

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

**United States District Court
Southern District of Texas
FILED**

for the
Southern District of Texas

NOV 16 2013

United States of America)
)
 v.)
)
Francisco Javier Garcia)
 Defendant(s))

Clerk of Court
Case No. *m-13-2028-m-01*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.
On or about the date(s) of August 30, 2013 in the county of Hidalgo in the Southern District of Texas, the defendant(s) violated:

Code Section
Title 18, United States Code, Section(s) 922 (g)(1)

Offense Description
It shall be unlawful for any person convicted in any court of a crime punishable by imprisonment for a term exceeding one year to ship or transport in interstate or foreign commerce, or possess in or affecting commerce, any firearm or ammunition.

This criminal complaint is based on these facts:

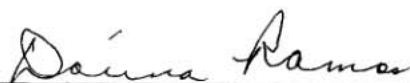
SEE ATTACHMENT A

Continued on the attached sheet.


Complainant's signature
David Sanchez Special Agent
Printed name and title

Sworn to before me and signed in my presence.

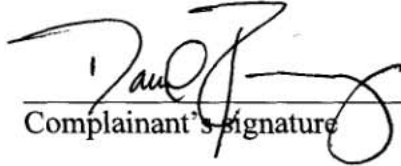
11/16/2013
Date
McAllen, Texas
City and State


Judge's signature
Dorina Ramos U.S. Magistrate Judge
Printed name and title

Attachment A

On August 30, 2013, U.S. Alcohol, Tobacco & Firearms (ATF) Special Agents conducted an interview of Francisco Javier GARCIA after they received information alleging GARCIA had recently purchased three firearms at a local gun show in McAllen, Texas. ATF conducts regulatory inspections of allegations involving identified convicted felon. GARCIA admitted to purchasing an AR-15, two handguns. GARCIA forfeited two firearms to ATF Special Agents. The weapons were described as an AR-15 rifle and a .45 caliber pistol. Queries conducted of the AR-15 and .45 caliber pistol, it was determined they were manufactured outside the State of Texas. ATF Special Agent ^{Noel Bernal} was contacted and he confirmed he conducted the queries and the results of the queries - SA Rangel is considered an expert. GARCIA stated he attended a local gun show in McAllen, Texas with intentions of purchasing several weapons. While at the gun show, GARCIA purchased an AR-15 assault type weapon for \$800.00 USD from a vendor. GARCIA stated he presented his identification to the vendor as was able to purchase the AR-15 rifle. GARCIA stated he visited another vendor and was denied the sale of a weapon upon his records check by the vendor. GARCIA stated he returned to the previous vendor and bought two additional handguns being a .40 & .45 caliber pistols. GARCIA stated he purchased each handgun for \$225.00 USD. GARCIA stated he knew there was a problem when the second vendor denied him the sale of a weapon but still decided to purchase two more guns.

On August 21, 2013; before the 389th District Court in Hidalgo County, GARCIA was convicted for Possession of Marijuana and sentenced to five (5) years probation, which will expire on August 21, 2018.



Complainant's signature

David Sanchez, Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: November 16, 2013



Judge's signature

City and state: McAllen, TX

Dorina Ramos, U.S. Magistrate Judge
Printed name and title