

United States District Court	DISTRICT of ARIZONA
<p align="center">United States of America</p> <p align="center">v.</p> <p>Victor H. BOCANEGRA, DOB: 2000, United States Citizen, Kathia V. BOCANEGRA, DOB: 1996, United States Citizen, Victor A. BOCANEGRA, DOB: 1999, United States Citizen,</p>	DOCKET NO.
	MAGISTRATE'S CASE NO. 19-07063MJ

Complaint for violation of Title 18 United States Code § 554(a)

COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION:

Beginning at a time unknown, to on or about January 9, 2019, at or near Douglas, Phoenix, and elsewhere within in the District of Arizona, **Victor H. BOCANEGRA, Kathia V. BOCANEGRA, and Victor A. BOCANEGRA**, knowingly attempted to export and send, from the United States any merchandise, article, or object contrary to any law or regulation of the United States, and received, concealed, bought, sold, and in any manner facilitated the transportation, concealment, and sale of such merchandise, article or object, to wit: five (5) FN Herstal M249 Machine Guns, aka five (5) "SAWs" (Squad Automatic Weapons); knowing the same to be intended for exportation contrary to any law or regulation of the United States, to wit: Title 22, United States Code, Section 2778; Title 22, Code of Federal Regulations, Part 121.1; and Title 22, Code of Federal Regulations, Part 123.1; in violation of Title 18, United States Code, Section 554(a).

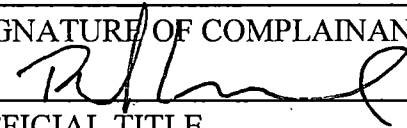
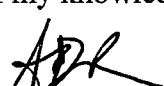
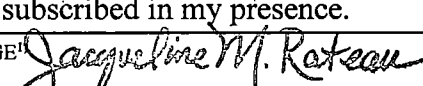
BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED:

On October 9, November 23, 27, and 30, 2018, Victor H. BOCANEGRA, Kathia V. BOCANEGRA, and Victor A. BOCANEGRA drove a vehicle from Mexico into the United States with the intent to purchase firearms in the United States and unlawfully export them into Mexico. The defendants placed orders for five (5) FN Herstal M249 Machine Guns totaling as follows: One (1) FN Herstal M249 Machine Gun for Victor H. BOCANEGRA total of \$9,339.60 due; Two (2) FN Herstal M249 Machine Guns for Kathia BOCANEGRA total of \$18,679.20 due; Two (2) FN Herstal M249 Machine Guns for Victor A. BOCANEGRA total of \$18,679.20 due. The total price of the five (5) FN Herstal M249 Machine Guns is \$46,698.00 (USD). The total amount deposited by Victor H. BOCANEGRA, Kathia BOCANEGRA, and Victor A. BOCANEGRA is \$32,020.00 (USD) leaving a balance of \$14,678.00.

According to the Arizona Department of Economic Security (DES) Wage system, there has been no reported income by any of the defendants over the last year. Further, agents were able to establish via border crossings, electronic surveillance, and physical observation that that none of the defendants reside in Arizona, and in fact reside in Mexico.

On January 9, 2019, near Sierra Vista, Arizona, Victor H. BOCANEGRA, Kathia V. BOCANEGRA, and Victor A. BOCANEGRA, brought \$6,000.00 USD, a portion of the remaining balance owed on the firearms, to a meeting and attempted to pay and take possession of these firearms.

CONTINUED ON THE REVERSE SIDE...

MATERIAL WITNESS(ES) IN RELATION TO THE CHARGE: N/A	
DETENTION REQUESTED Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.	SIGNATURE OF COMPLAINANT 
REVIEWED by AUSA Adam D. Rossi 	OFFICIAL TITLE Robert Edwards, Special Agent, HSI
Sworn to before me and subscribed in my presence.	
SIGNATURE OF MAGISTRATE JUDGE 	DATE January 10, 2019

1) See Federal rules of Criminal Procedure Rules 3 and 54

BASIS OF COMPLAINT'S CHARGE CONT'D:

After waiving their *Miranda* rights, Victor H. BOCANEGRA and Kathia V. BOCANEGRA, both stated that the FN Herstal M249 Machine Guns they purchased and attempted to transport were intended for Mexico. Victor H. BOCANEGRA and Kathia V. BOCANEGRA explained that Victor A. BOCANEGRA was aware of the plan to illegally purchase and export them to Mexico.

After waiving his *Miranda rights*, Victor A. BOCANEGRA explained he didn't know anything about what was transpiring.

None of the defendants involved in the firearm-smuggling activity had a license or lawful authority to export the FN Herstal M249 Machine Guns into Mexico.