

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 12-2423-PRP

UNITED STATES OF AMERICA

v.

JUAN ESTEBAN VILLA CARVAJAL,

Defendant.

---

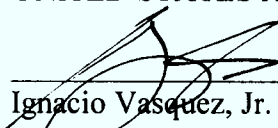
CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to October 14, 2003?  Yes  No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to September 1, 2007?  Yes  No

Respectfully submitted,

WIFREDO A. FERRER  
UNITED STATES ATTORNEY

BY: \_\_\_\_\_

  
Ignacio Vasquez, Jr.  
Special Assistant United States Attorney  
Florida Bar ID. 16275  
99 N.E. 4th Street  
Miami, Florida 33132-2111  
Tel: (305) 961-9318  
Fax: (305) 536-4699  
Ignacio.Vasquez@usdoj.gov

  
Vanessa S. Johannes  
Assistant United States Attorney  
Court ID No. A5501644  
99 N.E. 4th Street  
Miami, Florida 33132-2111  
Tel: (305) 961-9023  
Fax: (305) 536-4699  
Vanessa.S.Johannes@usdoj.gov

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the Southern District of Florida

United States of America
v.
JUAN ESTEBAN VILLA CARVAJAL

Case No. 12-2423-PRP

Defendant(s)

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 03/19/2010 to 09/13/2011 in the county of Miami-Dade County, Florida in the Southern District of Florida, the defendant(s) violated:

Code Section

Offense Description

Title 18, United States Code, Section 922(a)(6)

The Defendant, in connection with the acquisition of a firearm from a licensed firearms dealer, did knowingly make a false and fictitious statement, and furnished and exhibited a false, fictitious, and misrepresented identification, intended to and likely to deceive such firearms dealer, with respect to a fact material to the lawfulness of the sale or other disposition of such firearm.

This criminal complaint is based on these facts:

See attached affidavit of ATF Special Agent Joshua Murr.

Continued on the attached sheet.

Complainant's signature

Joshua Murr, Special Agent, ATF
Printed name and title

Sworn to before me and signed in my presence.

Date: 03/29/2012

Judge's signature

City and state: Miami, Florida

Honorable Peter R. Palermo, Magistrate Judge
Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Joshua Murr, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION**

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF") and have been so employed since July of 1999. I am assigned to the Fort Lauderdale office. During the course of my employment with ATF, I have participated in numerous illegal firearm sales, firearms possession, and firearms trafficking investigations. As a federal agent with ATF, I am authorized to conduct investigations of and execute search, arrest, and seizure warrants for offenses involving the trafficking and illegal sales of firearms, including those offenses enumerated in Title 18, United States Code, Section 922, et seq.

2. The information contained in this affidavit is based on my personal knowledge of this case, as well as information relayed to me by other law enforcement authorities and sources of information. Since this affidavit is being submitted for the limited purpose of supporting probable cause for the complaint against the defendant, JUAN ESTEBAN VILLA CARVAJAL, I have not included each and every fact known concerning this investigation. The investigation of VILLA and his firearms trafficking organization is ongoing.

**BACKGROUND**

**The Defendant Instructs W.J.R. to Purchase Firearms for Him**

3. On or about March 19, 2010, VILLA met with W.J.R. in order to facilitate a straw purchase of firearms. VILLA told W.J.R. what type of firearms to purchase and provided him with the money purchase said firearms. VILLA then directed W.J.R. to go to a

licensed firearms dealer in Miami, Florida to purchase the firearms for him. W.J.R. went to that dealer on or about March 19, 2010 and filled out at least two (2) ATF Form 4473s. In each form, under Box 11 a, W.J.R. indicated that he was the actual purchaser of the firearm; in fact, he was not.

4. On June 30, 2010, W.J.R. returned to pick up one of the firearms he had filled out an ATF Form 4473 for on March 19, 2010. That firearm was a FN FNP-45TAC Pistol. Once W.J.R. had that pistol in his possession, he returned to meet with VILLA, and turned that firearm over to him. At that time, VILLA gave W.J.R. a fee for conducting this straw purchase.

5. On July 17, 2010, W.J.R. returned to pick up yet another firearm that he had filled out an ATF Form 4473 for on March 19, 2010. That firearm was an FN SCAR Rifle. Once W.J.R. had that rifle in possession, he returned to meet with VILLA, and turned that firearm over to him. At that time, VILLA gave W.J.R. a fee for conducting this straw purchase.

6. On or about July 18, 2011, VILLA met with W.J.R. in order to facilitate another purchase of firearms. Again, VILLA told W.J.R. what types of firearms to purchase and provided him with the money to purchase said firearms. As before, VILLA then directed W.J.R. to go to a licensed firearms dealer to purchase the firearms. W.J.R. then went to said dealer, and filled out one ATF Form 4473 for the purchase of several firearms. In Box 11a of that form, W.J.R. marked that he was the actual purchaser of the firearms; in fact, he was not.

7. On July 26, 2011 W.J.R. returned to pick up the firearms which he had previously paid for and filled out the ATF Form 4473 for on July 18, 2011. He picked up four

firearms, one of which was later recovered in Colombia during a narcotics trafficking bust.

8. Once W.J.R. had these firearms in possession, he returned to meet with VILLA, and turned these firearms over to him. At that time, VILLA paid W.J.R. a fee for conducting this straw purchase.

9. On or about September 2, 2011, VILLA again met with W.J.R. in order to facilitate a straw purchase of firearms. As before, VILLA told W.J.R. what types of firearms to purchase and then gave W.J.R. the money to go purchase them. VILLA then directed W.J.R. to go to a licensed firearms dealer to purchase the firearms for him. W.J.R. then went to said dealer, filled out an ATF Form 4473 and in Box 11a, marked that he (W.J.R.) was the actual purchaser of the firearms though he was not.

10. On September 13, 2011, W.J.R. returned to pick up the firearms which he had previously paid for and filled out the ATF Form 4473 for on September 2, 2011. He picked up three firearms, one of which was later recovered in Colombia during a narcotics trafficking bust.

11. Once W.J.R. had these firearms in possession, he returned to meet with VILLA, and turned these firearms over to him. At that time, VILLA paid W.J.R. a fee for conducting this straw purchase.

#### **Law Enforcement Confronts W.J.R. Regarding His Straw Purchases**

12. On or about November 15, 2011, law enforcement met with W.J.R. regarding his recent purchases of multiple firearms. At that time, W.J.R. agreed to cooperate with law enforcement. W.J.R. advised law enforcement that he had purchased firearms for an individual known as "Juan Esteban," subsequently identified of VILLA. W.J.R.

explained that VILLA instructed him as to what firearms to purchase, provided him the money to purchase the firearms, and directed him where to go to purchase the firearms. He further stated he was paid a fee or a commission by VILLA for each firearm he had purchased for VILLA.

13. From November 15, 2011 onward, W.J.R. continued to communicate with VILLA, but only at the direction of law enforcement.

**As a Cooperator, W.J.R. Meets With VILLA to Conduct Additional Straw Purchases**

14. On or about February 29, 2012, W.J.R. placed a monitored telephone call to VILLA. VILLA confirmed that he wanted to meet with W.J.R. that day for the purpose of conducting additional straw purchases of firearms.

15. On or about February 29, 2012, law enforcement and W.J.R. arrived at a federal firearms licensed dealer in Miami, Florida, where the scheduled meeting with VILLA was expected to take place. The meeting took place in the parking lot outside of the dealer. VILLA was already there. He joined an undercover agent and W.J.R. in their car. During the meeting, VILLA was introduced to the undercover agent under the guise that the undercover agent, allegedly a friend of W.J.R.'s, was also a straw purchaser. VILLA agreed to do business with the undercover agent.

16. VILLA agreed to pay the undercover agent a fee or commission for his work as a straw purchaser. He agreed to pay him half of the purchase value of the firearms that were purchased. At that time, VILLA handed the undercover agent \$1,500 cash to go into the dealer and purchase two M4 rifles for him. The undercover agent did so, and, at VILLA's direction, filled out an ATF Form 4473 for the firearms. On the form, in Box 11a, he stated that the firearms were for him, although they were for VILLA.

17. While inside the dealer, VILLA assured the undercover agent that he had been doing this for years, and that there was nothing to worry about. He stated that there would be no problems with these firearms because they would soon be shipped to Colombia.

18. Once the transaction was complete, VILLA took the firearms purchase invoice from the undercover agent and instructed him that at some point the following week, they would go together and pick up the firearms.

#### **Law Enforcement Arrests VILLA**

19. On or about March 23, 2012, the undercover agent contacted VILLA and advised him that the dealer was calling him to have the firearms picked up. VILLA stated that they would arrange for the pickup and transfer shortly.

20. On or about March 27, 2012, VILLA agreed to meet law enforcement at his employment, located at 2601 S.W. 37 Avenue in Miami, Florida to discuss the transfer of the firearms. VILLA entered the undercover agent's vehicle. He provided the undercover agent with the invoice for the purchased firearms. VILLA then requested that the undercover agent take him get money so that he could give the undercover agent the remaining balance due on the firearms and part of his fee for the straw purchase. After VILLA withdrew money, he gave the undercover agent \$1,800 cash, approximately \$500 of which was part of the undercover agent's fee.

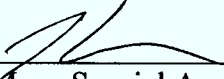
21. On or about March 28, 2012, law enforcement picked up the firearms from the dealer. They went to VILLA's employment, where VILLA agreed he would take the firearms from the undercover agent. En route to picking up the firearms from the undercover agent's vehicle, VILLA was arrested by law enforcement.

**CONCLUSION**

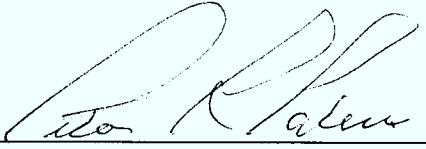
22. Based on the foregoing facts and circumstances and your Affiant's training, knowledge, and expertise, there is probable cause to believe that VILLA, in connection with the acquisition of firearms from a licensed dealer, did knowingly make a false or fictitious statement and misrepresented identification, intended to deceive such dealer, with respect to a fact material to the lawfulness of the sale and other disposition of the firearm, in violation of Title 18, United States Code, Section 922(a)(6).

23. Your Affiant therefore requests this Honorable Court to issue a criminal complaint for VILLA, charging him with a violation of Title 18, United States Code, Section 922(a)(6).

FURTHER AFFIANT SAYETH NAUGHT

  
\_\_\_\_\_  
Joshua Murr, Special Agent  
ATF

Subscribed to and sworn before me  
on this 29<sup>th</sup> day of March, 2012:

  
\_\_\_\_\_  
Honorable Peter R. Palermo  
United States Magistrate Judge  
Southern District of Florida