

United States District Court

NORTHERN DISTRICT OF

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

JESUS GONZALES

CASE NUMBER: CR 12-469 BF

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October 25, 2012 in Dallas County, in the Northern District of Texas, defendant, Jesus Gonzales, was an alien, illegally in the United States, in possession of firearms, in violation of 18 U.S.C. § 922(g)(5).

I further state that I am a Special Agent with the ATF and that this complaint is based on the following facts:

See attached Affidavit, which is incorporated and made a part hereof by reference.

Continued on the attached sheet and made a part hereof: X Yes No

Alberto Velez
Signature of Complainant
ALBERTO VELEZ
SPECIAL AGENT, ATF

Sworn to before me and subscribed in my presence on October 23, 2012, at Dallas, Texas.

PAUL D. STICKNEY
UNITED STATES MAGISTRATE JUDGE
Name & Title of Judicial Officer

Paul D. Stickney
Signature of Judicial Officer

AFFIDAVIT

BEFORE ME, the undersigned authority, on this date personally appeared Special Agent Alberto Velez, who being duly sworn upon his oath, testified as follows:

Your affiant, Alberto Velez, is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Your affiant has been employed with the ATF since October 2010, and is currently in good standing with said Agency. Your affiant has attended formal training at the ATF National Academy about firearms related investigation, to include but not limited to, the issuance and execution of search warrants, utilization of cooperating individuals, firearms identification and firearms trafficking.

Affiant knows that it is a violation of:

- Title 18 United States Code, Section 922(g)(5)- for an alien, illegally in the United States, to possess a firearm.

This complaint is based upon Affiant's personal knowledge and conversations with other law enforcement officers and is based upon the following information:

FACTS IN SUPPORT OF PROBABLE CAUSE

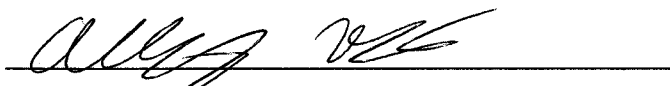
1. On October 25, 2012, Officers of the Dallas Police Department (DPD) received a call pertaining to a suspicious vehicle in the 2000 block of Wentworth Street, Dallas, Texas. Officers subsequently located this vehicle and observed that the driver was not wearing a seat belt. A traffic stop of the vehicle was performed. Officers made contact with the driver of the vehicle who was identified as Jesus GONZALES, date of birth XX/XX/1963. A passenger in the vehicle was identified as Maria Isabel DELEON, date of birth XX/XX/1963.
2. Officers determined that GONZALES did not have a valid driver's license. Officers asked for and received consent from GONZALES to search the vehicle. Officers subsequently discovered a number of AK-47

type rifles in the trunk of the vehicle. All of these firearms, with the exception of one, were shrink-wrapped in plastic.

3. GONZALES was arrested for driving without a valid driver's license and transported to DPD Headquarters. Affiant conducted interviews of both GONZALES and DELEON at DPD. DELEON advised that she was "catching a ride" with GONZALES because she needed to come to Fort Worth to visit her daughter, who recently had surgery. DELEON advised that both she and GONZALES currently live in San Antonio. DELEON advised that she has known GONZALES for several years and that she and her husband are friends with GONZALES and members of his family. DELEON advised that GONZALES told her that he was coming to the Dallas area to "do some business."
4. Affiant also interviewed GONZALES. GONZALES advised that he received a text earlier on this same date (10/25/2012) asking if he (GONZALES) wanted to make some extra money. GONZALES advised that he was told to come to the Dallas area, from San Antonio, Texas, but was unaware what he was to do when he arrived in Dallas. GONZALES advised that DELEON needed a ride to Fort Worth to see a relative.
5. GONZALES stated that he was told to go to a Jack in the Box parking lot where he met with someone driving a white colored SUV. GONZALES then followed the SUV to a nearby residence. GONZALES advised that he waited in the alley while a Hispanic male opened the gate at the rear of the residence. GONZALES advised that he pulled his vehicle into the driveway and opened the trunk. GONZALES advised that two Hispanic male subjects then loaded several unknown objects into his trunk. GONZALES advised that he was standing outside the vehicle while the objects were being loaded; however, he did not see what was loaded into the vehicle.

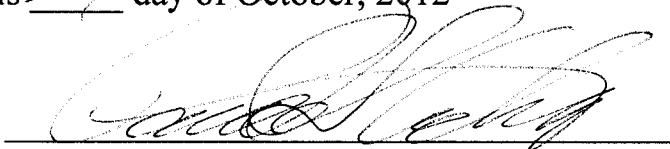
6. GONZALES then stated that he was instructed to drive back to San Antonio and that he would be given further instructions. GONZALES stated that he then left the residence where he was stopped by police.
7. GONZALES advised that he was born in Piedras Negras, Mexico and that he is not a United States Citizen. Affiant received information of immigration queries which revealed GONZALES is in fact an illegal alien.
8. The firearms seized from GONZALES are further described as follows:
 - A total of ten (10) Zastava, Century Arms International (Importer), model PPM70, 7.62x39 caliber firearms each with a separate serial number.
 - One MAADI, Century Arms International (Importer), model MISR SA, 7.62x39 caliber rifle, serial number CM12014.
 - One Romarm, Century Arms International (Importer), model WASR 10, 7.62x39 caliber rifle, serial number 1970BT0272.
 - One Norinco, model Mak-90 Sporter, 7.62x39 caliber firearm, serial number 9487497.
 - One Romarm, Century Arms International, model SAR 1, 7.62x39 caliber rifle, serial number S1-48261-2001.
 - One Zastava, Century Arms International (Importer), model M70AB2, 7.62x39 caliber firearm, serial number M70AB16650.
9. It has been determined that none of the above referenced firearms were manufactured in the State of Texas and did affect interstate commerce.

Based upon this information, Affiant believes that GONZALES has violated the above mentioned federal offense.



ALBERTO VELEZ
SPECIAL AGENT, ATF

Sworn to and subscribed before me this 29 day of October, 2012



PAUL D. STICKNEY
UNITED STATES MAGISTRATE JUDGE