

LT/BC

FILED

JUN 06 2023

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA** Mark C. McCartt, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

v.

CESAR DAVID LOPEZ,

Defendant.

Case No. ~~23 CR 196 JFH~~

INDICTMENT

**[COUNT ONE: 18 U.S.C. § 371 –
Conspiracy;**

**COUNT TWO: 18 U.S.C.
§§ 922(a)(6), 924(a)(2) and 2 – False
Statement in Connection with the
Acquisition of a Firearm]**

THE GRAND JURY CHARGES:

**COUNT ONE
[18 U.S.C. § 371]**

From on or about October 22, 2022, to on or about May 11, 2023, in the Northern District of Oklahoma and elsewhere, the defendant, **CESAR DAVID LOPEZ**, and other individuals both known and unknown to the Grand Jury (collectively known as “**THE CONSPIRATORS**”), knowingly and intentionally combined, conspired, confederated, and agreed, together and with each other, to commit offenses against the United States as follows:

OBJECTS OF THE CONSPIRACY

The objects of the conspiracy were:

1. To knowingly make false and fictitious statements in connection with the acquisition of firearms and ammunition, in violation of Title 18, United States Code, Section 922(a)(6); and

2. To traffick firearms in and affecting interstate and foreign commerce, having reasonable cause to believe that the use, carrying, and possession of such firearms would constitute a felony, in violation of Title 18, United States Code, Section 933(a).

MANNER AND MEANS OF THE CONSPIRACY

The conspiracy was to be accomplished, and was accomplished, by the following manner and means:

1. **THE CONSPIRATORS** would and did obtain specific large caliber rifles in the Northern District of Oklahoma and elsewhere through straw purchases, meaning **THE CONSPIRATORS** would make false representations to federal firearms dealers that they were the actual buyers of firearms when, in truth and fact, they were not the actual buyers of the firearms.

2. **THE CONSPIRATORS** would and did travel from the Northern District of Oklahoma to Texas to obtain cash for the purchase of rifles on behalf of a transnational criminal organization.

3. **THE CONSPIRATORS** would and did travel from the Northern District of Oklahoma to Iowa and Alabama with the intent to purchase Barrett .50 caliber rifles.

4. **THE CONSPIRATORS** would and did purchase Barrett .50 caliber rifles and transport them into the Northern District of Oklahoma for packaging and further shipment.

5. **THE CONSPIRATORS** would and did transport Barrett .50 caliber rifles from the Northern District of Oklahoma to Texas for the purpose of exporting the rifles into Mexico.

OVERT ACTS

In furtherance of this conspiracy and to accomplish its objects, **THE CONSPIRATORS** committed the following overt acts, among others, in the Northern District of Oklahoma and elsewhere:

1. On or about October 22, 2022, in the Northern District of Oklahoma, **LOPEZ** straw purchased a FN SCAR 17S, .308 caliber rifle on behalf of **THE CONSPIRATORS**.

2. From on or about December 5, 2022, to on or about December 7, 2022, **THE CONSPIRATORS** traveled from the Northern District of Oklahoma to Grimes, Iowa.

3. From on or about December 5, 2022, to on or about December 7, 2022, **THE CONSPIRATORS** straw purchased five Barrett .50 caliber rifles from a federal firearms dealer in Grimes, Iowa.

4. After straw purchasing the five Barrett .50 caliber rifles in Grimes, Iowa, **THE CONSPIRATORS** transported the rifles to the Northern District of Oklahoma.

5. On or about April 28, 2023, **THE CONSPIRATORS** traveled from the Northern District of Oklahoma to Grimes, Iowa.

6. On or about April 28, 2023, **THE CONSPIRATORS**, straw purchased three additional Barrett .50 caliber rifles from a federal firearms dealer in Grimes, Iowa.

7. After straw purchasing the additional three Barrett .50 caliber rifles in Grimes, Iowa, **THE CONSPIRATORS** transported the rifles to the Northern District of Oklahoma.

8. After arriving in the Northern District of Oklahoma with the three additional Barrett .50 caliber rifles, **THE CONSPIRATORS** then transported those rifles from the Northern District of Oklahoma to Fort Worth, Texas, to be smuggled later into Mexico.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO
[18 U.S.C. §§ 922(a)(6), 924(a)(2) and 2]

On or about October 22, 2022, in the Northern District of Oklahoma, the defendant, **CESAR DAVID LOPEZ**, aiding and abetting others known and unknown to the Grand Jury, knowingly made a false and fictitious written statement to Sports World, Inc., a federal firearms dealer, which statement was intended and likely to deceive Sports World, Inc., as to a fact material to the lawfulness of the acquisition of a firearm, a FN SCAR 17S, .308 caliber semi-automatic rifle, in that **LOPEZ** falsely represented on an ATF Form 4473 that he was the actual buyer of the firearm when, in truth and fact, he was not the actual buyer of the firearm.

All in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

CLINTON J. JOHNSON
United States Attorney

A TRUE BILL



KENNETH ELMORE
Assistant United States Attorney

/s/ Grand Jury Foreperson
Grand Jury Foreperson