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CLERK U S DISTRICT COURT
DISTRICT OF ARIZONA
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**REDACTED FOR
PUBLIC DISCLOSURE**

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America,
Plaintiff,

v.

(1) Jose Saucedo-Cuevas,
aka Alejandro Macedo
Counts 1- 25; and

(2) Gerardo Chaidez-Ochoa,
Counts 1-4

Defendants.

CR-10-01129-PHX-NVW (ECN)

**SUPERSEDING
INDICTMENT**

VIO: 18 U.S.C. §§ 924(a)(1)(A) and 371
(Conspiracy to Make a False
Statement in Connection with the
Acquisition of a Firearm)
Counts 1 and 5

18 U.S.C. §§ 924(a)(1)(A) and 2
(False Statement in Connection
with the Acquisition of a Firearm)
Counts 2-4

18 U.S.C. §§ 922(a)(6) and 924(a)(2)
(False Statement in Connection With
Acquisition of Firearm)
Counts 6-10

18 U.S.C. § 1028A
(Aggravated Identity Theft)
Counts 11-15

18 U.S.C. §§ 922(g)(5)(A) and
924(a)(2)
(Illegal Alien in Possession of a
Firearm)
Counts 16-20

18 U.S.C. §§ 922(g)(1) and 924(a)(2)
(Felon in Possession of a Firearm)
Counts 21-25

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1 THE GRAND JURY CHARGES:

2 **COUNT 1**

3 On or about November 27, 2009, through on or about November 30, 2009, in the District
4 of Arizona, defendants JOSE SAUCEDA-CUEVAS and GERARDO CHAIDEZ-OCHOA, did
5 conspire with each other to knowingly make a false statement and representation with respect
6 to information required by the provisions of Chapter 44 of Title 18, United States Code, to be
7 kept in the records of a business licensed under the provisions of Chapter 44 of Title 18, United
8 States Code, in that JOSE SAUCEDA-CUEVAS, recruited GERARDO CHAIDEZ-OCHOA
9 to purchase firearms and knew that in order to do that GERARDO CHAIDEZ-OCHOA would
10 execute a Bureau of Alcohol, Tobacco, and Firearms Form 4473, Firearms Transaction Record,
11 representing that he was the actual buyer of the firearms indicated on the form, specifically, nine
12 7.62mm Romarm/Cugir rifles model WASR when in fact GERARDO CHAIDEZ-OCHOA was
13 not the actual buyer of these firearms. It was the object of the conspiracy that the co-
14 conspirators agreed to make a false statement to a licensed firearms dealer in order to conceal
15 the actual purchaser of the firearms.

16 **OVERT ACTS**

17 In furtherance of the aforesaid conspiracy, and to effect the objects of the conspiracy, the
18 defendants and others performed and caused to be performed, among others, the following overt
19 acts:

- 20 1. On or between November 27 and 30, 2009, JOSE SAUCEDA-CUEVAS gave
21 GERARDO CHAIDEZ-OCHOA money to purchase nine 7.62mm Romarm/Cugir
22 model WASR rifles.
- 23 2. On November 27, 28 and November 30, 2009, GERARDO CHAIDEZ-OCHOA
24 purchased nine 7.62mm Romarm/Cugir model WASR rifles and delivered them
25 to JOSE SAUCEDA-CUEVAS.

26 In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 371.

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1 COUNT 2

2 On or about November 27, 2009, defendants GERARDO CHAIDEZ-OCHOA and JOSE
3 SAUCEDA-CUEVAS, knowingly made a false statement and representation with respect to
4 information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept
5 in the records of a federally licensed firearms dealer, a business licensed under the provisions
6 of Chapter 44 of Title 18, United States Code, in that GERARDO CHAIDEZ-OCHOA executed
7 a Bureau of Alcohol, Tobacco, and Firearms Form 4473, Firearms Transaction Record,
8 representing that he was the actual buyer of the firearms indicated on the form, specifically, two
9 7.62mm Romarm/Cugir model WASR rifles, when in fact he was not the actual buyer of these
10 firearms.

11 In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

12 COUNT 3

13 On or about November 28, 2009, defendants GERARDO CHAIDEZ-OCHOA and JOSE
14 SAUCEDA-CUEVAS, knowingly made a false statement and representation with respect to
15 information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept
16 in the records of a federally licensed firearms dealer, a business licensed under the provisions
17 of Chapter 44 of Title 18, United States Code, in that defendant executed a Bureau of Alcohol,
18 Tobacco, and Firearms Form 4473, Firearms Transaction Record, representing that GERARDO
19 CHAIDEZ-OCHOA was the actual buyer of the firearms indicated on the form, specifically,
20 three 7.62mm Romarm/Cugir model WASR rifles, when in fact he was not the actual buyer of
21 these firearms.

22 In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

23 COUNT 4

24 On or about November 30, 2009, defendants GERARDO CHAIDEZ-OCHOA and JOSE
25 SAUCEDA-CUEVAS, knowingly made a false statement and representation with respect to
26 information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept
27 in the records of a federally licensed firearms dealer, a business licensed under the provisions
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1 of Chapter 44 of Title 18, United States Code, in that defendant executed a Bureau of Alcohol,
2 Tobacco, and Firearms Form 4473, Firearms Transaction Record, representing that GERARDO
3 CHAIDEZ-OCHOA was the actual buyer of the firearms indicated on the form, specifically,
4 four 7.62mm Romarm/Cugir model WASR rifles, when in fact he was not the actual buyer of
5 these firearms.

6 In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

7 **COUNT 5**

8 Beginning on or about February 2010, and continuing through on or about August 2010, in
9 the District of Arizona and elsewhere, defendant JOSE SAUCEDA-CUEVAS, did conspire with
10 others known and unknown to the grand jury to knowingly make a false statement and
11 representation with respect to information required by the provisions of Chapter 44 of Title 18,
12 United States Code, to be kept in the records of federally licensed firearms dealers, businesses
13 licensed under the provisions of Chapter 44 of Title 18, United States Code, in that JOSE
14 SAUCEDA-CUEVAS, recruited others to purchase firearms and knew that in order to do that
15 those persons would execute a Bureau of Alcohol, Tobacco, and Firearms Form 4473, Firearms
16 Transaction Record, representing that he or she was the actual buyer of the firearms indicated
17 on the form, when in fact that person was not the actual buyer of these firearms. It was the
18 object of the conspiracy that the co-conspirators agreed to make a false statement to licensed
19 firearms dealers in order to conceal the actual purchaser of the firearms.

20 **OVERT ACTS**

21 As part, and In furtherance of the conspiracy, overt acts were committed in the District of
22 Arizona including, but not limited to, the following:

- 23 1. JOSE SAUCEDA-CUEVAS (hereinafter SAUCEDA-CUEVAS) asked Salvador
24 Figueroa Resa (hereinafter Resa) to purchase firearms for him or to have others
25 purchase firearms for SAUCEDA-CUEVAS.
- 26 2. Resa asked Gary Large (hereinafter Large) to purchase firearms for Resa which
27 he intended to give to SAUCEDA-CUEVAS.

- 1 3. On or between March 31, 2010, through on or about April 9, 2010, Large went to
2 a federally licensed firearms dealer in Arizona and purchased 14 pistols on behalf
3 of Resa and SAUCEDA-CUEVAS. When purchasing the firearms, Large
4 represented to the dealer that he was the true purchaser of the firearms when, in
5 truth and in fact, they were purchased for another.
- 6 4. On or between April 3, 2010 and April 7, 2010, Large went to a federally licensed
7 firearms dealer in Arizona and purchased three rifles on behalf of Resa and
8 SAUCEDA-CUEVAS. When purchasing the firearms, Large represented to the
9 dealer that he was the true purchaser of the firearms when, in truth and in fact,
10 they were purchased for another.
- 11 5. Resa asked Glen Harrison Goodman (hereinafter Goodman) to purchase firearms
12 for Resa which he intended to give to SAUCEDA-CUEVAS.
- 13 6. On or about June 18, 2010, Goodman went to a federally licensed firearms dealer
14 in Arizona and purchased 16 pistols on behalf of Resa and SAUCEDA-CUEVAS.
15 When purchasing the firearms, Goodman represented to the dealer that he was the
16 true purchaser of the firearms when, in truth and in fact, they were purchased for
17 another.
- 18 7. Resa asked Angel Gabriel Ruiz (hereinafter RUIZ) to purchase firearms for Resa
19 which he intended to give to SAUCEDA-CUEVAS.
- 20 8. On or about May 18, 2010, Angel Gabriel Ruiz went to a federally licensed
21 firearms dealer in Arizona and purchased ten rifles on behalf of Resa and
22 SAUCEDA-CUEVAS. When purchasing the firearms, Ruiz represented to the
23 dealer that he was the true purchaser of the firearms when, in truth and in fact,
24 they were purchased for another.
- 25 9. On or about May 21, 2010, Angel Gabriel Ruiz went to a federally licensed
26 firearms dealer in Arizona and purchased ten rifles on behalf of Resa and
27 SAUCEDA-CUEVAS. When purchasing the firearms Ruiz represented to the
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1 dealer that he was the true purchaser of the firearms when, in truth and in fact,
2 they were purchased for another.

3 10. On or about May 27, 2010, Angel Gabriel Ruiz went to a federally licensed
4 firearms dealer in Arizona and purchased two rifles on behalf of Resa and
5 SAUCEDA-CUEVAS. When purchasing the firearms, Ruiz represented to the
6 dealer that he was the true purchaser of the firearms when, in truth and in fact,
7 they were purchased for another.

8 11. Resa asked Estefany Jose-Ortiz (hereinafter Jose-Ortiz) to purchase firearms for
9 Resa which he intended to give to SAUCEDA-CUEVAS.

10 12. On or about May 19, 2010, Jose-Ortiz went to a federally licensed firearms dealer
11 in Arizona and purchased 11 rifles on behalf of Resa and SAUCEDA-CUEVAS.
12 When purchasing the firearms, Jose-Ortiz represented to the dealer that she was
13 the true purchaser of the firearms when, in truth and in fact, they were purchased
14 for another.

15 13. On or about May 26, 2010, Jose-Ortiz went to a federally licensed firearms dealer
16 in Arizona and purchased 13 rifles on behalf of Resa and SAUCEDA-CUEVAS.
17 When purchasing the firearms, Jose-Ortiz represented to the dealer that she was
18 the true purchaser of the firearms when, in truth and in fact, they were purchased
19 for another.

20 14. Resa asked Alejandro Adalberto Torres (hereinafter Torres) to purchase firearms
21 for Resa which he intended to give to SAUCEDA-CUEVAS.

22 15. On or about May 20, 2010, Torres went to a federally licensed firearms dealer in
23 Arizona and purchased four rifles on behalf of Resa and SAUCEDA-CUEVAS.
24 When purchasing the firearms, Torres represented to the dealer that he was the
25 true purchaser of the firearms when, in truth and in fact, they were purchased for
26 another.

27 16. On or about May 22, 2010, Torres went to a federally licensed firearms dealer in
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1 Arizona and purchased four rifles on behalf of Resa and SAUCEDA-CUEVAS.
2 When purchasing the firearms, Torres represented to the dealer that he was the
3 true purchaser of the firearms when, in truth and in fact, they were purchased for
4 another.

5 17. On or about May 25, 2010, Torres went to a federally licensed firearms dealer in
6 Arizona and purchased ten rifles on behalf of Resa and SAUCEDA-CUEVAS.
7 When purchasing the firearms, Torres represented to the dealer that he was the
8 true purchaser of the firearms when, in truth and in fact, they were purchased for
9 another.

10 18. Resa asked Nolberto Vasquez (hereinafter Vasquez) to purchase firearms for Resa
11 which he intended to give to SAUCEDA-CUEVAS.

12 19. On or about May 26, 2010, Vasquez went to a federally licensed firearms dealer
13 in Arizona and purchased four rifles on behalf of Resa and SAUCEDA-CUEVAS.
14 When purchasing the firearms, Vasquez represented to the dealer that he was the
15 true purchaser of the firearms when, in truth and in fact, they were purchased for
16 another.

17 20. Resa asked another person to purchase firearms for Resa which he intended to
18 give to SAUCEDA-CUEVAS. On or between August 22 and 26, 2010, that
19 person went to a federally licensed firearms dealer in Arizona and purchased five
20 pistols on behalf of Resa and SAUCEDA-CUEVAS. When purchasing the
21 firearms, this person represented to the dealer that he/she was the true purchaser
22 of the firearms when, in truth and in fact, they were purchased for another person.

23 All in violation of Title 18, United States Code, Sections 924(a)(1)(A) and 371.

24 **COUNT 6**

25 On or about November 27, 2009, in the District of Arizona, defendant JOSE SAUCEDA-
26 CUEVAS, intentionally and knowingly made a false and fictitious oral and written statement to,
27 a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, in
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1 connection with the acquisition of a firearm, specifically a Century International Arms, Inc.
2 (CIA), Model Draco, 7.62x39mm caliber pistol, which statement was intended and likely to
3 deceive the licensed dealer of firearms, as a fact material to the lawfulness of such sale of said
4 firearm under Chapter 44 of Title 18, in that he executed a Bureau of Alcohol, Tobacco, and
5 Firearms Form 4473, Firearms Transaction Record, representing that he was Alejandro Macedo
6 on the form, when in fact that is not his true identity.

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

8 **COUNT 7**

9 On or about November 30, 2009, in the District of Arizona, defendant JOSE SAUCEDA-
10 CUEVAS, intentionally and knowingly made a false and fictitious oral and written statement to,
11 a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, in
12 connection with the acquisition of firearms, specifically a Bushmaster, model XM15-E2S, .223
13 caliber rifle and a FNH, model USG, 5.7x28 caliber pistol, which statement was intended and
14 likely to deceive the licensed dealer of firearms, as a fact material to the lawfulness of such sale
15 of said firearm under Chapter 44 of Title 18, in that he executed a Bureau of Alcohol, Tobacco,
16 and Firearms Form 4473, Firearms Transaction Record, representing that he was Alejandro
17 Macedo on the form, when in fact that is not his true identity.

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

19 **COUNT 8**

20 On or about December 2, 2009, in the District of Arizona, defendant JOSE SAUCEDA-
21 CUEVAS, intentionally and knowingly made a false and fictitious oral and written statement to,
22 a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, in
23 connection with the acquisition of firearms, specifically a Colt, model 02071ELC2, .38 super
24 caliber pistol and a FNH, model USG, 5.7x28 caliber pistol, which statement was intended and
25 likely to deceive the licensed dealer of firearms, as a fact material to the lawfulness of such sale
26 of said firearm under Chapter 44 of Title 18, in that he executed a Bureau of Alcohol, Tobacco,
27 and Firearms Form 4473, Firearms Transaction Record, representing that he was Alejandro
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1 Macedo on the form, when in fact that is not his true identity.

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

3 **COUNT 9**

4 On or about May 17, 2010, in the District of Arizona, defendant JOSE SAUCEDA-
5 CUEVAS, intentionally and knowingly made a false and fictitious oral and written statement to,
6 a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, in
7 connection with the acquisition of a firearm, specifically a Century International Arms, Inc.
8 (CIA), Model WASR10, 7.62x39mm caliber rifle, which statement was intended and likely to
9 deceive the licensed dealer of firearms, as a fact material to the lawfulness of such sale of said
10 firearm under Chapter 44 of Title 18, in that he executed a Bureau of Alcohol, Tobacco, and
11 Firearms Form 4473, Firearms Transaction Record, representing that he was Alejandro Macedo
12 on the form, when in fact that is not his true identity.

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

14 **COUNT 10**

15 On or about May 18, 2010, in the District of Arizona, defendant JOSE SAUCEDA-
16 CUEVAS, intentionally and knowingly made a false and fictitious oral and written statement to,
17 a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, in
18 connection with the acquisition of firearms, specifically a Lancaster Arms, Model NDS-3,
19 7.62x39mm caliber rifle and five Century International Arms, Inc. (CIA), Model WASR10,
20 7.62x39mm caliber rifles, which statement was intended and likely to deceive the licensed dealer
21 of firearms, as a fact material to the lawfulness of such sale of said firearm under Chapter 44 of
22 Title 18, in that he executed a Bureau of Alcohol, Tobacco, and Firearms Form 4473, Firearms
23 Transaction Record, representing that he was Alejandro Macedo on the form, when in fact that
24 is not his true identity.

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

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COUNT 11

On or about November 27, 2009, in the District of Arizona and elsewhere, JOSE SAUCEDA-CUEVAS, did knowingly use, without lawful authority, a means of identification of another person, specifically the identification of Alejandro Macedo, during and in relation to Title 18, United States Code, Section 922(a)(6), False Statement in Connection With Acquisition of a Firearm.

In violation of Title 18, United States Code, Section 1028A.

COUNT 12

On or about November 30, 2009, in the District of Arizona and elsewhere, JOSE SAUCEDA-CUEVAS, did knowingly use, without lawful authority, a means of identification of another person, specifically the identification of Alejandro Macedo, during and in relation to Title 18, United States Code, Section 922(a)(6), False Statement in Connection With Acquisition of a Firearm.

In violation of Title 18, United States Code, Section 1028A.

COUNT 13

On or about December 2, 2009, in the District of Arizona and elsewhere, JOSE SAUCEDA-CUEVAS, did knowingly use, without lawful authority, a means of identification of another person, specifically the identification of Alejandro Macedo, during and in relation to Title 18, United States Code, Section 922(a)(6), False Statement in Connection With Acquisition of a Firearm.

In violation of Title 18, United States Code, Section 1028A.

COUNT 14

On or about May 17, 2010, in the District of Arizona and elsewhere, JOSE SAUCEDA-CUEVAS, did knowingly use, without lawful authority, a means of identification of another person, specifically the identification of Alejandro Macedo, during and in relation to Title 18,

1 United States Code, Section 922(a)(6), False Statement in Connection With Acquisition of a
2 Firearm.

3 In violation of Title 18, United States Code, Section 1028A.

4 **COUNT 15**

5 On or about May 18, 2010, in the District of Arizona and elsewhere, JOSE SAUCEDA-
6 CUEVAS, did knowingly use, without lawful authority, a means of identification of another
7 person, specifically the identification of Alejandro Macedo, during and in relation to Title 18,
8 United States Code, Section 922(a)(6), False Statement in Connection With Acquisition of a
9 Firearm.

10 In violation of Title 18, United States Code, Section 1028A.

11 **COUNT 16**

12 On or about November 27, 2009, in the District of Arizona, defendant JOSE SAUCEDA-
13 CUEVAS, an alien illegally and unlawfully in the United States, did knowingly possess, a
14 Century International Arms, Inc. (CIA), Model Draco, 7.62x39mm caliber pistol, a firearm
15 which had been shipped and transported in interstate commerce.

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

17 **COUNT 17**

18 On or about November 30, 2009, in the District of Arizona, defendant JOSE SAUCEDA-
19 CUEVAS, an alien illegally and unlawfully in the United States, did knowingly possess, a
20 Bushmaster, model XM15-E2S, .223 caliber rifle and a FNH, model USG, 5.7x28 caliber pistol,
21 a firearm which had been shipped and transported in interstate commerce.

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

23 **COUNT 18**

24 On or about December 2, 2009, in the District of Arizona, defendant JOSE SAUCEDA-
25 CUEVAS, an alien illegally and unlawfully in the United States, did knowingly possess, a Colt,
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1 model 02071ELC2, .38 super caliber pistol and a FNH, model USG, 5.7x28 caliber pistol,
2 firearms which had been shipped and transported in interstate commerce.

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

4 **COUNT 19**

5 On or about May 17, 2010, in the District of Arizona, defendant JOSE SAUCEDA-
6 CUEVAS, an alien illegally and unlawfully in the United States, did knowingly possess, a
7 Century International Arms, Inc. (CIA), Model WASR10, 7.62x39mm caliber rifle, a firearm
8 which had been shipped and transported in interstate commerce.

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

10 **COUNT 20**

11 On or about May 18, 2010, in the District of Arizona, defendant JOSE SAUCEDA-
12 CUEVAS, an alien illegally and unlawfully in the United States, did knowingly possess, a
13 Lancaster Arms, Model NDS-3, 7.62x39mm caliber rifle and five Century International Arms,
14 Inc. (CIA), Model WASR10, 7.62x39mm caliber rifles, firearms which had been shipped and
15 transported in interstate commerce.

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

17 **COUNT 21**

18 On or about November 27, 2009, in the District of Arizona, defendant JOSE SAUCEDA-
19 CUEVAS, having been previously convicted of:

- 20 • Criminal Possession of a Forgery Device on or about February 9, 2006, Superior Court of
21 Arizona, Maricopa County, Case Number CR2004-018639 and
22 • Theft of Means of Transportation on or about February 9, 2006, Superior Court of Arizona,
23 Maricopa County, Case Number CR2005-133046;
24 crimes punishable by imprisonment for a term exceeding one year, did knowingly possess a
25 firearm, specifically: a Century International Arms, Inc. (CIA), Model Draco, 7.62x39mm
26 caliber pistol, which had been shipped and transported in interstate and foreign commerce.

27 In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

1 COUNT 22

2 On or about November 27, 2009, in the District of Arizona, defendant, JOSE
3 SAUCEDA-CUEVAS, having been previously convicted of:

- 4 • Criminal Possession of a Forgery Device on or about February 9, 2006, Superior Court of
5 Arizona, Maricopa County, Case Number CR2004-018639 and
6 • Theft of Means of Transportation on or about February 9, 2006, Superior Court of Arizona,
7 Maricopa County, Case Number CR2005-133046;
8 crimes punishable by imprisonment for a term exceeding one year, did knowingly possess
9 firearms, specifically: a Bushmaster, model XM15-E2S, .223 caliber rifle and a FNH, model
10 USG, 5.7x28 caliber pistol, which had been shipped and transported in interstate and foreign
11 commerce.

12 In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

13 COUNT 23

14 On or about December 2, 2009, in the District of Arizona, defendant, JOSE SAUCEDA-
15 CUEVAS, having been previously convicted of:

- 16 • Criminal Possession of a Forgery Device on or about February 9, 2006, Superior Court of
17 Arizona, Maricopa County, Case Number CR2004-018639 and
18 • Theft of Means of Transportation on or about February 9, 2006, Superior Court of Arizona,
19 Maricopa County, Case Number CR2005-133046;
20 crimes punishable by imprisonment for a term exceeding one year, did knowingly possess
21 firearms, specifically: a Colt, model 02071ELC2, .38 super caliber pistol and a FNH, model
22 USG, 5.7x28 caliber pistol, which had been shipped and transported in interstate and foreign
23 commerce.

24 In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

25 COUNT 24

26 On or about May 17, 2010, in the District of Arizona, defendant, JOSE SAUCEDA-
27 CUEVAS, having been previously convicted of:

- 1 • Criminal Possession of a Forgery Device on or about February 9, 2006, Superior Court of
2 Arizona, Maricopa County, Case Number CR2004-018639 and
3 • Theft of Means of Transportation on or about February 9, 2006, Superior Court of Arizona,
4 Maricopa County, Case Number CR2005-133046;
5 crimes punishable by imprisonment for a term exceeding one year, did knowingly possess a
6 firearm, specifically: Century International Arms, Inc. (CIA), Model WASR10, 7.62x39mm
7 caliber rifle, which had been shipped and transported in interstate and foreign commerce.

8 In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

9 **COUNT 25**

10 On or about May 18, 2010, in the District of Arizona, defendant, JOSE SAUCEDA-
11 CUEVAS, having been previously convicted of:

- 12 • Criminal Possession of a Forgery Device on or about February 9, 2006, Superior Court of
13 Arizona, Maricopa County, Case Number CR2004-018639 and
14 • Theft of Means of Transportation on or about February 9, 2006, Superior Court of Arizona,
15 Maricopa County, Case Number CR2005-133046;
16 crimes punishable by imprisonment for a term exceeding one year, did knowingly possess
17 firearms, specifically: a Lancaster Arms, Model NDS-3, 7.62x39mm caliber rifle and five
18 Century International Arms, Inc. (CIA), Model WASR10, 7.62x39mm caliber rifles, which had
19 been shipped and transported in interstate and foreign commerce.

20 In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

21 **FORFEITURE ALLEGATION**

22 Upon conviction of the offenses in violation of Title 18 United States Code, Section
23 924(a)(1)(A), set forth in Counts 1 thorough 25, defendants shall forfeit to the United States,
24 pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code,
25 Section 2461(c), any firearms and/or ammunition involved in or used in the knowing violation
26 of the statutes set forth above.

1 If any of the above-described forfeitable property, as a result of any act or omission of the
2 defendants: (1) cannot be located upon the exercise of due diligence; (2) has been transferred
3 or sold to, or deposited with, a third person; (3) has been placed beyond the jurisdiction of the
4 Court; (4) has been substantially diminished in value; or (5) has been commingled with other
5 property which cannot be subdivided without difficulty, the United States of America shall be
6 entitled to forfeiture of substitute property pursuant to Title 21, United States Code,
7 Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

8 All pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States
9 Code, Section 2461(c).

10 A TRUE BILL

11 /s/

12
13 FOREPERSON OF THE GRAND JURY
Date: May 17, 2011

14 DENNIS K. BURKE
15 United States Attorney
District of Arizona

16 /s/

17 LISA JENNIS SETTEL
18 Assistant U.S. Attorney
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