

United States District Court	DISTRICT of ARIZONA
United States of America v. Ricardo Alberto RUIZ Pelayo DOB: xx/xx/1994; Mexican Citizen	DOCKET NO. MAGISTRATE'S CASE NO. 18-00735 MJ

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

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

On or about September 13, 2018, at or near Nogales, in the District of Arizona, Ricardo Alberto RUIZ Pelayo fraudulently and knowingly exported and sent from the United States, and 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: one Glock 22 handgun, serial number EAP014; one Glock 19 handgun, serial number DLG483US; one Smith & Wesson M & P 15 rifle, serial number SV61848; one Aero Precision AR15 Platform Rifle, serial number DLR03514, one AR15 Platform Rifle-unbranded/unserialized and 3 magazines; 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 September 13, 2018, Ricardo Alberto RUIZ Pelayo was stopped during an outbound inspection at the Mariposa Port of Entry in Nogales, Arizona, driving a blue 2003 GMC Yukon. RUIZ presented himself for inspection to a U.S. Customs and Border Protection Officer (CBPO). During the outbound declaration CBPO noticed that RUIZ was a possible match for a lookout which Homeland Security Investigations Nogales (HSI) had placed on this vehicle. CBPO received a negative declaration from RUIZ for weapons, ammunition nor currency more than \$10,000. RUIZ informed CBPO that he had \$2,000 (U.S. currency).

During the secondary inspection CBPO asked RUIZ if he had weapons, ammunition or currency more than \$10,000 RUIZ stated "NO" but declared \$2,000. RUIZ was asked to step out of the vehicle and was escorted to a secure area. CBPO searched the vehicle and found one Glock 22 handgun, serial number EAP014; one Glock 19 handgun, serial number DLG483US; one Smith & Wesson M & P 15 rifle, serial number SV61848; one Aero Precision AR15 Platform Rifle, serial number DLR03514, one AR15 Platform Rifle-unbranded/unserialized and 3 magazines hidden underneath the seats of the vehicle. CBPO cleared the weapons and it was noticed that one of the rifles had a round (bullet) chambered.

(continued on reverse)

MATERIAL WITNESS(ES) IN RELATION TO THE CHARGE:

DETENTION REQUESTED
COMPLAINT REVIEWED by AUSA Micah Schmit

Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.



SIGNATURE OF COMPLAINANT



OFFICIAL TITLE & NAME:
Oswaldo Bustamante, HSI/TFO

Sworn to before me and subscribed in my presence.

SIGNATURE OF MAGISTRATE JUDGE¹⁾



DATE
September 14, 2018

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

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Homeland Security Investigations Task Force Officers responded and conducted an interview of RUIZ. RUIZ waived his Miranda Rights, and agreed to speak to agents without an attorney present.

During the interview, RUIZ admitted that he had weapons in his vehicle and was going to be paid \$400 to smuggle the load of weapons from Nogales, Arizona to Nogales, Mexico. RUIZ was recruited by "CESAR" who instructed RUIZ to cross the border and meet somebody at 4:00 p.m. at the Walmart in Nogales, Arizona. Once RUIZ arrived at the Walmart RUIZ met 2 men who were driving a purple colored Grand Prix which had Arizona plates. The men handed RUIZ the handguns and RUIZ placed them underneath the back seat. RUIZ witnessed the men place the rifles underneath another seat and RUIZ drove towards Mexico via the Mariposa Port of entry. RUIZ admitted that he was breaking the law when attempted to smuggle the weapons to Mexico, but just needed the money. RUIZ stated that he has seen the posted signs indicating it was illegal to smuggle weapons into Mexico. RUIZ does not have an export license to take transport weapons to Mexico.