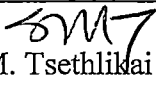



CRIMINAL COMPLAINT

United States District Court		DISTRICT of ARIZONA	
United States of America v.		DOCKET NO.	
Francisco Dario MORA U.S. Citizen xxx/xx/1992		MAGISTRATE'S CASE NO.	
Pedro Adan SEVILLA U.S. Citizen xx/xx/1997		19-06564 MJ	
Complaint for violation of Title 18, United States Code §§ 554 and 371 Title 18, United States Code § 924(c)(1)(A)			
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION: COUNT 1: Conspiracy to Smuggle Goods from the United States			
From on or about June 2019, and continuing thereafter through September 2019, at or near Tucson, Phoenix, and Nogales, in the District of Arizona and elsewhere, the defendants, Francisco Dario MORA and Pedro Adan SEVILLA , did knowingly and willfully conspire and agree together and with each other, and with other persons both known and unknown to the Grand Jury, to export and send from the United States, any merchandise, that is: thirty-seven (37) firearms including AK-47-style pistols (7.62x39mm caliber) and AR-15-style pistols (5.56/.223 caliber); 25,000 rounds of ammunition, and 760 AK-47 and AR-15 30 round-magazines, knowing such acts were 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, Sections 554.			
<u>OVERT ACTS TO EFFECT THE OBJECT OF THE CONSPIRACY:</u>			
In furtherance of the conspiracy and to effect the objects of the conspiracy, the following overt acts, among others, were committed in the District of Arizona and elsewhere:			
(SEE COUNT 2 OF COMPLAINT ON PAGE 2)			
BASIS OF COMPLAINANT'S CHARGE AGAINST THE ACCUSED: (SEE PAGE 2 OF COMPLAINT)			
MATERIAL WITNESS(ES) IN RELATION TO THE CHARGE:			
DETENTION REQUESTED COMPLAINT REVIEWED by AUSA Serra M. Tsethlikai		SIGNATURE OF COMPLAINANT	
Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.			
		OFFICIAL TITLE & NAME: SA Creighton Brandt - FBI ATF	
Sworn to before me and subscribed in my presence.			
SIGNATURE OF MAGISTRATE JUDGE ¹⁾		DATE	
		November 14, 2019	

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

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1. From June 2019 and up to September 2019, **Francisco Dario MORA** purchased at least 18 firearms (one of which was recovered in Mexico 27 days after it was purchased); 10,000 rounds of ammunition; and 760 AK-47 and AR-15 magazines [30 round magazines], in the amount of \$23,652.68.
2. From June 2019 and up to September 2019, **Pedro Adan SEVILLA** purchased at least 19 firearms (two of which were recovered in Mexico a short time after they were purchased) and 15,000 rounds of ammunition, in the amount of \$16,445.94.
3. From June 2019 and up to and through September 2019, both MORA and SEVILLA crossed into Mexico from the United States, at or near Nogales, Arizona, on several dates, to deliver the firearms.

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

Count Two – Possession of a Firearm During and in Relation to a Drug Trafficking Crime

On or about November 13, 2019, at or near Phoenix, in the District of Arizona, the defendant, **Pedro Adan SEVILLA**, did knowingly possess a firearm; that is, an AR-15 pistol, in furtherance of and in relation to, a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, Possession with Intent to Distribute 400 grams or more of a mixture or substance containing a detectable amount of fentanyl, a Schedule II controlled substance (Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(vi)); in violation of Title 18, United States Code, Section 924(c)(1)(A).

PROBABLE CAUSE FOR CHARGES:

In or about September 2019, agents with the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF) initiated an investigation into firearms purchased by Francisco Dario MORA and Pedro Adan SEVILLA. Agents also learned that MORA and SEVILLA purchased large amounts of ammunition; and MORA purchased numerous firearm magazines. To date, agents learned the following:

- Between early June 2019 and early September 2019, MORA and SEVILLA purchased at least 37 firearms. Most of the firearms were “weapons of choice,” or firearms, including AK-47 style pistols (7.62x39mm caliber) and AR-15 style

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pistols (5.56/.223 caliber) commonly sought by Drug Trafficking Organizations (DTOs) in Mexico.

- During the same time period, MORA and SEVILLA purchased at least 25,000 rounds of ammunition and 760 magazines (AK-47 and AR-15 magazines).
- Specifically, MORA purchased at least 18 firearms (one of which was recovered in Mexico 27 days after it was purchased); 10,000 rounds of ammunition; and 760 AK-47 and AR-15 magazines [30 round magazines], in the amount of \$23,652.68.
- Further, SEVILLA purchased at least 19 firearms (two of which were recovered in Mexico a short time after they were purchased) and 15,000 rounds of ammunition, in the amount of \$16,445.94.
- On several dates, around the time of firearm and/or ammunition purchases, MORA and SEVILLA crossed into Mexico (from the United States of America), and back into the United States of America (from Mexico).

On November 13, 2019, agents executed federal search warrants on residences tied to MORA and SEVILLA in both Tucson and Phoenix, Arizona. At SEVILLA'S residence in Phoenix, agents recovered a large amount (approximately 5,349 grams; or 5.42 kilograms) of suspected fentanyl pills (in a locked safe that was located in SEVILLA'S bedroom), approximately \$13,000 in U.S. currency, and five firearms (including a loaded AR-15 pistol that was in close proximity to the locked safe in SEVILLA'S bedroom).

During a *Mirandized* interview, SEVILLA told agents that he was introduced to MORA, in or about April 2019, while in Mexico. SEVILLA told agents that MORA paid him to straw purchase firearms and ammunition to be exported to Mexico. SEVILLA told agents that on at least five occasions he (SEVILLA) and MORA transported firearms into Mexico. SEVILLA said he and MORA knew it was against the law to export the firearms and ammunition into Mexico because there are signs "all over the place at the Port." SEVILLA also told agents that he was holding the locked safe (that contained the suspected fentanyl pills) for an unknown individual(s), until the unknown individual(s) could pick it up from his residence. SEVILLA said he would use the AR-15 pistol (that was located in his bedroom), if needed, to protect the locked safe that contained the suspected fentanyl pills.

Officers with the Arizona Department of Public Safety examined the pills and based on their training and experience, found the pills to be consistent with fentanyl.