

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA

V.

Isaac Cervantes-Sanchez YOB:1981

and

Leonel Richard Soto YOB: 1990

CRIMINAL COMPLAINT
United States District Court
Southern District of Texas
FILED

CASE NUMBER: ~~M-10-2380-M~~ AUG 20 2010

David J. Bradley, Clerk

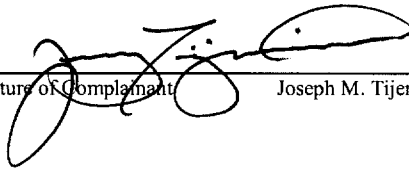
I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 20, 2010 in Hidalgo county, in the Southern District of Texas defendant(s) did,

knowingly and willfully export and cause to be exported into the United Mexican States from the United States of America a defense article, that is, to wit: approximately four thousand (4,000) rounds of 7.62x39mm caliber ammunition; which were designated as defense articles on the United States Munitions List (22 CFR, Chapter 1, Part 121), without having first obtained from the Department of State a license for such export or written authorization for such export.

in violation of Title 22 United States Code, Section(s) 2778.

I further state that I am a(n) U.S. ICE Special Agent and that this complaint is based on the following facts: See Attachment "A."

Continued on the attached sheet and made a part of hereof: Yes No



Signature of Complainant Joseph M. Tijerina – ICE Special Agent

Sworn to before me and subscribed in my presence,

August 20, 2010
Date

At McAllen, Texas
City and State

Dorina Ramos, U.S. Magistrate Judge
Name & Title of Judicial Officer



Signature of Judicial Officer

Attachment A

On August 20, 2010, at approximately 4:16 p.m., Isaac CERVANTES-Sanchez and Leonel Richard SOTO arrived at the Pharr port of entry in Pharr, Texas in a blue Chevrolet Silverado pickup. CERVANTES and SOTO were traveling in the southbound lanes leading to Mexico. U.S. Customs and Border Protection officers contacted CERVANTES and SOTO prior to exiting the United States and asked the subjects if they were transporting firearms, ammunition, or monetary instruments exceeding \$10,000 (USD). CERVANTES and SOTO both provided negative oral declarations to that effect.

The officers performed a thorough inspection of the vehicle and discovered approximately 4,000 rounds of 7.62x39mm ammunition. The ammunition was concealed inside a custom made speaker box that was located within the passenger compartment of the vehicle.

CERVANTES and SOTO were advised of his Miranda Rights in the Spanish language. CERVANTES and SOTO provided written waivers of their rights to counsel and agreed to provide statements to U.S. Immigration and Customs Enforcement and Bureau of Alcohol, Tobacco, Firearms, and Explosives special agents.

During the course of the interviews, both CERVANTES and SOTO stated that they did not possess a license from the United States government to export defense articles, nor had either subject ever applied for such a license. CERVANTES and SOTO stated that earlier in the day they acquired the ammunition at a firearms store in McAllen, Texas, and later concealed it within the speaker box to avoid detection by law enforcement. CERVANTES and SOTO stated that they were aware that it was illegal to smuggle firearms and ammunition out of the United States.