

Page 1 of 11  
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APR 08, 2008  
STEVEN M. LARIMORE  
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S.D. OF FLA. - MIAMI

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
**08-20290-CR-LENARD/GARBER**  
CASE NO. \_\_\_\_\_

18 U.S.C. § 371  
18 U.S.C. § 922(e)  
18 U.S.C. § 924(a)(1)(D)  
18 U.S.C. § 554  
18 U.S.C. § 924(d)(1)  
18 U.S.C. § 981(a)(1)(C)

**UNITED STATES OF AMERICA**

vs.

**MARIO MEJIA and  
JENNY MEJIA DE HERNANDEZ,**

**Defendants.**

\_\_\_\_\_ /

**INDICTMENT**

The Grand Jury charges that:

**COUNT 1**

Beginning at least as early as August 2006, and continuing through on or about March 18, 2008, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**MARIO MEJIA  
and  
JENNY MEJIA DE HERNANDEZ,**

did knowingly and willfully combine, conspire, confederate, and agree with each other and with others known and unknown to the Grand Jury to:

- a) knowingly and willfully deliver and cause to be delivered to a common carrier, for transportation and shipment in interstate and foreign commerce to a person, other than a licensed firearm importer, manufacturer, dealer or collector, a package or

container containing a firearm without written notice to the carrier that such firearm was being transported and shipped, in violation of Title 18, United States Code, Sections 922(e) and 924(a)(1)(D); and

- b) fraudulently and knowingly export and send from the United States to a place outside the United States, that is, Honduras, a firearm contrary to any law or regulation of the United States and to conceal and facilitate the concealment of a firearm, knowing the same to be intended for exportation contrary to any law or regulation of the United States, in violation of Title 18, United States Code, Section 554.

#### OVERT ACTS

In furtherance of the conspiracy and to achieve the objects thereof, at least one of the co-conspirators committed and caused to be committed, in the Southern District of Florida, and elsewhere, at least one of the following overt acts, among others:

1. On or about August 9, 2006, defendant **MARIO MEJIA** purchased a Taurus 24/7 .45 caliber pistol from Wayne Bergquist ("Bergquist"), a federally licensed firearms dealer located in Collier County.
2. On or about February 24, 2007, defendant **MARIO MEJIA** purchased a CZ 52 7.62 caliber pistol from Kodiak Sales ("Kodiak"), a federally licensed firearms dealer located in Miami-Dade County.
3. On or about March 5, 2007, defendant **MARIO MEJIA** purchased a Smith & Wesson SW40VE .40 caliber pistol from Kodiak.
4. On or about March 8, 2007, defendant **MARIO MEJIA** purchased two Beretta 92 9mm pistols and a Glock 17 9mm pistol from Lou's Police and Security Equipment ("Lou's"), a

federally licensed firearms dealer located in Miami-Dade County

5. On or about May 13, 2007, defendant **MARIO MEJIA** purchased twelve Spike's Tactical ST-15 .223 caliber rifles and an Olympic Arms Plinker Plus .223 caliber rifle from Kodiak.
6. On or about June 5, 2007, defendant **MARIO MEJIA** purchased two Smith & Wesson M&P-15T .223 caliber rifles and an FN 5.7 5.7 caliber pistol from Lou's.
7. On or about June 5, 2007, defendant **MARIO MEJIA** purchased three Spike's Tactical ST-15 .223 caliber rifles from Kodiak.
8. On or about June 13, 2007, defendant **MARIO MEJIA** purchased two FN 5.7 5.7 caliber pistols and a Beretta 96 .40 caliber pistol from Lou's.
9. On or about June 14, 2007, defendant **MARIO MEJIA** purchased four FN 5.7 5.7 caliber pistols and a GBE M15 .223 caliber rifle from T&A Refinishing ("T&A"), a federally licensed firearms dealer located in Miami-Dade County.
10. On or about September 12, 2007, defendant **MARIO MEJIA** purchased an FN 5.7 5.7 caliber pistol and a Beretta 92 9mm pistol from Kodiak.
11. On or about September 17, 2007, defendant **MARIO MEJIA** purchased an FN 5.7 5.7 caliber pistol from Lou's.
12. On or about September 18, 2007, defendant **MARIO MEJIA** purchased four FN 5.7 5.7 caliber pistols, three Beretta 92 9mm pistols, a Glock 17 9mm pistol and a Bushmaster 97S .223 caliber rifle from T&A.
13. On or about December 18, 2007, defendant **JENNY MEJIA DE HERNANDEZ** purchased an FN 5.7 5.7 caliber pistol from Bergquist.
14. On or about December 22, 2007, defendant **JENNY MEJIA DE HERNANDEZ**

purchased an FN 5.7 5.7 caliber pistol, a Glock 26 9mm pistol, and a DPMS Panther .223 caliber rifle from Ace's Indoor Range and Gun Shop ("Ace's"), a federally licensed firearms dealer located in Miami-Dade County.

15. On or about January 30, 2008, defendant **JENNY MEJIA DE HERNANDEZ** purchased an FN 5.7 5.7 caliber pistol from Delta Hawk Firearms, Inc. ("Delta Hawk"), a federally licensed firearms dealer located in Miami-Dade County.

16. On or about January 30, 2008, defendant **JENNY MEJIA DE HERNANDEZ** purchased an FN 5.7 5.7 caliber pistol from Ace's.

17. On or about February 1, 2008, defendant **JENNY MEJIA DE HERNANDEZ** purchased an FN 5.7 5.7 caliber pistol from National Gun, Inc. ("National Gun"), a federally licensed firearms dealer located in Miami-Dade County.

18. On or about February 27, 2008, defendant **JENNY MEJIA DE HERNANDEZ** purchased an FN 5.7 5.7 caliber pistol from National Gun.

19. On or about March 6, 2008, defendant **JENNY MEJIA DE HERNANDEZ** purchased an FN 5.7 5.7 caliber pistol from Kodiak.

20. On or about March 6, 2008, defendant **JENNY MEJIA DE HERNANDEZ** purchased an FN 5.7 5.7 caliber pistol from Delta Hawk.

21. On or about March 6, 2008, defendant **JENNY MEJIA DE HERNANDEZ** purchased an FN 5.7 5.7 caliber pistol from Ace's.

22. On or about March 10, 2008, defendant **JENNY MEJIA DE HERNANDEZ** purchased a Bushmaster Carbon 15 .223 caliber pistol from National Gun.

23. On or about March 10, 2008, a person known to the Grand Jury purchased an FN 5.7

5.7 caliber pistol from Lou's.

24. On or about March 11, 2008, defendant **MARIO MEJIA** purchased an FN PS90 5.7 caliber rifle from Lou's.

25. On or about March 12, 2008, defendant **JENNY MEJIA DE HERNANDEZ** purchased an FN 5.7 5.7 caliber pistol from T&A.

26. On or about March 17, 2008, defendant **MARIO MEJIA** purchased an FN 5.7 5.7 caliber pistol, a Bushmaster P975 .223 caliber rifle, and a Bushmaster P125 .223 caliber rifle from National Gun.

27. On or about March 17, 2008, defendant **MARIO MEJIA** purchased a Bushmaster 21 .223 caliber rifle and a Bushmaster 97 .223 caliber rifle from Delta Hawk.

28. On or about March 17, 2008, a person known to the Grand Jury purchased an FN 5.7 5.7 caliber pistol from National Gun.

29. On or about March 18, 2008, defendant **MARIO MEJIA** purchased an FN 5.7 5.7 caliber pistol, an FN PS90 5.7 caliber rifle, a DPMS A15 Lite .223 rifle, and a Bushmaster Carbon 5.0 .223 caliber pistol from Kodiak.

30. On or about March 18, 2008, a person known to the Grand Jury purchased an FN 5.7 5.7 caliber pistol from Delta Hawk.

31. On or about March 18, 2008, defendant **JENNY MEJIA DE HERNANDEZ** purchased a Bushmaster 97 .223 caliber rifle from Delta Hawk.

32. On or about March 18, 2008, defendant **MARIO MEJIA** delivered a sofa, in which five Bushmaster .223 caliber pistols and two FN 5.7 5.7 caliber pistols were concealed, to Rapido Cargo Inc. for shipment to Honduras.

33. On or about March 18, 2008, defendant **MARIO MEJIA** failed to notify Rapido Cargo Inc. that said firearms were concealed in said sofa.

34. On or about March 18, 2008, defendant **MARIO MEJIA** purchased six Bushmaster Carbon 5.0 .223 caliber pistol and an FN PS90 5.7 caliber rifle from Ace's.

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

**COUNT 2**

On or about March 17, 2008, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**MARIO MEJIA  
and  
JENNY MEJIA DE HERNANDEZ,**

did knowingly and willfully deliver and cause to be delivered to a common carrier, that is, Rapido Cargo Inc., for transportation and shipment in interstate and foreign commerce to a person, other than a licensed firearm importer, manufacturer, dealer or collector, a package or container containing a firearm without written notice to the carrier that such firearm was being transported and shipped, in violation of Title 18, United States Code, Sections 922(e), 924(a)(1)(D), and 2.

**COUNT 3**

On or about March 17, 2008, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendants,

**MARIO MEJIA  
and  
JENNY MEJIA DE HERNANDEZ,**

did fraudulently and knowingly attempt to export and send from the United States to Honduras, a place outside the United States, any merchandise, article and object, that is, a firearm designated as

a “defense article” in Category I of the United States Munitions List, contrary to any law or regulation of the United States, that is, Title 18, United States Code, Section 922(e), and Title 22, United States Code, Section 2778(b)(2) and (c), and Title 22, Code of Federal Regulations, Sections 121.1, 123.1 and 127.1, and did conceal and facilitate the concealment of such merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States, that is, Title 18, United States Code, Section 922(e), and Title 22, United States Code, Section 2778(b)(2) and (c), and Title 22, Code of Federal Regulations, Sections 121.1, 123.1 and 127.1; in violation of Title 18, United States Code, Sections 554 and 2.

**FORFEITURE**

a. The allegations of Counts 1-3 of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeitures to the United States of America pursuant to the provisions of Title 28, United States Code, Section 2461(c), Title 18, United States Code, Section 981(a)(1)(C), and Title 18, United States Code, Section 924(d)(1).


b. Upon conviction of the defendants of the violation(s) alleged in Counts 1-3, defendants shall forfeit to the United States all property, real and personal, constituting proceeds obtained from the violation(s) and all property traceable to such property.

c. Upon conviction of the defendants of the violation alleged in Count 2, defendants shall forfeit to the United States any firearm and ammunition involved in or used in the commission of said violation.

All pursuant to Title 28, United States Code, Section 2461, Title 18, United States Code, Section 981(a)(1)(C), and Title 18, United States Code, Section 924(d)(1).

A TRUE BILL

~~FOREPERSON~~ / 0

  
\_\_\_\_\_  
R. ALEXANDER ACOSTA  
UNITED STATES ATTORNEY

  
\_\_\_\_\_  
JAMES M. KOUKIOS  
ASSISTANT UNITED STATES ATTORNEY



UNITED STATES OF AMERICA

CASE NO. \_\_\_\_\_

vs.

**CERTIFICATE OF TRIAL ATTORNEY\***

**MARIO MEJIA and  
JENNY MEJIA DE HERNANDEZ,  
Defendants.**

**Superseding Case Information:**

**Court Division:** (Select One)

Miami     Key West  
 FTL     WPB     FTP

New Defendant(s)    Yes \_\_\_\_\_ No \_\_\_\_\_  
Number of New Defendants    \_\_\_\_\_  
Total number of counts    \_\_\_\_\_

I do hereby certify that:

- I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
- I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. Section 3161.

3. Interpreter: (Yes or No) Yes  
List language and/or dialect \_\_\_\_\_

4. This case will take 3-5 days for the parties to try.

5. Please check appropriate category and type of offense listed below:  
(Check only one) (Check only one)

I	0 to 5 days	<input checked="" type="checkbox"/>	Petty	_____
II	6 to 10 days	_____	Minor	_____
III	11 to 20 days	_____	Misdem.	_____
IV	21 to 60 days	_____	Felony	<input checked="" type="checkbox"/>
V	61 days and over	_____		

6. Has this case been previously filed in this District Court? (Yes or No) No

If yes: Judge: \_\_\_\_\_ Case No. \_\_\_\_\_  
(Attach copy of dispositive order)

Has a complaint been filed in this matter? (Yes or No) Yes

If yes: Magistrate Case No. 08-2342-STB  
Related Miscellaneous numbers: \_\_\_\_\_  
Defendant(s) in federal custody as of March 18, 2008  
Defendant(s) in state custody as of \_\_\_\_\_  
Rule 20 from the \_\_\_\_\_ District of \_\_\_\_\_

Is this a potential death penalty case? (Yes or No) No

- Does this case originate from a matter pending in the U.S. Attorney's Office prior to April 1, 2003? \_\_\_\_\_ Yes  No
- Does this case originate from a matter pending in the U. S. Attorney's Office prior to April 1, 1999? \_\_\_\_\_ Yes  No  
If yes, was it pending in the Central Region? \_\_\_\_\_ Yes \_\_\_\_\_ No
- Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to October 14, 2003? \_\_\_\_\_ Yes  No
- Does this case originate from a matter pending in the Narcotics Section (Miami) prior to May 18, 2003? \_\_\_\_\_ Yes  No
- Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to September 1, 2007? \_\_\_\_\_ Yes  No

  
\_\_\_\_\_  
JAMES M. KOUKIOS  
ASSISTANT UNITED STATES ATTORNEY  
Court No. A5500915

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: MARIO MEJIA Case No: \_\_\_\_\_

Count #: 1

Conspiracy to deliver firearms to a common carrier without notice and to export firearms

Title 18, United States Code, Section 371

**\* Max. Penalty:** 5 years' imprisonment

Count #: 2

Delivering firearms to a common carrier without notice

Title 18, United States Code, Sections 922(e) and 924(a)(1)(D)

**\*Max. Penalty:** 5 years' imprisonment

Count #: 3

Exporting firearms

Title 18, United States Code, Section 554

**\*Max. Penalty:** 10 years' imprisonment

**\*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

**Defendant's Name:** JENNY MEJIA DE HERNANDEZ **Case No:** \_\_\_\_\_

Count #: 1

Conspiracy to deliver firearms to a common carrier without notice and to export firearms

Title 18, United States Code, Section 371

**\* Max. Penalty:** 5 years' imprisonment

Count #: 2

Delivering firearms to a common carrier without notice

Title 18, United States Code, Sections 922(e) and 924(a)(1)(D)

**\*Max. Penalty:** 5 years' imprisonment

Count #: 3

Exporting firearms

Title 18, United States Code, Section 554

**\*Max. Penalty:** 10 years' imprisonment

**\*Refers only to possible term of incarceration, does not include possible fines, restitution, special assessments, parole terms, or forfeitures that may be applicable.**