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U.S. DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA)
)
) Plaintiff,)
 vs.)
)
 CHRISTIAN ROMERO,)
)
) Defendant.)
 _____)

Case No: 2:10-mj-00577
COMPLAINT for violations of Title 18, United States Code, Section 371 (Conspiracy), Title 18, United States Code, Sections 922(a)(6) and 924(a)(2) (Illegal Acquisition of a Firearm, and Title 18, United States Code, Sections 922(g)(5)(A) and 924(a)(2).

BEFORE the United States Magistrate Judge, Las Vegas, Nevada, the undersigned complainant, being first duly sworn, deposes and states:

COUNT 1

(Conspiracy to Commit an Offense against the United States)

On or about July 7, 2010, in the State and Federal District of Nevada, Christian **ROMERO**, defendant herein, conspired and agreed with an uncharged co-conspirator to commit an offense against the United States in the illegal acquisition of four assault rifles from two separate Federal Firearm Licensees in Las Vegas, Nevada, in violation of Title 18, United States Code, Section 371.

COUNT 2

(Illegal Acquisition of a Firearm)

On or about July 7, 2010, in the State and Federal District of Nevada, Christian **ROMERO**, defendant herein, acquired a firearm from a licensed firearms dealer by aiding and abetting an uncharged

1 co-conspirator to knowingly make a false statement to the dealer with respect to the lawfulness of the
2 transaction, in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

3 **COUNT 3**

4 (Illegal Alien in Possession of a Firearm)

5 On or about July 7, 2010, in the State and Federal District of Nevada, Christian **ROMERO**,
6 defendant herein, resided in the United States of America as an alien illegally in the United States of
7 America and, did knowingly possess a CMMG model M4LE .223-caliber rifle, bearing serial number
8 A-7708, and a Bushmaster model M4A3 .223-caliber rifle, bearing serial number BFI669792; said
9 possession being in and affecting interstate commerce, in violation of Title 18, United States Code,
10 Sections 922(g)(5)(A) and 924(a)(2).

11 **COUNT 4**

12 (Illegal Alien in Possession of a Firearm)

13 On or about July 7, 2010, in the State and Federal District of Nevada, Christian **ROMERO**,
14 defendant herein, resided in the United States of America as an alien illegally in the United States of
15 America and, did knowingly possess a Century Arms model M70AB2 7.62 millimeter rifle, bearing
16 serial number M70AB23647, and a Century Arms model M70AB2 7.62 millimeter rifle, bearing serial
17 number M70AB23659; said possession being in and affecting interstate commerce, in violation of Title
18 18, United States Code, Sections 922(g)(5)(A) and 924(a)(2).

19 Complainant, as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives,
20 states the following as and for probable cause:

21 **BACKGROUND OF AFFIANT**

22 1. That I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives
23 (hereinafter referred to as "ATF"). I have been employed since September 2004. I am currently assigned
24 to the ATF Las Vegas Field Office, which specializes in Federal firearm violations and the reduction of
25 violent crime, including gang activity and narcotic offenses. During my employment with ATF, I have
26 successfully completed two long-term training programs, which include Criminal Investigator Training

1 Program and Special Agent Basic Training. Both programs were conducted at the Federal Law
2 Enforcement Training Center in Glynco, Georgia.

3 2. Moreover, ATF has provided Your affiant with additional advanced training regarding
4 search warrants, arrest warrants, firearm investigations, firearms trafficking, arson, and explosive
5 investigations. During my professional training and experience, I have conducted numerous
6 investigations of firearm violations.

7 **STATEMENT OF PROBABLE CAUSE**

8 3. On May 11, 2010, Mexican authorities received information about a "Los Zetas" training
9 compound located in Nuevo Leon, Mexico. "Los Zetas" is a criminal organization involved in the
10 international trafficking of narcotics. The organization was started by an elite force of members of the
11 Mexican army that specialized in assassinations. The specific "Los Zetas" compound located in relation
12 to the investigation was identified as a "narco-camp" by authorities. A narco-camp is a training ground
13 for, among other things, operatives working for drug cartels. During the investigation the following
14 items were seized by the Mexican military and later viewed by ATF Monterrey Mexico: thirty-two (32)
15 fragmentation hand grenades, seventy-seven (77) 40-millimeter grenades, four (4) 40-millimeter grenade
16 launchers, eighty (80) AR-15 type assault rifles, sixty (60) AK-47 assault rifles, two (2) Barrett 50-
17 caliber rifles, fifteen (15) assorted pistols, three (3) rocket propelled grenades (RPG), one (1) LAW-style
18 launcher, approximately 10,000 rounds of ammunition, 300 magazines, body armor and twenty (20) 2-
19 way radios. As a result of the aforementioned recoveries, ATF assisted the Mexican authorities and
20 conducted firearms identification and tracing of the weapons. Some of the aforementioned weapons
21 were originally purchased in Las Vegas, Nevada.

22 4. An individual purporting himself to be Efren Browne purchased a total of 14 assault rifles
23 (two in November 2009 and 12 in April 2010) from a local firearms dealer. At least half of the weapons
24 were recovered in a foreign country. Your affiant was able to locate the individual utilizing Efren
25 Browne's identity through surveillance, search warrants, record checks, subpoenas and interviews. On
26 July 31, 2010, ATF served a Federal search warrant and recovered two (2) firearms, ammunition, firearm

1 accessories, firearm literature, ski masks, and camouflage uniforms in the residence. Upon examination
2 of items found in the residence, Your affiant conducted additional interviews and identified Christian
3 **ROMERO** as being a co-conspirator in the international weapons trafficking investigation.

4 5. As a result of the aforementioned search warrant, Your affiant identified at least six (6)
5 additional assault weapon purchases previously unknown to Your affiant upon examination of records
6 found in the residence. Moreover, Your affiant learned the identity of the purchaser of four (4) of these
7 weapons. The identity of the purchaser (hereinafter referred to as "confidential source") is known to
8 Your affiant, but is being concealed at this time for the confidential source's protection and to preserve
9 the ongoing investigation. The confidential source has no criminal history and the information provided
10 by him/her was corroborated by Your affiant. The information provided to ATF is outlined below.

11 6. Your affiant interviewed the confidential source and learned that he/she knows Christian
12 **ROMERO** and Marcos Romero. Marcos is Christian's brother and was previously indicted for Illegal
13 Acquisition of a Firearm and Illegal Alien in Possession of a Firearm in the District of Nevada on
14 August 10, 2010 by a federal Grand Jury. The confidential source informed Your affiant that Marcos
15 Romero repeatedly asked him to purchase weapons as a straw purchaser. A straw purchaser is an
16 individual who purchases a firearm on behalf of an individual who is ineligible to lawfully purchase a
17 firearm. Your affiant learned that the confidential source ultimately capitulated to Marcos Romero and
18 agreed to purchase the weapons in exchange for \$300.00. The confidential source stated that on July
19 7, 2010, Christian **ROMERO** and Abel Romero went to two gun stores. Abel Romero was identified
20 as the father of Marcos and Christian **ROMERO** and was previously indicted on August 10, 2010 for
21 Illegal Alien in Possession of Ammunition in the District of Nevada by a federal Grand Jury. The
22 confidential source did not remember the name of the first gun store, but indicated that the gun store was
23 on a street called "Highland" and described the proximity to other businesses. Based on the description,
24 Your affiant knew the gun store to be Discount Firearms, which is located at 3084 South Highland Drive
25 in Las Vegas. The confidential source stated that Christian **ROMERO** went inside both gun stores and
26 picked the firearms for the confidential source to purchase on **ROMERO**'s behalf. The confidential

1 source said that after the purchase was complete, the firearms were loaded into the trunk of Christian
2 **ROMERO**'s light-green Nissan Altima. A Federal search warrant was previously served on July 31,
3 2010, on a green Nissan Altima which was registered to Christian **ROMERO**. On August 12, 2010,
4 **ROMERO** was observed driving the aforementioned vehicle by ATF Special Agent T. Olson.

5 7. Furthermore, the confidential source stated that the firearms were transported to an
6 apartment in the "Centennial Hills area." The confidential source added that Christian **ROMERO** and
7 Abel Romero subsequently handled and manipulated the weapons. Due to the fact that Your affiant
8 served a Federal search warrant at the apartment believed to be in question (located at 8250 North Grand
9 Canyon Drive in Las Vegas), Your affiant was able to confirm that the confidential source had been in
10 the apartment based upon the accurate description of the location and interior of the apartment. The
11 confidential source stated that he received \$300.00 for his actions. During the search warrant, ATF
12 recovered receipts for rifles purchased at New Frontier Armory and Discount Firearms in the residence.
13 The Discount Firearms sales receipt listed the confidential source as the buyer. This corroborated the
14 confidential source's statement regarding the acquisition of the weapons. Prior to being interviewed,
15 the confidential source was unaware of the evidentiary seizure. Furthermore, the confidential source
16 positively identified Christian **ROMERO**, Abel Romero, Marcos Romero, **ROMERO**'s vehicle, and
17 the apartment's interior and exterior when Your affiant showed him/her photographs.

18 8. Your affiant interviewed the salesperson from Discount Firearms, a Federal Firearms
19 Licensee (FFL). Your affiant obtained records for the acquisition of firearms and learned that two AK-
20 47 type assault rifles were purchased by the confidential source on July 7, 2010. On the forms for both
21 the purchase of the firearms at Discount Firearms and the purchase of the firearms at New Frontier
22 Armory, the confidential source falsely represented that he was the actual buyer of the firearms. When
23 showed a photograph of **ROMERO**, the salesperson indicated that the individual looked familiar, but
24 "not enough to swear to" it. Surveillance footage was unavailable at Discount Firearms.

25 9. Your affiant then spoke to employees at New Frontier Armory (an FFL) regarding the
26 information provided by the confidential source. New Frontier Armory is located at 150 East Centennial

1 Parkway in North Las Vegas. Your affiant learned from the salesperson that there was an additional
2 person with the confidential source during the acquisition of the two (2) M-4 style rifles on July 7, 2010.
3 The salesman identified Christian **ROMERO** as being the additional person present during the purchase.
4 Furthermore, the salesperson also recalled that **ROMERO** had a tattoo on his right arm.

5 10. On August 12, 2010, Your affiant intercepted a consensual phone call to **ROMERO** where
6 the confidential source and **ROMERO** discussed the criminal conspiracy. The confidential source,
7 Your affiant, and ATF Special Agent T. Olson recognized **ROMERO**'s voice. When the confidential
8 source asked **ROMERO** "What happened to the guns," **ROMERO** responded: "We did what we told
9 you we were gonna do, you know." Furthermore, the confidential source asked **ROMERO** again what
10 he did with the firearms. A portion of the conversation is outlined below:

11 **ROMERO:** Well, we, uh. We told. We got some uncle that we told you.

12 **CS:** Oh, man, and it's gonna be safe there?

13 **ROMERO:** Yea, it's safe, dude. I don't know why (INAUDIBLE)

14 **CS:** Now, if they call me up and ask me questions, like, is there anything you got in mind
15 I can tell them or something?

16 **ROMERO:** (INAUDIBLE) Just, just don't say nothing, alright? (INAUDIBLE) And I
17 don't know, I don't know why they should question you on it, 'cuz I...it's weird. What'd
18 you tell them, though?

19 11. On August 12, 2010, ATF Special Agent T. Olson interviewed Christian **ROMERO**.
20 **ROMERO** admitted to going to the aforementioned gun stores "with a friend." **ROMERO** also stated
21 that he had spoken to the "friend" on the telephone earlier in the day.

22 12. On August 12, 2010, Your Affiant interviewed Abel Romero, the father of Marcos and
23 Christian. Abel Romero corroborated the confidential source and admitted that he and Christian
24 **ROMERO** went with "a friend" to Discount Firearms and New Frontier Armory. Abel Romero also
25 confirmed that Christian **ROMERO**'s vehicle was utilized and the weapons were placed in the trunk
26 of the light Green Nissan.

1 13. On August 12, 2010, Immigrations and Customs Enforcement (ICE) Special Agent Brian
2 Fulmer informed ATF Special Agents that **ROMERO** was illegally residing in the United States.


3 14. Your affiant has spoken to an ATF Special Agent who has been recognized in the United
4 States District Court for the District of Nevada as an expert in the determination of the interstate nexus
5 of firearms. He informed Your affiant that it was his opinion that the four (4) firearms described above
6 were manufactured outside of the State of Nevada and that their subsequent appearance here means that
7 they have traveled in interstate or foreign commerce.

8 Based on the aforementioned facts, I believe that there is probable cause to believe that
9 **ROMERO** committed the offenses of Conspiracy to Commit an Offense against the United States, in
10 violation of Title 18, United States Code, Section 371; Illegal Acquisition of a Firearm, in violation of
11 Title 18, United States Code, Sections 922(a)(6) and 924(a)(2); and Illegal Alien in Possession of a
12 Firearm, in violation of Title 18, United States Code, Sections 922(g)(5)(A) and 924(a)(2).

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Eric D. Fox, Special Agent
Bureau of Alcohol, Tobacco, Firearms and Explosives

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SUBSCRIBED and SWORN to before me

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this 16th day of August, 2010.

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UNITED STATES MAGISTRATE JUDGE

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