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APR 06 2009

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature] DEPUTY CLERK

United States District Court

WESTERN DISTRICT OF TEXAS

AMENDED
CRIMINAL COMPLAINT

UNITED STATES OF AMERICA

CASE NUMBER: DR-09-3526-M -01

V.
Fred FARHAT
Eagle Pass, Texas

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 March 31, 2009 in Maverick County, in the Western District of Texas defendant did,

Aided and abetted by others, knowingly attempted to export from the United States to the Republic of Mexico, approximately 10,400 rounds of .223 caliber assault rifle ammunition, 200 - .223 caliber magazines and 60 - 9mm pistol magazines contrary to the laws and regulations of the United States.

in violation Title(s) 18 United States Code, Section(s) 554 & 2

I further state that I am a(n) Immigration and Customs Enforcement Special Agent and that this complaint is based on the following facts:

SEE ATTACHMENT A.

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

[Signature]
Signature of Complainant

Sworn to before me and subscribed in my presence,

April 6, 2009
Date

at Del Rio, Texas
City and State

United States Magistrate Judge
Title of Judicial Officer

[Signature]
Signature of Judicial Officer

Attachment A:

On March 31, 2009, RAC/Eagle Pass Immigration and Customs Enforcement Agents responding to information from RAC/Del Rio established surveillance on Fred FARHAT who was traveling from Uvalde to Eagle Pass, Texas. FARHAT had been observed in Uvalde purchasing large amounts of .223 ammunition. FARHAT was followed to a store located inside Mall de las Aguilas in Eagle Pass where he was observed unloading the boxes of ammunition into the Boots and Jeans Western store. Information developed later indicates that FARHAT owns that business. Later agents observed a pickup truck arrive at the rear entrance to the store and saw FARHAT open the door and assist in loading cardboard boxes into this truck. Surveillance units followed the truck as it drove towards the Eagle Pass Port Of Entry (POE), Bridge #1. An attempt to stop the truck at the POE resulted in the truck speeding away onto the span and eventually colliding with northbound traffic. The two people in the truck absconded. Agents returned to the store and arrested FARHAT.

Immigration and Customs Enforcement Special Agents witnessed FARHAT transfer the ammo from his 2008 Dodge Truck, license plate number 37S NJ7 into the rear entrance of the business, Boots and Jeans located at 455 S. Bibb St # 118 Eagle Pass, TX 78852, at approximately 4:30 pm.

Approximately twenty three boxes of ammunition were seen transferred from FARHATS vehicle into his place of business, "Boots and Jeans." After FARHAT unloaded the ammunition he crossed into the Republic of Mexico. Approximately one hour later FARHATS vehicle was seen back at the rear entrance to his place of business, "Boots and Jeans," and ICE Special Agents maintained surveillance of the back entrance to "Boots and Jeans."

At approximately 9:30 pm, Agents witnessed FARHAT and an unidentified individual transfer large boxes of what appeared to be the ammunition into a maroon Ford pick-up bearing Texas License Plate 32B-XD6. That vehicle was followed to the Eagle Pass Port of Entry Bridge #1, where agents initiated a traffic stop. The vehicle then attempted to flee into Mexico, but was stopped when it collided into oncoming traffic. Agents observed boxes of rifle ammunition throughout the Ford pick-up. Agents then returned to "Boots and Jeans" and arrested FARHAT for his alleged involvement in exporting ammunition from the United States to the Republic of Mexico.

The accident occurred on the bridge, just on the Mexican side, where Mexican authorities took custody of the ammunition as well as the magazines. At the scene of the accident, ICE Special Agents photographed the ammunition, rifle magazines and the vehicle.