

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:09CR 242
)	
vs.)	INDICTMENT
)	18 U.S.C. § 922(d) and 924(a)(2)
ESTEBAN DANIEL HERNANDEZ,)	18 U.S.C. § 922(a)(6)
)	18 U.S.C. § 924(d)
Defendant.)	28 U.S.C. § 2461 and 5872

The Grand Jury Charges:

COUNT I

On or about May 21, 2009, in the District of Nebraska, the defendant, ESTEBAN DANIEL HERNANDEZ, knowingly sold a firearm, that is, a Barrett Model 99A1, .50 caliber sniper rifle, serial# 4953, and 10 rounds of .50 caliber ammunition, to a confidential informant, knowing and having reasonable cause to believe that said confidential informant had been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Sections 922(d) and 924(a)(2).

COUNT II

On or about May 21, 2009, in the District of Nebraska, the defendant, ESTEBAN DANIEL HERNANDEZ, in connection with the acquisition of a firearm, a Barrett Model 99A1, .50 caliber sniper rifle, serial# 4953, and 10 rounds of .50 caliber ammunition, from the Bullet Hole, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to the Bullet Hole, which statement was intended and likely to deceive the Bullet Hole, as to a fact material to the lawfulness of such sale of the said firearm and ammunition to the defendant under chapter 44 of

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Title 18, in that the defendant answered "yes" to question 11(a) on ATF Form 4473 that he was the actual transferee/buyer of the firearm.

In violation of Title 18, United States Code, Section 922(a)(6).

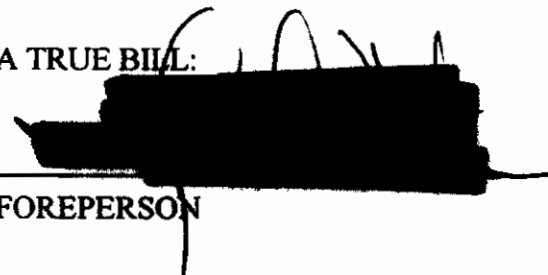
COUNT III

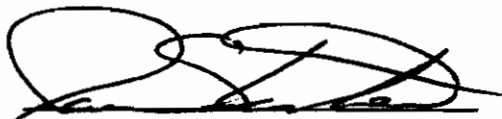
Upon conviction of the offense charged in Counts I and II set forth herein, any and all interest the Defendant, ESTEBAN DANIEL HERNANDEZ, a Barrett Model 99A1, .50 caliber sniper rifle, serial# 4953, and 10 rounds of .50 caliber ammunition, a firearm involved or used in the knowing commission of the offense charged in Counts II herein, is hereby vested in the United States and forfeited to the same.

In violation of Title 18, United States Code, Section 924(d) and Title 28, United States Code, Sections 2461 and 5872.

A TRUE BILL:

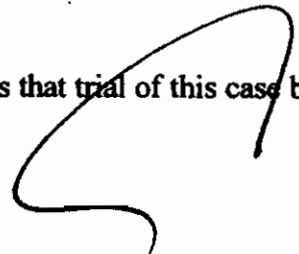
FOREPERSON





JOE W. STECHER
United States Attorney

The United States of America requests that trial of this case be held at Omaha, Nebraska, pursuant to the rules of this Court.



ANDREA E. BELGAU
Assistant United States Attorney