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CLERK US DISTRICT COURT
DISTRICT OF ARIZONA

CR 16 - 1475 TUC JAS (DTF)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

INDICTMENT

United States of America,

Plaintiff,

vs.

(1) Ana Guadalupe Carillo-Villa
Counts 1, 3, 4;
(2) Miguel Ochoa-Ruiz,
Counts 1, 2, 5

Defendants.

Violations:

18 U.S.C. § 371
(Conspiracy)
Count 1

18 USC § 554(a); 22 USC § 2778; 22
CFR §§ 121.1 and 123.1
(Smuggling Goods From the United
States)
Counts 2, 3, 5

18 U.S.C. §§ 922(g)(1) and 924(a)(2)
(Possession of Ammunition by Convicted
Felon)
Count 4

18 U.S.C. §924(d) and 28 U.S.C. § 2461(c)
(Forfeiture Allegation)

THE GRAND JURY CHARGES:

COUNT 1

From a time unknown to on or about July 8, 2016, at or near Nogales, Phoenix, and elsewhere within the District of Arizona, the defendants, ANA GUADALUPE CARILLO-VILLA and MIGUEL OCHOA-RUIZ, did knowingly and intentionally combine, conspire, confederate, and agree together and with persons known and unknown to the grand jury, to commit offenses against the United States, that is: the knowing attempt to export and send from the United States any merchandise, article, or object contrary to any law or

1 regulation of the United States, and to receive, conceal, buy, sell, and in any manner
2 facilitate the transportation, concealment, and sale of such merchandise, article or object,
3 prior to exportation, knowing the same to be intended for exportation contrary to any law
4 or regulation of the United States, to wit: Title 22, United States Code, Section 2778; Title
5 22, Code of Federal Regulations, Part 121.1; and Title 22, Code of Federal Regulations,
6 Part 123.1; in violation of Title 18, United States Code, Section 554(a).

7 **Purpose of the Conspiracy**

8 The purpose of this conspiracy was to commit, and assist in the commission of,
9 the unlawful export of ammunition and firearm components, including: 2,000 rounds of
10 7.62x39mm ammunition, 90 30-round AR-15 magazines, 156 30-round AK magazines, 2
11 100-round AR-15 magazines, 8,000 rounds of Wolf 7.62x39mm ammunition, 2,000 rounds
12 of Magtec 9mm Luger ammunition and 1,000 rounds of Aguila .40 S&W ammunition from
13 the United States to the Republic of Mexico.

14 **The Means and Methods of the Conspiracy**

15 The means and methods employed by the defendants and their co-conspirators
16 to carry out the conspiracy and effect its unlawful objects are as follows:

17 It was part of the conspiracy that the defendants and/or their co-conspirators
18 would purchase ammunition and firearm components in the District of Arizona.

19 It was a further part of the conspiracy that the defendants and/or their co-
20 conspirators would provide the funds, instructions, and means of transportation and
21 concealment to facilitate the purchase of the ammunition and firearm components.

22 It was a further part of the conspiracy that the defendants and/or their co-
23 conspirators would transport the ammunition and firearm components within the District
24 of Arizona with the knowledge that the ammunition and firearm components were intended
25 to ultimately be transported from the United States into the Republic of Mexico, and/or
26 transport the ammunition and firearm components from the United States into the Republic
27 of Mexico.

28

1 It was a further part of the conspiracy that the defendants and/or their co-
 2 conspirators did not have any valid license or other authority to export the ammunition and
 3 firearm components from the United States into the Republic of Mexico.

4 **Overt Acts**

5 In furtherance of the conspiracy, one or more of the co-conspirators committed,
 6 or caused to be committed, the overt acts described below:

7 On July 7, 2016, at United Nations Ammo Company in Phoenix, Arizona, MIGUEL
 8 OCHOA-RUIZ purchased 2,000 rounds of 7.62x39mm ammunition, 90 30-round AR-15
 9 magazines, 156 30-round AK magazines, 2 100-round AR-15 magazines, 8,000 rounds of
 10 Wolf 7.62x39mm ammunition, 2,000 rounds of Magtec 9mm Luger ammunition and 1,000
 11 rounds of Aguila .40 S&W ammunition. OCHOA-RUIZ then loaded the ammunition and
 12 magazines in a black Chevrolet Silverado which was registered to him. While OCHOA-
 13 RUIZ was loading the items into his vehicle, another vehicle (a Toyota Avalon) met up
 14 with him. A female that had been accompanying OCHOA-RUIZ then got into the Toyota
 15 Avalon. OCHOA-RUIZ left the United Nations Ammo Company driving the Chevrolet
 16 Silverado, with the Toyota Avalon following him.

17 Both vehicles traveled from Phoenix to Nogales, Arizona, where OCHOA-RUIZ
 18 turned the Chevrolet Silverado over to ANA GUADALUPE CARRILLO-VILLA in the
 19 McDonald's parking lot. OCHOA-RUIZ then got into the driver's seat of the Toyota
 20 Avalon and departed the United States through the Nogales Port of Entry in that vehicle.

21 CARILLO-VILLA attempted to exit the United States and enter the Republic of
 22 Mexico through the Nogales Port of Entry as the driver and sole occupant of the Chevrolet
 23 Silverado. Upon inspection and questioning by Customs and Border Protection officers,
 24 CARILLO-VILLA eventually admitted to transporting ammunition. Officers discovered
 25 2,000 rounds of 7.62x39mm ammunition, 90 30-round AR-15 magazines, 156 30-round
 26 AK magazines, and 2 100-round AR-15 magazines in boxes in the back seat area of the
 27 vehicle.
 28

1 On July 8, 2016, OCHOA-RUIZ was encountered by law enforcement agents in the
2 McDonald's parking lot in Nogales, Arizona. OCHOA-RUIZ was found in possession of
3 8,000 rounds of Wolf 7.62x39mm ammunition, 2,000 rounds of Magtec 9mm Luger
4 ammunition, 1,000 rounds of Aguila .40 S&W ammunition. OCHOA-RUIZ intended to
5 take this ammunition from the United States into the Republic of Mexico.

6 OCHOA-RUIZ and CARRILLO-VILLA acted in concert in the attempt to smuggle
7 the ammunition and firearm components from the United States into the Republic of
8 Mexico. Neither OCHOA-RUIZ nor CARILLO-VILLA had a license, permit, or other
9 lawful authority to export the ammunition and firearms components from the United States
10 into the Republic of Mexico

11 All in violation of 18 U.S.C. Section 371.

12 **COUNT 2**

13 On or about July 7, 2016, at or near Phoenix and Nogales, in the District of Arizona,
14 MIGUEL OCHOA-RUIZ knowingly attempted to export and send from the United States
15 any merchandise, article, or object contrary to any law or regulation of the United States,
16 and bought and transported such merchandise, article or object, to wit: 2,000 rounds of
17 7.62x39mm ammunition, 90 30-round AR-15 magazines, 156 30-round AK magazines, 2
18 100-round AR-15 magazines, 8,000 rounds of Wolf 7.62x39mm ammunition, 2,000 rounds
19 of Magtec 9mm Luger ammunition and 1,000 rounds of Aguila .40 S&W ammunition;
20 knowing the same to be intended for exportation contrary to any law or regulation of the
21 United States, to wit: Title 22, United States Code, Section 2778; Title 22, Code of Federal
22 Regulations, Part 121.1; and Title 22, Code of Federal Regulations, Part 123.1; in violation
23 of Title 18, United States Code, Section 554(a).

24 **COUNT 3**

25 On or about July 7, 2016, at or near Nogales, in the District of Arizona, ANA
26 GUADALUPE CARILLO-VILLA knowingly attempted to export and send from the
27 United States any merchandise, article, or object contrary to any law or regulation of the
28 United States, and received and transported such merchandise, article or object, to wit:

1 2,000 rounds of 7.62x39mm ammunition, 90 30-round AR-15 magazines, 156 30-round
2 AK magazines, and 2 100-round AR-15 magazines; knowing the same to be intended for
3 exportation contrary to any law or regulation of the United States, to wit: Title 22, United
4 States Code, Section 2778; Title 22, Code of Federal Regulations, Part 121.1; and Title 22,
5 Code of Federal Regulations, Part 123.1; in violation of Title 18, United States Code,
6 Section 554(a).

7 **COUNT 4**

8 On or about July 7, 2016, at or near Nogales, in the District of Arizona, ANA
9 GUADALUPE CARILLO-VILLA, having been previously convicted of a crime
10 punishable by imprisonment for a term exceeding one year; that is, Conspiracy to Possess
11 With Intent to Distribute Heroin, a felony offense, in United States District Court, Tucson,
12 Arizona, case number CR 14-00397-003-TUC-RCC (BPV), on October 14, 2014; did
13 knowingly possess ammunition, that is, 2,000 rounds of 7.62x39mm ammunition, said
14 ammunition being in and affecting commerce in that it was previously transported into the
15 state of Arizona from another state or foreign country; in violation of Title 18, United States
16 Code, Section 922(g)(1) and 924(a)(2).

17 **COUNT 5**

18 On or about July 8, 2016, at or near Nogales, in the District of Arizona, MIGUEL
19 OCHOA-RUIZ knowingly attempted to export and send from the United States any
20 merchandise, article, or object contrary to any law or regulation of the United States, and
21 transported such merchandise, article or object, to wit: 8,000 rounds of Wolf 7.62x39mm
22 ammunition, 2,000 rounds of Magtec 9mm Luger ammunition and 1,000 rounds of Aguila
23 .40 S&W ammunition; knowing the same to be intended for exportation contrary to any
24 law or regulation of the United States, to wit: Title 22, United States Code, Section 2778;
25 Title 22, Code of Federal Regulations, Part 121.1; and Title 22, Code of Federal
26 Regulations, Part 123.1; in violation of Title 18, United States Code, Section 554(a).

FORFEITURE ALLEGATION

1
2 Upon conviction of Counts One through Five of the Indictment, defendants, ANA
3 GUADALUPE CARILLO-VILLA and MIGUEL OCHOA-RUIZ, shall forfeit to the
4 United States pursuant to Title 18, United States Code, Section 924(d), and Title 28, United
5 States Code, Section 2461(c), any firearms and ammunition involved in the commission of
6 the offense, including, but not limited to 2,000 rounds of 7.62x39mm ammunition; 8,000
7 rounds of Wolf 7.62x 9mm ammunition; 2,000 rounds of Magtec 9mm Luger ammunition;
8 and 1,000 rounds of Aguila .40 S&W ammunition.

9 If any of the property described above, as a result of any act or omission of the
10 defendants: a) cannot be located upon the exercise of due diligence; b) has been transferred
11 or sold to, or deposited with, a third party; c) has been placed beyond the jurisdiction of
12 the court; d) has been substantially diminished in value; or e) has been commingled with
13 other property which cannot be divided without difficulty, it is the intent of the United
14 States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title
15 28, United States Code, Section 2461(c), to seek forfeiture of any other property of said
16 defendants up to the value of the above forfeitable property, including, but not limited to,
17 all property, both real and personal, owned by the defendants.

18 All pursuant to Title 18, United States Code, Section 924(d), Title 28, United States
19 Code, Section 2461(c) and Rule 32.2(a), Federal Rules of Criminal Procedure.

20 A TRUE BILL

21 **/s/**

22 _____
Presiding Juror

23
24 JOHN S. LEONARDO
United States Attorney
District of Arizona

25 **/s/**

26 Assistant U.S. Attorney

27 Dated: July 27, 2016

28
**REDACTED FOR
PUBLIC DISCLOSURE**