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DECEMBER 11, 2008 SAN ANTONIO, TX

Mexican national sentenced to 12 years in federal prison for firearms smuggling

SAN ANTONIO - A Mexican national was sentenced here Wednesday to 12 years in federal prison for smuggling firearms into Mexico from the United States. This sentence was announced by U.S. Attorney Johnny Sutton, Western District of Texas; the case was jointly investigated by U.S. Immigration and Customs Enforcement (ICE), and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

Ernesto Garza, 44, a citizen of Mexico, was sentenced Dec. 10 to 144 months in federal prison after he pleaded guilty Aug. 25 to one count each of conspiracy to obtain firearms by making false statements, and smuggling firearms to Mexico.

"This significant sentence is very rewarding to the agents in ICE and ATF who invested so much effort to investigate this case, and ultimately bring Mr. Garza to justice," said Jerry Robinette, special agent in charge of the ICE Office of Investigations in San Antonio. "This case further highlights the close partnership between ATF and ICE to address the growing illicit purchase and trafficking of firearms into Mexico. These gun-smuggling cases are a high priority for ICE because they enhance the 'homeland security' for the U.S. and Mexico."

The investigation revealed that Garza conspired to buy guns using "straw purchasers." The guns were then smuggled into Mexico. Garza was not legally authorized to buy guns in the United States. Instead, he paid people in the United States to buy guns for him who then lied about who the guns were for. In June 2005, Garza first began trafficking hunting rifles. However, from 2006 to October 2007 when he was arrested, Garza trafficked in high-powered, high-capacity handguns such as the FNH 5.7 pistol, and assault rifles such as the FNH PS90. Garza organized and led the conspiracy, which involved at least nine other individuals who purchased firearms on his behalf. Garza's gun-smuggling ring ultimately purchased and smuggled to Mexico at least 50 weapons. One of the FN 57 pistols was recovered in Mexico after being used in a running gun battle between alleged drug dealers and Mexican soldiers in Xoxocutla on May 7, 2008. Two Mexican soldiers were killed during the fight.

This case was investigated by ICE, ATF and the San Antonio Police Department.

Assistant U.S. Attorney Mark Roomberg, Western District of Texas, prosecuted this case.

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U.S. Immigration and Customs Enforcement (ICE) is the largest investigative arm of the Department of Homeland Security.

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