

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 6:10-cr-0047-DRL-31-MJK

MANUEL DEJESUS CARRASCO-RUIZ  
CARLOS HUMBERTO GUILLEN-RIVERA  
CESAR AUGUSTO GUILLEN-RIVERA  
a/k/a "Cecil"  
ERLIN JAVIER GUILLEN-RIVERA  
a/k/a "Santos Javier Padilla-Lara"  
HECTOR SAENZ

18 U.S.C. § 371  
18 U.S.C. § 922(g)(5)  
26 U.S.C. § 5861(d)  
18 U.S.C. § 924(d) - Forfeiture  
28 U.S.C. § 2461 - Forfeiture  
18 U.S.C. § 981(a)(1)(C) -Forfeiture

FILED  
MAR 3 2010  
U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO, FLORIDA

**INDICTMENT**

The Grand Jury charges:

**COUNT ONE**

1. Beginning on or about a date unknown to the Grand Jury, but no later than August 2009, and continuing through on or about February 5, 2010, in Orange County and Brevard County, in the Middle District of Florida, Honduras, and elsewhere,

**MANUEL DEJESUS CARRASCO-RUIZ  
CARLOS HUMBERTO GUILLEN-RIVERA  
CESAR AUGUSTO GUILLEN-RIVERA  
a/k/a "Cecil"  
ERLIN JAVIER GUILLEN-RIVERA  
a/k/a "Santos Javier Padilla-Lara"  
and  
HECTOR SAENZ**

the defendants herein, did knowingly, willfully, and unlawfully conspire, combine, confederate, and agree with each other, and with individuals known and unknown to the Grand Jury, to commit the following offenses against the United States:

a. Knowingly possessing firearms and ammunition in and affecting commerce, and knowingly receiving firearms and ammunition which had been shipped and transported in interstate and foreign commerce, as an alien illegally and unlawfully in the United States, in violation of Title 18, United States Code, Section 922(g)(5);

b. Knowingly possessing firearms which are not registered to that person in the National Firearms Registration and Transfer Record, in violation of Title 26, United States Code, Section 5861(d); and

c. Knowingly and fraudulently concealing, exporting, sending, and attempting to conceal, export, and send, from the United States firearms, firearms accessories, and ammunition contrary to the laws and regulations of the United States, in violation of Title 18, United States Code, Section 554(a).

#### **MANNER AND MEANS**

2. It was part of the conspiracy that the defendants purchased and obtained firearms, firearms accessories, and ammunition from an unlicensed firearms dealer in the Middle District of Florida (hereinafter referred to as the "unlicensed firearms dealer").

3. It was a further part of the conspiracy that the defendants knowingly purchased and obtained firearms from the unlicensed firearms dealer that had not been registered to them in the National Firearms Registration and Transfer Record and which were required to be registered in the National Firearms Registration and Transfer Record.

4. It was a further part of the conspiracy that **HECTOR SAENZ** acted as an interpreter at times for the other defendants during the course of the firearms

transactions during which the defendants purchased and obtained firearms, firearms accessories, and ammunition from the unlicensed firearms dealer.

5. It was a further part of the conspiracy that the defendants communicated with the unlicensed firearms dealer concerning firearms transactions.

6. It was a further part of the conspiracy that the defendants took possession of firearms, firearms accessories, and ammunition that were purchased by other defendants from the unlicensed firearms dealer and held those items for the other defendants until they could take possession of the items.

7. It was a further part of the conspiracy that the defendants conducted firearms transactions and obtained possession of firearms, firearms accessories, and ammunition at 7002 Alvina Way, Orlando, Orange County, Florida, and at the residence of the unlicensed firearms dealer in Brevard County, Florida.

8. It was a further part of the conspiracy that the defendants packaged and shipped the firearms, firearms accessories, and ammunition in the same packages and shipments to Honduras from the Middle District of Florida.

9. It was a further part of the conspiracy that the defendants wrapped the firearms, firearms accessories, and ammunition in aluminum foil and otherwise attempted to conceal the items in order to avoid the items being detected in the course of shipping.

10. It was a further part of the conspiracy that the defendants did not properly declare that the items that were shipped to Honduras from the Middle District of Florida, which were valued collectively at more than \$2,500, included firearms, firearms accessories, and ammunition.

11. It was further part of the conspiracy that the defendants would pay the unlicensed firearms dealer with U.S. currency and by allowing the unlicensed firearms dealer to accept wire transfers from Honduras as payment.

12. It was further part of the conspiracy that defendants **MANUEL DEJESUS CARRASCO-RUIZ, CARLOS HUMBERTO GUILLEN-RIVERA, CESAR AUGUSTO GUILLEN-RIVERA a/k/a "Cecil," and ERLIN JAVIER GUILLEN-RIVERA a/k/a "Santos Javier Padilla-Lara"** were all aliens unlawfully and illegally in the United States during the time period of the conspiracy and that they would knowingly possess firearms, which affected interstate and foreign commerce, in the Middle District of Florida.

13. It was further part of the conspiracy that the defendants would receive wire transfers from Honduras in order to finance purchases of firearms, firearms accessories, and ammunition from the unlicensed firearms dealer.

14. It was further part of the conspiracy that the defendants would use fictitious names, partial names, and the true identities of other people to prevent being associated with the wire transfers and the shipping records concerning the shipments to Honduras.

15. It was a further part of the conspiracy that the defendants and other co-conspirators known and unknown to the Grand Jury would and did perform acts and make statements to hide and conceal, and cause to be hidden and concealed, the purpose of the conspiracy and the acts committed in furtherance thereof.

**OVERT ACTS**

16. In furtherance of and to effect the objectives of the conspiracy, the following overt acts, among others, were committed in the Middle District of Florida, and elsewhere:

a. On or about August 8, 2009, a wire transfer from Honduras was directed to and received by an individual with a name substantially similar to defendant **MANUEL DEJESUS CARRASCO-RUIZ** and with the listed address of 7002 Alvina Way, Orlando, Orange County, Florida, at a store in the Middle District of Florida in the amount of \$2,646.19.

b. On or about August 11, 2009, a wire transfer from Honduras was directed to and received by an individual with a name substantially similar to defendant **MANUEL DEJESUS CARRASCO-RUIZ** and with the listed address of 7002 Alvina Way, Orlando, Orange County, Florida, at a store in the Middle District of Florida in the amount of \$5,000.00.

c. On or about August 12, 2009, a wire transfer from Honduras was directed to and received by an individual with a name substantially similar to defendant **CESAR AUGUSTO GUILLEN-RIVERA** and with the listed address of 7002 Alvina Way, Orlando, Orange County, Florida, at a store in the Middle District of Florida in the amount of \$1,543.00.

d. On or about August 19, 2009, a wire transfer from Honduras was directed to and received by an individual with a name substantially similar to defendant **MANUEL DEJESUS CARRASCO-RUIZ** and with the listed address of 7002 Alvina

Way, Orlando, Orange County, Florida, at a store in the Middle District of Florida in the amount of \$4,120.00.

e. On or about August 29, 2009, a wire transfer from Honduras was directed to and received by an individual with a name substantially similar to defendant **MANUEL DEJESUS CARRASCO-RUIZ** and with the listed address of 7002 Alvina Way, Orlando, Orange County, Florida, at a store in the Middle District of Florida in the amount of \$1,500.00.

f. On or about September 6, 2009, a wire transfer from Honduras was directed to and received by an individual with a name substantially similar to defendant **CARLOS HUMBERTO GUILLEN-RIVERA** at a store in the Middle District of Florida in the amount of \$1,490.00.

g. On or about September 11, 2009, a wire transfer from Honduras was directed to and received by an individual with a name substantially similar to defendant **MANUEL DEJESUS CARRASCO-RUIZ** and with the listed address of 7002 Alvina Way, Orlando, Orange County, Florida, at a store in the Middle District of Florida in the amount of \$1,028.50.

h. On or about September 16, 2009, a wire transfer from Honduras was directed to and received by an individual with a name substantially similar to defendant **MANUEL DEJESUS CARRASCO-RUIZ** and with the listed address of 7002 Alvina Way, Orlando, Orange County, Florida, at a store in the Middle District of Florida in the amount of \$5,150.55.

i. On or about September 25, 2009, a wire transfer from Honduras was directed to and received by an individual with a name substantially similar to defendant **ERLIN JAVIER GUILLEN-RIVERA** and with the listed address of 7002 Alvina Way, Orlando, Orange County, Florida, at a store in the Middle District of Florida in the amount of \$1,839.46.

j. On or about September 29, 2009, a wire transfer from Honduras was directed to and received by an individual with a name substantially similar to defendant **MANUEL DEJESUS CARRASCO-RUIZ** and with the listed address of 7002 Alvina Way, Orlando, Orange County, Florida, at a store in the Middle District of Florida in the amount of \$2,059.00.

k. On or about October 14, 2009, the unlicensed firearms dealer received a wire transfer from Honduras at a store in the Middle District of Florida in the amount of \$3,775.00 as payment for a firearms transaction with at least one of the defendants.

l. On or about October 14, 2009, the unlicensed firearms dealer received a wire transfer from Honduras at a store in the Middle District of Florida in the amount of \$3,888.00 as payment for a firearms transaction with at least one of the defendants.

m. On or about October 14, 2009, the unlicensed firearms dealer received a wire transfer from Honduras at a store in the Middle District of Florida in the amount of \$3,779.00 as payment for a firearms transaction with at least one of the defendants.

n. On or about October 22, 2009, the unlicensed firearms dealer received a wire transfer from Honduras at a store in Missouri in the amount of \$2,560.00 as payment for a firearms transaction with at least one of the defendants.

o. On or about October 28, 2009, the unlicensed firearms dealer received a wire transfer from Honduras at a store in the Middle District of Florida in the amount of \$1,966.31 from Honduras as payment for a firearms transaction with at least one of the defendants.

p. On or about November 30, 2009, a wire transfer from Honduras was directed to and received by an individual with a name substantially similar to defendant **CARLOS HUMBERTO GUILLEN-RIVERA** at a store in the Middle District of Florida in the amount of \$2,548.53.

q. On or about December 26, 2009, a wire transfer from Honduras was directed to and received by an individual with a name substantially similar to defendant **MANUEL DEJESUS CARRASCO-RUIZ** and with the listed address of 7002 Alvina Way, Orlando, Orange County, Florida, at a store in the Middle District of Florida in the amount of \$5,913.04.

r. On or about January 2, 2010, a wire transfer from Honduras was directed to and received by an individual with a name substantially similar to defendant **MANUEL DEJESUS CARRASCO-RUIZ** and with the listed address of 7002 Alvina Way, Orlando, Orange County, Florida, at a store in the Middle District of Florida in the amount of \$4,252.68.



s. On or about January 14, 2010, in Orange County, in the Middle District of Florida, the unlicensed firearms dealer met conspirators unknown to the Grand Jury for the purpose of conducting discussions relating to firearms transactions.

t. On or about January 18, 2010, in Orange County, in the Middle District of Florida, the unlicensed firearms dealer met conspirators unknown to the Grand Jury for the purpose of conducting discussions relating to firearms transactions.

u. On or about January 21, 2010, in Orange County, in the Middle District of Florida, the unlicensed firearms dealer met conspirators unknown to the Grand Jury for the purpose of engaging in firearms transactions.

v. On or about January 22, 2010, in Orange County, in the Middle District of Florida, the unlicensed firearms dealer met conspirators unknown to the Grand Jury for the purpose of conducting discussions relating to firearms transactions.

w. On or about January 23, 2010, in Orange County, in the Middle District of Florida, the unlicensed firearms dealer met conspirators unknown to the Grand Jury for the purpose of conducting discussions relating to firearms transactions.

x. On or about a date unknown to the Grand Jury, but on or before January 26, 2010, the unlicensed firearms dealer and conspirators unknown to the Grand Jury planned a meeting for the purpose of conducting discussions relating to firearms transactions, though the meeting did not occur.

y. On or about January 27, 2010, a wire transfer from Honduras was directed to and received by an individual with a name substantially similar to defendant **MANUEL DEJESUS CARRASCO-RUIZ** and with the listed address of 7002 Alvina

Way, Orlando, Orange County, Florida, at a store in the Middle District of Florida in the amount of \$978.42.

z. On or about January 27, 2010, a conspirator unknown to the Grand Jury used a red Toyota Tacoma pick-up truck that was registered to defendant **CARLOS HUMBERTO GUILLEN-RIVERA** to transport a large box to a shipping store in Orange County, in the Middle District of Florida, for shipment to Honduras. The box contained twenty-six firearms wrapped in aluminum, including firearms that had not been registered to any of the defendants in the National Firearms Registration and Transfer Record, though they were required to be registered in the National Firearms Registration and Transfer Record, as well as firearms accessories and ammunition.

aa. On or about January 29, 2010, the unlicensed firearms dealer, acting in an undercover capacity for law enforcement, met with defendants **MANUEL DEJESUS CARRASCO-RUIZ, CESAR AUGUSTO GUILLEN-RIVERA, and ERLIN JAVIER GUILLEN-RIVERA**, in order to discuss past and future firearms transactions. These three conspirators paid the unlicensed firearms dealer for past and future firearms transactions, as follows: defendant **CESAR AUGUSTO GUILLEN-RIVERA** paid the unlicensed firearms dealer \$10,000.00 in U.S. currency; defendant **ERLIN JAVIER GUILLEN-RIVERA** paid the unlicensed firearms dealer \$2,500.00 in U.S. currency; and defendant **MANUEL DEJESUS CARRASCO-RUIZ** paid the unlicensed firearms dealer \$1,000.00 in U.S. currency.

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

**COUNT TWO**

On or about a date unknown to the Grand Jury, but no later than August 2009, through February 5, 2010, in Orange County and Brevard County, in the Middle District of Florida,

**MANUEL DEJESUS CARRASCO-RUIZ  
CARLOS HUMBERTO GUILLEN-RIVERA  
CESAR AUGUSTO GUILLEN-RIVERA  
a/k/a "Cecil"  
and  
ERLIN JAVIER GUILLEN-RIVERA  
a/k/a "Santos Javier Padilla-Lara"**

the defendants herein, aiding and abetting one another, and each being an alien illegally and unlawfully in the United States, did knowingly possess firearms in and affecting interstate and foreign commerce, and did knowingly receive firearms which had been shipped and transported in interstate and foreign commerce, to wit: Glock semi-automatic pistols and Fabrique Nationale Herstal Five-SeveN 5.7x28mm semi-automatic pistols.

All in violation of Title 18, United States Code, Sections 922(g)(5) and 924(a)(2) and Title 18, United States Code, Section 2.

**COUNT THREE**

On or about a date unknown to the Grand Jury, but no later than August 2009, through February 5, 2010, in Orange County and Brevard County, in the Middle District of Florida,

**MANUEL DEJESUS CARRASCO-RUIZ  
CARLOS HUMBERTO GUILLEN-RIVERA  
CESAR AUGUSTO GUILLEN-RIVERA  
a/k/a "Cecil"**

and  
**ERLIN JAVIER GUILLEN-RIVERA**  
**a/k/a "Santos Javier Padilla-Lara"**

the defendants herein, aiding and abetting one another, did knowingly receive and possess firearms, to wit: Tactical Machining, Model TM-15, .223 caliber short-barreled rifles, which are rifles having a barrel or barrels of less than sixteen inches in length as defined under Title 26, United States Code, Section 5845(a)(3) and (c), which were not registered to them in the National Firearms Registration and Transfer Record as required by Title 26, United States Code, Section 5841.

All in violation of Title 26, United States Code, Sections 5861(d) and 5871 and Title 18, United States Code, Section 2.

**FORFEITURE**

1. The allegations contained in Count One of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

2. From their engagement in the violations alleged in Count One of this Indictment, punishable by imprisonment for more than one year, the defendants

**MANUEL DEJESUS CARRASCO-RUIZ**  
**CARLOS HUMBERTO GUILLEN-RIVERA**  
**CESAR AUGUSTO GUILLEN-RIVERA**  
**a/k/a "Cecil"**  
**ERLIN JAVIER GUILLEN-RIVERA**  
**a/k/a "Santos Javier Padilla-Lara"**  
and  
**HECTOR SAENZ**

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), all of their interest in any property constituting or derived from proceeds obtained directly or indirectly as a result of the said violations.

3. The allegations contained in Count Two of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to the provisions of Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

**MANUEL DEJESUS CARRASCO-RUIZ  
CARLOS HUMBERTO GUILLEN-RIVERA  
CESAR AUGUSTO GUILLEN-RIVERA  
a/k/a "Cecil"  
and  
ERLIN JAVIER GUILLEN-RIVERA  
a/k/a "Santos Javier Padilla-Lara"**

the defendants herein, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of the offense.


4. If any of the property described above as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty,

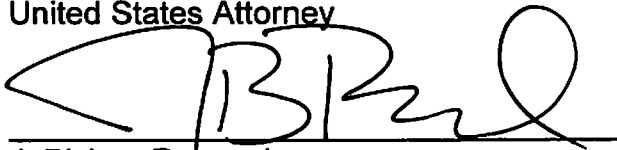
the United States of America shall be entitled to forfeiture of substitute property under the provisions of Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL,

  
Foreperson

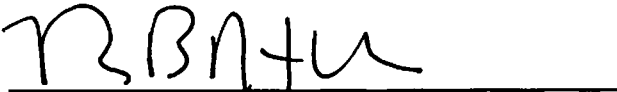
A. BRIAN ALBRITTON  
United States Attorney

By:



J. Bishop Ravenel  
Assistant United States Attorney

By:



Roger B. Handberg  
Assistant United States Attorney  
Chief, Orlando Division