

REDACTED COPY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION

FILED

2011 FEB 16 PM 4:19

WESTERN DISTRICT OF TEXAS
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BY: [Signature]
DEPUTY

UNITED STATES OF AMERICA

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Cause No.:

INDICTMENT

v.

BRITTANY HERNANDEZ

[Vio: COUNT ONE: 18 U.S.C. §§ 554(a) & 2, Aiding and Abetting Smuggling Goods from the United States; COUNTS TWO-THREE: 18 U.S.C. § 922(a)(6) False Statement in Acquisition of Firearm.]

DR11CR0238

THE GRAND JURY CHARGES:

COUNT ONE

[18 U.S.C. §§ 554(a) & 2]

On or about July 29, 2010, in the Western District of Texas, the Defendant,

BRITTANY HERNANDEZ

and others, aiding and abetting one another, did knowingly and unlawfully export or attempt to export, from the United States, any merchandise, article, or object, including but not limited to 15 AK-47 style assault rifles, which are defense articles as defined under Category I of the United States Munitions List, contrary to any law or regulation of the United States, in that the Defendant had not obtained a license or written authorization for such export, in violation of Title 22, United States Code, Sections 2778(b)(2) & 2778(c) and Title 22, Code of Federal Regulations, Parts 121, 123, & 127, all in violation of Title 18, United States Code, Sections 554(a) and 2.

COUNT TWO

[18 U.S.C. §§ 922(a)(6) & 924(a)(2)]

On or about August 4, 2010, in the Western District of Texas, the Defendant,

BRITTANY HERNANDEZ

in connection with the acquisition of a firearm, a I.O. Inc. AK-47C 7.62 x 39 rifle, serial number

004950, from Dury's Gun Shop, Inc., a federally licensed firearms dealer, knowingly made a false and fictitious oral or written statement, which statement was intended and likely to deceive the dealer as to a fact material to the lawfulness of such sale of the said firearm to the Defendant, in that the Defendant represented that she was the actual buyer of the firearm, when in fact she was not the actual buyer of the firearm; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

COUNT THREE

[18 U.S.C. §§ 922(a)(6) & 924(a)(2)]

On or about August 8, 2010, in the Western District of Texas, the Defendant,

BRITTANY HERNANDEZ

in connection with the acquisition of a firearm, a Century Arms/Romarm GP WASR-10/63 7.62 x 39 rifle, serial number 1988-ACL1069, from Spreadfire, a federally licensed firearms dealer, knowingly made a false and fictitious oral or written statement, which statement was intended and likely to deceive the dealer as to a fact material to the lawfulness of such sale of the said firearm to the Defendant, in that the Defendant represented that she was the actual buyer of the firearm, when in fact she was not the actual buyer of the firearm; in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

A TRUE BILL. ~

JOHN E. MURPHY
United States Attorney

By: 

BENJAMIN D. SEAL
Assistant United States Attorney

SEALED:
UNSEALED: XX

DR11CR0238

**PERSONAL DATA SHEET
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

COUNTY: BEXAR

USAO#:

DATE: FEBRUARY 16, 2011

MAG. CT. #: MATTER

AUSA: BENJAMIN D. SEAL

DEFENDANT: BRITTANY HERNANDEZ

CITIZENSHIP: UNITED STATES

INTERPRETER NEEDED: NO

LANGUAGE: ENGLISH

DEFENSE ATTORNEY: N/A

ADDRESS OF ATTORNEY: N/A

DEFENDANT IS:) DATE OF ARREST:

BENCH WARRANT NEEDED:

PROBATION OFFICER: N/A

NAME AND ADDRESS OF SURETY: N/A

YOUTH CORRECTIONS ACT APPLICABLE: NO

PROSECUTION BY: INDICTMENT

OFFENSE: (Code & Description): COUNT ONE: 18 U.S.C. §§ 554(a) & 2 - Aiding and Abetting Smuggling Goods from the United States; COUNTS TWO-THREE: 18 U.S.C. § 922(a)(6) - False Statement in Acquisition of Firearm.

OFFENSE IS A: FELONY

MAXIMUM SENTENCE: On all counts: 10 years imprisonment; a \$250,000 fine; 3 years of supervised release; and a \$100 special assessment.

PENALTY IS MANDATORY: YES & NO

REMARKS: SEE ABOVE

W/DT-CR-3