

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

FILED

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SA 08 CR 193

INDICTMENT

RF

UNITED STATES OF AMERICA,

Plaintiff,

VS.

CELERINO CASTILLO, III

Defendant.

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[Vio: Count 1: 18 U.S.C. §§ 371 and 922(a)(6)  
Conspiracy to Obtain Firearms by False  
Statement during Firearms Purchase;  
Count 2: 18 U.S.C. § 922(a)(6) Obtaining  
Firearm by False Statement during Firearms  
Purchase]

THE GRAND JURY CHARGES:

COUNT ONE

[18 U.S.C. §§ 371 and 922(a)(6)]

That beginning on or about December 2, 2006, and continuing through and including March 6, 2008,  
within the Western District of Texas and elsewhere, the Defendant,

**CELERINO CASTILLO, III,**

did knowingly and willfully combine, conspire, confederate and agree with others known and unknown to  
the Grand Jury, to commit an offense against the United States, namely: they conspired to obtain firearms,  
by making false statements during firearms purchases, contrary to Title 18, United States Code, Section  
922(a)(6), all in violation of Title 18, United States Code, Section 371.

THE MANNER AND MEANS OF THE CONSPIRACY

It was a part of the conspiracy that Defendant, **CELERINO CASTILLO, III**, directed another  
individual, also referred herein as the Straw Purchaser to buy firearms from licensed firearms dealers in and  
around San Antonio, Texas within the Western District of Texas;

It was further a part of the conspiracy that the Straw Purchaser would lie on ATF Form 4473 falsely  
claiming that the Straw Purchaser was the ultimate owner knowing in fact that the Straw Purchaser was  
buying the firearms for Defendant, **CELERINO CASTILLO, III**, who was going to resell the firearm to

one of Defendant, **CELERINO CASTILLO, III**'s, customers.

The Straw Purchaser was paid \$250 per firearm purchased for Defendant, **CELERINO CASTILLO, III**.

### OVERT ACTS

In furtherance of the aforesaid conspiracy and to affect and accomplish the objects thereof, Defendant, **CELERINO CASTILLO, III**, directed his coconspirators to perform the following overt acts on or about the stated dates:

1. 12/02/2006- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386126260
2. 12/02/2006- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386126341
3. 04/19/2007-FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386138591
4. 04/19/2007-FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386138592
5. 05/10/2007- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386141579
6. 05/10/2007- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386141912
7. 05/20/2007- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386141793
8. 06/02/2007- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386146618
9. 06/02/2007- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386146616
10. 06/16/2007- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386148018
11. 06/16/2007- FN, Model FS2000, 5.56 caliber rifle, serial number 09744
12. 12/10/2007- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386139953
13. 12/10/2007- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386139954
14. 12/10/2007- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386149595
15. 12/10/2007- Beretta, Model 92, 9mm pistol, serial number H79982Z
16. 12/22/2007- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386140050
17. 12/22/2007- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386139600
18. 01/06/2008- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386151339
19. 01/08/2008- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386147631
20. 01/08/2008- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386151673
21. 01/09/2008- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386139122
22. 01/16/2008- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386150872
23. 01/16/2008- Glock, Model 17, 9mm pistol, serial number LEE384
24. 01/19/2008- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386140049
25. 01/19/2008- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386139262
26. 01/19/2008- FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386148095
27. 01/19/2008- Glock, Model 17, 9mm pistol, serial number LFY577
28. 02/16/2008- Sig Sauer Elite, .40 caliber pistol
29. 02/16/2008- Sig Sauer Elite, .40 caliber pistol
30. 02/16/2008-Sig Sauer, Model Elite, .40 caliber pistol, serial number U763739
31. 02/16/2008- Benelli, Model Super Black Eagle II, 12 gauge shotgun, #U348995
32. 03/06/2008- Benelli Super Black Eagle II 12 gauge shotgun

33. 03/06/2008- Benelli Super Black Eagle II 12 gauge shotgun
34. 03/06/2008- Sig Sauer Elite Platinum .40 caliber pistols
35. 03/06/2008- Sig Sauer Elite Platinum .40 caliber pistols

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

**COUNT TWO**  
**[18 U.S.C. §§ 922(a)(6) and 2]**


On or about December 2, 2006, within the Western District of Texas and elsewhere, the Defendant,

**CELERINO CASTILLO, III,**

aided and abetted by another herein referred to as Straw Purchaser, in connection with the Defendant's acquisition and attempted acquisition of a firearm, to wit: a FN, Model Five-Seven, 5.7X28 caliber pistol, serial number 386126260, from a licensed dealer, the Straw Purchaser knowingly made a false and fictitious written statement to the licensed gun dealer which statement was likely to deceive the licensed gun dealer as to a fact material to the lawfulness of such sale, acquisition, and attempted acquisition of the said firearm to the Defendant under chapter 44 of Title 18, in that the Defendant instructed the Straw Purchaser to lie to the licensed gun dealer and falsely represent that the Straw Purchaser was the actual purchaser of the firearm when in fact the Defendant, **CELERINO CASTILLO, III**, was the purchaser of the firearm.

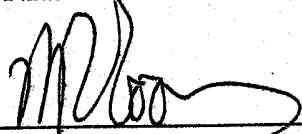
In violation of Title 18, United States Code, Sections 922(a)(6), 2, and 924(a)(1)(B).

A TRUE BILL.



JOHNNY SUTTON  
UNITED STATES ATTORNEY

BY:

  
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MARK T. ROOMBERG  
Assistant United States Attorney