

FILED

2009 JUN 15 AM 11

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BY _____

-oOo-

**UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
WILLIAM WEISS,)
JONNATAN WEISS,)
Defendants.)**

Magistrate No: 2:09-mj-00465-PAL

Violation:

**18 U.S.C. § 922(a)(6), 924(a)(2) - Making
False Statements to Acquire Firearms**

CRIMINAL COMPLAINT

BEFORE a United States Magistrate Judge presiding in Las Vegas, Nevada, the undersigned complainant, being first duly sworn, deposes and says:

COUNT ONE

(Making False Statements to Acquire Firearms)

On or about December 5, 2008 through on or about June 13, 2009, in the District of Nevada, WILLIAM WEISS and JONNATAN WEISS, defendants herein, knowingly made false written statements, on fifteen occasions, intended to deceive firearm dealers and/or manufacturers to receive firearms affecting interstate commerce.

PROBABLE CAUSE AFFIDAVIT

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

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) currently assigned to the Las Vegas II Field Office. I have been so employed since April of 2008. I am a graduate of the Criminal Investigator Training Program and ATF Special Agent Basic Training program at the Federal Law Enforcement

1 Training Center at Glyngo, Georgia. Prior to this position, I worked for ATF as an Industry
2 Operations Investigator conducting application and compliance inspections. I completed
3 the Inspector Basic Training program in December 2004. I am a 2003 graduate of
4 Westminster College with a Master in Business Administration.

5 2. The following is the result of my own investigation or was provided to me by
6 other law enforcement officers.

7 3. On or about February 10, 2009, a local gun store employee contacted the
8 ATF Las Vegas Field Office regarding a suspicious purchaser. The gun store employee
9 stated that WILLIAM WEISS was purchasing three firearms for \$6,000.00 cash, using
10 \$20.00 bills. The gun store employee stated that WEISS arrived at the store in a vehicle
11 bearing a California license plate. Other agents and I drove to the store and observed two
12 Hispanic males load the firearms into the back of a blue Volvo hatchback, CA license plate
13 6FJC181. I was able to identify the purchaser of the firearms as WILLIAM WEISS using
14 the ATF Form 4473 completed during the sale. WEISS purchased a .50 caliber
15 Bushmaster rifle and two .22 caliber pistols. WEISS listed his current residence address
16 as: 4037 Rustic Oak Court, North Las Vegas, 89032.

17 4. I queried William WEISS through State DMV databases. I found that WEISS
18 has a California identification card #A9426849, Exp. 11/16/2013 and a Nevada driver's
19 license, #1403455360, issued on December 13, 2008. The address listed on the Nevada
20 driver's license is 4037 Rustic Oak Court, North Las Vegas, 89032.

21 5. A gun store canvass was conducted in the Las Vegas, Nevada area. I found
22 that William WEISS had purchased 19 firearms on 13 occasions from December 13, 2008
23 to February 10, 2009, including four pistols on the day he received his Nevada driver's
24 license. During this canvass, one gun store stated that JONNATAN WEISS tried to
25 purchase a firearm but was denied by NICS.

26

1 6. On February 13, 2009, I went to 4037 Rustic Oak Court, North Las Vegas,
2 89032 and spoke with the owner of the residence, Sean McMullen. McMullen stated that
3 he did not know anyone by the name of WILLIAM WEISS and to his knowledge WILLIAM
4 WEISS had never lived at that address.

5 7. On February 19, 2009, I queried WILLIAM WEISS through the Customs and
6 Border Protection database Treasury Enforcement Communication System (TECS).
7 WILLIAM WEISS' information was entered into the system as crossing the border from
8 Mexico to the United States on February 11, 2009, one day after purchasing the
9 Bushmaster rifle and two pistols.

10 8. On February 19, 2009, I queried JONNATAN WEISS through TECS.
11 JONNATAN WEISS crossed the border from Mexico to the United States eight times
12 between December 5, 2008, and February 13, 2009. Around this time, I learned that
13 JONNATAN WEISS received a Nevada Identification Card on December 5, 2008 using the
14 same 4037 Rustic Oak Court, North Las Vegas, 89032 address. On the same day, after
15 receiving the ID card, he tried to purchase a pistol in Las Vegas, Nevada.

16 9. On February 19, 2009, I queried California license plate 6FJC18 through
17 TECS. This is the vehicle WILLIAM WEISS was driving on February 10, 2009 while
18 purchasing firearms in Las Vegas, Nevada. This vehicle crossed the border from Mexico
19 to the United States on February 13, 2009, three days after the purchase. This vehicle has
20 crossed the border 25 times between December 5, 2008 and February 13, 2009.

21 10. On June 13, 2009, other agents and I were conducting surveillance on
22 WILLIAM and JONNATAN WEISS. WILLIAM was driving a Jeep Liberty with Mexico plate
23 #AJC-80-71. I observed WILLIAM WEISS purchase two more firearms from a federally
24 licensed gun dealer. WILLIAM WEISS falsified the ATF Form 4473 by using a fraudulent
25 Nevada address.

26

1 11. On June 13, 2009, WILLIAM WEISS was interviewed in the Las Vegas ATF
2 office. WILLIAM told agents that he was a resident of California. WILLIAM stated that
3 JONNATAN was living with their mother in Tijuana, Mexico. WILLIAM stated that he was
4 being paid, \$200.00 per firearm, to purchase firearms for his brother, JONNATAN.
5 WILLIAM also falsified the ATF Form 4473 by stating that he was the actual purchaser of
6 the firearm when his brother was the actual purchaser. WILLIAM told agents that
7 JONNATAN owned the blue Volvo used while purchasing firearms in Las Vegas, Nevada.
8 WILLIAM also stated that the Jeep Liberty was owned by JONNATAN.

9 12. On June 13, 2009, JONNATAN WEISS was interviewed in the Las Vegas
10 ATF office. JONNATAN told agents that he was a resident of California but lived with his
11 mother in Tijuana, Mexico. JONNATAN told agents that in 2000, he was convicted of a
12 felony for drug trafficking.

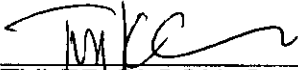
13 13. On 14 occasions, WILLIAM WEISS made false written statements to firearm
14 dealers and/or manufacturers claiming that his current residence address is 4037 Rustic
15 Oak Court, North Las Vegas, NV 89032, Clark County. WILLIAM WEISS is a resident of
16 California. On all 14 occasions, WILLIAM WEISS completed the ATF Form 4473, and
17 then certified the answers were true by signing his name.

18 14. On one occasion, JONNATAN WEISS made a false written statement to a
19 firearms dealer claiming that his current residence address is 4037 Rustic Oak Court, North
20 Las Vegas, NV 89032, Clark County. JONNATAN WEISS is a resident of Tijuana, Mexico.
21 JONNATAN WEISS uses his brother's address in California but does not reside there.
22 JONNATAN WEISS also answered "NO" to the question, "Have you ever been convicted
23 in any court for a felony, or other crime, for which the judge could imprison you for more
24 than one year?". JONNATAN WEISS was convicted of Possession of Marijuana for Sale,
25
26

1 a felony offense in 2000. JONNATAN WEISS completed the ATF Form 4473, and then
2 certified the answers were true by signing his name.

3
4 **CONCLUSION**

5 Based on the above information, there is probable cause to believe that WILLIAM
6 and JONNATAN WEISS, violated Title 18 United States Code, Sections 922(a)(6), and
7 924(a)(2).

8
9 
10 TYLER OLSON, Special Agent
11 Bureau of Alcohol, Tobacco, Firearms
12 and Explosives

11 SUBSCRIBED and SWORN

12 to before me on June 15th 2009.

13
14 
15 UNITED STATES MAGISTRATE JUDGE

16 PEGGY A. LEEN
17
18
19
20
21
22
23
24
25
26