223 caliber rifle, bearing serial number 6009.

21 26. On February 4, 2009, defendant CASTANEDA accepted  
22 \$3,000 in payment from the CI for the Armalite Eagle Arms model  
23 M15A2 (AR-15-type) 5.56mm caliber rifle, bearing serial number  
24 38818, and the Olympic Arms model MFR (AR-15-type) .223 caliber  
25 rifle, bearing serial number 6009.

26 27. On February 24, 2009, defendant GARCIA called the CI,  
27 told the CI that defendant CASTANEDA had more firearms for sale,  
28 and arranged to meet the CI at defendant GARCIA's residence to

1 conduct a firearms transaction.

2 28. On February 24, 2009, defendant GARCIA met with the CI  
3 at defendant GARCIA's residence in Azusa, California, displayed  
4 three pistols that defendant GARCIA had for sale, and told the CI  
5 that defendant CASTANEDA would bring more firearms.

6 29. On February 24, 2009, defendant CASTANEDA delivered two  
7 more pistols to the CI at defendant GARCIA's residence.

8 30. On February 24, 2009, defendants CASTANEDA and GARCIA  
9 negotiated the price for the five pistols they made available for  
10 sale to the CI, namely: (1) a Tanfoglio model Witness P .45  
11 caliber pistol, bearing serial number EA01155; (2) a Tanfoglio  
12 model EA .380 caliber pistol, bearing serial number EA20334; (3)  
13 a Bersa model 383a .380 caliber pistol, bearing serial number  
14 248032; (4) a Ruger model Single Six .22 caliber revolver,  
15 bearing serial number 435296; and (5) a Taurus unknown model .38  
16 caliber revolver bearing serial number 1814716 ("the five  
17 pistols").

18 31. On February 24, 2009, defendant GARCIA accepted from  
19 the CI \$2,100 of the \$2,400 total price for the five pistols.

20 32. On February 25, 2009, defendant GARCIA told the CI that  
21 defendant CASTANEDA had nine firearms for sale for a price of  
22 \$2,800.

23 33. On February 25, 2009, defendant GARCIA met with the CI  
24 and further negotiated the sale of the nine firearms that  
25 defendants GARCIA and CASTANEDA had for sale.

26 34. On February 25, 2009, defendant GARCIA told the CI that  
27 he had access to a "Streetsweeper" firearm.

28 35. On February 25, 2009, defendant CASTANEDA called

1 defendant GARCIA, and defendants CASTANEDA and GARCIA agreed that  
2 defendant GARCIA and the CI would pick-up the firearms from  
3 defendant CASTANEDA's residence in Azusa, California.

4 36. On February 25, 2009, defendant GARCIA drove the CI to  
5 defendant CASTANEDA's residence in Azusa, California, and  
6 defendant CASTANEDA delivered a box to defendant GARCIA's truck  
7 that contained seven firearms, namely: (1) a Remington model 13T  
8 .22 caliber rifle, bearing no serial number; (2) a Remington  
9 model 14 .22 caliber rifle, bearing no serial number; (3) a  
10 Marlin model 39A .22 caliber rifle, bearing serial number J12996;  
11 (4) a Harrington and Richardson model Huntsman .45 caliber rifle,  
12 bearing serial number AJ268794; (5) a Ruger model Mark I .22  
13 caliber pistol, bearing serial number 11-02307; (6) a Ruger  
14 unknown model .22 caliber pistol, bearing serial number 113437;  
15 and (7) a Ruger model Single Six .22 caliber revolver, bearing  
16 serial number 506422 ("the seven firearms").

17 37. On February 25, 2009, defendant GARCIA drove his truck  
18 to his residence and delivered the seven firearms to the CI's  
19 vehicle.

20 38. On February 25, 2009, defendants GARCIA and CASTANEDA  
21 negotiated the payment for the seven firearms with the CI and  
22 agreed that the CI could pay \$2,100 for the seven firearms and  
23 needed to pay the \$300 the CI still owed for the five pistols  
24 defendants GARCIA and CASTANEDA sold to the CI the previous day.

25 39. On March 6, 2009, defendant GARCIA told the CI that he  
26 had five firearms for sale.

27 40. On March 11, 2009, defendant GARCIA accepted a \$1,000  
28 down payment from the CI for five firearms.



1           41. On March 11, 2009, defendant GARCIA obtained five  
2 firearms from a house in Glendora, California, namely: (1) a  
3 Mauser model Sabre 12-gauge shotgun, bearing serial number  
4 M29477; (2) a model R310AB 12-gauge shotgun of unknown  
5 manufacture, bearing serial number G085933; (3) a Winchester  
6 model Defender 12-gauge shotgun, bearing serial number L815968;  
7 (4) a Norinco model MAK 90 Sporter (AK-47-type) 7.62mm caliber  
8 rifle, bearing serial number 9421951; and (5) a SWD model  
9 Streetsweeper 12-gauge shotgun, bearing serial number 8063 ("the  
10 five Glendora firearms").

11           42. On March 11, 2009, defendant GARCIA delivered the five  
12 Glendora firearms to the CI.

13           43. On April 14, 2009, defendant GARCIA told the CI that  
14 defendant CASTANEDA had several firearms for sale and that  
15 defendant CASTANEDA would contact the CI directly regarding these  
16 firearms.

17           44. On April 14, 2009, defendant CASTANEDA called the CI  
18 and told the CI that defendant CASTANEDA had two AK-47-type  
19 machineguns, two semi-automatic AK-47-type machineguns, and an  
20 UZI-type machinegun for sale for \$1,300 each.

21           45. On April 15, 2009, defendant GARCIA met with the CI to  
22 arrange for the purchase of firearms.

23           46. On April 15, 2009, defendant GARCIA directed the CI to  
24 follow him to the location where the firearms were stored, and  
25 defendant GARCIA led the CI to the location where the firearms  
26 were stored.

27           47. On April 15, 2009, defendant GARCIA accepted \$4,050 in  
28 payment for three firearms, namely: (1) a Chinese made unknown

1 model (AK-47-type) 7.62mm caliber machinegun, bearing serial  
2 number 8414837; (2) a Ewbank Manufacturing model EMAKM (AK-47-  
3 type) 7.62mm caliber rifle, bearing an obliterated serial number;  
4 and (3) an AA Arms model AP9 (TEC-9-type) 9mm caliber pistol,  
5 bearing serial number 033237 ("the three firearms").

6 48. On April 15, 2009, defendant GARCIA directed the CI  
7 where to park his car so that two unknown males could load the  
8 three firearms into the CI's car.

9 49. On May 21, 2009, defendant GARCIA told the CI that more  
10 firearms were available for sale.

11 50. On May 21, 2009, defendant GARCIA told the CI to meet  
12 defendant GARCIA at defendant GARCIA's residence and that  
13 defendant GARCIA would direct the CI to the location where the  
14 firearms were kept.

15 51. On May 21, 2009, defendant GARCIA directed the CI to  
16 meet with "Steve" at "Steve's" residence at an address in Norco,  
17 California.

18 52. On May 21, 2009, defendant BLANKS met with the CI at  
19 defendant BLANKS' residence, located at the address in Norco,  
20 California, that the CI had been given by defendant GARCIA.

21 53. On May 21, 2009, defendant BLANKS delivered two  
22 firearms to the CI, namely: (1) a Ruger model Mini 14 .223  
23 caliber bearing rifle, bearing serial number 18448516; and (2) a  
24 Cobray M-11-type 9mm caliber machinegun, bearing no serial number  
25 ("the two firearms").

26 54. On May 21, 2009, defendant BLANKS accepted \$2,400 in  
27 payment from the CI for the two firearms.

28

COUNT TWO

[18 U.S.C. § 922(a)(1)(A)]

From on or about February 4, 2009, through on or about April 15, 2009, in Los Angeles and Riverside Counties, within the Central District of California, defendant EDGARDO PRADO CASTANEDA, also known as "Primo," not being a licensed importer, licensed manufacturer, or licensed dealer, knowingly engaged in the business of importing, manufacturing, and dealing in firearms as follows:

<u>DATE</u>	<u>FIREARMS</u>
February 4, 2009	(1) an Armalite Eagle Arms model M15A2 (AR-15-type) 5.56mm caliber rifle, bearing serial number 38818; and (2) an Olympic Arms, model MFR .223 caliber rifle, bearing serial number 6009.
February 24, 2009	(1) a Tanfoglio model Witness P .45 caliber pistol, bearing serial number EA01155; (2) a Tanfoglio model EA .380 caliber pistol, bearing serial number EA20334; (3) a Bersa model 383a .380 caliber pistol, bearing serial number 248032; (4) a Ruger model Single Six .22 caliber revolver, bearing serial number 435296; and (5) a Taurus, unknown model, .38 caliber revolver, bearing serial number 1814716.
February 25, 2009	(1) a Remington, model 13T .22 caliber rifle, bearing no serial number;

DATE

FIREARMS

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April 15, 2009

- (2) a Remington, model 14 .22 caliber rifle, bearing no serial number;
  - (3) a Marlin model 39A .22 caliber rifle, bearing serial number J12996;
  - (4) a Harrington and Richardson model Huntsman .45 caliber rifle, bearing serial number AJ268794;
  - (3) a Ruger model Mark I .22 caliber pistol, bearing serial number 11-02307;
  - (4) a Ruger, unknown model .22 caliber pistol, bearing serial number 113437; and
  - (5) a Ruger model Single Six .22 caliber revolver, bearing serial number 506422.
- (1) a Chinese-made, unknown model (AK-47-type) 7.62mm caliber machinegun, bearing serial number 8414837;
- (2) a Ewbank Manufacturing model EMAKM (AK-47-type) 7.62mm caliber rifle, with an obliterated serial number; and
- (3) an AA Arms model AP9 (TEC 9-type) 9mm caliber pistol, bearing serial number 033237.

COUNT THREE

[18 U.S.C. § 922(g)(1)]

On or about March 11, 2009, in Los Angeles County, within the Central District of California, defendant VICENTE GARCIA, also known as "Chevy" ("GARCIA"), knowingly possessed firearms, namely: (1) a Mauser model Sabre 12-gauge shotgun, bearing serial number M29477; (2) a Winchester model Defender 12-gauge shotgun, bearing serial number L815968; (3) a Norinco AK-47-type model MAK 90 Sporter 7.62mm caliber rifle, bearing serial number 9421951; and (4) an SWD model Streetsweeper 12-gauge shotgun, bearing serial number 8063.

Such possession occurred after defendant GARCIA had been convicted of a crime punishable by a term of imprisonment exceeding one year, namely, Receiving Stolen Property in violation of California Penal Code Section 496, in the Superior Court of the State of California, County of Los Angeles, case number KA054371, on or about November 1, 2001.

COUNT FOUR

[26 U.S.C. § 5861(d)]

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2  
3 On or about May 21, 2009, in Riverside County, within the  
4 Central District of California, defendant STEVEN SCOTT BLANKS  
5 ("BLANKS") knowingly possessed a firearm, namely, a Cobray M-11-  
6 type 9mm caliber machinegun, bearing no serial number, which  
7 defendant BLANKS knew to be a machinegun as defined in Title 26,  
8 United States Code, Section 5845(b), and which had not been  
9 registered to defendant BLANKS in the National Firearms  
10 Registration and Transfer Record, as required by Chapter 53,  
11 Title 26, United States Code.

A TRUE BILL

*157*

Foreperson

16 THOMAS P. O'BRIEN  
United States Attorney

17 *Daniel A. Goodman, Asst U.S. Atty*  
18 *Deputy Chief, Criminal Division, FDR:*

19 CHRISTINE C. EWELL  
Assistant United States Attorney  
20 Chief, Criminal Division

21 ROBERT E. DUGDALE  
Assistant United States Attorney  
22 Chief, Violent & Organized Crime Section

23 KEVIN M. LALLY  
Assistant United States Attorney  
24 Deputy Chief, Violent & Organized Crime Section

25 SHAWN J. NELSON  
Special Assistant United States Attorney  
26 Violent & Organized Crime Section

27 JUSTIN R. RHOADES  
Assistant United States Attorney  
28 Violent & Organized Crime Section