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2019 DEC 11 PM 3:42
CLERK OF DISTRICT COURT
DISTRICT OF ARIZONA

CR19-03289 TUC-JGZ(MSA)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,

No.

INDICTMENT

VIO: 18 U.S.C. § 554
(Conspiracy to Smuggle Goods
from United States)
(Count 1)

Plaintiff,

18 U.S.C. § 554
(Smuggling Goods from the United
States)
(Count 2)

vs.

18 U.S.C. §§ 922(a)(6)
and 924(a)(2)
(False Statement in the Acquisition
of a Firearm)
(Count 3 and 4)

21 §§ 841(a)(1) and
841(b)(1)(A)(vi)
(Possession with Intent to Distribute
Fentanyl)
(Count 5)

Francisco Dario Mora,
Pedro Adan Sevilla,

18 U.S.C. § 924(c)(1)(A)
(Possession of a Firearm During and
In Relation to a Drug Trafficking
Crime)
(Count 6)

Defendants.

26 U.S.C. §§ 5841, 5861(d) and
5871
(Possession of an Unregistered
Firearm – a Short-Barreled Rifle)
Count 7

18 U.S.C. §§ 924(d) and
981(a)(1)(C); 21 U.S.C. § 853;
26 U.S.C. § 5872;
28 U.S.C. § 2461(c)
Forfeiture

THE GRAND JURY CHARGES:

COUNT 1

From on or about June 2019, and continuing thereafter through September 2019, 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, and to receive, conceal, buy, sell or in any manner facilitate the transportation, concealment, or sale of any merchandise, that is: firearms, ammunition and magazines, knowing the items to be intended for exportation and 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.

PURPOSE OF THE CONSPIRACY

The purpose of this conspiracy was to commit, and assist in the commission of, the unlawful smuggling of firearms and munitions from the United States into the Republic of Mexico. The firearms and munitions smuggled or intended to be smuggled in the course of this conspiracy include:

- Forty (40) firearms including AK-47-style pistols (7.62x39mm caliber) and AR-15-style pistols (5.56/.223 caliber)
- 25,000 rounds of various caliber ammunition
- 760 thirty (30)-round magazines for AK-47-style and AR-15 firearms
- One (1) 75-round drum magazine for AK-47 firearm
- Two (2) Glock 9 mm magazines

1 THE MEANS AND THE METHODS OF THE CONSPIRACY

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

4 It was part of the conspiracy that certain defendants would purchase firearms
5 and munitions in the District of Arizona.

6 It was a further part of the conspiracy that the defendants and/or their co-
7 conspirators would provide the funds, instructions, and means of transportation and
8 concealment to facilitate the obtaining of these firearms and munitions.

9 It was a further part of the conspiracy that the defendants and/or their co-
10 conspirators would transport these firearms and munitions within the District of Arizona
11 with the knowledge that the firearms and munitions were intended to ultimately be
12 transported from the United States into the Republic of Mexico, and/or transport the
13 firearms and munitions from the United States into the Republic of Mexico.

14 It was a further part of the conspiracy that the defendants and/or their co-
15 conspirators did not have any valid license or other authority to export the weapons from
16 the United States into the Republic of Mexico.

17 OVERT ACTS

18 In furtherance of the conspiracy and to effect the objects of the conspiracy, the
19 following overt acts, among others, were committed in the District of Arizona and
20 elsewhere:

- 21 1. From June 7, 2019 and up to and through September 5, 2019, **Francisco Dario**
22 **Mora** purchased firearms, ammunition and magazines; including:

23

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|--------------------------------|-------------------------------|---|
| 24 06/07/19 | J&G Sales, Ltd. | 100 thirty (30)-round AR-15 magazines 100 thirty (30)-round AR-15 magazines |
| 25 06/16/19 | Diamonback Shooting Sports | Twenty (20) Croatian thirty (30)-round magazines |
| 26 06/25/19 | J&G Sales, Ltd. | 5,000 rounds .38 Super caliber ammunition 5,000 rounds of .45 caliber ammunition |

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| 1 | 07/02/19 | Mo Money Pawn | Century Arms International, (CAI) Model: Mini Draco 7.62x39mm caliber pistol |
| 2 | 07/02/19 | Ammo A-Z | Glock model: G17 Gen 5, 9 mm caliber pistol |
| 3 | 07/02/19 | Bear Arms Firearms | CAI, model: Micro Draco, 7.62x39, caliber pistol |
| 4 | | | CAI, model: Micro Draco, 7.62x39, caliber pistol |
| 5 | 07/17/19 | Ammo A-Z | American Tactical Imports, (ATI), model: Omni Hybrid 5.56 caliber pistol |
| 6 | | | CAI, model: Micro Draco, 7.62x39mm caliber pistol |
| 7 | 07/19/19 | SnG Tactical -SnG Arms | CAI, model: Draco, 7.62 x39mm caliber pistol |
| 8 | 07/20/19 | Bear Arms Firearms | Glock, model: 23, .40 caliber pistol |
| 9 | 08/02/19 | Bear Arms Firearms | CAI, Model: Draco 7.62 x 39mm caliber pistol |
| 10 | 08/04/19 | Diamondback Shooting Sports | CAI, Model: Draco 7.62 x39mm caliber pistol 10 Colt AR-15 thirty (30)-round magazines |
| 11 | 08/04/19 | Diamondback Shooting Sports | 1 AK-47, 7.62 x 39mm caliber, seventy-five (75)-round drum magazine |
| 12 | 08/05/19 | Diamondback Shooting Sports | Thirty (30) Croatian AK-47 thirty (30)-round magazines |
| 13 | | | Three (3) Pioneer Arms Corp. Hellpup, 7.62 x 39mm caliber pistols |
| 14 | 08/07/19 | Ammo A-Z | CAI, model: Mini Draco, 7.62 x. 39mm caliber pistol |
| 15 | | | Glock GMBH, model: 19 Gen 4, 9mm caliber pistol |
| 16 | 08/12/19 | Tombstone Tactical | CAI, model: Micro Draco, 7.62 x 39mm caliber pistol |
| 17 | 08/17/19 | Liberty Pawn Shop | CAI, model: Micro Draco, 7.62 x 39mm caliber pistol |
| 18 | 08/17/19 | Diamondback Shooting Sports | CAI, model: Micro Draco, 7.62 x 39mm caliber pistol |
| 19 | | | Zastava, model: ZPA P92, 7.62 x. 39mm caliber pistol |
| 20 | | | Pioneer Arms Corp., model: Hellpup, 7.62x39mm caliber pistol |
| 21 | 08/23/19 | SnG Tactical -SnG Arms | |
| 22 | | | 250 thirty (30)-round magazines for AK-47 firearms |
| 23 | | | 250 thirty (30)-round magazines for AR-15 firearms |
| 24 | 09/05/19 | J&G Sales, Ltd. | |

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2. From June 2019 and up to September 2019, **Pedro Adan SEVILLA** purchased firearms, ammunition and magazines; including:

| | | |
|----------|----------------------------|---|
| 07/02/19 | Mo Money Pawn | CAI, model: Micro Draco, 7.62 x. 39mm caliber pistol |
| 07/02/19 | Ammo A-Z | CAI, model: Micro Draco, 7.62 x. 39mm caliber pistol |
| 07/02/19 | Bear Arms Firearms | CAI, model: Micro Draco, 7.62 x. 39mm caliber pistol |
| 07/05/19 | J&G Sales, Ltd. | 5,000 rounds of Wolf, 7.62 x39mm caliber ammunition 2,000 rounds of S&B, .40 caliber ammunition 8,000 rounds of Aguila, .38 Super caliber ammunition |
| 07/05/19 | J&G Sales, Ltd. | Taurus, model: G2C, 9mm caliber pistol Two (2) Glock, 9mm caliber magazines |
| 07/07/19 | Mo Money Pawn | CAI, model: Micro Draco, 7.62 x. 39mm caliber pistol |
| 07/17/19 | Ammo A-Z | CAI, model: Micro Draco, 7.62 x. 39mm caliber pistol Glock, GMBH, model: 17, 9mm caliber pistol ATI, model: Omni Hybrid, 5.56 caliber pistol |
| 07/19/19 | SnG Tactical – SnG Arms | CAI, model: Micro Draco, 7.62 x. 39mm caliber pistol CAI, model: WASR-10UF, 7.62 x 39mm caliber rifle |
| 07/22/19 | Tombstone Tactical | CAI, model: Micro Draco, 7.62 x. 39mm caliber pistol |
| 08/02/19 | Bear Arms Firearms | CAI, model: Micro Draco, 7.62 x. 39mm caliber pistol |
| 08/06/19 | Ammo A-Z | Glock, model: G17, 9mm pistol |
| 08/07/19 | Ammo A-Z | Three (3) Pioneer Arms Corp., Model: Hellpup, 7.62 x 39mm caliber pistol |
| 08/13/19 | Ammo A-Z | Pioneer Arms Corp., Model: Hellpup, 7.62 x 39mm caliber pistol CAI, model: Micro Draco, 7.62 x. 39mm caliber pistol Glock, model: G23, .40 caliber pistol |

| | | |
|----------|-------------------|--|
| 08/17/19 | Liberty Pawn Shop | CAI, model: RAS-47, 7.62 x 39mm caliber pistol |
| 08/17/19 | Diamondback | CAI, model: Draco, 7.62 x. 39mm caliber pistol |
| 08/17/19 | Shooting Sports | |

3.
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 and munitions.

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

COUNT 2

From on or about June 2019, and continuing thereafter and through September 2019, in the District of Arizona and elsewhere, the defendants, **Francisco Dario MORA** and **Pedro Adan SEVILLA**, did knowingly export and send from the United States, and did knowingly receive, conceal, buy, sell or in any manner facilitate the transportation, concealment, or sale of any merchandise, that is: forty (40) firearms including AK-47-style pistols (7.62x39mm caliber) and AR-15-style pistols (5.56/.223 caliber); 25,000 rounds of various caliber ammunition, 760 thirty (30) round-magazines for AK-47 and AR-15 firearms, One(1) 75-round drum magazine for AK-47 firearm, and two (2) Glock 9 mm magazines, knowing the items to be intended for exportation and 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.

COUNT 3

On or about July 19, 2019, in the District of Arizona, the defendant, **Francisco Dario MORA**, in connection with the acquisition of a firearm, that is one (1) Century Arms International, model: Micro Draco, 7.62x39mm caliber pistol and one (1) Century Arms International, model: Draco, 7.62x39mm caliber pistol, from SnG Tactical – SnG Arms, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false statement, which statement was intended and likely to deceive SnG

1 Tactical – SnG Arms, as to a fact material to the lawfulness of such sale of said firearms to
2 the defendant under Chapter 44 of Title 18, in that the defendant represented that he was
3 the actual buyer of the firearm when, in truth and in fact, he was buying the firearm for
4 another individual,

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

7 **COUNT 4**

8 On or about July 19, 2019, in the District of Arizona, the defendant, **Pedro Adan**
9 **SEVILLA**, in connection with the acquisition of a firearm, that is one (1) Century Arms
10 International, model: Draco, 7.62x39mm caliber pistol and one (1) Century Arms
11 International, model: WASR-10UF, 7.62x39mm caliber rifle, from SnG Tactical – SnG
12 Arms, a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United
13 States Code, knowingly made a false statement, which statement was intended and likely
14 to deceive SnG Tactical – SnG Arms, as to a fact material to the lawfulness of such sale of
15 said firearms to the defendant under Chapter 44 of Title 18, in that the defendant
16 represented that he was the actual buyer of the firearm when, in truth and in fact, he was
17 buying the firearm for another individual,

18 In violation of Title 18, United States Code, Sections 922(a)(6) and
19 924(a)(2).

20 **COUNT 5**

21 On or about November 13, 2019, in the District of Arizona, the defendant, **Pedro**
22 **Adan SEVILLA**, did knowingly and intentionally possess with intent to distribute 400
23 grams or more, of a mixture or substance containing a detectable amount of fentanyl, a
24 Schedule II controlled substance,

25 In violation of Title 21, United States Code, Sections 841(a)(1) and
26 841(b)(1)(A)(vi).

27 **COUNT 6**

1 On or about November 13, 2019, in the District of Arizona, the defendant, **Pedro**
2 **Adan SEVILLA**, did knowingly possess a firearm; that is, an American Tactical Imports,
3 model: Omni Hybrid, 5.56 caliber pistol, in furtherance of and in relation to, a drug
4 trafficking crime for which he may be prosecuted in a court of the United States, that is,
5 Possession with Intent to Distribute 400 grams or more of a mixture or substance
6 containing a detectable amount of fentanyl, a Schedule II controlled substance (Title 21,
7 United States Code, Sections 841(a)(1) and 841(b)(1)(A)(vi));

8 In violation of Title 18, United States Code, Section 924(c)(1)(A).

9 **COUNT 7**

10 On or about November 13, 2019, in the District of Arizona, the defendant, **Pedro**
11 **Adan SEVILLA**, did knowingly possess a firearm, that is, a Marlin .22 caliber short-
12 barreled rifle, a weapon made from a rifle which was modified and has an overall length
13 of less than 26 inches or a barrel of less than 16 inches in length, not registered to him in
14 the National Firearms Registration and Transfer Record,

15 In violation of Title 26, United States Code, Sections 5841, 5861(d) and 5871.

16 **FORFEITURE ALLEGATION**

17 Upon conviction of Counts One through Four, and Six of this Indictment, the
18 defendants, **Francisco Dario MORA** and **Pedro Adan SEVILLA**, shall forfeit to the
19 United States pursuant to Title 18, United States Code, Section 924(d), and Title 28, United
20 States Code, Section 2461(c), any firearms and ammunition involved in the commission of
21 the offenses, including, but not limited to:

- 22
- 23 1. 5000 rounds .38 super caliber ammunition;
 - 24 2. 5000 rounds .45 caliber ammunition;
 - 25 3. Romarm/Cugir Micro Draco 7.62x39mm caliber pistol, s/n PMD-12760-19;
 - 26 4. Romarm/Cugir Mini Draco 7.62x39mm caliber pistol, s/n PE-8364-2019;
 - 27 5. Romarm/Cugir Mini Draco 7.62x39mm caliber pistol, s/n PE-7883-2018;
 - 28 6. Glock model G17 Gen 5 9mm caliber pistol, s/n ADCY796;
 7. Century Arms Draco 7.62x39mm caliber pistol, s/n RAS47107734;
 8. Romarm/Cugir Micro Draco 7.62x39mm caliber pistol, s/n PMD-12338-19;

- 1 9. Taurus G2C 9mm pistol, s/n TLT01440;
- 2 10. 5000 rounds Wolf 7.62x39mm caliber ammunition;
- 3 11. 2000 rounds .40 caliber ammunition;
- 4 12. 8000 rounds .38 Super caliber ammunition;
- 5 13. Romarm/Cugir Draco 7.62x39mm caliber rifle, s/n DF-0940-19;
- 6 14. Romarm/Cugir Micro Draco 7.62x39mm caliber pistol, s/n PMD-13074-19;
- 7 15. American Tactical Imports Omni Hybrid 5.56mm pistol, s/n NS203662;
- 8 16. Romarm/Cugir Mini Draco 7.62x39mm caliber pistol, s/n PE-9092-2019;
- 9 17. Glock GMBH model 17 9mm pistol, s/n BKUE028;
- 10 18. American Tactical Imports Omni Hybrid 5.56mm pistol, s/n NS215446;
- 11 19. Romarm/Cugir Micro Draco 7.62x39mm caliber pistol, s/n PMD-12931-19;
- 12 20. Romarm/Cugir Draco 7.62x39mm caliber rifle, s/n DB-9486-18;
- 13 21. Romarm/Cugir Draco 7.62x39mm caliber pistol, s/n DR-1696-16;
- 14 22. Romarm/Cugir WASR-10UF 7.62x39mm caliber rifle, s/n UF-2506-18;
- 15 23. Glock model 23 .40 pistol, s/n KFD427;
- 16 24. Romarm/Cugir Micro Draco 7.62x39mm caliber pistol, s/n PMD-13093-19;
- 17 25. Romarm/Cugir Draco 7.62x39mm caliber pistol, s/n DB-9688-18;
- 18 26. Romarm/Cugir Micro Draco 7.62x39mm caliber pistol, s/n PMD-12532-19;
- 19 27. Romarm/Cugir Draco 7.62x39mm caliber pistol, s/n DB-9009-18RO;
- 20 28. Glock model G17 9mm pistol, s/n BHBT262;
- 21 29. Pioneer Arms Corp Hellpup 7.62x39mm caliber pistol, s/n PAC1127156;
- 22 30. Pioneer Arms Corp Hellpup 7.62x39mm caliber pistol, s/n PAC1127125;
- 23 31. Pioneer Arms Corp Hellpup 7.62x39mm caliber pistol, s/n PAC1126385;
- 24 32. Pioneer Arms Corp Hellpup 7.62x39mm caliber pistol, s/n PAC1127129;
- 25 33. Pioneer Arms Corp Hellpup 7.62x39mm caliber pistol, s/n PAC1127100;
- 26 34. Pioneer Arms Corp Hellpup 7.62x39mm caliber pistol, s/n PAC1127095;
- 27 35. Romarm/Cugir Mini Draco 7.62x39mm caliber pistol, s/n PE-8301-2019;
- 28 36. Glock 19GEN4 9mm pistol, s/n BKBH078;
37. Pioneer Arms Corp Hellpup 7.62x39mm caliber pistol, s/n PAC1126994;
38. Romarm/Cugir Micro Draco 7.62x39mm caliber pistol, s/n PMD-13937-19;
39. Glock model G23 .40 cal pistol, s/n DDT924US;
40. Century Arms RAS-47 7.62x39mm caliber pistol, s/n RAS47106998;
41. Romarm/Cugir Micro Draco 7.62x39mm caliber pistol, s/n PMD-13888-19;
42. Romarm/Cugir Micro Draco 7.62x39mm caliber pistol, s/n PMD-14201-19RO;
43. Romarm/Cugir Draco 7.62x39mm caliber pistol, s/n DF-0845-19;
44. Zastava ZPAP92 7.62x39mm caliber pistol, s/n Z92-000108;
45. Pioneer Arms Corp Hellpup 7.62x39mm caliber pistol, s/n PAC1116947;
46. Omni Hybrid 5.56 pistol, s/n NC21801;
47. Marlin .22 short barrel rifle, s/n none.

1 Upon conviction of Counts One and Two of this Indictment, the defendants,
2 **Francisco Dario MORA** and **Pedro Adan SEVILLA**, shall forfeit to the United States of
3 America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28,
4 United States Code, Section 2461(c), any property, real or personal, which constitutes or
5 is derived from proceeds traceable to the offenses. The property to be forfeited includes,
6 but is not limited to: \$12,970 in U.S. currency.

7 Upon conviction of Count Five of this Indictment, defendant, **Pedro Adan**
8 **SEVILLA**, shall forfeit to the United States pursuant to Title 21, United States Code,
9 Section 853, all right, title, and interest in (1) any property, real or personal, constituting,
10 or derived from, any proceeds the defendant obtained, directly or indirectly, as the result
11 of the said violations, and (2) any property, real or personal, used, or intended to be used,
12 in any manner or part, to commit, or to facilitate, the commission of the said violations.
13 The property to be forfeited includes, but is not limited to: \$12,970 in U.S. currency.

14 Upon conviction of Count Seven of this Indictment, the defendant, **Pedro Adan**
15 **SEVILLA**, shall forfeit to the United States pursuant to Title 26, United States Code,
16 Section 5872 and Title 28, United States Code, Section 2461(c), any firearms involved in
17 any violation of the offense, including, but not limited to: one Marlin .22 caliber short-
18 barreled rifle, s/n none.

19 If any of the forfeitable property, as a result of any act or omission of the defendants:
20 (1) cannot be located upon the exercise of due diligence; (2) has been transferred or sold
21 to, or deposited with, a third party; (3) has been placed beyond the jurisdiction of the court;
22 (4) has been substantially diminished in value; or (5) has been commingled with other
23 property which cannot be divided without difficulty; it is the intent of the United States,
24 pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other
25 property of said defendants up to the value of the above forfeitable property, including but
26 not limited to all property, both real and personal, owned by the defendants.

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All pursuant to Title 18, United States Code, Sections 924(d) and 981(a)(1)(C); Title 21, United States Code, Section 853; Title 26, United States Code, Section 5872; Title 28, United States Code, Section 2461(c); and Rule 32.2(a), Federal Rules of Criminal Procedure.

TRUE BILL

/s/

FOREPERSON OF THE GRAND JURY

Date: DEC 11 2019

MICHAEL BAILEY
United States Attorney
District of Arizona

REMOVED FOR
PUBLIC DISCLOSURE

/s/

Serra M. Tsethlikai
Assistant U.S. Attorney